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Laurence Piper

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REPRESENTING HAMILTON

In his most important book to date, *Freedom is Power: Liberty Through Political Representation* (2014b), Lawrence Hamilton offers what he describes as a realistic theory of freedom for modern conditions, located in the tradition of Western political thought. It is in fact both a philosophical and a theoretical argument with the former focusing on the link between freedom and power, and the latter between power and representation, as reflected in the two halves of the title of the book.

Thus, in the first three chapters of *Freedom is Power*, Hamilton offers his reading of a long-standing and famous debate on the nature of political freedom, engaging extensively with varying liberal and republican traditions, and looking to chart a path through them inspired mostly by Marx. Most of the rest of the book, however, is focused on theorising what freedom is power would mean under contemporary conditions, starting with critical debates on power and domination, and moving to his key claim of the centrality of representation (and accountability) to real modern freedom.

Ultimately, Hamilton ends up in a theoretical position closest to republican thought, in particular in the affirmation that freedom lies in participating (mostly through representatives) in the process of making the laws that we must obey. However, unlike many republicans, and indeed deliberative democrats, he does not imagine emerging through consensus or a common identity or identifying something like Rousseau's general will. Rather, after Machiavelli, he imagines social as deeply divided between contending groups, and affirms participation in the public realm as instrumental to more rational, peaceful but conflictual decision-making where the needs and interests of key groups can be articulated and defended. There are resonances with Mouffe's agonistic politics here, although framed in a different tradition of political thought.

While much of the focus of the book, and indeed this special edition, is on the theoretical account of the link between power and representation, Hamilton's philosophical arguments about the relationship between freedom and power are also important, and not only because they are foundational to his subsequent realist theory because he links freedom to power conceptually. It is with these that I start.

Freedom as a Philosophical Problem

In respect of a political philosophy of freedom, Hamilton makes three moves worthy of attention. First, he argues that the distinction between 'negative' and 'positive' liberty made famous by Isaiah Berlin is better conceived as a 'private' versus 'public' conception of freedom. The basis of this argument lies in a critique of methodological individualism of

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liberal political through informed by, amongst others, feminist critiques of the gendered and familial nature of all societies. This ontological error, Hamilton points out, results in the conclusion shared by Hobbes, Berlin and Hayek, that on the conception of freedom as non-interference, I can be free in an authoritarian society so long as the dictator happens not to interfere with me (2014b: 20). Conversely, it means that a law passed in a democracy that does restrict my behaviour, even if I support it, is a loss of freedom. On this view, Hamilton concludes, freedom only exists outside of the state, in the private realm, where one cannot be interfered with at all.

Hamilton's second move is the claim that conceiving as freedom as entirely 'private' or 'public' is insufficient for modern subjects, we need both. Building on the argument that liberal freedom is really a form of 'freedom from politics' (to my mind a view best illustrated by John Stuart Mill's peculiarly non-political account of freedom in *On Liberty*), Hamilton argues that the growing role of political authority in our increasingly interdependent lives means that space for life without political interference is likely to shrink rather than grow. It is simply naïve and self-defeating to try and avoid the state to be free. Rather, it makes more sense to try and influence it, especially to try and influence the laws that we must obey. This move places Hamilton firmly in the republic tradition of 'freedom through politics', which he embraces as necessary and desirable for groups looking to secure their needs and interests.

However, unlike ancient republicans, Hamilton does not hold that freedom is reducible to regime type. Following Constant's argument in the liberty of the ancients versus the liberty of the moderns, Hamilton notes that, unlike the ancients, we moderns have a different conception of political subjectivity for which subjugation to the common good, nation or state will not suffice. We have come to know and love our individual liberties, and it is simply not realistic to wish them away. Thus, like Constant, Hamilton affirms a vision of freedom that embraces both non-interference by an oppressive regime, *and* participation in political decision-making for instrumental reasons. Practically speaking then, for Hamilton freedom is a multi-dimensional condition that crosses the private–public divide.

These latter points speak to important differences between Hamilton and current day republicans like Arendt, McCormick and Pettit. While the arguments are multiple and specific to each thinker, Hamilton's main thrust is a suspicion of various strains of elitism, especially linked to virtue, whether in the form of virtuous political action for Arendt, a formulation that appears to remove freedom from the reach of most other than 'great men', or in the form of Pettit's constitutional republicanism that focuses on common interests only, rather than the interests of the majority, so limiting popular control over decision-making. Inspired by Machiavelli, Hamilton is much closer to McCormick's populist republicanism, although Hamilton feels that the latter does not empower ordinary people enough to set policy agendas rather than just to veto them.

Third, and relatedly then, Hamilton's conception of freedom as not just about the capacity to form preferences and decide between them, but to act on these too. Hence he defines freedom as the 'combination of my ability to determine what I will do and my power to do it—that is, bring it about' (p. 10). This is a definition of politics closest to Marx, and draws tight the relationship between, forming a preference, choosing it, and the capacity to act on it. As Hamilton argues, what is the point of being free to make choices if I cannot act to secure these choices? Necessary to the idea of the freedom then is the capacity to act on my choices, and this invariably involves relationship with other people, and hence the public realm. Ultimately then, Hamilton holds that freedom must involve the capacity, or power, to form and act on my choices, and this occurs in a complex, interdependent, and sometimes

well-ordered social context and thus almost inevitably will be enabled or disabled through the public realm.

Freedom as a Theoretical Problem

Having framed freedom philosophically as both the power to determine what I will do and actually to bring it about, Hamilton's places significant requirements on his theory of freedom that is linked to an account of contemporary social and political life as substantially interdependent and complex. Consequently, Hamilton's generates a Hegelian style theory of 'freedom as power' across four domains. Thus, freedom as power requires (a) the power to overcome existing obstacles in my life, (b) the power to determine who governs, (c) the power to resist the disciplining power of the community, and (d) the power to determine social and economic environment via control over representatives (2014b: 95). Critically, Hamilton notes that these domains are not strictly definitional, so much as a list of the ways in which freedom depends on power, and further that, for the individual, there is more to freedom than dependence of power in these ways as there is always a personal and subjective component to freedom. For society more widely, and specifically for groups, Hamilton believes that his account offers 'objective' and 'necessary' conditions for freedom. They are objective because they are shared by all in a society, and necessary because all in that society need them too (2014b: 96).

Hamilton's account means that securing freedom is demanding as it requires constant work by both individuals and groups on many fronts. In addition, it is difficult work, as Hamilton follows Machiavelli in imagining politics in agonistic terms of group (and usually class) struggle (pp. 38–49). Hence he conceives of democracy as about institutionalised conflict between contending groups, and stands in significant contrast to familiar republican accounts of democracy as about constructing the 'common good' and/or 'the people'. Freedom may require that citizens are empowered to participate in decision-making in a free state, but there is no 'people' undifferentiated by needs and interests. Rather, groups fight for themselves in the political process, and cannot be assumed to orientate towards the common good. Debate is necessary and important to better accommodate competing views, but deliberation orientated towards consensus is just unrealistic as a condition of legitimate decision-making. Finally, but critically, everything is political, especially economics, and whatever is contracted out of the decision-making process is lost to the project of freedom (2014b: 173–91). A free society is one in which politics trumps economics.

Lastly, and perhaps most interestingly, Hamilton identifies representation rather than direct participation as the primary form of political engagement to be institutionalised under modern conditions (pp. 113–53). This is not just a pragmatic recognition of the scale and complexity of modern life, but also a normative affirmation of the important role of judgement in the political process, and the central responsibility of representatives both to better account to their groups, but also to make choices informed by consideration of all views, needs and interests at play in a debate. Freedom requires power, and power requires recognition of the multiple dimensions of the social order that confront us. The contending groups that constitute the social order require representatives to advocate for their needs and interests in institutions that adjudicate laws, policies and decisions.

To give more accurate institutional expression to 'freedom is power', Hamilton advocates for new institutions, giving by way of provocation, a list of four possible such innovations including (i) district assemblies at the sub-national level to surface local needs and interests;

(ii) a revitalised conciliar system, where representatives from each district are selected, preferably by lottery, to advocate for local needs and interests to the national; (iii) an updated tribune of the plebs, which is an independent and partisan legislative house for the poor, equal to the main house and (iv) a decennial plebiscite following a month long public holiday for citizens to decide on revising any aspect of the constitutional order, in which any citizen can propose changes, and through which vital needs (food, shelter, clothing, rest, exercise, etc.) of all are satisfied before others needs and interests (2014b: 202–5). These institutional reforms are designed to surface social conflict rather than repress it, and to enable major social groups the opportunity to create an environment in which all have more power, and therefore more freedom.

As the focus of this special edition is on Hamilton's conception of representation, I will unpack this argument in more detail.

Freedom and Representation

Hamilton argues that, given the size and scale of contemporary societies, not only is representation an inevitable part of democracy, but that most societies are deeply divided into socio-economic, cultural, religious and gendered ways that enable group representation. But what exactly is political representation? Following Vieira and Runciman (2008), Hamilton distinguishes three kinds of representation: the principal–agent form made famous by Pitkin, whereby the group formally authorises a representative responsibility for carrying out certain actions on its behalf; the trusteeship model, whereby an external party takes it upon themselves to act for, what they claim, is the good of the group; and the identification model, where 'group members see themselves as having a *presence* in the actions of the representative', due to what the representative has 'in common with the group: common interests or similar descriptive characteristics, social perspectives, values and insights' (2014b: 143, emphasis in the original).

While all three kinds of representation are arguably present in different ways in the political process, Hamilton ultimately holds that identification is the most widespread and important, not least when properly understood from the perspective of aesthetic conceptions of representation. Here Hamilton follows Frank Ankersmit (1997) in embracing an 'aesthetic' conception of political representation, whereby representatives' role is 'to give the people an image of themselves to reflect on' (Vieira and Runciman in Hamilton 2014b: 146). Vieira and Runciman write that 'representative democracy depends upon politicians being able to offer competing visions of the people to the people, in order for the voters to be able to choose the one they prefer' (Vieira and Runciman 2008: 141; quoted at Hamilton 2014a: 147, emphasis in the original).

Further, Hamilton notes that political representation must not just be a matter of politicians seeking to represent the whole people. There is also a need for an intermediate level of representation, made possible by civil and political liberties, where particular groups are represented by would-be group representatives, and members of those groups can judge 'which version of those groups to which [they are] affiliated is, in [their] judgement, a good representation thereof' (Hamilton 2014b: 150–1). Group representation at this intermediate level will be more a case of 'self-selected representatives'—even simply 'someone deciding they will stand or speak for the group in question' (139)—offering versions of a group on which they then receive critical feedback from group-members by informal mechanisms, including (but not limited to) whether or not they 'attract a following' (143).

There are, Hamilton concludes, four components to effective representation:

(a) the nature and relative power of the groups of which one is a member, (b) the relationship of representation that exists between the members of the group and the group's representatives, (c) the relative power of the groups' (informal and formal) representatives and (d) the relationship between one's groups' representatives and the formal political representatives of one's polity. (150)

As Hull observes in this edition, the achievement of an equally high level of freedom for all thus depends, in Hamilton's picture, on all socially relevant groups being well represented formally and informally, and all group representatives having similar levels of influence over the formal political representatives and government of a society.

Freedom Through Representation: Too Much, or Too Little?

Hamilton's argument on the centrality of political representation to real modern freedom is a novel and refreshing argument in a time when political thought tends to focus more on accessing power through the courts and the defence of rights, or through participation in deliberative decision-making. These views of democracy map roughly onto the right and left of the mainstream political spectrum. Hamilton's view is that both these arguments misunderstand the nature of politics, and the conditions required for many social groups to influence decision-making. Crudely put, Hamilton holds that where legal challenge is necessarily elitist, deliberation is simply unrealistic. The reinvigoration of democratic politics requires revivifying forms of popular representation (and by implication accountability) in key forums of decision-making. The problem we face today, Hamilton holds, is a representational deficit rather than a generic democratic deficit.

In the papers of this special edition, Hamilton stands accused in two broad and divergent ways: the first is that he is overstating the case for representation, and the second is that he is not following his representation argument strongly or widely enough. In the first camp are George Hull and James Furner who question the extent to which Hamilton's conception of politics and representation is really that distinct from the mainstream, and whether *Freedom is Power* is overstating its claim to offer a genuinely distinct vision of democratic politics.

In this regard, George Hull argues that *Freedom is Power* is not as distant from deliberative political theory as Hamilton makes out, and indeed that Hamilton's account of popular sovereignty could be strengthened by insights from deliberative theory. In particular Hull draws attention to claims that pre-political preferences need to be tried and tested in public deliberation; that public political discourse is, in significant part, orientated towards the truth rather than just preferences; and that institutional changes can be made to a society to increase deliberation in the political process, and enhance governance. Hull proposes reforming Hamilton's account of popular sovereignty, drawing on these insights, so as (i) to overcome the problem of conflicting substantive norms through mutually agreed procedures; (ii) recognising and affirming the inevitable role of reason and truth-seeking in the political process and (iii) to include normative considerations that extend beyond Hamilton's focus on the 'needs and interests' of groups. These, he argues, would allow the reform of existing institutions in practical ways that would enable legitimate and effective political action.

For his part, James Furner engages in an imminent critique of *Freedom is Power's*, questioning Hamilton's claims for the unavoidability of political representation, and for the desirability of the political representation it recommends. In respect of inevitability, Furner

foregrounds what he feels is a tension between Hamilton's observation that the will to participate in public affairs is weak, and the requirement, by definition, that power requires action, and thus political power requires action in the public realm. Furner also raises questions about the inconsistent meaning of representation as on the one hand, a form of division of labour, and on the other, a monopoly of a limited number of positions. In terms of desirability, Furner questions whether the metaphorical language of maintaining a gap of representation really does justice to the problem of 'true' preference-formation prior to or through the political process, and to the problem of the claim by some to monopolise leadership of the people. Lastly, Furner casts doubt on whether the practical reforms that Hamilton's recommends will really enable political representation to manifest and promote freedom or overcome domination. Ultimately, Furner is raising the question of whether Hamilton's argument is as substantive and distinctive as he claims.

If Hull and Furner can be seen as questioning whether Hamilton is pushing the claim of representation as central to democracy unjustifiably too far, Thomassen, Henao-Castro and Motimele makes arguments of the kind that Hamilton has not pursued the problem of representation far enough. Thus, Lasse Thomassen locates Hamilton's conception of aesthetic representation as part of the representative and constructivist turns. On this account, representation extends beyond formal institutions into civil society public and discursive realms, and is the process through which groups come to be constituted rather than reflecting pre-existing social realities. Inspired by Derrida, Thomassen argues that Hamilton does not take the representational and constructivist turns fully enough. First, the notion of human needs, which plays a central role in Hamilton's work, occupies an ambiguous position as sometimes constituted through representation, and sometimes non- or pre-representational. Second, Thomassen argues that Hamilton tends to limit political representation to political institutions because he does not treat all political representation as itself representational. In both cases, Thomassen concludes, limiting the effects of the representative and constructivist turns risks limiting freedom as power. This comes particularly at the expense of activist politics that requires 'continuous and inexhaustible critique of, and resistance to, forms and conceptions of representation that produce and reproduce relations of domination'.

Andres Henao-Castro follows Thomassen in pushing Hamilton for a more radical reading of politics and economics, particularly as regards Hamilton's claims to realism. Henao-Castro places Hamilton's concept of 'real modern freedom' in conversation with a Lacanian notion of the Real, yet one he argues that he argues 'invests the Real with the historically differentiated modes of concrete racialized and gendered labor that capitalism obscures in order to create value'. Drawing from critical race theory, Henao-Castro argues against the reformist impulse to improve the representational reach of 'liberal masks'. Instead, he advances a version of political representation that argues for the 'crack in the mask' as the symptom that reminds us of the Real, the irreducible antagonism at the heart of the social. In the spirit of Rancière, Henao-Castro advocates for a politics of the disruption of the order that makes the 'unseen', and thus brings representation itself into crisis.

Moshibidu Motimele's paper shares Henao-Castro's radical sensibility in respect of the forms of exclusion manifest under liberal-capitalism, especially as regards the category of citizenship. She argues that not only are the exclusionary categories that exist in relation to state-based citizenship on the rise, but also that liberal rights discourses and participatory democratic models fail to acknowledge the ways in which the genealogy of the concept of citizenship emerges within a repressive context. Key to modern statehood Motimele holds is a necessity to exclude and to alienate. Consequently, in his mistaken state-centric assumption

that citizenship is (i) inherently democratic and (ii) the best framework from which to conceive of freedom and power, Hamilton is unthinkingly excluding significant groups of people from democracy. By implication, Motimele concludes, real freedom as power requires both power beyond the state, and inclusive political subjectivities beyond citizenship.

Beyond Representation

Hamilton defends his arguments around representation in the closing paper in this special edition, and thus readers can form their own assessment of the virtues of cases brought by his critics. There is, however, one last point I would like to bring to general attention, and that is the particular relevance of the framing of *Freedom is Power* to the global south.

Framed as a practical theory of freedom based on appeals to realism rather than universal principles, and introduced in respect of the South African context, *Freedom is Power* moves from assumptions about the demos and politics that resonate across the global south, and increasingly in the more developed north with the rise of multiculturalism through migration, and the politics of war refugees and terrorism. Further, Hamilton's work resonates with the empirical reality of a deep desire for the state, and for political rule over the economy held by the vast majority of people in the global south. It also suggests, against pejorative associations of this desire for the state with clientelism, patronage and corruption, that what is really at stake in this desire is freedom.

Indeed, it is not just that starting with the reality of difference and conflict in the design of political institutions, even those committed to values like freedom, seems more sensible than the aspirational end point of an ideal-speech situation for instance. It is also that we do not require the mono-theism of the ideal-speech situation, or the general will, or overlapping consensus to approach political legitimacy. We can be as we are, fractured and fractious, and yet resolve or manage our conflict peacefully through our avatars in the political system. By strengthening the institutional relationship between representatives and social groups, and especially by affirming the importance of the control of the economic by the political, Hamilton offers a vision significantly different from Dahl's liberal pluralism. At the same time, by insisting on maintaining a gap between the represented and representations, Hamilton pushes back against totalising forms of political power associated with one-party systems and state socialism.

Lastly, Hamilton's appeal to realism links freedom to a conception of politics that does not begin with a particular idea of ethical behaviour or moral world view. Rather it locates freedom as a practical problem of action against a background of real world challenges regardless of whether one believes that equality is the sovereign virtue, or whatever other more personal conception of the good life is embraced. Notably, Hamilton's conception of freedom does not require us to want to be good people. In this sense, it is a more inclusive conception of freedom for people concerned with the practical knowledge of living rather than theoretical knowledge of the ideal.

Overall, *Freedom is Power* is a refreshing and challenging book that confronts mainstream liberal, deliberative democratic and republican thought. It places power at the centre of freedom, it affirms conflict over consensus, representation over participation, and reasserts the necessity of political rule over economic governance. For all its anti-idealism, there is something very empowering about the way freedom is linked to conflict, representation and everyday life, in a way that resonates with politics in the global south. Freedom is thus made quotidian and accessible, not just confined to episodic elections and a mediated public

realm. In small part an homage to Marx, if Marx had chosen to be a political scientist rather than a political-economist, and in significant part a reincarnation of Machiavelli for post-structuralist times, *Freedom is Power* returns us to the core problem of the idea of freedom—the inescapability of power in all its domains.

Laurence Piper
E-mail: lpiper@uwc.ac.za

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Laurence Piper is Professor in the Department of Political Studies at the University of the Western Cape. With a PhD from Cambridge in 2000, he has published extensively on public participation, representation and political mediation. His current research concerns democratic innovation and practice, particularly in the context of urban politics in the global south.