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**“A Great Championess for her Sex”: Sarah Chapone
on Liberty as Non-domination and Self-mastery**

Jacqueline Broad

Abstract

This paper examines the concept of liberty at the heart of Sarah Chapone’s 1735 work, *The Hardships of the English Laws in Relation to Wives*. In this work, Chapone (1699-1764) advocates an ideal of freedom from domination that closely resembles the republican ideal in seventeenth and eighteenth-century England. This is the idea that an agent is free provided that no-one else has the power to dispose of that agent’s property—her “life, liberty, and limb” and her material possessions—according to his arbitrary will and pleasure, without being accountable to the law. This paper shows how Chapone uses this ideal to ground her arguments against those laws that put married women in a worse condition than slavery, and to call for the establishment of reasonable and just safeguards for a woman’s personal property and property in her children. More than this, it is argued, in this text Chapone articulates a feminist ideal that is both negative freedom *from* domination and positive freedom *to* be one’s own master or arbiter. Her work thus occupies a unique—and hitherto unrecognized—place in the history of feminist philosophy.

**“A Great Championess for her Sex”: Sarah Chapone
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In her 1735 work, *The Hardships of the English Laws in Relation to Wives*, Sarah Chapone (1699–1764) recounts the story of Gyges of Lydia and his magical ring, a story that also appears in book II of Plato’s *Republic* (2.359a–360d). According to Platonic legend, Gyges’s golden ring possesses the extraordinary power of rendering its wearer completely invisible. With the help of this ring, the lowly shepherd Gyges enters the court, seduces the king’s wife, then murders the king and takes his throne—all with impunity. In her own text, Chapone asks the question: what would a man of honour do, had he such a ring? Her answer is, *the same as he would without it*. Though the wearer of the ring might steal whatever he pleased, or slay whomever he despised, all without fear of punishment, the honourable man would not take such action. Chapone also points out that “A Man of Honour would not desire such a Ring” and that “a Man without Honour should not be trusted with it”.¹ Nobody would think it wise or prudent to permit any man in the kingdom to wear Gyges’s ring, she says,

¹ [Sarah Chapone], *The Hardships of the English Laws In relation to Wives. With an Explanation of the Original Curse of Subjection passed upon the Woman. In an Humble Address to the Legislature* (London: W. Bowyer for J. Roberts, 1735), 50. The work was also published anonymously by and for George Faulkner in Dublin the same year. For a modern facsimile reprint, see Sarah Kirkham Chapone, *Hardships of the English Laws In Relation to Wives* (1735), in *Legal Treatises*, selected and introduced by Lynne A. Greenberg, in *The Early Modern Englishwoman: A Facsimile Library of Essential Works*, Series III, *Essential Works for the Study of Early Modern Women: Part 1* (Aldershot, UK: Ashgate, 2005), vol. II.

“lest the Power of doing Mischief, might create, as well as assist an Inclination to it”.²

The main purpose of Chapone’s text is to show that the laws in eighteenth-century England have in fact granted husbands this power of doing mischief with impunity. In this time and place, she points out, the laws permit husbands to hold their wives captive, to psychologically and physically abuse them, to deprive them of their property, and to keep them from seeing their children—all without being accountable to any earthly authority whatsoever. Chapone observes that: “A good Husband would not desire the Power of Horse-whipping, confining, Half-starving his Wife, or squandering her Estate; a bad Husband should not be allowed it.”³ In her anonymous seventy-page treatise, she appeals to King George II and both houses of parliament “for an Alteration or a Repeal of some Laws, which, as we conceive, put us [i.e., married women] in a worse Condition than *Slavery* itself”.⁴

In this paper, I argue that Sarah Chapone deserves a prominent place in the history of feminist philosophy as one of the first writers consistently to apply what is now known as the republican concept of liberty to the situation of married women in early modern society. Historians have identified at least three republican moments in England in the 1600s: the first during the Interregnum of 1649–60; the second in response to the looming threat of a Catholic succession and an absolute monarch, c. 1675–83; and the third in the late 1690s as a result of various constitutional crises following the Glorious Revolution of 1688–89.⁵ At each moment, the most prominent republicans did not call for the abolition of monarchy as such, but rather for limited or

² Chapone, *Hardships*, 50.

³ Chapone, *Hardships*, 50.

⁴ Chapone, *Hardships*, 2.

⁵ See Blair Worden, “English Republicanism”, in *The Cambridge History of Political Thought 1450–1700*, ed. J. H. Burns, with Mark Goldie (Cambridge: Cambridge University Press, 1994), 443–75.

regulated monarchical rule.⁶ In their view, the liberty of the people could be assured only if just and reasonable laws prevented the sovereign from exercising an arbitrary power over the lives of subjects. A state in which a monarch could take away his subjects' property (their "life, liberty, and estates"), at his arbitrary will and pleasure, was not a free state—it was a state of tyranny. The early modern republicans thus called for monarchical rule in the service of the law, and for restrictions on the sovereign's power to amass a standing army in times of peace (a typical harbinger to absolute rule).

Though some English women writers endorse the republican ideal of liberty prior to Chapone,⁷ she is the first to follow through with its implications for married women in civil society: a call for an institutionalised guarantee of security for women against domination in marriage. More than this, I believe that Chapone articulates an ideal that is both negative freedom *from* domination and positive freedom *to* be one's

⁶ Worden, "English Republicanism", 446–7.

⁷ In the seventeenth century, the civil war women petitioners, Mary Astell, and an anonymous author known as "Eugenia", all apply the republican ideal of liberty to women in some sense, but without calling for widespread marital legal reform. On the strengths and weaknesses of these earlier feminist arguments, see Jacqueline Broad, "Liberty and the Right of Resistance: Women's Political Writings of the English Civil War Era", in *Virtue, Liberty, and Toleration: Political Ideas of European Women, 1400–1800*, ed. Jacqueline Broad and Karen Green (Dordrecht: Springer, 2007), 77–94; Jacqueline Broad and Karen Green, *A History of Women's Political Thought in Europe, 1400–1700* (Cambridge: Cambridge University Press, 2009), chapter six; Jacqueline Broad, "Women on Liberty in Early Modern England", *Philosophy Compass* 9, no. 2 (2014), 112–22; and Jacqueline Broad, "Mary Astell on Marriage and Lockean Slavery", *History of Political Thought* 35, no. 4 (2014), forthcoming. For details on feminism and republican ideals from Wollstonecraft onwards, see Anne Phillips, "Feminism and Republicanism: Is this a Plausible Alternative?", *The Journal of Political Philosophy* 8, no. 2 (2000), 279–93.

own master or arbiter.⁸ Present-day theorists describe the republican notion of freedom as “intermediate between the ideals of non-interference and self-mastery”, but nevertheless deny that the concept is positive in Isaiah Berlin’s sense of requiring agents actively to govern or to gain control over themselves.⁹ For Chapone, however, freedom from domination is important precisely because it enables agents to exercise control over their moral choices and actions.

To substantiate these claims, in the following analysis I spell out Chapone’s arguments in detail, before defending them against two contemporary critics: an anonymous writer for *The Gentleman’s Magazine*, and Chapone’s friend and correspondent, the novelist Samuel Richardson. Because Chapone is relatively unknown to philosophers, I begin with a brief biographical-historical overview.

I. BIOGRAPHICAL-HISTORICAL BACKGROUND

Sarah Chapone (*née* Kirkham) was born on 11 December 1699, the daughter of Damaris (*née* Boyse) and Lionel Kirkham, an Anglican clergyman of Stanton, Gloucestershire, in England. Chapone was buried in the same parish on 24 February 1764. The few details that are known about her life come from the Stanton parish registers and the surviving correspondence of her well-known acquaintances, the biographer George Ballard (1706–55), the writer-printer Samuel Richardson (1689–1761), the Methodist preacher John Wesley (1703–91), and her childhood friend

⁸ In this context, an arbiter is someone “who has power to decide or ordain according to his own absolute pleasure; one who has a matter under his sole control” (*OED*).

⁹ Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Clarendon Press, 1997), 27. Isaiah Berlin’s positive-negative distinction is most famously captured in his influential essay, “Two Concepts of Liberty” (first published in 1958), in *Four Essays on Liberty* (London, Oxford, and New York: Oxford University Press, 1969), 118–72.

Mary Delany (*née* Granville, 1700–88).¹⁰ On Chapone as a child, Delany observes that

She had an uncommon genius and intrepid spirit, which though really innocent, alarmed my father, and made him uneasy at my great attachment to her. He loved gentleness and reserve in the behaviour of women, and could not bear anything that had the appearance of being too free and masculine; but as I was convinced of her innocence, I saw no fault in Miss Kirkham. She entertained me with her wit, and she flattered me with her approbation, but by the improvements she has made since, I see she was not, at my first acquaintance, the perfect creature I thought her then. ... Her extraordinary understanding, lively imagination, and humane disposition, which soon became conspicuous, at last reconciled my father to her ...¹¹

¹⁰ Chapone’s birth, baptism, marriage, the birth and baptism of her five children, some of their burials, and her own burial, are all recorded in the register book of the parish of Stanton, Gloucestershire. For details, see *The Autobiography and Correspondence of Mary Granville, Mrs. Delany: with Interesting Reminiscences of King George the Third and Queen Charlotte*, ed. Lady Llanover, in 3 vols (London: Richard Bentley, 1861), first series, vol. I, 15 n. On Chapone and Ballard, see Ruth Perry, “George Ballard’s Biographies of Learned Ladies”, in *Biography in the 18th Century*, ed. J.D. Browning (New York and London: Garland Publishing, 1980), 85–111 (esp. 91–3); and Ruth Perry, “Introduction” to George Ballard, *Memoirs of Several Ladies of Great Britain (who have been celebrated for their writings or skill in the learned languages, arts and sciences)*, ed. Ruth Perry (Detroit: Wayne State University Press, 1985), 12–48. The Chapone-Ballard correspondence can be found in the Bodleian Library, Oxford, Ballard MS 43. In addition to the aforementioned correspondences, Chapone’s letters to Mrs Knightley (c. 1735–6) can be found in the Gloucestershire Archives, UK, D2383/F14.

¹¹ Delany, *Autobiography and Correspondence*, first series, vol. I, 15-16.

Chapone's strength of character also won the enduring love and affection of John Wesley, a founder of the Methodist religion and a regular visitor to Stanton. Despite a brief courtship, however, the two remained only friends. On 28 December 1725, Sarah married John Chapone, a young vicar in a neighbouring township. By all accounts, the marriage was a happy one.¹² In her *Hardships*, Chapone says that "God be thanked, I have an Husband who lets me be *alive*, and gives me leave to be *some Body*, and to tell other People what I think they are".¹³ A contemporary owner of the *Hardships* also made a point of noting on the final page that "ye Lady Had a very good Husband & liv'd happy only writ for ye Good of Her Sex in General".¹⁴ Together the Chapones had five children, four of whom survived into adulthood.

Prior to publication, Chapone appears to have distributed early manuscript copies of *The Hardships* among her friends. In a letter to her sister, dated 22 July 1734, Delany says that "it is an excellent piece of wit and good sense, and when *she* (the author) has rectified the *law part* of it, it will be fit for the press and the perusal of the *smartest wits of the age*".¹⁵ In the same year, Wesley reports in a journal entry that he had corrected Varanese's [i.e., Chapone's] "Essay on Laws".¹⁶ Then in December 1741, another acquaintance, Anna Hopkins, tells George Ballard that "Tho'

¹² For details, see Mrs Pendarves [Mary Delany] to Mrs Ann Granville, undated; *Autobiography and Correspondence*, series 1, vol. I, 121.

¹³ Chapone, *Hardships*, 51.

¹⁴ These words are written on page 70 of the British Library copy of Chapone's *Hardships* (shelfmark Sach. 331/1).

¹⁵ Mrs Pendarves [Mary Delany] to Mrs Ann Granville, 22 July 1734; in *Autobiography and Correspondence*, series 1, vol. I, 486–7.

¹⁶ V.H.H. Green, *The Young Mr. Wesley: A Study of John Wesley and Oxford* (New York: St. Martin's Press, 1961), 294, n. 1.

I knew that she [“Mrs Chapon”] was the Author of *Hardships of English Laws &c.*, I did not mention it to you because I thought it was a Secret”.¹⁷ The work was published by the Bowyer printing house in May 1735,¹⁸ and then excerpted in *The Gentleman’s Magazine* in May and June of the same year.¹⁹

To date, there is very little scholarship on Chapone’s *Hardships*. In 1998, legal historian Barbara Todd appraised the work’s arguments for the separate legal existence of married women, but noted that Chapone’s Christian principles placed her “outside the mainstream of the later secular feminist canon”.²⁰ In a 2004 biographical entry on Chapone, Thomas Keymer described *The Hardships* as a “trenchant analysis of female subjection”;²¹ and in 2005, Lynne A. Greenberg provided an introduction to a facsimile reprint of the work, describing it as a “lone protest” against the laws

¹⁷ Anna Hopkins to George Ballard, 14 December 1741; Bodleian Library, Ballard MS 43, fol. 106.

¹⁸ For details, see *The Bowyer Ledgers: The Printing Accounts of William Bowyer Father and Son*, ed. Keith Maslen and John Lancaster (London: Bibliographical Society; New York: Bibliographical Society of America, 1991), entry no. 2162. Maslen and Lancaster note that a “Revd Mr. Seward” is the presumed author (170), but it is likely that this man was merely an intermediary between Chapone and Bowyer. In Nichols’ *Literary Anecdotes*, Dr Pegge reports that Thomas Seward (1708–90), an Anglican clergyman of Lichfield, was a source of his information on Elizabeth Elstob, and “that this gentleman knew both her [Elstob] and Mrs Capon [i.e., Chapone] personally”; see John Nichols, *Literary Anecdotes of the Eighteenth Century*, in 6 vols (London: Printed for the author, 1812), vol. IV, 135.

¹⁹ *The Gentleman’s Magazine*, vol. V (May and June 1735), 241–2, 284.

²⁰ Barbara J. Todd, “‘To be Some Body’: Married Women and *The Hardships of the English Laws*”, in *Women Writers and the Early Modern British Political Tradition*, ed. Hilda L. Smith (Cambridge: Cambridge University Press, 1998), 343–61 (344).

²¹ Thomas Keymer, “Chapone [Capon; née Kirkham], Sarah (1699–1764)”, in *Oxford Dictionary of National Biography* (Oxford: Oxford University Press, 2004),

<http://www.oxforddnb.com/view/article/39723>, accessed 31 July 2012.

pertaining to marriage at the time.²² But so far there has been no detailed philosophical appraisal of the arguments at the heart of the work.²³

To appreciate Chapone's line of reasoning, it is useful to place *The Hardships* in the context of eighteenth-century political debates in the reign of George II. Chapone completed her text shortly after the great political controversy known as the "excise crisis", an issue that generated an unprecedented amount of political pamphleteering in England from 1732 to 1734.²⁴ The excise in question was essentially a consumption tax on wine and tobacco. On 16 March 1733, the Whig minister Robert Walpole put forward an excise bill in the House of Commons in a bid to stem the growing tide of smuggling and fraud in custom houses, and to relieve taxation on landholders. But his excise proved to be tremendously unpopular. In numerous newspapers and pamphlets throughout the country, the scheme was vehemently opposed. In the lead-up to the bill, there was a public uproar, "a ferment in society at large",²⁵ mainly in the form of popular ballads, poems, letters, sermons, and public petitions. The opposition contributed to this public outcry by using the newspaper *The Craftsman* to spread fear of a general excise and a standing army. In a series of articles from October to

²² Greenberg, "Introductory Note", *Legal Treatises*, xli–xlvi (xliii).

²³ For forthcoming analyses, see Karen Green, *A History of Women's Political Thought in Europe, 1700–1800* (Cambridge: Cambridge University Press, forthcoming), chapter six; and Susan Paterson Glover, "Further Reflections Upon Marriage: Mary Astell and Sarah Chapone", in *Feminist Interpretations of Mary Astell*, ed. Penny Weiss and Alice Sowaal, *Re-reading the Canon* series (University Park, PA: Penn State University Press, forthcoming). I am extremely grateful to Profs. Green and Glover for providing me with early drafts of their work. Prof. Glover is currently preparing a critical edition of Chapone's *Hardships* for Ashgate.

²⁴ For details, see Paul Langford, *The Excise Crisis: Society and Politics in the Age of Walpole* (Oxford: Clarendon Press, 1975).

²⁵ Langford, *Excise Crisis*, 3.

December 1732, the author (possibly William Pulteney) contends that an excise on wine and tobacco would introduce a slippery slope to a tax upon all consumable commodities.²⁶ For “*when the Serpent gets his Head into a Hole,*” he observed (quoting John Hampden), “*it will be no hard Matter for Him to draw his whole Body after it.*”²⁷ In turn, it was argued, this general excise would increase the number of officers needed to collect the revenue—creating, in essence, a standing army in a time of peace. Those officers would be given the power to enter and search anyone’s house, at any time, according to their will and pleasure. To oppose the scheme, its critics drew heavily on republican ideas and arguments of the previous century. They argued that if a man’s possession of property depended upon the goodwill of another person, then that man did not really own his property; and similarly, if a man’s possession of liberty was dependent on the goodwill of another, then that man was not strictly free either. On the strength of such impassioned appeals to property and liberty, Walpole’s bill was eventually defeated.

II. ARGUMENTS OF CHAPONE’S *HARDSHIPS*

In *The Hardships*, published only two years after the excise crisis, Chapone also employs the republican rhetoric of property and liberty.²⁸ In this text, she begins by noting that out of all subjects in eighteenth-century English society, women are by far the most vulnerable to oppression. For female subjects, this vulnerability is

²⁶ See *An Argument Against Excises, In several Essays, lately published in the Craftsman, and now collected together* (London: H. Haines, 1733).

²⁷ *Argument Against Excises*, 49.

²⁸ Various passages and quotations suggest that Chapone wrote *The Hardships* with one eye on the anti-excise invectives in popular newspapers and pamphlets of the period. For her explicit references to parliamentary speeches and petitions, see *Hardships*, 1–2, 46.

unavoidable in every stage of life, but “in none so notoriously, and without all Redress” than in the state of marriage.²⁹ Of the marital state in this period, Chapone makes three descriptive claims. The first is that laws pertaining to marriage place women in a worse condition than slavery.³⁰ The second is that English husbands have the power to keep their wives prisoners for life at their arbitrary will and pleasure, with impunity.³¹ The third is that, strictly speaking, married women possess no property, “neither in their intellectual, or personal Abilities, nor in their Fortunes”, or in their children.³² Chapone then takes an evaluative stance on these claims: she argues that it is neither reasonable nor just that wives are in a worse condition than slaves, that husbands have the power to imprison their wives with impunity, and that wives have no property of their own.³³ She thus calls for a repeal or an amendment to the laws pertaining to marriage.

To support her claims, Chapone draws on empirical evidence from several well-publicized court cases in her time. In a recent case of one “Mrs. *Lewis*”, she points out, the widow’s council had argued that “as Marriage was a *State of Captivity*, Wills made by Women who became *Free* by Survivorship [i.e., because their husbands had died] ought to revive with their Freedom”.³⁴ But the court rejected this argument on the grounds that marriage was voluntary, whereas slavery was compelled, and would not permit the widow’s former will to stand.³⁵ In effect, Chapone points out, this

²⁹ Chapone, *Hardships*, 2.

³⁰ Chapone, *Hardships*, 2, 4.

³¹ Chapone, *Hardships*, 4–5.

³² Chapone, *Hardships*, 5, 11.

³³ Chapone, *Hardships*, 5.

³⁴ Chapone, *Hardships*, 6.

³⁵ Chapone, *Hardships*, 6.

meant that the widow was accorded fewer entitlements than a freed slave. In support of her second descriptive claim, Chapone points to a court case in which an unnamed woman was subject to a cruel husband who had insisted on his “Right to Controul” her, and would not permit her to leave him and stay with her brother. Though her husband had never beaten her, or threatened to kill her, he had nevertheless made her life miserable, a situation for which “she could find no Redress”.³⁶ Along similar lines, Chapone also cites the case of a woman whose husband imprisoned her in a garret, without fire or proper clothing, as well as the case of a woman whose husband spent her vast fortune, while she subsisted on the bare necessities. To substantiate her third descriptive claim, that women have no property, Chapone points to the case of a woman whose husband had denied permission for her to become a servant, even though he had abandoned his family and joined the army. Despite this husband’s neglect, the law still permitted this man to order his wife away from her place of employment; in the eyes of the law, he was still her “Lord and Master, against whose Injunctions she can make no Appeal”.³⁷ If this woman had set up a business of her own, Chapone points out, her husband would also have been entitled to take any earnings for himself.

In Chapone’s view, these injustices arise from the marital laws pertaining to coverture. These laws were grounded in the view that “the Law of Nature has put her [the wife] under the Obedience of her husband, and hath submitted her Will to his”.³⁸ Accordingly, in the marital state, the woman and her husband were regarded as “one

³⁶ Chapone, *Hardships*, 8.

³⁷ Chapone, *Hardships*, 10.

³⁸ *Baron and Feme. A Treatise of the Common Law concerning Husbands and Wives* (London: Richard and Edward Atkyns, 1700), 3.

person in the Law”. A wife or a *feme covert* did not have a separate legal persona to her husband—her legal existence was “covered” by that of her husband. In effect, however, the wife became almost non-existent in the eyes of the law. As Chapone observes, “By the very nature of the Marriage Contract, the Husband and Wife acquire a Property in each others Person. Our Laws give the Husband the entire Disposal of the Wife’s Person, but she does not seem to retain any Property in his”.³⁹ Upon marriage, the husband came into possession of all the property in his wife’s estate. He was entitled to take any rents and profits from her real estate, and to take any other personal property or earnings, for his own disposal. The same applied to a woman’s property in her children.⁴⁰ Under English law at that time, a spiteful husband had the power to bequeath the couple’s children to complete strangers upon his death.⁴¹ In effect, this meant that a woman’s children did not really belong to her, but rather to the husband.

Of course, there were some limits to the husband’s entitlements: he could not kill his wife without being guilty of murder; and he could not beat her or starve her with impunity (he was expected to protect and provide for her). In addition, before entering into the marital state, a woman could make an agreement with her future husband that she might retain the rents and profits out of her own estate for her own use, or place them in the hands of trustees. But Chapone highlights the fact that, once married, women are entirely dependent on their husbands for their maintenance, and so any safeguards might be undermined by the inordinate power that husbands wield:

³⁹ Chapone, *Hardships*, 15.

⁴⁰ Chapone, *Hardships*, 17.

⁴¹ Chapone, *Hardships*, 20, 21.

wives might be easily “kissed or kicked out of any such previous Settlement”.⁴²

To highlight the injustice and unreasonableness of these laws, Chapone presents a supposition to her readers. Let us suppose, she says, that a wife found some way to imprison her husband in the marital home, and then covered up her terrible deed by telling everyone that he had gone overseas on a business trip. “Tis true,” she reflects,

should a Wife be so audacious as to find Means to confine her Husband, she would be unpardonable; her guilt would be aggravated by the Relation she stands in to him, by the Respect and Deference she owes him; it would be a kind of *Petty Treason*. But as it is impracticable, I can injure no Man by making the Supposition, which, as a Christian, every Man who has such Designs upon his Wife, ought to make to himself: *Though the Law allows him that Power, Conscience does not.*⁴³

Here Chapone appeals to the moral precept of doing unto others as you would have them do unto you—a principle that men as well as women, she notes, are obliged to respect.⁴⁴ “As a Christian,” she says, “I cannot but think it an excellent Rule to suppose our selves capable of receiving the Treatment we give others, and then to reflect upon the Resentments we should make upon it.”⁴⁵ She then makes the additional point that if we value freedom as a society, then we will value the freedom of all members of that society. She demands to know “whether by the Nature of

⁴² Chapone, *Hardships*, 33.

⁴³ Chapone, *Hardships*, 12–13; my added italics.

⁴⁴ Chapone, *Hardships*, 12.

⁴⁵ Chapone, *Hardships*, 12.

Societies and established Rules of Government, all Parts of a Community have not a Right to a Degree of Liberty and Property correspondent to the Constitution under which they live?”⁴⁶ “I hardly believe it possible to reconcile these Laws [i.e, the marital laws],” she says, “with the Rights and Privileges of a free People.”⁴⁷ In her opinion, the end of government in a free state is to ensure that “no one Set of People might be exposed to Oppression, either from their publick or private Governors”.⁴⁸ To be consistent, the laws ought to safeguard women against exposure to oppression.

These are the positive arguments at the start of *The Hardships*. In themselves, it must be said, they do not fully capture the concept of liberty underlying Chapone’s appeals for reform. The aforementioned points—about the consistent application of moral and political principles to women—might equally well be made with appeal to the classic Hobbesian concept of liberty, as freedom from external constraint or coercion. On this notion of negative liberty, according to Isaiah Berlin’s famous classification, a free agent is someone who has the capacity to do what she likes, without external interference from others.⁴⁹ In *Leviathan* (1651), Hobbes says that true liberty consists in the agent’s unopposed power to act in accordance with the last determination of her will.⁵⁰ Liberty consists in the absence of external obstacles that prevent the agent from doing, or refraining from doing, whatever she has an inclination to do. On the Hobbesian view, if a wife is imprisoned in the marital home, or chained up in a garret, then she is not free. Along similar lines, we might think that Chapone’s arguments rest on the insight that it is unjust and unreasonable for women

⁴⁶ Chapone, *Hardships*, 68.

⁴⁷ Chapone, *Hardships*, 47.

⁴⁸ Chapone, *Hardships*, 47.

⁴⁹ Berlin, “Two Concepts of Liberty”, 122–31.

⁵⁰ Thomas Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge: Cambridge University Press, 1996), 146.

to be held captive and deprived of their freedom to do as they will; men would not like it if they were likewise deprived of their negative liberty; to be consistent, they should not deprive women of their liberty. To see that Chapone's arguments rest on an application of the ideal of *republican* liberty to the situation of married women, we must then turn to her counter-arguments to objections.

III. RESPONSE TO OBJECTIONS

In the *Gentleman's Magazine* for November 1736, an anonymous critic made a rather acerbic response to Chapone's work in a brief column titled "*Remarks on a Pamphlet intituled, The Hardships of the English Laws relating to Wives*".⁵¹ Chapone's friend Delany had foreseen such a reaction. In a 1734 letter, Delany urged her sister to tell Chapone, "I am a little diverted at the thoughts of her being abused by some of the coxcombs; bid her prepare for the attack, and *sharpen* her weapons of defence in readiness: they are composed of such well tempered mettle that her adversary will *soon repent*, let him be ever so stout, of his provocation".⁵² In this essay, among other points, the critic makes the claim that one court case in which marriage is unhappily compared to a state of captivity does not make marriage itself a condition of slavery.⁵³ Next he observes that the English laws *do* allow women to take certain measures to secure their property before marriage, and to acquire pin money (money for personal

⁵¹ "Weekly Miscellany, No. 300: Remarks on a Pamphlet intituled, *The Hardships of the English Laws relating to Wives; in an humble Petition to his Majesty*", *The Gentleman's Magazine*, vol. VI (November 1736), 648–50.

⁵² Mrs Pendarves [Mary Delany] to Mrs Ann Granville, 22 July 1734; in *Autobiography and Correspondence*, series 1, vol. I, 486–7.

⁵³ "Remarks on a Pamphlet", 648.

expenses), usually by means of prenuptial settlements.⁵⁴ And then the author says, “If Women are often *kiss’d or kick’d* out of those previous Settlements ... it shews the Weakness of the Sex, and how improper it is they should be trusted with the Interests of others, who cannot maintain their own”.⁵⁵ He implies that women do not have the requisite mental skills and strength of character to manage their own affairs. In support of this claim, the author repeatedly points to women’s moral inconstancy, their contradictoriness and refractoriness, their mental incompetence, their lack of judgment, and their lack of virtue more generally. In sum, this author claims that the empirical evidence for Chapone’s descriptive claims is flawed, and that the marital laws are neither unreasonable nor unjust to women, because women require the protection and guardianship of men.

This antagonist failed to recognize that Chapone had already addressed these criticisms in the middle part of her treatise, in a section devoted to raising and answering objections.⁵⁶ In addition, this critic failed to understand the concept of liberty at the heart of her work.

According to modern-day philosopher Philip Pettit, the ideal of liberty as non-domination is crucially different to the dominant liberal concept of liberty as freedom from external interference.⁵⁷ On the Hobbesian view, even if wives are in a condition of dependence upon the arbitrary will of their husbands, provided that there are no external obstacles to the actions they wish to perform, they might still enjoy their liberty in marriage. Likewise, according to the Hobbesian, if a benevolent slavemaster

⁵⁴ “Remarks on a Pamphlet”, 649.

⁵⁵ “Remarks on a Pamphlet”, 649.

⁵⁶ See Chapone, *Hardships*, 30–47. To be fair, it must be said, this part of the treatise containing ten objections and replies was not excerpted in *The Gentleman’s Magazine*.

⁵⁷ See Pettit, *Republicanism*, 17–50.

does not physically prevent his slave from doing as she wills—through external constraints, coercion, and threats, for example—then that slave still enjoys her freedom, and slavery is not the antonym of freedom. By contrast, republicans recognise an opposition between freedom and slavery. For the republican, it is irrelevant whether the slavemaster is cruel or kind—regardless, the slave is not free because she remains subject to his power and is dependent upon his goodwill.

In the excise literature of 1732–34, this point is frequently reiterated. “The Slave, who has the good Fortune to meet with a good natured and an humane master,” opposition minister George Heathcote notes, “is not less a Slave than he who meets with a cruel and barbarous one.”⁵⁸ Drawing on the familiar republican language, the opposition writers accuse Walpole’s government of seeking to ‘enslave’ the populace under the new excise laws. By ‘slavery’ they mean the subjection of citizens and their property to the arbitrary discretionary power of their political leaders. Under the excise scheme, it is argued, no man could ever be said to be the master of his own affairs or property, given that, at any time, a stranger could enter his home and confiscate his goods, at his will and pleasure. No man could be said to be truly free if he had no security against such arbitrary interference. It did not matter if that man himself never became a direct victim of the excise officers, he was unfree so long as someone else had *the power* to enter his home and take his goods, with impunity. To illustrate this point, in a bold speech to parliament in 1733, John Barnard asks:

⁵⁸ *The Year One Thousand Seven Hundred and Thirty-Three will be Ever Memorable for the Effectual Opposition made by the Citizens of London Against the Scheme for an Excise upon Wine and Tobacco* [n.p., 1733], 43.

Is then the giving a Power to any little paltry Excise-man, to enter People's Houses at all Times of the Day and Night no Encroachment upon the Liberty of those People? If it is not an Encroachment upon a Man's Liberty, it certainly is a very direct one upon his Property, and of consequence it will be found to be an Encroachment upon his Liberty, for can any Man be said to be free, who must be the humble Slave of his Excise-man, otherwise he must expect no Quiet or Comfort within his own Dwelling-house? The most blameless Conduct cannot secure him against Vexation; and no Man can be said to be free, who cannot depend upon his Innocence for his Protection ...⁵⁹

Along the same lines, in *The Hardships* Chapone regards slavery as the antonym of freedom. For her, slavery is a condition in which someone else has the power to interfere arbitrarily in your affairs, even if that person never exercises their power by coercing, threatening, or constraining your choices and actions in some way. In the text, she appeals to this idea in response to an objection that truly appalling cases of marital abuse are few and far between, and that most wives have no reason to complain. In reply, she says that "Tis true, these [legal cases] are rare Instances, but the Law is nevertheless hard, which gives every Husband *the Power* of exercising such Cruelties".⁶⁰ Like the republican, she identifies freedom with a condition of non-domination rather than non-interference. She says:

let every particular Woman who is well treated, thank God and her Husband for

⁵⁹ "A View of the Proceedings and Debates in last Session of Parliament", *The Gentleman's Magazine*, vol. III (December 1733), 617.

⁶⁰ Chapone, *Hardships*, 20; my italics.

the blessing. At the same Time, she may reflect, that she is in the Condition of a Slave, tho' she is not treated as such, according to the Opinion of the late eminent Member of the House of Commons, who declared in that honourable Assembly, that he thought 'that a Nation in a State of Slavery, where any Man had it in his Power to make them so, tho' perhaps the Rod might not always be held over their Backs.'⁶¹

Chapone's critic claims that one case of female captivity in marriage does not amount to marriage being a condition of slavery itself. But he misses her point. In her opinion, the marital laws have the effect of depriving *every* married woman of her liberty, regardless of whether her husband is a tyrant, because the husband is permitted an absolute power over his wife, even if he never exercises that power.

Chapone's critic further points out that women *can* have property under English laws, and that they *can* have relief from abuse. But again, this critic overlooks a key point. Chapone's claim that "married women have no property" cannot be answered by simply highlighting the fact that the law allows women to have property settled upon them before marriage. Her point was that, strictly speaking, married women do not have either personal or real property, because their husbands have *the power* to take that property from them, even if they never exercise that power. A woman's state of utter dependence places her in a highly disadvantageous position vis-à-vis her husband: "the Husband having so entirely the disposal of his Wife's Person," Chapone says, "he easily finds Means to bend her to his Will."⁶² If a wife cannot leave the marital home without her husband's permission, if she can be imprisoned at his

⁶¹ Chapone, *Hardships*, 46. I am unable to identify the parliamentarian Chapone has in mind here.

⁶² Chapone, *Hardships*, 33.

will and pleasure, if he can legally take any of her earnings, and if he can dispose of her children as he sees fit—it is not too difficult to surmise that a woman is never fully mistress of her own property.⁶³

In addition, in response to the objection that marriage is a voluntary act, Chapone notes that this is not always the case “considering the Influence of Parents and Guardians, and also the Education of Women”.⁶⁴ Her suggestion here is that women are either forced or “hoodwinked” into entering into marriage. This response resembles that of Locke in his *Two Treatises of Government* (1689), when he maintains that human beings can never voluntarily consent to slavery, but that enslavement is the result of either ‘force’ or ‘fraud’: human beings are either forced to submit to absolute power, or they are fraudulently tricked into doing so.⁶⁵ Chapone’s first point about marriage is that “in many Instances Women are commanded and directed into it, by their Parents and Guardians, and in some other Circumstances ‘tis their only Way of advancing themselves, and settling in the World”.⁶⁶ Her second point is that women are fooled by a poor education into believing that marriage is

⁶³ These specific arguments incline me to think that Chapone may have been the author of an anonymous essay, “A new Method for making Women as useful and as capable of maintaining themselves, as the Men are”, in *The Gentleman’s Magazine*, vol. IX (October 1739), 525–6. This essay, written by “a Lady” who professes to be a mother, advises that a woman be trained up in business so that she ought never “submit to be Slave, and fling herself away, as many are forc’d to do, merely for a Maintenance” (526). But apart from the fact that Chapone had published in *The Gentleman’s Magazine* before, and apart from a few similarities in language and phraseology, I have no hard evidence for this attribution.

⁶⁴ Chapone, *Hardships*, table of contents.

⁶⁵ John Locke, *Two Treatises of Government*, ed. Peter Laslett (Cambridge: Cambridge University Press, 1988), II.181.

⁶⁶ Chapone, *Hardships*, 42–3.

“their highest Advancement, and End and Design of all their Attainments”.⁶⁷ In the course of their upbringing, they are taught to regard marriage as infinitely preferable to remaining alone and single.⁶⁸ Toward this end, women are educated to follow “the Affections of the Heart”, rather than cultivate “the Strength of the Head”, and they are taught only those arts that enable them to attain “the Love and Admiration of the Men”.⁶⁹

This brings us to the critic’s point about the poor reasoning abilities of women (his justification of female subordination in marriage). In *The Hardships*, Chapone responds that female intellectual inferiority is the result of custom and poor education rather than any natural defect in women’s abilities.⁷⁰ To support this claim, she appeals to two authors who speculate about the natural condition of human beings prior to law-governed societies: William Wollaston and Thomas Hobbes.⁷¹ These authors allow that in a state of nature the differences between men and women are not so great, and concede that “they could find no Foundation in Nature for that very great Superiority which is ascribed to the Man”.⁷² Of course, Chapone points out, after the fall God placed a “curse of subjection” upon women, requiring them to act in subordination to men—but despite this curse, he never exempted women from their

⁶⁷ Chapone, *Hardships*, 44.

⁶⁸ Chapone, *Hardships*, 43. For similar arguments in Astell, see Broad, “Astell on Marriage and Lockean Slavery”.

⁶⁹ Chapone, *Hardships*, 43.

⁷⁰ Chapone, *Hardships*, 53.

⁷¹ Chapone, *Hardships*, 54–7. Chapone refers to William Wollaston, *Religion of Nature Delineated* (1722), and Thomas Hobbes, *Philosophicall Rudiments concerning Government and Society* (1651).

⁷² Chapone, *Hardships*, 59.

obligations to do good and to follow the moral law.⁷³ She therefore asks her fellow women: “whether we have not a Right by Nature, to be permitted to do all that Good, which God has given us Abilities to do?”⁷⁴ To live up to their natures as free and rational beings, women should be encouraged to take responsibility for their moral choices and actions; they should be permitted a degree of independence and self-governance—*positive freedom*, in other words, in the sense of self-mastery.

According to Isaiah Berlin, the ideal of positive freedom reflects an agent’s desire to control her own destiny. The advocate of positive liberty says:

I wish my life and decisions to depend on myself, not on external forces of whatever kind. I wish to be the instrument of my own, not of other men’s acts of will. 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. I wish to be somebody, not nobody; a doer—deciding, not being decided for, self-directed and not acted upon by external nature or by other men as if I were a thing, or an animal, or a slave incapable of playing a human role, that is, of conceiving goals and policies of my own, and realizing them.⁷⁵

The agent who has this positive liberty is her own locus of control over her moral choices and actions. Chapone elaborates on this ideal of liberty in her letters to Richardson.

⁷³ Chapone, *Hardships*, 67.

⁷⁴ Chapone, *Hardships*, 68.

⁷⁵ Berlin, “Two Concepts of Liberty”, 131.

IV. RESPONSE TO RICHARDSON

From 1750 to 1759, Chapone engaged in a correspondence with the famous printer and author, Samuel Richardson. Their letters range over a variety of topics, from the details of Richardson's well-known novels *Clarissa* and *Sir Charles Grandison*, to the minutiae of everyday domestic life.⁷⁶ In one part of the correspondence, in early 1752, Chapone had had an opportunity to read Richardson's exchange of letters with Hester Mulso, the bluestocking author of *Letters on the Improvement of the Mind* (1773).⁷⁷ Commenting on this exchange, Chapone takes exception to Richardson's opinion "That it is not proper for any Woman, at any Age, to be independent".⁷⁸ In Chapone's view, Richardson's heroine Clarissa errs in placing herself in a condition of utter dependence upon the villainous Lovelace, an unscrupulous sexual predator.⁷⁹ In her next letter, Chapone explains why Clarissa erred: it is a fatal mistake to offer an unconditional submission to male authority, she suggests, because then there is no

⁷⁶ These letters are currently being edited for a volume of *The Cambridge Edition of the Correspondence of Samuel Richardson*, gen. ed. Thomas Keymer and Peter Sabor, in 12 vols (Cambridge: Cambridge University Press, forthcoming). The original manuscripts can be found in the National Art Library, London, Forster Collection. My transcriptions are taken from a microfilm, "Forster and Dyce Collection, Part 2. 18th Century Manuscripts. The Papers of Samuel Richardson", reel 15, F.48.E.6 and reel 16, F.48.E.7.

⁷⁷ In 1760, Chapone's son John married Hester Mulso. In one prescient letter to Richardson, dated 22 February 1752, Sarah Chapone says of Mulso that "Should either of my Sons bring me a Daughter-in-law of her Understanding, I would admit her to my Heart, nay to my very Heart of Hearts" (Sarah Chapone to Samuel Richardson, 22 February 1752; "Forster and Dyce Collection", item 146).

⁷⁸ Sarah Chapone to Samuel Richardson, [1752?]; in "Forster and Dyce Collection", reel 15, item 145, fol. 7v.

⁷⁹ Sarah Chapone to Samuel Richardson, 22 February 1752; in "Forster and Dyce Collection", reel 15, item 146, fol. 1v.

going back if that authority breaches the moral law.⁸⁰ If we submit unconditionally, then we forsake moral responsibility. If a woman allows herself to enter blindly into marriage, for example, without exercising her own faculty of judgment, then she allows herself to be bartered “like a Horse or a Cow”; she forsakes her humanity.⁸¹ Accordingly, in Chapone’s view, a woman must never give up her faculty of “private judgement”, or her ability to regulate her will in accordance with her understanding. “The Perfection of a Creature, as such,” she says, “must lie in the Will, whose Province it is, to acquiesce and execute the Dictates of the Understanding.”⁸² When it comes to moral decisions, such as the decision to marry, a woman “must judge for herself as God qualified her for it, and she must answer for the Misapplication of her Talents as Man must answer to the Misapplication of theirs”.⁸³ In her *Hardships*, Chapone makes this same point in response to the objection that women would likely abuse their freedom: “’Tis nothing to the Purpose to say, we should make an ill Use of this Liberty, for if the Law of God, and the Rules of Equity allow it us, we have a Right to it,” she says, “and must answer for the Misapplication of our Liberty (as

⁸⁰ Sarah Chapone to Samuel Richardson, [1752?]; in “Forster and Dyce Collection”, reel 15, item 145, fol. 4v, 5v.

⁸¹ Sarah Chapone to Samuel Richardson [1752?]; in “Forster and Dyce Collection”, reel 15, item 145, fol. 7.

⁸² Sarah Chapone to Samuel Richardson, 22 February 1752; in “Forster and Dyce Collection”, reel 15, item 146, fol. 1. In her only other published work, the moral treatise *Remarks on Mrs. Muilman’s Letter* (1750), Chapone expresses similar sentiments. See, for example, *Remarks on Mrs. Muilman’s Letter To the Right Honourable The Earl of Chesterfield. In A Letter to Mrs. Muilman. By a Lady* (London: Printed for William Owen and James Leake, 1750), 11.

⁸³ Sarah Chapone to Samuel Richardson [1752?]; in “Forster and Dyce Collection”, reel 15, item 145, fols 7–7v.

Husbands do for theirs) to God alone.”⁸⁴ In short, in her view, women have a right or an entitlement to liberty by virtue of their nature as human beings with free will and understanding.

As the correspondence continued, Richardson praised Chapone for being “a great Championess for her Sex”,⁸⁵ but he never allowed that women should be permitted independence, on the grounds that they necessarily required the superior guidance and protection of men. In his view, women were *safest* when dependent on the male sex.⁸⁶ In response, Chapone says that

To deprive a Woman of her natural Liberty, under Pretence of keeping her out of Harms way, is just such a Favour as it would be, to deprive a Man of all Pleasure, and then, in return, graciously decree he should feel no pain. As such Deprivation would strike a Man out of being, as a human Creature, who has the Image of God imprest upon him, so such Deprivation of Liberty would strike a Woman out of being, as a Member of Civil Society.⁸⁷

What degrading Notions must it give her of herself? Could she sincerely rejoice in her Being? If she could not, could she thank God for it? I mean as far as it respects this Life. She must behold herself as a Puppet, danced about by Foreign Impulses—A wooden Thing upon Wires, to be plaid off at the Will and Pleasure of (most likely) her more wooden Director. Oh! Sage Cassius,

⁸⁴ Chapone, *Hardships*, 69.

⁸⁵ Samuel Richardson to Sarah Chapone, 30 August 1758; in “Forster and Dyce Collection”, reel 16, item 16, fol. 1.

⁸⁶ See Samuel Richardson to Sarah Chapone, 2 March 1752; in “Forster and Dyce Collection”, reel 15, item 144.

⁸⁷ Here Chapone echoes a key passage in her *Hardships* (42).

I cannot bear to be in Thralldom to such a Thing as I am.

What great or noble can be expected of a Creature so silly that it cannot be trusted with its insignificant Self? It cannot rise beyond its first Principle, nor be raised higher than its intrinsic Valuation? And whence can such a Creature be derived and what is its Value? Surely it cannot have the Image of God impressed upon it, neither can it be capable of receiving his Laws.⁸⁸

Here Chapone articulates the idea that freedom from domination is necessary in order for a woman to attain positive liberty—to act as a free agent, rather than a puppet; to be in control of her choices and actions, rather than “to be plaid off at the Will and

⁸⁸ Sarah Chapone to Samuel Richardson, [1752?]; in “Forster and Dyce Collection”, reel 15, item 145, fols 7v-9. A few years later, Chapone retraces the same themes, but in a humorous tone. In a letter dated 21 September 1754, she is mock-offended that her husband has commanded her to write a letter to Richardson in his stead. She begins by saying that if Mr Chapone were her wife, she would exercise her prerogative as husband by regulating his conscience and controlling his mental faculties. *She* would order *him* to write the letter, knowing that he was under an obligation to Mr Richardson and that he had the requisite letter-writing skills. After all, in the state of matrimony, the husband “may tell her [the wife] what he thinks fit she should know, and order what he thinks fit she shou’d do, and ... be a compleat regulator of her conscience and actions also” (“Forster and Dyce Collection”, reel 16, item 13, fol. 1v). In reality, however, it is *she* who is ordered to pay *his* respects—and she has no choice but to obey. In the eyes of the law, she is reduced to “nothing”: she can know nothing, think nothing, do nothing, without her husband acting as supreme regulator of her conscience. Chapone concludes: “take it in the whole, mine is but a precarious thin existence ... and it seems the powers of my own mind are not, truly speaking, my own, according to this regulating doctrine” (item 13, fols 2-2v). In response, Richardson wrote a semi-serious manuscript dialogue titled “Mrs Chapone and Mr Richardson and the ‘Power of the Husband’”, dated 6 October 1754, once again taking offence at Chapone’s views about female independence.

Pleasure” of her master; and to be the author of actions that are great and noble, rather than trivial and insignificant.

On this topic, Chapone echoes early modern republican views about the morally degrading effects of domination. For many republicans of the seventeenth and eighteenth centuries, slavery was unconscionable precisely because it produced a certain *state of mind*, a state of mind that was inimical to being a free person in the positive sense of being one’s own master. The republicans John Trenchard and Thomas Gordon (writing under the pseudonym “Cato”) make this point when they note that “True and impartial Liberty is therefore the Right of every Man to pursue the natural, reasonable, and religious Dictates of his own Mind; to think what he will, and act as he thinks, provided he acts not to the Prejudice of another”.⁸⁹ By contrast, when liberty is lost, they say, “Life grows precarious, always miserable, often intolerable. Liberty is, to live upon one’s own Terms; Slavery is, to Live at the mere Mercy of another; and a Life of Slavery is to those who can bear it, a continual State of Uncertainty and Wretchedness”.⁹⁰ The uncertain and precarious nature of slavery has a deleterious effect on the moral character: “Slavery, while it continues, being a perpetual Awe upon the Spirits, depresses them, and sinks natural Courage.”⁹¹ Without this courage, the slave does not speak out against unreasonable and unjust practices against herself and her fellow subjects. She does not steadfastly pursue the

⁸⁹ John Trenchard and Thomas Gordon, “An Enquiry into the Nature and Extent of Liberty; with its Loveliness and Advantages, and the vile Effects of Slavery”, in *Cato’s Letters: or, Essays on Liberty, Civil and Religious, and Other Important Subjects*, in 4 vols (fifth edition; London: T. Woodward, J. Walthoe, J. Peele, T. Longman, and T. Shewell, C. Hitch, A. Millar, and J. and J. Rivington, 1748), vol. II, 248.

⁹⁰ Trenchard and Gordon, *Cato’s Letters*, 249.

⁹¹ Trenchard and Gordon, *Cato’s Letters*, 250.

rational dictates of her own mind, and she does not seek to realise her own goals. In an effort to head off hostile interference, she acts according to her master's dictates, and she seeks to realise his goals. In short, the slave suffers from a loss of positive liberty: she is not the true arbiter of her choices and actions—she acts according to the will of another.

In the past, the republican ideal of liberty has been interpreted as a version of the negative concept of liberty made famous by Isaiah Berlin.⁹² Alternatively, Philip Pettit and Quentin Skinner have suggested that the republican ideal contains aspects of *both* positive and negative liberty, but that it is nevertheless a third—radically distinct—way of thinking about freedom.⁹³ While Pettit describes republican liberty as “intermediate between the ideals of non-interference and self-mastery”,⁹⁴ he denies that the republican ideal is positive in Berlin's sense of the term.⁹⁵ His emphasis, rather, is on showing how the negative ideal of freedom from domination is conceptually distinct from the negative ideal of freedom from external interference. For him, the ‘self-mastery’ aspect of republicanism is captured in the negative insight that the agent's freedom is freedom *from* a master who has the capacity to interfere

⁹² See, for example, Philip Pettit, “Negative Liberty, Liberal and Republican”, *European Journal of Philosophy* 1, no. 1 (1993), 15–38. For an argument that the republican concept is not distinguishable from the classic negative one, see Matthew H. Kramer, “Liberty and Domination”, in *Republicanism and Political Theory*, ed. Cécile Laborde and John Maynor (Oxford: Blackwell, 2007), 31–57.

⁹³ See Quentin Skinner, “A Third Concept of Liberty”, *Proceedings of the British Academy* 117 (2002), 237–68; and Pettit, *Republicanism*, 17–50 (esp. 19).

⁹⁴ Pettit, *Republicanism*, 27.

⁹⁵ See Pettit, *Republicanism*, 27–31.

arbitrarily in her affairs; it consists in ‘non-mastery’ or non-domination rather than non-interference.⁹⁶

More recently, theorists have highlighted the fact that Berlin’s positive-negative distinction is somewhat artificial, given that “what constitutes freedom” can always be described in terms of “what must be absent” (a negative ideal) and “what must be present” (a positive one).⁹⁷ I think Chapone’s vision of freedom for women aptly illustrates this point. She interprets the republican concept of liberty in the same way that writers such as Trenchard and Gordon did in her own time. For her, the republican concept of freedom consists in the absence of domination (a negative ideal), but this absence importantly facilitates certain positive aspects of freedom, such as a sense of self-mastery or of “being in control” of one’s moral choices and actions.

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⁹⁶ Pettit, *Republicanism*, 22.

⁹⁷ On this point, see Lena Halldenius, *Liberty Revisited: A Historical and Systematic Account of an Egalitarian Conception of Liberty and Legitimacy* (Lund: Bokbox, 2001), 22. See also Gerald MacCallum, “Negative and Positive Freedom”, *The Philosophical Review* 76, no. 3 (1967), 312–34. MacCallum presents one of the best-known cases for the view that positive and negative liberty are not two distinctively different kinds of freedom. According to MacCallum, freedom is always “of something (an agent or agents), from something, to do or not to do, become, or not become something” (314). The concept of freedom always consists in three variables: an agent or agents; preventing conditions (such as obstacles, impediments, constraints); and acts or conditions of character or circumstance. On his view, theorists of positive and negative liberty simply differ over *what* constitutes agents or true selves, *what* constitutes an impediment (whether it be internal or external, potential or actual), and *what* we are free to do or become.

In her *Hardships of the English Laws*, Sarah Chapone points out that married women are not free because husbands have the power to interfere arbitrarily in their affairs, even if they never exercise that power. Husbands are not accountable to the law for their actions, and wives have no avenue of redress for the wrongs that husbands might inflict on them. In short, she says, married women in this period are necessarily in a condition of dependence or domination—the condition of slaves. She uses the republican ideal of liberty to ground her arguments against those laws that put married women “in a worse condition than *Slavery* itself”, and to call for the establishment of reasonable and just safeguards for a woman’s personal property and property in her children. Married women are not free, according to Chapone’s way of thinking, because true liberty consists in both freedom from domination *and* the freedom to be one’s own master; married women have neither. She goes further than other feminists in this historical era by calling for an institutionalised guarantee of safety and security for women. More than this, she calls for the positive freedom for women to be their own arbiters in situations calling for moral action.