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Negative Freedom Revised: The Neo-Republican Approach

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Introduction

The picture that I am presenting with this work addresses the topic of individual freedom. The conception that I will present of individual freedom tries to break away from the paradigms and easy labels. If, on one side, political, civil, or socio-economic freedom can perfectly describe the formal quality of individual freedom, on the other, this descriptive tendency can also be weak in the explanation of true exercise of freedom, especially in relation to the dynamics of the social structure to which an individual is inevitably interrelated.

I will consider, therefore, the notion of individual freedom as a normative power that models the myriad of codes of conduct and social procedures that an individual experiences in the complexity of the social contexts in which she is catapulted into. My perspective, consequently, of individual freedom is that of an essential element of person, moulded and moulding, established, negotiated, consistent, and reliable on the procedures and practices of a certain social structure. In particular, I will analyse the dynamics and processes of the economic structure. This latter seems to be the decisive and divisive branch through which the formation and exercise of individual freedom is modelled.

The articulation of freedom, in the western(ised) thought, is a long journey. Freedom has found a special place in the political theorisations of the modernity. Throughout all modernity, freedom has faced new challenges, such as the new role of labour,¹ the rise of new methods of production and distribution, the growth of capitalism and a comprehensive rationalization of every aspect of the way of living in a modern political community.

Freedom can be natural, in the most deistic fashion, or socially concerted. It can be positive or negative.² Freedom has been analytically theorised, or rhetorically decanted against the oppression of the tyrants as much as it has been conceived as an instrumental source of legitimation of the political authority. Freedom is recognised for the benefit of

¹ See Arendt, H. (1958). *The Human Condition*. Chicago: University of Chicago Press, p. 4: "The modern age has carried with it a theoretical glorification of labor and has resulted in a factual transformation of the whole of society into a laboring society."

² This dichotomy will be starting point of this work. From this, the other features and outcomes connected with the value of freedom will be presented and addressed.

democracy, to go alongside with the concepts of equality, justice, and the recognition of human dignity, or to be totally disconnected with them.³

In the end, freedom is one of those concepts, along with justice, equality, and God, that has been theorised the most and most variedly by humanity in every stage of history. Modernity is no exception, for having a fatal tendency of rediscussing every value or essential characteristic composing the reality.

In order to offer an exhaustive description of individual freedom in the modernity, I will draw directly from specific insights of moral philosophy and political theory, in addition to philosophy of economy and history of economic thought in general. For this, my understanding of freedom of the individual is directly influenced by Amartya Sen, Karl Marx, Milton Friedman, the neoclassical school, and Friedrich Von Hayek as much as by Thomas Hobbes, John Locke, Georg Wilhelm Friedrich Hegel, Isaiah Berlin, John Rawls, Ian Carter, Philip Pettit, and Gerald MacCallum. Moreover, even some insights from western modern constitutionalism are integrated into the dissertation, specifically because liberalism, as the dominant political theory of the modern times, has traditionally developed its policies, procedures, and codes of conduct in the form of constitutional and basic rights.

First of all, my aim is to analyse the freedom of the rational modern individual inserted in the structures of society. The individual, in the modernity, is rational and individualistic. Rationalism and individualism have had a defining role in shaping the rules of modernity and even in the contemporaneity. They are the basic guidelines for the interpretation of the roles and functions that the modern individual must embody in order to give sense to her actions within “her” cosmos.

In the opinion of Max Weber, human beings have “a metaphysical need for a meaningful cosmos”⁴. The Weberian formula, therefore, says that every human being, in order to find comfort in this clueless, yet organised, ‘*cosmos*’ (clueless to us, albeit phenomenologically organised to our eyes), has an urgency, ‘*a need*’ that everything that it is clueless for us can somehow become ‘*meaningful*’.

³ Arendt, H. (1958). *The Human Condition*. Chicago: University of Chicago Press, pp. 32-33: “To be sure, [Ancient Greece] equality of the political realm has very little in common with our concept of equality: it meant to live among and to have to deal only with one’s peers, and it presupposed the existence of “unequals” who, as a matter of fact, were always the majority of the population in a city-state. Equality, therefore, far from being connected with justice, as in modern times, was the very essence of freedom: to be free meant to be free from the inequality present in rulership and to move in a sphere where neither rule nor being ruled existed.”

⁴ Weber, M, Gerth, H.H., & Wright Mills, C. (Eds.). (1948). *From Max Weber: Essays in Sociology* (Mills, C., & Gerth, H.H., Trans.; 1st ed.). London: Routledge, p. 281.

Reason is a central component that composes the modern '*meaningful cosmos*'. Everything is calculated under the rule of reason, even the individual. Rationalization, as the desinence suggests, is a process. A process, dominated by reason (of course), that promises the reveal of the '*meaningful cosmos*' here within the imperfections of this worldly life:

“[...] [T]hose of us who travel by streetcar have not the faintest idea how that streetcar works. Nor have we any need to know it. It is enough for us to know that we can "count on" the behavior of the streetcar. We can base our own behavior on it. But we have no idea how to build a streetcar so that it will move. The savage has an incomparably greater knowledge of his tools [...] in principle, then, we are not ruled by mysterious, unpredictable forces, but that, on the contrary, we can in principle *control everything by means of calculation*. That in turn means the disenchantment of the world. Unlike the savage for whom such forces existed, we need no longer have recourse to magic in order to control the spirits or pray to them.”⁵

We do not have to put under control '*the spirits*' or even pray them in order to be comfortable in this senseless world. Reason, with its revealing force, will guide us to the '*meaningful cosmos*', here, on Earth.

Secondly, the self, according to modernity, is an individual that has a moral and ethical sovereign over herself, capable of finding in her morality the strongest purposes for action. Modernity, in the figure of Immanuel Kant, offered the change of perspective from the object to the subject: it is through the discernment of the subject that stable knowledge can be produced. At the centre of our attention is no longer the objective fact in and of itself, yet our ability to deal with and elaborate the object. At the centre, in short, there is the individual who makes the reality.⁶ And as much as she is the author of experience, she is capable of determining, according to reason, her own way of conduct.

⁵ Weber, M. (2004) [1917] [1919]. *The Vocation Lectures* (eds. Owen, D. & S., Strong, T. B., trans. Livingstone, R.). Indianapolis: Hackett Publishing Company, pp. 12-13.

⁶ See Kant, I. (1998) [1781,1787]. *Critique of Pure Reason* (The Cambridge Edition of the Works of Immanuel Kant) (P. Guyer & A. Wood, Eds.). Cambridge: Cambridge University Press, p. 110 (b-xvi): “I should think that the examples of mathematics and natural science, which have become what they now are through a revolution brought about all at once, were remarkable enough that we might reflect on the essential element in the change in the ways of thinking [...]. Up to now it has been assumed that all our cognition must conform to the objects; but all attempts to find out something about them a priori through concepts that would extend our cognition have, on this presupposition, come to nothing. Hence let us once try whether we do not get farther with the problems of metaphysics by assuming that the objects must conform to our cognition, which would agree better with the requested possibility of an a priori cognition of them, which is to establish something about objects before they are given to us. This would be just like the first thoughts of Copernicus, who, when he did not make good progress in the explanation of the celestial motions if he assumed that the entire celestial host revolves around the observer, tried to see if he might not have greater success if he made the observer revolve and left the stars at rest.”

From modernity on, political authority, civil society, and customary practices have all to obey to the indivisible uniqueness of the individual, as an inviolable rule.⁷ The individual, in the modernity, is “the ultimate unit of moral concern”⁸. And the social structure is measured for its ability to respect individual autonomy,⁹ for “which is ‘just’ is that which protects, fosters, or realizes the autonomy of all members of society.”¹⁰

The outcome, resulting from the process of modernity, is that the modern self is an agent that concentrates her ability to reason in the pursuit of her own purposes and ends.

Any individual freedom, for being “accepted” in the modernity (with more success or failure), need “to respect and promote” the modern anthropological understanding. The objective of modern freedom is to respect the sanctity of the self, and, for this, any form of modern freedom recognises the individual as their primary concern.

Therefore, both positive freedom and negative freedom need to guarantee individual freedom in a consistent analytical structure. Usually, the academic debate (and not only) has divided individual freedom in two opposing blocs: positive freedom and negative freedom. The political theorist that majorly has delineated the rules and characteristics of the two blocs was Isaiah Berlin, namely with the article “Two Concepts of Liberty”¹¹.

Positive freedom usually is considered a freedom *to*: a type of individual freedom enabling the person to achieve *something*. Negative freedom, on the other hand, is a freedom *from*: it protects the person from *something*. This is only a preliminary sketch in order to present the analytical division that individual freedom has had during human history, especially in the modernity.

The two freedoms share basically the same vocabulary, such as autonomy, self-directed purposes and ends, and human will, which creates even more confusion, but, in the end, the two freedoms take different roads to determine which are the best methods towards the concrete enjoyment of freedom for individuals.

⁷ See Honneth, A. (2014) [2011]. *Freedom's Right: The Social Foundations of Democratic Life* (trans. Ganahl, J.). Cambridge: Polity Press, p. 20: “In modernity, the demand for justice can only be shown to be legitimate by making some kind of reference to the autonomy of the individual; it is neither the will of the community nor the natural order, but individual freedom that forms the normative foundation of all conceptions of justice.”

⁸ Pogge, T. (1992). *Cosmopolitanism and Sovereignty*. *Ethics*, 103(1), pp. 48-75, p. 49.

⁹ See Honneth, A. (2014) [2011]. *Freedom's Right: The Social Foundations of Democratic Life* (trans. Ganahl, J.). Cambridge: Polity Press, p. 21: “[A]s soon as we know that justice and individual self-determination are mutually referential, any resort to older, pre-modern sources of legitimacy must appear to exterminate the perspective of justice altogether. It is no longer clear what it would even mean to demand a just social order without simultaneously calling for individual self-determination. Therefore, this fusion between conceptions of justice and the idea of autonomy represents an achievement of modernity that can only be reversed at the price of cognitive barbarism.”

¹⁰ *Ibid.*

¹¹ See Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press.

The positive/negative division covers the entire spectrum of what it means to be free in the society in the modernity. In the positive side, we can find Rousseau's political philosophy, contemporary theoretical communitarianism, and the Hegelian tradition. On the other hand, the negative side comprises right-libertarianism, classic liberalism, and neoliberalism.

Liberalism, however, merits an honourable mention. Liberalism, with all its variations on the theme, is able to embrace both theorisations of freedom. The paramount element that liberalism needs to value and promote, in all its variations, is the individual dimension of freedom. For example, if we take an economic perspective, the vast area of liberalism comprises both Friedrich Von Hayek and William Beveridge. They both claimed to be liberals and they both considered to value and enhance individual's prosperity, freedom, and actions. However, if the first one remains strongly on the negative freedom side of liberalism, being the eminent figure connecting classic economic liberalism to neoliberalism,¹² William Beveridge is a social liberal, which is closer to a conception of freedom *to*.¹³ From an analytical and philosophical point of view, we can put John Rawls, John Stuart Mill, William Beveridge, and even Amartya Sen in the positive freedom conception of liberalism, that I will refer to, over the entire dissertation, as "Left liberalism", while Isaiah Berlin, Milton Friedman, Robert Nozick, and Friedrich Von Hayek, on the negative freedom approach of liberalism.

Therefore, my dissertation will address the comparison between positive freedom and negative freedom. My process is somehow peculiar. Firstly, I delineate the parameters of positive freedom in the first chapter, and then the second and the third chapter will address the elements of negative freedom. I proceed in this manner because my intention is to determine that negative freedom, as a whole, is a more consistent kind of freedom than the positive one, for protecting the individual and her freedom in a more structured manner. However, negative freedom theory is not monolithic: there are differences. For this, the second chapter will address freedom as non-interference, and its weaknesses and analytical shortcomings. The third chapter will turn to the claim that freedom from domination is a better form of individual freedom in the modernity and, most notably, in regulating the contemporary practices and procedures of the social structure. Especially, I consider freedom as non-domination as a better solution to the shortcomings and deficiencies of liberalism,

¹² See Hayek, F. A. (1960). *The Constitution of Liberty*. Chicago: University of Chicago Press.

¹³ See Great Britain., & Beveridge, W. H. B. (1942). *Social Insurance and Allied Services: Report by Sir William Beveridge*. London: H.M. Stationery Off.

including the positive freedom version of it. The value of non-domination can determine a more consistent awareness and effectiveness of the individual in the procedures and practices of the social structure.

The first kind freedom that I will address is positive freedom. Positive freedom can be presented, firstly, as a freedom *to*. However, this “to” presupposes different political architectures, different anthropological views of the human being, and different modes of interactions, social behaviours, and codes of conduct. The “to” presupposes self-mastery, that can be developed through different procedures, as we are going to see in the following chapter. Self-mastery means that the individual is her own master. Isaiah Berlin delineated the matter quite clearly:

“Freedom is self-mastery, the elimination of obstacles to my will, whatever these obstacles may be – the resistance of nature, of my ungoverned passions, of irrational institutions, of the opposing wills or behaviour of others.”¹⁴

Therefore, positive freedom presupposes the ability of the individual’s will to act into the reality of her own circumstances, to make coincide the high part of one’s will to the concrete outside made of the social contexts, of political institutions, and of regulative practices and behavioural procedures.

Different branches of positive freedom have developed different modalities for the enactment of this process. For example, Karl Marx has a different theorisation of positive freedom than Jean-Jacques Rousseau. Karl Marx wanted to overcome the formal nature of liberalism, by considering human freedom “not through the negative power, but through the positive power to assert his true individuality”¹⁵. The Engels-Marx approach is deeply materialistic, “[f]or what each individual wills is obstructed by everyone else”¹⁶. It is, therefore, in the materialistic domain of the social sphere that battle of human freedom should be fought. Rousseau’s conception of self-mastery is slightly different. Albeit it remains the ability of the individual to be in control of the dynamics of the social structure, Rousseau’s self-mastery arises from a more reflexive sentiment. Rousseau’s positive freedom

¹⁴ Ivi, p. 192.

¹⁵ Marx, K. (1844). *The Holy Family. Chapter VI, Sect. 3, The Critical Battle against French Materialism*. Retrieved June 24, 2021, from: https://www.marxists.org/archive/marx/works/1845/holy-family/ch06_3_d.htm

¹⁶ Engels, F. (1890). *Engels to J. Bloch in Königsberg* (trans. Brian Baggins). Retrieved from December 5, 2021, from: https://www.marxists.org/archive/marx/works/1890/letters/90_09_21.htm

consists “in the fact that individuals only truly become individuals once they have acquired and articulated their own, authentic will through a lengthy process of reflection”¹⁷.

To this conception of positive freedom, it must be added the individualistic understanding of positive freedom, proper of liberalism. This kind of liberalism is extremely related with the modern egalitarian tradition and usually categorised in the left forms of liberalism. Kant, John Stuart Mill, John Rawls, and Amartya Sen can be listed in this field. They are out-out liberals, with maybe the exception of Kant whose political philosophy is so variegated and so inspiring for the following centuries that it looks reductive to put only in the liberal faction. I list them in the “individualistic positive freedom” camp because, they are, in different manners, promoters and defenders of a freedom *to* with forms of *from* in order to protect the sanctity of the individual.

The other type of freedom that will be addressed in this dissertation is negative freedom. As mentioned, negative freedom comprises both freedom as non-interference and freedom as non-domination. However, it is safe to say that, for the great masses, negative freedom is wrongly exhausted by the formula of freedom as non-interference.

The second chapter will address freedom as non-interference, indeed. Freedom as non-interference is the probably most popular way of understanding negative freedom. Freedom as non-interference is the other side of liberalism, and, to some extent, a very prominent one. It has faced various challenges, especially the socialist one, but it came out as the mostly sole kind of freedom nowadays. In fact, freedom as non-interference is the ruling freedom of the contemporaneity, at least for a large majority of the people living in the contemporaneity. This hegemony derives from the incessant dominance and undisputed success of liberalism, in its most negative fashion, in the modern era.

The value of non-interference has rephrased the concept of freedom in line with the evolution of modernity. Freedom as non-interference considers that an individual is free if she suffers no form of intrusions in her own activities, necessities, and interests. One is not free, if she finds that external (human) factors are constraining her eventuality to make choice(s).

“The criterion of oppression is the part that I believe to be played by other human beings, directly or indirectly, with or without the intention of doing so, in frustrating my wishes. By being free

¹⁷ Honneth, A. (2014) [2011]. *Freedom's Right: The Social Foundations of Democratic Life* (trans. Ganahl, J.). Cambridge: Polity Press, p. 36.

in this sense I mean not being interfered with by others. The wider the area of non-interference the wider my freedom.”¹⁸

Freedom from interference, usually, has been epitomised as the quintessential negative freedom. For it was the more successful form of *freedom from* that consistently was able to put a barrier for the protection of the individual. As Isaiah Berlin states in the previous passage, the “from” of *freedom from* establishes an area, in this case governed by the value of non-interference, in which the other, be it one’s neighbour or the authority of the state, cannot overstep into.

Yet, freedom as non-interference is not the only form of negative freedom. There is a contender claiming its space. This rival is freedom as non-domination, which is gaining more and more attention especially in political theory, but which is key also to understand freedom in the social structure.

Let us start with an example to clarify the meaning of freedom as non-domination. Let us consider a Master A, who controls a Slave B. Is Slave B, who lives as a slave controlled by Master A, free? The answer, according to our common sense, is no. However, this brief sentence can create some troubles in analytical terms, for political theorists treating the matter of freedom. The central topic is relational power. If we stay in the republican field, it means that Master A enjoys a situation in which she can decide the destiny, the agency, the purposes, and the ends of Slave B. Or Master A might be a benevolent master and leave “her” Slave A into a “complete” freedom. Is this latter a situation of unfreedom for Slave B?

For example, positive liberty, especially its communitarian spirit, may declare Slave B not unfree. Since, according to the theorists of communitarian positive freedom, Slave B is free if she is able to self-determine the content of her life, to express her will in the structures of the society: she is free as long as Master A allows her to cultivate her “higher nature”¹⁹, and only that. The role of Master A, according to the communitarian positive liberty tradition, may even be active because there is no preoccupation of “keeping the authority at bay”²⁰: the core issue of liberty is not absence of constraints, restrictions or

¹⁸ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p. 170.

¹⁹ See Ivi, p. 179: “This dominant self is then variously identified with reason, with my ‘higher nature’, with the self which calculates and aims at what will satisfy it in the long run, with my ‘real’, or ‘ideal’, or ‘autonomous’ self, or with my self ‘at its best’; which is then contrasted with irrational impulse, uncontrolled desires, my ‘lower’ nature, the pursuit of immediate pleasures, my ‘empirical’ or ‘heteronomous’ self, swept by every gust of desire and passion, needing to be rigidly disciplined if it is ever to rise to the full height of its ‘real’ nature.”

²⁰ Ivi, p. 173.

interference but giving to the subject the ability to be the master of her life, to be “the instrument of [her] own acts of will.”²¹

The liberal side of positive freedom is “softer” on the conception of the acts of will. If we think of liberal egalitarianism,²² freedom *to* is conceived more as giving to individuals the material and immaterial instruments for their self-realisation, rather than obeying to their ‘*higher nature*’. At the same time, the positive freedom side of liberalism has more forms of protection, safeguards, and basic rights, however, these forms of “from” does not have the ability to establish a sort of relationship or even an acknowledgement of Master A. I refer especially to Rawls’ First Principle:

“[E]ach person is to have an equal right to the most extensive scheme of equal basic liberties compatible with a similar scheme of liberties for others. [...] Now it is essential to observe that the basic liberties are given by a list of such liberties. Important among these are political liberty (the right to vote and to hold public office) and freedom of speech and assembly; liberty of conscience and freedom of thought; freedom of the person, which includes freedom from psychological oppression and physical assault and dismemberment (integrity of the person); the right to hold personal property and freedom from arbitrary arrest and seizure as defined by the concept of the rule of law. These liberties are to be equal by the first principle.”²³

Rawls’ liberties, for example, are not structured for the eventuality of a master. Rather, they are barriers for a (liberal) protection of the individual, and not relational instrument for the acknowledgement of the other, as neo-Roman republicanism suggests.

Secondly, freedom as non-interference considers freedom of Slave B on the eventual actions of Master A. If Master A, even if their relationship remains the same, does not produce acts of interference against Slave B, this latter can be considered free, according to the formula of non-interference.

Freedom as non-interference is a freedom *from*. It presupposes a form of liberty from something or someone through which a person is able to preserve an area where to exercise her freedom. As Isaiah Berlin stated, negative freedom answers directly to the following question:

²¹ Ivi, p. 178.

²² For “Liberal Egalitarianism”, I fully share the definition proposed by Albert Weale. See Weale, A. (1980). *The Impossibility of Liberal Egalitarianism*. *Analysis*, 40(1), pp. 13–19, p. 13: “By “liberal egalitarianism”, I mean a social theory which states that a more equal distribution of benefits is ethically preferable to a less equal distribution, unless there is a liberal reason to the contrary.

²³ Rawls, J. (1971). *A Theory of Justice: Revised Edition*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press, p. 53.

“To coerce a man is to deprive him of freedom – freedom from what? Almost every moralist in human history has praised freedom. [...] I shall call the ‘negative’ sense, is involved in the answer to the question ‘What is the area within which the subject – a person or group of persons – is or should be left to do or be what he is able to do or be, without interference by other persons?’”²⁴

Interference is the evil that has been chosen to fight against. Freedom as non-interference prescribes that one is not free if she suffers forms of hindrance, constrain, and obstruction. The individual is free if she suffers no forms of interference, and as long she enjoys an area of non-interference in which she can choose her action. Therefore, it specifies that a person needs an area in which she is able not to suffer any form of interference. The larger is the area of that freedom, the bigger is the scope of one’s freedom. Notice that Isaiah Berlin had in mind freedom as non-interference when arguing in favour of negative liberty.

The idea of ‘*the area within which*’ is troublesome. For example, the conception of ‘*the area within which*’ is not mandatory for the republican tradition. Let’s take the example of Master A and Slave B, once again. The question of unfreedom for the republican tradition, is not that Slave B has to be guaranteed an area of freedom based on the value of non-domination. The issue, for freedom as non-domination, is relational. There is no area to be preserved: freedom occurs in the presence of the other rather than in the isolation prescribed by ‘*the area within which*’. And Slave B is unfree because Master A possesses a form of relational power over her, beside the area of freedom that she may enjoy. ‘*The area within which*’ is a solution for freedom as non-interference, while is not actually a viable answer for, for example, freedom as non-domination. I will explain this argumentation in the second and, most notably, in the third chapter of my dissertation.

Finally, for neo-Roman republican freedom, Slave B is always unfree in relation to Master A, precisely for the kind of relationship they reciprocally entertain. Individual freedom is a relational topic, through the lens of neo-Roman republicanism, or neo-republicanism. Slave B’s freedom is not measured on the actions that Master A can do to her detriment, but on the relationship that Slave B and Master A maintain, for what Master A is to Slave B. The neo-republican “from” is different: it is concerned with another scenario, that of domination.

²⁴ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p. 168.

Neo-republicanism is living its revival after the works of Philip Pettit, Quentin Skinner, Cecile Laborde, Maurizio Viroli, and previously J.G.A. Pocock.²⁵ They have proposed a renewed vision of republicanism in the neo-Roman fashion. Neo-Roman republicanism places a particular emphasis on the role of the individual in relation to the authority, particularly, in the modernity, that of the State. A person is free she has no master on top of her. Hence, neo-Roman republicanism emphasises a different form of freedom, in contrast with freedom as non-interference. At the same time, republican freedom does not even coincide with the formula of “being your own master”, proper of positive freedom. For the neo-Roman republicans, an individual is free is she has no master.

Republicanism is an important political tradition of western democratic thought. The history of neo-Roman republicanism crosses through the important moment of the western political tradition. From Ancient Rome, in particular in the period of the Roman Republic, where Cicero has set its belief, norms, and philosophical spirit. Then, the tradition has been revitalised in the context of the Italian city-states. Here, the immense work of Niccolò Machiavelli, in particular in the “Discourses on Livy”²⁶, was fundamental for the resurgence of the neo-Roman republican tradition in the late medieval period and, most notably, in the modernity. Later, the torch has been taken by the English Republican tradition of the 17th century, with notable theorists such as John Milton and James Harrington. To be honest, in this period, neo-Roman republicanism is more focused on the antimonarchical characteristics than on other fundamental analytical features. Finally, the tradition of Roman republicanism has been collected in the New World. The Americans, who saw King George III as an unwelcome reassertion of King Charles I, adopted the language and the theories of the Roman republican ideology to contest the English rule, and, later, to aliment American constitutionalism. Of course, I am referring, above all, to the minds of the Federalist Papers, namely James Madison and Alexander Hamilton.

Obviously, these “types” of neo-Roman republicanism were different from one another. After all, they were enacted in different periods and different political contexts and cultural scenarios. However, all of them considered neo-Roman republicanism a solution to

²⁵ See Pettit, P. (1999). *Republicanism: A Theory of Freedom and Government*. Oxford Scholarship Online; Skinner, Q. (1997). *Liberty before Liberalism*. Cambridge: Cambridge University Press; Viroli, M. (1998). *Machiavelli*. Oxford: Oxford University Press; Laborde, C. (2011). *Critical Republicanism: The Hijab Controversy and Political Philosophy*. Oxford: Oxford University Press; and Pocock, J.G.A. (1975). *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition*. Princeton, N.J: Princeton University Press.

²⁶ Machiavelli, N. (1996) [1531]. *Discourses on Livy* (trans. by Harvey C. Mansfield; Nathan Tarcov). Chicago: University of Chicago Press.

the political impasses, an instrument for the liberation of people over another, and an answer to the shortcomings of their own societies.²⁷

Beyond the historical analysis, in the contemporaneity, the republican tradition seems to have taken hold for its analytical juxtaposition with the uncontested winner of the contemporaneity: liberalism. Republicanism proposes another conception of the individual in the society that can reverberate consistently even with the contemporary social dynamics and constitutional arrangements. The analytical motor of all of this is freedom as non-domination.

Freedom from domination preoccupies itself with the scenario in which one “can interfere on arbitrary basis with choices”²⁸ of another. For one is dominated if she is at mercy to another will. For this, the value of non-domination is able to address normatively the issue of power of people by people.

Moreover, republicanism overcomes the obsession with interference: “I suffer domination to the extent that I have a master; I enjoy non-interference to the extent that that master fails to interfere.”²⁹ . I am unfree if I have a master controlling me, even if the master does not do anything in order to limit my exercise of freedom: my freedom is already compromised just for having a master in and of itself.

It is important to keep in mind that freedom as non-domination belongs to the negative freedom camp as much as freedom from interference.³⁰ However, freedom from domination can be best described as an intermediate point between negative and positive freedom, in which the focus is still “absence [and] not presence”³¹, proper of the notion of negative freedom while at the same time the object is “mastery [and] not interference”³², of the positive freedom. These conditions analytically form the formula of freedom as non-mastery, that is equivalent to freedom as non-domination.³³

In this scenario, freedom from domination may still be ranked into the standard of negative freedom and, at the same time, ensuring some differences and alterations of the

²⁷ From now on, when using the term “Republicanism” I intend neo-Roman republicanism.

²⁸ Pettit, P. (1999) *Republicanism: A Theory of Freedom and Government*. Oxford: Oxford Scholarship Online, p. 22.

²⁹ Ivi, pp. 22- 23.

³⁰ Skinner, Q. (1997). *Liberty before Liberalism*. Cambridge: Cambridge University Press, p. 94: “The neo-roman writers fully accept that the extent of your freedom as a citizen should be measured by the extent to which you are or are not constrained from acting at will in pursuit of your chosen ends.”

³¹ Pettit, P. (1999) *Republicanism: A Theory of Freedom and Government*. Oxford: Oxford Scholarship Online, p. 22.

³² Ibid.

³³ See Ibid.: “I maintain that it is, and I shall be arguing in the sections which follow that the republican tradition is associated with precisely this conception of freedom as non-mastery or, as I prefer to say, non-domination”.

formula. Freedom as non-domination has been presented as a more robust and a more comprehensive form of liberty in comparison with freedom as non-interference. In general, the entire liberal thought, hence comprising the individualistic positive freedom approach, is overcome through a relational conception of individual freedom. Of course, the non-interference side of liberalism will be criticised on different premises than the resourcism and distributive systems of the left liberalism. However, both critiques deal with the relational accent of freedom as non-domination. The rest of the positive freedom tradition, say communitarianism and socialism, are criticised by freedom as non-domination for not being able to maintain in the hands of the individual her own freedom. Therefore, freedom as non-domination can be considered a more social form of negative freedom, particularly if freedom as non-domination is compared to freedom from interference.

The comparison between these two forms of freedoms in the contemporaneity is a fundamental issue according to neo-republicans. Freedom as non-domination has tried to provide various reasons, justifications, and rationales in favour of a change in the contemporary political architecture with regard to political freedom: switching from freedom from interference to freedom as non-domination as the cornerstone of modern politics.

The juxtaposition between these two forms of liberty can be maintained even with regard to the social structure. For freedom as non-interference is seemingly too powerless towards the perversions and shortcomings that a free market-based social structure can produce while freedom as non-domination is not, due to its analytical articulations.

For social structure, I refer to the scenario in which the individual performs her agency. The scenario is composed by the multitude of the contexts in which the individual happens to act, and, most notably, these contexts depend on the social structure of a certain society. The social structure, in other words, gives the norms, the functions, and the roles that are implemented in the various contexts by the participants.

I am completely aware that I enter into a problematic sociological debate. What is the social structure? What is the relationship that (modern) individual has with it? This is a hot topic from the dawn of sociology. When arguing about the notion of social structure is important to start from the long-standing issue of the individual and society, of human agency and structure. The issue between agency and structure tries to answer the question of: “How the society is formed?”, “What are the rules that governed it?”, “What is the role of people and what is the role of the structure of society?”, “Is the individual that with her agency determines the structure of the society or is structure of the society, eternal and recursive, that determine the agency of the individuals?”

The last question is the throbbing heart of the discussion about the function and formation of the social structure. The history of sociology can be even described through the answers to the question. Every century and every decade after the mid-19th century have presented a different answer to the formation and functioning of the social structure and the role of individuals in it.

There were the functionalists, headed by Emile Durkheim and, later, by Talcott Parsons. The functionalists saw the social structure as the organic composition of human customs, processes, structures, and practices in which every part of the social structure has specific function for the survival and prosperity of the entire organism, or social structure:

“Every social system is a functioning entity. That is, it is a system of interdependent structures and processes such that it tends to maintain a relative stability and distinctiveness of pattern and behaviour as an entity by contrast with its - social or other - environment, and with it a relative independence from environmental forces. [...] To this extent it is analogous to an organism”³⁴

Then, even as a response to the discoveries and theories in the linguistic domain,³⁵ the structuralists came into power. Structuralism believes that there is a sort of preconstructed social framework in every culture predetermining the actions and behaviours of the individuals to which the social framework applies to. As much as in the linguistic domain, *parole* is dictated by *langue*.³⁶ This approach leaves little room of manoeuvre for the individuals, who are usually depicted as mere executors dominated by a certain social structure who has imposed its power through time.

The structural approach has been supplanted over time, even influenced by the protests of 1960s, especially in France. Lacan, Barthes, Foucault, Deleuze, and Derrida, all tried to escape from the too rigid scheme of structuralism. Post-structuralism questioned the stiffness

³⁴ Parsons, T (1942). *Propaganda and Social Control*. In: Parsons, T. (1954) *Essays in Sociological Theory*. New York: The Free Press, p. 143

³⁵ See Saussure, F. (1966) [1916]. *Course in General Linguistics* (eds. Bally, C., & Sechehaye, A.). New York: Philosophical Library Inc.

³⁶ Ivi, pp. 9,13: “But what is language [langue]? [...] It is both a social product of the faculty of speech and a collection of necessary conventions that have been adopted by a social body to permit individuals to exercise that faculty. [...] How does the social crystallization of language come about? Which parts of the circuit are involved? For all parts probably do not participate equally in it. The nonpsychological part can be rejected from the outset. When we hear people speaking a language that we do not know, we perceive the sounds but remain outside the social fact because we do not understand them. Neither is the psychological part of the circuit wholly responsible: the executive side is missing, for execution is never carried out by the collectivity. Execution is always individual, and the individual is always its master: I shall call the executive side speaking [parole].”

and the rigour of the structural theorisation from different perspective that went beyond the sociological domain.

Nevertheless, my dissertation draws from the theorisation provided by Anthony Giddens to overcome the diametrical differences between the different schools, in particular between structuralism and functionalism. In “Central problems in Social Theory: Action, Structure and Contradiction in Social Analysis”³⁷ and in “The Constitution of Society”³⁸ Anthony Giddens forged the theory of structuration:

“According to the notion of the duality of structure, the structural properties of social systems are both medium and outcome of the practices they recursively organize. Structure is not 'external' to individuals: as memory traces, and as instantiated in social practices, it is in a certain sense more 'internal' than exterior to their activities in a Durkheimian sense. Structure is not to be equated with constraint but is always both constraining and enabling. [...] The knowledge of social conventions of oneself and of other human beings, presumed in being able to 'go on' in the diversity of contexts of social life is detailed and dazzling. All competent members of society are vastly skilled in the practical accomplishments of social activities and are expert 'sociologists'. The knowledge they possess is not incidental to the persistent patterning of social life but is integral to it.”³⁹

Structuration puts together the dynamic duality of the structure and of the agents. It combines the humanistic conception of society, in which the human being is not a passive figure but a full-fledged agent, without abandoning the well-ordered lessons of structuralist school.

The structure indicates the patterns of social relationship between the agents of a community. They indicate the social positions of the various agents in their relationships. A structure is similar to a scaffold, especially that of a complex society as ours. Levels, stratifications, functions, and positions are interconnected promoting antagonistically and/or cooperatively the norms and codes of conduct that inform the members of a social system how to perform adequately in the society. Yet, in some sense, the patterns forming the structure of a certain social system are inanimate. The promotion of certain codes of conducts, values, and social norms depends on human agency. For this, I consider human agency fundamental to complete the picture of the social structure.

³⁷ See Giddens, A. (1979). *Central Problems in Social Theory: Action, Structure and Contradiction in Social Analysis*. Berkeley: University of California Press.

³⁸ See Giddens, A. (1984). *The Constitution of Society: Outline of the Theory of Structuration*. Berkeley and Los Angeles, CA: University of California Press.

³⁹ Ivi, pp. 25-26.

Human agency sets the gears of the structure in motion. The agents produce and reproduce their social positions in functions and active roles. Human agency is conceived more as “a continuous flow of conduct”⁴⁰ than the mere sum of single actions that aggregately form the social structure. Agents, operating accordingly to the contextual codes of conduct, reinforce the social structure, determine the performance of the context, and consolidate their function and social position in them.⁴¹ It is agency and structure together.

If, for a moment, we return to the basic republican example of the master and the slave. The master is an agent yet at the same time is a functional expression of the dominant social structure.

This approach gives to human agency a power over the structure, a sort of stable flexibility of the structure. The structure is influenced and moulded (maybe, over time) by the action(s) of people. It is the agency of individuals that, with their creative power (or creative destruction)⁴², for example, produces a technological advancement capable of modifying the structure in a certain community:

“The hand-mill gives you society with the feudal lord; the steam-mill society with the industrial capitalist. The same men who establish their social relations in conformity with the material productivity, produce also principles, ideas, and categories, in conformity with their social relations.”⁴³

⁴⁰ Giddens, A. (1979). *Central Problems in Social Theory: Action, Structure and Contradiction in Social Analysis*. Berkeley: University of California Press, p. 55.

⁴¹ Arendt, H. (1960). *Freedom and Politics: A Lecture*. Chicago Review, 14(1), 28–46, p. 34: “Political institutions, no matter how well or how badly designed, depend for continued existence upon acting men [...]”

⁴² See Schumpeter, J. A. (2003) [1943]. *Capitalism, Socialism and Democracy*. London & New York: Routledge, p. 82-83: “Capitalism, then, is by nature a form or method of economic change and not only never is but never can be stationary. And this evolutionary character of the capitalist process is not merely due to the fact that economic life goes on in a social and natural environment which changes and by its change alters the data of economic action [...] The fundamental impulse that sets and keeps the capitalist engine in motion comes from the new consumers’ goods, the new methods of production or transportation, the new markets, the new forms of industrial organization that capitalist enterprise creates. As we have seen in the preceding chapter, the contents of the laborer’s budget, say from 1760 to 1940, did not simply grow on unchanging lines but they underwent a process of qualitative change. Similarly, the history of the productive apparatus of a typical farm, from the beginnings of the rationalization of crop rotation, plowing and fattening to the mechanized thing of today—linking up with elevators and railroads—is a history of revolutions. So is the history of the productive apparatus of the iron and steel industry from the charcoal furnace to our own type of furnace, or the history of the apparatus of power production from the overshot water wheel to the modern power plant, or the history of transportation from the mailcoach to the airplane. The opening up of new markets, foreign or domestic, and the organizational development from the craft shop and factory to such concerns as U.S. Steel illustrate the same process of industrial mutation—if I may use that biological term—that incessantly revolutionizes the economic structure *from within*, incessantly destroying the old one, incessantly creating a new one. This process of Creative Destruction is the essential fact about capitalism. It is what capitalism consists in and what every capitalist concern has got to live in.

⁴³ Marx, K. & Engels, F. (1847) *The Poverty of Philosophy*. Second Observation. Retrieved September 20th, 2021, from: <https://www.marxists.org/archive/marx/works/1847/poverty-philosophy/ch02.htm>.

Human work, here symbolised by the technological progress from the hand-mill to the steam-mill, have determined, *inter alia*, a change of the social relationships in a social system. The social structure is, therefore, modelled by the innate ability to create of the human beings and by the inevitable interdependence of its members.

The dynamic duality established by human agency, on one side, and structure, on the other, composes the social structure.⁴⁴ It is both agential and structural. The structure and human agency form the social structure: “[I]n social theory, the notions of action and structure *presuppose one another*”⁴⁵. The structure is in the agents, as a sort of implanted memory, as much as the agents are present in the structure. Through the actions of the agents, the structure is recreated over time.

The dynamic duality between agency and structure (or structuration) produces the sentiment that a certain social structure is eternal and natural-like. Rights, laws, social standings, social norms and practices, institutions, and individual freedom establish forms of perpetuity and stability in the society, or at least *a sense* of perpetuity and stability. They also need to be consistent with the functional positions of the other variables. For this, for example, the social standings of Ancient Regime were not adequate to the upcoming structural modifications of the modern economic thought: barons and duchess did not have a proper social, political, and economic function in modern and contemporary times, they simply enjoyed the splendours of the past.

Rights, laws, social standings, institutions, and individual freedom have a function even in space. The roles and functions within the social structure produce the very contexts, the rules and the expected behaviours, the functions and the roles of the people in them:

“The term 'social structure' thus tends to include two elements, not clearly distinguished from one another: the *patterning of interaction*, as implying relations between actors or groups; and the *continuity of interaction* in time.”⁴⁶

A context is a common ground in which roles, functions, and codes of conduct materialise. People necessarily generate values, functions, roles, and self-perceptions in the

⁴⁴ Semantically, there can be notice a confusion with regard to the term “structure”. With the term “structure”, I identify both the outcome and the mean. But however, I differentiate the outcome as “the social structure” and the mean or medium as “the structure”.

⁴⁵ Giddens, A. (1979). *Central Problems in Social Theory: Action, Structure and Contradiction in Social Analysis*. Berkeley: University of California Press, p. 53. (original emphasis)

⁴⁶ Ivi, p. 62.

various contexts within their reference social systems. Obviously, there are many contexts that a single person faces during her lifetime and her daily routine. Those contexts are determined by the structure working together with the agency of member of a certain community:

“Context is always relevant to determining whether a given act worsens someone's choice situation, since context fixes the baseline by reference to which we decide if the effect is indeed a worsening. This contextual sensitivity has important implications for the extent to which interference occurs. It means that acts of omission, for example, may count in some circumstances as forms of interference. Consider the pharmacist who without good reason refuses to sell an urgently required medicine or the judge who spitefully refuses to make available an established and more lenient sentencing option. Such figures should almost certainly count as interfering with those whom they affect. The contextual sensitivity will have other effects too. It may mean, for example, that exploiting someone's urgent needs in order to drive a very hard bargain represents a sort of interference. Suppose the pharmacist agrees to sell the urgently required medicine not for the standard fee but only on extortionate terms. Such a person interferes in the patient's choice to the extent of worsening what, by the received benchmark, are the expected payoffs for the options they face.”⁴⁷

The context is the stage in which individuals' agency takes place. Of course, the context is established by individuals' agency governed by the codes of conducts, social norms, laws, and respective social positions accepted, promoted, and reinforced by the social structure of a certain community. And, as I have mentioned above, people are active in the strengthening of the social structure, in the routine of the contexts, and in the perpetuation and preservation of their function and social position in them. Members of a social structure acts in several contexts on daily basis. For this, for example, social structures and contexts are modifiable by human agency.

The context is, therefore, the scenario in which all human agency takes place, contingent to the provisions and rules accepted and promoted by the social structure of a given community. Any social structure of a given community has developed its own methods and systems, formal and informal, to answer to the fundamental questions with regard to the survival and to the communal living in this planet, that are expressed in one's own context. The social structure, providing the codes of conduct and the accepted behaviours, produces

⁴⁷ Pettit, P. (1996). *Freedom as Antipower*. *Ethics*, 106(3), pp. 576-604, p. 579.

a common ground upon which people find the regulation for the performance of their agencies.

In addition, members of a certain community are positioned differently in the social structure. Every community decides to divide social positions in different manner: it can be extremely hierarchical, as in a military dictatorship, or more horizontal, as in a kibbutz. Every social position has certain behavioural patterns in order to remain in that position or at least not falling into a lower one. For example, capitalists reproduce the cold ruthless rules of the game of the capitalist competition in order to remain at least in the same position in the social structure. And, obviously, people in different social positions experience substantial differences in economic, political, material, and relational terms:

“People differently positioned in structural processes often have unequal opportunities for self-development, access to resources, to make decisions both about the conditions of their own action and that of others, or to be treated with respect or deference.”⁴⁸

In turn, people’s rules, roles, and functions are guidelines to be suitable to one’s reference community or social systems. Even the contemporary social structure, now (almost) global, has established values, roles, and functions that citizens need to accomplish to be perceived as adequate members of the community. And those values, functions, and roles have implications to individuals even in term of self-esteem and of social recognition.

This is the analytical setting, or the landscape, in which my analysis on individual freedom is proposed. As I have already mentioned in the very first lines of the dissertation, my consideration of individual freedom is in the concrete fields of experience. Individual freedom is a social practice that is developed in the structures of the society. And these passages, inspired by the work of Anthony Giddens, show my understanding of the social structure, in particular, what I mean by social structure and by functions and roles of the individual in it.

Arguing about individual freedom within the dynamics, positions, functions, and procedures of the social structure is altogether addressing the role of power within the social structure. The difference of military dictatorship’s social structure to the one of the kibbutzim is, ultimately, a difference of formation, distribution, and management of power within the respective social structures.

⁴⁸ Young, I.M. (2009). *Structural Injustice and the Politics of Difference*¹. In Christman, J. & Christiano, T. *Contemporary Debates in Political Philosophy*. Oxford: Wiley-Blackwell Publishing Ltd, pp. 83-84.

The urgency of my work, therefore, resounds in initiating a critical enquiry regarding “the many variegated power inequalities in economic and social life”⁴⁹. The point of departure must be inevitably “[the] identification of injustice on which reasoned agreement is possible, rather than in the derivation of some extant formula for how the world should be precisely run”⁵⁰. My claim is to consider the modalities though patterns of oppression and, most notably, unfreedom, affect individuals, now more than ever, in the era of the transnational social structure. Diffuse and particularised forms of structural and systematic oppression have led towards forms of vulnerability, inequality of social standings and exclusion to political influence, due to the insurgence of perversions and imperfections in the dynamics of the social structure. Consequently, this approach seeks to enquiry the structural and systemic relations of oppression, from which inequalities and disparities are originated, in order “to reduce injustice by minimizing domination”⁵¹ and consequently enhancing the scope of individual political freedom within the circumstances of the contemporary society.

It is true that the contemporary social structure nowadays is governed by certain practices, now global, which fall under the name of neoliberalism:

“[N]eoliberalism transmogrifies every human domain and endeavor, along with humans themselves, according to a specific image of the economic. All conduct is economic conduct; all spheres of existence are framed and measured by economic terms and metrics, even when those spheres are not directly monetized. In neoliberal reason and in domains governed by it, we are only and everywhere *homo oeconomicus*, which itself has a historically specific form. Far from Adam Smith’s creature propelled by the natural urge to “truck, barter, and exchange,” today’s *homo oeconomicus* is an intensely constructed and governed bit of human capital tasked with improving and leveraging its competitive positioning and with enhancing its (monetary and nonmonetary) portfolio value across all of its endeavors and venues. These are also the mandates, and hence the orientations, contouring the projects of neoliberalized states, large corporations, small businesses, nonprofits, schools, consultancies, museums, countries, scholars, performers, public agencies, students, websites, athletes, sports teams, graduate programs, health providers, banks, and global legal and financial institutions.”⁵²

⁴⁹ Casassas, D. & Wispelaere, J. (2016). *Republicanism and the Political Economy of Democracy*. European Journal of Social Theory, 19(2), pp. 283–300, p. 287.

⁵⁰ Sen, A. (2009). *The Idea of Justice*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press, p. 287.

⁵¹ Bohman, J (2012) *Domination, Epistemic Injustice and Republicanism*. Social Epistemology: A Journal of Knowledge, Culture and Policy, 26(2), pp. 175-187, p. 176.

⁵² Brown, W. (2015). *Undoing the Demos: Neoliberalism's Stealth Revolution*. New York: Zone Books, p. 10.

Neoliberalism came out as a winner in the late 1960s and the early 1970s. By replacing welfare statism in Europe, or the long period determined by the New Deal in the U.S., in which liberalism threw lustre on its positive freedom nature, the dominant modern economic thought endorses, *inter alia*, the advantages and inherent merits of the value of non-interference. All in all, it is not that different from the 19th Century conception of western political economy yet epitomised and supported by a huge technological advancement, a de-ideologization in the political domain, and a marketisation and economisation of the modern self in a democratic society. It is a free-market ideology exacerbating policies that promote an overall *laissez-faire* in the economic field, a minimum intervention of the state (called even *The Minimal State* philosophy)⁵³ in terms of socio-economic and welfare policies, and in which the modern self is forced to pursue her success by mathematising and economising every aspect of her life.

This is the situation of the contemporaneity, but my claim goes beyond the deficiencies of neoliberalism. The fundamental part of my work is to prove that there is a better form of individual freedom, in analytical and normative terms. And positive freedom theory and negative freedom theory have a different understanding on the role of freedom in the formation and development of one's agency: Is the individual free if she has material or immaterial means to achieve valuable outcomes? Is the person free if she controls the procedures and institutions of her own society? Or is she free if she enjoys a space where no hindrance can be performed? Or is it something else?

Firstly, in every respective branch of the two doctrines, there are significant divergences and even within the same political thought. As, for example, liberalism has a tradition of positive freedom as much as of negative freedom; or in the negative freedom tradition there are rightly freedom as non-interference and freedom as non-domination; or in the positive freedom camp, there is an individualistic sentiment as much as a communitarian one.

In any case, based on the previous assumptions on the nature and the rules of positive freedom and negative freedom, be it in the form of non-interference or in the form of non-domination, it can be already noticed that there is a propensity, on both sides, to consider individual freedom as an instrument. Both negative freedom and positive freedom consider individual freedom as the mean that the (modern) individual needs to have in order to act.

⁵³ See Nozick, R. (1974). *Anarchy, State, and Utopia*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press.

If we consider positive freedom, individual freedom remains an instrument for self-determining one's own will or for the reach of one's self-realisation, be it communal or individualistic.⁵⁴ The focus of positive freedom is on the necessity that the individual possesses the material and immaterial means; be it, in a consequentialist manner, in order to achieve valued outcomes, or, in terms of self-determination, to be an "agent tak[ing] an active part in gaining control or mastery of [herself]"⁵⁵ Even on the negative freedom camp, freedom remains an instrument for the individual. The protection, that the barrier that is a "from", is entirely dedicated to the inevitable consequence that the person can act.⁵⁶ It can be noticed a fundamental concept, therefore. The (modern) individual is free is she is considered as an agent for both ideological traditions. Freedom is the instrument that allows one's agency. Hence, the commonplace is to be found in the consideration that individual freedom stands in the ability to act of the individual.⁵⁷

Therefore, the value of freedom conceives the individual in motion, as an agent acting in the meanders of her own reference social structure: "The *raison d'être* of politics is freedom, and its field of experience is action."⁵⁸ Freedom is the essential condition for a person to exercise her free will.

Freedom is a pervasive feature influencing every category of one's activities. Ranging from how an individual perceive her ability in society to the modalities through which she interfaces with the other members of the community, from the access to and the usage of natural or man-made resources to the modes of utilisation of products and services in the tradition of freedom of choice, freedom is a key feature for one's agency.

If it is clear that both traditions consider freedom as a mean, the formation, the precepts, and the codes of conduct that the two freedoms allow are very different: after all, the individual, furnished with the value of non-interference, is allowed to act (and, in turn,

⁵⁴ Honneth, A. (2014) [2011]. *Freedom's Right: The Social Foundations of Democratic Life* (trans. Ganahl, J.). Cambridge: Polity Press, pp. 40-41: "Yet the conceptions of justice stemming from the ideal of self-realization can be further divided into two sub-classes, as it is possible to grasp the idea that individuals can only attain freedom by articulating their 'true' selves in both an individualistic and collectivist manner. In the first case, in which the reflexivity of self-realization is interpreted as the exclusive act of individual subjects [...] [C]ollectivist approaches grasp the achievement of self-realization as an eminently communal, cooperative endeavour. According to this view, individuals cannot achieve self-realization on their own, because their authentic self is so much an expression of a social community that it can only be unfolded in collective action."

⁵⁵ Pettit, P. (1999) *Republicanism: A Theory of Freedom and Government*. Oxford Scholarship Online, p. 17.

⁵⁶ In the case of negative freedom, there is no enquiry about the pureness of t one's will as in the case of positive freedom. This position will be addressed more thoroughly in the Chapter 1.

⁵⁷ The libertarian tradition, that can be witnessed in both fields, puts the value of freedom majorly at the centre of political architecture. Freedom is in a position of superiority in relation to other values. In any case, the conception of freedom as instrument for individual agency is comparable.

⁵⁸ Arendt, H. (1960). *Freedom and Politics: A Lecture*. Chicago Review, 14(1), pp. 28-46, p. 28. (original emphasis)

expect to receive from others) actions different from that she would have allow to expect and experience equipped with the value of self-mastery, for example. Therefore, the debate about what is the best freedom presupposes that choosing a certain understanding of freedom produces certain outcomes for the individual and the dynamics in her surroundings.

My understanding of individual freedom tries to overcome the labels and the easy formulas, as I said in the first lines of this work, through which often individual freedom is described to the general public. Political, economic, or civil freedom are categories that describe the particular scenarios of an individual experiences. However, often they seem to be too formalistic in relation to the concreteness of the daily challenges. My conception of individual freedom considers this latter as a social practice realising in the concreteness of the social contexts, regulating, in turn, the actualisations of the norms, dynamics, and procedures governing the social structure.

The point of departure for this approach to be effective is to consider freedom as a value that gains value in the moment of the acknowledgment of the exterior:

“We first become aware of freedom or its opposite in our intercourse with others, not in intercourse with our selves. Before it became an attribute of thought or a quality of the will, freedom was understood to be the free man's status which enabled him to move, to get away from home, to go out into the world and meet other people in deed and word [...] Freedom needed in addition to mere liberation the company of other men who were in the same state, and it needed a common public space to meet them, a politically organized world, in other words, into which each of the free-men could insert himself by word and deed.”⁵⁹

Firstly, for a certain conception of freedom to be effective needs to be shared with others. In other words, a (consistent) group of people must believe in the same mode of developing individual freedom. Hence, that given group of people will believe in and perform according to a certain conception of freedom and obey to the deriving norms and rules.

Freedom is a human social practice, therefore: “To specify a social practice is just to specify what counts as the community responding to some candidate act or utterance as a correct performance of that practice.”⁶⁰ A social practice determines the correct performances in a certain community. Freedom has a regulatory sense, determining what is

⁵⁹ Arendt, H. (1960). *Freedom and Politics: A Lecture*. Chicago Review, 14(1), 28–46, pp. 29-30.

⁶⁰ Brandom, R. (1979). *Freedom and Constraint by Norms*. American Philosophical Quarterly, 16(3), pp. 187–196, p. 188.

acceptable and what is not. It defines the behavioural patterns that all the people consider correct in a certain society. The normative sense of freedom, here in its most political meaning, is towards the coordination of people's agency. This is a part uniting all the theorisation of freedom, by the way.

Therefore, freedom is normative. A certain understating of freedom determines possible action(s), project(s) and purposiveness of the individual in the contexts of the social structure:

“There is a deep complementarity between individual agency and social arrangements. It is important to give simultaneous recognition to the centrality of individual freedom and to the force of social influence on the extent and reach of individual freedom”⁶¹

For freedom regulates the interactions among people in the various contexts they encounter during their daily experience. In other words, individual freedom is a central value positioning the individual in a certain manner or another, in relation to the other members of the reference social structure. Freedom, in short, gives a reciprocal normative spectrum that individuals have (and expected from others to have) of their own activities.

For example, the “from” of freedom as non-interference determines the expected behaviours of the other members of the community and, more thoroughly, the practices and procedures of a certain community. One commits a violation in the social contexts if she oversteps into another person's necessities and interests.⁶² This prohibition defines codes of conduct that the individual must carefully follow to perform adequately in the society for a certain understating of freedom permits some actions while prohibiting some others.

The conception that I advance, therefore, of individual freedom is that it is a central value being negotiated and established through the contexts and procedures of the social structure. Freedom is a value in the hands of the individual that has the capacity to regulate the dynamics in the social structure.

Specifically, for the purpose of my dissertation, the value of freedom determines a certain understanding of the other. For a certain conception of individual freedom defines the relationship that I have with the other: what actions the other is allowed to perform towards me and what action I am allowed to exercise towards her.

⁶¹ Sen, A. (1999). *Development as Freedom*. New York: Anchor Books, p. 12.

⁶²See Slaughter, S. (2005). *Liberty Beyond Neo-Liberalism: A Republican Critique of Liberal Governance in a Globalizing Age*. New York: Palgrave MacMillan, p. 5: “The liberal conception of liberty is based on the belief that each and every adult human is best able to determine their own preferred life without interference from others.”

For example, in the master/slave scenario, what is determined is not only the possible agency that to Slave B is attributed, but the relationship that this latter has with the other, in this case, Master A. Rather, it follows that the agencies of Slave B are directly influenced by the nature of the relationship that she has with Master A. This consideration remains even in freedom as non-interference, but the conception of the other is different: the alterity is not clearly identified and “punished” only for her agency. I argue that even if the value of non-interference considers the other in a thin manner, a certain understanding of the other is established. Thus, the relationship that one has with the other is a metaphor that measure the scope and nature of one’s freedom. From the relationship that I have with the other, it is determined the extent of my freedom.

The importance of freedom is even in relation to other values. The value of freedom can incorporate other values: for example, as we are going to see in the third chapter, freedom as non-domination has the ability to integrate the value of equality in its formula. Equality is consistently working within the procedures of non-domination. However, not all freedoms can include other values. Rather, some freedoms, such freedom as non-interference, do not have only a fatal inability to integrate certain other values, but they might be pernicious both on the development of these other values and on the possibility of other values, such as equality, solidarity, or dignity, to solve or even counterbalance the shortcomings of, say, freedom as non-interference.

However, this does not mean that freedom as non-interference does not have a normative power, rather that its normativity is different from other forms of individual freedom. The normativity of non-interference establishes what the individual can do and what reasonably can expect from others, which is that she cannot overstep into others’ interests and necessities and, in turn, that the other members of the community do the same in her respect.

On the other hand, in a positive liberty-based type of community, freedom “to” determines other forms of accepted performances among the members of the community, that, for example, do not comprise interference as the absolute evil to fight, especially in the communitarian understanding of positive freedom. In this sense, I argue in favour of a normative sense of freedom. Freedom establishes the accepted and unaccepted behaviours of the members of a certain community. The normative accent of freedom influences the role of the individual in the social structure, the accepted procedures in the contexts, and the management and distribution of the relationship(s) in the social structure.

I want to propose some practical examples of the relationship between the normative power of freedom and the social structure, and its procedures, norms, and accepted behaviours. For this, I will take as an example freedom as non-interference since it is the dominant kind of freedom at least in the westernised world, and maybe it is the more relatable kind of freedom for the reader.⁶³ “I enjoy non-interference if I am able to reach an end that I have selected autonomously without suffer intrusions from others” is a formula that can be comfortable for us, contemporary citizens:

“We are inclined to believe that freedom begins where politics ends, because we have seen that freedom has disappeared when so-called political considerations overruled everything else. Was not the liberal credo, “the less politics the more freedom,” right after all? Is it not true that the smaller the space occupied by the political, the larger the domain left to freedom? Indeed, do we not rightly measure the extent of freedom in any given community by the free scope it grants to apparently non-political activities, free economic enterprise or freedom of teaching, of religion, of cultural and intellectual activities? Is it not true, as we all somehow believe, that politics is compatible with freedom only because and insofar as it guarantees a possible freedom from politics?”⁶⁴

The non-interference normativity in the social structure has determined the accepted codes of conduct of the contemporary individual. For example, the paradigm of the utility maximiser⁶⁵ would not exist, or at least would not have the same centrality and glorification in a positive liberty-based society. The individual is condemned or praised according to different perspectives. If for Matthew Arnold, the utility maximisers are “humdrum people, slaves to routine, enemies to light”⁶⁶, for Joseph Schumpeter, they are “pioneers, as [others] will clearly [follow] under the stimulus of the success now attainable”⁶⁷. The reductionism

⁶³ See Ivi, p. 80: “Despite historical variations within liberalism, liberal norms, particularly the principle of non-interference and the promotion of property rights have profoundly shaped political institutions across the western world, as well as at an international level, and have legitimated the existence and spread of capitalism across the world. While liberal aspirations of liberty have always been essentially and inextricably contested, liberal conceptions have prevailed and shaped the content of international political economic practices.”

⁶⁴ Arendt, H. (1960). *Freedom and Politics: A Lecture*. Chicago Review, 14(1), 28–46, p. 30.

⁶⁵ See Bentham, J. (1818). *Defence of Usury; shewing the Impolicy of the Present Legal Restraints on the Terms of Pecuniary Bargains; in Letters to a Friend. To which is added A Letter to Adam Smith, Esq. LL.D. on the Discouragements opposed by the above Restraints to the Progress of Inventive Industry; and to which is also added, A Protest against Law-Taxes*. London: Payne and Foss, Letter I, Introduction, p. 2: “[...] no man of ripe years and of sound mind, acting freely, and with his eyes open, ought to be hindered, with a view to his advantage, from making such bargain, in the way of obtaining money, as he thinks fit: nor (what is a necessary consequence) anybody hindered from supplying him, upon any terms he think proper to accede to.”

⁶⁶ Arnold, M. (1865) *Essay in Criticism*. London: MacMillan and Co., p. 158

⁶⁷ Schumpeter, J. A. (1983) [1934]. *The Theory of Economic Development* (trans. Opie, R). London: Transactions Publishers, p. 228

of individual behaviour caused by freedom as non-interference will be addressed in the second chapter of this work.

Apart from this anthropological accent, freedom as non-interference, among other (few) values, has determined the social dynamics and norms of the contemporary community. The value of non-interference infiltrates, even unnoticed, in the spaces and penumbras of the procedures and dynamics of the global community, especially now, in a moment of extreme liberalism, that some people call it neoliberalism:

“Neo-liberalism in particular encapsulates a value system that privileges non-interference in economic affairs, thereby promoting entrepreneurialism, capitalism and economic growth.”⁶⁸

The neoliberal dynamics has not installed themselves in a vacant setting, yet in a sector regulated by certain norms, values, and codes of conduct. The incredible success, that Steven Slaughter calls “the material dimension”⁶⁹, of neoliberalism is definitely influenced by the regulatory values, social dynamics, and socio-political institutions of the modern/contemporary architecture:

“Take a view of the Royal Exchange in London, a place more venerable than many courts of justice, where the representatives of all nations meet for the benefit of mankind. There the Jew, the Mahometan, and the Christian transact together, as though they all professed the same religion, and give the name of infidel to none but bankrupts”⁷⁰

Firstly, the famous passage of Voltaire’s London Stock Exchange is a symbol of the underlying bourgeois revolution that ended the costumes, legal and consuetudinary of the Ancient Regime, and that it was in contrasts with the religious conflicts that have trapped endemically all Europe. The bourgeoisie needed other individuals to plead the cause of its newly formed, yet irresistible, doctrine: people interested in economic and material exchange more than religiously winning over the other. The ground of conflict was not any longer the

⁶⁸ Slaughter, S. (2005). *Liberty Beyond Neo-Liberalism: A Republican Critique of Liberal Governance in a Globalizing Age*. New York: Palgrave MacMillan, p. 2.

⁶⁹ Ivi, p. 31. “[Transnational corporations] have been key agents in the development of economic globalisation. Also, the global economy has been heavily influenced by the increased scale and importance of global finance which ‘has achieved a virtually unregulated and electronically connected 24-hour-a-day network’. The development of global financial markets in the late twentieth century was also shaped by information technologies that enabled “instantaneous transmission, interconnectivity and speed” of financial flows. As a result, global capital markets expanded from 10–20 billion dollars per day in the 1970s to 1.5 trillion in 1998.”

⁷⁰ Voltaire. (2002) [1733]. *Letters on England*. Philadelphia, PA: The Pennsylvania State University, Letter VI, p. 24

high field of religion that had burn and ransacked all European continent, but something more mundane, something where ‘*the word 'Infidel'*’ is reserved only ‘*for those who go bankrupt*’. The eventual bankruptcy would condemn the person for she was not able to act towards her own well-being.

Secondly, the centrality of the market coincides with the fading, mostly dictated by the emancipation of bourgeois class, of the boundaries between the private domain and the public one.⁷¹ To the extent that the nature of the relations, resulting in contemporary society, are mostly determined by the actions and purposes of the private domain. The line between the public sphere and the private agents is very blurry and opaque. Even one of the greatest outcomes of modernity, the nation-state, is challenged to its very essence:

“It is challenged from the outside through the deterritorialisation of politics, the internationalisation of economies, the transnationalisation of the cultural realm and other forms of practice and affiliation that erode sovereignty”⁷²

The fading of the line between what is public and what is private is a turn in the history of westernised democracy that we are facing in the contemporary era (e.g., the progressive usage of privatization and deregulations practices). Privatization, deregulation, and the like are the main policies carried out customarily by private or semi-private actors. They happen to be the ongoing conditioners of the public sphere. Political authorities, even though they are considered public only by definition, seem to be powerless without the political and theoretical means to stand out properly against the forces of the private domain.⁷³

Rather, the market, as a socio-political institution, has become the focal point of the private domain through which an individual can honestly state to be free. The market, other than being a socio-economic institution, is a macro-context in which individual freedom is

⁷¹ See Arendt, H. (1958). *The Human Condition*. Chicago: University of Chicago Press, p. 28: “The distinction between a private and a public sphere of life corresponds to the household and the political realms, which have existed as distinct, separate entities at least since the rise of the ancient city-state; but the emergence of the social realm, which is neither private nor public, strictly speaking, is a relatively new phenomenon whose origin coincided with the emergence of the modern age and which found its political form in the nation-state”

⁷² Sreberny, A. (2017). *Who exactly is the "We" that Liberalism talks about?* In: Abraham-Hamanoiel, A. Freedman, D. Khiabany, G. Nash, K. & Petley, J. (eds.) *Liberalism in Neoliberal Times: Dimensions, Contradictions, Limits*. London: Goldsmiths Press, pp. 251-256, p. 251.

⁷³ For example, the fading is expressed through the formula of governance overcoming the distinction between what is private and what is public. See Brown, W. (2015). *Undoing the Demos: Neoliberalism's Stealth Revolution*. New York: Zone Books, p. 126: “Governance focuses on tools or instruments for achieving ends, rather than preoccupation with specific agencies or programs through which purposes are pursued. Governance replaces the opposition or tension between government and the private sector (sovereign and market relations) with collaboration and complementarity. Governance emphasizes the importance of each sector doing what it does best and the importance of partnerships across these differences”

majorly involved, and, most notably, negotiated, at least in the modern world, and in which is mainly measured the extent of one's subjugation to other people's power. In this social atmosphere, the individual bargains, negotiates, actualises, and establishes the scope of her agency, in relation to the normative power of freedom as non-interference. And the formal dimension of freedom has a central role in depicting the contemporary social atmosphere.

For example, freedom as non-interference has played a role in the incessant triumph of the neoliberal practices. The value of freedom as non-interference is a normative power that has rendered possible and, most notably, has legitimised analytically and politically the deregulated, liberalising, and privatising policies that the westernised world, and not only,⁷⁴ has implemented, especially after the termination of the rivalry with socialism.

Deregulation is an example of the normative power of freedom as non-interference. Firstly, I am in line with the definition of deregulation proposed by Steven Slaughter in "Liberty Beyond Neo-Liberalism: A Republican Critique of Liberal Governance in a Globalizing Age": "*Deregulation* is defined by the removal of "political" interferences from the operation of markets."⁷⁵ Secondly, deregulation is allowed by freedom as non-interference. Freedom as non-interference does not have the analytical strength to control deregulation. In other words, a person, equipped with freedom as non-interference, does not have the normative power to make instances against practices of deregulation, privatisation, and liberalisation; as, for example, other kinds of individual freedom might have.

Deregulation fits well in the pattern of freedom as non-interference, for deregulation does not presupposes the overstepping (or interference) in one's agency, or establishing any obstacle towards someone's activities; rather, the exact opposite: it presupposes '*the removal of "political" interferences from the operation of markets*'. If the value to be protected is non-interference, deregulation, privatisation, and liberalisation are extremely feasible procedures. Rather, the value of non-interference stimulates those policies, for they obey to the rule of non-overstepping in one's agency. In other words, deregulation, privatisation, and liberalisation make the pair with the conception of the '*area within which*' that freedom as non-interference promotes. This approach will be addressed more consistently in Chapter 2.

⁷⁴ Slaughter, S. (2005). *Liberty Beyond Neo-Liberalism: A Republican Critique of Liberal Governance in a Globalizing Age*. New York: Palgrave MacMillan, pp. 41-42: "[T]here are the structural features of the world economy, in particular global finance and mobile capital, which while enabled by neo-liberal deregulation, have influenced how *all* states operate. Whether or not states seek to uphold neo-liberalism or the interests of transnational capital, they are nonetheless shaped by a context of deregulation that, once let loose, is difficult to control."

⁷⁵ Ivi, p. 43. (original emphasis)

On the other hand, deregulation would not be accepted under the rule of republican freedom, for republicanism, just to name a reason, does not believe in the equation that individual freedom coincides with “the silence of the law”⁷⁶:

“[...] [I]f you live under any form of government that allows for the exercise of prerogative or discretionary powers outside the law, you will already be living as a slave.”⁷⁷

This is just a minuscule example of the difference between the republican approach and the non-interfere approach, even though they rightly belong to the negative freedom field.

One of the reasons is that freedom as non-interference is a feature that brings a certain social system to completion; in which, for example, the individual is valued on the persona of the “privat”⁷⁸. The ‘privat’ needs that her interests are protected and promoted, that the laissez-faire is justified and legitimised upon the legacy of “every act of interference is coercion”, and eventually, that the role of the market, as a self-regulating entity, become central in the material realisation of the utility maximisers. Of course, none of these values or institutions are exclusive outcomes of freedom as non-interference. The market, with its core characteristics, including freedom as non-interference, has a certain functioning and procedure that could be different under the rule of other values, for instance.

For example, the institution of the market seems to shape, now more than ever, the outlines of patterns of winners and losers, but that is mostly because the institution of market is a sphere through which a part of the society dominates the other ones.⁷⁹ In other words, unfreedom seems to stem from the institution of market, but the market is a mean, and nothing more than that. Exchange among people might not be bad in its essence: some

⁷⁶ Hobbes, T. (1999) [1651]. *Leviathan, or The Matter, Forme and Power of a Common Wealth Ecclesiastical and Civil* (eds. Hay, R.). Hamilton, Ont: McMaster University, p. 135.

⁷⁷ Skinner, Q. (1997). *Liberty before Liberalism*. Cambridge: Cambridge University Press, p. 82.

⁷⁸ Habermas, J. (1991) [1962]. *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* (Trans. by Burger T. with the Assistance of Lawrence F.). Cambridge: Polity Press, p. 11: “[T]he German word *privat*, which was borrowed from the Latin *privatus*, can be found only after the middle of the sixteenth century, having the same meaning as was assumed by the English “private” and the French *privé*. It meant as much as “not holding public office or official position, *ohne öffentliches Amt*, or *jam emplois que l’engage dans les affaires publiques*, “Private” designated the exclusion from the sphere of the state apparatus; for “public” referred to the state that in the meantime had developed, under absolutism, into an entity having an objective existence over against the person of the ruler.”

⁷⁹ See Marx, K & Engels, F. (1848). Lukes, S., Bronner, S., Tismaneanu, V., & Sassen, S. (2012). *The Communist Manifesto*. Yale University Press (Isaac J., Ed.). Retrieved July 10, 2020, from www.jstor.org/stable/j.ctt5vm1x2, p. 74: “The modern bourgeois society that has sprouted from the ruins of feudal society has not done away with class antagonisms. It has but established new classes, new conditions of oppression, new forms of struggle in place of the old ones.”⁷⁹

practices and procedures, such as “predatory pricing, insider trading, market manipulation”⁸⁰ are not essential characteristics allowing the institution of market to exist. So, the fault of this situation would not be based on the conception of the goodness of market economy and individual freedom in the market, in and of itself, but precisely on the role of its distributive mechanisms, the fairness of its procedures, the perversion of the modes of production, and on the points of departures in terms of equality, status, and reciprocity. What determines situations of unfreedoms are the consolidated practices and procedures, institutional arrangements, and the overall relationships in the social structure that are reinforced, *inter alia*, by the normative power of freedom. For instance, freedom as non-interference, as a regulatory element in the market, defines the allowed practices and methods of accepted procedures in the various institutions, including that of the market.

My focus over the entire work, therefore, is on the normative power of individual freedom in the social structure. I will develop my claim in contrastive manner. Firstly, I will present positive freedom, in its communitarian accent and in its individualistic one. Then, the debate will focus on the dichotomy between republican freedom and freedom as non-interference. How freedom as non-domination is able to overcome the structural inabilities and the peculiar permeabilities of freedom as non-interference and the positive freedom(s) to address certain forms of unfreedom? Of course, republican freedom has a certain consideration of the other, of the social arrangement, of the political institutions, of one’s agency, that altogether I consider superior to the other individual freedoms proposed.

The dissertation, more precisely, is divided in three chapters. Chapter I will concern on positive freedom. To be more accurate, the chapter is a critique to the limits of positive freedom. Primarily, I will present positive freedom in two branches: communitarian positive freedom and individualistic positive freedom. I will consider communitarian positive freedom as incapable of maintaining freedom in the hands of the individual. Secondly, I will consider individualistic positive freedom, which is ultimately the consideration that left liberalism has proposed in terms of freedom. I am going to criticise it upon the non-relational sense of individual freedom that left liberalism proposes. If on one side, it is shareable that freedom can be a combination of “from” and “to”; on the other there is a non-relational limit of left liberal freedom that does not solve the very patterns of vulnerability and unfreedom.

Chapter II is also a critique, but the focus is freedom as non-interference. Freedom as non-interference is the winning type of negative freedom, for being the freedom of the

⁸⁰ Pettit, P. (2006). *Freedom in the Market*. *Politics, Philosophy and Economics*, 5(2), pp. 131–149, p. 142.

winning political ideology. However, I think that there are inconsistencies in its analytical considerations. First of all, the pushing away of the other establishes conditions of unawareness of the perils and challenges to one's agency. Secondly, I consider a weakness the materialistic reductionism of considering one's freedom can be measured through the variety and number of choices is allowed to pursue. The fixation with choices and the inability to control the social structure render the individual permeable and vulnerable to the dynamics of the social structure, left unguarded to the law of the strongest.

Finally, Chapter III focuses on freedom as non-domination. I consider freedom as non-domination as a better formulation of individual freedom, covering a wider spectrum of contexts and circumstances and protecting the individual in a wider number of threats, and, most notably, allowing a more consistent individual agency than freedom as non-interference and the positive freedoms. Republican freedom considers the other as a fundamental part. This approach, I believe, is the cornerstone for the republican architecture. From the presence of the other, the republican individual understands that her freedom depends on the quality of the relationships she maintains. What role and functions the other have, in the several contexts a person experience? What standing and capacities I have in relation to their roles and functions? Are they functions promoting freedom and relational symmetry or on the contrary, are they functions that convey forms of oppression? The answer to these questions will extrapolate the goodness of neo-Roman republican freedom, and, most notably, its superiority in relation to positive freedoms and freedom as non-interference.

Chapter 1: Positive Freedom

1.1. What is Positive Freedom?

Positive freedom is also known as a *freedom to*. The “to” seems to be easy to describe: an individual is free if she has the ability *to* do something. I think each and every one of us would agree with this conception of individual freedom. Nevertheless, this approach can have various determinations.

Different terminologies can be employed to describe *freedom to*: self-ownership, self-mastery, self-determination, and self-realisation. In this analytical framework, we can find the Aristotelian tradition of the good life;¹ John Stuart Mill’s conception of freedom, if we take a liberal or a more individualistic conception (even though, here, self-mastery resembles more the concept of self-realisation); and the Hegelian idea of ‘*Beisichselbstsein*’ (being with oneself in an other).²

The good life starts, firstly, when the bare life and private necessities have been assuaged and controlled.³ This attitude already determines a watershed with the contemporary way of life, in which the private necessities and interests are the organising principles even to the detriment of the public sphere.⁴ Secondly, and most notably, the

¹ In Greek, the term “good life” is translated with “eudaimonia”. See Duignan, B. (2020). *Eudaimonia*. Encyclopedia Britannica. Retrieved January 20, 2021, from <https://www.britannica.com/topic/eudaimonia>: “[E]udaimonia consists of the good performance of the characteristic function of human beings, whatever that may be, and human virtue or excellence is that combination of traits or qualities that enables humans to perform that function well.”

² See Hardimon, M. O. (1994). *Hegel's Social Philosophy: The Project of Reconciliation* (Modern European Philosophy). Cambridge: Cambridge University Press, p. 114: “Hegel’s shorthand expression of freedom is *Beisichsein* (*Beisichselbstsein*) ‘being with oneself’. [...] As Hegel uses it, *Beisichsein* is an abbreviation for *Beisichselbstsein in einem anderem*, ‘being with oneself in an other’. [...] The idea that being with oneself presupposes relating to an other flows from the idea that in order to be genuinely with itself the self must develop its potential [...]”

³ See Arendt, H. (1958). *The Human Condition*. Chicago: University of Chicago Press, pp. 36-37: “The “good life,” as Aristotle called the life of the citizen, therefore was not merely better, more carefree or nobler than ordinary life, but of an altogether different quality. It was “good” to the extent that by having mastered the necessities of sheer life, by being freed from labor and work, and by overcoming the innate urge of all living creatures for their own survival, it was no longer bound to the biological life process.”

⁴ See Ivi, p. 33: “In the modern world, the social and the political realms are much less distinct. That politics is nothing but a function of society, that action, speech, and thought are primarily superstructures upon social interest, is not a discovery of Karl Marx but on the contrary is among the axiomatic assumptions Marx accepted uncritically from the political economists of the modern age. This functionalization makes it impossible to perceive any serious gulf between the two realms; and this is not a matter of a theory or an ideology, since with the rise of society, that is, the rise of the “household” (*oikia*) or of economic activities to the public realm, housekeeping and all matters pertaining formerly to the private sphere of the family have become a “collective” concern.”

Aristotelian's good life is the development of the faculties of the human being. For this, the individual is free if she has the means to reach the highest aims of developing the internal and essential faculties, already present in her for the sake of being a unique human being with particular and inimitable faculties.

Self-realisation is a value even for liberalism. However, the plan to achieve self-realization is more individualistic than the Aristotelian approach. For example, John Stuart Mill considered the flourishing of the human talents of the modern individual a pivotal element for the liberation of the individual. Mill argued that an "atmosphere of freedom"⁵, in a way, is able to develop the talents of individuals, and to protect or even cultivate their subjectivity and their creativity:

"Persons of genius, it is true, are, and are always likely to be, a small minority; but in order to have them, it is necessary to preserve the soil in which they grow. Genius can only breathe freely in an atmosphere of freedom."⁶

There is a substantial overturning of the individual and the community. Their reciprocal functions are reversed between the two conceptions. In the Aristotelian theory, there is not a subordination of the community to the individual. Rather, the good life is the life that "starts" when the individual has put a limit to the perils and dangers of the bare life; and, more importantly, when the (good) life is performed in the polis.⁷ According to Mill's formulation, however, the community, in the form of pluralistic kind of procedures and political institutions, has the duty to cultivate individuals' talents because these latter are the nourishment of the common good of the society.⁸

⁵ See Mill, J.S. (1859). *On Liberty*. Kitchener, Ontario: Batoche Books Limited (eds. 2001), p. 60: "Genius can only breathe freely in an atmosphere of freedom." Honneth adds a "social" to Mill's formula of "atmosphere of freedom" that I consider altogether more significant." See Honneth, A. (2014) [2011]. *Freedom's Right: The Social Foundations of Democratic Life* (trans. Ganahl, J.). Cambridge: Polity Press, p. 41: "Drawing on Wilhelm von Humboldt, Mill argues that government has the duty to create a social 'atmosphere of freedom'".

⁶ Mill, J.S. (1859). *On Liberty*. Kitchener, Ontario: Batoche Books Limited (eds. 2001), p. 60.

⁷ See Arendt, H. (1958). *The Human Condition*. Chicago: University of Chicago Press, p. 37: "[...] Without mastering the necessities of life in the household, neither life nor the "good life" is possible, but politics is never for the sake of life. As far as the members of the *polis* are concerned, household life exists for the sake of the "good life" in the *polis*."

⁸ Mill, J.S. (1859). *On Liberty*. Kitchener, Ontario: Batoche Books Limited (eds. 2001), p. 63: "But different persons also require different conditions for their spiritual development; and can no more exist healthily in the same moral, than all the variety of plants can in the same physical, atmosphere and climate. The same things which are helps to one person towards the cultivation of his higher nature are hindrances to another. The same mode of life is a healthy excitement to one, keeping all his faculties of action and enjoyment in their best order, while to another it is a distracting burthen, which suspends or crushes all internal life."

The ‘*social atmosphere of freedom*’ can be even seen in Kant’s political philosophy. However, the ‘*social atmosphere of freedom*’ is no longer the consequential and utilitarian practice that a certain community needs to produce in order to cultivate individuals’ talents, as in John Stuart Mill’s formulation. Rather, it is translated in the political institutions which are the premise through which “each person’s entitlement to be his or her own master is only consistent with the entitlements of others [...]”⁹.

The ‘*social atmosphere of freedom*’ is also appropriate for the description of John Rawls’ political philosophy. However, the ‘*social atmosphere of freedom*’ is translated in the form of a Kantian-like, normative, egalitarian, yet instrumental¹⁰ theory of justice, in which the individual develops her self-realisation in the form of self-respect.¹¹

The other branch of positive freedom is inherent to self-determination. A person is free if she is able to realise her will, with concrete acts, “actualised herself in the external world.”¹² This is the definition of ‘*Beisichselbstsein*’. In order to achieve this, the individual has to be a real part of the community to which she belongs. Hence, to be a real part, the individual must make coincide her will (*being with oneself*) in the procedures, in the social norms, in the laws, and in the socio-political institutions of the community (*in an other*). In this, of course, it can be added Rousseau’s general will:

“If, when the people, being furnished with adequate information, held its deliberations, the citizens had no communication with one another, the grand total of the small differences would always give the general will, and the decision would always be good.”¹³

The *volonté générale* presupposes a deliberative process in which every citizen is an active part of the process that will comprise, collectively but uniquely, her own will.

⁹ Ripstein, A. (2009). *Force and Freedom*. Cambridge, Massachusetts: Harvard University Press, p. 9.

¹⁰ Ivi, p. 3: “Rawls to provide a broadly Kantian perspective on a set of questions that have their roots less in Kant than in the empiricist and utilitarian tradition of Bentham and Mill. For that tradition, the use of state power and the ability of some people to make rules that others must follow are ultimately to be assessed in terms of the benefits they provide and the burdens they create”

¹¹ Rawls, J. (1971). *A Theory of Justice: Revised Edition*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press, p. 93: “Thus a meritocratic society is a danger for the other interpretations of the principles of justice but not for the democratic conception. For, as we have just seen, the difference principle transforms the aims of society in fundamental respects. This consequence is even more obvious once we note that we must when necessary take into account the essential primary good of self-respect [...]”

¹² Hardimon, M. O. (1994). *Hegel's Social Philosophy: The Project of Reconciliation* (Modern European Philosophy). Cambridge: Cambridge University Press, p. 114.

¹³ Rousseau, J.J. (1762). *The Social Contract, or Principles of Political Right* (trans. G. D. H. Cole). Retrieved October 20, 2021, from: <https://www.marxists.org/reference/subject/economics/rousseau/social-contract/ch02.htm>

It follows that positive freedom considers fundamental for an individual, to be free, to be in control of the means, be them internal or external, material or immaterial, of the structures and relations of her own reference community. The liberal individualistic side of positive freedom does not actually presuppose a direct control of the resources, of the structures, and of the means of the society, rather a recognition for every individual of being inserted in a system in which a *to* more than a *from* is vital for the exercise of one's freedom. Therefore, the "to" of positive freedom, as I have assumed in the first lines of the chapter, presumes different actualisations, ranging from the pureness of one's will to the mounding of the social fabrics of a polity, passing through the recognition of being in possession of material and immaterial resources.

The chapter will develop as follows. Firstly, I am going to present the core identity of positive freedom, namely the central features, and the analytical elements determining the conception of individuals and their freedom, and how they function in the concreteness of the social structure. Secondly, I am going to address the fundamental issue regarding the importance of means and resources to be free. Then, I will critique positive freedom from two different perspective: the communitarian one and individualistic one. My critique of communitarian positive freedom will vert on the role of reason and how this fundamental element is the cause of the departure between the self and her freedom. In this phase, I agree with Isaiah Berlin's critique, expressed in "Two Concepts of Liberty", where positive freedom is depicted as a conception having a fatal tendency to sacrifice individual autonomy on the altar of reason. The critique of individualistic positive freedom, beside accepting Sen's critique to resourcism, will vert on the inability of the distributive systems of providing with internal and external means to individuals to address consistently the farraginous mechanisms and unequal dynamics of the social structure.

1.2. Positive Freedom: A Wide-Ranging Freedom

Positive freedom is vastly recognised as the *freedom to*. However, behind that "to", there is an entire doctrine that tries to configure a proposition of freedom as the liberty to act upon one's will. Thereby, an individual, to enjoy positive freedom, needs to make coincide her agency (and her context) to her will. In short, positive freedom believes that an individual is free if she is the master of her life. However, beyond this definition, there is a multifaceted world.

Scholars like John Christman divide positive freedom in two different conceptions of freedom:

“[T]he two positive dimensions of freedom I want to discuss are capacities and agent authenticity. The former is meant to capture the idea that those who lack basic resources thereby lack a degree of freedom, something eschewed by the standard liberal notion. The latter refers to the ways in which one can lack freedom because of internal manipulations and socially structured psychic repression, such as the effects of racism, patriarchy, alienated labor, and so on.”¹⁴

I will start from the latter. In this ‘*positive dimension*’ of freedom, individual freedom coincides with one’s will “to [be] extend[ed] outward to the sphere of objectivity”¹⁵. The external world, therefore, becomes the main stage for the development of freedom, according to this strand of positive freedom theory. The realisation of oneself is not contemplative but active in the structures of the society.

Self-mastery, self-ownership, and self-realisation depend on one’s self-determination in the structures of the society. Firstly, it can be noticed the Hegelian philosophical tradition stating that one’s freedom needs to manifest itself in one’s circumstances of reality:

“Not only must individual intentions be developed without any external influence, but the external, social reality must be able to be conceived as being free of all heteronomy and compulsion.”¹⁶

This understanding traduces the abstract dimension of one’s will into the concreteness of the structures and social procedures of the society, where the will itself can be actually exercised. More specifically, according to this view, one’s will needs to be effective and exercised in the reference community. As T.H. Green wrote, positive freedom exists ‘*in common*’ with the other members of the community. This concept corresponds to the already cited ‘*Beisichselbstsein*’:

“[W]e mean a positive power or capacity of doing or enjoying something worth doing or enjoying, and that, too, something we do or enjoy in common with others. We mean by it a power which each man exercises through the help or security given him by his fellow-men, and which

¹⁴ Christman, J. (2015). *Freedom in Times of Struggle: Positive Liberty, Again*. *Analyse & Kritik*, 37(1-2), pp. 171-188, p. 177.

¹⁵ Honneth, A. (2014) [2011]. *Freedom’s Right: The Social Foundations of Democratic Life* (trans. Ganahl, J.). Cambridge: Polity Press, p. 48.

¹⁶ *Ibid.*

he in turn helps to secure for them. When we measure the progress of a society by its growth of freedom, we measure it by the increasing development and exercise on the whole of those powers of contributing to the social good with which we believe the members of the society to be endowed; in short the greater power on the part of the citizens as a body to make the most and best of themselves.”¹⁷

The connection between one’s will and the activeness in the community can be witnessed even in Rousseau’s oeuvre. Individual freedom is negotiated for the metaphysical notion of the equal community. The community is not a concept established to limit or, worse, to dominate the individual, but is part of the person and, hence, of her own will.

In this, the general will is a collective monarch. It is an institution in which individuals act for their own will, not their own self-interest. The actions of the person are for the benefit of the community which coincides with that of her own will:

“Each of us puts his person and all his power in common under the supreme direction of the general will, and, in our corporate capacity, we receive each member as an indivisible part of the whole. [...] As soon as this multitude is so united in one body, it is impossible to offend against one of the members without attacking the body, and still more to offend against the body without the members resenting it. Duty and interest therefore equally oblige the two contracting parties to give each other help; and the same men should seek to combine, in their double capacity, all the advantages dependent upon that capacity. Again, the Sovereign, being formed wholly of the individuals who compose it, neither has nor can have any interest contrary to theirs; and consequently the sovereign power need give no guarantee to its subjects, because it is impossible for the body to wish to hurt all its members.”¹⁸

Finally, it can be also noticed that Christman’s definition of positive freedom includes a more intimate, romantic, inward, in line with the concept of the true expression of one’s true will:

“[T]he idea of reflexive freedom focuses solely on the subject's relationship-to-self; according to this notion, individuals are free if their actions are solely guided by their own intentions.”¹⁹

¹⁷ Green, T. H. (1888). *Lecture on Liberal Legislation and Freedom of Contract*. In: Nettleship, R. L. (ed.), *Works of Thomas Hill Green, Vol. III*. London: Longmans Green, p. 371.

¹⁸ Rousseau, J.J. (1762). *The Social Contract, or Principles of Political Right* (trans. G. D. H. Cole). Book I, Retrieved October 20, 2021, from: <https://www.marxists.org/reference/subject/economics/rousseau/social-contract/ch02.htm>

¹⁹ Honneth, A. (2014) [2011]. *Freedom’s Right: The Social Foundations of Democratic Life* (trans. Ganahl, J.). Cambridge: Polity Press, p. 33.

This part of positive freedom signifies that one's freedom depends upon the ability to make true autonomous acts.²⁰ As I have already proposed in the introduction to this chapter, this consideration of positive freedom takes its inspiration from the Aristotelian doctrine:

“In order to count as free, it is no longer enough for an act to be carried out in the external world without resistance, rather the act must also be traceable to the will of the agent.”²¹

One's own will becomes the central part for a person to be free. We can define ourselves as free people if “we have the ‘feeling’ of having achieved precisely the desires and intentions that we truly have within ourselves.”²² One's freedom flourishes in the purity of her own will. This is a consideration of self-realization, in the most intimate way. It is influenced by the romantic tradition of 18th century. Johann Gottfried Herder is a primary figure in this sense:

“Herder outlines the reflexive process in which individuals learn to realize their ‘inner I’ in the ‘medium’ of ‘language’. Herder believes that nature grants each individual a unique soul which, like a seed, only requires proper care in order to grow and prosper while unfolding its potential. Analogous to living organisms, individuals achieve perfection only once they have brought to bear all of their inner powers and sensations to the extent that they can experience their own action as the execution of authentic freedom [...]”²³

Finally, I consider these strands of positive freedom, that I have presented, from the ‘*Beisichselbstsein*’ to the Rousseau's General Will, as the communitarian branch. For the individual finds, actuates, enhances, and enjoys her freedom if established in the procedures and institutions of her own community.

1.2.1. Individualistic Positive Freedom

Self-realisation is a value even for liberalism. Here, liberalism, in its most leftist fashion, offers the most individualistic understanding of positive freedom.

²⁰ See Ivi, p. 48: “[W]e are only free to the extent that we are capable of directing our actions toward aims that we have set autonomously, or toward desires that we have uncovered authentically.”

²¹ Ivi, p. 34.

²² Ivi, p. 36.

²³ Ivi, pp. 36-37.

For example, Philippe Van Parijs argues of a real freedom.²⁴ Van Parijs tried to expand the formal conception of individual freedom beyond dominant negative perspective (even though he still recognises its importance), with an actual capacity to achieve purposes. Therefore, individual freedom, for Philippe Van Parijs, presupposes the possession of material or immaterial means and resources. He is one of the promoters of Universal Basic Income, ultimately:

“What matters to a real libertarian... is not only the protection of individual rights, but assurances of the real value of those rights: we need to be concerned not only with liberty, but, in John Rawls’s phrase, with the “worth of liberty.” At first approximation, the worth or real value of a person’s liberty depends on the resources the person has at her command to make use of her liberty. So it is therefore necessary that the distribution of opportunity—understood as access to the means that people need for doing what they might want to do—be designed to offer the greatest possible real opportunity to those with least opportunities, subject to everyone’s formal freedom being respected.”²⁵

Left liberalism, promoting individualistic positive freedom, concords with Gerald MacCallum’s triadic relation, ultimately.²⁶ Agents, constraints, and ends are the elements of the triadic relation: “x is (is not) free from y to do (not do, become, not become) z.”²⁷ It is the combination of *from* and *to*.²⁸ There is a conception of “from”, that usually it is based on the affirmation and promotion of basic liberties and rights, combined with a “to” that, as Philippe Van Parijs claimed, results in the Rawlsian “worth of liberty”²⁹. It seems that brings to completion the notion of individual freedom, but, in the end, as I will explain thoroughly in the third chapter, it does not tackle power relations and formation of power in the social structure.

²⁴ See Van Parijs, P. (1997). *Real Freedom for All: What (if Anything) Can Justify Capitalism?*. Oxford: Oxford University Press

²⁵ Van Parijs P. (2000). *A Basic Income for All*. Boston Review. Retrieved December 18th, 2021, from: <https://bostonreview.net/forum/ubi-van-parijs/>

²⁶ See MacCallum, G. C. (1967). *Negative and Positive Freedom*. *The Philosophical Review*, 76(3), pp. 312–334.

²⁷ Ivi, p. 314.

²⁸ Carter, I. (2004). *Choice, Freedom, and Freedom of Choice*. *Social Choice and Welfare*. 22(1), pp. 61-81, p. 65: “As MacCallum pointed out, the differences between various interpretations of this definition of freedom (or, if you like, between definitions of freedom at a more precise level) will depend on the extension assigned to each of these three variables (for example, on whether the agent is to be conceived of as an individual or as some collectivity, on whether only obstacles external to the agent or also internal obstacles count as constraints on freedom, and on whether any actions or only preferred or rational actions count as actions one can be correctly described as free to perform.”

²⁹ Rawls, J. (1971). *A Theory of Justice: Revised Edition*. Cambridge, Massachusetts; The Belknap Press of Harvard University Press, p. 179.

A clarification, however, is needed. All the left liberal theorists strongly believe in the protection of the individual. They do believe that a “from”, in order to protect the person, needs to be recognised. The “from” is a barrier, after all, forming a sort of perimeter around the person:

“There is a limit to the legitimate interference of collective opinion with individual independence: and to find that limit, and maintain it against encroachment, is as indispensable to a good condition of human affairs, as protection against political despotism.”³⁰

The “from” justifies the individualistic turn of left liberalism, ultimately. The “from” has been established as a form of protection (and of duty)³¹ in constitutional and legal settlements from eventual incursions of the other. Especially after the horrors of WWII and the Holocaust, the cornerstone of modern constitutionalism became the protection of human rights, legitimised on the assumption that the individual needs to be protected but on the basis of her dignity.³² The “from”, or the *‘limit’*, using Mill’s terminology, guarantees the protection of the individual. Usually, in the liberal tradition, and even by these authors, the “from” has the normative sense of non-interference:

“We are to suppose, then, that each individual has a rational plan of life drawn up subject to the conditions that confront him. This plan is designed to permit the harmonious satisfaction of his interests. It schedules activities so that various desires can be fulfilled without interference.”³³

However, to compensate the limits of freedom as non-interference, that I will explain in the second chapter, they have proposed forms of freedom *to*. The idea the individual freedom is exhausted by a “from” is contrasted by left liberals with material and immaterial support that gives a real worth to one’s liberty. A homeless person is not suffering any form of interference in case she wants to go to Cuba. Nobody coerces her to not go to Cuba. But

³⁰ Mill, J.S. (1859). *On Liberty*. Kitchener, Ontario: Batoche Books Limited (eds. 2001), p. 9

³¹ Honneth, A. (2014) [2011]. *Freedom’s Right: The Social Foundations of Democratic Life* (trans. Ganahl, J.). Cambridge: Polity Press, p. 170: “Individual, usually male actors had to be accorded the status of private, self-responsible ‘legal personalities’ before they could enter into individual contracts with other economic actors, which would in turn allow them the most profitable sale of their goods, labour-power or land.”

³² Somek, A. (2014). *The Cosmopolitan Constitution*. Oxford: Oxford University Press, pp. 84-85: “Constitutionalism 2.0 represents a further step in a process of emancipation that was precipitated with 1.0. Now it is understood that the emancipation from feudal hierarchy and privilege is insufficient to realize freedom. A second step of emancipation needs to be taken. The significance of this step is signaled, as well as concealed, by the semantic ascendancy of “human dignity”. [...] The recognition of human dignity entails the authority of human rights. They are not the product of a particular national culture. They are universal.

³³ Rawls, J. (1971). *A Theory of Justice: Revised Edition*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press, p. 80.

certainly, for the fact of being a homeless person, she does not have the necessary means to do it, or in other words, she does not have the freedom to fly to Cuba.

The “to”, therefore, presents the centrality of having resources and means. Usually, it is the type of liberalism that tends towards left. Liberal egalitarians, for example, find themselves in this category. They also insist, as the communitarian positive freedom theorists, that the individuals need material and immaterial means in order to be free; but the individual is placed at the centre of the political architecture. For this I argue of individualistic positive freedom.

Therefore, this recognition is not based on their ability to participate in the procedures and practices of a society. It is an individualistic type of positive freedom, in which the sanctity of individuals’ will is protected from external aggressions.³⁴ However, it is not a relational instantiation. Rather, it is an a priori rationalisation and universalization of rights, values, or forms of allocation and distribution that allow the best exercise of individual freedom, individual agency, and self-realisation in general:

“[T]he worth of liberty is not the same for everyone. Some have greater authority and wealth, and therefore greater means to achieve their aims. The lesser worth of liberty is, however, compensated for, since the capacity of the less fortunate members of society to achieve their aims would be even less were they not to accept the existing inequalities whenever the difference principle is satisfied. But compensating for the lesser worth of freedom is not to be confused with making good an unequal liberty.”³⁵

John Rawls epitomises traditionally the perspective of the liberal egalitarianism. Individual freedom cannot be reduced to an area in which no person can enter. One’s freedom needs to have a ‘*worth*’. This latter is instrumental to the attainment of one’s own ‘*aims*’. This is the “to” that traditionally has been developed by liberal egalitarianism.

Liberal egalitarians usually develop a rational system in which costs, benefits, means, resources, rights, and values are distributed in order to produce the most egalitarian society possible. Berlin already contested, to some extent indirectly, this approach for the promotion

³⁴ Mill, J.S. (1859). *On Liberty*. Kitchener, Ontario: Batoche Books Limited (eds. 2001), p. 13: “His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because, in the opinions of others, to do so would be wise, or even right. These are good reasons for remonstrating with him, or reasoning with him, or persuading him, or entreating him, but not for compelling him, or visiting him with any evil in case he do otherwise.”

³⁵ Rawls, J. (1971). *A Theory of Justice: Revised Edition*. Cambridge, Massachusetts; The Belknap Press of Harvard University Press, p. 179.

of individual freedom, since it is more compatible with the conception of conditions of freedom, not on freedom in and of itself.³⁶

In any case, liberal egalitarianism is extremely influenced by the entire oeuvre of Immanuel Kant. In fact, the universalistic, rationalistic, and normative approach derives almost entirely from the sage of Königsberg. I consider, however, Kant's positive freedom closer to a form of individualistic self-mastery, of being the master of one's own life, in which the presence of the other is more consistent than in the Rawlsian form of freedom. In other terms, Kant did not promote a conception of individual freedom in a consequentialist/instrumental system of distribution of benefits and costs as John Rawls, and liberal egalitarians in general, did:³⁷

“The normative starting point leads Kant to reject anthropological and empirical factors in general, and benefits and burdens in particular. Both the empirical peculiarities of human inclinations and vulnerabilities and the consideration of where benefits or burdens fall can only be brought in insofar as they can be shown to be consistent with a condition in which every person is his or her own master as against each of the others. [...] Your right to be your own master entails that no other person is entitled to decide for you that the benefits you will receive from some arrangement are sufficient to force you to participate in it. You alone are entitled to decide whether a benefit to you is worth the burdens it brings. Nor can others justify authority over you, or use force against you, on the ground that the restrictions thereby placed on you will generate greater benefits for others.”³⁸

For this, Kant considers individual freedom, in the conception of *‘every person is his or her own master’* as a starting element, unconditioned by reasons of cost and benefit, of the human being to be formed and developed in cooperation with the presence of the alterity.

Incidentally, Immanuel Kant is a pivotal and multifaceted philosophical figure in the modern political history that has influenced various political thoughts. He is one of the

³⁶ See Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p. 170: “If my poverty were a kind of disease which prevented me from buying bread, or paying for the journey round the world or getting my case heard, as lameness prevents me from running, this inability would not naturally be described as a lack of freedom, least of all political freedom. It is only because I believe that my inability to get a given thing is due to the fact that other human beings have made arrangements whereby I am, whereas others are not, prevented from having enough money with which to pay for it, that I think myself a victim of coercion or slavery.”³⁶

³⁷ Ripstein, A. (2009). *Force and Freedom*. Cambridge, Massachusetts: Harvard University Press, p. 8: “Many contemporary egalitarians have a similar structure: society should be arranged so as to bring about an equal distribution, or one that is sensitive to the choices people have made but not the circumstances in which they find themselves, or, in another version, to properly measure the costs that one person's choices impose on another”

³⁸ Ivi, p. 5.

characters determining the sign of the modern times. For example, the negative freedom tradition can be witnessed in the Kantian rule of external freedom:³⁹

“[...] Kantian external freedom is freedom to act on subjectively contingent choices that reflect the divergent purposes of concrete individuals-or what Kant calls "Willkür". The content of these choices is decided by subjective factors that are not necessarily valid for everyone. They therefore need not express the dictates of reason. However, these choices are not merely internal states of mind. They are expressed in the external world as actions which can physically hinder others in the pursuit of their own externally manifested choices”⁴⁰

For this, it is very difficult to put Immanuel Kant, and his gigantic oeuvre, entirely in a single political doctrine.

There is another branch of individualistic positive freedom that is more utilitarian, less normative, and, therefore, consequentialist. I am referring to the utilitarian approach. John Stuart Mill is the eminent figure of this perspective:

“Drawing on Wilhelm von Humboldt, Mill argues that government has the duty to create a social ‘atmosphere of freedom’ through appropriate educational measures and by reliably ensuring the pluralism of public opinion – an atmosphere in which the members of society can ‘unfold’ their individual ‘faculties, capacities and susceptibilities’ to the fullest possible extent. For Mill the freedom of subjective self-realization – which the state must secure by means of basic educational measures, diversity of opinion and cultural life – is restricted solely by the famous ‘harm principle’.”⁴¹

Therefore, other than the *‘limit’* has a necessary condition of individual freedom. John Stuart Mill recognises that the social structure in its various contexts should promote a *‘social atmosphere of freedom’*. This latter is not just a sentiment, but it should be a concrete commitment of the social structure in order to provide individuals with material and immaterial resources in order to *“unfold’ their individual ‘faculties, capacities and susceptibilities’ to the fullest possible extent’*.

³⁹ See Flikschuh, K. (2012). *Elusive Unity: The General Will in Hobbes and Kant*. Hobbes Studies, 25(1), pp. 21-42, p. 34: “In contrast to both Rousseau and Hobbes, Kant holds that whereas ethical obligation binds *only* internally, juridical obligation binds *only* externally. Importantly, not just enforcement of juridical obligation is external in the juridical domain – the very source of juridical obligation is external to (the will of) the individual agent.”

⁴⁰ Benson, P. (1987). *External Freedom according to Kant*. Columbia Law Review, 87(3), pp. 559-579, p. 560.

⁴¹ Honneth, A. (2014) [2011]. *Freedom’s Right: The Social Foundations of Democratic Life* (trans. Ganahl, J.). Cambridge: Polity Press, p. 41.

Finally, I consider also Amartya Sen a figure that should stand in the positive freedom domain. Amartya Sen is an economic theorist that has considered freedom, more than utility, the primary informational source for the recognition of one's well-being:

“Freedom may be valued not merely because it assists achievement, but also because of its own importance, going beyond the value of *the* state of existence actually achieved.”⁴²

Sen's point of view has tried to go beyond respectively the supremacy that the value of utility has had over the course of modern economic history. Utility has been seen as a sort of *primum movens* in the modern economic thought, especially after the advent of the marginalists.⁴³

Additionally, the highlighting of freedom by Amartya Sen wants to overcome the limits of resourcism. For giving to the individual material and immaterial resources seems to be solution to all evils. However, problematics can arise in the methods of distribution and allocation:

“The recognition of the fundamental diversity of human beings does, in fact, have very deep consequences, affecting not merely the utilitarian conception of social good, but others as well, including (as I shall argue presently) even the Rawlsian conception of equality. If human beings are identical, then the application of the prior-principle of universalizability in the form of “giving equal weight to the equal interest of all parties” simplifies enormously. Equal marginal utilities of all - reflecting one interpretation of the equal treatment of needs - coincides with equal

⁴² Sen, A. (1987). *On Ethics and Economics*. New York: Blackwell Publishing Ltd, p. 60.

⁴³ See Landreth, H., & Colander, D. C. (2002). *History of Economic Thought*. Boston: Houghton Mifflin, p. 234-236: “Between 1871 and 1874, Jevons, Menger, and Walras all published books that influenced the development of orthodox economic theory. Their influence was not immediate, but it developed over the last quarter of the century as their followers, the second generation of marginal utility theorists, fought for, and slowly gained, acceptance for some of the “new” ideas. The positions of Jevons, Menger, and Walras on the forces determining the value, or price, of final products are similar enough that we may examine them by subject rather than treating them individually. [...] All three writers found the classical theory of value inadequate to explain the forces determining prices. Their principal criticism was that the cost of production theory of value lacked generality, because there were a number of goods whose prices could not be analyzed within the classical framework. They criticized Ricardo's labor theory of value and Senior's and Mill's cost of production theories because those theories required a separate explanation for the prices of goods of which there was a fixed supply. The value, or price, of goods with a perfectly inelastic (vertical) supply curve—for example, land, rare coins, paintings, or wines—did not depend on their costs of production. Cost of production theory of value was also problematical in that it suggested that the price, or value, of a good comes from costs incurred in the past. Jevons, Menger, and Walras all maintained that large costs incurred in producing goods will not necessarily result in high prices. According to the marginal utility theory, value depends instead upon utility, or consumption, and comes not from the past but from the future. No matter what costs are incurred in producing a good, when it arrives on the market its price will depend upon the utility the buyer expects to receive. Producers who incorrectly forecast the demand for their products are painfully aware of this. The term *dead stock* was used to refer to goods for which the demand had so declined that their prices were less than their costs of production.”

total utilities - reflecting one interpretation of serving their overall interests equally well. With diversity, the two can pull in opposite directions, and it is far from clear that “giving equal weight to the equal interest of all parties” would require us to concentrate only on one of the two parameters - taking no note of the other.”⁴⁴

The pluralism of needs cannot be solved by the techniques of resourcism, according to Amartya Sen. Every individual has different capacities and weakness, and their measurability risks to be superficial. Rather, Amartya Sen prefers the notion of capability: “The capability approach to a person’s advantage is concerned with evaluating it in terms his or her actual ability to achieve various valuable functionings as a part of living.”⁴⁵

As the reader may notice, the word “functioning” becomes semantically central to understand the scope of the capability approach. Functioning is “doing and being”, at the same time:

“Sen frequently tries to explain his concept of human functioning by the example of riding a bicycle). Important difference exists between the bicycle, the riding, and any mental state or utility that accompanies the riding. The bicycle itself is a mere object, a commodity. I may own the bike, be near it, and be sitting on it (even when it is moving), and yet not be *riding* it. To be riding the bike is to be engaged in a purposive human activity with or by means of the bike. The bike is necessary but not sufficient for the cycling. The cycling, as both process and result, is an ‘achievement’ of the rider—as any parent knows when their child first begins to peddle the new bike. While riding, the cyclist may or may not be enjoying herself, satisfying some desire, or getting something out of the activity.”⁴⁶

Therefore, a person’s capability is the freedom that a person has: the resources (the bike) combined with ‘*purposive human activity*’. For the purposes of my argumentation, it is sufficient to state that while Sen’s capability approach has a tendency to move away from the reductionism of resourcism. Still, he remains in the positive strand of freedom.

In summary, individualistic positive freedom, which altogether is a part of the liberal camp, believes that individual freedom is based on MacCallum’s triadic relations. They recognise the “from” and “to” as pivotal elements guaranteeing consistent individual actions.

⁴⁴ Sen A. (1980). *Equality of What?*. In: McMurrin S. *Tanner Lectures on Human Values*. Volume 1. Cambridge: Cambridge University Press, pp. 202-203.

⁴⁵ Sen, A. (1993). *Capability and Well-being*. In: Nussbaum, M. & Sen, A. *The Quality of Life*. Oxford: Clarendon Press, p. 30.

⁴⁶ Crocker, D. (1995). *Functioning and Capability: The Foundations of Sen's and Nussbaum's Development Ethic, Part 2*. In: Nussbaum, M.C. and Glover, J. (1995) *Women, Culture, and Development: A Study of Human Capabilities*. Oxford: Oxford University Press, pp. 153-154.

1.3. *Internal and External Means*

A common ground can be found among these different theorisations of positive freedom: to be positively free, a person needs to be in control, or to be in possession, of the internal and external means:

“It follows that we can only be free in such a society, and that being free is governing ourselves collectively according to this canonical form. We might see an example of this second step in Rousseau's view that only a social contract society in which all give themselves totally to the whole preserves us from other-dependence and ensures that we obey only ourselves; or in Marx's doctrine of man as a species-being who realizes his potential in a mode of social production, and who must thus take control of this mode collectively.”⁴⁷

Then, the control of internal and external can be direct and communitarian, as in the Hegelian ‘*Beisichselbstsein*’ method, or Charles Taylor argues of in favour the ‘*second step*’ “introducing some doctrine purporting to show that we cannot do what we really want, or follow our real will, outside of a society of a certain canonical form, incorporating true self-government”⁴⁸, or indirect and individualistic, as in the egalitarians’ ex-post distributive techniques or in the instrumental-utilitarian approach of John Stuart Mill. In the end, positive freedom recognises that to be free a person needs to be in possession of resources to be able to act upon her own will.

To address the matter with the right tool, I argue that it is necessary to explain the preoccupation that positive freedom has with the necessity for an individual to be regarded as free to be in possession, individually and/or collectively, resources and means. Means might be external or internal. Internal and external means, as understood by positive liberty, are fundamental for the success of one’s freedom. To be actually free, the internal and external means of a person needs to coexist in the experience of the individual.

Within the definition of internal means, I am considering those aspects of one’s subjectivity that allow her to be fully compose her person, as whole, to the concrete achievement of her will. In short, I refer to the inner presence of mind towards one’s own will as internal means.

⁴⁷ Taylor, C. (1985). *What's Wrong with Negative Liberty*. In: *Philosophy and the Human Sciences: Philosophical Papers, vol. 2*. Cambridge: Cambridge University Press, pp. 211-229, p. 217.

⁴⁸ *Ibid.*

In this definition, it falls within even the subjective consideration of the individual of her freedom. And even though they are internal means, they undergo the inevitable dynamics of the exterior. Rawls' notion of self-respect, for example, can be listed in this category.⁴⁹ Internal means are not detached from the environment around the person. The exterior is fundamental not only as the ground for the exercise of freedom but also for how (and how much) it moulds one's subjectivity and with regard to what features enhance or diminish one's freedom.

On the other hand, in the external means category fall within material and immaterial resources. A person, to achieve her goals upon her own will (internal means), needs that the exterior is a concrete symbol in which her will can recognise itself. This translates into opportunities of education, class/gender/racial equality, income opportunities, job opportunities, welfare system, health system, and infrastructures, as much as into a sort of true and sincere partisanship in the institutions and procedures of one's reference community.

In this, the procedures and dynamics of social structure determine the distribution of wealth, of costs and benefits, of rewards and punishments, and of allocation of resources, means, and capabilities. It is a matter of combination between the socio-economic structure and of how justice is perceived, enforced and implemented.

If we look at the matter from a communitarian approach, in which it can be listed Rousseau's general will, Hegel's *'Beisichselbstsein'*, Herder's perspective, and Aristotle's good life, to what concerns the role of one's internal means, positive liberty implies a full-fledge proposition of ends coming uninterruptedly from the subjectivity of the individual, and a consequent concrete enjoyment of her ends in the concrete circumstances of reality by a person that is present with herself. As I have already argued, Hegel used the term *'Beisichselbstsein'*, which can be translated with "be present (or being at home) with oneself":

"I wish to be a subject, not an object; to be moved by reasons, by conscious purposes, which are my own, not by causes which affect me, as it were, from outside."⁵⁰

⁴⁹ Rawls, J. (1971). *A Theory of Justice: Revised Edition*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press, p. 386: "We may define self-respect (or self-esteem) as having two aspects. First of all, as we noted earlier, it includes a person's sense of his own value, his secure conviction that his conception of his good, his plan of life, is worth carrying out. And second, self-respect implies a confidence in one's ability, so far as it is within one's power, to fulfill one's intentions. When we feel that our plans are of little value, we cannot pursue them with pleasure or take delight in their execution. Nor plagued by failure and self-doubt can we continue in our endeavors."

⁵⁰ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p. 178.

The ‘*conscious purposes*’ cannot be externally determined in a direct sense. They generate, develop, and end within the subjectivity of the person. I am free if I can determine myself:

“I am free if, and only if, I plan my life in accordance with my own will; plans entail rules; a rule does not oppress me or enslave me if I impose it on myself consciously, or accept it freely, having understood it, whether it was invented by me or by others, provided that it is rational, that is to say, conforms to the necessities of things.”⁵¹

What is external is, intuitively, a bridge from the inner circles of one’s subjectivity to the open circumstances of the world. The exterior is fundamental in the process of externalising one’s will to the contingency. If I am able to internally understand the rules of the game and, reciprocally, I can find my subjectivity in the structure of the society, as they are simple for me as it is breathing, then I am fully free because I partake organically of the social environment around me.

Thereby, I do not need any barriers from the external because I am a concerned party with the external environment that reflects even my rationality because I rationally internalise it and because I belong continuously to it. Then, to completely determine oneself, a person needs to meet her subjectivity in the surrounding environment. In the contemporaneity, this issue seems even more urgent, due to the de-spatialization derived from the digital revolution.

Communitarian positive freedom completes itself in the realization of certain social conditions (i.e., political institutions, social norms, laws, and so on) guaranteeing the presence of certain spaces and means. Freedom needs to be concretely realised in the structures of the society.⁵²

For example, from a positive point of view, an individual forced to work in the mica mines of her own area is not free for not being able to act upon her will. Because she does not possess the ability to self-determine herself in her context for the full realisation of her will. The individual does not see herself in the structure of the society because of the forceful

⁵¹ Ivi, p. 190.

⁵² Honneth, A. (2014) [2011]. *Freedom’s Right: The Social Foundations of Democratic Life* (trans. Ganahl, J.). Cambridge: Polity Press, p. 52: “Hegel, after all, not only searches within social reality for the conditions that enable the realization of autonomous aims, he also aims to thaw the frozen ‘material’ of reality just enough so that it once again conveys objectively the structure of reflexive freedom itself. “

act of the external world that does not allow, in turn, the individual to self-determine, or realise her own will in the external reality that is the oppressing community.

However what changes if the act of force is based on subtle and indirect forms of oppression? An individual “nudged” to work in the mica mine by an environment of missing opportunities and hidden forms of oppression, as in a farm ruled by a benevolent slave owner, is not unfree for freedom as non-interference, as we shall see in the second chapter, for the rule of non-interference is not actively and directly broken. While for positive liberty, it remains a form of unfreedom, for the person, deprived of external means (political means, social means, and of course economic means), that cannot make coincide her agency with her will. The actuated will in this case is that of the slave owner. For positive liberty one’s freedom is the ability to act, according to one will, that needs exactly to be found in the structure(s) of the society.

Up until now, it might be already noticed that “be the master of your own life” requires a presence of mind different from the individual pursuing her interests. Positive liberty requires that the individual, to be free, needs to be fully conscious of the force of her own rationality (internal means) in the intellection of the contingency, and even of that part of the world consisting in social dynamics, reciprocity, authority, and so on (external means).⁵³ One is free if she thinks of herself as the contributor/receiver of social practices of a given community.⁵⁴ The centrality of the community in defining one’s liberty indicates that freedom is intersubjective, therefore, not atomistic. Freedom is a social outcome for being the outcome of the relationship between one’s subjectivity and the already-present environment around her. Because freedom does not derive from the disappearance of the other, rather it is present only when is accepted as a continuous remodulation and recalibration of the social practices and norms within the members of a community.

In this social setting, the individual is directly in possession of the material means and resources. This means that the person directly controls the process of production, of

⁵³ See Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p. 181: “I am a rational being; whatever I can demonstrate to myself as being necessary, as incapable of being otherwise in a rational society – that is, in a society directed by rational minds, towards goals such as a rational being would have – I cannot, being rational, wish to sweep out of my way.

⁵⁴ See Honneth, A. (2014) [2011]. *Freedom’s Right: The Social Foundations of Democratic Life* (trans. Ganahl, J.). Cambridge: Polity Press, p. 37: “Kant’s transcendental concept of autonomy would later be weakened either by empirical reinterpretation or by a intersubjectivist correction of its reflexive achievements. In the first case, what Kant viewed as the rational capacity of noumenal subjects would be interpreted as a bundle of empirical skills; the reflexive acts required for the exercise of individual freedom would be described as the outcome of a process of socialization in which all subjects learn to regard themselves as co-authors of morally valid laws.”

allocation, and of distribution of the resources, and the consequent generated system of costs and benefits.

Secondly, this direct conception of control of the material means is shared with the other members of the political community. Kibbutzim are an example in this sense. In the kibbutz, the individual does not have the exclusive control of the means and resources. Rather, these latter are shared with the other members of the kibbutz. Another example, maybe more famous, are the communist societies in which the control of the resource, their use, reproduction, their access is detained collectively by every individual, contrary to the capitalistic mode where the control, the access and the reproduction of resources is detained by a small élite:

“For as soon as the distribution of labour comes into being, each man has a particular exclusive sphere of activity, which is forced upon him and from which he cannot escape. He is a hunter, a fisherman, a shepherd, or a critical critic and must remain so if he does not wish to lose his means of livelihood; while in communist society, where nobody has one exclusive sphere of activity but each can become accomplished in any branch he wishes, society regulates the general production and thus makes it possible for me to do one thing today and another tomorrow, to hunt in the morning, to fish in the afternoon, rear cattle in the evening, criticize after dinner, just as I have in mind, without ever becoming hunter, fisherman, shepherd or critic.”⁵⁵

In any case, communitarian positive liberty has a natural tendency, by conceiving the individual as active organic part of the society, of considering the person collectively in control of the means and resources, of their distribution, production, access, and use. The “collectively in control” part is a gordian knot that has traditionally been the target of several critiques, especially from the negative side of freedom. However, this aspect is going to be addressed in the following paragraph.

The necessity of having resources is fundamental even for individualistic positive freedom as proposed by left liberalism. Inequalities, social and economic, are the real issue of left liberals such as John Rawls or Philippe Van Parijs. The recognition of the individual and her protection by the liberal tradition is perfectly accepted and, to some extent, glorified in their philosophical architectures. However, they consider that the only “from” of the liberal doctrine is insufficient for a person to be free. Through different methods than that of

⁵⁵ Marx, K., Engels, F. (1972) [1845]. *The German ideology*. Part I: Feuerbach. Opposition of the Materialist and Idealist Outlook. Retrieved October 30, 2021, from: <https://www.marxists.org/archive/marx/works/1845/german-ideology/ch01a.htm>

the communitarians, Rawls and Van Parijs argued that the individual needs to live in a social system, that beside recognising the protection, usually constitutional, of her dignity, promoting a fair distribution of costs and benefits and/or certain possession of resources and means.

The fairness of the distributive systems is found in the equality of opportunity that the individual has, implied in the distribution of material and immaterial resources:

“Social and economic inequalities are to be arranged so that they are both (a) to the greatest expected benefit of the least advantaged and (b) attached to offices and positions open to all under conditions of fair equality of opportunity.”⁵⁶

So, why is positive liberty not good enough to support one’s liberty? I will divide my critique in two argumentations. The first argumentation will address what I call communitarian positive freedom, while the second one will address the individualistic, typically liberal, conception of positive freedom. A clarification is needed: the figure of Immanuel Kant, precisely for embracing and influencing different modern political thoughts, can be witnessed in both critiques.

1.4. The Risk of Being Reasonable

The issue with communitarian positive freedom stands in the control of a person’s subjectivity. Or better, I will argue that freedom, in the process, slips away from the hands of the individual. And the answer can be found in how the relationship with the other is conceived.

In what is external to the individual, of course, falls within even the alterity. The other is an entity that places herself outside our subjectivity. The relationship with the other person is different from one political theory to the other, as I will try to explain over this entire dissertation.

Communitarian positive liberty has a distinctive relationship with the exterior. Ultimately, there are two main approaches. The first approach may be reconducted to the early stages of romanticism. Rousseau, for example, has a conception of the exterior as a deceiver of the pure souls of human beings, something that plays on the vices, passions, and

⁵⁶ Rawls, J. (1971). *A Theory of Justice: Revised Edition*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press, p. 72.

earthly appetites of the individuals.⁵⁷ However, I consider more interesting and more productive an analysis of the second approach. The second approach considers the exterior as moulded in a relational, reciprocal, and cooperative manner. In this second approach, the person does not content herself with the pureness of her will but she objectifies her own will in the structures of the society.

A question about how *reasonable* is one's will is implied, however. If I consider free the individual only if she is able to self-determine her own norms, realise them in the external world, and then respect them, I am considering definitely the individual as a rational being.⁵⁸ The fact of being reasonable is not a problematic issue *per se*, rather, as I have argue in the introduction, is an essential feature of the modernity. It is the role that has been given to reason that causes a form of unfreedom for the individual.

In this, the overall oeuvre of Immanuel Kant can have a decisive role. He argued that the individual, while asking if her will obeys to the laws of reason, is left only with the utilisation of the principle of universalizability:

“Act only according to that maxim whereby you can at the same time will that it should become a universal law.”⁵⁹

In the process of finding an analytical justification of her will, (and, in turn, of her freedom), a person respects the others as rational individuals, “for as soon as I ask whether all other subjects could agree to the maxim I obey in my own actions, I respect their rationality and treat them as ends in themselves.”⁶⁰

⁵⁷ See Arendt, H. (1958). *The Human Condition*. Chicago: University of Chicago Press, p. 39: “[Rousseau] arrived at his discovery through a rebellion not against the oppression of the state but against society's unbearable perversion of the human heart, its intrusion upon an innermost region in man which until then had needed no special protection. The intimacy of the heart, unlike the private household, has no objective tangible place in the world, nor can the society against which it protests and asserts itself be localized with the same certainty as the public space [...] The modern individual and his endless conflicts, his inability either to be at home in society or to live outside it altogether, his ever-changing moods and the radical subjectivism of his emotional life, was born in this rebellion of the heart.”

⁵⁸ See Honneth, A. (2014) [2011]. *Freedom's Right: The Social Foundations of Democratic Life (New Directions in Critical Theory, 13) (Reprint ed.)*. Columbia University Press, p. 35: “Subjects are ‘free’ if and because they have the capacity to self-legislate and act in accordance with these self-imposed laws. While Rousseau is vague about whether these laws are merely empirical intentions or rational principles, Kant makes a resolute turn toward the transcendental. He is utterly convinced that such self-legislated laws can only bring about freedom if they derive from an insight into correct, that is, rational reasons”

⁵⁹ Kant, I. (1959) [1785]. *Foundations of the Metaphysics of Morals* (trans by Lewis White Beck). New York: Library of Liberal Arts, 421:39.

⁶⁰ Honneth, A. (2014) [2011]. *Freedom's Right: The Social Foundations of Democratic Life (New Directions in Critical Theory, 13) (Reprint ed.)*. Columbia University Press, p. 36.

Here, one's free will is connected with the value of reason. And indirectly freedom is connected too, for depending on the ability of the individual to realise her will in the reality of the circumstances. For the individual can make those acts her own, only if she obeys to a universal law. For if I wonder that my agency can be universalizable, namely that I am considering an action as good as I want others to act accordingly (i.e., if I steal, I cannot reasonably consider that action as universalizable for rationally acknowledging the damages that I would make), I indirectly consider the others as rational agents and thereby I treat them as ends and not only as means.⁶¹ For this, in this necessity to universalise their action, persons encounter the other in the midst of the march.

This lays the foundation of a liberty based on reciprocity formed by autonomous rational agents; a liberty that consider the external as the place where one recognises others' freedom:

“[A]n action is right if it can coexist with everyone's freedom in accordance with a universal law, or if on its maxim the freedom of choice of each can coexist with everyone's freedom in accordance with universal law”⁶²

It is a relational instantiation arguing that coexistence allows people to be considered as free persons. This understanding presupposes even that freedom needs to be found in the structures of society. All in all, the way of externalising freedom is on relational basis, and not for example in an atomistic basis. The constructs of the political and social domain need to reflect, respect, and perform the freedom resulted as the outcome of the relational process.

⁶¹ See Ibid.: “Kant claims that this principle of universality also conveys an attitude of universal respect, for as soon as I ask whether all other subjects could agree to the maxim I obey in my own actions, I respect their rationality and treat them as ends in themselves. It is in his formulation of the categorical imperative that Kant captures most coherently the moral yield of his argumentation, which demands that each rational being ‘treat himself and all others never merely as a means, but always at the same time as an end in himself’. Therefore, humans are free precisely because they can obey the moral laws they have imposed upon themselves. Kant concludes by remarking that individual self-determination is identical to the fulfilment of the rational moral principle: ‘As a rational being, and consequently as belonging to the intelligible world, man can never conceive the causality of his own will except under the Idea of freedom; for to be independent of determination by causes in the sensible world ... is to be free. To the Idea of freedom there is inseparably attached the concept of autonomy, and to this in turn the universal principle of morality – a principle which in Idea forms the ground for all the actions of rational beings, just as the law of nature does for all appearances.’ The reflexive freedom Kant has in mind consists in the insight that we have the moral duty to treat all other subjects as autonomous beings, just as we would expect them to treat us.”

⁶² Kant, I. (1991) [1797]. *The Metaphysics of Morals* (trans. Gregor, M). Cambridge: Cambridge University Press, p. 56. (6:230)

However, the reference to one rationality has its downsides.⁶³ For instance, the (mis)use of rationality is what perplexed Isaiah Berlin; exactly for the theorisation of political structure to be built upon rationality. For if, according to Kant, individual rationality is not a problematic matter in terms of freedom, for Berlin, this legitimisation of one's freedom, *inter alia*, upon rationality is the cause of patterns of unfreedom:

“What, at most, this entails is that they would not resist me if they were rational and as wise as I and understood their interests as I do. But I may go on to claim a good deal more than this. I may declare that they are actually aiming at what in their benighted state they consciously resist, because there exists within them an occult entity – their latent rational will, or their ‘true’ purpose – and that this entity, although it is belied by all that they overtly feel and do and say, is their ‘real’ self, of which the poor empirical self in space and time may know nothing or little; and that this inner spirit is the only self that deserves to have its wishes taken into account.”⁶⁴

Resorting upon one's rationality, as argued by Kant, is, on one side, a claim of equality that needed to be made, in particular considering how a fundamental element it was for modern cosmopolitanism;⁶⁵ while, on the other side, it may result in developing dynamics of unfreedom. For in the moment, one elevates her action to a principle of universality, for which one considers that principle underlying that action has something that all humanity should strive for, one is actually proposing (or dictating, that depends on the social, political, cultural, and economic power someone happens to enjoy) a standard upon which the other, and her ability to reason, risk to be measured by. In short, if you are free only if you are recognised, even indirectly, rational, your freedom is not consistently in your hands, but, more probably, on the individual, or group of individuals who detains power. For this, building a political structure upon the rule of rationality overlooks the ability to oppress, dominate, or create schemes of unfreedom by the power dynamics in a community.

The risk is that this building upon individual rationality may cause a perversion of the individual's actions in relation to her freedom. For communitarian positive liberty implies another conception of the human actions that is detached from “the self-interested man”, for

⁶³ I am not arguing that Kant's intent is that of limiting individual freedom per se, but actually arguing that building a philosophy of freedom on how much reasonable a person is would turn against the very instance of individual freedom.

⁶⁴ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, pp. 179-180.

⁶⁵ See Pogge, T. (1992). *Cosmopolitanism and Sovereignty*. *Ethics*, 103(1), pp. 48-75, p. 49: “Moral cosmopolitanism holds that all persons stand in certain moral relations to one another: we are required to one another's status as ultimate units of moral concerns- a requirement that imposes limits upon our conduct and, in particular, upon our efforts to construct institutional schemes.”

example. For “[C]onceptions of freedom directly derive from views of what constitutes a self, a person, a man.”⁶⁶ Yet, communitarian positive freedom still remains in the field of modern individualism and rationalism, but to some extent (and this is the critique of negative liberty) it exasperates them, in particular the usage of reason, to the extent of trespassing to “the metaphysical heart of rationalism”⁶⁷.

The individual, required by the credo of communitarian positive liberty, needs to be a “‘real’ self, of which the poor empirical self [the self-interested individual] in space and time may know nothing or little; and that this inner spirit is the only self that deserves to have its wishes taken into account”⁶⁸. The ‘*real self*’ is the one that must govern one person to guarantee one’s actual freedom.

The individual, theorised by communitarian positive liberty, is not someone that can be content with herself whatever desires and interest is pursuing. Rather, she is a person that is capable to use her “higher nature”⁶⁹ to govern herself and dominate the other lower ones. In this, Aristotle’s “good life” can be witnessed heavily. For instance, one cannot stay the entire night playing at Call of Duty at her gaming console, because she is not obeying to her ‘*higher nature*’. While, in anticipation, playing the entire night at Call of Duty is perfectly fine for the negative liberty doctrine.

The peril is exactly this dichotomy of one’s higher nature against the lower one. The risk is having a parade of identity preachers defining the content of one’s ‘*higher nature*’:

“The disposition of mankind, whether as rulers or as fellow-citizens, to impose their own opinions and inclinations as a rule of conduct on others, is so energetically supported by some of the best and by some of the worst feelings incident to human nature.”⁷⁰

This is one of the main critiques from the negative liberty’s point of view. Freedom, if this is its conception, has some flaws: where is the boundary of, say, the political authorities in the “coerci[on] others for their own sake, in their, not my, interest”⁷¹? Where is the limit for the government to determine the “good” interests of a person? Even in the case that a political authority is eventually neutral, (and this eventuality is almost impossible), the goal

⁶⁶ See Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p. 181.

⁶⁷ Ivi, p. 190.

⁶⁸ Ivi, p. 180.

⁶⁹ Ivi, p. 179.

⁷⁰ Mill, J.S. (1859). *On Liberty*. Kitchener, Ontario: Batoche Books (eds, 2001), p. 17.

⁷¹ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p. 179.

of positive liberty, in the end, is not allowing individuals to pursue their own interests, but ensuring them to be masters of their own life. And they are not the same concept.

In this, I agree with Gina Gustavsson that the major danger of an understanding of this kind of freedom is not actual coercion, yet coercion disguised as liberation.⁷² What is dangerous, in terms of individual freedom, is that individuals need to impose their *'higher nature'* values on the people that they believe are acting according to their own *'lower nature'*: “[T]he monstrous impersonation of saying that when we do force others to do what we think is right, we are in fact acting in line with their real wishes and therefore not really coerce them.”⁷³

I am not oppressing you, rather I am liberating you, but you are not aware of it, for not being up to a certain (acceptable) level of rationality: “For if I am rational, I cannot deny that what is right for me must, for the same reasons, be right for others who are rational like me”⁷⁴. The other is present but as a dominating ethical preacher that, for not having any barrier in front of her, might have real possibilities to reach her intent.

As already argued, this understanding, as a domino effect, generates a pleasant ground for domination, oppression, exploitation, and chronic vulnerability from any type of power authority, be it “a State, a class, a nation, or the march of history itself, regarded as a more ‘real’ subject of attributes than the empirical self”⁷⁵:

“I am then claiming that I know what they truly need better than they know it themselves. What, at most, this entails is that they would not resist me if they were rational and as wise as I and understood their interests as I do. But I may go on to claim a good deal more than this. I may declare that they are actually aiming at what in their benighted state they consciously resist, because there exists within them an occult entity – their latent rational will, or their ‘true’ purpose – and that this entity, although it is belied by all that they overtly feel and do and say, is their ‘real’ self, of which the poor empirical self in space and time may know nothing or little; and that this inner spirit is the only self that deserves to have its wishes taken into account. Once I

⁷² See Gustavsson, G. (2014). *The Psychological Dangers of Positive Liberty: Reconstructing a Neglected Undercurrent in Isaiah Berlin's "Two Concepts of Liberty"*. *The Review of Politics*, 76(2), pp. 267-291.

⁷³ Gustavsson, G. (2014). *The Psychological Dangers of Positive Liberty: Reconstructing a Neglected Undercurrent in Isaiah Berlin's "Two Concepts of Liberty"*. *The Review of Politics*, 76(2), 267-291, pp. 272-273

⁷⁴ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p. 191. See Ivi, p. 191: “I wish to be free to live as my rational will (my ‘real self’) commands, but so must others be. How am I to avoid collisions with their wills? Where is the frontier that lies between my (rationally determined) rights and the identical rights of others? [...] A rational (or free) State would be a State governed by such laws as all rational men would freely accept; that is to say, such laws as they would themselves have enacted had they been asked what, as rational beings, they demanded; hence the frontiers would be such as all rational men would consider to be the right frontiers for rational beings.”

⁷⁵ Ivi, p. 181.

take this view, I am in a position to ignore the actual wishes of men or societies, to bully, oppress, torture them in the name, and on behalf, of their 'real' selves, in the secure knowledge that whatever is the true goal of man (happiness, performance of duty, wisdom, a just society, self-fulfilment) must be identical with his freedom – the free choice of his 'true', albeit often submerged and inarticulate, self.”⁷⁶

Thus, communitarianism, obvious as it seems, puts at the centre the role of community, which, through particular social dynamics, codes of conduct, and cultural norms, determines what is reasonable and what is not. For this, communitarianism is profitable and rewarding for one's freedom as long as she happens to live in the *reasonable* part of the community; and how this can even be an option in the contemporary global society is absolutely questionable. In short, the “tyranny of the majority”⁷⁷ would be the greatest enemy for individual freedom in the communitarian society: the majority enhances freedom for someone while oppresses it for someone else that for various reasons does not obey to the codes of conduct and ethical and political prerequisites of the community.

To an individualistic level, claiming to deal with one's '*latent rational will*' goes hand in hand with a repression of individual agency. The oppression that forces to go back to the one's higher nature is a synonym of stating that there is no need of a full recognition of one's agency, since it has already been established the extent of the magnitude of the '*real self*' while considering one's empirical self is denigrated to be a poison of one's freedom.

Communitarian positive freedom produces a top-down process in which one's will risks reliably to be get crushed. The '*higher nature*' standard is inevitably an arbitrary standard: a threshold to rationality to which people already have agreed, and to which they have to conform to. This eventually undermines the individualistic nature of freedom, slipping away towards ethical organisations or institutions. And this is the major limit: not being completely at disposition of the self would be a great shortcoming for communitarian

⁷⁶ Ivi, pp. 179-180.

⁷⁷ Tocqueville, A. (1838). *Democracy in America*. Tyranny of the Majority. Retrieved April 2, 2021, from: https://xroads.virginia.edu/~Hyper/DETOC/1_ch15.htm: A general law, which bears the name of justice, has been made and sanctioned, not only by a majority of this or that people, but by a majority of mankind. The rights of every people are therefore confined within the limits of what is just. A nation may be considered as a jury which is empowered to represent society at large and to apply justice, which is its law. Ought such a jury, which represents society, to have more power than the society itself whose laws it executes? [...] A majority taken collectively is only an individual, whose opinions, and frequently whose interests, are opposed to those of another individual, who is styled a minority. If it be admitted that a man possessing absolute power may misuse that power by wronging his adversaries, why should not a majority be liable to the same reproach? Men do not change their characters by uniting with one another; nor does their patience in the presence of obstacles increase with their strength. For my own part, I cannot believe it; the power to do everything, which I should refuse to one of my equals, I will never grant to any number of them.

positive liberty, by not respecting one of the “laws” of modernity: the sanctity of the individual. And moreover, the major rival of positive liberty, namely negative freedom, seems to guarantee that feature so effortlessly, at least in formal and analytical terms.

My critique to communitarian positive freedom is what historically this latter has been attacked for: how much positive freedom is completely in the hands of the individual? If freedom starts with the individual, it looks like that at the end of the course, the positive conception of freedom generates anti-individualistic schemes within the society.

Freedom is a very subtle concept. Nevertheless, an idea has carved into rock in the modernity: it has been recognised that freedom, in the modernity, starts and ends with the individual. In short, arguing about freedom in the modernity is unconceivable without considering it as an absolute and essential feature of the (modern) individual. Individual freedom, for being entirely individual, needs to be, in every circumstance, an issue of the person. To be consistent and repeatable, it needs to be entirely in the hands of the person (and this even responds to the dogma of individualism in the modernity): it is not a benevolent action from someone, be it a master or a “neutral” institution. Even when its motives are to provide the individual with substantial capabilities, the matter on issue, I suggest, is the foundation of individual freedom. For individual freedom is not only the resource contents that one person has, but the ability to freely use them in the ordinary life. It is safe to say that, according to these elements, one’s freedom is limited, or altogether denied, for not being entirely on someone’s hands.

Let’s take an example. Imagine a situation in which a person decides to change her smartphone because a new model of the same brand is now on the market. It is an extremely common situation, I would rather say.

Communitarian positive liberty has profound doubts in stating that the person purchasing a brand-new smartphone is actually performing according to her own will, or *‘higher nature’*. The issue is precisely for how much the action of buying the brand-new smartphone accords with the one’s own will, as theorised by positive freedom.

In other terms, does the act of buying a new smartphone depend entirely on the individual’s *‘higher nature’* to meet with her own real freedom, as fully rational human being capable of making coincides her own will with external actions in the circumstances of reality, or is it a mechanism of obeying to the caprices of her own *‘lower nature’*, or even worse, is it there a mechanism (of profit, in this case) that is, obscurely or not, manipulating the individual from an end into a mean, by tempting her own *‘lower nature’*? All marketing techniques fall within the second hypothesis, by the way.

According to reason, if one buys the brand-new smartphone for motives different from its bare functionality, for example, is using the lower part of her subjectivity; That part that suffers the influences from the outside (i.e., marketing actions, cultural pressure, status recognition), that part that manipulates her will, that part fragile for being permeable to vices and idleness. Not only, if one buys the brand-new smartphone is driving away from the real intent of communitarian positive freedom: it is being manipulated by “the pursuit of immediate pleasures”⁷⁸ away from the need of self-determination and, more importantly, of self-realisation.

For things purchased (or made), then, possess a ferally ability to mould one’s, practical behaviour, and even inner will. In this case, an object, albeit man-made, is turning against the individuality of the person:

“Men are conditioned beings because everything they come in contact with turns immediately into a condition of their existence. [...] In addition to the conditions under which life is given to man on earth, and partly out of them, men constantly create their own, self-made conditions, which, their human origin and their variability notwithstanding, possess the same conditioning power as natural things. Whatever touches or enters into a sustained relationship with human life immediately assumes the character of a condition of human existence. This is why men, no matter what they do, are always conditioned beings. Whatever enters the human world of its own accord or is drawn into it by human effort becomes part of the human condition. The impact of the world’s reality upon human existence is felt and received as a conditioning force.”⁷⁹

It follows that one’s choices are free as long as they are evaluated as rational. And that kind of individual freedom is highly compromised for being continuously under examination. Plus, this structure of freedom requires the presence of a judging authority that puts under scrutiny the rationality of an action, and history has already made strong statements about how much dangerous for individual freedom can be a political authority being in charge of the moral standards of a community. And in this case, the external means are modulated towards the individual in a paternalistic manner: “Here you are! That is the amount and the quality of means that you need to be successful in life!”⁸⁰

⁷⁸ Ivi, p. 179.

⁷⁹ Arendt, H. (1958). *The Human Condition*. Chicago: University of Chicago Press, p. 9.

⁸⁰ As a matter of fact, paternalistic tendencies can be seen even on the liberal side. However, the liberal manipulation is more subtle. liberalism can have a certain tendency of designing specific paths to follow for its citizens. See Thaler, R. H., & Sunstein, C. R. (2008). *Nudge: Improving Decisions about Health, Wealth, and Happiness*. New Haven, Connecticut: Yale University Press.

Therefore, be the master of your own life is not up to (free) choice, but it is up to reason. There is not freedom to choose. The previous example, perhaps silly, render explicit the risks of positive freedom, in terms of individual agency. Communitarian positive freedom is *freedom to*, but it is *freedom to* and nothing else. It gives the means and the resources for be the master of your own life but at what price if you are not completely free how to use them. It does give the ability to have a certain number of choices to choose for the individual, but that number is reserved to the “right” choices. This understanding implies that, for communitarian positive freedom, the emphasis is on the means that the individual has in her possession, which is fundamental paradigm of self-mastery, while it is overlooked, or even ignored, the guarantee of autonomous action of the individual, since there is no understanding of the presence of barriers that the other, has to obey to.

There are formal issues, therefore, that make preferring a negative type of liberty. There is no from, no barrier, no protection. The normative solution of communitarian positive freedom does not comprise any form of protection of the individual.

On the other hand, as much as positive liberty, freedom as non-domination has indeed a curiosity in giving to the individual the capabilities for having a senseful living. As much as positive liberty, freedom as non-domination does not content itself with a contentless freedom. Ye the content cannot be imposed. Secondly, republicanism sees the relationality and reciprocity inherent in the communitarian positive freedom’s political theories as essential analytical sources that can be developed, albeit in a different fashion and on different fundamental premises, in the neo-republican political architecture, especially those related to Immanuel Kant’s entire oeuvre. However, republicanism believes, as a proper freedom *from*, the implementation material and immaterial resources and capabilities to human beings cannot be sold for the sake of one’s individuality. In this, I am perfectly in line with Berlin’s critique of positive freedom. The contrast is precisely, from a republican point of view (and altogether, from negative liberty perspective), that the role of the community which resembles, almost accurately, that of the master, albeit benevolent.

Negative liberty has the ability of protecting the individual from interference or from domination. This setting guarantees to the person to be not violated of her individuality by the ‘*tyranny of the majority*’, by the ethical state or by any other organisation that set the standard, rational and moral, to which an individual has to conform to:

“[I]n a society freedom has nothing to say about what an individual does with his freedom; it is not an all-embracing ethic. Indeed, a major aim of the liberal is to leave the ethical problem for the individual to wrestle with.”⁸¹

Of course, the debate about the resources for the individual is important, and too many times has been hastily labelled as being solely conditions of one’s freedom. For too long negative freedom, in the fashion of non-interference, has not acknowledged the necessity of means to endure in the free pursuit of one’s interests. However, even the most progressive kinds of negative freedom, as, for example, republicanism, reject any meaning of individual freedom that gives material and immaterial resources to the individual, at least in the modality of communitarian positive freedom. This is perhaps the primary argumentation of negative liberty against the conception of freedom proposed by communitarian positive liberty theorists because communitarian positive freedom modalities of giving resources to the individual weaken the very conception of what is individual freedom:

“[T]he ‘positive’ conception of liberty, not freedom from, but freedom to – to lead one prescribed form of life – which the adherents of the ‘negative’ notion represent as being, at times, no better than a specious disguise for brutal tyranny.”⁸²

For the paradigm of self-mastery in the social structure draws on the fundamental rule of having the material and immaterial means and a control, through the community, of the circumstances for self-realisation and self-determination. However, as much as, as in the fundamental rule, the modalities through which these means are given to the individuals turned against the freedom of the person in and of itself.

1.5. A Non-Relational Freedom

The individualistic idea of positive freedom, developed by left liberalism, puts (and maintains) at the centre of its social and political architecture the individual, contrary the communitarian side of positive freedom. The pivotal element is the person, and what is external is pictured, instrumental or normatively, as the source, or at least, the main element, for her to realise her subjectivity.

⁸¹ Friedman, M. (1962). *Capitalism and Freedom*. Chicago: University of Chicago Press p. 12.

⁸² Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p. 178.

The protection of the individual is recognised through the recognition of a “from” in the form of human rights, in the form of basic liberties, or even in the form of freedom as non-interference, if we take especially John Stuart Mill’s example. Usually, they are fundamental values, that promoted and enacted through constitutions, declarations, and the promulgation of basic rights, that after WWII, protecting the sanctity (and the dignity) of the individual.

To these forms of “from”, left liberalism attaches types of freedom *to*, to give a material and immaterial depth to ‘*the worth of liberty*’, as Rawls suggested. As we have seen, there are different roads that can be taken. For example, Sen’s approach is different from the typically instrumental and consequentialist approach of John Stuart Mill. Therefore, individualistic positive freedom proposes a conception individual freedom that goes beyond the mere absences of freedom. Rather, a person is considered free if she has also internal and external means that sustain her agency.

This understanding seems to overcome even the mere negative theorisation of freedom. After all, it looks like that there is everything in the recipe: the “from”, represented especially by the acknowledgement of basic rights, and the “to”, with the recognition, for good reason, that to be free and to have real agency on needs material and immaterial resources.

If the theorisation of negative freedom was exhausted only by freedom as non-interference, I would have considered individualistic positive freedom as the best possible freedom in the social structure. However, I am not convinced that the individualistic strand of positive freedom is an adequate form of individual freedom in relation to the social structure. Because nor the “from”, nor the “to” have the normative power to determine and to mould the dynamics of the social structure. If, firstly, there is the recognition of the centrality of the individual, missing (in the long run) in the communitarian understanding of positive freedom, and secondly, with the recognition of having resources and means, material and immaterial, there is not the reduction of the individual as an “isolated monad”⁸³, as we are going to see in the second chapter, the individualistic understanding of positive freedom does not provide the individual with a sufficient normative power in order to have a “discursive control”⁸⁴ in the dynamics and social procedures of the contexts of the social

⁸³ Marx, K. (1844). *On the Jewish Question*. (Eds Blunden, A, Grant, M and Carmody, M, 2009). Retrieved 1st June 2021 from: <https://www.marxists.org/archive/marx/works/1844/jewish-question/>

⁸⁴ Pettit, P. (2001). *A Theory of Freedom: From Psychology to the Politics of Agency*. Cambridge: Polity Press, p. 86: “An agent will be a free person so far as they have the ability to discourse and they have the access to discourse that is provided within such relationships.” This notion will be deeply analysed in the third chapter.

structure. For *'discursive control'*, it is intended the capability of the individual to have a say in the dynamics and social practices affecting her and her ability to act. Proposing the notion of *'discursive control'* is a relational instance, ultimately.⁸⁵

“[W]e are discursive, conversable beings, that is, beings who are able to give and to take reasons for thinking or acting in a certain way. As such, we are liable to have our judgements and actions held to relevant standards and are able to adjust accordingly. This is what it means to be treated as a free and responsible person. As conversable beings, we understand ourselves as having this capacity to be moved by reasons, even when we fail to exercise it and, hence, we also need to ascribe it to others with whom we engage discursively.”⁸⁶

For example, resourcism and distributive techniques, besides, as Amartya Sen argued,⁸⁷ have issues in the acknowledgement of the plurality and different subjectivities of every individual, do not tackle the relational ability of the individual to have a say in the social dynamics influencing her agency. My critique, however, vents more on the inadequacy of the individualistic positive freedom as a relational normative power.

I argue that if the procedures and social practices in which the individual continues performing her brand-new resources remain burdensome and cumbersome, and, most notably, based on patterns of inequality and unfreedom, then all the effort made for the distribution of these resources would be vain, in the first place, and most notably, it does not improve the situation of oppression, vulnerability, and unfreedom of the person.

However, I am not denying that costs and benefits, by, for example, liberal egalitarians, are shared fairly, and that these forms of distribution are based on a conception even of reciprocity, as, for example, Rawls' difference principle states. I argue, nonetheless, that this kind of resourcism does not tackle the very procedures and practices determining patterns of oppression or domination. The fact that one has more material and immaterial resources does not give the ability to have a *'discursive control'* on the dynamics and procedure of the social structure.

⁸⁵ *'Discursive control'* and the idea of discourse, in general, is an important concept of this dissertation that will be thoroughly debated in the third chapter. See Ivi, p. 82: “The word ‘discourse’ derives, etymologically, from the idea of running to and from, or back and forth, and thereby connotes a social exercise in which different parties take turns in exchange with one another.”

⁸⁶ Gädeke, D. (2020). *From Neo-Republicanism to Critical Republicanism*. In: Leipold, B., Nabulsi, K., and White, S. *Radical Republicanism: Recovering the Tradition's Popular Heritage*. Oxford: Oxford University Press, p. 26. The concept of reason is used even in the idea of *'discursive control'* but it is developed in a “disconnected” way from one’s legitimation of freedom. I will address this topic thoroughly in the Chapter 3.

⁸⁷ See *supra*, para. 1.2.1. note 44.

See, for instance, this passage of the article “Capability and Freedom: A Defence of Sen”⁸⁸ by Philip Pettit in relation to Sen’s functionings (in any case, Pettit largely concurs with Amartya Sen during the article):

“Consider a society where an oil-rich potentate decides, perhaps out of idle whim, to use his enormous annual income in order to raise the level of functioning among the very poor subjects of his regime. Imagine, to make the case vivid, that he does this so successfully that the people flourish. There are extremely generous centres of food supply, excellent teachers are hired in from outside to raise levels of youth and adult literacy, there are heavily subsidized helicopters provided for the use of the public in travelling within the country, those who are seriously ill are flown to the best international facilities for treatment, and so on. Will the people in this society enjoy good prospects of functioning? Yes, they will, at least so far as the probabilities of the potentate's continuing to be generous look pretty good.”⁸⁹

The resources that those people receive do not give the ability to address the power of *‘the oil-rich potentate’*. For the individualistic strand of positive freedom does not address the relations forming and promoting power as the primary source of inequality. The effort of the well-regulated society, theorised by left liberalism, is partial because it doesn’t tackle the arbitrariness⁹⁰ that certain individuals enjoy in the social structure. Rather, the regulation of society is based on a distribution of costs and benefits. In other words, there is not real and consistent normative power in the hands of the person that controls the formation and production of power which is the evil manipulating the social procedures and practices in the social structure and causing patterns of unfreedom to individuals. It does not, for example, decide the modalities of formation of benefits and costs, which, in the end, address the issue of the formation and production of power.

The critique towards resourcism remains even in Mill’s individual freedom. Furthermore, there is an element that can be added: the logical consequence between *‘the social atmosphere of freedom’*⁹¹ and self-realisation is too comfortable, and to some extent, inconsequential. It can be surely seen as the definitive solution to human race, probably, that

⁸⁸ See Pettit, P. (2001). *Capability and Freedom: A Defence of Sen*. *Economics and Philosophy*, 17(1), pp. 1-20.

⁸⁹ Ivi, p. 11.

⁹⁰ Arbitrariness is the central concept of neo-roman republicanism. In the regulation of arbitrariness, individual freedom can thrive. The extent of one’s freedom is established in the procedures of formation of power, according to the neo-Roman republicanism.

⁹¹ See *supra*, para 1.1. note 8.

the connection human creativity and individual freedom would have been so straight, but unfortunately to many examples can come to mind doubting this assumption:

“But the evidence of history tends to show (as, indeed, was argued by James Stephen in his formidable attack on Mill in his *Liberty, Equality, Fraternity*) that integrity, love of truth and fiery individualism grow at least as often in severely disciplined communities, among, for example, the puritan Calvinists of Scotland or New England, or under military discipline, as in more tolerant or indifferent societies; and if this is so, Mill’s argument for liberty as a necessary condition for the growth of human genius falls to the ground”⁹²

In any case, even in John Stuart Mill’s theory there is a form of reciprocity. The harm principle tries to govern people’s intentions and actions in a reciprocal manner. However, it is not a relational instantiation for people to cooperate. Rather, it is a form of departure of the other that resembles freedom as non-interference, as we shall see in the second chapter:

“That principle is, that the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others.”⁹³

To ‘prevent the harm to others’ is the minimum requirement of reciprocity, ultimately. And, for the purpose of my dissertation, it is too weak and insufficient in order to give the individual a normative power that governs the social structure.

Finally, the capability approach by Amartya Sen tries to overcome the limits of resourcism. The concept of functioning does not entail exclusively possessing objects, resources, and commodities but also the ability to achieve the purpose(s) with those mere commodities. I consider Sen’s approach more incline towards an individual freedom, able to regulate the dynamics and the contexts of the social structure. And for this, a concept of individual freedom close to the neo-Roman republican idea of freedom.

In Sen’s idea, freedom, beside trumping utility in its economic and philosophical speculation, is a more consistent attempt to put the individual at the centre of the social structure, and, most notably, to render her more aware of her being a part of the dynamics of the social structure. However, this reading of Sen’s work exists if one’s capability is read on

⁹² Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p. 175.

⁹³ Mill, J.S. (1859). *On Liberty*. Kitchener, Ontario: Batoche Books Limited (eds. 2001), p. 13.

a normative relational protection of the individual and her freedom, for being “quintessentially a social product”⁹⁴, if, in the end, the extent of her functionings is not described a mere (ex-ante) compilation of resources but as a context-based form of agency.⁹⁵

The issue with individualistic positive freedom is that in the moment it moves away from the social structure, (hence, in the moment it becomes individualistic), it loses its relational accent and, therefore, it turns into a form of freedom *to* that prefigures to solve the issue of freedom in an individualistic manner. There is freedom to choose,⁹⁶ not stiffened by claims of being reasonable as in the communitarian positive freedom tradition, as much as freedom to achieve, where this latter is the fundamental premises for self-realisation. However, the social structure, its dynamics, its contexts are perceived, through the lens of the individual, in an instrumental, non-relational, resource-based way.

The rest of left liberal formula, in line with MacCallum’s triadic relation, is the “from”. This latter is an important feature of individual freedom: Mill’s ‘*limit*’ renders, for instance, individualistic this strand of positive freedom. Usually, this “from” used by left liberalism has the normative sense of non-interference.

In the next chapter I will address, firstly, negative freedom in general, and underlie that *freedom from* is vaster than the sole freedom as non-interference. Secondly, the issue of non-interference especially if it is only understood as self-sufficient to guarantee an individual freedom is inconsistent in relational terms. However, I want to precise the critique that I will propose to freedom as non-interference, can surely be expanded to some strands of left liberalism, obviously to the “from” part.

⁹⁴ Sen, A (1999). *Development as Freedom*. New York: Anchor Books, p. 41.

⁹⁵ See Pettit, P. (2001). *Capability and Freedom: A Defence of Sen*. *Economics and Philosophy*, 17(1), pp. 1-20, p. 18: “The republican conception of freedom is socially more radical than the standard view so far as it denies that non-interference is sufficient for freedom. This aspect of the view means that we must regard those who are dependent on the goodwill of others for enjoying a normal unfettered life as unfree, even if they are lucky enough to attract goodwill. Sen supports this social radicalism, on my reading, so far as he treats functioning capability, not just a certain prospect of functioning, as important in determining the quality of a person’s life. It will not be enough that the wife is likely to be treated well by her powerful husband, the employee by his or her powerful employer, the poor of the village by the powerful landlord. It will also be required that those in such positions enjoy that treatment on a basis that is independent of the goodwill of the powerful.

⁹⁶ Freedom to choose, or freedom of choice, is a central notion shared with freedom as non-interference, as we shall see in the second chapter.

Chapter 2: Freedom as Non-Interference

2.1 The Power of “From”

The journey of *freedom from* is, at the same time, intense and short. As already stated in the previous chapter, freedom *from* does not have the fortune of being supported by centuries over centuries of theorisations as positive freedom has the luck to enjoy.¹ The lack of a reliable comparison, in political and philosophical terms, with previous theorisations of freedom has not made life easy for the newly born kind of freedom. In any case, this unlucky part experienced by negative liberty has been brilliantly counterbalanced by its factual success and influence, to the extent, that it has almost conquered the entire planet in the contemporaneity.²

The ancient understandings of political freedom were analytically unacceptable precisely for not satisfying the individualistic prerequisites. This issue has been highlighted by the well-known speech “The Liberty of Ancients Compared with that of Moderns”³ that Benjamin Constant has made in 1819 at Royal Athenaeum of Paris:

“[The liberty of the ancients] consisted in exercising collectively, but directly, several parts of the complete sovereignty; in deliberating, in the public square, over war and peace; in forming alliances with foreign governments; in voting laws, in pronouncing judgments; in examining the accounts, the acts, the stewardship of the magistrates; in calling them to appear in front of the assembled people, in accusing, condemning or absolving them. But if this was what the ancients called liberty, they admitted as compatible with this collective freedom the complete subjection

¹ See Honneth, A. (2014) [2011]. *Freedom's Right: The Social Foundations of Democratic Life (New Directions in Critical Theory, 13) (Reprint ed.)*. Columbia University Press, p. 32: “Whereas the idea of negative freedom has hardly any precursors in antiquity or the Middle Ages, the notion of reflexive freedom reaches all the way back to the intellectual prehistory of modernity. Ever since Aristotle, a number of thinkers and philosophers have claimed that in order for individuals to be free, they must be able to arrive at their own decisions and influence their own will.”

² See Fukuyama, F. (1992). *The End of History and the Last Man*. New York: Macmillan Palgrave, p. 328: “The decline of community life suggests that in the future, we risk becoming secure and self-absorbed last men, devoid of thymotic striving for higher goals in our pursuit of private comforts.”

³ See Constant, B. (1819). *The Liberty of Ancients Compared with that of Moderns*. Online Library of Liberty. Retrieved November 12, 2020, from: <https://oll.libertyfund.org/titles/constant-the-liberty-of-ancients-compared-with-that-of-moderns-1819#preview>.

of the individual to the authority of the community. You find among them almost none of the enjoyments which we have just seen form part of the liberty of the moderns.”⁴

Freedom in the modernity is increasingly ascribable as the mean through which the individual pursues autonomously her ends and purposes, disenfranchised from the griefs of heteronomous norms of the status quo, tyrants, or the (ethical) community.⁵

Also because the self has enlarged her social functions in the modernity: there is not any longer a single dimension of human social existence. Modernity has modified the scope of the social/public agency of the modern individual. The reduction of the individual to only a promoter of political citizenship is incompatible with the codes of conduct in the modernity. A person is not any longer only a citizen, only an economic agent, only a consumer, or a property-owner: her agency is the combination of every of these roles to which the feature of citizenship seems to be inconsistent, for its tendency of focusing, almost entirely, on the legalistic conception of it. In all these natures, the agential aspect of the modern individual has taken a supreme significance. This means that modern freedom has detached itself from the exclusivity of the political domain, precisely because a person in the modernity is more than a citizen: she has “to occupy their days or hours in a way which is most compatible with their inclinations or whims”⁶.

In the end, the very preoccupation of modern negative freedom is to assist the modern self with a precise instrument to perform consistently with the paradigms and challenges of the modernity. Therefore, freedom must be reliable with all the surroundings of modernity and the modern individual, such as “the civil freedoms of conscience, association, speech and movement, and above all by the freedoms of contract and property ownership.”⁷

For this, as the famous speech by Benjamin Constant envisaged, negative freedom proposes itself as the only one that consistently respects the rules of the modernity, for being a guarantor from the perils of arbitrary will, from tyranny of the majority, and a beacon from the eventual tyrants *strictu sensu*.

⁴ Constant, B. (1819). *The Liberty of Ancients Compared with that of Moderns*. Online Library of Liberty. Retrieved November 12, 2020, from: <https://oll.libertyfund.org/titles/constant-the-liberty-of-ancients-compared-with-that-of-moderns-1819#preview>.

⁵ See Gooch, G. (1947). *Lord Acton: Apostle of Liberty*. *Foreign Affairs*, 25(4), pp. 629-642, p. 630: “By liberty I mean the assurance that every man shall be protected in doing what he believes his duty against the influence of authority and custom, and opinion.”

⁶ Constant, B. (1819). *The Liberty of Ancients Compared with that of Moderns*. Online Library of Liberty. Retrieved November 12, 2020, from: <https://oll.libertyfund.org/titles/constant-the-liberty-of-ancients-compared-with-that-of-moderns-1819#preview>.

⁷ Bellamy, R. (2012). *The Liberty of the Moderns: Market Freedom and Democracy within the EU*. *Global Constitutionalism*, 1(1), pp. 141-172, p. 144.

For modernity can be even described a period of emancipation of the individual from the old regime dogmas, where the individual is placed at the centre of the mechanisms, in search of new paradigms and structures under which an emancipated self can accommodate herself. This process of liberation started in the early stages of modernity, even due to the normative power that freedom, as a social practice, possesses.

From the seventeenth-century freedom from frustration, best described by the Hobbesian adage of “a freeman is he that... is not hindered to do what he has a will to”⁸ to the on-going competition between the “the degree to which no man or body of men interferes with my activity”⁹ of freedom from interference, and “be at mercy to other’s will” of freedom as non-domination, the argumentation about negative individual freedom involves the question: “What am I legitimised to expect from the society I live in to consider myself free?”.

All these theorisations of freedom are negative, in the sense that they consider individual freedom as the guardian from the abuses of the other:

“First ask yourselves, Gentlemen, what an Englishman, a French-man, and a citizen of the United States of America understand today by the word 'liberty'. For each of them it is the right to be subjected only to the laws, and to be neither arrested, detained, put to death or maltreated in any way by the arbitrary will of one or more individuals. It is the right of everyone to express their opinion, choose a profession and practice it, to dispose of property, and even to abuse it; to come and go without permission, and without having to account for their motives or undertakings. It is everyone's right to associate with other individuals, either to discuss their interests, or to profess the religion which they and their associates prefer, or even simply to occupy their days or hours in a way which is most compatible with their inclinations or whims. Finally it is everyone's right to exercise some influence on the administration of the government, either by electing all or particular officials, or through representations, petitions, demands to which the authorities are more or less compelled to pay heed”¹⁰

This part of the speech is the epitome of what it means the words “negative freedom” in the modernity. It is freedom from something. It cannot educate, least of all determine actively someone’s ends. Therefore, negative freedom pictures individuals as being autonomously capable of pursuing their own ends, obeying only to their reason, whatever it

⁸ Hobbes, T. (1999) [1651]. *Leviathan, or The Matter, Forme and Power of a Common Wealth Ecclesiastical and Civil* (eds. Hay, R.). Hamilton, Ont: McMaster University, Chap XXI, p. 129.

⁹ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford University Press, p. 169.

¹⁰ Constant, B. (1819). *The Liberty of Ancients Compared with that of Moderns*. Online Library of Liberty. Retrieved November 12, 2020, from: <https://oll.libertyfund.org/titles/constant-the-liberty-of-ancients-compared-with-that-of-moderns-1819#preview>.

may be. Negative freedom is the freedom of an individual who is not dependent on the actions of the other. The other symbolises the community, the political institutions, the state, or the unknown and obscure actors. It is the freedom of the individual disengaged from the tyranny of the majority, but, at the same time, it can be the freedom of a person being able to being connected with her surroundings, to be a part of the community, and to claim her own instances. But in this latter part, freedom as non-interference seems to have some difficulties and inconsistencies.

This conception of individual freedom is produced by the “from”. The “from” is a barrier. Isaiah Berlin argued that the tension between the individual and the relative political authority is described through the usage of the term ‘*a frontier*’:

“It follows that a frontier must be drawn between the area of private life and that of public authority. Where it is to be drawn is a matter of argument, indeed of haggling.”¹¹

Firstly, Isaiah Berlin states that ‘*a frontier*’ has been drawn between the privacy of a person and the reference community. Furthermore, the ‘*frontier*’ of Isaiah Berlin is not altogether that different from the ‘*limit*’ mentioned by John Stuart Mill.

Obviously, John Stuart Mill was a liberal theorist as much as Isaiah Berlin. And, even in the passage that I have proposed above, it is understandably evident that John Stuart Mill intended basically that same idea enunciated by Isaiah Berlin in 1958. The political assonance between ‘*collective opinion*’, ‘*individual independence*’ and ‘*limit*’ and the words adopted by Isaiah Berlin is palpable. The need to put *a limit* in order to maintain ‘*a good condition of human affairs*’ is basically the same concept articulated by Berlin almost a century later.¹²

Secondly, this barrier can have different functions, and, most notably, can produce different outcomes. For example, the barrier of non-domination does not have the need to form an untrespassable space around the person as the value of non-interference precisely requires.

Therefore, the urgency resides in the discussion upon where the ‘*frontier*’ is to be drawn. For what purposes and, most notably, what bad behaviours the line of demarcation between freedom and unfreedom is trying to protect the individual from? In other words, where must the line be drawn to render an individual negatively free? Am I enjoying freedom

¹¹ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford University Press, p.171.

¹² See *supra*, para 1.2.1. note 30.

if the *'frontier'* is drawn in a certain position, protecting my right to “be not” or is better for me, living in a certain community with certain social norms, that the *'frontier'* is drawn at another distance, exercising other functions, and defending other purposes?

This argumentation implies that, through the course of modern history, humankind, mostly western (and westernised), has decided that if that *'frontier'* is prevaricated from one of the two parties, a motion about the legitimation of her acts may be met. For this, the considerations about the legitimacy of the other's actions bring to the table the old discussion about the formation and the scope of freedom pertaining to individuals.

The line of demarcation between freedom and unfreedom models the behavioural agencies that people can perform within the community. For example, the modes of interaction that the members of the contemporary community are moulded upon the rule of non-interference, and this is perceived in almost every context of the society, from the economic domain to the legal one.

The recipe of negative freedom is utterly different from that of communitarian positive freedom, for example. As we have seen in the previous chapter, the communitarian sense positive liberty has the ability to place the individual consistently within the community, while it is not able to allow a consistent autonomy and independence of will of the individual. A community governed *only* by positive freedom risks concretely to experience an Orwellian $2+2=5$ scenario, in which the general will may control the content of one's will. The eventual authoritarianism of communitarian positive freedom, which can have various form of oppression that humanity has already experimented even in the recent past, is right behind the corner. For the downturn of being a real piece of the community is that one's dignity, individuality, and subjectivity cannot be reliably protected: the game is not really worth the candle.

The shortcomings of communitarian positive freedom are overcome by negative liberty. The negativity is a form of guarantee for individuals to “be not” from others. The individual, that does not master her agency in the ties of positive freedom, is liberated by conceiving the theorem of modern individual freedom from a different perspective. One is not free if she is able to do something but if she is protected from the clutches of the other person. The propositions make all the difference: *to* is thumped by *from*, because *from* is capable of guaranteeing to the individual her autonomous agency and will, under any external circumstances.¹³ While communitarian positive freedom, the external has the

¹³ See Honneth, A. (2014) [2011]. *Freedom's Right: The Social Foundations of Democratic Life (New Directions in Critical Theory, 13) (Reprint ed.)*. Columbia University Press, p. 25: “Hobbes draws a conclusion

potential to undermine, or even to destruct, the autonomy and independence of the individual.

Differently, from communitarian positive freedom understanding, negative freedom preserves, or overlooks, (depends on where one stands on the matter), the subjectivity of the individual. And, to legitimate individual freedom, an inquiry on the pureness of human will is not in the list of the things to do. Freedom is in the agency of the individual besides how pure her subjectivity is.¹⁴

Preserving the autonomy and the moral individualism of the person is one the cornerstones of modernity, and this is the recipe of liberalism, in its positive sense and its negative sense. This allows me, I think, to restate an important clarification. Individualistic positive freedom, as implied in the previous chapter, enjoys the “from” of negative liberty. For this, it has the ability to become individualistic. Ultimately, left liberalism, as the primary political theory of individualistic positive freedom, is a combination of “to” and of “from”. And this latter, in terms of freedom, has been tendentially theorised in the form of non-interference.

However, it would be a mistake to assume, especially after the theorisations of the second half of the last century, that the individual has been conceived only as the bearer of freedom. Rather, other central essential values, especially that of dignity, became fundamental in the formation of the protection of the individual, notably in the (westernised) constitutional discourse.¹⁵ Therefore, the value of dignity rightfully is considered essential in the focusing of the individual, as the primary focus of any democratic political architecture.

Nevertheless, I consider the universalisation of dignity insufficient to counterbalance the limits that freedom as non-interference inevitably has. A relational consideration of freedom, that following the insights of Hannah Arendt, might ultimately include feasible argumentations of human dignity in the formula of freedom in and of itself. In this, I agree with the interpretation of Hannah Arendt’s thought by John Douglas Macready:

about the freedom of human beings who, unlike mere bodies, possess a ‘will’. Human freedom thus consists in being unhindered by external impediments while realizing one's own aims. A free person is therefore someone who is not faced with obstacles which ‘may oft take away part of a mans power to do what hee would; but cannot hinder him from using the power left him, according as his judgement and reason shall dictate to him’.”

¹⁴ See Ivi, p. 26: “The idea that the aim of freedom consists in fulfilling any and all desires, provided they serve the subject's self-assertion, allows Hobbes to restrict his purview to external sources of resistance. Potential haziness, confusion or restrictions of the human will cannot be taken into account when defining natural liberty, because as observers we are not entitled to judge what a subject should or should not desire.”

¹⁵ See *supra*, para 1.2.1. note 32.

“Arendt argued that freedom originally indicated the status of an individual in relationship to other human beings. A person with the *status* of a “free man” was liberated from the necessities of life and able to enter the public realm to speak and act with other free people. Status, for Arendt, indicated primarily the standing of an individual. So, she could speak about the moral, legal, civil, social, or political status of individuals – how human beings stand in each of these spheres. This standing indicates the relative worth of human beings – their dignity.”¹⁶

Human dignity is protected not through a universalisation of the concept of dignity but through a relational instantiation between free individuals. The topic, that is even addressed in this work, is that freedom as non-interference does not have that relational ability, and even if it is complemented with other values. their universalisation or their mere connection to the value of non-interference do not seem to solve the intricacies of power and human vulnerability.

In any case, I consider negative freedom the best solution for the protection of individual agency. For the “from” theorisation seems to have a better consistent plan in terms of individualistic possession of freedom:

“[T]he freedom of the individual consists in pursuing one's own interests unhindered by ‘external’ obstacles touches on a deep-seated intuition of modern individualism, according to which subjects are entitled to a certain amount of individuality, even if their intentions and desires are not subjected to higher principles.”¹⁷

The negative theorisation of freedom puts at the centre, in any contexts and circumstances, the individual. Freedom never slips away from the hands of the person under the rule of negative freedom for construing a barrier for the other’s interferences/patterns of domination. The objective of negative freedom is individual freedom *per se*:

“The heart of the liberal philosophy is a belief in the dignity of the individual, in his freedom to make the most of his capacities and opportunities according to his own lights, subject only to the proviso that he not interfere with the freedom of other individuals to do the same.”¹⁸

¹⁶ Macready, J. D. (2018). *Hannah Arendt and the Fragility of Human Dignity*. London: Lexington Books, p. 51. (original emphasis). Furthermore, we are going to see that similar conception of freedom, in relational terms, is developed by the neo-Roman faction of republicanism.

¹⁷ Honneth, A. (2014) [2011]. *Freedom’s Right: The Social Foundations of Democratic Life (New Directions in Critical Theory, 13) (Reprint ed.)*. Columbia University Press, p. 26.

¹⁸ Friedman, M. (1962). *Capitalism and Freedom*. Chicago: University of Chicago Press, p. 195.

However, negative freedom is not exhausted by freedom as non-interference. For arguing that negative liberty theorisation is consumed by freedom from interference is a risk, if not totally a wrong argumentation, for the fact that other forms of oppression than interference exist.

Freedom as non-domination has the rights cards to compete, and in my opinion, to overshadow the limits of individualistic positive freedom and of freedom as non-interference. For freedom as non-domination has the relational ability to address the dynamics of the social structure.

For this, it is important to remark the fact in the negative freedom's camp we may find both freedom as non-interference and freedom as non-domination. They are not altogether that distant, and, more importantly, they represent factually how negative freedom can have various articulations and understandings.

This chapter is structured as follows. Firstly, I will address freedom as non-interference and the political theory promoting freedom as non-interference. Secondly, I will show the departure of the other from the theorem of freedom, according to freedom as non-interference. Then, I will discuss the consequences that the departure of the other will develop in all the entire structure of freedom and not only. Thirdly, I claim that this absence of the other creates an isolating form of individual freedom, that is often referred to as freedom of choice. The reduction of individual freedom in freedom of choice has the result of limiting her awareness of her surroundings, of her contexts and of the dynamics of the social structure, and of fostering forms of power, especially private-based. Finally, I am going to address the non-interference social structure, and the weight of the normative inability of freedom as non-interference in the privatisation of the social structure.

2.2. What is Freedom as non-interference?

To interfere is a verb that is very common to come across while reading scientific works, books, and articles about negative freedom. To hinder, to constrain, and to interfere are verbs that usually have the same semantic value, at least with regard to negative freedom: a person is free in her agency, if she encounters no impediments, they say. Hinder, impediments, constraint, and interference are the contrary of freedom, according to (a part of) the doctrine of freedom *from*, and the individual, to be free, needs to be protected by them.

It is possible to reconstruct the journey of negative freedom, by using the many times that the limit of constrain, of hinder, or of interference has been relocated, renamed, or recalibrated.

In westernised democratic societies, historically, the value of non-interference has determined the functions and the purposes of the line of demarcation. The function and the purpose of the line of demarcation of non-interference is to prevent, and, in case, punish, every act of interference in the area of freedom of the person. The line of demarcation between freedom and unfreedom, as in the freedom as non-interference's understanding, forms an imaginary area. A person, inside the imaginary area established by the line of demarcation of non-interference, meets her freedom because she does not suffer any form of interference.

Freedom as non-interference is the standard normatively determining the rules of engagement, and through which conflicts are solved, relations take place and social dynamics are developed in the contemporaneity:

“Coercion is not, however, a term that covers every form of inability. If I say that I am unable to jump more than ten feet in the air, or cannot read because I am blind, or cannot understand the darker pages of Hegel, it would be eccentric to say that I am to that degree enslaved or coerced. Coercion implies the deliberate interference of other human beings within the area in which I could otherwise act.”¹⁹

Normatively, freedom as non-interference states that freedom is composed of an ‘*area*’, that cannot be overstepped, in which the individual can flourish her natural faculties or simply pursue her autonomous selected ends. In the end, the extent of one’s freedom is measured by the mere absence of interference: “The wider the area of non-interference the wider my freedom.”²⁰

Firstly, freedom as non-interference recognises the centrality, in all the stages, of the individual, as required by a proper modern freedom. The centrality of the individual is remarked by the stressing of her autonomy. The individual, that “should be left to do or be what he is able to do”²¹, constantly establishes her ability to reason autonomously. In short, the individual, portrayed by freedom as non-interference, is absolutely a modern individual, which means that she finds herself in the rules of modernity. The selection of interference as

¹⁹ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford University Press, p. 169.

²⁰ Ivi, p. 170.

²¹ Ivi, p. 169.

the evil to one's freedom, after all, was essential in the emancipation of the modern individual from the tyranny of the community.

Liberalism is, indeed, a vast ideology²² that has considered freedom as non-interference as a mean for the flourishing of human faculties as, for example, John Stuart Mill, as we have seen in the previous chapter, in which the “from” is combined with a “to”, but even as an instrument in and of itself, that does not need any form of “to”.

I will not rediscuss the critique of left liberalism, as I have already criticised in the previous chapter, for the limits of their resourcism, distributive techniques, and its relational inability to render concretely free the individual in the social structure. Here, I will address the negative side of liberalism, that, in any case, remains even in the left liberal area, even though counterbalanced by different elements of *freedom to*. The focus of my attention now will shift to the vast area of liberalism that does not believe that a “to” needs to be added to the individual freedom's formula. This liberal strand is more inclined to right-wing views or to pure traditional, especially economic, perspective of liberalism. We can list in this category, for example: right libertarianism, classic liberalism, and neoliberalism.

Libertarianism is an important political philosophy of the modern period. Freedom, according to the libertarian perspective, is the pivotal value of a person: the measure of her well-being. Therefore, freedom can be seen even as an end in and of itself, as a value “valuable as such”²³. For them, individual freedom is an inviolable value for the individual, and, most notably, it is regarded as an end in and of itself.

I think that Ian Carter, in “The Independent Value of Freedom”²⁴, has provided the best definition of libertarianism, even though he himself is more of a liberal theorist than a libertarian one. He asks: “What if “our freedom is itself one of our interests”²⁵? Ian Carter argues that freedom, beside the well-known instrumental function, has another important value: being the cause of the existence of other interests, the premise that allows the existence of one's other values. He calls it the instrumental yet independent value of freedom. Its

²² See Pettit, P. (1999) *Republicanism: A Theory of Freedom and Government*. Oxford: Oxford Scholarship Online., p. 50: “Liberals are a broad church, as emphasized in the introduction, but most of them unite in endorsing the modernist conception of liberty. Right-of-centre liberals who worry only about the formal realization of liberty focus fairly explicitly on non-interference; certainly the majority of them do so. And those on the left—those who embrace a concern to make liberty effective or to realize equality or welfare as well as liberty—generally seem to have their eyes on non-interference too.”

²³ Carter, I. (1995). *The Independent Value of Freedom*. *Ethics*, 105(4), pp. 819-845, p. 821.

²⁴ See Carter, I. (1995). *The Independent Value of Freedom*. *Ethics*, 105(4), pp. 819-845.

²⁵ Ivi, p. 823.

independency is non-specifically instrumentally valuable, which means that its presence does not depend on “the value particular things freedom lets us do [...]”.²⁶

Then, Ian Carter goes on arguing that there are some non-specifically instrumentally valuable goods that people desire to have the larger amount possible.²⁷ He takes the example of money as a “instrumentally but independently valuable good”²⁸. Money is a good that is “prudent to prefer over other commodities.”²⁹ For one normally does not use money as a specific mean to specific other things but as a general source (non-specifically) to future objects of needs or desires. The difference is subtle, but it is clear-cut: people do not desire “food rations, record tokens and, petrol vouchers”³⁰; rather, they desire money in the general sense as potentiality of future, unknown, and theoretical ends.

In this understanding, freedom as independent value, freedom has in itself a “fecundity”³¹ that guarantees the possibility of agency for individuals. In this sense, individual freedom is the cause of individual development, emancipation, personal success.

This is, ultimately, the libertarian tradition. Libertarianism is divided commonly in two branches: right-libertarianism and left-libertarianism. The former considers freedom as the central value in the political architecture as much as the latter.

With the term “right libertarianism”, usually it has been referred to the libertarian strand, extremely popular in the United States, in which the central values for the well-being of the person are individual freedom and the presence of a state that does not interfere consistently into one’s freedom. Usually, Robert Nozick has been seen, with his “Anarchy, State, and Utopia”³², as the prominent figure of right libertarianism. For right-libertarianism, freedom is a freedom from (majorly, freedom from interference) that usually traduces itself in a political architecture of absences:

²⁶ Ivi, p. 823.

²⁷ See Ivi, p. 835: “For it is arguable that a rational agent, while valuing freedom as merely instrumental to satisfaction of certain needs and desires, nevertheless desires as a consequence to have as much freedom as possible (at least *ceteris paribus*).”

²⁸ *Ibid.*

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ See the example of economic freedom in the agriculture domain proposed by Friedman, M. & Friedman, R. D. (1980). *Free to Choose: A Personal Statement*. New York: Harcourt, Brace, Jovanovich, pp. 3-4: “The fecundity of freedom is demonstrated most dramatically and clearly in agriculture. [...] What produced this miracle? [...] Unquestionably, however, the main source of the agricultural revolution was private initiative operating in a free market open to all—the shame of slavery only excepted. And the most rapid growth came after slavery was abolished. The millions of immigrants from all over the world were free to work for themselves, as independent farmers or businessmen, or to work for others, at terms mutually agreed. They were free to experiment with new techniques—at their risk if the experiment failed, and to their profit if it succeeded.”

³² See Nozick, R. (1974). *Anarchy, State, and Utopia*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press.

“Individuals have rights and there are things no person or group may do to them (without violating their rights). So strong and far-reaching are these rights that they raise the question of what, if anything, the state and its officials may do. How much room do individual rights leave for the state? [...] Our main conclusions about the state are that a minimal state, limited, to the narrow functions of protection against force, theft, fraud, enforcement of contracts, and so on, is justified, but any more extensive state will violate persons' rights not to be forced to do certain things, and is unjustified; and that the minimal state is inspiring as well as right.”³³

Van Parijs criticises this approach. He can be listed, on the other hand, as a left libertarian. The centrality of freedom is of course an integral part of left libertarianism. In this case, however, the “from” is weaker. The weakness of the “from” causes a structural difference: freedom is a real feature that needs to have material and immaterial resources that allows a person to achieve concretely her ends and purposes.³⁴

In any case, Nozick’s suspicion of the state authority has been already manifested previously in the form of classical liberalism. The beheading of Charles I, the Glorious Revolution of 1688, 1776’s American Revolution, and French Revolution are all political instantiations that the modern individual wanted the political authority, in any of its form, “at bay”³⁵. The individual has recognised certain basic rights that protects her from the majority rule, from the tyranny of politic institutions and, in the end, from the state authority in and of itself:

“A liberal is fundamentally fearful of concentrated power. His objective is to preserve the maximum degree of freedom for each individual separately that is compatible with one man's freedom not interfering with other men's freedom. He believes that this objective requires that power be dispersed. He is suspicious of assigning to government any functions that can be performed through the market, both because this substitutes coercion for voluntary co-operation in the area in question and because, by giving government an increased role, it threatens freedom in other areas.”³⁶

³³ Ivi, p. ix.

³⁴ See *supra*, para 1.2.1. note 25.

³⁵ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford University Press, p. 173: "Jefferson, Burke, Paine, Mill compiled different catalogues of individual liberties, but the argument for keeping authority at bay is always substantially the same. We must preserve a minimum area of personal freedom if we are not to 'degrade or deny our nature'."

³⁶ Friedman, M. (1962). *Capitalism and Freedom*. Chicago: University of Chicago Press, p. 39.

The suspicion of the state authority is legitimated on the basis of protection and guarantee of individual agency. The individual, therefore, is regarded as an autonomous rational self who is able to choose independently her own purposes and ends. Contrary to communitarian positive freedom, that prescribes to the individual to reason with her *'higher nature'*, freedom as non-interference recognises an uninterfered agency, whatever might be the nature of one's will. The individual is an agent who is free to choose, beyond her ability to reason and the stature of her nature. And this ability is recognised by the normative value that freedom as non-interference has:

“The extent of my freedom seems to depend on (a) how many possibilities are open to me (although the method of counting these can never be more than impressionistic; possibilities of action are not discrete entities like apples, which can be exhaustively enumerated); (b) how easy or difficult each of these possibilities is to actualise; (c) how important in my plan of life, given my character and circumstances, these possibilities are when compared with each other; (d) how far they are closed and opened by deliberate human acts; (e) what value not merely the agent, but the general sentiment of the society in which he lives, puts on the various possibilities. All these magnitudes must be ‘integrated’, and a conclusion, necessarily never precise, or indisputable, drawn from this process.”³⁷

This passage can be regarded as the epitome of freedom as non-interference and of classic liberalism, even though it has been proposed in second half of the last century, after the golden age of classic liberalism. Every single point of Berlin's bullet list is an essential feature composing the rules of freedom as non-interference. In the formula, the instrumental value of freedom is highlighted in the measurement of one's freedom in the *'how many possibilities are open to me and how far [possibilities] are opened or closed by deliberate human acts'*. All in all, this formulation of freedom as non-interference expresses a materialistic tendency of it, namely in the alignment of individual freedom with the value of the choice. Nevertheless, this issue will be addressed in the following paragraphs.

These rules are the central praxis and accepted codes of conduct of negative freedom. To these rules obey, other than classic liberalism, right libertarianism and even neoliberalism. These two latter, however, propose some variations on the theme. Coincidentally those variations are very similar, namely “minimal state”³⁸ and extreme

³⁷ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford University Press, p. 177. note 1

³⁸ Nozick, R. (1974). *Anarchy, State, and Utopia*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press, pp. 333-334: “The minimal state treats us as inviolate individuals, who may not be used in certain ways by others as means or tools or instruments or resources; it treats us as persons having individual

individualism; what changes, perhaps, is that right-libertarianism will always consider individual freedom as a supreme value, while neoliberalism is more akin to a compromise in this sense. For example, the main change that neoliberalism is providing, basically from 1970s globally, is the economisation and mathematisation of everything, especially of the individual:

“Neoliberalism is [...] the conversion of every human need or desire into a profitable enterprise, from college admissions preparation to human organ transplants, from baby adoptions to pollution rights, from avoiding lines to securing legroom on an airplane; and, most recently, the financialization of everything and the increasing dominance of finance capital over productive capital in the dynamics of the economy and everyday life.”³⁹

However, the blueprint remains that of Berlin’s bullet point. The person and her freedom are not portrayed in a different way, according to the dogmas of the Chicago School:⁴⁰ the self is free if she is free to choose.

These are the fundamental political theories promoting the value of freedom as non-interference, without any compensation of a “to”. However, my claim is to consider, analytically yet not abstractedly, the value of freedom as non-interference. For freedom as non-interference has determined, *inter alia*, the rules of engagement in the largest part of the contemporary society.

The normative “precept” is that of non-interference, indeed. The non-overstepping standard requires the other people to follow a certain code of conduct. And this latter is to not violate the area of freedom that the individual needs to have to be free. This is already a first step. By establishing that one’s area of freedom must be unharmed to be free, freedom as non-interference is requiring a certain behaviour of the other and establishing a certain relationship with other. And that behaviour, established in (constitutional) laws and social practices, is that of not overstepping one’s area of freedom. The other is a metaphor for

right with the dignity this constitutes. Treating us with respect by respecting our rights, it allows us, individually or with whom we please, to choose our life and to realize our ends and our conception of ourselves, insofar as we can, aided by the voluntary cooperation of other individuals possessing the same dignity. How *dare* any state or group of individuals do more. Or less.”

³⁹ Brown, W. (2015). *Undoing the Demos: Neoliberalism's Stealth Revolution*. New York: Zone Books, p. 28.

⁴⁰ See Hess, D. (2017). *Chicago School of Economics*. Encyclopedia Britannica. Retrieved July 5, 2020, from: <https://www.britannica.com/topic/Chicago-school-of-economics>: “Simply stated, the Chicago school asserts that markets without government interference will produce the best outcomes for society (i.e., the most-efficient outcomes). A primary assumption of the school is the rational-actor (self-interest-maximizing) model of human behaviour, according to which people generally act to maximize their self-interest and will, therefore, respond to appropriately designed price incentives. At the level of society, free markets populated by rational actors will cause resources to be distributed on the basis of their most-valuable uses (allocative efficiency).

everything that is beyond the line of demarcation, in this case, that of non-interference, as much as the other is a metaphor for the source of one's eventual subjugation to power.

Here is where it lies a first distinction with republicanism, for example. Freedom as non-interference has an absolute stance against the other: no person is allowed in one's area of freedom for any reason. While republicanism accepts people in one's area of freedom as long as their presence is not dictated by an arbitrary status over her. This will be a major issue in my argument in terms of relation with the other and its consequences. Nevertheless, the republican position on this issue will be presented in the third chapter.

2.3. The Absence of the Other

Political naturalism is a tradition of the early-modern period that has had an enormous influence on the moulding of freedom as non-interference.

Human beings, according to this tradition, are born with some essential characteristics that cannot be separated from their essence, for the ultimate reason of being human beings. There is a natural law who recognises to every human being "self-evident"⁴¹ qualities that exists for the sake of their belonging to the human reign. The ability to reason, life, and equality are features that unite every human being on Earth, according to this doctrine: "Men being, as has been said, by nature, all free, equal, and independent [...]"⁴². One of the features is that of freedom: "We are born free as we are born rational [...]"⁴³. It follows that the resulting freedom from this kind of philosophical setting is a full, perfect, and complete freedom from the beginning, precisely because we belong to the human realm.

This kind of starting point is translated obviously in political and social terms. One, besides the community and its laws, norms, dynamics, and practice, is already free, and this natural-based freedom is not limited or compromised but full and complete. The only source or necessity (if we look it from a contractarian perspective) that compromises the individuals to enjoy completely and fruitfully this feral but perfect freedom is that of the state of nature.⁴⁴

⁴¹ I use this term on purpose, by drawing on the well-known passage of American Declaration of 1776: "'We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.'"

⁴² Locke, J. (2015) [1690]. *The Second Treatise of Civil Government* (eds. Bailey, A.). Peterborough, Ontario: Broadview Press, p. 77.

⁴³ Ivi, p. 59.

⁴⁴ See Ripstein, A. (2009). *Force and Freedom*. Cambridge, Massachusetts: Harvard University Press, p. 1.: "[F]or John Locke, institutions can only be justified by showing that they are the results of individuals exercising their natural prepolitical rights in response to the "inconvenience" of a state of nature."

The individual in the state of nature certainly lives a dangerous and peril life. The other has a feral power over her: she can damage one's possessions, one's agency, and one's life, after all. But, from the point of view of this political thought, freedom exists in the state of nature, and its most powerful and more complete manner.⁴⁵

Political naturalism includes in its list philosophers of the calibre of Jean-Jacques Rousseau and John Locke. This latter, I consider the most appropriate for an exhaustive proposition of the definition of this completeness of freedom:

“[A] state of perfect freedom to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man.”⁴⁶

Freedom is already '*perfect*' and complete in the state of nature, in order to act '*as [one] think[s] fit*'. Nevertheless, the state of nature is not a comfortable scenario for human beings. For this, freedom needs to be constrained under the rule of a political authority, as the only solution to terminate the state of nature and start the civilised communal living.

Most notably, if we focus solely on the concept of freedom, the naturalistic perspective entails that one's freedom does not need any other theoretical or practical feature to be exercised. And it presupposes that what an individual needs, to consider herself free, is a series of absences:

“The free man is the man who is not in irons, nor imprisoned in a gaol, nor terrorized like a slave by the fear of punishment ... it is not lack of freedom, not to fly like an eagle or swim like a whale.”⁴⁷

Therefore, a free individual can be measured by the absences she encounters, “for a man is a wolf to another man”.⁴⁸ And freedom as non-interference has inherited this legacy.

⁴⁵ Obviously, I do not agree with this interpretation of individual freedom. For freedom exists only with the other in the formula. For, for example, even this kind of freedom has certain conception of the other, in which this latter is constant peril for one's freedom.

⁴⁶ Locke, J. (1690). *The Second Treatise of Civil Government* (eds. Bailey, A. 2015). Peterborough, Ontario Broadview Press, p. 32.

⁴⁷ Helvetius, cited in Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford University Press, p. 217.

⁴⁸ I am referring to the formula of “homo homini lupus”, meaning “a person is a wolf to another person”, that traditionally has been ascribed to Thomas Hobbes. However, it is a motto already know in the Ancient Times. Seneca and Plautus had already offered a definition on the concept with only formalistic variations on the theme.

Thus, the questions to be asked are: “How has the value of non-interference portrayed the other in its political rhetoric, in its central values, and even related to a value so essential (for democracies) as that of freedom?”, “What function has the other?”, “What are the roles exercised by the other?”, “Is she contributing only to reduction of one’s freedom?”, and “Is she a friendly figure, a neutral being, or a menace and threat?”

Let us take once again the slave/master example. The doctrine of freedom as non-interference does not see any misconduct of the master until the master *does* something in the detriment of the slave. For freedom as non-interference, the master is not even a restrictor of one’s liberty, in the first place: she is not even contemplated in the formula, after all. She appears as a hindrance to the slave’s freedom when a misconduct, namely an act (of interference), is perpetrated against the slave.

Therefore, the other comes into play in the moment of her action. The other is regarded by the actions that may limit one’s freedom.

Consequently, for freedom as non-interference, the alterity is acknowledged for its possible actions against one’s freedom. The formula of “If I am prevented by others from doing what I could otherwise do, I am to that degree unfree”⁴⁹ simply reasserts the concept that one’s freedom, for the value of non-interference, depends on “how wide the area”⁵⁰ of unhindrance around her is, in order to reach her autonomously selected ends. The less obstruction I find during the road, the freer I am.

The action of the other is the centre of attention, according to freedom as non-interference. What Isaiah Berlin often refers as “deliberate interference”⁵¹ is actually nothing more than one’s unfreedom takes place in the moment that a deliberate action made by another human being against her “opportunity for action”⁵². One’s freedom is violated in the moment of that the other trespasses the *‘frontier’* of non-interference limiting her possibility to choose.

For this, freedom from interference provides a thin and only-hostile (only in the moment of the exercise of freedom) conception of the alterity, that traditionally it is embodied by the eventual coercion of the public authority, precisely because the early modern centuries were the pivotal disenfranchisement of the bourgeois class from the bearers of the public power.

⁴⁹ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p. 169.

⁵⁰ See *supra*, introduction, note 18.

⁵¹ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p. 169.

⁵² Ivi, p. 35.

It is a thin formulation of the alterity because it is essentially based on what the other does, might do, or is going to do: freedom as non-interference does not look for a proper identification of what the other might be. This reasoning presupposes no acknowledgement with the alterity until an action is performed or, in any case, put in place. There is not a consistent and complete identification of the other in every context into which the other might play a part towards one's freedom. In other word, if the other is identified only in the moment of her action, in other scenarios she is like a shadow: she disappears in the penumbras left by the inability of the value of non-interference to highlight them. Eventually, from that penumbra, the other might play a determinant role in the condition(s) of one's freedom. For this, freedom as non-interference does not have the ability to address issues of power of people over people.

Secondly, freedom as non-interference delivers an only-hostile portray of the other. When the other exits from the penumbra, she is immediately recognised as an enemy. This approach derives directly from having chosen interference as the felony to prosecute. Because if every act of interference is an act against one's freedom, the relational function that the other might have, according to the freedom as non-interference, is that of the violator of one's freedom. There is no other possible acknowledgment of the other.

Therefore, according to freedom from interference, the alterity is considered a close yet hostile, if not dangerous, figure to the enjoyment of autonomy selected choices by individuals. The alterity is close because the limit is the action. In the distance, the other is a fuzzy object through the lens of non-interference: her function and role that she has with me are not clear. As she performs an action to the detriment of my freedom, her silhouette is immediately identified as an enemy to my freedom.

Consequently, the normative power of freedom as non-interference is not able to detect the other in constant and full manner. The identification of the other is partial and not exhaustive for the challenges of the modern individual, and most notably, for the scope and full capacity of one's freedom. One's freedom is reduced by this theorisation of the other because this latter can mould and determine the extent of one's freedom, nor only by her actions, but by what she is to her, by what relational status she has in relation to another person, and by what relational power she has to her. And since the other is a functional expression of the social structure, especially in the case of the moulding of one's freedom, in which one happens to live, freedom as non-interference misses a crucial factor characterizing one's freedom.

With the term functional expression, I mean that an individual is an autonomous agent and, at the same time, an expression of the social structure. And freedom as non-interference is not able to capture the functional expression element that a person in one's area of freedom inevitably has. This unawareness inevitably has consequences to the scope and quality of one's freedom. The non-interference social structure is established by the penumbras generated by the absence of other. Through the partial identification of the other, it follows that the social structure established by freedom as non-interference is not addressable. Freedom from interference, by overlooking the dynamics of the social structure, generates constantly the uncheckable power(s) from the social structure.

The value of non-interference fosters (or is permeable) to the formation of (private) power to the detriment of the individual, for the kind of thin relationship that regulates. For example, the non-interference understating of relationship can allow the formation of masters in the surroundings of the individuals, as long as these masters do not produce the felony of interference.

This inability of freedom as non-interference derives from the natural law tradition. If freedom is full and complete from the beginning, the other cannot be a part formula: one's freedom does not depend, under any circumstance, from the presence of the other.

In this case, it can be noticed that the Hobbesian legacy of the *homo homini lupus* is pouring directly in freedom from interference. As imaginable, the starting point is Thomas Hobbes' "Leviathan"⁵³. Thomas Hobbes is the theorist that ultimately teared down the philosophical structure of the ancient Aristotelian-based tradition (at least, in the political domain), that was dominant even in the medieval era. More importantly, for the purpose of my work, Thomas Hobbes is the first political theorists that theorised individual freedom in the manner that still persists in the contemporaneity.⁵⁴

Freedom is an essential possession of the individual that exists besides the presence of the community: it is an innate characteristic that the (modern) individual has from birth that is not (and cannot) formed by the community. In the light of this kind of theorisation, Thomas Hobbes destroyed the political architecture of Aristotle's *Zoon Politikon*, that had almost last two thousand years:

⁵³ See Hobbes, T. (1999) [1651]. *Leviathan, or The Matter, Forme and Power of a Common Wealth Ecclesiastical and Civil* (eds. Hay, R.). Hamilton, Ont: McMaster University.

⁵⁴ See Pettit, P. (2005). *Liberty and Leviathan*. *Politics, Philosophy & Economics*, 4(1), pp. 131–151, p. 131: "No one has written with greater influence on the topic of liberty or freedom than Hobbes. Although he was an absolutist in politics, his way of thinking about liberty left a deep impact on the liberal and libertarian traditions that emerged a century or more after his death."

“From the Classical politics of Aristotle to the medieval Christian doctrine of natural law, human beings were conceived of fundamentally as entities capable of life in community, as a *zoon politikon*, as beings who had to rely on the social framework of a political community for the realization of their inner nature.”⁵⁵

Freedom from interference does not detach that much from the vision of the nature of the other, that traditionally has been the Hobbes’ view of the alterity.⁵⁶ In other words, Berlin’s anthropological perspective is extremely comparable with that of Thomas Hobbes. To some extent, it can be argued that the non-interference’s understanding of the other is the evolution of the Hobbesian anthropological perspective, or that, at least, it is highly influenced by it:

“As soon as one human being encounters another, however, this anticipatory behaviour generates a form of preventive power-escalation that is born in suspicion. Since both subjects must remain mutually alien and inscrutable in their intentions, each is forced into a prospective expansion of its potential for power, in order to be able to defend itself in the future against possible attacks from the other.”⁵⁷

The ‘*suspicion*’ is the sentiment characterising the relationship that the individual, theorised by freedom as non-interference, has with the alterity. Nonetheless, it is a ‘*suspicion*’ more structured and regulated by the laws and norms and embodied by the legal and political institutions that the western(ised) polities have developed over the centuries more than a primordial fear that an individual might have for strangers.

Only, freedom as non-interference has developed and structured this understanding of the other in a more consistent manner. It considers the alterity as dangerous not only as personified by the innate “wolfs” within the society, namely those who naturally feel the impellent necessity to subjugate the counterpart but even by the cautious person. As argued by C.B. MacPherson, even the cautious individual rationally must respect inevitably the rules of the game, for the maintenance of her private affairs and for the avoidance of been ostracised by her fellow members:

⁵⁵ Honneth, A. (1995). *The Struggle for Recognition: The Moral Grammar of Social Conflicts* (trans. Anderson, J.). Cambridge, Massachusetts: MIT Press, p. 7.

⁵⁶ The connection between freedom as non-interference and Hobbes is very stringent. As we are going to see in the next paragraph, Hobbes’ conception of freedom was freedom as non-frustration. Freedom as non-interference can be seen as an evolution, in terms of scope, of freedom from frustration. See Pettit, P. (2011). *The Instability of Freedom as Non-Interference: The Case of Isaiah Berlin*. *Ethics*, 121(4), pp. 693-716.

⁵⁷ Honneth, A. (1995). *The Struggle for Recognition: The Moral Grammar of Social Conflicts* (trans. Anderson, J.). Cambridge, Massachusetts: MIT Press, p. 9.

“All men in a society (and in the hypothetical state of nature as well) do seek ever more power but not because they all have an innate desire for it. The innately moderate man must seek more power simply to protect his present level”⁵⁸

The constant fear of the other, based on the philosophy of the well-known *homo homini lupus*, actually is not based on a tyrannical conception of the human being. Even the ‘moderate’ individual is forced to become, outside of his household, a “wolf” to protect her private interests and affairs:

“The criterion of oppression is the part that I believe to be played by other human beings, directly or indirectly, with or without the intention of doing so, in frustrating my wishes.”⁵⁹

This is the modality through which the Hobbesian and the non-interference groundbreaking assertion have disengaged the self from the community, and still this process has never been put back to place.

Freedom as non-interference is a feature that cannot help but assembling an atomistic society: a sort of a rule of “unsocial sociability”⁶⁰ is in the very premises of non-interference.

In this scenario, the *zoon politikon* of the Aristotelian tradition is supplanted by the sometimes-atomistic individual, that the contractarians inevitably portray, that enters in relation with the community and its dynamics, in individualistic and *a posteriori* terms: people are connected through their individual necessities.

Individuals, according to the Aristotelian doctrine, used to be a part of certain branches of the community that like circles on the lake comprises the entire community. They recognise themselves in particular group that progressively are evermore larger: the

⁵⁸ MacPherson, C.B (1962). *The Political Theory of Possessive Individualism: From Hobbes to Locke*. Oxford: Oxford University Press, p. 41.

⁵⁹ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p.170.

⁶⁰ See Kant, I (1784). *Idea for a Universal History from a Cosmopolitan Point of View*. In: White Beck, L. (1963). *Kant: On History*. Indianapolis: The Bobbs-Merrill Co., Retrieved August 2, 2021, from: <https://www.marxists.org/reference/subject/ethics/kant/universal-history.htm>: “Man has an inclination to associate because in such a state he feels more than a man, that is to say that he feels the development of his natural dispositions. He finds at the same time in himself the unsociability which makes him want to settle everything as he pleases and he expects above all to provoke opposition from others”. I use this Kantian formula that brilliantly marks the overturn promoted by modernity with the previous era. From the premodernity to modernity, from the Aristotelian conception of community to the Hobbesian and Lockean one, the main difference is the state nature: this overturn is central in every modern political architecture. There is an anthropological overturn of the motives through which individuals come into community: if the Ancient Era believed in the Zoon Politikon, the modernity believes in the homo homini lupus; and this has produced inevitable consequences in every human domain.

marriage, the family, the village, and the city-state.⁶¹ With the advent of the contractarian, in the modernity, namely Hobbes, Locke, Rousseau, and Kant, the community is not anymore thought in this progressive way, but in a manner in which individuals are entities who want to be recognised as free, equal, and rational by the political community and institutions, and to be protected by these latter upon these terms, besides their affiliations. The individual asks for nothing more than the recognition and protection of their person and agency by her reference community, society, and political institutions. The American declaration clearly reiterates this approach:

“[A]ll men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that to insure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.”⁶²

This approach has repercussion even in the perception that the individual has of her agency. The individual, therefore, needs a certain protection to be able to perform in the space. And, at most, this agency can be compensated with material resources and means; as, for example, the European welfarism or the Keynesian conception of state intervention have theorised, that altogether are forms of left liberalism, that I have already discussed in the previous chapter; or with consequentialist modalities as Milton Friedman, in reprising a famous part of a John Fitzgerald Kennedy’s speech, proposed the ultimate theorisation of the absent role of the other, in the disguise of the state authority:

“The free man will ask neither what his country can do for him nor what he can do for his country. He will ask rather "What can I and my compatriots do through government" to help us

⁶¹ Miller, F. (2017) [1998]. *Aristotle's Political Theory* (eds. Zalta, E.D.). The Stanford Encyclopedia of Philosophy. Retrieved February 5, 2020, from: <https://plato.stanford.edu/entries/aristotle-politics/supplement3.html>: “Aristotle lays the foundations for his political theory in *Politics* book I by arguing that the city-state and political rule are “natural.” The argument begins with a schematic, quasi-historical account of the development of the city-state out of simpler communities. First, individual human beings combined in pairs because they could not exist apart. The male and female joined in order to reproduce, and the master and slave came together for self-preservation. The natural master used his intellect to rule, and the natural slave employed his body to labor. Second, the household arose naturally from these primitive communities in order to serve everyday needs. Third, when several households combined for further needs a village emerged also according to nature. Finally, ‘the complete community, formed from several villages, is a city-state, which at once attains the limit of self-sufficiency, roughly speaking. It comes to be for the sake of life, and exists for the sake of the good life’”

⁶² U.S. National Archives and Records Administration. (1776). *Declaration of Independence: A Transcription*. Retrieved July 15, 2021, from: <https://www.archives.gov/founding-docs/declaration-transcript>.

discharge our individual responsibilities, to achieve our several goals and purposes, and above all, to protect our freedom?”⁶³

The role of the other, namely the political authority, is instrumental to allow several ‘*goals and purposes*’ to exist. But it seems that ‘*goals and purposes*’ are not recognised as a product of the dynamics of the social structure and its contexts, rather, as an outcome derived from the geniality of the individual. For this, this instrumentality is thin. This vision of the state institutions does not coincide with a relational idea of individual freedom: the state authority needs to establish the absences through which individual freedom, in the quality of non-interference can be exercised.

In conclusion, the self, supported by freedom from interference, does not pay enough attention to the status or social position of the alterity, nevertheless to the relation that one has with the alterity, in which a certain subjugation to power can be developed. She may be a brother or a sister, a fellow, a co-worker, the public authority knocking at her door, or even her master. In the end, it does not matter. Since the other becomes an issue in the moment of agency. Although actually it is not the other to become the very issue, yet her action, her proposition interfering with you, in the meanwhile of the exercise of your freedom.

Therefore, the alterity is a variable only if she produces a form of interference to the detriment of a person. Otherwise, she has no value in the formation and exercise of one’s freedom. Non-interference, influenced by Hobbesian freedom, clearly affirms that individual freedom exists if one is capable to perform her agency, to pursue her own selected ‘*goals and purposes*’, without interference from others.

2.4. Choice(s) and Freedom of Choice

Starting from the framework described above, what happens to the possibility for an individual to make her choices? Is the absence of the other a substantial reduction of one’s freedom, or is it a feature that does not cause any trouble for one’s agency?

The answer can be found in the historical evolution of freedom as non-interference. Before *interference*, the main rival of one’s freedom was considered *frustration*. Frustration is, to some extent, the progenitor of interference, for having basically the same mechanisms in the protection of one’s freedom.

⁶³ Friedman, M. (1962). *Capitalism and Freedom*. Chicago: University of Chicago Press p. 2.

“A free man is he that in those things which by his strength and wit he is able to do, is not hindered to do what he has a will to.”⁶⁴

First of all, it can be noticed that, in the penumbras of this sentence, it lurks the conception that one’s freedom coincides, therefore, with the non-presence of the other. Secondly, by analysing more carefully the famous quotation, an individual is free in the moment that accomplishes ‘(those) things’ through her ‘*strength and wit*’, due to the non-hindrane that she enjoys. And he suggested even that freedom is in ‘*those things*’ one makes, and the enjoyment depend on a personal and individual ability, or ‘*strength and wit*’, rather than on certain arrangement of the society:

“The Hobbesian view equates freedom with the non-frustration of your preference and your choice [...] you will only be frustrated if the option you prefer is obstructed. And according to Hobbes you will enjoy freedom in any choice in which you avoid such frustration.”⁶⁵

So, I am free as much as the choice that I decide to pursue happens to be unhindered. However, this understanding of freedom was extraordinarily thin, and very permeable to others’ oppressing agency, for if only the choice that at the end of my decision-making process I select is free, leaves a very small area for agency for the individual. Later, freedom from frustration was considered too inconsistent and disproportionate in relation to the circumstances of reality in which people happened to produce her agency. Therefore, it was gradually recalibrated according to the parameters of non-interference.⁶⁶

The formula, advanced by the value of non-interference, is that one is free if she encounters no interference. Interference is different from frustration, even though it remains in the same materialistic conception of freedom. Non-interference means, that in order to be free, one needs to enjoy the absence of obstacles to every possible choice(s) one’s can pursue:

“The sense of freedom in which I use this term entails not simply the absence of frustration (which may be obtained by killing desires), but the absence of obstacles to possible choices and

⁶⁴ Hobbes, T. (1999) [1651]. *Leviathan, or The Matter, Forme and Power of a Common Wealth Ecclesiastical and Civil* (eds. Hay, R.). Hamilton, Ont: McMaster University, Ch. 21, p. 129.

⁶⁵ Pettit, P. (2011). *The Instability of Freedom as NonInterference: The Case of Isaiah Berlin*. *Ethics*, 121(4), pp. 693-716, p. 697.

⁶⁶ See Ivi, p. 696: “The second claim is surprising because, going to the other extreme, it makes it impossibly hard to count as a freeman or free person. You must be lucky enough, or perhaps powerful enough, for none of your choices to be frustrated; it is not enough, for example, to escape frustration in a designated range of choices.”

activities - absence of obstructions on roads along which a man can decide to walk [...] The extent of my social or political freedom consists in the absence of obstacles not merely to my actual, but to my potential, choices - to my acting in this or that way if I choose to do so”⁶⁷

Freedom as non-interference enhances the scope of individual freedom. One is not free, if she finds that external factors are constraining her eventuality to make choice(s). There are, therefore, two dichotomic key elements: on one side, ‘*possible choices and activities*’, and, on the other side, the ‘*obstacles*’ that impede the individual to take the ‘*road [...] [she] decide[d] to walk*’. Specifically, this latter part refers to the role of barriers forming a repair from the interference(s) of the other, as I have specified in the previous paragraph. Furthermore, notice that the vocabulary remains similar to that of Thomas Hobbes: the coordinates of one’s freedom depend on the same terms, namely space, area, obstruction, constraints, hindrance, action, choice(s).

Non-interference surpasses freedom from frustration precisely by criticising the intrinsic adaptation of the individual in the exercise of her freedom in the Hobbesian doctrine: ⁶⁸ “I am not free if only the choice that I choose happens to be un-frustrated, I am free only if the choices that I could have chosen remained un-frustrated”:

“[...] to block before [a person] every door but one, no matter how noble the prospect upon which it opens, or how benevolent the motives of those who arrange this, is to sin against the truth that he is a man, a being with a life of his own to live.”⁶⁹

Thus, Isaiah Berlin criticised the Hobbesian form of liberty for being too restrictive to the individual’s agency and for harming human dignity of being a rational agent. Obviously, Berlin, here, refers to the key modern concepts of rationalism and individualism. However, he does remain in the same materialistic ground of ‘*every door but one*’.

I argue that ‘*every door but one*’ sentiment is the materialistic understanding of freedom for one’s freedom is measured by the ‘*door[s]*’ that one is able/allowed to open. In

⁶⁷ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p. 32.

⁶⁸ See Pettit, P. (2011). *The Instability of Freedom as Noninterference: The Case of Isaiah Berlin*. *Ethics*, 121(4), 693-716, p. 702: “Berlin’s argument shows quite effectively that freedom of choice is a distinct goal from actual preference-satisfaction and, assuming it is desirable, a distinct ideal. He makes the a priori assumption—an assumption expressive of how we conceptualize freedom—that you cannot make yourself free by accommodating yourself to restrictive constraints, only by challenging them. And then he shows that if we are to be faithful to this assumption in looking after your freedom, we must try to ensure that the doors associated with your different options are all open. We cannot settle for the more parsimonious strategy of worrying about keeping an option open only to the extent that it is likely you will choose it. That would be to worry about promoting your preference-satisfaction, not strictly your freedom of choice.”

⁶⁹ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p. 174-175.

other words, the materialistic sentiment of freedom from interference (and even of freedom from frustration) occurs in the sense that the very condition of freedom depends on the possibility to perform my choice(s). However, freedom as non-interference has expanded the terms of freedom. It uses the plural: from the choice that I have actually chosen to the choices that could have been chosen. But the understanding of the absence of the other remains the same: I am free as long as my agency enjoys an ‘*absence of obstacles*’.

“The extent of my freedom seems to depend on (a) how many possibilities are open to me [and] how far they are closed and opened by deliberate human acts”⁷⁰

In the formula of freedom as non-interference, and in the words of Isaiah Berlin, remains a deep materialistic vein. I do not need a real and consistent social structure to be free. I just need that choice(s) arrive to me unhindered. Therefore, the uninterfered choices do not have the obedience to be the result of a well-ordered society. Individual freedom, measured by the quantity and quality of uninterfered choices, is exhausted, by the rule of non-interference, by the absence of acting of others, from the un-obstruction, from a non-action. In other words, the uninterfered choice does not need to come from a regulated or a well-ordered society: it can easily come from a situation of sheer luck, of private or genetic abilities of the individual. The “people are free if they have choices” formula makes freedom as non-interference, all in all, expecting a non-behaviour from the side of the society, (and for this, from others). Asserting that a person is free as long as her choices happens to be unconstrained, it is presupposing that one’s freedom depends entirely on the fact that choices need to arrive to her as free as possible.

Moreover, freedom as non-interference maintains the legacy of non-frustration in another essential characteristic. One is free as long as she is able to have “motion”⁷¹. For this, individual freedom is still related to agency even in the form of non-interference.

⁷⁰ With the phrase “deliberate human acts” Berlin meant that the non-deliberate obstruction to someone with my acts it is accepted allowing a freedom to enter in your planning by others and so accepting the interconnections among person in this worldly world. See Kristjánsson, K. (1992). *What Is Wrong with Positive Liberty?*. *Social Theory and Practice*, 18(3), pp. 289-310, p. 292. Retrieved April 13, 2021, from <http://www.jstor.org/stable/23557465>: “I am refer to the responsibility view of negative freedom according to which an obstacle counts as a constraint on B’s freedom if and only if another agent, A; can be held morally responsible for its creation or non-removal, whether or not he a) is causally responsible for its existence, b) imposed it intentionally, and c) can in the end be held culpable for its creation or non-removal.”

⁷¹ Motion is a crucial word in Hobbes’ *Leviathan*. Motion is one of those terms that best describes the Hobbesian mechanistic individual. See Hobbes, T. (1999) [1651]. *Leviathan, or The Matter, Forme and Power of a Common Wealth Ecclesiastical and Civil* (eds. Hay, R.). Hamilton, Ont: McMaster University, p. 7: “For what is the heart, but a spring; and the nerves, but so many strings; and the joints, but so many wheels, giving motion to the whole body, such as was intended by the Artificer?” or in a more consistent relationship with

However, in the non-interference understanding, individual freedom stands both in exercise of freedom and in the opportunity of freedom. The first one refers to “the *performance* by the agent of some action or actions”⁷² while the latter refers to “the *possibility* for an agent of performing some action or actions (where 'possibility' is normally understood as meaning a lack of constraints of various kinds).”⁷³

Individual agency has been transformed by the theoretical function of freedom as non-interference in ‘*opportunity for action*’, overcoming the Hobbesian version of motion, as in the non-frustration paradigm:

“The freedom of which I speak is opportunity for action, rather than action itself. If, although I enjoy the right to walk through open doors, I prefer not to do so, but to sit still and vegetate, I am not thereby rendered less free. Freedom is the opportunity to act, not the action itself; the possibility of action [...]”⁷⁴

The point of performance of freedom strictly maintains a relation with the concept of motion, proper of the Hobbesian freedom, while the Berlin’s concept of having opportunity of choice is an addition to the Hobbesian approach. Opportunity of choice implies the exercise of freedom for one, having the opportunity for agency, would not have much sense without the guarantee of the concrete exercise of agency.

Therefore, if freedom as non-interference has a comparable materialistic sentiment (if not the same) to the Hobbesian freedom as non-frustration, it differs in what is the act of hindrance that restrains one’s freedom. And, if the same anthropological perspective of freedom from frustration has remained intact, what has been modified is the scope of individual freedom. Freedom as non-interference has just move a little forward the line that protects one’s freedom with regard that protected by freedom from frustration. The evolution dictated by freedom as non-interference has widened the scope of individual freedom.

A single (chosen) door has become the opportunity to choose more doors, from one single (chosen) choice to the opportunity to choose more choices. What has changed is the scope, not the content. Yet, the content has remained the same: acting for, or pursuing,

what is political, see Ivi, p. 213: “For the use of laws (which are but rules authorized) is not to bind the people from all voluntary actions, but to direct and keep them in such a motion as not to hurt themselves by their own impetuous desires, rashness, or indiscretion; as hedges are set, not to stop travellers, but to keep them in the way.”

⁷² Carter, I. (2004). *Choice, Freedom, and Freedom of Choice*. *Social Choice and Welfare*, 22(1), pp. 61-81, p. 64. (original emphasis)

⁷³ Ibid. (original emphasis)

⁷⁴ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p. 35.

choice(s). In other terms, freedom as non-interference has adjusted the terms of one's liberty: one single door of the non-frustration theorem is multiplied into many other doors that one could have chosen; or using another metaphor, the line of demarcation of one's freedom, where the word "from" is placed, is moved further, enhancing the area upon which the individual to be free has not to suffer any form of interference.

Nevertheless, for the purposes of this dissertation, it is important to highlight that materialistic sentiment of freedom from frustration has remained the same: the value of non-interference has simply enlarged the scope of it. For the (materialistic) goal of freedom as non-interference is to establish an area in which the individual can enjoy her choices. Being choice A or choice B or choice C, the self meets her freedom in the immaterial area that leads to the enjoyment of the choice. To be more precise, the enjoyment of choices entails something more than the mere presence of choices. It implies that choices are to be free in order to be enjoyed by the individual. And to be free, according to the non-interference doctrine, choices need to be uninterfered:

"Political liberty in this sense is simply the area within which a man can act unobstructed by others. If I am prevented by others from doing what I could otherwise do, I am to that degree unfree; and if this area is contracted by other men beyond a certain minimum, I can be described as being coerced, or, it may be, enslaved."⁷⁵

One is free when, in the moment of the enjoyment of a choice, she experiences no interference. As much as the slave is free if her (benevolent) master allows her to enjoy a certain room for agency. Freedom, that is recognized by the value of non-interference, is for the sake of agency towards the choice:

"A person has freedom of choice if she lacks constraints on the reasoned selection and performance of one or more of the items on an action-menu."⁷⁶

In my opinion, the metaphor of '*open doors*' brilliantly defines the conception of individual freedom according to the value of non-interference. The '*open doors*' metaphor is the combination of choice, the area of freedom, and the necessity of non-interference:

⁷⁵ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p. 169.

⁷⁶ Carter, I. (2004). *Choice, Freedom, and Freedom of Choice*. *Social Choice and Welfare*, 22(1), pp. 61-81, p. 68.

“The extent of a man’s negative freedom is, as it were, a function of what doors, and how many are open to him; upon what prospects they are open; and how open they are.”⁷⁷

A person is free only if it is possible for him to not be interfered in choosing door A or door B. The individual who has even “Door C” at disposition is a freer person. What differential quality exists between Door A, Door B, and eventually Door C. Consider for example, the liberty of an individual to move. If Door A and Door B are a white SUV and a black SUV there is not that much of a difference. But if door C is an Aston Martin or a Porsche Cayenne, Door C renders freer the individual, because it would widen the scope of her choices at disposition.⁷⁸

Why this happens? Because of the nature of the barrier. The placing of freedom in the ‘*area within which a man can act unobstructed by others*’⁷⁹ is a materialistic approach to human freedom. Based on this materialistic nature of freedom, therefore, freedom has focused its energy, or at least built its normative proposition, on liberating the space around the person, the ‘*area within which a man can act unobstructed by others*’. Right libertarianism considers freedom as non-interference a central value that the individual should be provided with, especially in contrast with the eventual usurpation of the state authority. If it is quite intuitive to put right libertarianism in the list of the promoters of freedom as non-interference, even liberal egalitarianism has not put into discussion the centrality of freedom as non-interference and its materialistic tendency; rather, upon it, distributive theories have been built. The materialism innate in freedom as non-interference is matter of fact. And, at best, on recompensating the perversions and the shortcomings that a person may find during her agency. The issue, in any case, is freedom in the pursuit of choices to the extent that is common knowledge to use the term “freedom of choice”.

Now, I think that a more detailed answer can be made to the question at beginning of this paragraph, that can be summarised in this way: “What are the consequences that the absence of the other approach establishes in terms of individual freedom, if these latter is understood as freedom of choice?”

I argue that the thin and only-hostile formulation of the other reduces the scope, besides the efforts of non-interference of enhancing it, of one’s freedom. Because the interpretation,

⁷⁷ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p. 41.

⁷⁸ See Carter, I. (2004). *Choice, Freedom, and Freedom of Choice*. *Social Choice and Welfare*, 22(1), pp. 61-81, p. 63: “For example, common sense tells us that the option set {travelling by train, travelling by blue car} offers us more freedom than the option set {red car, blue car}, despite the fact that on the simple counting rule all two-member sets are to be ranked equally.”

⁷⁹ See *supra*, introduction, note 24.

that the value of non-interference offers, of the other circumscribes the space of freedom. For the other is hostile, dangerous and unidentifiable through the lens of the value of non-interference. The inability of connecting with others leaves the individual limited to a small portion of freedom in which her and her choices can only be conceived. Individual agency is reduced to the space that her inability to reach and identify the others establishes, as much as a slave is free to act in relation to the measure of the carelessness (or benevolence) of her master. The materialistic nature of freedom as non-interference is based on the understanding of the other.

According to the value of non-domination, the other, as I will explain in the third chapter, enhances the scope and the exercise of one's freedom. The other, if acknowledged properly, highlights the true dynamics of freedom that an individual actually experience.

On the other hand, freedom as non-interference delineates a space of freedom in which the only involving parts are the person, the choice, and the area of freedom. It is too reductive, especially if we think to the normative potentiality that individual freedom can have in relation to the challenges of the contemporaneity. The value of non-interference blocks the other, always and in any case, and that renders absolutely free the choice that a person is going to enjoy but at the same time, it leaves the person unaware of the relational circumstances in her area of freedom.

The issue is that the individual is not free from the beginning for she is not enough protected by freedom as non-interference. As long as freedom is in the '*area within which a man can act unobstructed by others*', individual freedom will be always misconceived with isolation.

2.5. Why Freedom as non-interference is not enough

2.5.1. The Isolating Freedom

Freedom as non-interference isolates the person. The starting point for this scenario to happen is the notion of "the absence of the other". The thin feature of the understanding of the other is the primary source of this condition. For if the other is acknowledgeable only in the moment of her action, several practices, functions, and social positions present in one's reference contexts can go unnoticed. Then, there is the only-hostile tendency of freedom as non-interference. As I have proposed in paragraph 2.3., the other is acknowledged in the

moment of her action of interference. So, the entire figure of the other, when she is acknowledged, can only be considered as a hostile one.

Therefore, for not considering a relationship with the alterity and the reference context, freedom as non-interference reduces the space of freedom of the individual to the mere consumption of choices. Surely, we can claim that non-interference covers choices perfectly but at the same time it alienates the individual from her own social contexts. This is written in the essential codes of freedom as non-interference, namely the establishment of '*the area within which a man can act unobstructed by others*'. Hence, the individual is not placed exhaustively within the real circumstances of her several contexts, reducing her scope of individual freedom to freedom of choice.

For freedom as non-interference falls within the category of "option-freedom", as Philip Pettit proposed, in which the content of freedom is determined by "human obstruction and holds that freedom is a function of how much choice someone is more or less intentionally left by other individuals and groups"⁸⁰. The issue with these kinds of freedom is that there is no recognition of the felony perpetrated from the outside. Everything is blocked in the same manner and for the same principle (that of non-interference):

"If we are interested in the option-freedom someone enjoys, then it should be clear that the source of the external influence on that freedom is of no relevance. [...] The fact that [an influence] stems from an interpersonal rather than impersonal cause is neither here nor there from the point of view of how [the] option freedom fares."⁸¹

The concentration, due to the non-relational status of freedom as non-interference and the resulting reduction of scope of one's freedom, is on the materialistic ground of choices. As a matter of fact, Philip Pettit considers freedom as non-interference, other than an option kind of freedom, a choice-based freedom:⁸²

⁸⁰ Pettit, P. (2003). *Agency-Freedom and Option-Freedom*. *Journal of Theoretical Politics*, 15(4), pp. 387–403, p. 388.

⁸¹ Ivi, p. 393.

⁸²To be more precise. In the choice-based freedom, he puts even strands of positive freedom, namely, the one consisting in providing the individual with material and immaterial resources. In any case, if freedom is negative, that it'll be the case of freedom as non-interference. See Pettit, P. (2007). *Free Persons and Free Choices*. *History of Political Thought*, 28(4), pp. 709-718, p. 713: "Freedom of choice will be negative if the obstacles that must be absent are forms of interference [...]"

“[F]reedom belongs to choices in the first place, and to persons or choosers only in the second. Persons will be free so far as their choices are free, and their choices will be free on an independent basis.”⁸³

I partially agree with Pettit’s point of view. The primacy of choice is implied, in my opinion, due to the different application of interference upon the two items. I rather argue that freedom as non-interference is not highlighting the choice over the person, but it is more congenial to the protection of the choice rather than the person.

Freedom as non-interference enables agency that isolates both the choice and the individual. It is a fortified barrier. But if for the choices there are no particular issue for this treatment, the individual may suffer forms of unfreedom, for being incapable of identifying the masters in her area of freedom.

The implied centre of individual freedom becomes the choice, therefore; that, in turn, liberates the individual who is enjoying it. It is the choice that completes the freedom of the person, and not that the person is free in the moment of the choice. This is the outcome of the materialistic vein of freedom as non-interference. The choice is the centre of one’s freedom, the person is secondary. The materialism of freedom of choice measures one’s liberty possibly by the hindrances, on the basis that “obstruction is obstruction”⁸⁴ (and any obstruction is a cause of unfreedom), one may find. Therefore, the extent of one’s freedom is measurable by the qualities and quantities of ‘*open doors*’, or in the number and varieties of choices (using another terminology), that a person has at disposition. It is, for this, a non-relational kind of freedom: one’s freedom depends entirely on the ability to “consume” choices.

If the materialistic issue to which is reduced one’s freedom by the absence of the other has been addressed, there is another outcome that needs to be tackled. It is the direction that cannot be undertaken, due to the absence of the other: the awareness of the individual of her surroundings, and their dynamics.

Therefore, we return to the neo-republican question asked at the beginning of the dissertation, that I find at this point appropriate to repropose in an updated version: “Does the master that gives the possibility to pursue my own selected choice render me free or am I still unfree?” Freedom as non-interference answers in an affirmative way to the question.

⁸³ Ivi, p. 712.

⁸⁴ Ivi, p. 714: “The first [implication of freedom in choice-based terms] is that if a certain form of obstruction is relevant to freedom of choice, then it doesn’t matter what the source of that obstruction is. Obstruction is obstruction and the necessity of its absence means that obstructed choice is always unfree choice [...]”

The individual, through the lens of non-interference, is free in this scenario. For freedom as non-interference, the individual is considered free if her enjoyment of a choice is unconstrained.

“The absence of the other” formula does not contemplate the threads, the dynamics, the social procedures that lead to that event. If we consider individual freedom, we notice that an individual does not possess the ability, according to freedom as non-interference, to address those issues, because the kind of freedom in her possession, actually isolates her. The value of non-interference misses a part of individual freedom, if this latter is considered as a value that come into being in our interaction with the alterity, as Hannah Arendt suggested.⁸⁵ The person, under the rule of non-interference, results vulnerable to the dynamics and procedures of the agents and the social structure determining the functioning of the social structure. The individual is not able to detect the function of her peers living in her social structure, as much as she is not able to detect her master until an action of interference is made in her direction. And even in that case, the punishment is based on the action of interference, not on her relational function of being a master, in this case. A part of her functions, roles, and relational status are obscured to the eyes of the self. Some actors and the consequent (decisive) social functions are not detected, therefore. The other, acting in the various social contexts, enjoys the same privilege of the master, as in the basic republican example of the slave and the master. The master does not exist to the eyes of the slave until an act of interference is produced, as much as the non-interfering agent dictating the rules of the social structure does not exist to the eyes of the individual. In other words, how much am I free to enjoy a choice if I am inserted in a pattern where there are partially identified agents who a certain power over me? It is the person that is not free, in the end. By protecting the area of freedom, it protects the choice, but it leaves the individual to suffer possible forms of subordination due to her inability to identify the functional expression(s) that the other agents play in her area of freedom, as in the master/slave scenario.

From a republican standpoint, however, this vision is myopic. For if negative liberty, in the form of freedom as non-interference, is preferable to positive liberty for being more concerned on the individual, freedom as non-interference, is lacking in one aspect that is altogether fundamental for one’s freedom, as understood by the republican thought: a proper understanding of the relationship(s) that the individual inevitably has with her reference contexts and her social structure.

⁸⁵ See *supra*, introduction, note 59.

This happens because different *'frontiers'*, using Berlin's terminology, produce different adjustments. The non-*something* is a notion protecting the individual from a selected evil. Not all the boundaries produce the same results. Not all the lines of demarcations, as negative liberty specifically requires, determines the same relationship that the individual must have her social structure and the same arrangement of the society.

The line of demarcation of non-interference draws a protection for someone's agency that separates too neatly the individual from the circumstances of reality. A safeguard protecting the individual is fundamental for agency, as I have argued against the communitarian positive liberty tradition. But it is true that non-interference's conception of the line of demarcation promotes a consideration of individual freedom in which the more absent the other people are to me, the freer I am. And this setting has its shortcomings. For the *'frontier'* determines the beginning of non-interference on behalf of "the outside", but from "the inside", namely from the perspective of individual, the notion of non-interference leaves no room other than the incessant necessity of absences to be free: it does not give to the individual a normative relational ability.

Republicanism, on the other hand, accepts some kind of interference, those that are relationally controllable. And therefore, it does not guarantee the same ultimate protection to the acts of interference, as freedom as non-interference. But it is able to guarantee a suitable and adequate protection to the individuals. For the value of non-domination decides to put the emphasis on the person's freedom while secondarily protecting the choice, through a relational instantiation. Non-domination is a relational type of freedom, then, it protects the individual, while it leaves possible the interference of some choices, those that are not arbitrarily interfered.

For this, I argue that freedom as non-interference has in its core a materialistic and a non-relational tendency to depict one's freedom that, ultimately, coincides with the enjoyment of choices. Its materialistic tendency, determined by the absence of the other, permits the person to eventually have threads dominating her, because freedom functions better on the choice side than on the person. For this, the reference context of a person could host an indistinct number of hostile or friendly figures to the detriment of the person's freedom, agency, and well-being. There is not a consistent scanning process of the agents operating in one's reference contexts, determining, most notably, the rules, the procedures, and the accepted dynamics of the social structure.

2.5.2. *The Limits of Non-Interference within the Social Structure*

The inability of freedom as non-interference, as a normative instrument, renders the individual oblivious and unaware to the dynamics of the social structure. The reasons are basically two: i) the normative instrument of freedom as non-interference, here in its sense of freedom of choice, is totally dedicated to the protection of (free) choices, meaning that freedom stands on choice's part. This materialistic and non-relational reductionism of one's agential scope, precisely, does not enable the individual to go beyond the backyard of choices, as much as the slave contents herself with any activity done due to the benevolence or the carelessness of her masters; ii) an incapacity to detect the roles and the functions of the agents in space of freedom of the individual, mainly due to "the absence of the other" formula. In short, several agents are not detectable for their entire relational function that they might have with one's agency, well-being, and freedom, until their acknowledgement is based on their action, and solely that of interference.

The first reason has been analysed in the previous paragraph. In this paragraph, I will address the relation between the individual and the social structure under the lens of freedom as non-interference. This second issue is more related with concept of relational power.

Consider, for example, Person A and Person B. The social structure, intended by the value of non-interference, allows the power one another not merely on the fact of "*exercising* power over B, A may simply *have* power over B, which is to say that A has the *possibility of exercising* power over B."⁸⁶ Person A does not have really the necessity to exercise concretely her power. She has at disposition "various forms of manipulation [to mould the agency of Person B]: for example, by influencing the kind and the amount of information available to B, or influencing the behaviour of third parties in such a way as to modify B's behaviour indirectly."⁸⁷ On one side, the inevitable consequence is that Person B must modulate her agency in relation to the will, or whim of Person A. Person B is in a subordinate position in relation to Person A.

For this, in the junctures of the scaffold of the social structure, people in certain high-ranking functions are allowed, or eventually forced, to have that kind of power over her relative subordinates. They are forced for if they want to stay in that specific social position, they have to respect the rules that specific social position requires. This is the alimending

⁸⁶ Carter, I (2008). *How are Power and Unfreedom related*. In Laborde, C & Maynor, J.W. (eds.) *Republicanism and Political Theory*. Oxford: Wiley-Blackwell, pp. 58-82, p. 60.

⁸⁷ Ivi, p. 61.

side of the social structure. Subordinates, on the other hand, might not be aware of this condition, but certainly they do not have the normative power to intervene. Their choices are freer than them. For they are allowed to pursue their choices by their master(s).

The normative power of freedom as non-interference does not provide the individual to check, and eventually terminate, this kind of power relations. Thus, the non-interference approach establishes a partial agency of the individual from her own social structure. And individual agency, and its scope, is central in the modern sense of individual freedom. The agency is partial because the individual still is an agent: she does pursue her choices. Yet, however, she contents herself with the benevolence of the social structure, which keeps on being benevolent on her pursuit of choice.

This approach still requires the individual to be an agent in order to pursue her choices, but from a republican standpoint, it pictures the individual in a reductive way, as a sort of a half-agent. The individual, portrayed by freedom as non-interference, is not that different from the slave that is free to choose and act due to the carelessness or benevolence of her master, ultimately. She just needs that choices remain unhindered as much as for a slave enjoying the benevolence of her master.

This is the environment established by the value of non-interference for the pursuit of choices. A partial environment where some dynamics, oppressing and exploiting the individual, take place on the obliviousness of individuals. The oppressing dynamics are obscured to the eyes of the individual, for freedom as non-interference does not have the power to investigate the nature of the relationship between the agents, her surrounding contexts, the relational status of the agents involved, and most notably, the roles and functions each and every one of them play in the social structure. Individual freedom stems from to the materiality of (free) choices. And this is based on “the absence of the other” formula, for if the other is recognisable only in the moment of interference, her functions, roles, and social positions in relation to the individual are not detectable.

Hence, the individual settles for having at disposition several variegated choices while being exposed to eventual patterns of domination from the (private) agents dominating the social structure. Her scope of agency is eventually limited by the dynamics and procedures of the social structure to which she has no normative instrument to address it as long as she is normatively considered free in the enjoyment of choices. The social architecture, arranged by the value of non-interference, does not provide the individual with a consistent and, most notably, accountable normative instrument to regularly address the social structure.

Of course, for the republican thought, this pattern is absolutely unacceptable. If the social structure allows a portion of freedom, wide or small as it might be, in which an individual can perform her agency, it still remains a master/slave scenario. The only thing that differs from the slave/master scenario is that the role of the master is played by the various agents playing the functions and the roles within the social structure. Certainly, within this idea of social structure, there are people, that looks like masters. But, in the end, they just refrain the role and function of their position in the structure in order to remain strong and firm in that very position (or, at most, go higher) in the social structure. They are secondary agents that need to perpetuate again and again the norms and practices of the social structure.⁸⁸

For, for example, the master was only an agent of the social structure of slavery. The slave would not be free by escaping from her own master if the entire system was based on the recognition of the master's power. She would end up under the clutches of another master or, more probably, "legally" recaptured by the authorities or by private agents who would act as reinforcers of the law of slavery, for example.

Therefore, the social structure is the field of intervention for the republican self. Yet the social structure takes form in our experiences in the myriad of codes of conduct, social practices, rules, and norms of the various social contexts. Contexts are the "places" where one's agency and freedom are effectively taken place. They are the "where" that one's freedom is translated from the hypothetic sphere of "opportunity" into agency and actual exercise. Of course, the modern person stumbles into several different contexts during her lifetime and during her daily routine.⁸⁹ Contexts, and most notably, the power relations and the true mechanisms are revealed in a partial form to the eyes of the individual, under the rule of non-interference. The issue is that freedom as non-interference does not equip the individual with a normative power enough to "detect" all the roles and functions of the people in her contexts, for preoccupying itself on the materiality of choices more than the relationality among the people. This is, once again, determined by the choice of placing freedom in the choice's sphere rather than in the person's sphere.

For not placing the person in the relations with her peers in her several contexts, freedom as non-interference misses a piece of freedom: the one where the individual needs

⁸⁸ I want to thank for this segment the convenors and participants to MANCEPT Workshops of the Manchester Centre for Political Theory of Tuesday 7th of September to Friday 10th September 2021, in particular, Dorothea Gädeke, Miriam Ronzoni, Christian Schimmel, Alex Gourevitch, and Frank Lovett.

⁸⁹ See *supra*, introduction, note 47.

to be free from the threads of her reference social structure, remaining “invisible” to the eyes of the individual within the framework of non-interference, exhausted by the unconstrained-choice system. The individual, due to the absence of the other and freedom of (only) choice, is not correctly placed in her reference structure. She is not aware of the structural relations to which her agency and well-being directly or indirectly depend on.

2.5.3. The Idion Limit of Freedom as Non-Interference

My claim is normative and analytical. For freedom as non-interference seems to be unable to go beyond, analytically and conceptually, the shadow of the individual. The value of non-interference struggles to disengage from its own limits, even if it is counterbalanced with other values, and even if, following the initiatives of left liberalism, it is compensated with forms of freedom *to*. Freedom as non-interference will always be an obstacle for a proper contextualisation of the individual in the reality she actually experiences. The social structure is an obscure factor for individuals within the framework of non-interference.

Their rights, their social practices, their laws, their constitution(s), and their various declarations, which are the result of their normative powers (including that freedom as non-interference) do not protect the necessity of having a control of the social structure.

Unquestionably, she is provided with a certain number of rights, immunities, and safe guarantees but this setting does not make her aware of the context in which she lives and experiences her daily challenges. I refer to the constitutional legalistic settings, that has perfected itself as the saviour after the horrors of WWII and, most notably, after a reflection about the damages that a participative democracy can do.⁹⁰ The individual has been immunised with various declarations and constitutional rights but, at the same time, atomised by the predicaments of freedom as non-interference.

Freedom from interference undoubtedly took the part of the liberator from the yoke of the residuals of the feudal and absolutistic era. It was successful in improving individual agency, in emancipating a part of the population, that slowly was becoming the ruling part of the society, in the western societies that was under the yoke of the feudal way of living, and, most of all, in conceiving a structured class consciousness, the bourgeoisie one, able to progressively dictate the political agenda.

⁹⁰ See Somek, A. (2014). *The Cosmopolitan Constitution*. Oxford: Oxford University Press, p. 82-83: “Constitutionalism 2.0. shifts the emphasis of the constitutional law from policing the exercise of public powers to the realization of fundamental rights.”

Therefore, on one side, these characteristics and values were fundamental for the destruction of the medieval fabrics, as recognised even by Karl Marx. He recognised that the bourgeoisie revolutions, with all its philosophical and material features (i.e., capitalism, legal equal recognition of the individual, and freedom from interference), destroyed the feudal society, and initiate a legal, atomistic, universalistic, and transhistorical emancipation of the individual:

“The political revolution which overthrew this sovereign power and raised state affairs to become affairs of the people, which constituted the political state as a matter of *general* concern, that is, as a real state, necessarily smashed all estates, corporations, guilds, and privileges, since they were all manifestations of the separation of the people from the community. The political revolution thereby *abolished* the *political character of civil society*. It broke up civil society into its simple component parts; on the one hand, the *individuals*; on the other hand, the *material* and *spiritual* elements constituting the content of the life and social position of these individuals. It set free the political spirit, which had been, as it were, split up, partitioned, and dispersed in the various blind alleys of feudal society. [...] Political emancipation was, at the same time, the emancipation of civil society from politics, from having even the *semblance* of a universal content. Feudal society was resolved into its basic element – *man*, but man as he really formed its basis – *egoistic* man. This *man*, the member of civil society, is thus the basis, the precondition, of the *political* state. He is recognized as such by this state in the rights of man. The liberty of egoistic man and the recognition of this liberty, however, is rather the recognition of the *unrestrained* movement of the spiritual and material elements which form the content of his life. [...] *All* emancipation is a *reduction* of the human world and relationships to *man himself*. Political emancipation is the reduction of man, on the one hand, to a member of civil society, to an *egoistic, independent* individual, and, on the other hand, to a *citizen*, a juridical person. Only when the real, individual man re-absorbs in himself the abstract citizen, and as an individual human being has become a *species-being* in his everyday life, in his particular work, and in his particular situation, only when man has recognized and organized his “own powers” as *social* powers, and, consequently, no longer separates social power from himself in the shape of *political* power, only then will human emancipation have been accomplished.”⁹¹

The bourgeoisie revolution resulted in the formation of the ‘*egoistic man*’ that contented herself in being ‘*a juridical person*’, a transhistorical ‘*abstract citizen*’. This is the main critique moved to the bourgeois revolution that, for example, has been repropounded, on

⁹¹ Marx, K (1843). *On the Jewish Question* (eds. Blunden, A, Grant, M and Carmody, M, 2009). Retrieved April 7, 2021, from: <https://www.marxists.org/archive/marx/works/1844/jewish-question/>. (original emphasis).

other terms, by C.B MacPherson, a century later, with the feature of possessive individualism.

Incidentally, C.B. Macpherson argued that it has been brought forward a society of atoms disengaged from their communities. All they need is themselves: “[t]he individual is proprietor of his own person, for which he owes nothing to society.”⁹² In other words, human beings have been directed toward a conception in which they are meant to be portrayed as administrators of their own abilities, promoters of their behavioural aptitudes and natural talents, and investors in order to increment their competitive edge based on their acquired skills. And that would be sufficient to be free.

For this, I argue, following the footsteps of C.B. MacPherson’s critique to the Hobbesian general formula, that this approach is partial with regard to the challenges and threats that an individual experiences. For the formula of being ‘*the proprietor of his own person*’ is built upon the atomistic requirement of ‘*the area within which a man can act unobstructed by others*’, establishing a certain safe space in which the individual can thrive ‘*the unrestrained movement of the spiritual and material elements which form the content of his life*’ from the potential oppressive actions of the political authority. Yet, at the same time, this conception of the agency of the modern individual with her surroundings has paved the way for patterns determining people’s vulnerability. In other words, this transformation has left wide open for a progressive speculation of certain kind of powerful private actors, representing at the best the *idion* spirit,⁹³ to oppress and exploit the rest of the (global) population.

In other terms, there is a structural overlooking in the non-interference framework of some variables instead of others. If some parts are deeply regulated and standardised, as, for example, that of the individual (private) pursuit of autonomous selected choices, other parts of the social structure determining the scope of the individual pursuit of the autonomous selected choices are left uncontrolled or unregulated to the bare minimum. The regulation of the individual free pursuit of autonomous selected choices is direct with articulations such as constitutional protection, laws, judicial reviews, (human) rights, while other kind of structural features, that might be described as more indirect and behaviouralist, namely

⁹² MacPherson, C.B. (1962). *The Political Theory of Possessive Individualism: From Hobbes to Locke*. Oxford: Oxford University Press, p. 269.

⁹³ Arendt, H. (1958). *The Human Condition*. Chicago: University of Chicago Press, p. 24: “Now every citizen belongs to two orders of existence; and there is a sharp distinction in his life between what is his own (*idion*) and what is communal (*koinon*).”

social norms, practices, arbitrary power of pivotal economic relations, and several other forms of power, such as media and telecommunications, are left unregulated.

The legalistic immunisation of the individual guaranteed by the modern democratic constitutional architecture is, of course, necessary and essential in order to have guaranteed a pluralistic society, a consistent democracy and, altogether, to have enhanced individual agency. However, they are confined to a certain degree of formality and abstractedness to which the individual is difficult to refer especially the variety of the socio-economic challenges and difficulties that she has experienced during her agency in her reference contexts, as direct outcomes of the social structure. This arrangement is not sufficient for the individual, for she remains incapable of becoming aware of (moreover, of tackling consistently) the “invisible threads”⁹⁴ of real dynamics of the society she is experiencing on daily basis. The social structure has not hung in the balance of one’s freedom, if not in an abstracted and only legalistic manner.

For the individual is *praxis* in the junctures of the social structure. The individual needs to meet safe patterns of freedom in the social structure, and, most notably, to have an influence on the social structure to which she belongs. And, liberalism, even in its combination of the value of non-interference and resourcism, does not have the capacity, for anchoring itself to forms of legalism, for allowing laissez-faire practices, and for trying to compensate with ex-post forms of distribution, to provide to the modern individual the ability to have a proper influence on the contexts in which she lives and the social structure by which she depends on.

The direct consequence of this general overlooking for the regulation of the social structure is that the social structure has undergone as structurally permeable to the strikes of the (powerful) private agents, precisely for the other remains an unknown figure.

In this environment of uncheckable private publicness, deregulation, liberalisation, and privatisation find their analytical and political legitimacy and, most notably, the place to flourish. These policies seem innocuous because they are discursively legitimated through the lexicon of freedom. However, they usually traduce themselves in forms of control of the powerful towards the non-powerful. It is a matter of relational power.

This is, for example, the thesis of Wendy Brown considering the policy of deregulation for its oppressive accent:

⁹⁴ Marx, K (1887) [1867]. *Capital: A Critique of Political Economy* (trans. Samuel Moore and Edward Aveling, edited by Frederick Engels). Moscow: Progress Publishers, Ch. 23, p. 405.

“It carries purpose and has its own futurology (and futures markets), while eschewing planning. It seeks to privatize every public enterprise, yet valorizes public-private partnerships that imbue the market with ethical potential and social responsibility and the public realm with market metrics. With its ambition for unregulated and untaxed capital flows, it undermines national sovereignty while intensifying preoccupation with national GNP, GDP, and other growth indicators in national and postnational constellations.”⁹⁵

The present social structure cannot help but being intrinsically vulnerable to processes of privatisation, deregulation, and liberalisation, also because of the analytical and normative (in)ability of freedom as non-interference to control the social structure.

This social structure is permeable to the powerful private agents, able to control and manipulate the non-powerful with threads and procedures to which the non-powerful has no effective power to counterbalance properly this asymmetry. The permeability to the private-based powerful is based on the fact that the non-powerful do not have the ‘*discursive control*’ and ability to regulate and govern the social structure. For they do not have the normative power to detect and identify the functions and the roles of the other, limited by the formula of the absence of the other. It is like that the social structure is left unguarded for private-based appropriations.

This situation of power/non-powerful is comparable in its essence to the master/slave scenario. The non-powerful, as much as it is the slave in the basic republican example, are still under the yoke of a master who is represented, this time, by the form of a more complex social structure. For as much as the slave is free for the carelessness and benevolence of the master, for freedom as non-interference, the non-powerful is considered free in the pursuit of a certain number of unconstrained choices, for the benevolence, carelessness, or even the nudging of the powerful. What changes is that the master is not a Leviathan, but several agents expressing functions and roles consolidating patterns of domination, oppression, and exploitation of the social structure. They might be often obscured enjoying unaccountable social positions to most of the population.

Additionally, the public sphere of the contemporaneity, expressed in the formula of nation-state, is almost a façade, incapable to protect its citizens from “external competitor[s] within the territory”⁹⁶. Especially now, when the technological advancement has produced a

⁹⁵ Brown, W. (2015). *Undoing the demos: Neoliberalism's Stealth Revolution*. New York: Zone Books, p. 49.

⁹⁶ Grimm, D. (2010). *The Achievement of Constitutionalism and its Prospects in a Changed World*. In Loughlin, M. and Dobner, P. (2010). *The Twilight of Constitutionalism?*. Oxford: Oxford University Press, p. 12.

technical and logistical surpass of the nation-state as the real coordinator of the interests and needs of people. Actually, it seems that even the nation-state is subordinate to them. For this, the nation-state cannot be even the public sphere, or the mediator, in which the non-powerful can negotiate with powerful, since the nation-state is not that independent from the immense force of the powerful.

An example is Order 81. It is an American unilateral change in the Iraq agricultural system, in the aftermath of the Second Gulf War, especially in the cultivation and saving of seeds:⁹⁷

“Order 81 is reputed to have been drafted by Monsanto and emerges from the Bush administration’s close ties to agribusiness (and the extensive presence in the Bush cabinet of those ties), yet these facts are almost beside the point. The orders expressed and executed Bremer’s purpose in Iraq, which was not to democratize it, but to neoliberalize it. In this regard, even more significant than Monsanto’s direct influence is that the orders fostering economic deregulation, privatization, and the structuring of competition *preceded* the building of democratic institutions; orders first, then constitutions, parliaments, councils, elections, and civil liberties”⁹⁸

Here, the master is Monsanto. It is the functional expression of the social structure and a single agent, with specific know-hows and interests that are consistent with its functional expression, yet it is able to enact and adapt the evolution of the social structure. For Monsanto strengthens the social structure, govern the actions in the contexts, and consolidate its social position both in the social structure and in the various contexts in which it operates, including Iraq. The slave is the Iraqi farmer. Her freedom is measured, after the “promulgation” of Order 81, by the whim of Monsanto, by the doors that Monsanto leaves open to her.

Perhaps, the solution is to find a space where the Iraqi farmer can exercise her ‘*discursive control*’⁹⁹ against the will of Monsanto. Yet, the nation-state does not seem to be the place where the Iraqi farmer can have a ‘*discursive control*’ to the obscure, in all senses, actions and policies of Monsanto. The issue, in general, is that the Iraqi farmer does not seem to have a place where to perform legitimacy her ‘*discursive control*’, which means that she does not have a discursive ability, in this case. For the recognised place, the nation-state,

⁹⁷ See Sadeque, N. (2012) *Control by Seed*. The Express Tribune. Retrieved December 23, 2021, from: <https://tribune.com.pk/story/342986/control-by-seed>.

⁹⁸ Brown, W. (2015). *Undoing the demos: Neoliberalism's Stealth Revolution*. New York: Zone Books, pp. 149-150.

⁹⁹ See *supra*, para 1.5. note 84-85.

where to exercise one's *'discursive control'* does not seem to have the analytical strength to dismantle the private power of the powerful, rather it seems an actual outcome and constant reimposition of these private forces. In short, even the organisation of the nation-state and its various institutions are a part of the constant reaffirmation of the rules and codes of the conduct of the now neoliberal social structure, still governed by freedom as non-interference.

Therefore, it is an inexorable process to which the great mechanism of the nation-state has no answer, no solution, no antidote, since it is a structured element of its dominating political theory:

“Today, forces of globalization and privatization are relocating the boundary between private and public authority in international commercial relations and creating new opportunities for private, corporate actors to exercise power and influence. [...] State-based, positivist international law and “public” notions of authority are being combined with or, in some cases, superseded by nonstate law, informal normative structures, and “private” economic power and authority as a new transnational legal order takes shape. Transnational commercial law or the new law merchant is an integral component of this emerging transnational legal order. [...] The analytical and theoretical challenges posed by this emergent order resonate powerfully in its description as a “twilight zone” of international law”¹⁰⁰

Neoliberalism is the latest promoter of the privatisation and the economisation of the social structure. Indeed, the economic element, semantically linked with *idion*, even with incessant growth of world population, has replaced the political as the bearer of the public sphere, including its dogmas, its norms, its procedures and, more importantly, it has excluded those that were precisely emblematic of the political element itself.¹⁰¹

“[T]he rise of the “household” (*oikia*) or of economic activities to the public realm, housekeeping and all matters pertaining formerly to the private sphere of the family have become a “collective” concern. In the modern world, the two realms indeed constantly flow into each other like waves in the never-resting stream of the life process itself.”¹⁰²

¹⁰⁰ Cutler, A. Claire. (2003) *Private Power and Global Authority: Transnational Merchant Law in the Global Political Economy*. Cambridge Studies in International Relations. Cambridge: Cambridge University Press, p. 1.

¹⁰¹ See Arendt, H. (1958). *The Human Condition*. Chicago: University of Chicago Press, p. 40: “The rise of mass society, on the contrary, only indicates that the various social groups have suffered the same absorption into one society that the family units had suffered earlier [...]”

¹⁰² Ivi, p. 33.

The private sphere, so ostracised, overlooked, and almost denigrated in the premodern era, has been enhanced by the modern thought.¹⁰³ The modern social structure placed itself between to what is private and what is public. One's pursuit of her own interests does not only remain in the privacy of household,¹⁰⁴ rather it contributes for the pacification of the community.

Cass Sunstein, in his "The Road from Serfdom"¹⁰⁵, reprising the title of the famous work "The Road to Serfdom"¹⁰⁶ written by Frederick Von Hayek, tried to explain the central political role of individual intentions and actions:

"Hayek argues that a market system, built on general law and producing an economy rooted in decentralized choices, can offer not only economic growth, but also freedom and order [...] [by] [i]ncorporating the private decisions of innumerable individuals, markets operate on the basis of far more information than any planner can possibly have."¹⁰⁷

In theory,¹⁰⁸ the rationality of the non-interference society is not decided from above, rather, it is a bottom-up process composed from the overall combination of the individuals' behaviour. In other terms, the privacy of *idion*, on what is proper for the survival from the perils of the bare life and on the patterns underpinning the administration of the household, finds its way to become the foundation and the purpose of a public *koinon*.¹⁰⁹

¹⁰³ See Habermas, J. (1991) [1962]. *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* (Trans. by Burger T. with the Assistance of Lawrence F.). Cambridge: Polity Press, p. 19: "Civil society came into existence as the corollary of a depersonalized state authority. Activities and dependencies hitherto relegated to the framework of the household economy emerged from this confinement into the public sphere. Schumpeter's observation "that the old forms that harnessed the whole person into systems of supraindividual purpose had died and that each family's individual economy had become the center of its existence, that therewith a private sphere was born as a distinguishable entity in contrast to the public" only captures one side of the process—the privatization of the process of economic reproduction. It glances over the latter's new "public" relevance. The economic activity that had become private had to be oriented toward a commodity market that had expanded under public direction and supervision; the economic conditions under which this activity now took place lay outside the confines of the single household; for the first time they were of general interest."

¹⁰⁴ Ivi, p. 20: "Modern economics was no longer oriented to the oikos; the market had replaced the household, and it became "commercial economics" (Kommerzienwirtschaft)".

¹⁰⁵ Sunstein, C. (1997). *The Road from Serfdom*. The New Republic, 217, pp. 36–43. Retrieved December 7, 2019, from: <https://newrepublic.com/article/64447/the-road-serfdom>.

¹⁰⁶ See Hayek, F. A. (1944). *The Road to Serfdom*. London: Routledge & Sons.

¹⁰⁷ Sunstein, C. (1997). *The Road from Serfdom*. The New Republic, 217, pp. 36–43. Retrieved December 7, 2019, from: <https://newrepublic.com/article/64447/the-road-serfdom>.

¹⁰⁸ Of course, this conception is utterly criticised. Even the liberal society determines the goods and the bads, and level of rationality to which people must stand by. See Thaler, R. H., & Sunstein, C. R. (2008). *Nudge: Improving Decisions about Health, Wealth, and Happiness*. New Haven, Connecticut: Yale University Press.

¹⁰⁹ See Arendt, H. (1958). *The Human Condition*. Chicago: University of Chicago Press, p. 46: "Society is the form in which the fact of mutual dependence for the sake of life and nothing else assumes public significance and where the activities connected with sheer survival are permitted to appear in public."

The formula of every individual “becom[ing] a merchant”¹¹⁰ epitomises the private nature of the public sphere. The bourgeoisie is the most private-based class of history, after all. The contemporary social structure, for being the social structure of the bourgeoisie, has promoted the undisputed victory of the private sphere, or *idion*. This social structure is the epitome of the process of blurring the line between the private and the public, and of the consequent appointment of the ultimate supreme condition of the economic domain.

Of course, it exists a form of mutuality and a conception of public sphere, albeit weak. The “publicness” of the contemporary society, under the rule of the value of non-interference, *inter alia*, derives from a form of reciprocity, exemplified by the institution of the “market” that has rationalised the “voluntary cooperation”¹¹¹. Individuals are regarded as pursuers of their choices making an economic system work. The following example of one’s daily possible routine proposed by Milton and Rose Friedman gives the idea of voluntary cooperation and the centrality in our economic scheme:

“Every day each of us uses innumerable goods and services—to eat, to wear, to shelter us from the elements, or simply to enjoy. We take it for granted that they will be available when we want to buy them. We never stop to think how many people have played a part in one way or another in providing those goods and services. We never ask ourselves how it is that the corner grocery store—or nowadays, supermarket—has the items on its shelves that we want to buy, how it is that most of us are able to earn the money to buy those goods.”¹¹²

In conclusion, the non-interference approach remains permeable, for good or ill, to the powerful private agents taking over the social structure. This is, after all, the major cause of the global socio-economic inequality. The private powerful, as the Monsanto in the Order 81 situation, control the dynamics of the social structure: they have had (and still have) the arbitrary power of the non-powerful Iraqi farmers. This latter did not have any forms of counteract, of any kind, against the power of the rich and powerful Monsanto.

This is a republican claim, for if the social structure is permeable to privatised “takeovers”, then, by definition, it is a dominating social structure. Because everything that is *idion* or private is unaccountable, unilateral, and consequently arbitrary. And everything that is arbitrary is a source of domination since it is not checkable.

¹¹⁰ Smith, A (1776). *An Inquiry into the Nature and Causes of the Wealth of Nations* (eds. Campbell, R.H. and Skinner, A.S.). Oxford: Oxford University Press, p. 37.

¹¹¹ Friedman, M. (1962). *Capitalism and Freedom*. Chicago: University of Chicago Press, p. 13.

¹¹² Friedman, M. & Friedman, R. D. (1980). *Free to Choose: A Personal Statement*. New York: Harcourt, Brace, Jovanovich, p. 9.

The formation of the unprotected social structure and the consequent undisputed victory of *idion* is what republicanism and its individual freedom put in doubt. The victory of *idion* has established a form of domination, that, rather, can be eradicated with the normative power of non-domination. A social structure permeable, and, to some extent, devoted to the promotion, to the cult of *idion* is what is rendering vulnerable all the other people that happen to be slaves and not masters.

Chapter Three: Republican Freedom

At the beginning of the second chapter, I argued that the main road for an appropriate individual freedom in relation to the social contexts proposed by the contemporary social structure is still to be found in the negative field. The main reason is that positive freedom does not allow a real and consistent pattern of autonomous agency. While individualistic positive freedom, say, left liberalism, has the quality to protect the individual and her agency, due to the recognition of freedom *to* the person; however, its form of freedom *to* is absolutely non-relational, and, therefore, unable to address the dynamics and social procedures determining the contexts that a person experiences. Then I have concluded the last chapter by exposing the limits of the negative part of liberal freedom, namely freedom from interference.

For the understanding of negative freedom as non-interference possesses concrete downturns: firstly, freedom as non-interference is not able to place the individual in the concrete circumstances of experience. For freedom as non-interference reduces the normative power of an individual, constrained in the atomistic conception of the absence of the other, to the mere freedom of choice; secondly, it does not allow the individual to check and control the functions and roles of the other, as expressions of the social structure, leaving him vulnerable to forms of exploitation, oppression, and power subjugation. Therefore, for not being able to control the roles and functions of the people acting in the several contexts of the social structure, it follows that the social structure remains unguarded and permeable to the clutches of the powerful private agents.

Freedom as non-interference protects individual freedom upon a too materialistic concept: the value of non-interference works as a shield for the enjoyment of only choices, yet however, it is inconsistent in the protection of the individual. The value of non-interference, rather, isolates the individual within her social contexts. Individual freedom is to have at disposition free choices, ultimately. For this, this conception forms a kind of reality in which the individual is an atom severed from the social, economic, cultural, and affective ties: the self is a maximiser of her desires, interest and needs placed in an arena of choices (or '*doors*', to continue Berlin's metaphor).

I have already presented, in the introduction, freedom from domination as a declination of liberty that stands in the middle between negative and positive liberty. Neo-Roman

republican freedom stands, for all purposes, in “the truer and more humane ideal”¹ of freedom, that for Isaiah Berlin was the negative field of liberty. Therefore, republican freedom remains rightly in the category of modern freedom, as specified by Benjamin Constant; however, it does have a particular tendency towards placing the individual in the reality of her own circumstances, dear to the communitarian positive liberty tradition.

Recently, more precisely from 1970s, a resurgence of the republican thought, in the neo-Roman fashion, has been set out. The major works are Quentin Skinner’s “Liberty before Liberalism”², J.G.A. Pocock’s “The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition”³, Maurizio Viroli’s “Machiavelli”⁴, Cecile Laborde’s “Critical Republicanism: The Hijab Controversy and Political Philosophy”⁵, and Philip Pettit “Republicanism: A Theory of Freedom and Government”⁶.

They all, basically, sustain the same claim: neo-Roman republicanism, and its freedom as non-domination, can rightly be considered a form of negative freedom: it is, by definition, a *freedom from*. Hence, republicanism can initiate a real competition, since the retreat of socialism, as a concrete antagonist to liberalism from 1990s, with the liberal tradition, both in its positive and in its negative fashion, proposing an overcoming of the endemic limits of liberalism while remaining in the political field of the guarantors of individual liberty as negative liberty.

The revival of neo-Roman republicanism at the turn of the second millennium is undeniably rooted into a large tradition. From Cicero to Machiavelli, from Milton to Harrington, from Madison and Hamilton, who built the structure of the American republicanism, to the contemporary resurgence, neo-Roman republicanism is listed in its tradition most of the important political figures and theorists of the western tradition.

The threads that unites all these prominent figures under the name of neo-Roman republicanism are: i) civic virtue, the republican citizen is not a passive citizen, she cannot be free if she escapes from the public affairs of her reference republic and retreats in the privacy of her interests; ii) The necessity of a mixed constitution, Machiavelli, in his

¹ Berlin, I. (2002) [1969]. *Liberty* (eds. Hardy, H). Oxford: Oxford University Press, p. 216.

² See Skinner, Q. (1997). *Liberty before Liberalism*. Cambridge: Cambridge University Press.

³ See Pocock, J. G. A. (2003). *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition*. Princeton, N.J: Princeton University Press.

⁴ See Viroli, M. (1998). *Machiavelli*. Oxford: Oxford University Press.

⁵ See Laborde, C. (2011). *Critical Republicanism: The Hijab Controversy and Political Philosophy*. Oxford: Oxford University Press.

⁶ See Pettit, P. (1999) *Republicanism: A Theory of Freedom and Government*. Oxford: Oxford Scholarship Online.

“Discourses on Livy”⁷, celebrates the mixed constitution of the Republic Rome in which every sector of the society is represented and active, counterbalancing the powers of the other ones, for the common good of the republic⁸: iii) and, most notably, the value of non-domination. The individual is free, according to neo-Roman republicanism, when there is no person who has arbitrary power over her.⁹

Therefore, republicanism has several concepts and ideas in common with liberalism: the mixed constitution is a glaring example, ultimately. Liberalism and republicanism both prefigures a society where the individual has a consistent and robust level of guarantees and rights from the violent and oppressive actions of others, allowing people “of pursuing [their] own good in [their] own way, so long as [they] do not attempt to deprive others of theirs.”¹⁰ However, the value that others play in the elaboration of “the individual in the society” is considered in a different manner by the two doctrines, as we are going to see in the next paragraphs.

What differs between the two is the object of freedom *from*: adding to the picture the concept of domination gives to republican freedom, I argue, some substantial, not only formal, connotations of the freedom *to*, but definitely in an unconditional relational manner:

“This conception is negative to the extent that it requires the absence of domination by others, not necessarily the presence of self-mastery, whatever that is thought to involve. The conception is positive to the extent that, at least in one respect, it needs something more than the absence of interference; it requires security against interference, in particular against interference on an arbitrary basis.”¹¹

All of this, it is based on the very choice of considering the antagonist of freedom domination and not interference. For the two opponents of freedom establish different

⁷See Machiavelli, N. (1996) [1531]. *Discourses on Livy* (trans. by Mansfield, H.C. & Tarcov, N.). Chicago: University of Chicago Press.

⁸ See Ivi, p. 13: “I say thus that all the said modes are pestiferous because of the brevity of life in the three good ones and because of the malignity in the three bad. So those who prudently order laws having recognized this defect, avoiding each of these modes by itself, chose one that shared in all, judging it firmer and more stable; for the one guards the other, since in one and the same city there are the principality, the aristocrats, and the popular government. Among those who have deserved most praise for such constitutions is Lycurgus, who in Sparta ordered his laws so as to give their roles to the kings, the aristocrats, and the people and made a state that lasted more than eight hundred years, achieving the highest praise for himself and quiet in that city.⁹ The contrary happened to Solon, who ordered the laws in Athens: by ordering only the popular state there, he made it of such short life that before he died he saw the tyranny of Pisistratus born there.”

⁹ As a reminder for the reader, I will refer to “neo-Roman republicanism” even with the term “republicanism” over the work, in order to avoid redundancy.

¹⁰ Mill, J.S. (1859). *On Liberty* (eds. 2001). Kitchener, Ontario: Batoche Books Limited, p. 16.

¹¹ Pettit, P. (1999) *Republicanism: A Theory of Freedom and Government*. Oxford: Oxford Scholarship Online, p. 51.

patterns of reaction for assuring one's freedom. Because choosing domination over interference (or even other limitations of freedom) establishes differences of what it means to be free. It is not a mere shift of emphasis, yet an entire remodulation of how individual freedom must be conceived:

“[M]astery and interference do not amount to the same thing. So what of the intermediate possibility that freedom consists in an absence, as the negative conception has it, but in an absence of mastery by others, not in an absence of interference”¹²

They share, of course, the fact that to be free is to enjoy a form of non-scenario, or as Philip Pettit argued that “[negative] freedom can be usefully represented as a property that is always compromised by one or another form of obstruction.”¹³ Yet, domination brings to the table consequences overturning the understanding of freedom from interference. Ultimately, what are the outcomes if (negative) freedom is regarded as non-mastery, or non-domination, other than non-interference? And what are the effects of the role of the individual: what are her duties and rights, and what is the relationship with what is external to her?

Non-domination, even in a similar arrangement, in terms of political and socio-economic institutions is able to transform, or at least recalibrate, the very functions of that political and socio-economic institutions. In other words, given the exact same political and socio-economic institution, say, the market, the value of non-domination recalibrates a different understanding of functions, rules, norms, and social practices that the market can perform and the individual in it can exercise. There is not a disfigurement of the liberal political and social arrangement: republicanism, and even its latest revival, does not want to dismantle the liberal institutional asset but to ameliorate and improve it.

Simply, republicanism believes that non-interference is the wrong enemy to fight against: interference can be obviously a cause of unfreedom, yet not as much and not as always as domination. For example, Philipp Pettit considers interference as an admissible act of intrusion while not always an act of wrongfulness:

“[T]hough interference always involves the attempt to worsen an agent's situation, it need not always involve a wrongful act: coercion remains coercion, even if it is morally impeccable. I interfere with you if I obstruct your making a phone call by deliberately occupying the only kiosk

¹² Ivi, pp. 21-22.

¹³ Pettit, P. (2007). *Free Persons and Free Choices*. *History of Political Thought*, 28(4), pp. 709-718, p. 711.

available: and this, even though it is perfectly within my rights to occupy that kiosk. I interfere with you if I destroy your custom by deliberately undercutting your prices—assuming I have the required resources—whenever you try to sell your wares: and this, again, even if our market culture tolerates my behaviour.”¹⁴

Freedom as non-domination overcomes an important element: it is not only an action in and of itself that can constrain one’s freedom, as freedom as non-interference precisely prescribes. Arbitrary rule can be actually a non-action that limit one’s freedom, according to the republican credo.

I argue, therefore, that freedom as non-domination is a better form of liberty in accompanying the modern self in her agencies. The main point of the classical tradition of republicanism is “[t]he assumption that individual liberty is basically a matter of non-interference is precisely what the neo-roman theory calls in doubt”¹⁵.

If republicanism does not deny the advantages and benefits of a market (within an economy in and of itself, for instance;¹⁶ it fits better as a protecting/enabling individual freedom, at least more than freedom as non-interference. For the value of non-domination is more structured and robust to foresee and guarantee a better agency for the individual. Liberalism and republicanism might share a similar understanding of the nature of the political and socio-economic institutions; however, republicanism presupposes different functions to them.

The republican individual in the modernity would be equipped with a more structured form of freedom to address the challenges she experiences today. For this, in this chapter, I will present how republicanism aims at determining a political and philosophical structure where the right to not have a master does not rhyme with reckless and feral individualism. For freedom as non-domination presupposes a different meaning of the individual, on every level of society, and consequently it addresses particular categories that historically have not been consistently addressed by freedom as non-interference, or if they are, they are addressed only in a partial manner.

¹⁴ Pettit, P. (1999). *Republicanism: A Theory of Freedom and Government*. Oxford: Oxford Scholarship Online, p. 54.

¹⁵ Skinner, Q. (1997). *Liberty before Liberalism*. Cambridge: Cambridge University Press, p. 127.

¹⁶ See Pettit, P. (2006). *Freedom in the Market*. *Politics, Philosophy and Economics*, 5(2) 131–149, p. 13: “I do not say that the appeal of the market as a forum of unobstructed choice among ever-improving options is in any way bogus or suspect. Setting aside that issue, I want to examine the credentials of the market in republican as distinct from characteristically liberal or libertarian terms.”

Firstly, I will present the characteristics of freedom as non-domination. Through the classic example of the master and the slave, I will deliver the basic features of neo-Roman republicanism. The slave/master scenario, as we already seen in the Chapter 2, describes thoroughly the importance of the role of the other in the formation/execution of one's freedom.

The role of the alterity, simulating the function of the community and the publicness of republicanism, connects the republican tradition towards the lands of the branches of communitarian positive liberty tradition. Then, I will address the importance of identity of the other: "What are the roles and functions that the alterity can have with another person?" and "Why is it important to detect them?"

The second part of the chapter will vert on the relational accent that freedom as non-domination has. The value of non-domination presupposes a recalibration of moral and political elements of the modernity. Interdependence and the role of the discourse defines the path that freedom as non-domination is going to take. This leads to the necessity of enjoying relationships that to be non-dominating need to be organised under the rule of symmetry. Freedom as non-domination, with its impellent need for symmetry, is able to address the issue of power relations: the asymmetry of power is the source of unfreedom as much as Master A has arbitrary power over Slave B.

Arbitrariness is, therefore, a central issue. Freedom as non-domination can be defined even as freedom from arbitrary interference: domination equals arbitrary interference. As we have already addressed that interference is not *per se* a condition for one's unfreedom, it remains that arbitrariness is the evil to be tackled by neo-Roman republicanism. Arbitrariness is a notion implying other questions, such as power, relational symmetry, equality, and vulnerability, that are the analytical base in the formation/execution of individual freedom. Neo-Roman republicanism addresses these elements within the space of individual freedom.

These elements will lead us to the third part. How do these components forge the republican individual freedom? If the individual, under the rule of non-interference, is free if she has free choices or, using Berlin's metaphor, '*open doors*', the republican person does not content itself with the '*open doors*', but she needs to check and control the agents manipulating the behind the '*open doors*' scenario.

The goal is to stabilise and adjust the relationship(s) that a person has with the agents behind the open doors. This stabilisation is based on the characteristics of the first and second part: the presence of the other, the relational symmetry, and the reduction of arbitrariness

and vulnerability through the recalibration of power among people. This will give to the republican individual a relational status to which it is related the conception of free choice of a person, according to republicanism, that, in the end, will overcome the reduction of individual freedom to the mere freedom of choice.

3.1 The Value of Non-Domination

“[...] by virtue of their common possession of the surface of the earth, where, as a globe, they cannot infinitely disperse and hence must finally tolerate the presence of each other. Originally, no one had more right than another to a particular part of the earth.”¹⁷

Domination is different from interference. They fight different enemies, different problematics, different intricacies of the modern democratic societies. Freedom as non-domination establishes different conditions through which one can be considered free.

After all, it is quite obvious that if the cause of frustration of one's freedom is domination, rather than interference, inevitably structural changes are established. Especially, if we answer to the questions of the nature of the role(s) and action(s) that an individual might have in the society, and, in turn, of the formation and the procedures of the society might enforce towards the individual. In short, non-domination and non-interference have a different understanding of what an individual can do in the society, what she is allowed to expect, in turn, from the structure of the society and the other members of it.

To be clear, it is important to bear in mind the very foundation of the republican critique, in particular towards the social architecture of non-interference. Usually, republican theorists have provided the famous example, at least in the republican literature, of the master and the slave.

Imagine, once again, a scenario in which there are Master A and Slave B. Master A is the master of Slave B. If Master A acts as a real intruding master in relation to Slave B, both theories concur that the Slave B situation is a scenario of unfreedom. Freedom as non-interference solves the issue in materialistic terms: there are real and concrete acts of interference on behalf of Master A towards the agency of Slave B. Obviously, even for republicanism, this is a situation of unfreedom for Slave B. Analytically and normatively,

¹⁷ Kant, I. (1795). *Perpetual Peace: A Philosophical Sketch*. Retrieved September 18, 2019, from: <https://www.mtholyoke.edu/acad/intrel/kant/kant1.htm>

the value of non-domination considers the situation in which Master A acts as an intruder in Slave B's agency, as much as the value of non-interference, however from another perspective.

The action of Master A, in and of itself, is not sufficient to make fall this scenario under the formula of unfreedom, for interference does not lead always to a scenario of unfreedom according to the republican tradition. Master A's wrongfulness stands on the premises of that act of interference. Master A's act of interference is not wrong because of the action *per se*, yet for the relationship in which Master A and Slave B are engaged in. For Master A has arbitrary power over Slave B, *any* act of interference made by Master A in the direction of Slave B is a cause of unfreedom for Slave B. The bone of contention of individual freedom, actually, is not even the act of interference: it is the relationship between Master A and Slave B.

The republican explanation of unfreedom in the slave/master scenario is, therefore, based on relational terms; and upon them that all the critiques to the non-interference's myopia has been proposed by the republican ideology. I will explain the republican approach better in the following lines with a simple modification of the terms of the slave/master example, and, in general, through all this chapter.

The aforementioned simple modification involves entirely Master A's attitude; and this implies even where the power between Master A and Slave B stands. If Master A happens to be a benevolent or careless master, non-interference and non-domination part ways, definitely and decisively.

According to freedom as non-interference, there are no patterns of unfreedom as long as Slave B is not interfered by the actions of Master A. It follows that if Master A does not produce any form of interference with regard to Slave B, for the value of non-interference, it does not occur any pattern of unfreedom in that scenario.

On the other hand, for the republican tradition, Slave B is not free even in the scenario of benevolence or carelessness of Master A. As long as Slave B's agency is based on the whim of Master A, Slave B has no reason to consider herself free. For Slave B still remains unfree due to the presence and function that Master A entertains with her. Master A still remains the master of Slave B, even without acting to the detriment of Slave B and even with all the benevolence of her spirit. Under no circumstances, republicanism accepts that a person's freedom is relative to the agency and the benevolence of another person. As it may be noticeable, the relational attitude of republicanism contrasts with the materiality of

freedom as non-interference. In other words, republicanism brings to surface an aspect of individual freedom that cannot be solved through the materiality of freedom of choice.

This is the republican foundational example to overcome the limits of the value of non-interference. Of course, there is more than meets the eye. The republican formula has a number of knock-on effects, in terms of the consideration of individual agency and in terms of the modalities through which society harmonises the complexity of individual agencies.

In any case, why this mere shift of attention, from non-interference to non-domination, is able to produce this change of paradigm? How come, for the value of non-interference, the benevolent Master A is no cause for the unfreedom of Slave B while for republicanism is a very stringent feature determining the conditions of one's freedom? What are the new foundational characteristics of the non-domination formula that produce the definitive detachment from the doctrine of non-interference and its social architecture?

The passage from non-interference to non-domination produces a change of meaning of the barrier placed at protection of one's freedom, as required by any effective *freedom from*. As I said in the very first line of this paragraph, domination is different from interference; and intuitively the very first difference is that republicanism protects the individual from another form of intromission, that is that of domination. The '*frontier*', as showed in the previous chapter in the Isaiah Berlin's famous example,¹⁸ must protect the individual *from* something. And the value of non-domination redefines the protective function of the boundary of one's freedom according to other parameters. It is not dissimilar from changing the material of a border wall of a certain property.

The function of the republican border wall identifies new oppressors of one's freedom. To be more precise, these oppressors are not actually new: they were already present, inhabiting one's area of freedom,¹⁹ even under the rule of interference, but these oppressors were not able to be detected by the individual equipped with the non-interference tool. The normative power of non-interference perceives some (material) wrongdoings while others may slip away. For non-interference identifies as a wrongdoing to the detriment of one's freedom only certain actions, namely that of interference, not the perpetrator of that actions, as said in the previous chapter.

The master is an accepted figure by the value of non-interference as long as she is benevolent or careless to her slave(s). The role, the function, and the relationship that these

¹⁸ See *supra*, para 2.1. note 11.

¹⁹ Republicanism does not require that one's freedom coincides with an area that needs to remain intact, as requested the prescriptions of the value of non-interference.

oppressors have with one's wellbeing are unnoticed and overlooked under the rule of non-interference. Actually, they were not even regarded as oppressors of one's freedom, according to the value of non-interference, at least until they propose an act of interference. In short, the value of non-domination clearly declares that the oppressors of one's freedom were already in place for undermining one's freedom, but the value of non-interference was not able to highlight them.

Here is where the first characteristic of placing the new boundary of domination at protection of one's freedom comes to surface: the presence of the other.

3.1.1. The Presence of the Other

Freedom as non-domination possesses a different understanding of the other in relation to freedom as non-interference. Non-domination certainly detects the other in her entirety. The different understanding of the other that republicanism has in comparison to freedom as non-interference imposes inevitably new procedures, new modes of conceiving the acceptable codes of conduct and the governing rules of the social structure and the roles and function of individuals in it.

The slave/master example epitomizes this change of perspective provided by the republican ideology. If for freedom as non-interference there are no concerns in the slave/master scenario, in terms of freedom, as long as Master A does not produce a menacing action in the direction of Slave B, for republican theorists, the slave/master situation is already a scenario of unfreedom, even without any actions on behalf of Master A. Master A undermines Slave B's freedom for what Master A is to Slave B (and, in turn, Slave B for Master A): This latter is identified as an oppressor of Slave B's freedom for the function and the role she has towards Slave B.

From the slave/master scenario, it can be, therefore, extrapolated the republican turnaround (in respect to the non-interference approach) of the conception of the other. Within the republican theorisation, the other, or the alterity, has a new role, in comparison to the one conceived by the value of non-interference, both in the formation and in the implementation of one's freedom.

The presence, for good or ill, of the other is an integral, constant, and essential part, thus, not only eventual as in the non-interference approach, in the formulation of one's freedom:

“[...] non-arbitrary law does not compromise freedom and (conversely) no freedom is possible outside the law, as freedom is an inter-subjective status that can only be enjoyed in the presence of others, and through adequate political and legal institutions.”²⁰

In any case, it is safe to say that the republican ideology contemplates the other, or the alterity, in a more robust and wider with regard to the non-interference perspective.

The understanding of the other is robust because the other is always contemplated and not only for her agency but for her entire function in the society: therefore, the other is constantly identified, besides the nature, the scope, the immorality, and the wrongfulness of her agency. On the contrary, as already proposed in the previous chapter, freedom as non-interference has a thin formulation of the other: it is based on an action ultimately, known as interference, which is perpetrated by the alterity to the eventual detriment of another individuals' freedom. Indeed, the control and accountability among persons, according to freedom from interference, is based on what the other *does* and not what other *is* or what is the nature of the relationship between one another. The other lies outside one's control most of the time. She comes back in place into one's radar, using a military analogy, only in the moment of her action of interference.

Master A, for example, is always highlighted, even in her benevolence, in the non-domination scenario. Therefore, the matter of enquiry goes beyond Master A's agency in the direction of Slave B, it is a relational instantiation of freedom in which the other needs to be continuously addressed in her relational capacities for the formation, nature, and scope of one's freedom. This part will be the object of the following paragraph.

Secondly, the conception of the alterity, offered by the value of non-domination, is wider in respect with the value of non-interference because the alterity is not always a danger, a risk, or a peril. In the moment of identification according to the rule of non-domination, the other loses the reputation of being always the “bad guy” in relation to one's freedom. In the overall conception of freedom as non-domination, the other is a presence that needs to be acknowledged constantly, not only as a limiter of one's freedom as expressed by the dictates of freedom as non-interference.

This is, after all, one of the outcomes of this presence of the other approach: the reconciliation with the alterity. Again, it depends on the (a)symmetry in terms of reciprocal relation that two people, or a group of people, enjoy. The alterity is not an obscure figure

²⁰ Laborde, C. (2013). *Republicanism*. In: Freedman, M., Stears, M. (2013). *Oxford Handbook of Political Ideologies*. Oxford: Oxford University Press, p. 525.

who clears her silhouette only in the moment of the perpetration of an act of interference, as for freedom as non-interference. On the contrary, the other is identified for what kind of relationship I am enjoying with her. What represents the other to one's freedom depends on the relationship they enjoy.

Therefore, the other is a figure that needs to be totally highlighted according to the parameters of freedom as non-domination. For example, Master A is robustly identified in relation to Slave B, which means that all the visible and '*invisible threads*',²¹ between them need to be revealed to the eyes of Slave B. And, for this, Master A is a danger to Slave B's freedom: not for what Master A *does* to Slave B, but for what Master A *is* to Slave B. In short, Master A is acknowledged as a threat to Slave B's freedom, agency, and well-being because of the disproportionate relationship has been established between them. There is a robust identification of the role and function that Master A has with Slave B. And this approach can be obviously expanded to every scenario of the society. Master A is not "brought to life" only when an act of interference happens, she is always and totally highlighted for the benefit of Slave B's well-being.

The value of non-domination reinstates the concept of the presence of the other as a part of the equation of one's freedom, from the social atomism proper of the value of non-interference.²² The value of non-domination presupposes the necessity of the coexistence of individuals by virtue of their reciprocal acknowledgement of their freedoms. Neo-Roman republican freedom is a type of liberty that has in its essence a leaning, if not a need, for the acknowledgement of interdependence:

"You do not have to live either in fear of that other, [...] or in deference to the other. [...] You are a somebody in relation to them, not a nobody. You are a person in your own legal and social right."²³

The other does not create fear as long as she does not establish schemes of deference or oppression. Republican coexistence is based on the mutual recognition of being free people:

²¹ See *supra*, para 2.5.3. note 94.

²² See Pettit, P. (1999) *Republicanism: A Theory of Freedom and Government*. Oxford: Oxford Scholarship Online, p. 67: "Non-domination in the sense that concerns us, then, is the position that someone enjoys when they live in the presence of other people and when, by virtue of social design, none of those others dominates them."

²³ Pettit, P. (1996). *Freedom as Antipower*. *Ethics*, 106(3), pp. 576-604, p. 595.

“[John] Maynor notes that for an agent to be considered free, free from domination, his interests must be taken into account; but, he adds, this condition immediately implies that the reverse is true, in other words, that the agent himself cares for what the interests of other individuals are, that her very actions may, in turn, affect them.”²⁴ (translation mine)

While, according to freedom as non-interference, the other does not determine one’s freedom: freedom, through the lens of non-interference, is a property related more to the natural law tradition, as argued in the previous chapter. According to the republican ideology, freedom is a value that begins to exist in the moment of the acknowledgment of the other.²⁵ Freedom as non-domination needs to recognise the other, in the formulation of one’s freedom, for its own complete execution. For only the presence of others renders me free:

“[...] freedom is an inter-subjective status that can only be enjoyed in the presence of others, and through adequate political and legal institutions.”²⁶

In the moment Slave B, due to the value of non-domination, is able to identify the function of Master A, she is able, in turn, to recognise the source of the scope of her (un)freedom. The other with her presence determines the extent and the nature of one’s freedom, and the boundaries of her agency; and for this, we can argue of freedom only with the presence of the others.

The other is a necessary presence of one’s freedom and is that particular one’s freedom presupposes the freedom of the other.

On the other hand, according to non-interference perspective, the other does not form one’s freedom: she is not involved whatsoever in the formation of one’s freedom. The other is the receiver: say, the consumer of one’s product, manufacture, or service; or the employee of one’s employer, or the intermediary of both; or is the violator of one’s freedom, as in the most basic example of interference that can be made. The alterity is involved in the moment

²⁴ See Garrau, M. & Le Goff, A (2009). *Vulnérabilité, Non-domination et Autonomie: l’apport du Néorépublicanisme*, Astérior [En ligne], 6/2009, section 12. Retrieved June 20, 2021 from: <http://journals.openedition.org/asterion/1532>: “Maynor remarque que pour qu’un agent soit considéré comme libre, non soumis à la domination, il faut que ses intérêts soient pris en compte ; mais, ajoute-t-il, cette condition implique immédiatement que l’inverse soit vrai, autrement dit que l’agent lui-même se préoccupe de savoir quels sont les intérêts des individus que ses propres actions peuvent à leur tour affecter.”

²⁵ Here, I agree with Arendt’s approach of freedom, that I have already mentioned in the introduction. See Arendt, H. (1960). *Freedom and Politics: A Lecture*. Chicago Review, 14(1), 28–46, pp. 29-30: “We first become aware of freedom or its opposite in our intercourse with others, not in intercourse with our selves.”

²⁶ Laborde, C. (2013). *Republicanism*. In: Freedman, M., Stears, M. (2013) *Oxford Handbook of Political Ideologies*. Oxford: Oxford University Press, p. 525.

that cards are down, in the best scenarios, or if she acts as a limiter of one's freedom producing an act of interference.

Republicanism, on the contrary, overcomes this thin identification of the other. The other is constantly addressed for being the source of one's freedom. She is not only as a restrictor, a receiver, or a final user; she is involved in the formation of one's freedom, in the moment of her agency: she is a fully identified agent, with which not only one needs to reach inevitably an accord but from whom one's freedom actually take place. The other is a necessary presence in determining the nature of one's freedom.

In summary, to rationalise the conception that freedom as non-interference and freedom as non-domination have about the other and her role(s), we can say that freedom from interference pushes the other away in some way while on the other, it brings her closer. Non-interference pushes the other away in the moment of conception/formation in and of itself of freedom ("I am free if I enjoy an absence of obstacles from the exterior"), even for the fact that individual freedom is a natural given. On the other hand, freedom as non-interference allows her closer to the very exercise of one's freedom since the limit of the other is her own performance.

The moment of the exercise of freedom is conceived as the major (and only) focus of one's freedom, yet it is, in a manner, more permeable than the one of freedom as non-domination. For not conceiving nothing other than the action of the other: all the threads, the social positions, functions, and roles that a person plays inevitably in a social structure are overlooked under the rule of non-interference. Inevitably this issue is solved in a private-based manner: "I will build a safer, stronger barrier around me where I can pursue my ends". Yet this bubble is based on private means and on being a *'privat'*²⁷ in the society.

Republicanism proposes the exact way round. It allows the other closer in the conception/formation by acknowledging her status and the relationship with her: "I need to acknowledge you in order to completely form my freedom". The republican self has already been thought with the others, within the social structure and its contexts personified by the presence of the other. The people acting in the social structure have already identified relationally before the moment of the exercise of freedom. If freedom as non-interference considers the other as a (negative) condition only to the exercise of freedom, republicanism states the presence of the other a mandatory feature for determining one's freedom for the formation and implementation of one's freedom. The other, for its inevitable presence, is

²⁷ See *supra*, introduction, note 78.

involved in the formation of one's freedom, not only as a restrictor of one's freedom but especially as an actor, with which not only one need to reach inevitably an accord but to whom one's freedom actually take place.

Then, the other is kept distant due to the relationship that the two people entertain. The acknowledgement of a relationship between the parts determines the measure of freedom that each part reciprocally enjoys. In other words, the recognition of the other and the resulting relation that I have with other, gives me the ability to modulate the distance, or the measure, of our relationship. The relationship with the other is not measured by the actions she does, but what kind of relationship we have.

3.1.2. Roles and Functions of the Other

It can be already noticed that the primary focus is different for the two freedoms. For freedom as non-interference the important issue of one's freedom is that her ability to act is not obstructed by actions of others.²⁸ It follows that every action in one's direction might reduce one's freedom. This approach characterises the nature of the relationship that the value of non-interference has set towards the concept of the other: everybody needs to remain distant, due to the measurement of one's freedom is based on the width of her area of freedom. Later, when action (of interference) the other has an identification, however, in bad terms. The alterity has no other persona through which she can be characterised according to the non-interference perspective.

For the value of non-interference, definitely, does not take the effort to acknowledge the status and the nature of the relationship among persons. It is no mystery that the conception of freedom from interference went hand in hand with the progressive emancipation of the bourgeoisie,²⁹ throughout all modernity, where every individual

²⁸ See Pettit, P. (1999) *Republicanism: A Theory of Freedom and Government*. Oxford: Oxford Scholarship Online, p. 121: "Many are not social goods and, whether social or not, most do not display any degree of commonness. I am thinking of goods like utility or happiness, relief from misery or poverty, justice as fairness, and of course freedom as non-interference. Such goods do very badly on the commonness criterion, because it is clearly possible in principle for someone to do well in such terms while their fellows fare ill. That others are unhappy or impoverished or unfairly treated or much interfered with does not in itself mean that I am badly off on those criteria. And that others are likely to suffer such a fate does not in itself mean that I am likely to suffer the same misfortune: probabilities are too much a function of individual circumstances."

²⁹ See Ivi, p. 132: "The liberal ideal of being let alone, in particular of being let alone by the state, took wing in the early days of industrial capitalism, as an ideal for the new class of profit-seeking entrepreneurs and professionals. For these individuals and their champions, the notion of freedom as non-interference articulated an indispensable precondition for competitive success, and it was easy for them to think—certainly it was convenient for them to think—that the notion represented a universally attractive ideal."

'becomes in some measure a merchant', using Smith's terminology, in order to finally liberate herself from the servile condition of the pre-modern era.

Precisely due to the absence of the other and her consequent non-recognition, it can be said that freedom as non-interference has been one of the features that favoured "a continual nonviolent competition"³⁰ between individuals, acting "for the powers of the others which compel the others to enter the competition"³¹.

Whatever form liberalism may take, I refer in particular to the liberal egalitarian ones, is not able to overcome this foundational approach of the absence of the other, required by the value of non-interference. For example, the left side of liberalism has proposed various forms of freedom *to*, that ultimately are ex-ante or ex-post forms of distribution. This attempt of procuring immaterial resources and material means to individuals does not overcome "the absence of the other" formula. In other words, once the individual collects material resources and immaterial means than her agency will be seemingly based on the value of non-interference.

However, relational egalitarianism deserves an honourable mention.³² Elizabeth Anderson, Samuel Scheffler, and Jonathan Wolff are the main figures of this specific liberal strand. I argue that this kind of liberalism has points in common with neo-Roman republicanism, namely in the emphasis that equality stands in human relations and in its tendency to act out ex ante, rather than ex-post:

Egalitarians base claims to social and political equality on the fact of universal moral equality. These claims also have a negative and a positive aspect. Negatively, egalitarians seek to abolish oppression -that is, forms of social relationship by which some people dominate, exploit, marginalize, demean, and inflict violence upon others. Diversities in socially ascribed identities, distinct roles in the division of labor, or differences in personal traits, whether these be neutral biological and psychological differences, valuable talents and virtues, or unfortunate disabilities and infirmities, never justify the unequal social relations listed above. Nothing can justify treating people in these ways, except just punishment for crimes and defense against violence. Positively, egalitarians seek a social order in which persons stand in relations of equality. They seek to live together in a democratic community, as opposed to a hierarchical one. Democracy is here understood as collective self-determination by means of open discussion among equals,

³⁰ MacPherson, C.B. (1962). *The Political Theory of Possessive Individualism: From Hobbes to Locke*. Oxford: Oxford University Press, pp. 60-61.

³¹ Ivi, p. 61.

³² See Anderson, E. S. (1999) *What is the Point of Equality?*. *Ethics*, 109 (2), pp. 287-337; Scheffler, S. (2003). *What is Egalitarianism?*. *Philosophy & Public Affairs*, 31(1); Wolff, J. (2015). *Social Equality and Social Inequality*. In: Fourie, C. Schuppert, F. & Wallimann-Helmer, I (eds.). *What It Means to be Equals*. New York: Oxford University Press, pp. 209-225

in accordance with rules acceptable to all. To stand as an equal before others in discussion means that one is entitled to participate, that others recognize an obligation to listen respectfully and respond to one's arguments, that no one need bow and scrape before others or represent themselves as inferior to others as a condition of having their claim heard."³³

Precisely, this kind of liberalism takes shape as a critique to the liberal egalitarian distributive techniques. Most notably, relational egalitarians target the issues of the relational sentiment and power of people over people that even neo-Roman republicans have. However, I consider neo-Roman republicanism more effective in the spreading of this relational instance of equality, for putting it into the basket of freedom, as a powerful normative value. Rather, it seems to me that the attempt of relational egalitarianism is more moral and, to some extent, institutional than that of freedom as non-domination. I share the relational position, yet not the process or the outcome.

I return now on freedom as non-domination and its rivalry with non-interference. After the recognition of the importance of the other with regard to one's freedom, the value of non-domination highlights the roles and functions of the other people present in one's space of agency. In other words, one's area of freedom is free, not because nobody is found within the boundaries of one's space of freedom, as for the value of non-interference, but because one is able to identify the roles and functions of the people in her reference contexts and the kind of relationships that she has with the other people present in that space.

With this approach, even the idea of an area of freedom, dear to the value of non-interference, is devaluated. Rather, it is recognised the need for the measurement of the relationship between the individual and the other. I refer to the fact that individual freedom, for the value of non-domination, inexorably results from the stabilisation of the relationship between individuals: the functions that they have to one another are checked and controlled.

Given the republican understanding of the other, the focus of republicanism is moved from the agencies between individuals towards the nature of the relationship that one has with the alterity. The kind of relationships that other people has with me determines the power they have with me, or I have with them, in turn.

For this, by identifying that the hot issue of one's freedom is in the relationship with the other, freedom from domination constraints everybody in addressing the alterity in order to establish a network of rules, norms, customary procedures and, more importantly, in the decision-making process:

³³ Anderson, E. S. (1999) *What is the Point of Equality?*. *Ethics*, 109 (2), pp. 287-337, p. 313.

“[T]he capacity to address others and to be addressed in turn [...] is the most minimal condition of participation in a wide range of practices.”³⁴

In the passage, James Bohman affirms the centrality that the value of interdependency has in the republican tradition, as already proposed by Philip Pettit in 1999: “[T]he intensity of freedom as non-domination which a person enjoys in a society is a function of other people’s powers as well as their own.”³⁵

The alterity is now identified for what she is to a person, in turn, what Master A is to Slave B. Republicanism, even in its latest revival, tends to make the effort of identifying the other: be it a fellow or an enemy, a co-worker or a master, the public authority or a private based dominator.

Then, the value of non-domination does not have only a qualitative meaning in the identification of the other, but even a quantitative one. Since one’s freedom is based on the relationship one enjoys with others, freedom is not an ever-changing feature, meaning that it is not changing all the time depending on the actions of the other. It is something relatively more stable. Of course, the relationship between people can change over time.

For example, I am a PhD student at the moment, therefore, for three years, I have had two supervisors on top of me. After the end of the PhD period, my supervisors and I need to redefine our relationship on another basis, whatever it might be. We will need, in case, to restabilise our relationship. Therefore, the scenarios can change even for the value of non-domination, yet not as continuously as in the non-interference rule where the quality and the extent of one’s freedom depends on the action of the other. After all, an action can be enormously more ephemeral and changeable than a relationship. For this, the value of non-domination is keen to identify the nature of the relationship between individuals every time, beside the actions perpetrated by the other.

Therefore, the main goal of freedom as non-domination is to balance the relationships of an individual; and to stabilise, consequently, the contexts in which she operates. For from the acknowledgement of the presence of the other as the source of one’s freedom, republicanism takes the position that freedom depends on the relationships that a person enjoys.

³⁴ Bohman, J (2012) *Domination, Epistemic Injustice and Republican Epistemology*, *Social Epistemology: A Journal of Knowledge, Culture and Policy*, 26 (2), pp. 175-187, p. 178.

³⁵ Pettit, P. (1999) *Republicanism: A Theory of Freedom and Government*. Oxford: Oxford Scholarship Online, p. 113.

Thus, if the goal of non-domination is to stabilise one's relationships, it follows that freedom is characterised more by the presence and the identification of the other than by an absence of acts of interference. One needs to acknowledge the functions and the roles that the other has with her, to define the codes of the relationship with the other. The identification of the roles and functions of others in one's reference context, in turn, allows the adjustment of the social structure affecting the behaviours, the codes of conduct, social norms, and laws that a person must comply with. In other words, in order to be free, one needs to configure the status of the other has in relation to her. For if one remains in that obliviousness, she is ignorant whether she is free or not.

Therefore, republicanism strongly believes in an individual well-inserted in her own reference contexts.

This is in the premise of republicanism, in the most prominent example of the slave/master. The master is not a bad thing for what she does, but for what is to me, what is the relational status between her and me. Republican freedom is relational, namely that one's freedom does not depend on actions but on the goodness of the relationship she enjoys.

For this, I consider, related to what Cécile Laborde and John Maynor stated in *Republicanism and Political Theory*, the concept of freedom as non-domination is a relational kind of political liberty:

“[...] I am free only if I am recognized by others as enjoying a status that resiliently protects me against alien interference and guarantees my equal status as a citizen living in community with others”³⁶

This approach to one's reference context develops freedom from domination in a good that can be enjoyed only if it is acknowledged the presence of the other in one's reference context.

Freedom as non-domination surpasses the relational and social shortcomings and “flaws com[ing] from a narrow interpretation of equality conceived as equality of divisible and privately appropriated goods”³⁷ of the left liberal approach. In fact, individuals, by being at the same time the other and the subject, in order to create a line of communication (norms, laws, customary procedures and so on) reciprocally accept the presence of each other and

³⁶ Laborde, C & Maynor (2008). *Republicanism and Political Theory*. Oxford: Wiley-Blackwell Publishing, p. 9.

³⁷ Garrau, M., & Laborde, C. (2015). *Relational Equality, Non-Domination, and Vulnerability*. In: Fourie, C., Schuppert, F., & Wallimann-Helmer, I. (eds.). *Social Equality: On What It Means to be Equals*. New York: Oxford University Press, p. 47.

their validity of their freedoms. One of the purposes of freedom as non-domination is based on the necessity to establish new fundamental relationship(s) between the subject and its alterity.

This is the strong point in respect to freedom as non-interference: if freedom as non-interference cannot help but picturing an execution of freedom in an atomistic manner, due to the rule of the absence of the other, freedom as non-domination is capable of overcoming that non-interference deficiency, by defining the relational role and status that a person has within her reference context.

The critique, as proposed by republicanism, intends to overcome the materialistic nature of freedom as non-interference. This is not only a shift of emphasis. It entails an overall remodulation of what it means to be free. It makes us escape from the reductionism of the performative materialism of freedom of choice. Individual freedom is not anymore in the number of opportunities one has. Rather, in the relational status and standing one has with her reference contexts. It follows that, for republicanism, the society is the organic sum of the relationships undertaken by its members, and one's freedom depends on the goodness of these relationships.

In summary, the acknowledgement of the other is a cornerstone that cannot help but establishing different structures, procedures, and practices in the society. If the other is so fundamental in the formation and execution of one's freedom, it follows that this latter is identified for her roles and functions plays in terms of formation and even execution of one's freedom.

Then, the republican recipe is to abandon, once for all, the theory of the social atomists to be free, and recognising that individual freedom lies in the relationship with the alterity in which each party will rightly require to be considered as equal, meaning to enjoy an equal standing in the relationship with the other part. For in the moment of the identification of the other, this latter is acknowledged for her functions and roles that she has in the structure of the society for the presence of the other and the identification of her role(s) in determining the perimeters of one's freedom. Thus, in the process of acknowledging the roles and functions of the other acting in her own reference contexts, freedom as non-domination recognises the structure of power that dominates individuals.

It follows that to be free, according to freedom as non-domination, the roles and functions of the individuals in the society need to be clearly accountable. To be free means

to not suffer any condition of arbitrariness from any other person, “by virtue of your being secured against the powerful.”³⁸

3.2. The Relational Value of Non-Domination

I have closed the precedent paragraph arguing (in favour) of the republican ability to detect the functions and roles of individuals in the structure of a society. In other words, republicanism has smoked out the other, with all her functions, roles, and social reproductions that plays in one’s own contexts. Inevitably, this perspective leads to a fatal embeddedness with the concept of interdependence.

It is important to recall that freedom as non-domination puts an emphasis on the individual: it starts from the individual and ends within the boundaries of the individual. Freedom never slips away from the hands of the individual, in every sense of the formula. However, as much as firmly it remains in the *freedom from* field, republicanism does not land in the dead-end of social atomism, in which freedom as non-interference, seem to get tangled up irreversibly.

It can be argued that, by contemplating the other, republicanism is able to bring back the individual to her community without being oppressed or dominated by it, simply because of the normative position of being a *freedom from*. At the same time, the community, and the overall surroundings of the individual, still come after her right to be an autonomous individual: the community is part of the formula, but it does not come first to the autonomy and the personhood of the individual, nor can dominate or oppress in any moment of the republican theorisation. It is the individual, for her own interests (as it will deepen later), that has the willing to reach an accord with the community, and not the contrary.

First of all, it is essential to establish the premise that freedom as non-domination is a social value, which means that is a value that can only be enjoyed if others are present:

Non-domination is the status associated with the civil role of the *liber: libertas is civitas*, in the Roman way of expressing the idea; liberty is civil as distinct from natural freedom, in the idiom of the eighteenth century. [...] In this respect, freedom as non-domination contrasts in an interesting way with the alternative ideal of freedom as non-interference. That ideal is linked to the notion of natural rather than civil liberty. And the linkage suggests that it may be enjoyed in isolation from society, so that non-interference means the absence of interference, whether in the

³⁸ Pettit, P. (1999) *Republicanism: A Theory of Freedom and Government*. Oxford: Oxford Scholarship Online, p. 24.

presence of other people or in their absence: whether by design or by default. Where freedom as non-domination represents the freedom of the city, freedom as non-interference tends to represent the freedom of the heath: ‘the right of common upon a waste’, in a nice phrase from Paley.”³⁹

In other words, the presence of others is necessary for the presence of the good of non-domination. A person cannot enjoy non-domination in a lonely island: non-domination stems from virtuous relationships that one is enjoying with others. A person in complete isolation cannot predicate to enjoy non-domination: it would not make any sense, even semantically, I would say: “You cannot enjoy freedom as non-domination by default, as we put it; you cannot enjoy it just because there are no other people about.”⁴⁰ If domination is based on the relationship that I can have with other in which these others may arbitrary interference on my freedom, I need to share a common ground with others, for the emphasis is on the relationship which is the standing ground from which an act of interference is purported. The stress of freedom as non-domination is on the possibility of the other to interfere arbitrarily with me.

According to the same line of thought, the value of non-interference can be perfectly enjoyed in the very same lonely island. Rather, it can be said that the lonely island is the perfect place where to never experience interference as long as freedom is considered as resulting only from a non-action. Freedom as non-interference emphasizes the action, in and of itself, of interference. Contrary to freedom as non-domination where the salient point of one’s freedom is the relationship that I enjoy with the alterity.

The consideration of the value of freedom as non-domination as a social good is all coordinated with the understanding of the other. Additionally, I can already anticipate that the acknowledgement of the presence of the other like a cascade reconfigures some theoretic characteristics of the modern era, namely what it means to be a free person, and how the composition of the social structure should be arranged, and the codes of conduct that members of the social structure must comply with.

Freedom as non-domination is able to theorise a different conception of modern individualism, precisely for rethinking the nature of relationships and the modes of portraying the other and the surrounding environment. Freedom as non-domination is close to the concept of holistic individualism in which the individual is not conceived as a self-interest particle of

³⁹ Pettit, P. (1999) *Republicanism: A Theory of Freedom and Government*. Oxford: Oxford Scholarship Online, pp. 66-67.

⁴⁰ Ivi, p. 122.

the social fabric but a socially embedded agent while maintaining the subjectivity as formulated throughout all modernity:

“Republicanism [...] is grounded in a holistic individualism, which takes social interdependence and mutual vulnerability as basic anthropological and political starting points.”⁴¹

The republican tradition considers the individual only holistically, which means that the individual must be investigated only as an entity implanted in her own reference contexts.

However, the republican ideology, by being a *freedom from* with all the safeguards and guarantees, considers essential introducing a standing (that of non-domination) against mutual vulnerabilities an individual might encounter during her regular interactions, for being a holistically conceived human being. The republican self is an independent individual provided with a standing (that of non-domination). The value of non-domination does not argue for the absence of acts of intromissions. Rather, it advises that one’s freedom consists in the guarantee of not being put under none’s arbitrary power. This guarantee, however, can exist only if I consider the individual and her freedom for their reciprocal, relational and, more notably, interdependent features. One’s standing is strengthened when others recognise it, and, in turn, is deteriorated when others do not.

The acknowledgement of interdependence is the *conditio sine qua non* of freedom as non-domination. Freedom as non-domination cannot be full and consistent without being relational, for “[N]on-domination traduces itself in interpersonal relationships”⁴². This irresistible intertwinement between neo-republican freedom and the value of interdependence is, therefore, maintained in every aspect of society, in every key feature and basic value of a republican western democratic society.

In the sphere of interdependence, republicanism and Kantian philosophy find a common ground. As Katrin Flikschuh proposed, Kant’s view of the making of the political domain tries to overcome the privacy of wills:

⁴¹ Garrau, M., & Laborde, C. (2015). *Relational Equality, Non-Domination, and Vulnerability*. In: Fourie, C., Schuppert, F., & Wallimann-Helmer, I. (Eds.). *Social Equality: On What It Means to be Equals*. New York: Oxford University Press, p. 52.

⁴² Garrau, M. & Le Goff, A (2009). *Vulnérabilité, Non-domination et Autonomie: l’apport du Néorépublicanisme*, *Astérion* [En ligne], 6/2009, section 12. Retrieved June 20, 2021, from: <http://journals.openedition.org/asterion/1532>: “[L]a non-domination se traduisait dans les relations interpersonnelles.”

“I am juridically obliged neither on grounds of my inner capacity for good will (autonomy) nor on grounds of some superior de facto authority who threatens me with sanctions. I am obliged juridically merely because others who coexist with me raise valid freedom claims against me.”⁴³

It is a relational instantiation of coexistence among people who recognise their ‘*valid freedom[s]*’. Consequently, the standing of the participants of an interaction is relational and reciprocal. It is relational because it is based not on a natural property of the human being, as a sort of *ius naturale*, but as a positive characteristic recognised by the reference community. It is reciprocal because it can exist only if the other is willing to acknowledge one’s standing.⁴⁴

If I, to concretely enjoy freedom, need to consider the other, I also need to maintain patterns of reciprocity and relationship with her. It follows that the kind of coexistence among individuals, proposed by republicanism, is in virtue of their reciprocal acknowledgement of their existence and of the validity of their freedoms.

It is different from the communitarian positive freedom’s relationality.⁴⁵ The value of non-domination does not provide for individuals, in order to be free, to fulfil their free wills in the structure of the society. In this way, freedom as non-domination eschews the analytical dead-end of being reasonable in order to be free. Once again, freedom as non-domination is negative type of freedom; hence, it does not investigate the stature of individuals’ nature.⁴⁶

In any case, if one’s freedom is legitimatised on the acknowledgment of the existence of others’ freedom, this inevitably entails that the matter on which one’s freedom can be evaluated is not anymore on the materials choices one has at disposition, but it is based on

⁴³ Flikschuh, K. (2012). *Elusive Unity: The General Will in Hobbes and Kant*. *Hobbes Studies*, 25(1), 21-42, p. 34.

⁴⁴ For this, I do not agree with Pettit that immunity is a form of reaction to presence of a subjugating power. Immunity, in my opinion, cannot take presence if there is a subjugating power. It is not an opposed force to domination. If domination takes place, there is no immunity. See Pettit, P. (1996). *Freedom as Antipower*. *Ethics*, 106(3), pp. 576-604, p. 589: “Anti-power relates to subjugating power in the way that antimatter relates to ordinary matter: it represents something repellent to subjugating power, as antimatter represents something repellent to ordinary matter. But antimatter remains still a material sort of thing, and so too antipower remains still a social resource and still, in a broader sense, a form of power.”

⁴⁵ See *supra*, para 1.4.

⁴⁶ To be more precise, the validity of one’s freedom to which I am currently referring to cannot be based on the value of reason, as instead necessary for communitarian positive freedom. Freedom as non-domination is surely a freedom from and, for this, cannot define a content or threshold to validate one’s freedom. In freedom as non-domination, there is not the necessity that one’s will realises itself in the structures of the society. And without that, all the idea linking freedom and reason, as in the communitarian positive freedom approach, simply ceases to exist. The content of one’s freedom is not a matter of investigation for neo-Roman republicanism, contrary to the communitarian positive freedom. The neo-Roman republican validity of one’s freedom, in my opinion, is based on the mere existence, of human beings in this planet.

the identification and the goodness, the health, or the friendliness of the relationship(s) that one has with others.

Therefore, one needs to identify whether the relationship with the other is an unhealthy relationship or a healthy one, in order to evaluate if she is free or not. An unhealthy relationship, in this case, is the one in which one of the parts is relegated into patterns of unfreedom. The inevitable next step is that one needs to cooperate, with the other, to undertake a healthy relationship with her. Cooperation among individuals is the best scenario, of course. The least acceptable scenario on behalf of republicanism is a full recognition of interdependence among people and a complete acknowledgment of the validity of their freedoms. To be honest, it does exist more conflictual solutions, but, in that case, it would be the classic winner/loser scenario, the relationship would become unfriendly, and the eventual loser would fall back into the realm of unfreedom, and that obviously is an undesirable and unacceptable scenario for the purposes of my work.

Therefore, the only viable solution is cooperation, or at least a full recognition of interdependence among people and a complete acknowledgment of the validity of their freedoms. Cooperation (or a full recognition of interdependence of people and a complete acknowledgment of the validity of their freedoms) entails that I acknowledge to my counterpart the ability to reason, particularly to reason one another, or as Philipp Pettit puts it to discourse together: “To discourse is to reason and, in particular, to reason together with others”⁴⁷:

“When we discourse, or reason together, about a theoretical or practical problem we recognize it as a common problem: that is to say, we all recognize the problem, we all recognize that we all recognize it, and so on in the usual hierarchy.”⁴⁸

Notice that ‘*to discourse*’ is not to impose a ‘*higher nature*’ to which the other must live up to. Yet simply an acknowledgement that for that fact of being a human being I can discourse with her, I can cooperate with her, or using Pettit’s terminology, I can ‘*reason together*’. For there is not the necessity to realise my will in the procedures and institutions of the society, in the neo-Roman republican society, to be reasonable is not a requirement to be free. The neo-Roman republican individual does not have to realise her reasonable will

⁴⁷ Pettit, P. (2001). *A Theory of Freedom: From Psychology to the Politics of Agency*. Cambridge: Polity Press, p. 82.

⁴⁸ Ibid.

in the circumstances of reality to be considered free, as the communitarian positive freedom prescribes. Rather, she needs that the alterity, be it the community, the social structure, and the institutions, does not impose her will on her. For example, freedom as non-domination does not say that the proletariat should detain the power of the social structure, as the Marxist ideology assumed, but actually that nobody should have the power of the social structure, as much as “the neo-Roman conception of politics [...] required not that the people be the master, but that they had no master”⁴⁹. Reason, according to the neo-Roman republican theorem, becomes a verb, “to reason”, an invitation to cooperate, to ‘discourse’ together, to listen and acknowledge the other; and not standard to which any individual has to achieve to be considered free.

The value of discourse entails the ability to reason about common situations, scenarios, topics, or subjects that two or more people acknowledge as issues to be addressed. People regulating their interaction upon the rules of Pettit’s discourse is the scenario in which they can affirm their “discourse-friendly relationship”⁵⁰. For, in ‘discourse-friendly relationship’, one can discourse without being afraid of her standing is about to be diminished or undermined.

A ‘discourse-friendly relationship’ requires unavoidably the necessity to discourse. ‘Discourse-friendly relationships’ are those where members “reason together, about a theoretical or practical problem”⁵¹ and in which any member’s standing is not undermined in any case by the outcomes of the discourse.

Family and friends entertain usually ‘discourse-friendly relationships’ because the members can engage in discourse without that their initial standing risks any form of lowering. Usually, parents remain parents, siblings remain siblings; even in the most antagonistic discourses that might happen within a family, for example.⁵² Within ‘discourse-

⁴⁹ Laborde, C. (2013). *Republicanism*. In: Freedman, M., Stears, M. *Oxford Handbook of Political Ideologies*. Oxford: Oxford University Press, p. 519.

⁵⁰ Pettit, P. (2001). *A Theory of Freedom: From Psychology to the Politics of Agency*. Cambridge: Polity Press, p. 85: “We may not spend a lot of time, of course, discoursing with family or friends, colleagues or acquaintances. We may devote most of our energies in such relationships to routine activities that serve to signal and reinforce our feelings for one another, and to the more or less pedestrian enjoyment of doing things together. And even when we do explicitly converse with one other, most of our talk may consist in gossip or banter, telling jokes or playing games. But it remains a permanent possibility in the relationships envisaged that you or I can have recourse to reasoning together, as when one of us asks for the advice of the other, or two or more of us find that we have a common problem, practical or theoretical, on hand. The non-discursive activities in which we routinely involve ourselves do nothing to obstruct or jeopardize, restrict or raise the costs of discoursing together in that way. In that sense, the relationships are discourse-friendly.”

⁵¹ Ivi, p. 82.

⁵² See Ivi, p. 84: “In normal dealings with my family or my friends, my colleagues or my acquaintances, we are each in a position to resort at any moment to discursive interaction; without challenging that relationship, we may each address another in a reason-giving, reason-taking way. And that this is so is a matter of common

friendly relationships', people argue, even in the most antagonistic manner, with a sort of immunity, an immunity that guarantees me that I will not lose my status, or my standing, after the process of reasoning together upon a common problem.

This immunity is guaranteed by being a recognised member of '*discourse-friendly relationships*', that are based on interactions governed by the rules of the discourse, in which to all the members is acknowledged a standing by other members of the discourse. One's standing has been already acknowledged at the beginning of the discourse; otherwise, the interaction in the form of the discourse cannot even begin. For a member needs to acknowledge and, therefore, respects the presence of the other with all its attributes, abilities, and social standings. If that is not the case, then another form of interaction takes place, that does not respect the rules of the discourse: it would not be an interaction that could not define itself as a discourse

However, in this scenario is still missing an important piece: the value of non-domination. For in family, one can be dominated by other members of family. The rules of discourse are the modalities through which a non-dominated interaction is based but to discourse is not sufficient to declare a relationship based on non-domination.

The value of non-domination is an emancipating equalising entry barrier: the mother and the son are not in an equal standing in the family discourse. What is missing? Or better what is present? The mother has usually arbitrary power over her son. Then, '*discourse-friendly relationships*', as usually are between parents and children, are not enough to avoid domination. What is missing is the value of symmetry.

Slave B is not engaged in a symmetric relationship with Master A because Master A may order whatever actions to the detriment or in favour of Slave B; and Slave B does not have any control on that. Master A have arbitrary power over Slave B, that can be preceded a sentence: Master A and Slave B are not engaged in a symmetric relationship because Master A has arbitrary power over Slave B.

Republican freedom is a relational and intersubjective kind of freedom, then the misconducts are not based on the resulting actions yet on the lowering of relational status of the members of the interaction. The value of non-domination presupposes the recognition of relational and discursive equality among the members engaging in the discourse. People engaging in a discourse are not evaluated for the stature of their reason but for the symmetry

or shared understanding; to do anything hostile to such discursive influence would be to break the frame within which we usually operate.”

of their relationship. All of this is accomplished by addressing and solving the issue of arbitrariness, as we shall see in the following paragraph.

Before, however, it can be remarked a substantial difference in the approach of human interaction between non-interference and non-domination: the republican conception of coexistence, based on cooperation (or at least a full recognition of interdependence among people and a complete acknowledgment of the validity of their freedoms), inevitably contrasts with the competitive element proper of the atomistic tendency of non-interference.

The non-interference perspective and “the absence of the other” formula portray an individual engaged almost constantly in “a continual nonviolent competition”⁵³, acting as “responsibilized citizens who appropriately self-invest in a context of macroeconomic vicissitudes”⁵⁴, and working “for the powers of the others which compels the others to enter the competition”⁵⁵. Republican philosophy is keen to dismantle or, at least rediscuss, the uncontested victory of the atomistic self, as suggested by the non-interference perspective and by “the absence of the other” formula:⁵⁶

“The notion of the lone individual is profoundly erroneous: people depend one another, and on a more than just causal mode, from the point of view of their very capacity to reason; they are essentially social creatures”⁵⁷ (translation mine)

⁵³ MacPherson, C.B (1962). *The Political Theory of Possessive Individualism: From Hobbes to Locke*. Oxford: Oxford University Press, p. 60-61.

⁵⁴ Brown, W. (2015). *Undoing the Demos: Neoliberalism's stealth revolution*. New York: Zone Books, p. 84.

⁵⁵ MacPherson, C.B (1962). *The Political Theory of Possessive Individualism: From Hobbes to Locke*. Oxford: Oxford University Press, p. 60-61.

⁵⁶ See Garrau, M and Le Goff, A (2009). Vulnérabilité, Non-domination et Autonomie: l'apport du Néorépublicanisme, *Astériorion* [En ligne], 6/2009, section 4. Retrieved June 20, 2021, from: <http://journals.openedition.org/asterion/1532>: “Il semble à peine utile de rappeler en détail ce que recouvre le mouvement de renouveau républicain tant la manière dont celui-ci a émergé, les étapes de son déploiement sont désormais bien connues. On sait que le développement du néorépublicanisme s’est enraciné dans un courant de recherches et de réflexions historiographiques initiées par la publication de l’ouvrage de John G. A. Pocock, *Le moment machiavélien*. Commandée par la volonté de contester la prédominance, dans le domaine de la philosophie politique, du discours libéral-juridique, la démarche de Pocock a tenté de mettre en valeur la prédominance d’un discours ou d’une tradition, celle de l’humanisme civique de la pensée florentine jusqu’à la révolution américaine. Il s’est agi de proposer une vision de l’histoire politique américaine en rupture avec l’idée d’un triomphe progressif et indiscutable du libéralisme.”

Translation: “It seems hardly useful to remind in detail what covers the movement of republican revival as the way it emerged, the stages of its deployment are now well known. We know that the development of neo-republicanism was based on a combination of research tendency and historiographic initiative after the publication of John G. A. Pocock’s “The Machiavellian Moment”. Encouraged by the desire to challenge the predominance of liberal-legal discourse in the domain of political philosophy, Pocock’s approach attempted to highlight the predominance of a discourse or of a tradition, that of civic humanism from the Florentine thought to the American revolution. It was a matter of proposing a vision of American political history in contrast with the idea of a progressive and indisputable triumph of liberalism.” (translation mine)

⁵⁷ Pettit, P (1999) *Républicanisme: Une Théorie de la Liberté et du Gouvernement* (trans. J. F. Spitz and P. Savidan, 2004). Paris: Gallimard, p. 9: “La notion d’individu solitaire est profondément erronée: les gens dépendent les uns des autres, et sur un mode plus que simplement causal, du point de vue de leur capacité même à penser; ce sont essentiellement des créatures sociales.”

So, it can be said that for republicans, interdependence and the presence of others are solved through cooperation based on individualistic terms, or at least not in communitarian terms: one enjoys a standing (which gives her an immunity) based on the enjoyment of a symmetric relationship. The symmetric relationship is the cornerstone of republicanism. The symmetry eliminates the vulnerability resulting from the arbitrary power of others. For freedom as non-interference, the symmetry is not a goal to be pursued since the very conception of the other. This alterity is always an enemy for every action. The presence of others is solved through social atomism and eternal competition.

3.2.1 Arbitrary Interference

So far, the defining concept of domination only meanders tightly. Therefore, it is essential to introduce the concept of arbitrariness. For, for instance, engaging in a '*discourse-friendly relationship*' is not enough for the republican ideology to make symmetric a certain relationship, rather it is important that none of the parts involved possesses an uncheckable power.

A symmetric relationship is a relationship in which members do not suffer arbitrary interference. Republicanism, therefore, argues that Slave B is dominated by Master A, or, to use a vocabulary more pleasant to the value of non-interference, that Slave B suffered the arbitrary interference of Master A. Domination is arbitrary interference, all in all.⁵⁸ Arbitrary interference is the "paramount evil"⁵⁹ addressed by republicanism.

As I have mentioned in the previous paragraph, parents and children are engaged, at least until the adult life of children (or even later), in an asymmetric relationship, for example.⁶⁰ For parents have an arbitrary power over their children. Parents detain a superior

⁵⁸ See Pettit, P. (1999) *Republicanism: A Theory of Freedom and Government*. Oxford: Oxford Scholarship Online, p. 22: "Domination [...] is exemplified by the relationship of master to slave or master to servant. Such a relationship means, at the limit, that the dominating party can interfere on an arbitrary basis with the choices of the dominated: can interfere, in particular, on the basis of an interest or an opinion that need not be shared by the person affected. The dominating party can practise interference, then, at will and with impunity: they do not have to seek anyone's leave and they do not have to incur any scrutiny or penalty."⁵⁸

⁵⁹ Gädeke, D. (2021). *Who should fight Domination? Individual Responsibility and Structural Injustice*. *Politics, Philosophy & Economics*, 20(2), pp. 180–201, p. 181.

⁶⁰ See Garrau, M., & Laborde, C. (2015). *Relational Equality, Non-Domination, and Vulnerability*. In: Fourie, C., Schuppert, F., & Wallimann-Helmer, I. (eds.). *Social Equality: On What It Means to be Equals*. New York: Oxford University Press, p. 52-53: "For instance, children are vulnerable to their parents in so far as they depend on their parents for the physical and affective care they receive; yet they can also be harmed by their parents. In the same way, citizens are vulnerable to the state: in so far as they depend on the state for the rights they enjoy, they can be harmed when the state deprives them of their rights or violates these rights."

relational standing, that is psychological, cultural, and material in respect to their children. It is superior because children usually are not able to check and control the agency that parents do to them. It is psychological because parents are adult, basically: normally, they have more life experience; it is cultural since all the members of the human society usually agree to these terms; and it is material for all the wealth that children enjoy it is property of their parents (i.e., house, money, car, and so on). For this, children are vulnerable to the acts of their parents: these latter have an arbitrary power with regard their children. Even for this, I think it has been established in the modernity the protection of the state for the illtreated children, as a sort of (public) counterpower, on behalf of the children, to the power of the parents.

What is missing in the *'discourse-friendly relationship'* is the concept of non-arbitrariness. For parents respects the standing of their children, usually. However, this is not sufficient to make it fully accepted by the republican doctrine. Parents still have an arbitrary power. Of course, I am not claiming that parent/child relationship should be banned or even put into discussion: it is just an example, that, however, may involve the concept of arbitrariness in the private sphere and, in turn, in the public domain.

Arbitrariness is a concept explaining the symmetry or asymmetry of the relationship that individuals engage in their reference context. The symmetry of the relationship between agents is the premise of the republican discourse. If the nature of the relationship between people is not symmetric, it might induce a part of that relationship, or just simply give the opportunity to her, to arbitrarily interfere with the other party and her interests, due to the procedural and structural deficiencies of that very relationship: the asymmetry of the relationship establishes modalities and procedures through which the powerful part of the relationship can perpetrate her actions of intromissions and the least powerful part has no normative tool against it. It follows that the act of interference (if unchecked between both parts) is regarded as the inevitable outcome of the asymmetric relationship of power among people: the issue is not the action but the uneven nature of relationship among the parts. If we return to the example of previous paragraph in which the agents were Master A and Slave B, arbitrariness means that Master A's power, due to the asymmetry of their relationship, is not checkable by Slave B.

Power, after all, is in the definition of domination: "[D]omination is a function of the relationship of unequal power between persons, groups of persons, or agencies of the state

[...]”⁶¹. Domination is arbitrary interference, in which the term “arbitrary” stands for the capacity of a person to have unaccountable and uncheckable power over another.

Power relationships are the opposite of symmetric relationships. They are those kind of relationship in which one side is vulnerable to the will (or whim) of the other side. They are those type of relationship in which one of the parties suffers the domination on behalf of the other part.

Power can be an ambiguous concept.⁶² Yet, it is safe to argue that power needs “a relation among people”⁶³ to take root.⁶⁴ So, it follows that power involves at least two parties. In these parties, there can be “individuals, groups, roles, offices, governments, nation-states, or other human aggregates.”⁶⁵ And as Robert Dahl pointed out, power needs a context to be addressed and to be precisely understood for “A has power over B is not very interesting, informative, or even accurate”⁶⁶. To be addressed, analysed, tackled, teared down, or even glorified, social power needs to be placed in a certain context. Every kind of power has its own dynamics, problematics, causes, resources, modalities that differ from one another.

The power of a person over her subordinate is developed in the following features, as Robert Dahl has described: scope, means, amount, and source.⁶⁷

“Scope” indicates the constraints that one’s power can encounter, be them natural, constitutional, or cultural. Not every person in the world can suffers the power of a certain person or group, even in the extremely connected world of contemporaneity: somebody might be affected, somebody else might not. These elements work together in providing to a person “the resources--opportunities, acts, objects, etc.- that he can exploit in order to effect the behavior of another.”⁶⁸ “Means” suggests the modalities, the channels, the customary

⁶¹ Laborde, C. (2013). *Republicanism*. In: Freedon, M., Stears, M. (2013). *Oxford Handbook of Political Ideologies*. Oxford: Oxford University Press, p. 519.

⁶² See Dahl, R.A. (1957). *The Concept of Power*. *Systems Research and Behavioral Science*, 2(3), pp. 201-25, p. 202: “We are much more likely to produce a variety of theories of limited scope, each of which employs some definition of power that is useful in the context of the particular piece of research or theory but different in important respects from the definitions of other studies. Thus we may never get through the swamp. But it looks as if we might someday get around it.”

⁶³ Ivi, p. 203.

⁶⁴ I consider this definition of Robert Dahl in line with the structuration approach of Anthony Giddens, that I have presented in the introduction. For Dahl’s interpretation of power conceives the individual in the social structure, as an active agent that can determine patterns of power over another person

⁶⁵ Dahl, R.A. (1957). *The Concept of Power*. *Systems Research and Behavioral Science*, 2(3), pp. 201-25, p. 203.

⁶⁶ Ibid.

⁶⁷ Ibid: “Although the statement that the President has (some) power over Congress is not empty, neither is it very useful. A much more complete statement would include references to (a) the source, domain, or base of the President’s power over Congress; (1) the means or instruments used by the President to exert power over Congress; (c) the amount or extent of his power over Congress; and (d) the range or scope of his power over Congress.”

⁶⁸ Ibid.

procedures through which a person is capable of reaching the other person with her power. The power of an employer towards her employee utilizes some dynamics, some accepted behavioural patterns, some laws (if they exist); and it is totally different from the power that a parent has in relation to her child. One might say that this latter is based on more psychological and private basis than the previous one. “Amount” indicates the quantity of power that a person has at disposition: one’s power, of course, is not unlimited and infinite, it has a limit quantitatively. “Source” indicates the foundation of one’s power: on what is the premise that allows a person to have power over another based. It can be dynastic, as the aristocracy of the Ancient Regime, or it can be legitimised due to a certain economic way of production and allocation, as for capitalism in the nowadays. The premise of power to be effective needs to be legitimated through cultural, normative, political legitimation, giving to the powerful the capacity to act with impunity:

“The with-impunity condition means that there is no penalty, and indeed no loss, attendant on the person's interference: the party interfered with has no way of asserting themselves in response, there is no central body to punish the interference, the interferer does not have to justify themselves to the victim or to the community at large or renounce any benefit in order to practice the interference. They have *carte blanche*.”⁶⁹

Do, for instance, the police act with *no penalty* in democratic countries? Is, in the end, the police/citizens dynamic an asymmetric relationship? My answer is no. Because the interference of the police over citizens is not arbitrary.⁷⁰ Police interferes continuously with the affairs of citizens, but police interference does not undermine the standing of citizens. They enjoy different standings, that are respected by both of sides. Usually, citizens recognise police officers’ standing as much as police officers recognise the standing of citizens, with all their (constitutional) rights and immunities. The standing of citizens has been established by a series of regulated immunities to which the interference of the police cannot infringe. For, by recognising each other, structuring their procedures, defining their

⁶⁹ Pettit, P. (1996). *Freedom as Antipower*. *Ethics*, 106(3), pp. 576-604, p. 580.

⁷⁰ Laborde, C. (2013). *Republicanism*. In: Freedman, M., Stears, M. (2013) *Oxford Handbook of Political Ideologies*. Oxford: Oxford University Press, p. 519: “[...] [T]here can be interference without domination. This happens when interference is not arbitrary, for example, when it is subjected to suitable checks and controls and tracks what Pettit has called ‘commonly allowable interests’. For example, while the state interferes in people’s lives, levying taxes and imposing coercive laws, it may do so in a non-arbitrary way, if it only seeks ends, or employs only means, that are derived from the public good (the common, recognizable interests of the citizenry). In this case, the law is not an affront on freedom; rather, as John Locke himself saw, it ‘enlarges freedom’.”

shared codes of conducts, nor the police, nor the citizens have an arbitrary power over the other.⁷¹

The power of the police towards citizens is neutralised through a capacitation to sufficiently control, to have a standing, recognised and relational, that enables her to have a *'discursive control'*⁷² over the power, and therefore find an immunisation.

A symmetric relationship does not entail enjoying the same standing. It requires that the standing of a certain group of people is not subordinate to another group of people. Police and citizens enjoy a different standing, yet none of them is subordinated to the other, for their relationship is coordinated, checkable, and sufficiently controlled from both sides. All of this renders police/citizens relationship a symmetric relationship. To enjoy “un-arbitrariness”, people must have the ability to recognise, and to “[check] on the capacity of other people to exercise domination.”⁷³

Moreover, arbitrariness overcome non-interference’s fixation with action: the issue of arbitrariness does not require actions on behalf of the dominating part. One may suffer arbitrariness without noticing any action towards her:

“Thus, the condition of liberty is explicated in such a way that there may be a loss of liberty without any actual interference: there may be enslavement and domination without interference, as in the scenario of the non-interfering master.”⁷⁴

The benevolent Master A renders unfree Slave B without producing any form of action with regard to Slave B. Therefore, the role of arbitrariness can eventually be disconnected with the action of the counterpart. Arbitrariness is rather the evil (for republicans) involving the relation among individuals. Arbitrariness is always present: it does not need the patent testimony of the action to manifest itself. The master is a master, and, for being a master, she possesses an uncheckable power over the slave.

Slave B is unfree not because of the Master A’s actions, but due to Master A’s asymmetric status with regard to Slave B. In short, Master A and Slave B relationship is characterised by an asymmetry in standing. Within the relationship between Master A and

⁷¹ I want to thank for this segment the convenors and participants to MANCEPT Workshops of the Manchester Centre for Political Theory of Tuesday 7th of September to Friday 10th September 2021, in particular, Dorothea Gädeke, Miriam Ronzoni, Christian Schimmel, Alex Gourevitch, and Frank Lovett.

⁷² See *supra*, para 1.5, note 84.

⁷³ Pettit, P. (1999) *Republicanism: A Theory of Freedom and Government*. Oxford: Oxford Scholarship Online, p. 122.

⁷⁴ Ivi, p. 31.

Slave B, Master A decides according to her will (or whim):⁷⁵ her choices are taken unilaterally, for her own personal good, interest, whim, or pleasure. In the (asymmetric) relationship, Slave B has no say in order to counterbalance the power of Master A. It is a relationship that under no circumstance can resemble that of a symmetric relationship.⁷⁶

On the other hand, interference is the act of the individual in the moment of a choice, after all: Interference just might highlight arbitrariness, yet the condition of arbitrariness was always present in potentiality. Highlighting arbitrariness shifts the attention from the opportunity of performing a choice toward the relationship between choosers, from the materiality of the choice towards the causes of the choice. Freedom exists only in symmetric relationships in which there is a symmetry in standing.

Of course, even within the boundaries of freedom as non-interference people may not suffer arbitrary interference (or domination) but this event is not based on an organisational and robust conception of freedom yet simply on the fact that “[the powerful people] happen to like you, or you happen to be able to avoid them or placate them [...]”⁷⁷ or on the fact of possessing some specific genetic abilities that are awarded by the given society, or on the fact of acting from a certain ruling social position, or, finally, on the fact of owning a certain of financial fortune, properties, and capitals. It can be said that the non-interference escape from arbitrary interference is based on a private power.

The fight against arbitrariness is fundamental to understand the social orientation of freedom as non-domination. For the value of non-domination has the persistence to regulate the disproportion of status and standings among members of the community. And arbitrariness represents precisely this disproportion. One’s standing is undermined when an asymmetry power is established, meaning that one of parts of the relationship is able to not recognise the standing(s) of the other for enjoying the privilege of being uncheckable by her counterpart. Hence, one of the parts of the relationship begins to be under the arbitrary power of the other part.

⁷⁵ See Ivi, p. 55: “An act is perpetrated on an arbitrary basis, we can say, if it is subject just to the *arbitrium*, the decision or judgement, of the agent; the agent was in a position to choose it or not choose it, at their pleasure. When we say that an act of interference is perpetrated on an arbitrary basis, then, we imply that like any arbitrary act it is chosen or not chosen at the agent's pleasure.”

⁷⁶ Republicanism goes further and trailblazes new patterns about the modern conception of individual freedom. See Pettit, P. (1999) *Republicanism: A Theory of Freedom and Government*. Oxford: Oxford Scholarship Online, p. 129: “[...] it is socially more radical, since it requires not just the absence of arbitrary interference but also the absence of capacities for arbitrary interference”.

⁷⁷ Pettit, P. (1999) *Republicanism: A Theory of Freedom and Government*. Oxford: Oxford Scholarship Online, p. 25.

A structural contextual thread is, therefore, established, and one's freedom as an immunity to others' arbitrary power has gone for good. It is structural and contextual because it is based on the (asymmetric) relationship, not on the actions of the dominating part. Out of curiosity, all the actions of the dominating part towards the dominated part just remind this latter how the rules of the game between them are.⁷⁸

Hence, the focus on arbitrary interference establishes a passageway to the moment of formation of the reference context that needs to be checked and balanced to determine whether an individual is free or not, rather than she has free choice. The choice is something she needs to be in one's horizon for one to be free, but that happens only if the person is not in chains by the conditions of the social contexts in which she operates.

Consequently, the identification of the power relations in the society is a necessity for freedom as non-domination: what kind of relational power someone has to me is the essential feature of my freedom, according to freedom as non-domination. Master A is not rendering unfree Slave B for her agency, but for what she is to her, for what kind of relationship. Master A has engaged with Slave B an asymmetric relationship which is based on a patent "asymmetry in standing"⁷⁹. From the point of view of Slave B, this paradigmatic situation of domination manifestly highlights her condition of experiencing a subordinate status in relation to Master A, which means that Slave B is not an agent "who [is] able to give and to take reasons for thinking or acting in a certain way."⁸⁰ Using Pettit's terminology, Slave B has her '*discursive control*' destroyed, or at least undermined, by the presence of Master A. Slave B does not have the ability to be heard, to have a say, and to be recognised as an equal member of the relationship.

Through this, republicanism tries to recompose the fracture of the process of atomisation of freedom as non-interference. Republicanism embraces some (relational) communitarian aspects of positive freedom while remaining in the *freedom from* domain. For identifying the real relational powers among persons, the individual is re-engaged in the circumstances of her reference context. For the value of non-domination has the potential to

⁷⁸ I want to thank for this segment, again, the convenors and participants to MANCEPT Workshops of the Manchester Centre for Political Theory of Tuesday 7th of September to Friday 10th September 2021, in particular, Dorothea Gädeke, Miriam Ronzoni, Christian Schimmel, Alex Gourevitch, and Frank Lovett.

⁷⁹ Gädeke, D. (2020). *From Neo-Republicanism to Critical Republicanism*. In: Leipold, B., Nabulsi, K., and White, S. *Radical Republicanism: Recovering the Tradition's Popular Heritage*. Oxford: Oxford University Press, p. 26.

⁸⁰ *Ibid.*

rediscuss the “existing power relations, including, most notably, social forms of domination in the economic or cultural realm.”⁸¹

3.2.2. *The Robustness of Non-Domination*

Republicanism has the absolute necessity to build a well-structured society, in which relationships among members of the society are symmetric. In other words, the premise for the enjoyment of freedom is for individuals to establish symmetric relationships, according to the republican doctrine.

However, what are the characteristics that the republican society must have? What is the social outcome that republicanism inevitably builds around the acknowledgment of the other, the recognition of interdependence, and the enjoyment of symmetric relationships as a fundamental presence for one’s freedom?

Neo-republican literature often refers to freedom as non-domination as a robust kind of freedom.⁸² The robustness of republican freedom with regard to freedom as non-interference derives precisely from its intrinsic ability to include, within the value of non-domination, the other consistently. Secondly, the robustness of neo-Roman republican freedom stands in its inherent ability to include other features inside the very formula of non-domination, mostly due to the strongly contemplation of the other as the initiator and modulator of one’s freedom.

Republicanism rethinks various values in a relational and holistic manner. Liberal distributive egalitarianism has always had struggled in consistently organising the key features of its ideology:⁸³ in short, equality, freedom, and (un)vulnerability, and solidarity are usually conceived and distributed as sole attributes separate to one another. Neo-Roman republicanism accepts the content, once again, yet not its organisation and formulation. The umbrella value of non-domination, for its necessary ability to detect the roles and functions of in the territory of one’s freedom, includes those very central concepts of the modern

⁸¹ Ivi, p. 24.

⁸² See Pettit, P. (2012). *On the People’s Terms*. Cambridge: Cambridge University Press, p. 24: “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.”

⁸³ See Schuppert, F. (2015). *Non-domination, Non-alienation and Social Equality: towards a Republican Understanding of Equality*. *Critical Review of International Social and Political Philosophy*, 18(4), pp. 440-455, p. 442: “Thus, while liberal egalitarians struggle to reconcile different values (such as freedom as noninterference and equality) within a coherent normative vision of society, republicans who fully embrace the ‘demands of promoting non-domination’ do not need to value equality independently of freedom [...]”

democratic pluralistic approach, that, hence, are shared with liberalism, in a consistent organisation and holistic relation among them.

A person to be free from domination consists into assigning a non-subjugating status of her surrounding relationships. Not being dominated ultimately coincides with that ability to have a more robust protection of the individual while acknowledging, at the same time, the presence of one's surroundings and the features related of being in an irreducible condition of mutual interdependence. One of those features is vulnerability.

Vulnerability begins in the moment that the symmetric structure of the relationships between people is dismantled; when the relational and intersubjective interactions among people transform itself, from a situation where the participants enjoy symmetric standings into asymmetric relations based on the power of one side of the members to that relation.

For this, I consider vulnerability as a straight-to-heart characteristic that measured the difference between liberal distributive egalitarianism, for example, and republicanism. The asymmetric relationship is the basis for being subjected to the will (or whim) of the other. This relational exposure is what Garrau and Laborde define as vulnerability:

“To be vulnerable is to be exposed to the power of someone we depend on— physically, affectively, socially or economically. In this respect, vulnerability supposes the existence of a relationship of dependency between agents who have the power to act on one another, and potentially, to harm one another.”⁸⁴

Of course, the interdependency is recognised as an inevitable characteristic of a social freedom such as freedom as non-domination. Interdependency could lead to forms of friction among human beings. However, interdependency does not coincide with vulnerability. Human interdependency does not mean to be exposed to the power of another person, yet that the other is an irresistible part forming and protecting one's freedom, as exposed in the previous paragraph.

Interdependency is acknowledged by the republican thought, as a fundamental feature in communal living, but interdependency should not fall inevitably into vulnerability. Rather, interdependency (without vulnerability) is a fact: we, as human beings, are interdependent in this planet. Vulnerability is a feature that comes up in the moment the relationship between a group of people becomes asymmetric. Vulnerability is a (bad) added

⁸⁴ Garrau, M., & Laborde, C. (2015). *Relational Equality, Non-Domination, and Vulnerability*. In: Fourie, C., Schuppert, F., & Wallimann-Helmer, I. (eds.). *Social Equality: On What It Means to be Equals*. New York: Oxford University Press, p. 52.

feature to interdependency. Vulnerability is when the interdependency of people becomes bad, for at least a part of the relationship.

For example, natural or environmental vulnerability, precisely the vulnerability that human beings suffer due to the natural disasters, is the ultimate vulnerability. We, human beings, do not have any possibility to check and balance the power of nature. The scientific progress has patched up the situation, but it will never defeat nature. We, human beings, engage in the ultimate asymmetric relationship with nature. Some might say that it is not even a real relationship: we are just powerless subjects to the brutal force of nature.

However, what are the modalities leading to a good kind of interdependence among people? I am not in line with Garrau and Laborde when they argue of mutual vulnerability in “Relational Equality, Non-Domination, and Vulnerability”⁸⁵:

“If vulnerability increases when the relationship becomes asymmetrical, or when one agent has more power than the other, it does not disappear when the relationship is symmetrical, or the power equal. Rather, in these cases, we can say that vulnerability is mutual or equally distributed between agents.”⁸⁶

In my opinion, vulnerability in symmetric relationships does not become mutual vulnerability. On the contrary, I consider that this understanding of mutual vulnerability is partially incorrect: the symmetric relationship with all the acknowledgement of reciprocal standings and the reciprocal powers being checked wipes off vulnerability.

For example, if we return to police/citizens scenario, when the symmetric relationship is established, due to the creation of certain socio-democratic procedures, to the process of constitutionalisation, to the following recognition of certain basic rights, to the democratic sentiment in the community, the two parts are not exactly engaged in a situation of mutual vulnerability.

Police’s standing does not decline into being vulnerable to the arbitrary power of citizens. Citizens do not exactly remain vulnerable, eventually keep on accepting the brutal force of the police and feel better because they have rendered vulnerable police to their will. I, rather, argue that citizens, addressing successfully the arbitrary power that the police might have had, are not vulnerable anymore to the arbitrary will of the police. In a procedure of

⁸⁵ See Garrau, M., & Laborde, C. (2015). *Relational Equality, Non-Domination, and Vulnerability*. In: Fourie, C., Schuppert, F., & Wallimann-Helmer, I. (eds.). *Social Equality: On What It Means to be Equals*. New York: Oxford University Press.

⁸⁶ Ivi, p. 53.

eradicating arbitrary power of the police, citizens, if they succeed, establish a new relationship in which nor the citizens, nor the police are vulnerable to the arbitrary power of the other. Very often, Philip Pettit has used the term “antipower”⁸⁷ to describe the situation. And we can say that, in democratic countries, police and citizens have formed a relationship based on ‘*antipower*’.

Therefore, citizens and police in democratic countries have turned their relationship into a symmetric one. For example, police and citizens are two different entities, enjoying a diverse position in the structure of the society, but, in democratic countries, they have established a relationship in which both enjoy a symmetrical level of standing, in which nobody is under the rule of the other.

Historically, this reciprocal ‘*antipower*’ has been established through a constitutional process designating rights and duties from both sides through which they draft shared codes of conduct and laws governing their relationship in which both of them recognise the presence and the standing of the other. It is not a matter of counterattacking the power of the other.

The symmetric relationship between police and citizens can be seen in the daily life. People in democratic countries do not run away when police knock on their door because they know they have a recognised standing and recognised rights that protects them, and that, ultimately, render them invulnerable to the power of the police. This is a situation that we, citizens of a democratic country, have as a recognised right. While, people, in authoritarian regimes or in undemocratic countries, have the habit to flee from police because they know for a fact that they do not have a recognised standing that safeguards them from the power of the police.⁸⁸ I argue that the value of non-domination, by removing arbitrariness in the relationship(s) among people, tries to eradicate, or at least reduce, vulnerability controlling the relationship, and not equally distributes it among the involved parts.

Vulnerability, according to the republican theory, derives from being engaged in asymmetric relationships. In a symmetric relationship, there is interdependency without

⁸⁷ See Pettit, P. (1996). *Freedom as Antipower*. *Ethics*, 106(3), pp. 576-604, p. 578: “Under the conception of freedom as antipower, I am free to the degree that no human being has the power to interfere with me: to the extent that no one else is my master, even if I lack the will or the wisdom required for achieving self-mastery.”

⁸⁸ See Taylor, C. (2015). *The Brutal Dictatorship the World keeps ignoring*. The Washington Post. Retrieved December 14, 2021, from: <https://www.washingtonpost.com/news/worldviews/wp/2015/06/12/the-brutal-dictatorship-the-world-keeps-ignoring/>; Belinchón, G. (2020). *New Documentary breaks Silence on Franco-era Cop’s Culture of Torture*. El País. Retrieved December 14, 2021, from: <https://english.elpais.com/arts/2020-11-16/new-documentary-breaks-silence-on-franco-era-cops-culture-of-torture.html>.

vulnerability since members of that relationship enjoy a symmetry in standings. In an asymmetric relationship, one of the members is vulnerable engaged in an unequalitarian standing opposed to another member. Vulnerability is the smoke indicating a fire, and that fire is an asymmetry in relationship(s), as proposed by republicanism. The vulnerable feels a sense of perennial endangerment on behalf of her oppressor. The reciprocal spirit of non-domination has natural tendency to dismantle the structural form of vulnerability.⁸⁹

Republicanism considers interdependency as an inescapable feature of every human being just for the fact of being human. Republicanism, as well, considers interdependency as the first basis for communal living. This is the ideological choice of republicanism that contrasts with the non-interference approach. If the value of non-interference has theorised an individual that has found repair from the brutalities of the state of nature in the atomisation of the society and in the estrangement of the other, republicanism considers this approach, in the first place, partial for not taking account of the variety of human life, and secondly, counterproductive for overlooking some inevitable peculiarities of the communal living.

Therefore, the reduction of vulnerability is an intrinsic goal of non-domination. This goal is reached through the longing for a general relational symmetry in the society. A non-dominated society is for people to reach a relational symmetry, derived from the fact that everybody enjoys relations based on the value of non-domination. The same cannot be said for a non-interfered society. If all people of a certain society are not interfered by others, that does not coincide with the existence of a society willing to protect the vulnerability of the people. Or better, the protection of vulnerability is reached through other features, especially the values of equality, relational or distributive, trying to complement the flaws of the value of non-interference.

⁸⁹ See Garrau, M and Le Goff, A (2009). *Vulnérabilité, Non-domination et Autonomie: l'apport du Néorépublicanisme*, Astérior [En ligne], 6/2009, section 12. Retrieved June 20, 2021, from: <http://journals.openedition.org/asterion/1532>: “La conscience de la vulnérabilité, qui rend désirable l’idéal de non-domination, n’est donc pas simplement conscience de ma propre vulnérabilité; elle est aussi conscience de la vulnérabilité de l’autre. C’est pourquoi elle peut fonder une conception de la civilité et de la vertu qui repose moins sur l’adhésion à un ensemble de valeurs partagées que sur une forme d’attitude et un ensemble de pratiques: la visée de la non-domination implique en effet une posture à l’égard de l’autre qui soit à la fois active – rechercher quels peuvent être ses intérêts – et attentive – demeurer à l’écoute de ce qu’il est et veut.” Translation: “The awareness of vulnerability, which makes the ideal of non-domination desirable, is therefore not merely the concept of being aware of my own vulnerability; it is also being aware of the vulnerability of the other. For this reason, it can form the basis of a concept of civic awareness and virtue that is based less on the observance to a set of shared values than on a system of attitudes and of practices: the vision of non-domination implies a setting towards the other that is both active – looking for what her interests may be – and watchful – and ready to be at disposition to what she is and she wants.” (translation mine)

The dominant part of liberal equality is based on a distributive concept. It can be ex-ante⁹⁰ or ex post distribution, but the implantation of distributive equality in liberal societies usually work in a subsequent manner to the exercise of one's agency, at least the most famous ones. Reparations, compensations, and late rewards is the method of liberal distributive egalitarianism. As we have seen in Chapter 1 with Rawls' Difference principle,⁹¹ basically, if in the overall process, procedures, and dynamics of the society, people, result to stand in the worst-off side, merit compensation for their unluck, for their sufferings, for living in a community that penalises, for whatever reason, their attributes, or their lack of certain ones:

“Market-based and other inequalities are legitimate when they flow from personal choice; but they must be corrected by the redistributive state when they do not.”⁹²

My critique is that this kind of egalitarianism, conceding resources, be it ex ante or ex post, does not contemplate any addressing, especially in terms of equality, of the procedures, the social practices, relational procedures, and the social structure, in which a person perform her agency. One can enjoy non-interference, simply for sheer luck or for having a private-based protection from interference, such as wealth, inherited status, or dominant position on others. Equality is an important feature of liberalism, but it is detached from the theorisation of freedom, and most notably, from its performative and normative accent.

Republicanism is, therefore, close to the definition of relational equality. Relational inequality arises from the very social asymmetric relationships causing the disproportion of wealth, of recognition, of properties, of certain privileges.⁹³ Equality, therefore, is consistent with a society in which people enjoy a symmetry in their overall relationships. Additionally,

⁹⁰ For ex-ante egalitarianism, I refer to the type of liberal egalitarianism that conceives distribution of resources beforehand. It can have various determinations, yet in general ex-ante egalitarians formulates a just society that distribute an assortment of resources to be in possession of individuals beforehand. See Rakowski, E. (1993). *Equal Justice*. Oxford: Oxford University Press; Vallentyne, P. (2002), *Brute Luck, Option Luck, and Equality of Initial Opportunities*. *Ethics*, 112(3); Arneson, R.J. (1991). *Liberalism, Distributive Subjectivism, and Equal Opportunity for Welfare*. *Philosophy and Public Affairs*, 19(2), pp. 158-194; Roemer, J. E. (1996). *Theories of Distributive Justice*. Cambridge, Mass: Harvard University Press.

⁹¹ See *supra*, para 1.3. note 56.

⁹² Garrau, M., & Laborde, C. (2015). *Relational Equality, Non-Domination, and Vulnerability*. In: Fourie, C., Schuppert, F., & Wallimann-Helmer, I. (eds.). *Social Equality: On What It Means to be Equals*. New York: Oxford University Press, p. 46.

⁹³ See Schuppert, F. (2015). *Non-domination, non-alienation and Social Equality: towards a Republican Understanding of Equality*. *Critical Review of International Social and Political Philosophy*, 18(4), pp. 440-455, p. 445: “[S]ocial equality concerns more the harmful effects of certain social relationships and their associated inequalities, than the equal distribution of a particular set of goods or the provision of equal initial opportunity.”

the republican equality is not in the space of resources as some strands of positive freedom and liberal distributive egalitarianism tend to put it, republican equality stands in the space of freedom.

This is another perspective through which I criticise individualistic positive freedom and its inherent resourcism.⁹⁴ Liberal distributive egalitarians are not able to address the true dynamics and social procedures that an individual experiences in the contexts of the social structure. They compensate in a moment different from that of agency: perhaps, because they put the value of equality in being in possession of resources, *ex ante* or *ex post*, and not in a performative value that is individual freedom. While neo-Roman republicanism places equality inside the value of freedom. And this formula allows to give to the individual a normative instrument to correct the procedures, in egalitarian terms, she experiences in the various contexts of her life.

To be more precise, republicanism, and even its latest revival, does not deny in any circumstance the necessity of material wealth at disposition for one to claim her freedom. Liberalism and republicanism, once again, are not that distant in the term of content, however the procedures and the modalities in order to reach the very same content are different.

The value of non-domination has in its chords the ability to promote equality in the society, through a relational standing other than a constant restatement of legal right and a relentless reaffirmation of distributive policies.

“In other words, the ideal of non-domination is structurally egalitarian in that non-domination can only be achieved if all are equal in some fundamental sense [...]”⁹⁵

One’s disposition of material wealth does not derive from distributive policies, as reparations and compensations from the perversion of the society, for example. Rather, it stems from the ability, by a society of equals, to discuss and debate the shortcomings of the society, equipped with a value “present” in their freedom.⁹⁶

⁹⁴ See *supra*, para 1.5. note 83-84.

⁹⁵ Schuppert, F. (2015). *Non-domination, Non-alienation and Social Equality: towards a Republican Understanding of Equality*. *Critical Review of International Social and Political Philosophy*, 18(4), pp. 440-455, p. 443.

⁹⁶ See Garrau, M., & Laborde, C. (2015). *Relational Equality, Non-Domination, and Vulnerability*. In: Fourie, C., Schuppert, F., & Wallimann-Helmer, I. (eds.). *Social Equality: On What It Means to be Equals*. New York: Oxford University Press, p. 51: “[...] [R]epublicans justify material redistribution by appeal to a broader moral vision, that of the society of equals, and material redistribution is necessary but never sufficient to achieve a society of equals.”

For example, if we consider again the notion of vulnerability, vulnerability is addressed, by the value of non-domination, not through distributive policies and resourcism (i.e., universal basic income) but through the establishment and the promotion of regulated relational patterns guaranteeing a symmetrical status to one another, where people stand *in relations* of equality to one another. In this, the fundamental role is played by the value of non-domination, as normative instrument in the hands of the individual; that, in the end, I consider more effective even than the moral and institutional approach of liberal relational egalitarianism.

The value of non-domination is central in the fighting against unfreedom and vulnerability. It is the cornerstone that, for example, I consider more consistent than relational egalitarianism by Anderson and Wolff. Albeit there are various similitudes between the two doctrines, I consider neo-Roman republicanism with the instrument of non-domination better suited to detect the damages of the vital centres of vulnerability and unfreedom. The vital centres of unfreedom and vulnerability are the visible and *'invisible threads'*, using Marx's terminology, present in various contexts of the social structure.

3.3. The "Behind the Open Doors" Scenario

In this paragraph I want to evaluate the analytical features that I have addressed in the current chapter, and, more importantly, how they overcome the non-interference material perspective of freedom of choice.

If I have already argued about the importance of the necessity of symmetric relationships according to the republican theory, and how they are the premise to establish an egalitarian society, on one side, and reduce vulnerability among people, on the other, now my attention will move on the ability of the republican individual, equipped with the value of non-domination, to extirpate the visible and *'invisible threads'* present in her own reference contexts and her own social structure. To some extent, I want to deepen the modalities through which the individual can reduce her vulnerability. For these threads are the sources of one's unfreedom and vulnerability. Of course, the two concepts are extremely linked. For, in anticipation, one's reference contexts, according to the republican tradition, is the sum of the relationships one is engaged in.

The republican position is not completely in line with freedom of choice. This moment, in turn, is essential to comprehend the position of republicanism in terms of individual

freedom. For republicanism accepts the idea of “pursuit of choice” as the result of one’s freedom. One is free if she can pursue her own choices is part of the theorem of freedom, even for republican theorists. However, the modalities through which a person may state that she is enjoying freedom of choice differ substantially from the non-interference approach to the republican one.

The republican individual to remain invulnerable to the oppression of the other cannot anymore act according to the non-interference mantra of the self-interested person. The individual remains vulnerable and unfree if she has at disposition a set of uninterfered (hence, free) choices. If freedom is understood as deriving from the symmetry of one’s relationships, focusing exclusively to the enjoyment of choices will be a superficial, if not totally wrong, assumption. For I am not less vulnerable if I have uninterfered choices at disposition as much as I am not less vulnerable if Master A is benevolent to Slave B. Slave B is less vulnerable if she is able to extirpate the visible and *‘invisible threads’*, of Master A, and if she manages to engage in a symmetric relationship with Master A.

Republicanism needs to go beyond the uninterfered choice formula. An approach is to determine, since both republicanism and liberalism are not that distant in the overall consideration of the results of individual freedom, what are the premises for enjoying an undominated choice, rather than uninterfered one. A simple change of adjective, from an uninterfered choice to an undominated one, can modify the individual agency, the structure and institutions that support it, and the circumstances defining one’s wellbeing. The change of adjective establishes new role(s) of the other, new representations in the society, new codes of conduct that she has to maintain.

For republicanism is not just a reinforcer of the limits of liberalism. It is not a situation in which just republicanism is added in order to compensate the shortcomings of non-interference. The adjective “undominated” is not just a patch to put over the shortcomings of the adjective “uninterfered”, especially those related to the intrinsic social atomism resulted by the value of non-interference. Non-domination is a new mode of thinking the social democratic patterns of a community.

As already explained in the previous paragraph, the non-interference approach of individual freedom starts (and, to some extent, ends) with the necessity that choice A “arrives” to somebody uninterfered by the actions of others, meaning that nobody has done acts of intromissions between me and choice A. My freedom, according to the value of non-interference, has been respected. For the rule that one’s area of freedom needs to be unconstrained to determine that a person is within a scenario of freedom. However, as I have

explained in the second chapter, this establishes a pattern of absolute freedom for the choice and one of potential unfreedom for the individual.

For the value of non-interference establishes an area of freedom in which the inanimate sense of, say, choice A is absolutely congenial for its freedom. This area of freedom establishes forms of freedom even for the individual, especially (or only) those linked to the material perception of life. However, the very same area of freedom created by the value of non-interference backfires the agency and the overall well-being of the person for establishing conditions of isolation from her own contexts and social structure.

If, for example, we return to the example of the ‘*open doors*’⁹⁷, as articulated in the previous chapter, freedom as non-interference cares for the fact that these doors remain unhindered. For freedom as non-interference, the issue of individual freedom is maintained as long as she has a range of choices to which she enjoys the opportunity of action towards them: not actual choices, therefore, but the possibility to choose. As much as in the ‘*open doors*’ metaphor, *interference* is strictly linked to the ‘*open doors*’ that a person is free to persevere: a person is free only if it is possible for him to not be interfered in choosing door A or door B. To be clear, it means freedom of choice is intended with the two meanings: freedom from interference here is the action of choosing itself and the opportunity of having choices non-frustrated by external agents.

Doors are choices, and, for the value of non-interference, it is not important who has the power to manipulate those doors: who is blocking or opening them, for instance, or for what purposes, or on what (just or unjust) premises.⁹⁸ There is no acknowledgment, whatsoever, of the nature of the relationship with the other and of the causes that may interfere with opening (or not) of those doors.

The republican perspective is different, nonetheless. Republicanism can even accept that a part of one’s freedom is the actual performance of freedom or enjoying opportunity to choices (even though not every single action of interference is illicit for republicans), but the modalities to reach that result are undeniably different. Republicanism considers fundamental for one’s freedom even the moment of the formation, and that of the arrangement of the rules of the game, of the threads governing, visibly and invisibly, the

⁹⁷ See *supra*, para 2.4. note 77.

⁹⁸ See Pettit, P. (2011). *The Instability of Freedom as Noninterference: The Case of Isaiah Berlin*. *Ethics*, 121(4), pp. 693-716, p. 709: “What freedom ideally requires in the republican book is not just that the doors be open but that there be no doorkeeper who can close a door—or jam it, or conceal it—more or less without cost; there is no doorkeeper on whose goodwill you depend for one or another of the doors remaining open. If I am in the position of such a doorkeeper, therefore, your access to the A and B options is not supported in the manner that freedom of choice strictly requires.”

actual dynamics of the society. It becomes a necessity to answer a question that liberalism tends to ignore: “Who has power on what and on whom?”.

It is, therefore, necessary to make an important turnaround to declare the integrity of freedom of choice A. Is the person, in the act of consuming choice A, free in the moment of enjoyment in the choice A situation? Precisely, is the person enjoying choice A experiencing relations of freedom within her reference context? Is her reference social structure, a structure in which she suffers the presence of visible and, most notably, *‘invisible threads’*, using Marx’s terminology, that undermine her freedom of choice, without explicitly interfering with her? Is the person suffering forms of arbitrary interference in the process of getting to enjoy choice A? Through all these questions, it is possible to perceive the republican standpoint.

The point of enjoying an undominated choice, which differs the most from the rule of non-interference, is not the enjoyment of the choice in and of itself: that is the conclusion, and both the doctrines agree to this. Yet, the diverging point is on the process in order to have that conclusion.

The process starts, firstly, with the understanding that interference might happen, and it is not always a limitation to one’s freedom. Arbitrary interference is an absolute limitation to one’s freedom. And to eliminate the arbitrariness from that act of interference, the process of the eventual interference must be transparent and lawful, to be eventually contested by the involved individuals, equipped with normative power of non-domination as a result of her recognised standing by participating in a symmetric relationship.

In this scheme, interference, if it is not arbitrary, meaning that is checked and controlled by the “victim of interference”, hence, that is not an act testifying a form of “systematic vulnerability [...]”⁹⁹ is perfectly fine for the republican approach. Republicanism does not believe that interference is always a bad thing to one’s freedom: an act of interference becomes bad because of the arbitrary power underlying in it, representing the relationships that a person has in her reference contexts. Therefore, the interfered choice, if it is an absolute constraint of one’s freedom for liberalism, is not decisive step in the determination of one’s freedom. It is needed a further investigation to see the relational causes determining the interference.

The second step to make to understand the concept of the undominated choice is that freedom as non-domination is entirely a person-based freedom. Republicanism places itself

⁹⁹ Pettit, P. (2007). *Free Persons and Free Choices*. *History of Political Thought*, 28(4), pp. 709-718, p. 715.

in the free person-based theory while freedom as non-interference remains in the familiar domain of “you are free as long as you have free choices at disposition”: to which I refer to, through all the entire work, the materialistic perspective of individual freedom. This is another fundamental issue that distinguishes the value of non-domination from that of non-interference. By utilising non-domination as part of the “from”, the entirety of the person is covered both in her action/exercise of freedom and in the formation of freedom. Of course, non-domination, as mentioned above, does not protect the choice completely, as non-interference does, for non-arbitrary interference is accepted, but protects the choice in the perspective of the (free) person. Namely a person who has untied her relationships of unfreedom, or arbitrary relationship.

The priority for the republican theory is the person; the person who enjoys a certain standing that others, who participate in the same reference contexts and who are members of the same social structure, recognised in the various interactions which are regulated in a symmetric manner. In that, choices are a “secondary”¹⁰⁰ moment, in temporal terms and even hierarchical ones, of the composition of one’s freedom.

Therefore, the first element is that republicanism preoccupies of the relations, that the person has in the choice A scenario, that defines if the person is free. Is one free only in the actions she can perform or in how her freedom has been moulded (or worse, manipulated)? Republicanism is on the second side. Freedom cannot be reduced to the single ability to pursue choices: individual freedom needs more. It is the person that need to be free, for being liberated from the structure(s) of oppression that provides the capacity of enjoying freedom of choice, not the contrary. The choices are free because free is the person, and not the contrary. It is not the materialistic condition of choices that renders free the individual.

The second effect, besides being a person-based freedom, of introducing the value of non-domination is that of identifying the relational functions and roles that people play in one’s reference context. This is perhaps the pivotal element. Of course, it is extremely related with the argumentation of the previous paragraphs.

Precisely, the identification of the relational functions and roles of the other have an ultimate effect in the social structure, for it allows to investigate and reform the conditions, the dynamics, and the procedures governing one’s reference contexts and consequently the social structure. Specifically, this effect coincides with the moment of formation, which, thereby, corresponds with the moment of acknowledging who is manoeuvring the famous

¹⁰⁰ See Ivi, p. 715: “Under a person-based version of social freedom, as we know, be the primary bearers of freedom, and choices the secondary.”

Berlin's doors. By shining a light on that, freedom from domination identifies the agent that may or may not manoeuvre the door(s) in front of somebody; and furthermore, what kind of relational status it enjoyed, what kind of reciprocity the agent may have to her, what kind of symmetry they entertain, and, finally, what the agent represents to her ends.

In the moment of identification of the roles and functions of the people in one's reference contexts, inevitably freedom as non-domination highlights the procedures, dynamics, and threads forming one's freedom. In other words, freedom as non-domination gives the ability to everyone to check and control the person that stand behind the doors:

“What freedom ideally requires in the republican book is not just that the doors be open but that there be no doorkeeper who can close a door— or jam it, or conceal it—more or less without cost; there is no doorkeeper on whose goodwill you depend for one or another of the doors remaining open. If I am in the position of such a doorkeeper, therefore, your access to the A and B options is not supported in the manner that freedom of choice strictly requires.”¹⁰¹

Therefore, the republican theory gives the possibility to each and every member of the community to check and control the fundamentals of the social structure: it is a shielded standing. The alterity has the absolute denial in manipulating the access to choices, for that will be a proof of the asymmetry of the relationship.

Republicanism focuses on the threads determining of one's freedom. The individual, according to republicanism, needs to be able to identify the threads in front of her. She needs a structural acknowledgement of how her freedom is formed. She needs to be able to ask herself: “What are the structural causes that determine my possibility of agency?” And, for this assignment, it is necessary to employ the normative pattern that I have discussed in the previous two paragraphs.

Thirdly, the value of non-domination presupposes a well-regulated society that maintains the relational symmetry among the parts involved. Republicanism states that inside “the package of choice” must be present all the invulnerability and all the relational symmetry of the individual enjoying in the society. If this is not the case, those choices are not acceptable by the individual, according to republicanism as much as it is unacceptable having, in the contemporaneity, an interfered choice.

¹⁰¹ Pettit, P. (2011). *The Instability of Freedom as Noninterference: The Case of Isaiah Berlin*. *Ethics*, 121(4), pp. 693-716, p. 709

The undominated choice produces a structural shift of the emphasis of the paradigm of individual freedom: less to the possession of the choices than to the person who is pursuing it. The undominated choice is the final part of a process in which the starting point is the need of having an undominated individual in an undominated society.

An undominated choice needs something more, in terms of rules, regulations, and transparency, than an uninterfered choice: it can stem only from a society that professes and experiences processes of relational equality among its members. In short, an undominated choice needs more effort from the side of the society. An undominated choice, for being the product of virtuous relationships enjoyed by people, must reflect in its essence the relational virtuosity present in the society. This virtuosity starts from the normative power of the individual to control that nobody is on top of her.

The process of individual emancipation, according to the republican ideology, does not happen with an improvement of choices at disposition to a person and with a series of absences, as in the case of freedom as non-interference, but with an improvement of the relations with the other, with the identification of the roles and functions of the people, with the establishment of symmetric kind of relationships that, in turn, reconfigure the social position of a (free) person pursuing choices that are free because the person is free in her own reference contexts, or in the social structure she belongs to.

For this, to enjoy freedom of choice is necessary the presupposition of living in a society promoting freedom among choosers. Freedom of choice is subordinate to freedom among choosers. The turning point, according to neo-republicanism, is not enjoying the choice in and of itself, yet having a well-structured society of freedom among choosers in order to have freedom of choice.

Therefore, in order to have a well-structured society, the goal is to check and control the social structure to which the modern self is inevitably intertwined (now more than ever for the complexity of the current socio-economic system), and all the agents participating into it.

This attention to the social structure and its agents is apt to render the person, enjoying a choice, free; to check and control of the relational function(s) that agents (of various nature) are establishing with the person in the consumption/enjoyment of choice. Of course, the normative power to check and control is that of non-domination, which means that the person needs to verify if she is suffering forms of arbitrary interference (or uncheckable power) on behalf of the agents present in her own social structure.

3.4. The Republican Choice

How is the regulation derived from the normative power of freedom as non-domination developed? What are the concrete passages that the individual is equipped to make with the tool of non-domination to make her free? Notice that republicanism is not a positive-liberty ideology, as it is, for example, the communitarian positive freedom: the regulating power is in the hands of the individual. In any case, a possible example to explain the process of emancipation of the republican individual is that of paying taxes.

Paying taxes is a form of interference on behalf of the state authority, after all. However, it is not a situation of arbitrary interference, usually, because of the context in which the two parts, the state authority and citizens, is regulated by both sides.

Historically, the arbitrariness of the state has been neutralised through centuries and centuries of procedures and practices through which citizens progressively became able to control the acts of the central political authority. The draft of the Magna Charta, in 1215, was based almost entirely to control the policies, especially the war-related ones, of the English Monarch, John Lackland, by the barons. Once again, republicanism is not distant from western history. One of the features of republicanism in the contemporaneity is possibly to continue the process of symmetrisation, by tackling the horizontal domain,¹⁰² which is, by the way, the portion of context that is less controlled and regulated.

Therefore, it can be said that the state and “its” citizens, over the course of history (in some parts of the world), have acknowledged the necessary presence of each other; they jointly established a symmetrical relationship; they both value their reciprocal standing derived from that relationship, and, most notably, the interference purported by the state authority does not diminish the standing of citizens.

Why is this last point so important to understand the republican position? Because it explains the republican perspective of freedom of choice. Notice that republicanism does not separate from “the individual and the choice” formula to be free. Yet it proposes another paradigm to which the concepts can work out.

For example, the state authority in the collection of taxes addresses the use of citizens’ choices, after all. Citizens are deprived of a part of their choices after the interference

¹⁰² See Pettit, P (1999) *Republicanism: A Theory of Freedom and Government*. Oxford: Oxford Scholarship Online, p. 130: “[T]he dangers associated with different levels of *dominium*, different levels of resource and control, in everyday social life: these are the dangers that ordinary people face in their dealings with one another, individually and in the context of collective and corporate organization.”

perpetrated by the state authority in the moment of the collection of taxes. However, from a republican perspective, there is no loss of freedom in actions of the state authority. For the state takes money from citizens' pockets exactly for them being citizens. Their status is recognised, I rather say, heightened in the act of interference made by the state. The state performs the act of interference of collecting citizens' taxes for no other reason than of citizens being citizens.

It is possible to glimpse the normative construct of the republican choice. One's freedom stands in her capacity of enjoying multiple free choices, qua uninterfered choices, is seriously put into discussion. Republicanism affirms that one's freedom "will presumably consist in a standing capacity of some kind and his or her choices will count as free so far as they are exercises or manifestations of such an ability."¹⁰³ In the state/citizens scenario, the '*standing capacity*' of the citizens in the collection of taxes is respected. The '*manifestation*' of the '*standing capacity*' is not whatsoever diminished or undermined by the act of collecting taxes by the institutions representing the state authority.

The '*standing capacity of some kind*', proposed by Philip Pettit, reflects a status of relational equality of the republican agent. It is based on the enjoyment of symmetrical relationships. The '*standing capacity*' of a person is based on the normative protection from arbitrary interference that a person/citizen is entitled to enjoy.¹⁰⁴ For arbitrary interference is defined by republicans as the acts of intrusions damaging, undermining, and diminishing "the agent's choice situation by changing the range of options available, by altering the expected payoffs assigned to those options, or by assuming control over which outcomes will result from which options and what actual payoffs, therefore, will materialize"¹⁰⁵. The '*standing capacity*' of a person, based on the symmetry of her relationship(s), is a form of '*antipower*' against the '*changing*' of '*the range of options available*', the '*altering*' of '*the expected payoffs*', and the '*assuming*' of the '*control over which outcomes will materialise*'. This approach defines that the interference can exist but must respect the standing capacity of an individual, based on the symmetry of her relationship(s). For this, the state collecting taxes does not '*change, alter, or control the*

¹⁰³ Pettit, P. (2007). *Free Persons and Free Choices*. *History of Political Thought*, 28(4), pp. 709-718, p. 715.

¹⁰⁴ See Pettit, P. (1999) *Republicanism: A Theory of Freedom and Government*. Oxford: Oxford Scholarship Online, p. 53: "But interference, as I understand it, still encompasses a wide range of possible behaviours. It includes coercion of the body, as in restraint or obstruction; coercion of the will, as in punishment or the threat of punishment; and, to add a category that was not salient in earlier centuries, manipulation: this is usually covert and may take the form of agenda-fixing, the deceptive or non-rational shaping of people's beliefs or desires, or the rigging of the consequences of people's actions [...]"

¹⁰⁵ *Ibid.*

range of options, payoffs, and outcomes’ of citizens, because it respects the *‘standing capacity’* of being citizens of a democratic state, which is a symmetric kind of relationship.

This approach is different, almost diametrically, from that of non-interference. Republicanism, for enquiring more profoundly the role(s) of the other, does not believe that any interference is evil interference.

A citizen (usually, of a democratic country), for example, due to her established *‘standing capacity’* has a recognised *‘choice situation’* by the state authority, be it embodied in the form of the police or in the form of the taxation authority. Therefore, the *‘choice situation’* of a person is extremely related to the recognised *‘standing capacity’* of a person.

The *‘choice situation’* is the embedded orientation that a person has because of its standing and status. Arbitrary power gives the capacity to interfere with impunity to one’s *‘choice situation’*. In a rule of arbitrary interference (or domination), the person suffers the unrecognition of her standing, hence, her *‘choice situation’*, that are both one’s standing and one’s *‘choice situation’* constantly diminished, undermined or, all in all, denied. In other words, one has a *‘choice situation’* that allows her to do something or not something else, as for example the citizen in relation with the state authority. Therefore, one’s *‘choice situation’* derives entirely from her standing.

Thus, every action, even that of interference (since they are permitted by the rule of non-domination), towards a person must respect the invulnerability of a person, derived from her relational symmetric standing. And this is accomplished by respecting the person’s status, her *‘standing capacity’*, hence, her *‘choice situation’*.

Paying taxes and police agency, for example, for being a form of interference that has been, even constitutionally, rendered accountable, are practices that do not diminish one’s *‘choice situation’*, for they act to a person, due to the premise of the relational symmetric standing of being a citizen. On the other side, the citizen has a *‘choice situation’* imposing that she must be aware that an (unpleasant) part of being a citizen is to pay taxes, for instance.

It is important to reaffirm that only in the symmetric relationship a standing, hence, a *‘choice situation’*, can be recognised by the republican political theory because they are the only ones in which the value of non-domination can be respected and flourish, for the fact that, within the symmetric relationship, none of the parts is suffering arbitrary power of the other. For example, in the slave/master scenario the relationship is asymmetric, and the standing of the slave is illegitimate, according to the value of non-domination, for the slave would have remain vulnerable to the arbitrary power of her master. Consequently, every debate about the slave’s *‘choice situation’* is superfluous and unnecessary.

On the contrary, the state authority does not damage, undermine, or diminish the ‘*choice situation*’ of its citizens in the moment of the collection of taxes, nor in the moment of the police’ agency. The state/citizen relationship is a symmetric one, meaning that none of the parts involved in the relationship has arbitrary power over the other.

The established symmetry has eliminated, or at least reduced sensibly, the vulnerability in the state/citizen relationship in democratic countries. The citizen is not vulnerable to the power of the state because it has been established through the settling of a relationship in symmetric terms a form of shielded standing, or standing capacity, or ‘*antipower*’,¹⁰⁶ granting that nobody has an arbitrary power over the other.

This is the decisive step to explain the republican consideration of individual freedom within the dynamics and procedures of the social structure. For this consideration leads us, I argue, to the republican answer to what it means the formula of “freedom of choice”. Choices, with the conception of ‘*choice situation*’, are a fundamental part of the paradigm of republicanism. However, choices stand in a different position: they are secondary, to some extent, to the protection of the individual. In the ‘*choice situation*’ understanding, the protected part is the individual. To some extent, the protection of choices is made by osmosis, through the protection of the individual. The ‘*choice situation*’ is more than the set of choices than the person has at disposition. It is a situation awarded by the symmetric relationships and consequent social standing of the person allowing her agency: there is a long path eliminating vulnerability and (relational) inequality beyond one’s ‘*choice situation*’.

For this, in the first chapter, I have suspended judgment about Amartya Sen’s capability approach. If, one’s functioning are considered in relational terms, as, for example, in republican terms, then Sen’s functioning overcomes the relational limit of the individual positive freedom. Nevertheless, if one’s functioning is conceived a set of choices than the relational sense would be missing, and I argue that it does not address the concrete determinations of individual freedom.

Therefore, the ‘*choice situation*’ of a person is respected out of the presence of a series of virtuous threads among the people of the community, in which everybody has established symmetric relations and, hence, respects the ‘*choice situation*’ of the other.

Social contexts and the social structure are, therefore, the central domains in which the battle for one’s emancipation must be fought, according to republicanism. The social

¹⁰⁶ Republicanism, especially in the latest revival, has, in my opinion, formulated various definition of the same concept. An individual to be free needs her status, derived only from symmetric relationships, to be respect, whether it is called antipower, shielded standing or standing capacity.

structure regarded both as the established and accepted codes of conducts drafted by the ruling class and promoted by every agent performing in the social structure, must be a non-dominating entity towards republican individuals. For this, republicanism considers essential giving to the individual the normative power to control the social structure, according to the value of non-domination.

The republican individual, provided with the normative power of non-domination, operates in the various contexts of her community, identifies the roles and functions of others, regulates the visible and '*invisible threads*' of the social structure controlling that nobody can arbitrarily interfere her and, through this, modifies the asymmetric relationships into symmetric ones. As we already seen, the establishment of symmetric relationship(s) is essential for the determination of one's '*standing capacity*', and, in turn, her '*choice situation*'.

Only by addressing the social structure, the person is able to tear her visible or '*invisible threads*' down, that, in turn, liberates her to pursue her own choices. For the republican perspective is that a person in the enjoyment of choice must be free, and this freedom depends on whether her own social structure, conceived as the sum of the relationships, symmetrical and/or asymmetrical, that a person experiences. Hence, the social structure, according to the republican approach, is a kind of social structure that needs to be regulated, accountable, controlled by the people who are members of it.

Following this arrangement, it is possible even to state that arbitrary interference, or domination, is based on the normative inability of a person to sufficiently control the power relationship(s), in order to regulate this latter under a symmetric rule, with other agents identified in her reference contexts. Republican individual freedom is, therefore, more robust and structured than freedom as non-interference. It requires more passages. It requires a different robust understanding of society, in which for example, the laissez-faire doctrine, deregulation, and privatisation typical of the non-interference approach, cannot be present or be promoted at least.

Freedom is not in the empty spaces of society. Rather, the preoccupation of republicanism, even in its latest revival, is not the amount of unconstrained choice, but if in the contexts, being the stages of the social structure, people are experiencing are contexts of freedom, and how much conveyors of invulnerability are the threads that connect the individuals. Invulnerability, according to republicanism, is conveyed through the respect of the '*choice situation*' of an individual, who enjoys symmetric relationships in a well-order social structure. For freedom, according to the republican theory, exists in the presence of

the other, in the identification of her roles and functions, in the establishment of symmetric relationships, through which the individual is free for possessing a non-dominating standing deriving from the symmetry of her relationships, a consequent recognised '*standing capacity*', and, hence, the protection of her '*choice situation*'.

All of this cannot happen with the promotion and the glorification of the privatisation and laissez-faire. For a society in which the greater the freedom, the more unregulated are the contexts in which an individual operates cannot be acceptable according to the republican tradition. The republican individual is free if she operates in regulated contexts in which, for example, even the greatest evil of interference, according to the value of non-interference, can happen. Interference if it is not arbitrary is not a threat to one's freedom, because it comes from a well-regulated society, in which the individual has a continuous say, or has a '*discursive control*'¹⁰⁷, to the dynamics even that of interference, in order to control and to be non-dominated by them. To be more precise, the non-regulation stems not only from deregulation, but even from privatisation, because there cannot be any republican-like form of control on private-based contexts.

I have argued that republicanism and liberalism are not that distant, nor politically, nor historically. There is an historical procedure that usually and rightly, has been attributed to liberalism. The liberal society, especially in the early stages of it in which the influence of republicanism was more stringent, has had a fixation, directed by the dogmas of the bourgeoisie, to control the operations of the state. The relational symmetry, reached with the state authority, is a right that we today citizens (of democratic countries), have inherited, from the battles and struggles of the bourgeoisie revolutions and reforms. And, due to this symmetry, the citizen standing cannot be diminished on behalf of the state authority.¹⁰⁸

However, is it the same for the other relationships composing the social structure in which a person lives? Are the relationships of the modern individual governed by the principle of the symmetric relationship? Are the relations entangling a person in the contemporaneity respecting her '*choice situation*' derived from one's '*standing capacity*'? If it is true, and I think it is, that one of the major accomplishments of liberalism is to have established an open and trustworthy relationship with state and its institutions, even driven by the bourgeoisie spirit as the main force, the other contexts of our existence does not have the same luck: the process of symmetrisation has been developed to a certain extent.

¹⁰⁷ See *supra*, para 1.5. note 84-85.

¹⁰⁸ However, the liberal state and its role in the public sphere is not exactly in line with conception of state authority of republicanism.

I am referring to those contexts defined by the contemporary economic practices, in particular. We, liberal citizens, have an almost total faith that the relationship with our political authority is based on trustworthy dialogue, on both sides: after all, that is one of the central functions of liberal constitutions. At the same time, we do not enjoy the same reliable relationships in other contexts of the now global, social structure. Those contexts are dominated by the private and semi-private forces, to which the value of non-interference is mostly a promoter or at least vulnerable, as I have explained in Chapter 2.

The real issue with private force controlling the social structure is that they have arbitrary power over the rest of the global population. Their arbitrary power derives entirely from the private nature of their power. A private power is arbitrary by definition, which means that is not accountable. With a private power, the individual cannot maintain a *'discursive control'*. For example, Monsanto did not recognise as an interlocutor any Iraqi farmer, as much as none of the Iraqi farmers has the possibility to identify, in normative, political, and regulated terms, their master. In other words, with Monsanto, none of the Iraqi farmers could not have the possibility to be engaged in a *'discourse-friendly relationship'*, nor entertain in a symmetric relationship, and nor establish a *'standing capacity'* that respect each other *'choice situation'*. The issue, for republicanism, is not that Order 81 actually happened, but that Monsanto had the ability to arbitrarily interfere with the Iraqi farmers, while, in turn, these latter could not rely on any *'discursive control'* on their behalf: the Iraqi farmers were not already free.

On the other hand, republicanism clearly requires this minimum situation. The republican individual is free if she enjoys relational symmetry in the globality of her relationships. The person, engaged in all the complexity of the modern-day economic system, in the act of enjoying a certain choice is free, according to the republican doctrine, if she can establish symmetric relationships that, in turn, respect her *'choice situation'* derived from her *'standing capacity'*. The *'choice situation'* of the standing related to the symmetric relationships provides the measure of respect of one's freedom.

This approach highlights the importance of establishing symmetric relationships as the tool to see what the real dynamics and power positions behind the *'open doors'* are. Since the symmetric relationship, on one hand, allows the formulation of non-dominating standings, on the other, focuses on the regulation of one's reference social structure. Firstly, republicanism conceives society as an intricacy of relationships, in which every person needs to enjoy relational symmetric standings, to which is recognised a certain *'choice situation'* derived from her own standing capacity. Progress, according to republicanism, stands in

improving the symmetric conditions of those relationships, hence, eliminating the consequent vulnerability, and, ultimately, respecting one's relational symmetric standing. Secondly, the normative power of the republican individual regulates, in the constant establishment of symmetry in the relationships that a person enjoys in her reference contexts, the manipulations and visible and *'invisible threads'* of the social structure, which are expressions of power ultimately. For the extent of individual freedom is established in the process of formation of power.

Conclusions

What are the practical benefits that freedom as non-domination can bring about in contemporary societies?

Firstly, the modalities of control and balance of the social structure is very distant from the procedures, dear to the communitarian positive freedom tradition. The republican control is pluralistic, eventually constitutional, and with the individual at the centre. The individual remains the proprietor of her own agency: freedom never slips away from the hands of the individual. The return to a *koinon* is not based on communitarian conditions, rather on individual terms. However, the republican focus on the individual does not rhyme with an atomistic conception of the individual herself, as according to the non-interference approach. Rather, republican individualism is a reconnection with the public sphere without normatively losing autonomous performance of freedom. In short, republican individualism can be defined as a holistic individualism, in which the person is described as a part of a system where her agency is necessary and required.¹ In this, neo-Roman republicanism is sympathetic with the themes of relational egalitarianism. Nevertheless, the value of non-domination leads neo-Roman republicanism to different outcomes and solutions, that altogether I consider more consistent and fruitful in terms of protection from vulnerability and human agency.

Furthermore, the republican understanding of individual freedom overcomes the idea of resourcism, proper of left liberalism, namely of liberal distributive egalitarianism. Resourcism does not tackle the mechanisms and the procedures in which the individual constantly meets forms of unfreedom. Resourcism provides the individual with the means, but those means, material and immaterial, needs to be exercised by the person in several contexts; and if in these contexts, the social procedures and dynamics are spoiled, then the problem of (un)freedom remains, not to mention all the other forms of oppression and vulnerability. The value of freedom as non-domination tries to overcome the reductionism of resourcism. For focusing more on the procedures and dynamics where the real game is taken, in the hope of having a better return, even in material and immaterial terms.

Means and resources, therefore, will be normatively distributed to people based not on formal, ex-post or ex-ante, analytically egalitarian, distributive techniques, but on the

¹ See *supra*, para 3.2. note 41.

fundamental ability of the individual to improve the social mechanisms that control the production, the allocation, the distribution, and the consumption of resources and social means.

The relationship between freedom as non-interference and freedom as non-domination is more complicated to address. Firstly, the path of freedom as non-interference and freedom as non-domination is similar: the primary focus on the individual rather than on society as a whole. However, there are differences that stand in some parameters and conditions of the route towards choices. The ability of pursuing choices is based upon different premises.

In the first place, there is a different understanding of the other. The republican formulation of the other is robust and entire. If freedom as non-interference considers the alterity only in a hostile manner and, most notably, in a thin way, the republican tradition has the necessity to determine the functional expression(s) that the other executes in the context(s) of the social structure. For freedom as non-interference, the other may be a Good Samaritan or an enemy, her silhouettes, and her relational status is not identified if not in the moment of the action; and even in that moment, only if the action is that of interference. The alterity, through the lens of freedom as non-interference, can only be deciphered with suspicion. This is after all the *homo homini lupus* legacy that has been accepted in the non-interference formula.

What kind of consequences and shortcomings derive from this approach? The non-contemplation of the other reduces the individual and her freedom to the mere pursue of choice. The person, the choice, and the area of freedom are the only elements in the non-interference understanding of individual freedom. But this is a myopic approach and at the same time the source of the materialistic tendency of freedom as non-interference.

The value of non-interference remains stuck in the enjoyment of choices: as I have repeated over the dissertation, for freedom as non-interference, individual freedom coincides with having a set of choices, and nothing else. There is no other element that is added to the picture. The barrier of non-interference is quite clear on that: the pivotal element of one's freedom is the choice. From the choice, quantitatively and qualitatively, a freedom of a person can be measured.

This depends on the normativity of the barrier, ultimately. The value of non-interference isolates the person. As Pettit pointed out, freedom as non-interference protects firstly the choice, then the person. I partially agree with this perspective. I have argued, due to the nature of the "from", that the choice is protected better than the person. It is not a hierarchy of protections, but an analytical propensity of non-interference to protect, through

imposing an area of freedom, in a consistent manner choices, rather people. The person is protected only from the actions of the other. In any case, the major shortcoming of this approach is of isolating the individual, who, ultimately, is mutilated of her relational nature.

Freedom as non-interference produces a form of liberty unable of tackling and addressing the social structure for the self is not able to detect and identify the roles and functions of the other. This is the most important weakness of the non-relational and materialistic nature of non-interference. I am referring to the fact that if individual freedom is considered as the mere enjoyment of choices, the individual, endowed with freedom as non-interference, does not have the proper tool to check and control of the contexts in which she lives in. It is blind(ed) to the structural, consolidated, and historical threads, playing the part of the master, that determine the playground of choice that individuals are allowed to choose (consume, take, and produce).

Therefore, according to the republican view, the “place” where individual freedom is negotiated is not the choice, and its quantity and quality, but the social structure. The value of the choice is subordinate to the dynamics of the social structure. The social structure, hence, is the place in which certain practices of (un)freedom are established and promoted. For example, the institution of slavery in 19th century America was a (legalised) social practice and institution reflecting the necessities and interests of the agents in the social structure. Notice that Giddens’s structuration fits even in this setting, emphasising at the same time the social structure as much as the agents in it. And, continuing on the American slavery example, the agents in the decisive position of the social structure have decided the form of unfreedom, that is slavery, to be imposed to some parts of a certain population.

To that situation, freedom as non-interference does not have any counterpower. It is a situation that slides away from the scope of freedom as non-interference. The value of non-interference does not simply provide the person with a normative instrument strong enough to address these forms of unfreedom. The individual is not able to control and be effective in the social structure. Or at least, that does not depend on her recognised normative power, but on her private powers. These latter can be wealth social position, a useful genetic that gives a certain talent consistent with the possibility to earn power in a particular context (i.e., be athletic and tall as Wilt Chamberlain).

This fatal intertwinement of the value of non-interference with what is *idion* works even backwards. For the myopia in the process of identifying the invisible and ‘invisible threads’ coming down from the social structure and implied in the social contexts, that freedom as non-interference in a normative sense possesses, leads to a permeability of the

social structure to private forces. If I am not able to control and be effective in the social structure, to have a *'discursive control'* on the dynamics governing the social structure, then the social structure is permeable to the law of the strongest. The powerful determine the social procedures, dynamics, and mechanisms within the social structure as much as the master determine the duties, assignments, and responsibilities of her slaves. Only the terminology changes. Order 81 is a form of domination as much as the whip hitting the back of the cotton picker. Surely, it is more subtle and less evident, but the requisites that leads to Order 81 are the same of the slavery.

Freedom as non-domination, on the other hand, has the normative ability to go beyond the curtain of the *'open doors'* and detect the roles and functions of the agents behind them. The normative power of freedom as non-domination gives the ability to the individual to improve the relationship with the agents, once behind the doors, towards a symmetry. Symmetry is the key, in the republican theory.

The achievement of symmetry starts from the recognition of the presence of the other. If for freedom as non-interference, the other is recognized only in a thin and only-hostile manner, republicanism acknowledges the other in a robust and entire manner: the silhouette of the other is completely focused. After all, Slave B recognises her unfreedom for the presence of Master A. The other becomes an important element of the formation and scope of one's freedom, contrasting the natural-law tradition that has influenced the value of non-interference. Hence, freedom as non-domination completely acknowledges the interdependence among people. The inevitable interdependence among people is governed, not on competition but on a cooperative sentiment.

Through the acknowledgement of the presence of the other, the individual is able to recognise the roles and functions of the people in her surrounding contexts. Master A is a reduction or a denial of Slave B's freedom, not for what she *does*, but what she *is*. Therefore, freedom as non-domination determines, from the very beginning, who is who and what is the relational status between the two: the master is the dominator, and the slave is the dominated. Freedom as non-domination requires a clarification of the relations among persons: what kind of reciprocity they are enjoying, their reciprocal status (who is a master and to whom) and what role have to one another.² In this necessity "to clear the air", freedom

² This is one of the points where freedom as non-domination is closer to positive freedom. However, I want to specify a point, this does not mean that freedom as non-domination wants to assign some specific function to people in the society; yet the other way round, people must not have specific dangerous role and function one another.

as non-domination illuminates the *'invisible threads'* composing the intricate penumbra of the society.

Through this, the normative power of freedom as non-domination allows the person to detect and identify the roles and functions of the agents present in her social contexts.

Firstly, the process of identification of roles and functions of the agents behind the doors permits even that interference can actually happen. It works similarly to the interference of the police towards citizens in a democratic polity. This kind of interference is not a source of unfreedom for the republican tradition, for it is acknowledged by both parts and, most notably, regulated, eliminating any form of arbitrariness:

“Government inevitably involves interference in the lives of citizens, whether via legislation, punishment, or taxation. Our [republican] ideal suggests that this interference need not be dominating, however—and need not be inherently inimical to freedom—so long as the people affected by the interference share equally in controlling the form it takes. Let state interference be guided equally by the citizenry and it will not reflect an alien power or will in their lives.”³

Secondly, Master A is a metaphor. She represents all the structural contextual threads of the society. Master A is an agent and functional expression of the social structure. She moulds the social structure and, most notably, the dynamics and mechanisms in it. For not every agent can mould the social structure, there are ruling social positions and there are not ruling social positions. And while in the non-interference social structure, the positions are based on private-based abilities filling the vacuum in the control of the social structure, for republicanism, the social structure is regulated through the instauration of symmetry among the relationships of the members of the social structure. For republicanism believes that the social structure is the organic sum of the relationships among people. The total relationships, that a person enjoys, establish the visible and *'invisible threads'* that a person experiences within the contexts in her own daily life. For this, in the globality of one's relationships, the modern (republican) individual needs to be engaged in a series of symmetric positions to consider herself a free person.

For example, freedom as non-domination and republicanism seek the stabilisation of relationships, at every level. From the global institutional level to the interpersonal one:

³ Pettit, P. (2014). *Just Freedom: A Moral Compass for a Complex World*. New York: W.W. Norton and Company, p. xx.

“[T]here can be no doubt that the current economic system in the developed countries of the West in no way represents a ‘relational’ institution and is thus not a sphere of social freedom. It lacks all the necessary characteristics of such a sphere: It is not anchored in role obligations to which all could agree, and which interweave with each other in a way that would enable subjects to view each other's freedom as the condition of their own freedom; it therefore lacks an antecedent relation of mutual recognition from which the corresponding role obligations could draw any validity or persuasive power.”⁴

Freedom as non-domination tries to recompose an egalitarian spirit, placed in the space of freedom, of the social structure, therefore. The symmetry of the relations between these positions is a central aim of freedom as non-domination. Symmetry balances the relations in the elimination of power, or at least in the horizontalization of it. The relational symmetry establishes virtuous relational threads in which no person has arbitrary power over another.

For, if we go back to the basic example of the master and the slave, the central issue is that Slave B does not have a symmetric relationship with Master A. And for the republican tradition, the unfreedom of Slave B is based on nothing else than the asymmetric relationship with Master A. Even if the Master A is benevolent, negligent, or careless, and she does not use coercive force on Slave B, this latter, according to freedom as non-domination, still remains unfree. The asymmetric relationship between Slave B and Master A presupposes that Master A has arbitrary power over Slave B, which means that Master A dominates Slave B. Master A is a metaphor of power, ultimately.

For this, the relationships among people need to be symmetric to eradicate power. The ultimate goal is the eradication of (arbitrary) power that Master A has in relation to Slave B. For in the slave/master scenario, no individual freedom can flourish, since freedom is the ability to act,⁵ and the agency of Slave B is subordinate to the will, whim, and power of Master A.

In the non-interference structure, a private agent can enjoy a position in which she has arbitrary power over other people, precisely for escaping from the identification of the other. The powerful can elude a control of the other members of the community and become a master without having the proper appearances. The “private powerful”, for being private and for being powerful, is not accountable, which means that the other members of the social structure cannot discursively control her and establish a symmetric relationship with her. For

⁴ Honneth, A. (2014) [2011]. *Freedom's Right: The Social Foundations of Democratic Life* (trans. Ganahl, J.). Cambridge: Polity Press, p. 168.

⁵ See supra, introduction, note 58.

in the moment that two elements are established, the “private powerful” will not be able to define herself nor private, nor powerful.

In this manner, the value of non-domination addresses the issue of power of a person over another person. Slave B is unfree because ultimately Master A has power over her. And the only instrument, according to the republican tradition is to determine a symmetry in the relationship between Slave B and Master A, through the establishment of the value of non-domination, so that none of the members can dominate the other. Therefore, symmetry of the relationships of a person is the cornerstone of republican freedom.

The symmetric relationship concretely prescribes Slave B and Master A to not identify each other with those labels anymore, to engage in relationship in which the value of ‘*discourse*’, as in Pettit’s theorisation, regulates the mechanisms, the dynamics, and the eventual conflicts that between (the formerly known as) Slave B and Master A. The two members of the now symmetric relationship are “forced”, based on the value of non-domination, to mutually recognise a reciprocal immunity or relational ‘*antipower*’ for which each member of the relationship is an acknowledged owner of a ‘*standing capacity*’. In other words, the value of symmetry liberates the individual by recognising a relational ‘*standing capacity*’ of the individual, to which, most notably, it is concerned the freeness of her choices.

The undominated choice, therefore, is related to the relational symmetry determining, in turn, the ‘*standing capacity*’ of a person. The choices of a person are free if they respect the manifestation of her ‘*standing capacity*’. The ‘*standing capacity*’ derives from the symmetrical relationship that a person enjoys:

“[t]he key republican idea is that a person or citizen will be free to the extent that suitable choices are suitably protected and empowered”⁶

The ‘*choice situation*’ is exactly the final outcome of the process that I have aforementioned: it is the process recognising choice being free related to the ‘*standing capacity*’ of a person, that is, in turn, related to the symmetric relationships that a person enjoys.

I have criticised freedom as non-interference for its materialistic sentiment for measuring one’s freedom by the quantity and quality one has at disposition. The value of

⁶ Pettit, P. (2008). *The Basic Liberties*. In: Kramer M. H., Grant C., Colburn B., Hatzistavrou A. (eds). *The Legacy of H.L.A. Hart: Legal, Political, and Moral Philosophy*. Oxford: Oxford University Press, p. 202.

non-domination sees individual freedom in a relational sense: only the symmetric relationship, and not the quality and quantity of choices, can be accepted as the source of one's '*choice situation*'.

The formula of '*choice situation*' is the ultimate result in the hands of the individual in the moment of the choice. Individual freedom, even according to the value of non-domination, remains in the ability of the individual to act, and to pursue choices. However, the process leading to consumption of choices is extremely different from that of non-interference. Choices are not the element liberating the individual. Having a '*discursive control*' of the social dynamics and mechanisms in the social structure frees the individual before the consumption of choices.

These elements are foundations of the republican freedom, according to freedom as non-domination. Individual unfreedom is addressed in different manner with respect of the value of non-interference. If liberalism believes that individual freedom coincides with freedom of choice, both in its negative and positive manner, and communitarian positive freedom believes that individual freedom is the ability to be an active part of the community without protections, safeguards, or "forms", republicanism believes that the quality of the freedom of a person stems from the symmetry or asymmetry of her relationships that liberates the individual in the pursuit of their choices.

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