

FOLIE RÉPUBLICAINE

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■ **Abstract** Republican political theory has undergone a recent revival, first and most strongly among historians, subsequently in a more limited way among lawyers, philosophers, and political scientists. Surveying the many contexts in which republican principles are invoked, I find that appeals to republicanism are often redundant (there being other, probably better, ways of arguing for the same practices and outcomes) and sometimes unfortunate (setting off, among “street-level republicans,” resonances with darker features of the older republican tradition that contemporary academic theorists of republicanism would prefer to forget). Even the more attractive features of the republican ideal—deliberative engagement in pursuit of the common good—can invite communitarian excesses, and even the “liberal republican” versions that strive to avoid that outcome are largely bereft of mechanisms for realizing their vision.

INTRODUCTION

Republican themes resonate differently in the domestic politics of various places for various reasons. This essay considers real-world traditions of republicanism as well as its academic theory.

Republicanism itself is of ancient vintage, of course. It originated with the Roman Republic and exercised continuing influence on the Western consciousness largely through the law. Roman law served as the default legal system throughout Christendom for more than a millenium (Berman 1983). Well into the early modern era, the works of Grotius, Pufendorf, and Coke are littered with references to the *Institutes* of Gaius and Justinian.

As a more narrowly academic phenomenon, the “republican revival” is a relatively cohesive project with a relatively clear lineage. It dates to the work of two remarkable intellectual historians, Skinner (1978) and Pocock (1975). Skinner was interested in the way ancient Roman ideals were picked up and represented in the city-states of Renaissance Italy. Pocock’s work focused on the way in which those ideals, in turn, were picked up and reworked by the “North Atlantic republicans,” primarily Harrington (1992) in England and the Founders in America.

Over the past quarter century, historians have substantially rewritten the story of the American Founding in those republican terms. “An effect of the recent research,” Pocock wrote as long ago as 1972, “has been to display the American revolution less as the first political act of revolutionary enlightenment than as the last great act of the Renaissance. In a variety of ways, we are now to see the Founding Fathers as the culminating generation of civic humanists and classical republicans . . .” (Pocock 1972, p. 124). That much-quoted summary judgment has proven ever more prescient with the passing years (Wood 1969; Shalhope 1972; Kramnick 1982; Appleby 1985, 1992; Rogers 1992). Locke is now seen as much less central than we were led to believe (Becker 1922, Hartz 1955), and North Atlantic republicans far more so (Herzog 1986).

Recalling the Founders’ vision of a self-governing community of free and equal citizens, some lawyers, philosophers, and political theorists succumbed to the temptation to reappropriate the language of republicanism to describe their preferred blend of “deliberative democracy” and “civic engagement” (Michelman 1986; Sunstein 1988, 1990, 1993a,b,c; Selznick 1992; Sandel 1996; Dagger 1997; Southwood 2002). Even if there are sharp breaks between the republicanism of the founding moments and subsequent American history (Sandel 1984, 1996), the thought was that republicanism of some form or another was still a viable ideal and a genuine force in contemporary politics.

Among political theorists as distinct from historians, however, this “republican revival” has been a relatively muted affair. Republicanism rates barely a mention in most teaching texts on political ideologies; in the first five years of the new *Journal of Political Ideologies*, only a couple of articles have been devoted to it. Among political theorists, as distinct from intellectual historians, the republican revival was largely an American phenomenon, albeit with distant echoes in Australia and (of course) France. In retrospect, the republican revival within political theory seems to have lasted a relatively brief moment, since many of the original major players now seem to have moved on. Still, it was an interesting moment, and it is well worth recording both why we collectively were tempted and why in the end we did not collectively succumb to the allures of republican rhetoric.

In key texts of this republican revival, references to “the republican ideal” often prove to be both allusive and elusive.¹ Often the real expository aim lies elsewhere: in explicating the ideas of Machiavelli or Harrington or Madison or Tocqueville or the Warren Court or the malaise of contemporary American politics. Although republicanism is a useful lens through which to view all those things, the object in view is rarely republicanism itself (cf. Pettit 1997a).

Theorizations of the republican ideal inevitably loom large in any assessment of republican political theory. But it is equally important to explore the wider

¹Indeed, as Michelman (1986, p. 17) writes, “Republicanism is not a well-defined . . . doctrine. As a ‘tradition’ in political thought, it figures less as canon than ethos, less as blueprint than as conceptual grip, less as settled institutional fact than as semantic field for normative debate and constructive imagination.”

ways in which republican traditions might resonate in many of the darker corners of our political communities. Those resonances are typically unintended in those academic texts; few of the scholars I cite here would endorse many of the practices peculiar to this “street-level republicanism.” Those wider resonances, however, are at least as important as any academic text in deciding, socially and politically, whether we really want to recommend republicanism as a preferred political self-conception.

REASONS TO BE TEMPTED, PART I

Historically, republics served as alternatives to empires. In the classical model to which republicans repeatedly hark back, the republic in question is the Roman Republic, before Julius’s and Octavian’s Caesarian ambitions.

Empire, in turn, has two aspects, one foreign and the other domestic. Republicanism repudiates imperial pretensions in both dimensions—though not uniquely so, as this essay shows. There are many perfectly good grounds for repudiating imperialism without turning to republicanism.

Self-Rule

Throughout the modern era, “republicanism” has most commonly served as a rallying cry for those who would (metaphorically or otherwise) behead a foreign king. The republican revival among the Italian city-states amounted to an assertion of independence from the Holy Roman Emperor and the Holy See. The Dutch Republic represented a rebellion among the burgers of the United Provinces against the Spanish crown (van Gelderen 1993). The American Republic was proclaimed to replace the British crown, as was the Irish Republic and as one day will be the Australian (Turnbull 1993; cf. Francis 2001).

In sloughing off claims of a distant empire and a foreign crown, republicanism is not the only option, however. Virtually all of the great decolonizing crusades of the twentieth century adopted the rhetoric of nationalism rather than republicanism (Geertz 1973, 1977). Despite sitting adjacent to a notorious co-Celtic hotbed of republicanism, even Scots dub their home-rule campaign “nationalist” rather than “republican” (if only perhaps strategically, to avoid old Jacobin specters).

From a moral point of view, many of us prefer nationalism to be tempered by liberalism (Tamir 1993).² The republican variation on that theme is to wish for patriotism to manifest itself as republican pride in good political institutions rather than ethnic or other tribal identities (Viroli 1995). Such wishes are particularly fervent where notions of democratic self-rule are otherwise likely to succumb to anxieties over the composition of the “demos” (Dahl 1979), and thence to “ethnic cleansing.”

²One might wish republicanism to be tempered by liberalism, as well (Sunstein 1988, Dagger 1999), more of which below.

Republican wishes along those lines are, however, largely in vain. Pride in one's political institutions is a peculiar attitude. Only 3% of Italians and 7% of Germans manifested it, by Almond & Verba's count (1963, p. 64).³ If good institutions were all that mattered to our patriotic pride, we would have no reason to get all worked up about replacing Westminster-style institutions imposed by a Colonial Office with Westminster-style institutions all our own. Colonial peoples demanding home rule have always wanted more. They are concerned much less with institutional forms than with the nationality of the placeholders within them. Even if they were to be ruled by autocrats, better their *own* autocrats (Geertz 1973, 1977).

While some republicans hope to distance themselves from nationalism (Viroli 1995), others hope to make common cause with it. Sandel (1996, p. 344), for example, supposes that the nation-state provides a potentially important republican "link between identity and self-rule." Sandel's idea is that the nation-state has served as the "unit that gave expression to the collective identity of a people defined by a common history, language or tradition." But that is simply not how nationalism has worked, in the bulk of self-styled nationalist campaigns for home rule in the modern world. The initial "primordial sentiments" have invariably been of a more tribal than national sort. The whole point of nation-building has traditionally been to subsume those primordial sentiments under some newly constructed national ideals and identities (Geertz 1963).

Nation-building has historically been more a matter of inventing commonalities than aligning political institutions with pre-existing commonalities. The story is broadly the same from Third-Republic France (Weber 1976) to postcolonial Africa (Mazrui 1972). Accidents of history or whims of colonial cartographers had joined together a grab bag of peoples with almost nothing in common: no language, no religion, no ancestors. In the fullness of time, all going well, shared traditions might be invented and new identities concocted (Hobsbawm & Ranger 1972; Pocock 1957; 1973, ch. 7). But decolonizing campaigns were for *home* rule, in the first instance. They were far less concerned about the self-government of a self-consciously unified people than about the politics of a self-governing *place* (Barry 1989, ch. 6).

Thus, self-government—understood as the rejection of foreign crowns and imperial apron strings—can be, and has been, defended on many different grounds. Republicanism is one. But historically (and certainly in contemporary history) it has been a distinctly minor theme—and understandably so.

³The German results presumably cannot be explained away as translation error, compelling though MacIntyre's (1972, pp. 10–11) commentary on the Italian case might be: "The notion of pride in Italian culture is still inexorably linked, especially in the South but also in the North, to the notion of honour. What one takes pride in is what touches on one's honour. If asked to list the subjects which touched upon their honour, many Italians would spontaneously place the chastity of their immediate female relatives high on the list. . . . Hence we cannot hope to compare an Italian's attitude to his government's acts with an Englishman's in respect of the pride each takes. . . ."

Mixed Constitution

Republicans of old not only resisted rule by foreign princes but renounced the sovereignty of any prince, foreign or domestic. The difference between republics and their imperial successors, recall from Roman history (or Star Wars), was historically the power of the Senate, which in an Empire is displaced by an Emperor. When Schlesinger (1973) inveighed against the *Imperial Presidency* of Richard Nixon, he was merely echoing this ancient theme.

The balanced powers of the old Roman constitution served as a model for Montesquieu and thence for republicans across the North Atlantic. In this tradition, evident even in the conciliarism of the medieval Church (Black 1997), republicanism is equated with non-tyranny—self-government by a band of equals rather than the tyrannical rule of any one central authority.

Of course, historically, that band of coequals was small. It was formally limited to literally a handful of officials. Informally, they represented and responded to an only slightly larger handful of influentials. The vast majority of ordinary people—all women and slaves, all peasants and parishioners, all artisans and workmen—were officially excluded, both as representatives and represented. So the “checking and balancing” done by these early republican institutions was in the service of a very narrowly circumscribed public.

Strongly associated though republicanism historically was with the “mixed constitution” and balancing of powers within, however, there is nothing uniquely republican about those institutional arrangements. They are found in Plato’s *Laws* and Aristotle’s *Politics*. They are as much in evidence in liberal Locke’s *Second Treatise* as in republican Montesquieu’s *Spirit of the Laws*. There are numerous connections between liberalism and republicanism more generally (Dagger 1999).

In our own day, Rawls (2001, p. 144) professes to see no incompatibility between his liberalism and “classical republicanism.” The latter he characterizes as

the view that the safety of democratic liberties, including the liberties of nonpolitical life . . . , requires the active participation of citizens who have the political virtues needed to sustain a constitutional regime . . . The idea is that unless there is widespread participation in democratic politics by a vigorous and informed citizen body moved in good part by a concern for political justice and public good, even the best-designed political institutions will eventually fall into the hands of those who hunger for power and military glory, or pursue narrow class and economic interests, to the exclusion of almost everything else.

Rawls goes on to say,

Between classical republicanism, so understood, and the liberalism represented by Constant and Berlin, there is no fundamental opposition . . . [T]he question is [just] to what degree citizens’ engaging in politics is needed

for the safety of basic liberties, and how the requisite participation is best achieved [T]his is a matter of political sociology and institutional design [C]lassical republicanism . . . is . . . fully compatible with political liberalism, and with justice as fairness as a form thereof.

Unaccustomed though I am to accepting such *ex cathedra* pronouncements as gospel, I see no reason to demur from that particular judgment.

Republican Freedom

Searching for something that is distinctive in the republican theory of self-rule, some influential commentators attempt to isolate an identifiably republican conception of freedom (Skinner 1984, 1985). Built on the Roman legal notion of *dominium*—being one's own man (rather than another's servant)—this notion migrates through medieval notions of "the freedom of the city" to analytic reconstructions of a notion of "resilient liberty" (Pettit 1989; 1996; 1997a, esp. ch. 2; 1997b; 1999).

The root idea underlying the concept of resilient liberty is that it is not enough to merely to *be* free. It is not enough to be free to whistle while you work, for example, just because your employer does not mind your whistling. Instead, you want to be secure in your freedom against arbitrary interventions by others. You want your freedom to be resilient, capable of withstanding any change in others' preferences or predilections. In the grand language of the Preamble to the U.S. Constitution, you want "to *secure* these liberties." In the trivial example just given, you are not really (resiliently) free to whistle unless you are free to keep on whistling even if your boss decides she does not like your whistling.

Neo-republicans commend republicanism on the ground that it, and it alone, secures resilient liberty. The failure of other social arrangements to secure that value, while republicanism succeeds, distinguishes it from them and makes it uniquely superior among them. Or so neo-republicans would say.

Those analyses err, however, in their assertion (and their need to assert, to differentiate republicanism from liberalism) that this resilient liberty is a different *kind* of liberty, distinct from all the other familiar forms. It is not. Rather, it is merely an aspect of any of the other more familiar forms. Furthermore, it is an aspect that anyone who cares about any other form of liberty would value. If you care about *X* as a good, then it follows that you care about the security of your enjoyment of *X*. You do not have two separate concerns, one about security and the other about *X*. Caring about *X* and caring about securely retaining *X* are part and parcel of a single concern.

This sort of argument is familiar from the analysis of many other second-order values. Time is one. If I think *X* is good, then enjoying *X* for a longer time rather than a shorter time must be good. That does not mean I value two separate things (time and *X*), nor does it mean that I value *X* in some special temporally extended

way. It is merely in the nature of valuing *X* that more of *X* is better than less, and that more time with *X* is better than less.⁴

Efficiency is another second-order value. As that term is technically understood by economists, it means getting to the “production possibility frontier” in tradeoffs between two goods, *X* and *Y*; it merely means never settling for a situation in which you get less of both of those goods than you could have had through some other choice. Is efficiency an independent value, then? Of course not. Its value is purely derivative from the value we assign to *X* and *Y*. What makes efficiency good—what makes it desirable not to settle for less *X* than we can get, for any quantity we choose of *Y*—is simply the value we attach to *X* (Goodin 1988, ch. 8; Le Grand 1990; Barry 1990, p. xxxix–xl).

The value of resilient republican liberty, understood as security in the enjoyment of our liberty, is a second-order value of the same sort. We value security in our liberty only because we value our liberty. It need be no more complicated than that. Rhetorically distinctive though the republican emphasis on securing freedom against domination might have been, there is nothing analytically distinctive about it.

A liberal concern about one’s freedom from interference should logically extend, equally, to a concern with the security of one’s freedom from interference. Historically, liberals may have been negligent (or worse) on this score. But logically, liberals can (and, by the internal logic of their own principles, should) be as concerned with the resilience of the liberty that they champion as is any republican.

REASONS TO BE WARY

From Status to Contract, and Back Again

A defining feature of the movement from premodern to modern social forms is the movement “from status to contract” (Maine 1901). That republican notion of freedom as dominion—the status of being “a freeman”—is quintessentially a status concept. Republicanism, understood as non-domination, thus constitutes a movement back to a status society of a strikingly premodern form.

In older republics, both ancient and early modern, rights of citizenship were tightly circumscribed. Modern democrats wary of republicanism recall these traces well. “Historically,” Dryzek (1996, pp. 64–65) reminds us,

⁴A similar argument can be made with respect to the familiar old argument between positive and negative liberty. Rawls (1971, p. 204) suggests that positive liberty is not really liberty but rather represents the “worth of liberty”; but then anyone who values liberty (understood in its purest negative form) must then also value positive liberty on that construal, since no one who values liberty could value worthless liberty.

an emphasis on exclusion for civic benefit has been central to the theory and practice of republicanism. Republics . . . could flourish as a result of their exclusion and exploitation of slaves, noncitizens and women. Republican citizenship and public freedom for the few was bought at the expense of excluding the many. In the republican tradition, exclusion benefited only those who were included in the state, which was the only recognized venue for politics.

Whereas ancient and early modern republics were layered, hierarchical status orders, contemporary republicans want their new republics to be single-status status communities (Sunstein 1988, pp. 1541, 1552–55; Sandel 1996, pp. 318–19; Pettit 1997a, pp. 190–94). In the current republican vision, everyone is supposed to be a citizen like any other, equally able to look every other in the eye. Therein lies the appeal of the image of a “republic of science”: a world of no hierarchy, no aristocracy; each man is as good as his Jack; communication is free and open; and so on.⁵

Still, the equality envisaged by even contemporary republicans is purely an equality of status, the status of citizen. And that is as empty a form of equality as is the equality of all who are of noble birth. Some nobles may be rich whereas others are down at heel; but all are equally noble. Such is the way with status equality as well.

That is why many republicans often seem relatively indifferent to broader distributional questions. For republicans,

what is vital to the status of person or citizen establishes a minimum equality of entitlement Equal protection speaks above all to membership, and membership presumes that all who belong share a core identity. This identity is wholly compatible with rich diversity so long as that diversity does not undermine equality of membership. (Selznick 1992, pp. 484, 189)

Selznick, an advocate, regards that as a plus. Others, mindful of Marx’s fulminations “On the Jewish Question,” see more clearly that pure status equality is an almost empty formalism (Isaac 1988, p. 357).

To be sure, republicans might have instrumental reasons for favoring more equality of resources (or opportunities or even of material outcomes), because equality in all those respects feeds causally into the fundamental equality of political status that is of signal concern to them.⁶ Sunstein (1988, pp. 152–53, 1576–78), for example, builds a powerful case for campaign finance reform in the United States on these premises. But at the end of the day it is equality of political status, and that alone, which really matters to them. Equalities in all those other dimensions

⁵Polanyi’s (1962) own version of it has more disciplinary authority than that. The real world of contemporary science, however, may be further removed from Polanyi’s extended gentleman’s club (the Royal Society sits in the heart of St. James clubland, after all) and nearer the vision of Churchill, who famously mused, “Scientists don’t have to have good manners, they just have to be right.”

⁶Or, less plausibly, into a strong sense of community attachment (Sandel 1996, pp. 330–31).

are of no republican value in and of themselves. They are of value only as they impinge on the enjoyment of political status.

Traditionally, only persons who have sufficient independent means not to be dependent on (and hence subservient to) any other person were deemed fit for republican citizenship (Goodin 1988, pp. 171–72; 1993; Isaac 1988, 365 ff.; James 1992).⁷ A qualified case for equality of material circumstances might today be constructed by reversing that relationship, giving everyone whom (on whatever other grounds) we think we would like to include as citizens sufficient material resources that they can qualify for that status by republican standards (Pettit 1997a, pp. 158–63).⁸ However, the principle by which we decide whom we want to qualify for citizenship must of course be determined outside republican principles.

To criticize republicanism as essentially a status society is not to say that we should go from those status concerns back to unqualified ideals of freedom of contract again. That ideology, too, has well and truly run its course (Atiyah 1979). Its follies are familiar, their remedies likewise. But the remedies in question are of a more robustly egalitarian sort—ranging across opportunities, resources, and outcomes—than republicanism can easily accommodate. What we need is to move from status to contract and beyond, not back.

Shame Societies

Republicanism thus marks a return to a status culture, albeit in single-status form. If there is only one status, why does it matter that it is a “status culture” at all? What difference can it make? Well, perhaps it cannot make the standard difference of *Homo hierarchicus* (Dumont 1980). But it does make an important difference in terms of what is at stake in political and social life, and what is an appropriate way of pursuing it.

Status societies, even single-status ones, are driven by notions of honor and shame, dignity and embarrassment. The saga of *Romeo and Juliet* could only occur in its particularly perverse form among families driven by republican conceptions of pride and honor. So too could Bernstein’s *West Side Story*. So too could the Sicilian mafia and its “men of honor” (Gambetta 1993, Lyttleton 1995).

The nice thing about republican honor is that people at least internalize social norms of some sort. You can call on them to act in the name of those higher

⁷Drawing on materials from Stoics, who were also central in classical republicanism, Slote (1993) considers self-sufficiency a prime political virtue. So does Galston (1988), by an ostensibly more liberal route.

⁸But as Pettit (1997a, p. 161) goes on to say, “the policy is almost certain to fall short of strict material egalitarianism, however interpreted.” Elsewhere, Pettit (1997b, pp. 125–28) argues that republican “freedom as non-domination” is compatible with redistribution, in a way that liberal “freedom as non-interference” is not. But again, to say that his conception is not opposed to redistributive interventions is not to say it positively requires them; and liberals post-Rawls have dozens of ways of being more egalitarian than a strict Hayekian commitment to “freedom as non-interference” would allow.

norms rather than always providing some sordidly self-interested reason for acting (Braithwaite & Pettit 1990; Brennan & Pettit 1993, 2000; Pettit 1997a, pp. 253–60).

The nasty thing about republican honor is that it is so terribly precious. Although it is not self-interest in any crass material sense, it is nonetheless *amour propre* in a fairly robust sense. The question always is, “How I will come out of this looking (in the eyes of those whose opinion matters to me)?” Internalizing concerns with one’s image differs importantly from internalizing morality as such (Barry 1989, ch. 12)—particularly when the guardians of the image themselves internalize merely a code of image-based honor, rather than a substantive code of morality as such.

Republics grounded in this sort of honor are quintessentially dueling societies. There, honor must be satisfied and courage manifested in the craziest and cruelest of ways.⁹ Dueling itself may have died out, but its lineal descendents are to be found in the street code of the American ghetto, where “dissing” someone—showing them disrespect—remains a reliable path to an early grave (Stone 1995).

Codes of Honor and Their Limits

A code of honor binds members of a republican community. But it binds them alone. In its most traditional form, it bound members of the republican oligarchy: No one was traditionally obliged to accept a challenge to duel from one below his station, because those of lesser social standing simply have no capacity to impugn the honor of those above them (Wyatt-Brown 1982, p. 349–61). Even today, archaic societies that run on an honor code (notoriously including military academies), are plagued with problems arising from the fact that the honor code gives rise to a stronger sense of obligation to one’s fellows than to anyone outside, leading to cover-ups to protect the band of brothers rather than respect for the code as such. It is not an external code but an internal one. It is less a morality than a mutual assistance pact, often amounting to a conspiracy against the outside world.

Now, where the brotherhood has been expanded (as contemporary republicans would expand it) to all members of the republican community, those problems would be ameliorated. But they would not be eliminated. At the margins there would always be problems of defining the boundaries of the community. Whether immigrants and aliens are to be counted as members is very much queried today in the Republic of France (Balibar & Wallerstein 1988, Brubaker 1992, Favell 1998), not least by the self-styled “Front Républicain” (Fennema & Maussen 2000).

There will always be some people beyond the borders, however generously construed. Toward them republicans suppose no honorable performances are owed. Think of the profound cynicism of the Republic of France in sending official agents to sink a Greenpeace ship moored in another country’s harbor. Republicanism thus constitutes a particularly vicious form of closed communitarianism, a collective attitude of “We’re all right, Jacques.”

⁹Recall that one of the authors of the *Federalist Papers*, Alexander Hamilton, died in a duel (at the hands of Vice President Aaron Burr, no less).

A further problem with a code of honor, alluded to above, is that it tends to be a code—a “list morality.” Scrupulously adhering to the items on the list, you can do plenty of damage to the spirit of the listing. (Think of the military academies, once again.)

The items on the republicans’ moral list ostensibly add up to “civic virtue.” Republicans hope that its “civic” nature might rescue their virtue ethic from the complaints ordinarily lodged against the narcissistic personalism that typifies a preoccupation with virtue.¹⁰ But republican virtue, like all virtue, must at root be an attribute of character.¹¹ Republicans propose civic-oriented standards against which to assess one’s character, but the unit to be assessed remains one’s character rather than one’s performances.

That inevitable fixation on character renders republicanism’s virtue ethic vulnerable to all the familiar objections to virtue ethics. The virtue in view is a distinctly circumscribed one: Its application is limited to one’s dealing with one’s fellow citizens. The virtue in view is (as I have said) precious, focusing on “how will I come out of this looking?” And the virtue in view is indifferent (as most virtue ethics or list moralities are) to the consequences of its preciousness on others.

Civic Virtue with a Martial Twist

Among republicanism’s many odd resonances, here is perhaps the oddest: Benjamin Franklin’s description of the United States as “a republic, if you can keep it” (rather than a vulgar democracy) is quoted repeatedly by right-wing opponents of central state authority—indeed of government seemingly in any form. It is the catch-cry, *in extremis*, of the Minutemen and the Montana Militia (Wills 1995).

Upon reflection, there is nothing odd about that fact. It is fully in keeping with older republican traditions, as today’s republicans are acutely embarrassed to recall (Sunstein 1988, p. 1539–40, 1564; Pettit 1997a, pp. 150–53). The Roman Republic was famously secured by legions of citizens, enlisted by military commanders acting on commission from the Senate. The city republics of the Italian Renaissance were singularly martial affairs, as any reader of Machiavelli knows well. The cities of the Dutch Republic were chockablock with “companies of the guard,” the most famous of which is today the Company of Franz Croq, immortalized in Rembrandt’s *Nightwatch*.

¹⁰Sunstein (1988, pp. 1550–51), for example, wants to deny that “the appeal to civic virtue is designed to improve individual character.” Important though he acknowledges that theme to have been in classical republican thought, “modern republicans invoke civic virtue primarily in order to promote deliberation in the service of social justice, not to elevate the characters of the citizenry.” See also Morrow (1991) and Dagger (1997).

¹¹As Sandel (1996, p. 25), for example, writes, “republican theory . . . seeks . . . to cultivate in citizens the qualities of character necessary to the common good of self-government. Insofar as certain dispositions, attachments and commitments are essential to the realization of self-government, republican politics regards moral character as a public, not a private, concern.”

Classically, it was thought that martial virtue should extend throughout the entire community. “No standing armies” and “no professional soldiers” were central principles of republics from the earliest days. And these emphases were nowise mitigated as republicanism migrated north. In Harrington’s *Oceana*, “county assemblies are at once assemblies of the electorate and musters of the militia”—a proposition that Pocock (1973, p. 114) regards as Harrington’s “chief gift to eighteenth-century political thought.” And as in fictional republics, so too in real ones of the period. The key texts bequeathed us by Cromwell’s Commonwealth are the Putney debates within the General Council of the Army over the New Model Army (Woodhouse 1974, Sharp 1998).

Against that background, it is neither odd nor inappropriate that the Irish Republicans should form an Army. Neither is it odd that Australian Republicans should adopt, as their ensign, the banner of fighters at the vanquished Eureka stockade. Neither, in that context, is it odd that the self-styled militias of the United States profess allegiance to what they see as an embattled Republic.

Academic republicans may no longer welcome the martial implications of the model with quite such gusto. Nonetheless, the republican ideal still clearly remains the sturdy man of honor, relying only on the strength of his own arms (Slote 1993); and that easily shades over into armaments as well. That resonance remains strong among “street-level republicans,” even if it is now largely suppressed within republicanism as an academic-cum-literary tradition.

REASONS TO BE TEMPTED, PART II

Public Deliberation

After those false starts and real worries, let us now return to the question of what can be attractive about republics. They are self-governing communities, deliberative bodies without any fixed heads. Traditionally, they were a club of burgers, notables, or landed gentry who had overthrown a monarch and proposed to govern themselves. Now that the model has been extended to include everyone on the same footing, it looks like everyone has the run of the same clubhouse and boardroom.

Of course, throwing the boardroom thrown open to the hordes can hardly be expected to result in the gentlemanly deliberations of a handful of business-like Netherlandish city fathers. The boardroom model of deliberation is simply inappropriate—certainly once the membership extends to all and sundry, and maybe even before (Dryzek 2000, ch. 3).

But it is not merely one particular model of deliberation that is undermined by size. Deliberation more generally is supposed to be a matter of giving reasons rather than merely weighing interests or taking votes. It is rule by reason rather than rule by the numbers. But outside of teledemocracy fantasies or focus-group-style equivalents, how can reasons rule in a populous republic except by the force of numbers? Taking a vote in the Governing Body of an Oxford college is admission

of breakdown of ordinary norms of those self-governing communities. But taking a vote in the Congregation of Oxford University—the governing body of governing bodies, as it were—is the standard way of doing business.

Already two centuries ago the Founders of the American republic were facing up to the problems posed by a widespread and numerous republic. Their solution—what made their creation a “republic,” in their eyes, as distinct from a populist democracy—was the establishment of representative institutions staffed (they hoped) by the “better sort” (Madison 1961 [1787], pp. 62–64). Charged as trustees, the new American republic’s representatives were supposed to do our deliberating for us.¹²

Many republicans remain attracted to that model. Courts, as reason-giving institutions par excellence, are often regarded as paradigmatic deliberators (Rawls 1993, pp. 235–40; Pettit 1999, pp. 180 ff.); and many of today’s most distinguished republicans are constitutional lawyers writing political theory at least partly with a view to judicial implementation [Michelman 1986, 1988; Sunstein 1988 (esp. pp. 1579–86), 1990, 1991, 1993a,b,c; 2001]. One of the hallmarks of the “liberal republican” model (as distinct from the “populist republican” one) is that deliberation is done substantially, if not exclusively, within and between branches of government—courts, bicameral legislatures, the legislature and the executive, and so on—rather than among the population as a whole.

Even liberal republicans, however, would also like to find some way to extend deliberative prerogatives to the citizenry more broadly. Even liberal republicans hanker for deliberative modes of mass decision, and the free and equal political communication governing them. “The underlying vision of ‘republican’ politics,” says Sunstein (1991, p. 4), “is one of frequent participation and deliberation in the service of decision, by the citizenry, about the sorts of values according to which the nation will operate.” So say virtually all contemporary republicans of virtually all stripes.¹³

But deliberation classically presupposes small numbers of people in a “face to face society” (Laslett 1956). Modern politics are far larger than that, and it is unclear how traditional models of deliberation can be adapted to those new circumstances

¹²As Roger Sherman said to the first federal Congress, “When the people have chosen a representative, it is his duty to meet others from the different parts of the Union, and consult, and agree with them to such acts as are for the general benefit of the whole community. If they were to be guided by instructions, there would be no use in deliberation” (quoted in Sunstein 1993a, p. 242).

¹³Michelman (1988, p. 1503), for example, writes that “in the strongest versions of republicanism, citizenship—participation as an equal in public affairs, in pursuit of a common good—appears as a primary, indeed constitutive, interest of the person.” Stone et al. (1991, p. 20) write, “In all its forms, republicanism appears to prize democratic self-government; to emphasize deliberative politics; to see citizenship as a good; and to believe in the possibility of settling at least some disputes with substantively right answers.” See also Elkin (1994, pp. 128–34) and Sandel (1996, pp. 348–49).

(Goodin 2000). The “populist republican” deliberative ideal is simply infeasible when the populace is too populous. That commonplace is generally accepted by contemporary republicans, much though they may rue it and strive to re-empower local institutions.¹⁴

What contemporary republicans are therefore left with is little more than the Founders’ oligarchic model of representative deliberation. Contemporary republicans continue to pay obeisance to mass deliberative ideals, all the more so perhaps because they have no particularly good ideas how to implement them in a genuinely mass society.

All this is simply a report of positions that republicans have staked out, of propositions that they would hope to sustain. Those are generally aspirations in search of an argument and a mechanism. Still, aspirations must surely count for something in political theory.

Republicans are far from unique in these aspirations, however. They share their advocacy of public deliberation and reason-giving in politics with theorists of many other stripes, who reach those same conclusions without recourse to republican rhetoric of any form.

Here is one telling exercise: Scan the indices of all the major recent works on “deliberative democracy.” Notice that the term republicanism is missing from virtually all of them. It is nowhere employed positively in Habermas’ *Between Facts and Norms* (1996); and it is nowhere to be found in Rawls’s “Idea of Public Reason Revisited” (1997), nowhere in Gutmann & Thompson’s *Democracy and Disagreement* (1996), nowhere in Young’s *Inclusion and Democracy* (2000), nowhere in Dryzek’s *Deliberative Democracy and Beyond* (2000).

This is not the place to trace the intricate differences among all these alternative models and how they contrast with the republican vision (Habermas 1994; Bohman 1996, esp. ch. 6; Dryzek 1996, pp. 64–65; Southwood 2002). Suffice it to say that republican models are not the only ones that appeal to those virtues. There are

¹⁴Sandel (1984, p. 94; see similarly 1996, pp. 339–40), for example, writes, “If a virtuous republic of small-scale, democratic communities was no longer a possibility, a national republic seemed democracy’s next best hope But this project failed Except for extraordinary moments, such as war, the nation proved too vast a scale across which to cultivate the shared self-understandings necessary to community in the formative, or constitutive sense. And so the gradual shift, in our practices and institutions, from a public philosophy of common purposes to one of fair procedures, from a politics of good to a politics of right, from the national republic to the procedural republic.” Sandel’s (1996, p. 345) proposals for “dispersing sovereignty . . . [to] a multiplicity of communities and political bodies—some more, some less extensive than nations” will clearly not help reduce the number of others (other individuals in the former case, other groups in either case) with whom we have to deliberate. Contemporary republicans still harbor localist yearnings, though, as is clear in Sandel’s (1996, pp. 333–35) praise of Community Development Corporations and of local shops over national chain stores, or Sunstein’s (1988, p. 1578) praise of “‘reconstitutive law’ reforms that allow state and local flexibility by restructuring markets” and of “proposals to loosen restrictions in federal grant programs.”

many ways to endorse the deliberative democratic ideal without wrapping oneself in republican rhetoric, and many ways to pursue that ideal without encumbering oneself with all the other “street-level republican” baggage.

Common Good

Republicans—again, in company with many others—count on public deliberation to alter people’s preferences, helping them to transcend narrow self-interest or sectional interest and concentrate on the common good of the community as a whole.

Contemporary republicans see this as an important contrast between politics and markets, between high (common-good) and low (private-interest) models of politics. Republicans view the “political processes not as an aggregation of purely private interests, but as a deliberative effort to promote the common good On the republican account, self-interest . . . must be translated into some broader conception of the public interest” (Sunstein 1990, p. 12). Republican laws and public policies reflect, in consequence, “not the preferences that [people] hold as private consumers, but instead . . . collective judgments, . . . aspirations or considered reflections” (Sunstein 1991, p. 14; see similarly Sunstein 1988, pp. 1548–49; 1993a,b,c).

This distinction between superior public preferences and inferior private ones has several important consequences. It justifies democracy in overriding markets, for republicans as well as many others (Sunstein 1991, 1997). It justifies courts in ignoring the pushing and hauling of pluralist private interests, self-consciously pursuing instead the public interest through some form of “juridical democracy” (Sunstein 1988, pp. 1543–45; 1993a; cf. Lowi 1969, ch. 10). It justifies legislatures in taking various measures to promote as well as protect free speech, including public financing of elections and policies to promote social mixing, even on the internet (Sunstein 1991, 1993b, 2001). And so on.

All these seem eminently sensible policy proposals, defensible from many different perspectives. They are not uniquely commendable, either separately or as a package, on republican grounds alone. Still, if those policy proposals constituted the core of republicanism, it would be an unexceptionable (if perhaps unexceptional) model.

What is more exceptional and exceptionable about republicanism is that its strong prioritization of the public over the private risks undercutting the autonomy (and indeed independence) of individual judgment. That would be an ironic result, given republicans’ historical emphasis on the importance of sturdy independence among the citizenry.

Prioritizing the public over the private has been a recurring republican theme since classical times. Classical republicanism, in the words of Ptolemy of Lucca (often falsely attributed to Aquinas), “puts not the private things before those held in common, but the things held in common before those of the private” (quoted in Viroli 1995, p. 22). In our own day, Pettit (2000, p. 197) describes what he sees as the legitimate scope of republican government in similar terms:

Common interests will be matters that people are capable of recognizing . . . in the course of discussion and reflection . . . Government ought to be oriented toward the satisfaction of [those] common, recognizable interests of the people governed [T]hose are the only factors that it ought to take its ultimate guidance from. Government ought to countenance no other master.

One possible reading of those texts is innocuous, indeed laudatory, from a liberal Enlightenment perspective. We start with autonomous individuals (manifesting the “sturdy independence” traditionally associated with republican virtue), and working with inputs from each autonomous individual, we somehow adduce a notion of the “public interest,” which (because they internalize republican “civic virtue” as well as republican “sturdy independence”) all those individuals are motivated to pursue collectively, in preference to their private interests. That might be a broadly “liberal republican” reading of how the republican quest for the common good is supposed to work (Sunstein 1988, Daggar 1999).

Some authors, however, come to their republicanism by way of communitarianism (Sandel 1984; 1996, pp. 290 ff.; Selznick 1992). They prioritize the public over the private as part of their program of deprioritizing rights and restoring public duty and responsibility to the center of the political stage.¹⁵ Sometimes this communitarian republicanism amounts to virtual “soulcraft” (Will 1983; Sandel 1996, p. 319).

Seeing individuals as being so deeply embedded in “communities of subsumption” that they cease to be autonomous sources of value at all would, of course, be anathema from a liberal-Enlightenment perspective (Goodin 1998). But there are forebodings of it in various republican writings. Benjamin Rush, a signer of the American Declaration of Independence, explicitly aspired “to convert men into republican machines,” teaching each citizen that “he does not belong to himself, but that he is public property.”¹⁶

Modern versions of “communitarian republicanism” say similarly that “political community depends on the narratives by which people make sense of their condition and interpret the common life they share”—and, tellingly, conversely. As Sandel (1996, pp. 350–51) goes on to remark,

[W]hen the narrative resources of civil life are . . . strained . . . it becomes increasingly difficult to tell the tales that order our lives. There is a growing

¹⁵Even Sunstein (1990, p. 246, n. 1), who bemoans the “false . . . conflict between liberalism and republicanism” and resists “converting republicanism into a nightmarish, totalitarian vision that rejects rights altogether,” tellingly entitles his book *After the Rights Revolution* and takes as its central task justifying a “regulatory state” in pursuit of common, if not collectivist, projects.

¹⁶This passage is quoted by Herzog (1986, pp. 483 ff.), who goes on to detail some of Rush’s grander schemes for homogenizing the American public by, among other things, soaking blacks’ skins in unripe peach juice. The same passage is quoted by Sandel (1996, p. 319), who in fairness wants to distance himself from this position (though in my view not nearly enough). On the Founders on these issues more generally, see Wood (1969, pp. 57–8).

danger that, individually and collectively, we will find ourselves slipping into a fragmented, storyless condition [That would lead to] the ultimate disempowering of the human subject, for without narrative there is no continuity between present and past

In short, communitarian republicans maintain that individual agency is a function of collective identity.

Habermas (1994, p. 4) rightly resists this reduction of politics “to a hermeneutical process of self-explication of a shared form of life or collective identity. Political questions may not be reduced to the type of ethical questions where we, as members of a community, ask ourselves who we are and who we would like to be.” Instead Habermas insists that “the democratic will-formation does not draw its legitimating force from a previous convergence of settled ethical convictions, but from both the communicative presuppositions that allow the better arguments to come into play . . . and from the procedures that secure fair bargaining processes.”

Republicans of a more liberal sort would concur. They would want to retain their emphasis on the fact that preference formation is, and ought to be, endogenous within the collective decision process: people’s preferences are, and ought to be, shaped and reshaped in the course of public conversations (Sunstein 1991). But while holding on to that central republican theme, liberal republicans also envisage citizens as coming to those conversations with divergent prior and private views. Indeed, they suppose that that is precisely what citizens exchange with one another in their public encounters. The liberal republican view thus hopes to preserve individuals as autonomous sources of value, who then find they have things in common, rather than postulating some “unanimity . . . secured in advance by a substantive ethical consensus” (Habermas 1994, p. 4).

Some (perhaps many) republicans do therefore want to prevent their preoccupation with the public from sliding into communitarian excess. Their challenge is to identify some way to do that, some method whereby the common good can be discerned among individuals whose identities are not assumed to be (or reconstructed to be) wholly constituted by their membership in the collectivity.

The American Founders experimented with various mechanistic models whereby the separation of powers in a mixed constitution was supposed to supply this magic. Others following broadly in their footsteps recommend institutionalized vetoes of various sorts. Alas, those mechanisms prove to be thoroughly unreliable (Barry 1989, chs. 4–5; 1990, chs. 14–15; Goodin 1996; Pettit 1999, pp. 178–79; 2001, p. 157n). Granting the right to appeal one’s case to an impartial tribunal (Pettit 1999, pp. 180–83) or allowing courts to conduct a “rationality review” of legislation (Sunstein 1988, p. 1579) provides a negative mechanism for blocking policies that are not in the common interest, rather than any guarantee of policies that are in the common interest.

To ensure the positive pursuit of such policies, contemporary republicans most often place their faith in deliberation and the interplay of free public reason. That is fine among small groups (courts or maybe even legislatures). But, as argued above, no credible mechanism has yet been offered whereby the whole of a large political community can be simultaneously party to such deliberations (Goodin 2000).

Civic republicans place their faith in small and dispersed communities. "In the age of NAFTA," Sandel (1996, p. 346) says, "the politics of neighborhood matters more, not less." For Sandel (1996, p. 347), what differentiates "Tocqueville's republicanism from Rousseau's . . . [is] sovereignty dispersed and citizenship formed across multiple sites of civic engagement."¹⁷ But although public-spirited attitudes might be more easily evoked within those smaller groups, the public to which those attitudes attach is smaller as well (Dahl & Tufte 1973). This is no solution to the problem of size, understood as the problem of how to get people to internalize the common good of the whole community rather than just their own particular parts of it.

Note well: The problem does not lie in any analytic difficulties with the notion of "public interest" or "common good." Conceptually, those terms make perfectly good sense and can be given various relative, precise meanings (Barry 1964; 1989, ch. 20; 1990, ch. 11; Goodin 1996). The difficulty with these concepts is operational, a problem of finding some reliable way politically to determine their content and to harness political action effectively in their service. In the absence of any credible political mechanism for doing that, republican injunctions to "seek the common good" are empty exhortations to virtue, devoid of substantive content or political punch. To echo Bohman's (1996, p. 29) summary judgment, "Civic republicans either presuppose such overlapping virtues and values that democracy is unnecessary, or they offer us no assistance in specifying how to resolve conflicts and disagreements about values."

CONCLUSION

Why were we political theorists collectively briefly tempted by the republican ideal, and why in the end did we not collectively succumb?

As for the temptation, let me interject a note of *realpolitik*. American historians have largely come around to the view that the Constitution is essentially republican. Judges attuned to the original intent of that document's authors regard that as a significant fact. It is only natural, therefore, that constitutional lawyers seeking to influence judicial outcomes should try, for the benefit of members of the bench who are so persuaded, to couch their arguments in republican terms.

Apart from such strategic gaming *vis-à-vis* the bench, however, I can see no good reason for framing our arguments in any deeply republican way. Many of republicanism's component propositions are independently attractive, but their attraction is independent of republicanism. There are plenty of other perfectly good ways of arguing for those propositions. All that is gained in assimilating

¹⁷In an ellipsed portion of the quotation, Sandel (1996, p. 347) says that this pluralism "saves the formative project from slipping into coercion." That seems a plausible and desirable consequence. My point here is merely that the noncoerciveness of these arrangements is bought at the price of rendering them ineffective as a means of pursuing the "common good" of the whole community that is supposed to be the republican's chief concern.

them with republicanism are the unfortunate further associations here described as “street-level republicanism.”

Once again, the wisdom of the multitude has prevailed. Seductive though intellectual historians make republicanism as an account of various fascinating moments in political history, it does not represent a way forward for contemporary political theory. We were right to have a look—and we were right to reject.

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