Freedom and relational equality

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Abstract

Relational egalitarians defend a social arrangement ensuring that individuals can relate to each other with mutual respect as equal members of society. This equal standing is required also by the republican conception of freedom, which is therefore commonly endorsed by relational egalitarians. But while capturing egalitarian concerns might make republican freedom an attractive ideal, it prevents it from performing a useful role in the formulation of relational egalitarianism. When we develop the ideal of relational equality, we are better served by a conception of negative freedom defined without egalitarian or other evaluative terms. Negative freedom turns out to be especially important as a component of the respect between individuals that lies at the core of relational egalitarianism.

1 Introduction

Relational egalitarians defend a social arrangement that establishes and preserves non-hierarchical relations among individuals.[1] Ensuring that people relate to each other as equals is considered a, or the, core concern of social justice. How is this conception of equality related to freedom, another key value in political philosophy?[2]

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[1] Foundational works on relational egalitarianism and its differences from distributive egalitarianism include Anderson (1999), Scheffler (2003), and Wolff (1998).

[2] Throughout the paper, I shall take the conventional approach in the freedom literature of treating 'freedom' and 'liberty' as synonyms.

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Some prominent relational egalitarians argue it does not go well with negative freedom as the absence of another agent's interference or prevention. Anderson (2018) understands negative freedom to block interfering measures necessary for achieving equality. And Pettit (2008, 2011) has repeatedly dismissed negative freedom as an undesirable conception of freedom essentially because it entails that one can be free while subjected to the will of a superior agent. Negative freedom is therefore thought to give us no reason to prefer egalitarian to non-egalitarian relations.

Anderson, Pettit, and other relational egalitarians instead endorse a republican conception of freedom as non-domination, which makes it conceptually impossible for someone in an inferior position to be free. Republican freedom demands institutions ensuring people's equal status by protecting them from ending up in inferior and vulnerable positions relative to others. Both Anderson (2018) and Pettit (2012) therefore praise republican freedom for itself requiring relational equality. Others also endorse republican freedom for this reason, though they disagree on whether it captures all there is to relational egalitarianism (Garrau & Laborde, 2015; Schuppert, 2015).

In this paper, I challenge this defence of republican freedom and argue that negative freedom is more useful to relational egalitarians. I develop this position in two main steps. I first examine the influential view that republican freedom is particularly useful in the formulation of relational egalitarianism, and that negative freedom is of no or little use. I explain the harmony between republican freedom and relational equality by showing how republican freedom is the status one enjoys under institutions ensuring relational equality. This means republican freedom can have no purpose when we formulate the theory of relational equality, since we need the theory to tell us what republican freedom is.

While this significantly restricts the usefulness of republican freedom, it is not itself a reason to reject this way of defining liberty. I indeed show that other prominent political philosophers define freedom on the basis of normative theories, including egalitarian ones, to ensure that freedom is valuable and worthy of normative consideration (esp. Dworkin, 1987). But the next key step in the paper is to show that negative freedom, as a fundamental value defined independently of other values, has an important place in relational egalitarianism. I do so by identifying crucial mistakes made by critics of negative freedom, especially in their view that freedom cannot be valuable if it is defined in non-evaluative terms. I then demonstrate how negative liberty is valuable, despite being 'value-free' in this sense.[3] I do so primarily by identifying its constitutive role in the respect between equals that has a central place in relational egalitarianism.

Negative liberty is not a grand ideal that can somehow capture all relational egalitarians care about. It is simply a description of the social situation in which one is not prevented by anyone from doing some action. Critics are right to point out that

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[3] I here follow Carter (2015) in using the term 'value-free' to refer to concepts defined without evaluative terms. But while negative freedom is value-free in this sense, it is not fully 'value-neutral' since it will be not be considered a significant normative consideration from all ethical points of view. What matters in this paper is only to show how negative freedom is considered significant from a relational-egalitarian perspective. Kramer (2018) also makes the distinction between what Carter calls 'value-free' and 'value-neutral', but he prefers 'value-neutral' for the former and 'value-independent' for the latter.

this means an inferior and vulnerable person in a hierarchical society is free to do *x* when no one prevents them from doing *x*. But it is exactly because negative freedom is distinct from equality that it can serve a purpose in the formulation of an egalitarian theory. Instead of being defined in some way based on such a theory, it is a key component in the theory. While it is not the only value to be considered in the construction of the theory, it plays an important role in the account of what it means for people to relate to each other as equals.

2 Republican freedom

Republican freedom is described as the absence of domination. The meaning of domination, however, is ambiguous. Pettit often describes it as not living under the unchecked, or arbitrary, power of another agent. The power asymmetry is itself the source of unfreedom, and it does not matter whether the power is actually exercised or not. As Pettit (2012: 11) says, 'the real enemy of freedom is the power that some people may have over others'. Republican freedom requires that interference without concern for your interests be 'inaccessible', which does not mean sufficiently improbable, but instead not within any other agent's power (Pettit, 1997: 88, 2012: 50). Pettit (1996) has indeed referred to freedom simply as 'antipower'. But at other places, Pettit's formulation of non-domination is more explicitly about social equality and less about power. He, for example, sees as 'the signature theme' in the republican tradition that citizens can 'enjoy this equal standing in their society' without depending on 'the benevolence of their betters' (Pettit, 2012: 2). We are also told that being free in the republican sense is to enjoy whatever resources and protection one needs to 'stand on a par with others' (Pettit, 2014: 60).

Are these anti-power and equal-status formulations of republican freedom significantly different? Kolodny (2023: ch. 23) argues that the former is broader in that it simply is power asymmetry, while the latter, more specifically, involves endorsement of, or submission to, another's power.[4] On the anti-power interpretation, you are dominated in cases of mere possibility of an alien will encroaching. But in such cases, you are not necessarily inferior to the more powerful agent (Kolodny, 2023: 274–275). You can therefore be free in the equal-status sense while being unfree in the anti-power sense. Unexercised power makes you inferior, and therefore unfree in the equal-status sense, only when you submit to it.

Kolodny (2023: 274–275) helpfully uses Kramer's (2003: 140–141, 2008: 47–48) 'gentle giant' case to illustrate the difference between the two interpretations of republican freedom. The giant has the unchecked power to interfere with others in his village but chooses not to because he prefers a solitary life without interaction with other villagers. We are told the probability of the giant actually exercising his power is 'effectively zero' (Kramer, 2003: 141). On the anti-power interpretation, the

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[4] Kolodny (2023: 273) also points out that one can enjoy the protection non-domination requires on the anti-power interpretation while still be inferior, since there can be 'asymmetries of authority and disparities in regard'. Relatedly, Gerrau and Laborde (2015) and Schuppert (2015) consider the focus on power to interfere too narrow by arguing that it fails to capture a structural aspect that makes some inferior to others.

giant nonetheless seems to make the villagers unfree because, as Pettit (2012: 62) says, it does not matter whether the dominator wants the power or how likely they are to exercise it. On the equal-status view, however, the villagers appear to remain free because they have no good reason to fear the giant or to submit to his power and feel inferior to him.

Kolodny finds no consistent answer from republicans about which way they go when the anti-power and equal-status interpretations come apart. But when pressed, republicans do imply which interpretation they take, and they do not all go in the same direction. Skinner (2008: 97) commits to the anti-power interpretation in his direct response to Kramer's gentle giant case. In his view, 'the community is wholly enslaved … [i]f the giant could interfere at will and with impunity'. Someone's power to interfere, unconstrained by law, is enough to make you unfree (see also Skinner, 1998: 72).

We have seen that Pettit shifts between the two interpretations, but on a closer look, he seems more concerned with ensuring status equality than with eliminating arbitrary power. Freedom, he says repeatedly, requires protection up to the point at which people pass the eyeball test, which means they can 'look one another in the eye without reason for fear or deference' (Pettit, 2012: 47). And the villagers seem to pass this test since they have no reason to fear the giant as long as they respect his wish to be left to himself. The equal-status interpretation also appears more compatible with Pettit's substantive understanding of non-domination as living under institutions promoting citizens' common interests, which particularly involves providing for everyone's basic liberties. Power asymmetry itself has no negative impact on this core concern in Pettit's republican theory as long as its presence does not make individuals feel restricted in their ability to exercise the basic liberties. And such restrictions would reflect inferiority and inability to relate to another as an equal. Pettit (2012: 17) also understands unfreedom as being dependent on the permission of someone with 'the power of a master'. And one is not dependent on another in this sense merely because the other has superior power, one must also submit to their power. So, when the anti-power and status-equality interpretations of republican freedom come apart, Pettit seems to take the latter.

Lovett (2022: 67–68) also favours the equal-status interpretation by being unconcerned about the giant's power as long as it is common knowledge among the villagers that the giant is gentle and therefore unlikely to interfere. The threat of interference is then 'ignorable'. The villagers act as if they know the giant will not interfere, each of them knows that everyone knows this, and each of them knows that everyone knows that everyone knows this. No one's behaviour will then be affected by the giant's power. In the absence of such common knowledge, however, the villagers will be dominated by the giant. But in that case, they will presumably also fail Pettit's eyeball test and be unable to relate to the giant as their equal. Ingham and Lovett (2019) also say their ignorability understanding of non-domination is 'similar in spirit to Pettit's "eyeball test"'.

So, while Skinner takes the mere existence of unchecked power to make people unfree, Pettit and Lovett consider freedom as non-domination as the status of equals. The two interpretations may not lead to significant differences in terms of how society ought to be structured, since it may be empirically implausible that someone's

superior power will not affect how others relate to them.[5] But conceptually, the equal-status interpretation is clearly more in line with relational egalitarianism. Schemmel (2021: 68) also notes that from a relational-egalitarian perspective, what matters is 'reasonable certainty of non-interference', not the absence of power to interfere. This is what enables the respectful cooperation among equals that relational egalitarians endorse.

3 Freedom and equality

Republican freedom is commonly praised for this close connection to equality and considered superior to negative freedom essentially because it implies that you are free to do whatever no one prevents you from doing even if you are in an objectionable position of inferiority and vulnerability. While republican freedom is a status one enjoys when protected against such vulnerability, being free in the purely negative sense is to not be physically prevented from performing some particular action, x. And being unfree to do x means being prevented from doing x. I shall here understand prevention as prevention by another agent.[6] And importantly, you prevent me from doing x not only by actually stopping me from doing x, but also, subjunctively, if you would stop me from doing x if I were to try to do x. Either way, you make me unable to do x (Steiner, 1994: 38–41).

Your prevention also makes me unfree to do what you prevent me from doing regardless of whether your prevention is intentional or indeed whether you are aware of the prevention. This is how the conception is *purely* negative. You make me unfree to do x by making it physically impossible for me to do x regardless of what motivates the prevention (Steiner, 1994: 9–12, 17–21). The conception is thus insensitive to the will of any agent, which is central in positive liberty (e.g., Christman, 1991). We shall see in Sect. 7 that this is an important point with respect to relational equality, since it may be no one's intention to maintain unequal, hierarchical relations in which the inferior parties are denied opportunities. A relational egalitarian will still object to such inequality, and they can do so, at least in part, by pointing out that the restrictions imposed on those of a lower standing, albeit unintentially, reduces their overall pure negative liberty.

But critics of negative freedom are nonetheless right when they understand it to imply that someone in an inferior position, such as a slave in relation to his master, is free to perform any action the master (or anyone else) does not prevent the slave from performing. But the slave does not have republican freedom due to his inferiority in

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[5] The republican view, as Pettit (1997: 210–212) understands it, is that power will corrupt the power-holder, so that it will be used against others for personal ends if unchecked.

[6] By taking unfreedom to be the physical prevention of another agent, and freedom to be the absence of unfreedom thus understood, I take the bivalence view of Carter (1999) and Steiner (1994). Kramer's (2003) trivalence view accepts this understanding of unfreedom but takes freedom to require ability, and not just absence of agential prevention. One is therefore neither free nor unfree, on this trivalence view, in cases where one is unable but not prevented by another agent. The purpose of this paper does not demand a defence of bivalence, as the discussion would work also with trivalence. For a recent exchange on bivalence versus trivalence, see Carter and Steiner (2022) and Kramer (2022: 453–483).

relation to a master with the power to treat her slave in whatever way she wants. Pettit (1997: 63–64) calls this 'domination without interference'.[7] Negative freedom also implies that one is made unfree when prevented from acting in ways conflicting with efforts to establish and maintain a society of equals. Such efforts will realistically involve coercive redistribution of income and wealth, for example, as well as protection of individuals' rights by denying others opportunities to compromise them. If these measures prevent individuals from performing certain actions, they make these people unfree, in the negative sense, to perform those actions. Republicans, on the other hand, can consider such measures 'interference without domination', and therefore maintain that they make no one unfree (Pettit, 1997: 65–66).

Anderson (2018) criticizes negative freedom for conflicting with such measures and lauds republican liberty for its compatibility with them. She particularly points to the protection of private property, which she considers important for the safety and self-respect people need to relate to each other as equals. Anderson (2017: 47) warns that 'without robust protection of private property rights … the state is liable to degenerate into despotism, exercising arbitrary power over its subjects'. But protecting these rights means denying others access to the property, and therefore making these people unfree in the negative sense (Anderson, 2018: 95–96). Securing private access to a good means taking away everyone else's negative liberty to access that good. Having a property right over x means having a claim that no one else can use x. The state protects this right by interfering with everyone except the property owner.[8] To be exact, it does not typically prevent others from violating the property right. Insofar as law enforcement is effective, it will usually not prevent a crime but prevent people from performing certain actions in conjunction with the crime as punishment for committing it (Steiner, 1994: ch. 2).

Anderson (2017: 47) goes on to assert that protecting private property 'entail[s] massive net losses of negative liberty'. This gives negative liberty little purpose, in her view, because having private property rights is important for enjoying security and standing in one's society.[9] She instead endorses republican freedom because it 'requires extensive authority egalitarianism' (Anderson, 2018: 90). And negative freedom clearly does not. Republican freedom should therefore have priority

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[7] It is implausible, however, that a slave, qua slave, will in no way be interfered with and thus made unfree in the negative sense. The master may be benevolent and non-interfering, but the slave will still be unfree to do things that slaves are prevented from doing, such as voting or running for public office or getting a mortgage. Carter (2008) and Kramer (2008) also point out that slaves' vulnerability, in the sense of being dependent on their masters' goodwill, means the probability of their being interfered with is higher than it otherwise would have been, and that reduces the slaves' overall negative liberty (Carter, 2008; Kramer, 2008). But the benevolence of the master will likely mean the slave is free to do more things—and is thus freer, in the negative sense—than a slave with a malevolent master.

[8] Anderson (2017: 47) claims this implication of negative liberty regarding private property is 'often overlooked'. She does not mention it is identified explicitly by several prominent legal and political philosophers, including Bentham (1843: 503), Cohen (1979), and Hart (1975: 234).

[9] Anderson (2018) here claims to have found a contradiction between libertarians' concerns with individuals' negative liberty and with protecting private property rights, since the latter compromises the former. This is inaccurate, however, since the libertarians who think no one is made unfree by preventive measures taken to protect private property rights do not hold a purely negative conception of freedom (Bader, 2018; Nozick, 1974; Rothbard, 1973). They instead hold a moralized conception, which cannot be purely negative, as we shall see in Sect. 3.

over negative freedom, Anderson argues. Republican freedom, as Pettit (1997: 35) explains, is constituted by legal institutions ensuring that individuals can relate to each other as equals. Laws protecting private property will therefore make no one unfree as long as they contribute to ensuring such equality (Pettit, 2014: 85).

Here Anderson overlooks the fact that protecting private property affects the distribution of negative liberty, which has long been observed by negative-freedom theorists (Jones, 1982; Steiner, 1994). While it makes some people unfree to do certain things, it also makes some people free to do certain things. It therefore seems possible for egalitarians like Anderson to justify private property regulations, at least in part, by pointing to their desirable impact on the distribution of negative freedom.

However, Pettit has put much emphasis on a different concern with negative freedom that he understands to make it useless in egalitarian theorizing. Negative freedom, he says, 'absurdly' implies the possibility of 'liberation by ingratiation' (Pettit, 2011, 2012: 64). A slave, S, is vulnerable to the unchecked power the master, M, has over him, and the two clearly do not relate to each other as equals. S is therefore necessarily unfree in the republican sense. But S can make himself free in the negative sense, Pettit claims, by acting deferentially towards M so as to gain M's goodwill and thereby make M less inclined to interfere with him. The inequality remains, but S avoids M's interference. So, not only does negative freedom not require relational equality, it can even flourish in the most inegalitarian of hierarchical societies.

But this 'liberation by ingratiation' argument against negative freedom rests on a conceptual mistake. There is no way, on a purely negative account of liberty, that you can make yourself free to do something or increase your own freedom. Your negative freedom is about how others treat you, not about what you do. It is true that S's particular freedom to do *x* may depend on his deferential behaviour towards S. But that does not mean S's deferential behaviour towards M is self-liberating. Suppose S must act deferentially towards M before he can do *x*. S is then free to do *x*, since he can do *x*. And he remains free to do *x* as long as he chooses to ingratiate himself in the required manner. But if S instead chooses not to behave in this way, and M consequently makes S unable to do *x*, then M makes S unfree to do *x*. So, S gains no freedom by acting deferentially. The question of freedom or unfreedom is strictly a matter of how M acts towards him. And if M, for whatever reason, prevents S from doing *x*, she makes him unfree to do *x*.

The negative-freedom theorist can also problematize the master–slave relationship in terms of liberty by showing how M reduces S's overall freedom. Following Carter (1999), we may measure an individual's overall freedom in terms of the number of sets of conjunctively exercisable actions the individual is not prevented from performing. If M will deny S certain opportunities if he does not act as she wants him to, then M reduces S's freedom by preventing him (actually or subjunctively) from performing certain actions in conjunction with not acting as she wants him to. Regardless of how S acts, M denies him these sets of conjunctively exercisable actions.[10] So,

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[10] Another way to illustrate this point is to show that if Pettit were right about negative freedom, it would imply that handing money over in any market transaction would be an act of self-liberation. But you do not gain a freedom when you pay me to give you my bicycle. Instead, I deny you the freedom to use the bike in conjunction with any freedom you must give up when you decide to spend your money on the bike. This is how Cohen (2011) shows that money enables you to avoid others' preventions and that how much

whether S acts deferentially towards M or not, he gains no freedom and his overall freedom remains the same. The 'liberation by ingratiation' argument against negative freedom is thus demonstrably false.

But it remains the case that negative liberty does not itself capture a concern with equality, since it simply describes a situation in which one agent is not physically prevented by another from performing some action. Only republican freedom requires the equality desired by relational egalitarians. It is the status one enjoys under institutions providing everyone with the resources and protection they need to look each other in the eye and 'stand on an equal footing with others' (Pettit, 2014: 80). Republican freedom therefore enables Anderson (2010: 103) to state that '[f]rom a relational point of view, social inequality and lack of freedom are one and the same. In the classic republican formula, to be unfree is to be subject to the arbitrary will of another. This is the state of subordination, of inequality. To cast off relations of domination is to live as a free person. The quest for freedom is the quest for a mode of relating to others in which no one is dominated, in which each adult meets every other adult member of society eye to eye, as an equal.'[11]

4 Freedom as a moral status

But this harmonious relationship with equality is not itself a reason for egalitarians to endorse republican freedom. We must also consider how the harmony comes about and what this means for the role republican liberty can play in a theory of relational egalitarianism. To serve a useful purpose in formulating any normative theory, freedom must be defined independently of the theory. It cannot be defined in evaluative terms springing from the theory, as that would mean we need the theory before we can specify what freedom is. So, if the connection between freedom and an egalitarian theory is achieved by defining the former in terms of the latter, then freedom can have no part in the formulation of the theory.

Definitions of freedom including evaluative terms are commonly referred to as 'moralized'. The evaluation typically comes out in a distinction between a kind of interference said to make you unfree and one that does not. Cohen (1979) shows that Nozick (1974) employs a moralized conception of freedom when he maintains that individuals are not made unfree when prevented from, or appropriately punished for, violating others' moral rights as identified in Nozick's libertarian entitlement theory of justice. The problem with moralization is that it denies freedom any role in the formulation of this theory, since we need the theory to tell us what rights people have and therefore what they are free and unfree to do. When formulating the theory, then, '[f]reedom falls out of the picture', as Cohen (1988: 296) says. And when liberty is

money you have thus affects how free you are. I thank a reviewer for pointing out this connection between Cohen on freedom and money and the correction of Pettit's mistaken 'liberation by ingratation' argument against negative freedom.

[11] The first sentence of this quote suggests inequality means everyone is unfree. But the next three suggest only those in a state of subordination are unfree. What seems clear, however, is that inequality means at least someone is unfree, and that measures taken to realize equality will compromise no one's status as a free person.

defined in terms of the theory, we cannot praise the theory for its support of liberty. As Carter (2008: 72) notes, '[a]ny defence of an ideal which involves *defining freedom in terms of that ideal* is not, whatever its other strengths, a defence by appeal to freedom' (emphasis in the original).

Is republican freedom moralized? Is it based on an egalitarian theory and therefore incapable of serving a purpose in that theory? Pettit clearly thinks not. Not only does he understand republican freedom to be defined independently and prior to other normative considerations, he considers it fundamental to just about all political philosophy. It is the 'paramount value', we are told (Lovett & Pettit, 2009: 17). It can 'underpin an independent attractive theory of justice, democracy and indeed sovereignty' (Pettit, 2012: 21). Republicans need not balance freedom against other values, Pettit (1997: 81) says, since republican freedom 'already requires institutions that perform well in regard to values like equality and welfare'. If this is so, then republican freedom is defined independently of other values but still contingently promotes these values to the right extent.

Kolodny (2019: 113) also observes that republican freedom is presented as 'a kind of master value, which could somehow shoulder the whole weight of political philosophy'. But he swiftly rejects this view. The proclaimed union between republican freedom and equality does not demonstrate a master value but instead a conflation of freedom and equality that 'only invites equivocation' (Kolodny, 2019: 113). We should make sense of the confusion Kolodny identifies in light of the common observation that republican freedom is moralized.[12] The argument for this view is straightforward. Republicans distinguish between controlled interference, which is compatible with your freedom, and uncontrolled interference, which makes you unfree.[13] And this distinction is based on a normative theory identifying a type of interference that is justified and therefore compatible with freedom, and a type that is unjustified and therefore a source of unfreedom.

We can imagine two scenarios in which a person experiences exactly the same interference, such as being locked in a prison cell. But in one case, the incarceration is in accordance with the republican theory and therefore controlled interference, while in the other, it conflicts with the theory and is therefore uncontrolled. A non-moralized and simply descriptive conception would make no distinction between the two cases. For republicans, however, the individual's status as a free person is compromised in the latter case but not in the former. The relevant difference is that the act of interference is justified in one case but not in the other. By distinguishing freedom from unfreedom along the lines of such justification, republicans moralize their conception of freedom.

The status of a free person, as republicans understand it, is formulated in a theory concerned with protecting individuals' ability to relate to each other as equals. Institutions should promote citizens' common interests, which Pettit understands to be

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[12] Among the many commentators arguing that republican freedom is moralized are Carter (2008), Christman (1998), Dowding (2011: 303), Estlund (2014), Kramer (2008: 41), List and Valentini (2016: 1058–1066), McMahon (2005: 69–70), Moen (2023, 2024a: ch. 2), and Waldron (2007: 151–154).

[13] While Pettit makes this distinction between freedom and unfreedom, he notes that controlled interference does not 'compromise' your freedom, it merely 'conditions' it (Pettit, 1997: 76–77). And controlled interference makes you 'non-free' but not 'unfree' (Pettit, 1997: 26, fn. 1).

interests people can avow in public because they give no one special treatment that would elevate them to a standing superior to others. More specifically, this interference is acceptable to people motivated to ensure that everyone has the protection and resources they need to effectively exercise the basic liberties, which they need to relate to each other as equals who do not depend on one another's goodwill. To enjoy this independence is to enjoy the status of republican freedom. Interference conflicting with these common interests compromises this status, and the prevention involved in protecting people against such interference is therefore not considered a source of unfreedom. Republican freedom is thus based on the egalitarian commitments Pettit understands to follow from the freedom concept.

He therefore takes things in the wrong order when he says 'this way of thinking about freedom has serious payoffs in normative thought. It enables us to develop theories of social justice, political legitimacy and international sovereignty' (Pettit, 2012: 20). Republican freedom, in his view, can guide the development of the egalitarian theory of social justice he favours (see also Pettit, 2012: 124). But we now see how republican freedom is based on this theory and therefore cannot serve any role in the formulation of the theory.

Pettit, however, insists that republican freedom is not moralized. He does so in two ways, neither of which is successful. He first argues that whether people enjoy the kind of protection they need to relate to each other as equals, as republican freedom requires, is a matter of fact, not evaluation (Pettit, 2006: 278–280, 2008: 117, 2012: 58). But this reply misses the point. That a freedom concept can be employed in empirical investigations of whether someone is free or not tells us nothing about whether it is moralized. Consider a rights-based account of freedom like Nozick's. Following the evaluation of what moral rights people have, we can observe empirically whether a person possess these rights or not. We can then say, as a matter of fact, whether this person is free or not. But the concept is itself nonetheless based on moral evaluation. As for republican freedom, we first identify what constraints are justified because they protect citizens' dignified status as equals. We can then treat it is a matter of fact whether someone enjoys this protection (or to what degree). But the definition of freedom is still based on moral evaluation.

Compare these moralized conceptions to what Carter (2015) calls a 'value-free' conception of freedom, which is defined without evaluative terms. Pure negative freedom is value-free, in this sense, since it says A is free to do x as long as no one prevents A from doing x, and B makes A unfree to do x by preventing A from doing x. Here we need no prior evaluation of what rights or liberties people should have or which constraints are justified. We can instead go straight to the empirical investigation. This, as we have seen, is what Anderson and Pettit find objectionable about negative freedom: one can be justifiably made unfree.[14]

Pettit (2008: 127–128n19, 2012: 58–59) tries to deny that republican freedom is moralized also by pointing out that it is neutral between conceptions of the good and that it conflicts with paternalism. It does not allow for interfering with people to promote some understanding of what is in their best interest independently of what

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[14] See fn. 3 for an explanation of Carter's distinction between 'value-free' and 'value-neutral'. While negative freedom is value-free, it is not entirely value-neutral.

they take their own best interests to be. Interference compatible with freedom serves interests they are actually ready to avow, at least as long as these interests are compatible with treating everyone as an equal member of society. But while there may therefore be a sense in which this freedom ideal can be said not to be 'moralizing', this is not the kind of moralization discussed in the freedom literature. The neutrality and anti-paternalism Pettit refers to are moral positions defended in a theory of justice. Incorporating these positions into the definition of freedom therefore confirms that it is based on such a theory and therefore moralized.

5 The defence of moralization

The observation that republican freedom is moralized means it cannot be a master value capable of directing our normative theorizing, including the formulation of relational egalitarianism. We need an egalitarian theory before we can define the status of republican freedom, and the latter therefore cannot feature in the formulation of the former. Republican freedom is not the basis for an egalitarian theory of justice; it is itself based on such a theory. This explains its harmony with equality.

Does this make republican freedom useless for relational egalitarians? Cass (2023) seems to think so when he takes the observation that republican freedom is moralized to give us a good reason for abandoning the term 'freedom' when we talk about non-domination. We should instead merely consider non-domination, and particularly the robust protection of the basic liberties it requires, a constitutive part of a civic status held by individuals living under institutions treating them as equals. This approach is said to avoid the problem of moralization.

In one sense, this is obviously right, since something can be a moralized conception of freedom only if it is a conception of freedom. But in another sense, whether we decide to use the term 'freedom' in this moralized way referring to the status of non-domination is itself of little significance. Nothing turns on whether we say that robust protection of the basic liberties means you are 'free' or not. We can moralize freedom by taking it to refer to only certain liberties we consider it particularly important that people have. This is indeed the view taken by many prominent liberal theorists, such as Dworkin (1987) and Kymlicka (1988). Rawls (2001, 2005) also takes this strategy, at least in his later work, when he understands being free as being able to effectively exercise the basic liberties. Some libertarians follow the same line, albeit with a different view of what liberties one must have to be considered free (Bader, 2018). That a definition of freedom is moralized is therefore far from universally considered a reason for abandoning it.

A meaningful rejection of moralizing freedom involves a defence of a non-moralized, and therefore value-free, conception. Pure negative freedom is value-free because it describes a social relation between agents in non-evaluative terms. When A prevents B from doing x, A makes B unfree to do x regardless of how we evaluate the prevention. Critics of negative liberty correctly point out that this means you are made just as unfree by justified as by unjustified prevention. And you are made unfree to do some action, x, regardless of whether x is a permissible or impermissible action. It may not be permissible for you to take another's private property, and it may be

justified to stop you from doing so, but the prevention makes you no less unfree for that reason. This is what to expect from a conception of freedom insensitive to evaluative concerns like justifiability and permissibility.

Since this value-free conception is defined independently of other normative considerations, such as equality, it can itself be a value to consider in the formulation of an egalitarian theory. It is not based on a normative theory and can therefore, logically, feature in the theory (Cohen, 1981: 11). In his defence of moralizing freedom, Bader (2018: 158, fn. 36) accepts that value-free conceptions can serve such a role, and he concedes that moralizing 'excludes the notion of liberty from playing a fundamental justificatory role'. Dworkin (1987) also admits that his understanding of freedom is subordinate to equality, and that it therefore cannot be a fundamental value to appeal to in his egalitarian theory.

But while these moralizers accept that moralization means freedom cannot be a fundamental value, they defend it as necessary for ensuring freedom's significance. A value-free conception, they argue, is valueless and therefore insignificant. Freedom as the mere absence of constraint, in Dworkin's (1987: 5) view, is 'flat' and not worth caring about. For freedom to be valuable, Dworkin (1987: 5) says it should capture only 'the ways in which we believe people ought to be free'. And for Dworkin, these are freedoms compatible with a society in which everyone is given equal concern and respect. Only with this moralization of freedom can we say it is problematic to infringe on someone's freedom. Bader (2018: 157) makes this point bluntly when he says freedom as such cannot be valuable if 'the freedom to torture, to rape, and to murder classify as genuine freedoms'.

Pettit also considers only certain freedoms valuable by focusing on the basic liberties and by taking the interference involved in protecting these liberties to make no one unfree. This evaluation of liberties determines which are suitable for the moral status of freedom as non-domination. A free person can relate to anyone as an equal because institutions are in place to robustly provide the resources and protection they need to effectively exercise these liberties. Ensuring this robust status will involve preventing individuals from denying each other opportunities to exercise the basic liberties (Moen, 2024b). But Pettit (2004: 152) says interests in freedoms to pursue ends conflicting with a society of equals are 'irrelevant'. He thus implicitly follows Dworkin in identifying certain liberties as 'flat' and insignificant. And also like Dworkin, he bases freedom on a more fundamental concern with equality in order to ensure its value.

This defence of moralization implies that we cannot meaningfully reject freedom as non-domination simply because it is moralized. We may follow Pettit in referring to the status of enjoying robust protection of, and resourcing for, the basic liberties as 'freedom', or we may follow Cass in just calling it 'non-domination'. But the choice of terminology makes no difference to the formulation of what we are substantively committed to. We are either way concerned with the basic liberties, which we have identified as the important and valuable liberties based on our egalitarian considerations. And either way, freedom as such is not considered significant, as we value only the particular freedoms we understand to be part of the egalitarian ideal.

A meaningful challenge to the moralization of freedom, and a corresponding defence of freedom as a fundamental concern for egalitarians and others, requires an

argument for why it is unnecessary for ensuring freedom's normative significance. It requires a demonstration of how freedom as such is valuable. Freedom, that is, must be shown to be valuable independently of what it is, specifically, one is free to do. Freedom will then be understood to have 'non-specific' (Carter, 1999), or 'content-independent' (Kramer, 2003), value.

6 Separating freedom and action

In this section and the next, I defend freedom's non-specific value and show how a value-free conception of freedom has an important role in relational egalitarianism. I do so by first showing how the defence of moralization and the rejection of freedom's non-specific value that accompanies it rest on a failure to distinguish freedom from action. A particular freedom is commonly thought to be valuable only if the action one is free to do is valuable. In this section, I reject this view by demonstrating how the negative value of some action, x, does not imply that also the value of the freedom to do x is negative.

According to the negative conception I work with in this paper, you are free to do x as long as no one prevents you from doing x. But whether you actually do x or not is a separate matter (Taylor, 1982: 153–154).[15] The freedom to do x is a necessary but clearly not a sufficient condition for doing x. And by keeping freedom and action distinct, we can evaluate the two differently. We can distinguish between the value of doing x and the value of being free to do x. An action may be morally impermissible and valueless, but the freedom to perform it can still be valuable (Feinberg, 1978: 27; Kramer, 2003: 240–245).

Consider again Dworkin's view that to make liberty an ideal with significance and weight in normative theorizing, we should take it to refer to only those freedoms one would have in an ideally egalitarian society where everyone enjoys equal respect and concern. But when we keep freedom and action distinct, we see that any freedom is compatible with such a society. Merely possessing certain freedoms cannot compromise this egalitarian ideal. The ideal remains intact as long as people do not *exercise* certain liberties. Similarly, if we follow Rawls and Pettit in thinking the basic liberties are particularly valuable, it does not follow that freedoms to act in ways that compromise others' basic liberties are not valuable. We may agree that acting in such a way has negative value, but the freedom to do so may still be valuable.

Some liberties may be particularly valuable because of their content, which is what one in each instance is free to do. There is therefore a certain connection between the value of freedom and the value of action (Kramer, 2003: 242). But while freedom can thus have specific, or content-dependent, value, it can also be valuable independently of its content—that is, independently of the value of being free to perform some specific action. This is especially seen in the importance of having a certain range of freedoms—including freedoms one ought not act on because of the action's negative value—for enjoying personal autonomy and experiencing self-respect. This

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[15] On Kramer's (2003: 212–213) trivalence account, a freedom to do x requires not just absence of prevention but also the ability to do x. But the freedom to do x is still distinct from actually doing x.

does not mean freedoms should never be denied. Making people unfree to do certain things might, all things considered, be justified. And as noted in Sect. 3, it might even be justified as a way of increasing overall freedom or for realizing a more attractive distribution of freedom.

In the next section, I will show how freedom as such, and not just particular freedoms, is a part of trusting and respectful relationships between equals, and is therefore an important value in relational egalitarianism. I shall first, however, consider an interesting challenge implicit in republicanism to this separation between the value of freedom and the value of action. Republicans are particularly concerned with protecting liberties and appear to consider a person's liberty valuable only insofar as the person enjoys a certain protection under which they can exercise the freedom without reasonable fear of what some superior agent might do in response (Pettit, 2008: 113). Now, we may accept that certain freedoms should be protected, while maintaining that the protection takes away liberties that are also valuable. But if a freedom must be protected in order to be valuable, and the protection involves denying people other freedoms, then only certain freedoms can be valuable. And republicans seem to identify freedoms as worthy of protection because of their content.

It is therefore insufficient that people merely choose not to act in impermissible ways. They must also be denied freedoms to do so. Or somewhat more realistically, legal institutions should make sure people cannot perform such impermissible acts without being appropriately punished for it (Pettit, 1997: 22; Skinner, 1998: 72). To the extent law enforcement is effective, people are denied liberties to act in certain ways in conjunction with criminal acts. Relational egalitarians may similarly hold that freedoms are valuable only if they are protected within an institutional structure designed to protect individuals' equal status. And this structure is maintained by constraints on what individuals can do, thus denying them certain freedoms. This view thus denies that freedom as such is valuable. And it does so by rejecting the significance of the distinction between freedom and action, since the value of a freedom depends not on others choosing not to deny it, but on their being prevented from denying it. To this objection, then, we cannot just reply that the value of freedom is distinct from the value of an action.

In the next section, however, I defend freedom's non-specific value against this challenge. While protecting certain valuable freedoms seems defensible, denying that freedom as such is valuable conflicts with a concern for respect at the core of relational egalitarianism. The protection requirement, as it is understood here to challenge freedom's non-specific value, implies that people cannot be trusted with freedoms to act in impermissible ways. But lack of such trust expresses a disrespectful view of people as incapable of making good decisions. Respectful treatment involves giving others a certain amount of freedom, and not just particular freedoms to act in ways we think they are permitted to act.

7 Respect and negative liberty

Relational egalitarians commonly take the liberal view that individuals should be treated respectfully as persons capable of developing and acting on their own conceptions of the good and held responsible for how they do so. As Anderson (1999: 312) says, 'all competent adults are equally moral agents: everyone equally has the power to develop and exercise moral responsibility, to cooperate with others according to principles of justice, to shape and fulfil a conception of their good'. And for Scheffler (2015: 24), each party in an egalitarian relation 'sees the other as a full-fledged agent who has the capacities associated with this agential status'. They expect each other 'to bear whatever responsibilities are assigned to a person in virtue of this status'. Unless people regard each other with such dignity, it seems implausible to say they relate to each other as equals.

The type of relation relational egalitarians oppose involves someone being treated as inferior and less capable and therefore less responsible than others. As Wolff (1998: 109) notes, in an egalitarian society, 'one should take others to be no less responsible and well motivated as oneself'. Where this is not the case, certain people are treated, in Strawson's (1974: 9) terms, not with the 'participatory' or 'reactive' attitude we hold towards someone we deem to have a moral status equal to our own, but with an 'objective' attitude as things to be 'managed or handled or cured or trained'. Relational egalitarians, Schemmel (2021: 39–40) says, primarily object to social hierarchies that imply an unequal assessment of individuals' worth evident in the demands for equal moral standing by women, people of different sexual orientations, and members of ethnic minorities. In objectionable hierarchies, members of certain groups are regarded as inferior and less capable of making good choices and therefore in greater need of restrictions.

The dignified treatment these relational egalitarians endorse involves allowing people freedom, and not only freedoms considered particularly valuable because of their content. Denying individuals freedoms to perform actions considered to have little or no value, Carter (2009: 175–177) notes, expresses a disrespectful view of them as incapable of making good decisions and therefore in need of the guidance of someone understanding their interests better than themselves. Such treatment weakens people's sense of self-respect and view of themselves as equal to others in their society. Carter (1999: 59–60) therefore understands a degree of freedom as such to be constitutive of self-respect—that is, necessary for self-respect. Hurka (1987), similarly, finds freedom as such to be valuable because not being denied opportunities means being able to meaningfully reject opportunities, and not just take the preferred one. Having opportunities to reject is necessary for personal autonomy.

By emphasizing the importance of autonomy and self-respect, relational egalitarians therefore implicitly accept the value of negative freedom as such. It is necessary for realizing these values at the core of relational egalitarianism. Schemmel (2019: 635–636) notes that opportunities are constitutive of the social bases of self-respect. Being treated as a mature and self-governing person involves being allowed various opportunities to reflect on and choose among (Schemmel, 2019). Cass (2025), similarly, understands having the status as an equal to involve possessing 'status-conferring goods' affecting how people see themselves and how they are regarded by

others. Presumably, such goods are important both for people's self-respect and for the respect they receive from others. Relational egalitarians should therefore consider negative freedom a status-conferring good. This observation is key to understanding negative freedom's place in relational egalitarianism: It is a necessary part of the respect among equals.

The important point here is that when people relate to each other respectfully as equals, they treat each other as mature persons fit to make their own decisions for which they can be held responsible.[16] Equals consider one another capable of reflecting on their various opportunities and meaningfully choosing in ways they can justify to themselves and others. Such dignified treatment involves being trusted not only with particular freedoms you may be expected, or at least permitted, to exercise, but also with other freedoms. While being given such trust is dignifying, being denied it can be experienced as insulting (Wolff, 1998: 111).

Such inegalitarian relations are objectionable independently of what motivates people to maintain social hierarchies. People have a claim against inferiority regardless of why they are in an inferior position. We can imagine a hierarchical society in which no one intentionally denies people of an inferior position opportunities associated with a higher standing. A hierarchy can also be kept in place despite no one considering it desirable or rightful, perhaps because of pluralistic ignorance: everyone mistakenly acts in accordance with it because they mistakenly believe that everyone else approves of such behaviour (Mackie, 1996). Negative freedom will have a role in problematizing also such cases of relational inequality. As emphasized in Sect. 3, what makes you unfree on the *purely* negative account of freedom is others denying you opportunities, and it does not matter why they do so. Pure negative freedom can therefore help us see what is objectionable with being denied the respect of an equal even if society is structured so that no one acts on the intention or desire to maintain the inequality.

We should further note that the negative freedom given in respectful treatment can make people more motivated to act in desirable ways. Behavioural studies suggest that constraints impairing people's sense of self-determination can make them feel responsible and less inclined to behave virtuously (Deci et al., 1999; Falk & Kosfeld, 2006). A feeling of distrust can also have this negative effect (Sunshine & Tyler, 2003; Tyler & Huo, 2002). External constraints are thus said to 'crowd out' people's motivations to act morally. While such positive effects of trust and respect on people's behaviour are not part of the egalitarian ideal, they give us further reason to endorse it.

These observations seem to threaten republicans' rejection of freedom's non-specific value and their defence of external constraints to achieve the robust protection their conception of freedom requires. We are repeatedly told we cannot rely on

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[16] Responsibility is central in luck egalitarianism, but comparing its place in that category of theories to its place in relational egalitarianism is beyond the scope of this paper. Scheffler (2003) acknowledges that responsibility is important in both relational and luck egalitarianism, but considers it exaggerated in the latter. Schmidt (2022) takes the importance of responsibility in relational egalitarianism to mean its distance from luck egalitarianism is lesser than commonly thought.

people's moral motivations.[17] Bowles (2014: 268) indeed attributes the view that people will not act virtuously in the absence of external constraints to a key figure in the republican tradition by calling it 'Machiavelli's mistake'. Now, Pettit (1995, 1997: 266–269) actually supports reliance on trust insofar as it has a positive effect on behaviour. Trust can, for example, make government officials more inclined to serve common interests. But this conflicts with Pettit's opposition to negative freedom, since to value trust is to value the absence of constraints on impermissible behaviour. Pettit (1997: 266) also admits that this reliance on trust means being 'willing to accept the fact of often having to be vulnerable to others'.

But while this view conflicts with a firm republican emphasis on the protection described in the previous section, reliance on trust is compatible with the equal-status interpretation of republican freedom, since it, unlike the anti-power interpretation, does not demand protection against any uncontrolled power. But while the equal-status interpretation makes for a more attractive political ideal, we can now see that due to its core concern with trust and respect, it gives an important place to negative freedom and its non-specific value.

8 Conclusion

Republican freedom, as Anderson (2010: 103) points out, enables relational egalitarians to say that 'social inequality and lack of freedom are one and the same'. In this paper, I have explored the connection between republican freedom and social equality, and I have denied that this harmony between the two is a reason for egalitarians to endorse republican freedom. I have demonstrated how the connection between them is due to freedom being based on equality. Republican freedom therefore cannot serve a useful function in the formulation of the ideal of relational equality.

The paper has also shown how negative freedom can serve such a purpose in relational egalitarianism. A value-free negative conception of freedom is not the grand ideal republican freedom is meant to be, since it is merely an empirical description of a social relation between agents. It is defined independently of equality and may often be something it is justified to deny people. But it nonetheless describes something valuable, and I have argued for its importance especially as a necessary component of the dignified treatment and regard for individuals as respectable and responsible persons that lies at the core of relational egalitarianism. Negative liberty thus enables us to better explain what it means for people to relate to each other as equals.

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[17] Lovett and Pettit (2019: 372) say, for example, that 'virtuous self-restraint would not remove domination'. And Pettit (2012: 183) says elsewhere that 'mere morality' protects no one against another's uncontrolled power.

Declarations

Conflict of interest The author declares none.

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