

If I have correctly understood them, what Beer uses the seventeenth-eighteenth-century term "increase" to mean, viz., making the nation more of a nation, is what Gamwell means by maximizing the general conditions of emancipation equally available to all, and vice versa.

A government *for* the people, then, is a government whose purpose may be said to be increase, or, alternatively, maximizing the conditions of equal freedom for all. This presumes that "increase," as Beer uses it, includes protecting individual and political rights, i.e., "justice," as well as promoting the "public interest," even as "maximizing the general conditions of emancipation" in Gamwell's sense includes protecting "formative" private and public rights as well as promoting other "substantive" conditions of equal freedom. (Gamwell's distinction between "private" and "public liberties/duties is evidently only a verbally different way of speaking of what Beer distinguishes as "individual" and "political" rights/duties respectively [cf. Beer, 1994: 262]).

Gamwell's distinction between "formative" and "substantive" principles of justice (where "justice" is used in the broad sense of *all* rights, not just formative ones [262]) evidently parallels Beer's distinction between the two tiers of our "two-tiered" system, i.e., the people functioning "in their two capacities, as the common source of the authority of all governments, state and federal [= *constituent* sovereignty], and as the common control on their behavior [*governmental* sovereignty]" (314).

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