

# What is Economic Liberty?

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Forthcoming in *Philosophical Topics*.

Eugene Debs set out a fundamental goal of the socialist movement at a speech given to a Chicago crowd: “What we are aiming at, my friends, is to achieve economic freedom” (1897: 2). How do we make sense of that claim? By the standards of much contemporary philosophy, Debs is at best confused. Socialist efforts to enable social control over economic life can seem to threaten each individual’s economic freedom to work and dispose of property under conditions they accept. So understood, a socialist programme may secure much of value – social equality, solidarity, justice, self-development, democracy – but not individual economic liberty. Some suggest socialists are better understood as making claims about collective economic freedom, whereby we would each have “the right to participate in collective decision making about the uses of socially owned property” (Tomasi 2012: 24). But rather than simply proposing a share in collective control over certain property, Debs insists on the need for “absolute economic freedom for the individual” (1897: 2).

My aim is to demonstrate that socialist claims to be advancing individual economic freedom are not only intelligible but compelling. In doing so, I shall propose an account of economic liberty that takes its bearings from the radical republican tradition. The neo-roman understanding of liberty at the heart of much republican political thought contrasts freedom with a dominating subjection to arbitrary power. More specifically, we can be said to possess economic liberty when we are secure against economic domination. Seen in this light, Debs’ championing of individual economic freedom from a socialist standpoint is both comprehensible and attractive. This republican account stands in contrast to an influential liberal approach to economic freedom that recognises rather different liberties of working and owning. So, I begin by reconstructing and challenging this liberal understanding of the economic liberties, before showing how a radical republican alternative provides us with a superior conception of what it is to be free in our economic lives.

## **I – Market Freedoms**

What is economic liberty? We are told by Jeppe von Platz and John Tomasi that “Economic liberties are liberties of the person as an economic agent”, and a liberty itself is “a sphere of human agency that ought to be legally respected and protected” (2015: 264, 262). In the most influential contemporary philosophical account of these economic liberties, James Nickel (2000: 156-7) distinguishes liberties of working, transacting, holding, and using, which have been summarised as follows:

1. Liberties of working (of the person as laborer): liberties to employ one’s body, time, and mind in productive activities of one’s choice and according to the terms one has freely consented to (such as to donate, sell, trade, and buy labor).
2. Liberties of transacting (of the person as entrepreneur): liberties to manage one’s own affairs, to buy and sell goods, to save and invest, to start, run, and close a commercial enterprise such as a business or farm, and to engage in the activities of running such an enterprise: to hire workers, buy and use land, display, advertise, and sell one’s products or services.
3. Liberties of owning [or holding] property (of the person as owner): liberties of acquisition, holding, and transfer of property (whether personal or productive), of using and developing one’s property for commercial and productive purposes, to sell, trade, invest and bequest one’s property.
4. Liberties of using property (of the person as consumer): liberties to use, consume, destroy, or otherwise do as one pleases with one’s goods, resources, and services (von Platz and Tomasi: 264).

Nickel articulates these liberties as part of an argument which concludes that Rawls’ failure to recognise economic freedoms as basic liberties – other than a right to personal property and liberty of occupation – will result in interference with individual autonomy and the exercise of other important liberties, such as freedom of movement, religion, or association (2000: 157-60). Similarly, Tomasi draws on Nickel’s account in attempting to show that economic liberties of ownership and working are entailed by a broadly Rawlsian concern for responsible self-authorship, and so should also be counted among basic liberties like freedom of conscience or

freedom of speech. But Nickel and Tomasi do not contest the Rawlsian account of what liberty *is*.<sup>1</sup>

Rawls (1999: 177) avoids committing himself to either a negative or positive understanding of liberty, and instead adopts the triadic theory of Gerald MacCallum (1967), which takes attributions of liberty to have the following form: X is free from constraints Y to do Z. But Rawls stipulates that certain constraints – specifically, ignorance and poverty – do not deprive us of freedom (1999: 179). Someone who is too poor to do something is still free to do it, according to Rawls, although their poverty may reduce the worth or value of this liberty. What constraints do count then? He says these “may range from duties and prohibitions defined by law to the coercive influences arising from public opinion and social pressure”, while adding that someone’s liberty to do something requires that they be “protected from interference by other persons” (1999: 177). So, there are three main ways – perhaps not always entirely distinct – in which you can lack liberty according to Rawls: legal requirements, coercive social pressure, or interference by others.

The Rawlsian proviso that poverty and ignorance are not constraints on liberty limits attempts to identify economic unfreedoms arising from many of the ordinary operations of market societies – for instance, blocking the conclusion that the destitute shoplifter is rendered economically unfree by the policeman’s baton, or that economic liberty can be diminished by the epistemic constraints imposed by a media captured by business interests. But Rawls never gives a substantive defence of why we should understand liberty along these curiously hobbled lines; nor do successors like Nickel and Tomasi, who formulate a dedicated conception of economic liberty within this broadly Rawlsian framework. This leaves Nickel and Tomasi’s account of the economic liberties with a disturbingly hollow core, which may explain why it has proven so pliable in arguing for an institutional structure under which the market is significantly less regulated than the property-owning democracy or liberal socialism that Rawls himself favoured. The failure to thoroughly scrutinise the content of economic liberty has meant there has been little sustained pushback when neoclassical liberals like Tomasi align it with the “freedom of economic contract and powerful rights to the private ownership of productive property”, which are “traditionally associated with capitalist economies” (2012: xxvi).

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<sup>1</sup> Colin Bird (2014: 279) remarks in this respect that Tomasi’s conception of economic liberty is “only as good as the very particular, liberal, framework on which his book uncritically relies.”

We might think a crucial argumentative strategy has been overlooked here: Tomasi's proposal that we can determine what the basic liberties are by asking which would be fully adequate for the development and exercise of responsible self-authorship, and his claim that the "private economic liberties" are needed to achieve this (2012: 82). This echoes Rawls' own attempts to determine whether a liberty is basic by asking whether it provides political and social conditions necessary for developing and exercising the two moral powers of free and equal persons (2001: 45). But Tomasi does not direct enough attention to how economic liberty itself is to be understood – his arguments displacing debate onto a separate and subsequent question about the *weight* of putative economic liberties: in particular, whether it is permissible to exclude any of them from the fundamental liberties a society recognises.<sup>2</sup> Some critics have rightly challenged the claim that neoclassical liberal institutions are presupposed by responsible self-authorship (Gourevitch 2014). But what Tomasi's approach also leaves uninterrogated is the nature and scope of economic liberty itself. Why does a lack of regulation of the employment contracts people enter make them more economically free, whereas minimum terms and conditions within these contracts does not? Similarly, why does the ability to hire workers count as an economic liberty, whereas the ability of workers to manage their own workplaces democratically does not? What is lacking in Nickel and Tomasi's enumeration of economic liberties is an explicit rationale for why these specific forms of working, transacting, holding, and using should fall within the category of economic freedom.

The economic liberty defended by Nickel and Tomasi can be dubbed market freedom. What are its implications for workers and citizens? Minimum wage legislation would make workers less free by introducing legal restraints on the sale of their labour. Limits on working hours, and the banning zero-hours contracts or fire-at-will provisions, will also infringe economic liberty for the same reason. Regulation of rents and the prohibition of no-fault evictions would render both landlords and tenants less economically free by reducing the range of agreements they can reach. So too, price ceilings for essential items and measures to restrict price discrimination affecting consumers would again count as economic unfreedom due to its impact on what transactions people can enter.

None of these conclusions are obvious. Is it really a great blow to my economic liberty to be guaranteed a modest wage? Am I less economically free when my boss cannot pressure

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<sup>2</sup> See Patten (2014), Stiliz (2014), von Platz (2014), Melenovsky and Bernstein (2015), Layman (2015), and Flanigan (2018).

me into working a 60-hour week? Do I genuinely enjoy economic liberty under a regime that permits me to be fired without cause, or because my workplace can phone me up and tell me I am not needed this week, and so will not be able to earn a wage? Am I economically freer because landlords can take advantage of a speculative housing bubble to charge astronomical rent and yet still have me kicked out at short notice when they find it convenient? Do I really possess economic freedom as a consumer when I am vulnerable to price gouging in buying essential goods like water and medicine? Our answers to all these questions should be a resounding *no*.

My primary objection to Nickel and Tomasi's account of economic liberty is not that it has potentially unattractive normative consequences. They are both liberal rather than libertarian thinkers, and so accept that economic freedom is neither the only political good nor an inviolable one. Thus, they could, in principle, find other grounds to support measures like minimum wages, maximum hours, progressive taxation, limitations on employer power, increased tenant rights, or restrictions on exploitative pricing. Likewise, they can follow Rawls in distinguishing bare liberty from its worth or value, and concentrate on ensuring people's economic liberties are sufficiently valuable.<sup>3</sup>

Instead, the major problem with Nickel and Tomasi is more fundamental: they misdescribe what economic liberty is. That is important not only for the sake of conceptual clarity, but because it unjustifiably opens their opponents to accusations of "economic exceptionalism" for seeming to protect only some economic liberties but not others (Tomasi: 42-8, 69, 74, 80, 82, 181). Furthermore, the capture of the idea of economic freedom by champions of the market constitutes an ill-gotten political gain, with Eric MacGilvray correctly observing that "the widespread and growing influence of market ideology depends in part on its ability to speak in the language and with the authority of freedom" (2011: 2). If such an ability can be shown to lack a sturdy foundation, this can open up a significant new line of attack on market ideology.

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<sup>3</sup> On the value of liberty, see Tomasi (2012: 247-54).

## II – Experiencing Economic Unfreedom

Whose eyes do political philosophers see through? The entirely dispassionate view from nowhere is a mirage. Yet, speaking from the undisguised perspective of the rich, the powerful, and the privileged is not likely to win converts to one's position from the avowed egalitarians populating the ranks of contemporary academic political philosophy. So, it is no surprise to find Tomasi (2012: 66) championing the private economic liberties with the help of some folksy examples, such as Amy – a college dropout who prudently saves her wages as an entry-level pet groomer until she can secure a bank loan to open her very own Amy's Pup-in-the-Tub, which brings her a sense of pride at the end of a long's day work. Tomasi warns us that the narrow range of experiences of many philosophers may prevent them from seeing the moral worth someone like Amy finds in the right to own and manage her own business. I agree with him that professional philosophers are often incurious about the economic lives of others: how many people's hopes, fears, and sense of selves are fundamentally bound up with their economic existence. But we need a broader diet of examples beyond the budding entrepreneur – ones which speak to the full range of economic experience.

Consider the following case:

Mihaela is employed through an agency to work in an online retailer's warehouse. She is an immigrant worker, who the agency houses alongside other co-nationals in accommodation which they run. The retailer provides a special bus for their workers, since public transport does not operate during two major shift changes early in the morning and late at night. Mihaela's pace and accuracy of work are recorded digitally, and the company uses this data to warn workers it claims are underperforming. Conversely, some of Mihaela's colleagues believe coming top in these metrics will lead to offers of permanent jobs. The retailer's busiest season is coming to a close, and Mihaela receives a final warning for making a minor stock-taking error. The early and late buses are withdrawn without notice, so many workers now have to club together to share taxis, leading some to quit. Mihaela and most of her temporary colleagues are brought into the canteen one day, thanked for their sacrifice and dedication, before being fired, effective immediately.<sup>4</sup>

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<sup>4</sup> This example is loosely based on a report by the Angry Workers of the World (2018).

Does Mihaela possess economic freedom? She was able to start working for the agency under conditions she broadly accepted, while being paid a wage for her labour, which she can spend, save, or invest as she chooses. Likewise, she can quit work, make use of the housing which the agency has arranged, top up her income with a part-time job, and so on. These are not trivial capacities: the feudal serf, chattel slave, or wage-labourer paid in scrip were less free for lacking some or all of them, given how the rest of their societies were configured.

Yet, there are other dimensions of economic unfreedom intimated here which are not captured by the kinds of liberty to labour, transact, hold, and use recognised in market freedom. Mihaela's ability to work at the warehouse rests in the hands of the retailer and the agency, either of whom can have her summarily dismissed. Her precarity leaves her without security of labour – working only on condition of the continued goodwill of others, which can be lost at any moment. That her employer acts as her landlord pulls her further into the agency's orbit of control: infractions at work are liable to put her housing at risk, whereas infractions at home are liable to put her job at risk. Mihaela's ability to fulfil her contractual duties is heavily reliant on transport that the retailer can cancel at their pleasure, with the only viable alternative imposing unforeseen and onerous costs. The precise tracking of her job tasks summons the spectre of disciplinary consequences for any slackening of the speed of work, while seeming to offer rewards for Stakhanovite results, which may never materialise. In sum, she faces a degree of economic vulnerability and control with respect to her housing, finances, and life in the workplace which is intuitively hard to square with perfect economic freedom.

Take another scenario:

Caroline is ten and visits her local public library twice a week – often making use of the desks to finish her schoolwork, and rarely taking less than her full allocation of books home. Her father, Tim, uses the computers there to pay household bills and look for job openings, since he only has limited internet access on his phone. Suddenly and without consultation, the local authority who run the library decide to drastically cut back its hours, so that it is now seldom open at times Caroline and Tim are able to visit.

Caroline lacks secure control over economic property she values – namely, the library's books and its physical environment. Her loss of access to it is likely to negatively impact her education, including both Caroline's ability to acquire skills she may use as a future worker and her wider personal development. Her father also faces new obstacles: finding it more difficult to engage in important economic transactions, such as paying his bills, as well as now

having fewer opportunities to seek out labour. Caroline and Tim's economic 'spheres of agency' are diminished, but not in ways the quadripartite account of market freedom can easily recognise. Their right to control property they privately own is not infringed, and there is no loss of their market liberty of contract, despite their dependence on the will of the local authority for the extent of their ability to labour (job search; education), transact (bill paying), and use property (borrow books; avail oneself of public space).

Finally, consider one more example:

Alex makes some money as an illustrator but depends for most of their income on a disability benefit for a congenital health condition that makes it prohibitively difficult to work full-time. The government has outsourced the assessment of welfare recipients to a private company. Alex is interviewed by the company's poorly trained staff and found fit to work. The appeals process is so stressful, invasive, and lengthy that Alex cannot cope with the additional psychological burdens it imposes – looking instead to friends and family for short-term help. Amidst all the disruption, it has not been possible to take on any new illustrating jobs.

Let us suppose Alex possesses untrammelled market liberties to labour, transact, hold, and use. Nevertheless, their access to the basic economic goods and services they need to survive hinges on the questionable judgement of relatively unaccountable assessors. Alex is now at the mercy of family and friends, who might kick them out for any reason or none. Nor are they able to make effective use of their market liberty to labour. Their subjection to the will of others with respect to the provision of their most basic human needs is a significant limit on their agency, including their specifically economic activity. Thus, there is reason to question whether Alex's economic liberty should be understood simply in terms of market freedom.

We have seen three examples which put pressure on market freedom. Mihaela is exposed to tremendous economic vulnerability and social control in her job, housing, and finances, which it makes it difficult to see her as free in her economic life, irrespective of the presence of other market liberties of working and owning. Tim and Caroline's economic agency has been curtailed – losing access to resources, space, educational opportunities, methods of transacting, and opportunities to seek labour – all without their market liberties being impaired. Likewise, Alex's dependence on the vagaries of the welfare system and the limits this puts on their use and control of economic goods, and ability to undertake productive work, suggests there are forms of economic freedom and unfreedom that a narrow focus on



“capitalistic economic freedoms” to labour, transact, hold, and use are failing to adequately bring into view (Tomasi 2012: xv).

My aim has not been to show that Nickel and Tomasi simply cannot cling onto their market understanding of economic freedom in light of these examples. They could, of course, double-down and insist that the cases advanced here merely exhibit some mix of vulnerability, incapacity, disadvantage, or political unfreedom, rather than economic unfreedom *stricto sensu*. But such a response comes with heavy costs. When our conception of economic freedom is compatible with economic destitution, precarity, and subjection to the tremendous and alien economic power of others, this should be cause for thinking again. The real test, however, is whether a more compelling account of economic freedom can be given that avoids these implausible conclusions without introducing greater problems of its own. Such an account is what I aim to provide.

### **III – Real Freedom, Immiserating Work, and Unalienated Labour**

Let us consider whether alternatives to market freedom can do any better in meeting the challenge presented by our scenarios. An obvious starting point is to question the Rawlsian proviso that disqualifies poverty and ignorance from being constraints on liberty. The most influential contemporary philosophical framework which disregards these exceptions emerges from advocates of ‘real freedom’.<sup>5</sup> Phillippe Van Parijs tells us that “real freedom is not only a matter of having the right to do what one might want to do, but also a matter of having the means for doing it” (1995: 4). This real freedom is contrasted with a weaker formal freedom that is diminished only by coercion in which someone’s rights are violated or threatened. While a lack of money will not usually deprive someone of formal freedom, Van Parijs is explicit that “purchasing power” is “directly relevant to a person’s real freedom” (1995: 4). Our economic real freedom would require the means to do what we might want to do in our economic lives.

If we approach each of our scenarios in terms of economic real freedom, then it no longer looks like potential economic unfreedoms are being missed. Mihaela might want a secure home and job, but to the extent that her employer and the wider economic environment deny her the necessary means, she does not possess economic real freedom to have these things.

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<sup>5</sup> Another approach that disregards the proviso, which I shall not discuss here, is found in Cohen (2011).

Caroline wants to read new books and sit in a quiet place to do her homework, and Tim wants the opportunity to look for work and to pay his bills – but the library’s reduced opening hours deprive them of the real economic freedom to do so. Despite wanting to continue to work as an illustrator, Alex does not have the economic real freedom to do this, due to a combination of illness and lack of support. Many of the limits to our characters’ economic agency which suggest market freedom may be missing something have been picked up here.

When real freedom is the lens through which economic liberty is understood, then the problem of omitting potential economic unfreedoms is avoided, but at the cost of freedom being overdemanding. It elides the distinction between freedom and opportunity, with the effect that economic liberty collapses into a form of economic capacity. Unintuitively, Mihaela’s inability to commandeer a fleet of asteroid-mining spaceships becomes a block on economic freedom no less than her insecure working conditions. Similarly, real freedom is indifferent to the source of the lack of means to do what we might want to do, which does not have to emerge from the relationships between different agents. The physical fact that Tim cannot communicate with a stock exchange faster than the speed of light is equally abrogative of his economic liberty as the social obstacles he faces in searching for the work he desperately needs to provide for himself and his daughter. Among the dangers here is that our conceptual vocabulary becomes coarsened by a failure to disaggregate freedom, ability, and power. Nevertheless, it risks begging the question against the advocate of real economic freedom to rely on these considerations alone.

For our purposes, it is more decisive that the real freedom approach fails to recognise the greater significance of some activities for freedom. This is something Charles Taylor (1979: 18) insisted upon when arguing that an ability to worship without hinderance is weighty in ways that having to stop at fewer traffic lights while driving is not. Likewise, the conditions under which we labour are more important for economic liberty than whether we can bequeath our parking permits or sell our blood. Van Parijs expresses scepticism towards certain normative requirements whereby someone is unfree when she is prevented from doing what she wants only on condition that “what she wants to do is what she ought to do, to wit, serve the public interest or conform to the general will” (1995: 18). But we can agree with this scepticism while still recognising that some parts of human life are more significant than others for economic liberty, such as our labour, meeting our basic needs, and control over personal and productive property.

One response to these problems would be to focus on specific and central features of economic existence that seem like plausible conditions of economic freedom but which are not encompassed by market freedom. This is the route taken by Paul Gowder, who agrees with Tomasi that economic liberty has been neglected, but argues that in relation to people's jobs we need to treat "a guarantee of non-immiseration as a component of economic liberty" (2014: 307). An alternative to immiserating work becomes a necessary condition of economic freedom – whether secured through a universal basic income or by other means. This is because poor working conditions, long hours, and economic insecurity "can undermine people's ability to pursue their conceptions of the good and promote their conceptions of the right", due to the physical and psychological tolls they impose (2014: 312).

Gowder points to a long list of relevant factors in identifying immiserating work – including extremely low pay, unusually long hours, low status, long commutes, physical danger, monotony, lack of career advancement, disrespectful workplace cultures, discrimination, monitoring, obstacles to childrearing, unpredictable scheduling, and subordination – but without specifying necessary and sufficient conditions. Nor does Gowder make clear what a practical alternative to such work would consist in. But let us set such problems aside to concentrate on a more pressing concern.

Gowder's requirement for an alternative to immiserating work speaks most directly to Mihaela's situation, since her job involves subordinating, low status, insecure, monotonous, highly monitored physical labour, with little chance of advancement. If we assume her only practical alternatives are other jobs with similarly immiserating features, then we could conclude that she lacks an important prerequisite of economic freedom. However, Gowder's requirement is less successful at capturing other limitations on economic agency. Caroline does not need to undertake immiserating work but still has a restricted range of economic goods she can use. Tim's new obstacles to engaging in economic transactions and finding work do not presuppose that immiserating jobs are the only ones on offer. Alex is rendered unable to work rather than being channelled into an immiserating job. Thus, the requirement for an alternative to immiserating labour does not capture what seem like plausible candidates for hindrances to economic liberty.

We find another line of objection to market freedom being advanced by Colin Bird, who questions Tomasi's "understanding of the nature of 'economic liberty' itself" (2014: 279). Somewhat apologetically, Bird tells us that "Marxism forces one to question whether economic

freedom as self-authored productive activity has to be equated with specifically capitalist entitlements like freedom of contract and the right to profit from property in capital assets” (2014: 280). His preferred alternative begins with Marx’s brief sketch of unalienated labour, whereby “our products would be like so many mirrors, out of which our essence shone” (1977).<sup>6</sup> Bird intends this to support a Marxist reinterpretation of the ideal of self-authorship that Tomasi takes private economic liberty to secure, and a corresponding reimagining of economic freedom which rejects any strong emphasis on private property and freedom of contract as its necessary foundations. This appeal to nonalienation has the benefit of tying economic liberty to activities deemed to have deep human significance rather than merely anything we might want, and so avoids one of the downsides of real freedom approaches.

Unalienated labour encounters a number of difficulties, however, when proposed as a conceptual basis for economic freedom. Marx suggests that unalienated work “would be a *free manifestation of life*, hence an *enjoyment of life*”, and that “the *specific nature* of my individuality, therefore, would be affirmed in my labour”, rather than being “only a *forced activity* and one imposed on me only through an *external* fortuitous need, *not* through an *inner, essential* one” (1975a: 228). Despite this being a call for affirmation of the specific nature of people’s individuality, it remains a highly impressionistic ideal without a sharper articulation of our essential needs. Specifying these inner, essential needs is likely to push us onto the perilous rapids of Marx’s early appeals to our species-essence, with him telling us that “free, conscious activity is man’s species-character” (1975b: 276). We do not have to share liberal squeamishness about perfectionist claims to worry that the metaphysical grounds for this particular pronouncement about our “*human aspect*” are far from watertight (1975b: 277). In short, why are we beholden to this distinctive understanding of our humanity as characterised by free and conscious activity?

Let us accept that there is a truly human way of being, and that it consists in free, conscious activity. We still face the problem of spelling out what this freedom means in both theory and practice. Presumably, a hand-to-mouth existence as a low-waged factory worker operating unsafe machinery and with no better options will confine someone to the realm of necessity rather than freedom. Yet, what about forms of care work, which are often exhausting and undervalued, but draw upon creative powers for social interaction and attention to human needs? Or monotonous and onerous work undertaken not from material necessity but out of a

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<sup>6</sup> For the same passage in the English edition of the collected works, see Marx and Engels (1975a: 228).

sense of ethical duty or the desire to collaborate and be with others? Transforming Marx's gnomic remarks on unalienated labour into a usable standard for assessing economic freedom would require much more philosophical elaboration than Bird provides. Happily, it is possible to ground economic liberty in significant human capabilities without giving a robust Marxist account of freedom as nonalienation, and the thorny defence of claims about true self-development or self-realisation this seems to rely on. My own positive view seeks to do this while looking more to Marx's thoughts on domination than his preoccupation with alienation from species-essence.<sup>7</sup>

We have considered three modifications to market freedom so far. Firstly, the advocate of economic real freedom denies the Rawlsian proviso which excludes poverty and ignorance in order to conclude a lack of means can deprive someone of economic liberty. However, this resulted in an overinclusive understanding of unfreedom, which collapsed the distinction between economic freedom and economic capacity, was insufficiently focused on social power, and ignored the greater significance of some activities and outcomes to freedom. Secondly, we could insist that economic liberty requires an alternative to immiserating work. Yet, this requires not only a more determinate understanding than Gowder provides of what counts as an immiserating job and what constitutes a practical alternative to one, but also fails to capture the restrictions on the economic agency of Caroline, Tim, and Alex, who are not forced into immiserating work. Thirdly, we considered whether a Marxist account of unalienated labour could be used to articulate a conception of economic freedom. This route is an important advance on the radical indeterminacy of real freedom, since it plausibly grounds economic freedom in fundamental human needs rather than simply any desire someone might develop. Nevertheless, in its current form, it remains too abstract and metaphysically unmoored to offer clear guidance as to what the realisation of this freedom would consist in.

#### **IV – Radical Republic Economic Liberty**

My aim will be to provide a more promising radical republican alternative to these strategies that avoids their pitfalls while still being able to account for those situations where the market freedom approach appears to go wrong. Republicanism is a political tradition committed to the freedom and common good of the citizenry, where that includes an opposition to tyranny,

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<sup>7</sup> See Roberts (2017) and Leipold (forthcoming).

servility, and factionalism, with a distinctive conception of liberty as independence from the arbitrary will of others.<sup>8</sup> What I am going to call ‘radical republicanism’ is a particular way of developing this basic framework. The radical republican opposes not only dominating political power but dominating social power. Consider Mary Wollstonecraft in this respect, who condemns not only the arbitrary power of kings but the “slavish dependence” of women that their education has brought about (1994: 31, 71, 198).

Other radical republican thinkers extended the critique of arbitrary power further into the economic sphere. Take members of the nineteenth-century Knights of Labor, like George McNeill, who lamented a failure to “engraft republican principles into our industrial system” (1892: 456).<sup>9</sup> We find an even more explicitly socialist development of a radical republican analysis being propounded by Eugene Debs, who calls for a “Socialist Republic”, whose goal would be to secure “economic freedom for every human being on earth”, with “no man compelled to depend on the arbitrary will of another for the right or opportunity to create enough to supply his material wants” (1908a: 356; 1900: 3). It is this socialist form of radical republicanism which can provide us with a compelling understanding of economic freedom.<sup>10</sup>

Debs thinks the mark of a republic is that sovereignty lies with citizens, and to be what he calls a “sovereign citizen” is to have the status of neither a subject nor a slave (1901: 3). Yet, narrow political emancipation is insufficient, with the right to vote and stand for office not being enough to secure the freedom of citizens when servitude reigns elsewhere in social and economic life. Debs warns that the work of abolition has gone unfinished, and that “wrongs which take on some of the forms of slavery, wrongs which work the degradation of men, which sap the foundations of citizenship” can still be found in the employment relationship (1887: 67-8). He explains the threat to freedom and citizenship he is envisioning:

No man is free in any just sense who has to rely upon the arbitrary will of another for the opportunity to work. Such a man works, and therefore lives, by permission, and this is the present economic relation of the working class to the capitalist class. (1901: 3)

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<sup>8</sup> See Pettit (1997), Skinner (1998), and Honohan (2002).

<sup>9</sup> See also the pathbreaking study of labour republicanism by Alex Gourevitch (2015).

<sup>10</sup> For contemporary accounts of socialist republicanism, see O’Shea (2019a) and Muldoon (2019).

This control over the opportunity to work extends to control over the worker within the workplace, and it results in a “wage system in which one man is the servant and slave and at the mercy of another” (1902: 8).

Socialism aims to dismantle this individual and collective economic domination – proposing “absolute economic freedom for the individual and collective ownership of all the means of production and distribution” (1897: 2). This is to be underpinned by economic democratisation, with Debs telling us,

Socialism is merely an extension of the ideal of democracy into the economic field. [...] Socialism proposes to put industry in control of the people so that they may no longer be dependents on others for a job, so that they may be freed from the tribute of profit, and so that they may manage industry in their own way, as seems best to them (1908b: 432-4).

The foundation of economic freedom, then, is control over our workplaces and our wider economic environment secured by socialist democratisation of publicly owned economic institutions.

The vision of economic freedom to be found in Debs’ socialist republicanism would need considerable elaboration and defence for us to be confident that it is philosophically sound. We can use some of the wider resources of the radical republican tradition to begin to establish this – in particular, the now-familiar idea of domination. Radical republicans can think of economic freedom as security against economic domination. You are economically dominated when you are subject to arbitrary power in your economic life: that is, as a producer, controller, or user of economic resources or services – including not only our familiar roles as workers and consumers but with respect to our powers as citizens who can exert wider democratic control over the economy.

Does every arbitrary power over our economic lives count as economic domination? Consider these examples: the product manager at a luxury shoe manufacturer unilaterally decides to reduce the range of sizes offered on their most popular boots from nine to seven; the owners of a small retail business do not consult workers about the colour of their new uniforms; a physical therapist cancels a routine appointment with a client at short notice because her sister is visiting town unexpectedly. Consumers and workers impacted by these changes might be rightly frustrated by them, and we might in some attenuated sense describe these people as subject to economic domination. When I talk of economic liberty, however, I mean to pick out

the kind of substantive economic liberty most important for political purposes, and which is not so easily threatened. This raises the question of what kinds of arbitrary economic power should count as a breach of such substantive economic liberty.

Republicans have long understood liberty in relation to citizenship. While that relationship has been spelled out in many different ways, I shall propose that someone possesses economic freedom when they are secure from economic domination with respect to their core civic capabilities: those ‘foundations of citizenship’ of which Debs spoke. Someone’s civic capabilities are those which are necessary to stand in relationships of equality with fellow citizens without subordination or oppression.<sup>11</sup> They are what Elizabeth Anderson (1999: 316-7) calls capabilities of “special egalitarian concern”, and they include capabilities to function “as a human being, as a participant in a system of cooperative production, and as a citizen of a democratic state”. For example, you need to have access to food, shelter, clothing, and medical care to subsist as a human being. To be able to fully participate in cooperative production, you need educational opportunities, freedom of occupation, and protection from exploitation. Similarly, to function as a democratic citizen you need the capability to exercise political agency and the social conditions for living without shame.

Someone is economically free, then, when they are secure from economic domination that undermines their status as civic equals. We can represent this economic domination schematically by saying: X is economically dominated by Y to the extent that Y is able to arbitrarily determine whether X has access to the capabilities necessary to function as an equal citizen in their economic life as a producer, controller, or user of economic resources and services. Often no single individual has sufficient arbitrary economic power to grant or deny someone civic capabilities, but someone can nevertheless be subjected to either group or structural economic domination when the unchecked economic power of many coordinated or uncoordinated agents can determine whether they have access to conditions for equal citizenship.<sup>12</sup>

We can now turn to what this means in practice – beginning with economic liberty in relation to capabilities for basic functioning as a human being. Someone will be economically dominated when their access to basic economic goods like food, shelter, clothing, and medical care is dependent on the will of another agent. For example, if a person’s only way of

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<sup>11</sup> For a more comprehensive account of the relationship of domination to civic capabilities, see O’Shea (2019b).

<sup>12</sup> On structural domination, see Gourevitch (2013) and O’Shea (2019: 16-9).



supporting themselves is to accept at-will employment from one of a handful of local firms, then the jointly sufficient discretionary ability of these employers to grant or rescind access to capabilities for basic human functioning constitutes economically dominating power. Likewise, someone like Alex who is unable to fully support themselves through work due to chronic illness will be economically dominated when the state can arbitrarily withdraw their benefits. Caroline would face outright economic domination when her opportunities for a decent education are so dependent on unaccountable power of decision-makers in the library and schooling system that her future ability to fully participate in cooperative production is not secure. Her father Tim is also at risk of economic domination if his ability to find work or pay bills can so curtailed by unilateral decisions of the local authority that he finds himself dependent on their good will for his ability to contribute to production or live without shame. Someone in Mihaela's position encounters a whole raft of arbitrary powers with respect to her role as producer, holder, or user of economic goods: her housing being subject to cancellation at short notice; aggressive invigilation of her work being linked to a power of summary dismissal; relative helplessness in the face of exploitative and demeaning conditions.

This radical republican conception of economic liberty solves many of the problems with the alternatives to market freedom which we saw earlier. It avoids the excessively open-ended understanding of economic freedom that came from adopting a real freedom approach, since grounding domination in threats to civic capabilities establishes the significance of the activities threatened, while keeping the focus on social power over others, and not collapsing economic freedom into sheer economic capacity. We have seen that a radical republican theory captures the danger to economic freedom posed by many immiserating jobs in a systematic fashion that can also account for the obstacles to such freedom encountered by those like Caroline, Tim, and Alex who are not necessarily pushed into immiserating work. The conditions for equal citizenship are also more tractable than identifying the demands of our species-essence – even if like most important political concepts, they are likely to remain contested, and may not be articulable without taking some position on what constitutes a human need.<sup>13</sup> This connection with the foundations of equal citizenship also provides a reason for

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<sup>13</sup> I make no claim that the resulting conception of economic liberty is not 'moralised' – whether in the justification of its criterion of freedom or in judgements where that criterion is applied. But note that the normative component that attention to human need would introduce does not entail that "morally permissible constraints [...] do not count as freedom restricting", which is the primary concern of opponents of moralised understandings of freedom (List and Valentini 2016: 1046).

citizens to take economic freedoms seriously and pursue them collectively, since they are linked to interests that they share in common with other members of a civic association.

Conversely, a radical republican approach denies that voluntary exchange underpinned by liberty of contract will be sufficient for economic freedom, since voluntary contract is compatible with managers, owners, or shareholders of productive property having effective control over people's economic lives. Someone can have untrammelled freedom of contract but still be dominated in their access to core economic goods, ability to engage in economic transactions, and activity in the workplace.

Why favour this radical republican account of economic liberty over market freedom? Firstly, it does a better job of accounting for some of the pre-theoretical economic judgements we met earlier: that precarious employment, zero-hours contracts, overmighty landlords, and lightly regulated business practices are not making people more free; that there is no threat to economic liberty if employers are required to pay people a minimum wage, or if they cannot sack workers without cause. Secondly, this account can also make sense of the seeming danger to economic freedom in the scenarios we considered. Mihaela is subject to the discretionary power of the agency and the retailer in her workplace and home, with her daily working life subject to a subordinating invigilation, and her ability to labour and meet many of her basic human needs at the whim of managers. Caroline's access to education and Tim's ability to participate in cooperative production are curtailed by the arbitrary exercise of power by the local authority who run the library. Alex was subject to the arbitrary judgements of the company responsible for assessing welfare claimants, and is now at the mercy of the charity of friends and family for meeting their basic needs. All four are thereby at risk of diminished economic liberty. Thirdly, this radical republican account defends these judgements on a coherent and systematic theoretical basis, which a market conception of economic freedom relying on a mostly underdefended and implicit Rawlsian set of intuitions about the nature of liberty fails to do. Fourthly, I invite the reader to consider whether this socialist republican account of economic freedom provides a more viscerally compelling normative ideal than that offered by the market democrat. My own view happens to be that a society without economic domination is far more attractive in itself and offers a better conception of emancipation than one with minimal legal, social, or physical interference with individual economic exchange and activity.

## V – Socialist Republicanism

Socialist republicans claim that public ownership of productive property can increase our individual economic freedom by curbing economic domination. Here we move from conceptual and normative analysis of the conditions of economic freedom towards the institutional measures best suited to realise these conditions. Of course, there is likely to be some scepticism about this socialist institutional programme – not least because socialism can seem to massively concentrate arbitrary economic power in the hands of the state in ways that exacerbate economic domination. Paul Valéry sets out the horns of the dilemma we face in this respect: “*if the State is strong, it crushes us; if it is weak, we perish*” (1956: 270). When the concern is that workers and consumers are beholden to the relatively unchecked power of a mass of proprietors, shareholders, landlords, and managers, then the central state subsuming that authority can seem to make things even worse, since the power in question now has a more coherent and unified locus, with market competition between different agents no longer exerting the same disciplinary check. The risk is that attempts to tamp down private economic domination by increasing the powers of the state will introduce an even more comprehensive public economic domination.

A socialist republicanism need not, however, presuppose a statist command economy run by distant and unaccountable mandarins.<sup>14</sup> Instead, the socialist republican can recommend a more democratic and polyarchic form of collective economic ownership and control, which would see a multiplicity of self-managing workplaces operating within mandates democratically determined by the wider citizenry. Power can be dispersed at local, municipal, regional, and international scales, with workers, consumers, and other citizen stakeholders sharing control over the running of individual economic enterprises and other economic property.<sup>15</sup> The citizenry would in turn benefit from a guaranteed provision of fundamental economic goods and services. Unconditionality in meeting basic welfare needs is an attempt to provide each citizen with fundamental economic capabilities without dependence on the arbitrary power of the state: people should not have to swap their dependence on bosses for a dependence on the discretion of state bureaucrats.<sup>16</sup>

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<sup>14</sup> For discussion of other non-statist socialisms, see Ollman (1998) and Schweickart (2002).

<sup>15</sup> For a challenge to this model rooted in potential efficiency and accountability costs, see Frye (2020) and O’Shea (forthcoming).

<sup>16</sup> For a fuller version of this argument, see O’Shea (2019a).

Can individual economic liberty really be secured through a socialist politics premised on economic democratisation? Tomasi presents a classical liberal rejoinder, which sees “the socialist approach as involving a form of political liberty rather than one of economic liberty” (2012: 24-5). He offers an analogy with religious liberty, whereby if “each citizen was given a say about what religious practices would henceforth be required by all members of the community”, then rather than “protecting individual freedom in the area of religion, such a system would violate religious liberty by making religious decisions subject to collective decisions.” Similarly, collective economic decision-making is thought to fail to safeguard each individual’s “independent economic decision making and activity”.

The socialist republican’s championing of economic democracy does not suppose that economic freedom can simply be identified with collective self-determination. Instead, widespread participation in economic decision-making is a way to disperse, supervise, and check power over individuals that might otherwise become dominating. The threat of majoritarian tyranny arising from economic democracy is met partly by institutional frameworks for economic governance that include multiple stakeholders with heterogeneous interests, such that no one group can simply impose their views on everyone else. While this is unlikely to eliminate all avenues of economic domination, the expectation is that most citizens will be considerably less vulnerable to domination in their economic lives when power is shared more equally than when it follows private wealth or bureaucratic prerogative. Furthermore, the unconditional access to the most fundamental civic capabilities that a socialist republican society would seek to provide would offer each citizen greater scope for exiting the dominating relationships which remain. For example, it becomes easier to quit one’s job when there is a strong social safety net in place, and the very possibility of withdrawing labour gives workers more power to have their concerns promptly addressed even if they do not actually leave. Thus, individual economic freedom is promoted not only through diluting the ownership and control rights of private proprietors, shareholders, and landlords that underpins dominating power over many citizens, while allowing these individuals greater power to scrutinise and check excessive concentrations of economic power, but also through unconditionality in the provision of many of their fundamental civic capabilities – leaving them more insulated from the need to conform themselves to the wishes of the powerful.

Nevertheless, this is not all without cost. Socialist goons do not have to turf Amy out of her business and transform it into Big Government’s Pup-in-the-Tub. Yet, she would not have carte blanche to grow the company however she likes without greater democratic

accountability to other workers employed there and the local community she is operating in. There are many ways in which this may shape how Amy can work, as well as transact, hold, or use property – such as her being unable to siphon off profits in the hope of amassing a sizeable bequest, no longer having sole discretion to shut down the business if there are others who might successfully take it over, or needing to make the case to local residents that opening another location downtown is a better use of scarce space than a new pizzeria or children’s playground. But this loss of social power – of entrepreneurial mastery – comes with greater individual and collective control for most citizens, including the means to avert an older and more profound human experience of unfreedom: the subjection to the arbitrary will of another.

## **VI – Summary Conclusion**

Economic freedom is best understood in opposition to economic domination. I have developed a radical republican conception of such domination, which provides a more comprehensive account of the threats to our economic liberties than the influential post-Rawlsian theory of market freedoms advanced by Nickel and Tomasi. Furthermore, I have shown that this radical republican alternative can plug many of the gaps in alternative approaches which emphasise real freedom, alternatives to immiserating work, or unalienated labour. The resulting theory builds on Debs’ concern with the foundations of citizenship and the arbitrary will of the capitalist by proposing that economic domination occurs when someone’s access to civic capabilities is contingent on the arbitrary economic power of others. Socialist institutions – suitably configured – can deliver on this economic freedom for the individual, allowing the dominating power of proprietors, shareholders, landlords, and managers over them to be kept in check, and providing an unconditional minimum that allows them to be less beholden to others in meeting many of their most fundamental civic needs. This makes good sense of what Debs already knew: that socialism is a politics of economic freedom.

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