

Brunt's 'Panaetius in *De Officiis*', where M. writes (p. 78) that Brunt 'opposes' the currently prevalent view, but gives no indication of the content of Brunt's argument, let alone a critical appraisal of it.

More often than not, one is left frustrated by a refusal on M.'s part to offer substantive reflections on the state of scholarly debate. Mostly we are given little sense, other than some rather bland approbations, of M.'s views of the literature. As a result, readers who do not already know their way around the territory may feel short-changed. Even in cases where M. clearly has a view, there is an apparent unwillingness to argue his case in the scholarly context. For example, in relation to the debate about whether Cicero upheld a 'radical' or 'mitigated' form of scepticism, M. writes (p. 89): 'Thorsrud believes that ... Cicero does not reach a point of radical scepticism, but falls back on a mitigated version of it'. A footnote (p. 89 n. 30) informs us that 'Unlike Thorsrud, Brittain 2016 ... argues that Cicero is not a mitigated sceptic, but rather a radical or Carneadean sceptic'.

As to the actual content of either Thorsrud's or Brittain's argument we are given no further information, even though the debate on the nature of Ciceronian scepticism has been one of the liveliest in recent scholarship on his philosophy and even though M. indicated earlier (p. 59) that he favours the 'mitigated' reading. Nor are we given a clear and concise setting out of what the terms of the debate are, so that readers new to it could orient themselves. Add to this that M.'s English is at times rather stilted and occasionally defies comprehension, and the volume, in terms of its treatment of the scholarship on Cicero's philosophy, while a useful compendium in some ways, must be judged a missed opportunity overall.

King's College London

RAPHAEL WOOLF
raphael.g.woolf@kcl.ac.uk

CICERO, NATURAL LAW AND REPUBLICANISM

HAWLEY (M.C.) *Natural Law Republicanism. Cicero's Liberal Legacy*. Pp. xii + 252, fig. New York: Oxford University Press, 2022. Cased, £47.99, US\$74. ISBN: 978-0-19-758233-6.

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The word 'Republicanism' denotes a tradition of political thought that, spanning from Greek and Roman classical antiquity up to contemporary times, encompasses a heterogeneous set of philosophical doctrines on the nature of political liberty, civic virtue and the role of active citizenship in the promotion of the common good. Over the past four decades a significant upsurge of scholarly attempts to identify intersections and breaking points between those theories has given rise to a variety of historic-philosophical reconstructions of the political category of Republicanism – more specifically, of its origins, development across the centuries and reconfiguration in contemporary political circumstances (cf. D. Weinstock and C. Nadeau [edd.], *Republicanism. History, Theory, Practice* [2004]; M. van Gelderen and Q. Skinner [edd.], *The Values of Republicanism in Early Modern Europe* [2002]). From the perspective of normative political theory, several studies on Republicanism have stressed the need to propose new definitory

approaches to the idea of liberty – a need that goes hand in hand with the necessity to revitalise political participation and active citizenship in the running of political communities.

H.'s book, although mainly conceivable as a work of history of political philosophy, enters the field of normative theory by critically addressing and defending an original idea of freedom as 'non-domination'. His view, which engages critically and fruitfully with ideas defended by authors such as Q. Skinner, P. Pettit and M. Viroli, tries to identify supposed elements of compatibility between Republicanism and modern Liberalism. Such a project presents relevant affinities with the revisionist attempt that Skinner had initiated in the 1980s with respect to his theories of Republicanism – one that aims at re-framing republican liberty as a distinctive mode of negative freedom, situating it within a legal discourse (see for instance his *Liberty before Liberalism* [1998]). At the same time H. endorses and preserves a positive concept of liberty in the history of Republican political thought, by stressing its aspect of freedom from restraints upon the practice of popular participation in political life (an idea notably defended by J.G.A. Pocock; see his *Virtue, Commerce, and History* [1985]).

H. regards Cicero's political philosophy as a valuable intellectual lens for an understanding of Republicanism as an overall unitary phenomenon, despite evidence of content-related differences among Republican doctrines across the centuries. In his view Republicanism allows the interaction between two different approaches: on the one hand, a focus on individual rights and negative liberties – a marking trait of modern and contemporary liberal theories; on the other, an interest in popular sovereignty and widespread involvement of people in political decision-making in view of the common interest.

An element of distinction between H. and neo-republicans like Pettit and Skinner, who noticeably adopt a neo-Roman perspective in their reading of political philosophy in the modern period, is his emphasis on Cicero's view of natural law as one of the most relevant philosophical underpinnings of Republicanism. This is identified by H. as the normative core of an idea of freedom as non-domination, which finds articulation (although in diversified shapes) from ancient Rome to the foundation of the American Constitutional Federal Republic. One of the leading ideas of H.'s book is that Cicero's notion of natural law represents a fertile terrain for dialogue and reciprocal integration between liberal and republican values in the modern and contemporary age. Accordingly, natural law would justify how liberal individual rights can be enjoyed within an institutional context open to ideals of responsible citizenship, equality and collective political participation. It is therefore in this respect that H.'s neo-republican notion of freedom as non-domination combines and transcends the featuring traits of two different forms of freedom: on the one hand, freedom as protection from arbitrary harm by individuals and rulers (the one that Isaiah Berlin names 'negative liberty' and Benjamin Constant attributes to the moderns); on the other, freedom as the capacity for self-determination and collective political participation (i.e. the freedom that Berlin names 'positive liberty' and Constant considers a prerogative of the ancients).

Against the backdrop of the above-mentioned dichotomies, H. contends that Cicero's doctrine of liberty not only includes elements of modernity, but also inspires modern and contemporary views of freedom (such as those advanced by John Locke and by the American Founders). His view of freedom as non-domination ought to be read not only as absence of constraint and interference from others (i.e. from individuals and/or institutions), but also and especially as a form of independence from arbitrary powers, which is structured through active participation of citizens in joint deliberative and law-making agency.

The book comprises seven chapters. After an introduction illustrating its argumentative plan, a reconstruction of Cicero's view of the *res publica* is provided in Chapter 2. As emerges from H.'s reading of key passages of *De re publica*, *De legibus*, *De officiis* and *De finibus*, popular sovereignty, being exercised in accordance with a law that prescribes equal reciprocal treatment and responsible civic engagement, undergirds authentic liberty for citizens not only as members of the Roman Republic, but also as virtuous and fully cooperative human beings. In Chapter 3 H. presents Machiavelli's challenge to Cicero's Republican approach by stressing that the political flourishing of a republic cannot be compatible with security and justice for citizens, i.e. values enjoined by the law of nature. In Chapter 4 H. traces two different philosophical routes to Republicanism inspired by Cicero's political thought: on the one hand, the cosmopolitan theories of international law proposed by Hugo Grotius and Samuel von Pufendorf between the sixteenth and seventeenth centuries; on the other, the tradition of English Republicanism in the seventeenth century. The first tradition, although emphasising the threat that Republican self-government poses to the actualisation of natural law principles, interiorises Cicero's idea that a healthy Republic should incorporate the limitations of universal moral norms and supports the idea of a government ultimately run by political elites. The second tradition, represented by authors such as Marchamont Nedham and John Milton, shares with Machiavelli a desire to enhance the political role of common people in commonwealths, but it appeals to Cicero's attempt to relate popular sovereignty (conceived as a legitimate source of authority) to the private liberty that individual citizens can enjoy through political power within the limits of the law of nature.

The conceptual continuity between Cicero, Grotius and von Pufendorf seems to find its fulfilment in Locke's theorisation of legitimate popular government as 'limited government'. In Chapter 5 H. focuses on Locke's Republicanism, contending that, in his thought, attention to natural law is inextricably linked to political justice, respect of private property, commerce pursued by honourable means and individual freedom. More specifically, by looking at Cicero's *De officiis*, Locke would endorse the idea of an individual political power rooted in moral education, alongside the view of a society based on rational cooperation. In Chapter 6 H. addresses the signing of the Declaration of Independence and the ratification of the American Constitution. The American founding, as H. contends in the concluding chapter of the book, represents the culmination of a philosophical itinerary in which Cicero and Locke play a fundamental part. Classical Republicanism and its focus on natural law would undergird the appeals to the 'unalienable' rights to life, liberty and property made by politicians and theorists like James Wilson, James Madison and Thomas Jefferson.

H.'s text deserves recognition for clarity of exposition and for originality in its reconstruction of Republican freedom as a natural law driven form of non-domination. Aspects of continuity and rupture within the itinerary he traces are accurately argued, and his critical perspective on primary texts allows readers to get a deeper understanding of the relevant themes in an engaging manner.

Università di Bologna

ELENA IRRERA
elena.irrera2@unibo.it