

**Ruling together:
An account of the value of democracy**

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I declare that this dissertation contains no materials accepted for any other degrees in any other institutions, and the dissertation contains no materials previously written and/or published by another person, except where appropriate acknowledgment is made in the form of bibliographical reference.

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Abstract

In this dissertation I address the problem of the value of democracy which concerns the question of why, if at all, democracy should be valued, respected, and generally preferred to alternative regime types. There are two main sorts of answers to this question in the literature, namely, instrumentalist and non-instrumentalist ones. Instrumentalists argue that democracy is valuable only as a means to attain some valuable ends, while non-instrumentalists hold that democracy is also valuable for its own sake. I defend a novel non-instrumentalist position based on what I call the *service value* of democracy. I argue that democracy's value lies in that it allows citizens to exercise their agency to advance one another's good by enlisting them in the collective project of ruling the polity justly together. This establishes a relationship of mutual service among them which is a self-standing source of value. Democracy enables citizens to relate as moral agents acting for one another's sake by shaping the fundamental norms of interaction of social cooperation in a reciprocal manner. Democratic citizens do not simply coexist under just laws but are called upon to actively engage in establishing justice for one another. This account, I believe, is superior to the main non-instrumentalist arguments in the literature, i.e., equality-based and autonomy-based arguments, which cannot establish a strong enough commitment to democracy, and are therefore ill-suited for the theoretical purposes of non-instrumentalism. On my account, in contrast, democracy is uniquely suited to realize its service value, for only it renders citizens co-authors of the fundamental rules of the system of social cooperation under which they live, and only as co-authors of these rules are they able to mutually serve each other in a way that is appropriate to their relationship as citizens of the same polity. Realizing this relational value is of paramount importance for citizens; in complex, modern societies, characterized by tightly woven ties of social and economic cooperation and deep interdependence, relating to fellow citizens in the mode of mutual service through democratic institutions is crucially important to mitigate the vulnerability and moral precarity inherent in our social coexistence. This argument does not, and is not meant to, provide a reason for choosing democracy which is decisive under all circumstances, all things considered. Emergency situations and empirical contingencies may always tip the balance of reasons such that whatever value democracy has is outweighed by contrary considerations. Nonetheless, it identifies a non-instrumental value which provides strong reasons for upholding the democratic ideal and for trying to cure the ills of contemporary democracy not by leaving the fundamental principle of rule by the people behind, but rather by realizing it to a greater extent.

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Introduction

Democracy is among our highest social ideals. It is upheld as a core value by such international institutions as the UN and the EU. The global advancement of democracy and the preservation and improvement of its quality are most often seen as desirable, its retreat – democratic backsliding, as it is sometimes called – as a serious problem. Indeed, democracy is held in such a high esteem that even some of the most atrocious authoritarian regimes attempt to claim it for themselves, such as the Democratic People’s Republic of Korea. This global enthusiasm about and concern for democracy requires explanation, especially because it is, historically speaking, a novel phenomenon. Throughout most of the history of political thought democracy was usually cast as an inferior, unfeasible, if not dangerous form of government.¹ Often institutional arrangements thought of as typical of democracy today, e.g., legislation by elected representatives, were endorsed under the label of republicanism rather than democracy. The ascent of the democratic ideal began in the nineteenth century and by the end of the twentieth, democratization was widely seen as the desired, if not natural tendency for all nations on Earth.

Is it justified to think of democracy as something desirable and worth striving for, rather than as something deviant and dangerous, as was the norm for millennia? Did political thinkers of the past miss something very important about democracy, or rather its rise as a core political value is merely the consequence of historical happenstance, something to be explained solely in terms of the changing political winds, e.g., the appearance of popular mass movements, often in the forefront of struggles for democratization (Eley 2002), and the fact that after World War II anti-authoritarianism and the language of democracy became valued rhetorical tools in Cold War politics?

In recent years, more and more authors argue that the democratic ideal is in fact overrated. There is no doubt that living in a democracy is immeasurably superior to the kind of life people led in the monarchies of old or the autocracies and dictatorships of the present. No one denies that democracy played and perhaps will play an instrumental role in eliminating or mitigating some of the more serious evils that have plagued human civilization. Amartya Sen (1994) famously claimed that no famine ever occurred in a democracy with a free press, and empirical social and political scientists argued that democracy can contribute to economic growth, the protection of human rights, and the preservation of peace. Still, many have argued that

¹ The history of democratic thought is, of course, not uniform in this manner. There were always notable advocates of democracy and popular rule. Yet it is safe to say that their position tended to be the minority. For an overview of the history of democratic thought, see Held and Gareth (2007).

democracy suffers from systemic disfunctions endogenous to democracy itself. It is prone to various dangerous disfigurations (Urbinati 2014) which threaten to undermine the social order and the common good. The advancement of illiberal populism in the past decade, the election of authoritarian strongmen such as Hungary's Viktor Orbán, Brazil's Jair Bolsonaro, and Donald Trump in the US, and events such as the Brexit referendum all revived ancient fears about the inability of democracy to govern well.

Calls not to repair, but to constrain or possibly replace democracy have been becoming louder and louder. Think of Jason Brennan's widely discussed anti-democratic manifesto *Against Democracy* (2016a) which calls for a rethinking of governance in terms of *epistocracy* or rule by experts instead of the democracy. Others are less radical, yet equally sceptical of the worth of democracy. For example, Garrett Jones (2020) and Daniel Bell (2015) draw not only on political theory, but on the ostensible success of certain non-democratic regimes, such as Singapore and China, to argue, respectively, for granting greater powers to non-elected bodies, such as Central Banks, and to give greater import to *political meritocracy* to insulate political decision-making from the alleged ignorance of voters and ensure higher quality for political outcomes. Yet others may propose more fanciful alternatives to democracy. For example, with the advancement of AI technologies, automated decision-making plays an increasing role in public policy and governance. Would it be too farfetched to imagine that one may call for rule by algorithms instead of democracy, to harness the greater data processing power of artificial intelligence to make better political decisions (Danaher 2016; Coglianese and Lehr 2017; Kapelner 2019)?

This leads to the question: why democracy? In Robert Dahl's words: "Why should we support democracy? More specifically, why should we support democracy in governing the state? [...] Are there no better ways of governing a state? Would a nondemocratic system of government be better?" (Dahl 1998, 44) This is what I will call *the problem of the value of democracy*. This problem is most often discussed in the contemporary literature in connection with the debate between advocates of so-called instrumentalist and non-instrumentalist theories of the value of democracy. Instrumentalists hold that democracy is only valuable as a means to attain certain valuable ends, while non-instrumentalists argue that in addition to being valuable instrumentally, democracy is also valuable *for its own sake*.

At first sight, it may not be easy to discern what is at stake in this debate. Why does it matter whether democracy's value is instrumental, non-instrumental or both? However, the answer has important consequences for the nature of our commitment to democracy. If I value something merely as a tool, then if an equally good or better one comes along, I have no reason to keep

using the old tool. Insofar as we decide solely on the basis of instrumental value, our choice is simply governed by considerations about what the most effective way is to attain our goal under a particular circumstance. On the instrumentalist view, whether we should institute democracy, epistocracy, or political meritocracy, is something with which we are free to experiment to find out what the best fit is for us. Non-instrumentalists think of democracy in a different way. For them, democracy is not merely a solution to an institutional design problem, but an essential element of a good society.² This does not necessarily mean that we always have decisive reasons to choose democracy. Sometimes a good society cannot be built under certain unfavourable circumstances. Sometimes other things are more important than making society good. Still, democracy is not replaceable in the same way a mere instrument is.

This thesis contributes to the debate on the value of democracy by defending a novel account of the non-instrumental value of democracy against instrumentalism. I argue that democracy's value lies in that it allows members of society to exercise their agency to advance one another's good by enlisting them in the collective project of ruling the polity justly together. This establishes a relationship of mutual service among them which is a self-standing source of value. Democracy is of value because it enables individuals to relate as moral agents engaged in what Kant calls 'active benevolence' (Kant 1991, 244–45) for one another's sake by shaping the fundamental norms of interaction within the polity in a reciprocal manner. Democratic citizens do not simply coexist as equals under just laws but are called upon to actively engage in establishing justice for one another.

Before outlining the structure of my argument, let me briefly clarify the scope and limits of the present discussion. This thesis focuses on the problem of the value of democracy but does not endeavour to present a complete theory of the value of democracy. This would require a systematic discussion of both the instrumental and non-instrumental values of democracy and how they relate to one another. Such a discussion would exceed the scope of the present dissertation. Instead, I focus strictly on defending non-instrumentalism against the instrumentalist challenge. For this reason, I examine the problem of the value of democracy primarily from the point of view of the preferability of democracy to non-democratic alternatives.

² I use the term "good society" in a broad sense to refer to the kind of society that measures up to the appropriate evaluative standards of human society. A good society may be understood as a just or reasonably just society or one that exhibits a broader or narrower range of values than justice. Here I remain neutral as to what precisely the proper evaluative standards for human society are.

This also means that I will not address a range of important issues widely discussed in democratic theory. For example, I will not discuss the problem of persistent minorities, constitutionalism, and I will only tangentially discuss representation and voting ethics. Importantly, I will not directly address the issues of the *democratic boundary problem* and *democratic inclusion* more generally, that is, the questions of who precisely is entitled to democratic participation rights and on what grounds (Whelan 1983; Arrhenius 2005; Miklosi and Kapelner 2020). I will similarly set aside the issue of global democracy or democracy in international governmental organizations (Archibugi, Koenig-Archibugi, and Marchetti 2012; Christiano 2010; Weinstock 2006). This is not to say that my account has no implications for some or all of these issues, only that I will not directly discuss these implications here.

There is one topic in democratic theory which I will also not discuss in detail, but in the case of which this omission requires further explanation. I will not address directly the question of the *authority* or *legitimacy* of democracy. The question of democratic authority is the question of why rules and directives made democratically are binding, i.e., generate political obligations, for individuals subject to them. This problem is often discussed together with the value of democracy, however, the two are separate (Viehoff 2019, 9). Democratic authority is rooted in some values of democracy, that is, it is because democracy realizes certain values that its rules and directives must be obeyed. Democracy's value also explains why democracy should be supported, respected, admired, preferred to alternative regimes. But democracy's value is multifaceted; there is no *a priori* reason to presuppose that those values or those elements of democracy's value that explain democracy's authority will also explain its preferability. It is at least conceptually possible to discuss these matters separately. This allows, of course, that those values of democracy that underlie its authority also explain its preferability to non-democratic alternatives. However, my aim here is to present an argument which defends the non-instrumentalist position independently of any particular theory of political authority. For this reason, in the following discussion I will allow the possibility that non-democratic regimes may have legitimate authority.

An additional caveat about political authority is in order. In the following discussion, I will presuppose that anarchism as a theory of political authority is false. In discussing whether democracy is preferable to its alternatives, I will not take anarchy to be a genuine alternative. This is because doing so would burden the present account of the value of democracy with the task of showing that political authority can be justified, i.e., that anarchism is false. This is a much greater theoretical task than what the present discussion intends to undertake. The question I address may be put as follows: if we are to live together in a polity, i.e., in a political

community where interaction is structured by authoritative rules and directives enforced by coercive institutions, then why govern this polity democratically rather than non-democratically? To be sure, if we are not to live together in a polity at all, i.e., if anarchism is true, then this question is irrelevant. But showing that living together in a polity is justified, or indeed necessary, would far exceed the scope of this discussion.

For the sake of clarity, conciseness, and focus, I will make a number of simplifying assumptions throughout the dissertation. This means that I will ignore many characteristics of real-world democratic politics. This is not because I believe that these characteristics are unimportant, but simply because they cannot all be sufficiently addressed within the scope of this discussion without compromising the clarity and focus of the central argument. Nonetheless, while my assumptions are certainly simplifying, I make them in the hope that they are not oversimplifying and the conclusions I reach about democracy still have relevance for political reality. I will say more on this matter momentarily, but first I will list my assumptions.

I will assume that the question of the value of democracy arises in the context of a single polity by which I mean a political community governed by its specific political institutions. I will remain neutral as to the population size, spatial extent, internal social structure, and demography of the polity. It may be conceived of as an ancient Greek *polis* or as a global democratic state. It may be a multilevel representative system, or an Athenian style direct democracy. It may be conceived of as a nation state with clear spatial boundaries or as a spatially discontinuous polycentric governmental entity. Its members may be bound together by a shared language, culture, and history, or it may be a multi-ethnic political community with no clear non-political or non-institutional identity on its own. It may have a largely sedentary population with strict naturalization rules or a highly mobile one with domicile citizenship. Further argument may show that some of these possible arrangements are in fact incompatible with the realization of the value of democracy. I would doubt this, however, it should be noted that even if this is true, it is a consequence of the argument to be presented here, not one of its presuppositions.

I will call members of this polity *citizens*. I use this term throughout the thesis in a specific, technical sense. I do not mean to suggest that I would reserve democratic participation rights only to those formally recognized by the state as its citizens. Nor do I claim that the sole function of the institution of citizenship is to set the boundaries of the democratic community. I also do not commit to any particular paradigm of citizenship nor wish to engage with matters such as dual citizenship, statelessness, naturalization, and so on. I use the term “citizen” solely to refer to the members of the political community. I will further assume that all citizens are capable of

participating in democratic decision-making with adequate competence. I set aside issues of voter ignorance (Somin 1998), epistemic pollution through media, and democratic political epistemology more generally (see Landemore 2012). I will further assume that among the citizens there are no minors, individuals with serious mental impairments subject to legal guardianship, resident non-citizens without democratic participation rights, and so on. This, again, indicates not that I would deny minors citizenship, but that I use the term “citizen” in a specific technical sense, and, furthermore, that I conceive of the political community in this discussion in a somewhat idealized way. I would emphasize, however, that this serves only didactic reasons and does not reflect my assumptions about the empirical facts of democratic politics.

At this point a rather serious matter must be addressed. For one may ask, given my highly idealizing assumptions, how can I hope to contribute to the philosophical understanding of real-world democratic politics? Do I not ignore political realities to my peril and should I not heed more to the advice of Andrew Sabl (2015) and try to bridge the gap between the “two cultures of democratic theory,” i.e., the empirics-focused and the theory-focused one, by taking seriously the empirical findings of political science about voter behaviour, responsiveness, and the workings of democratic institutions? Indeed, my suggestion that the value of democracy lies in its ability to establish relationships of mutual service among citizens seems utopian to say the least. In recent years many authors argued that such idealist or utopian thinking is in fact detrimental for political philosophy, and a more *realist* approach would be appropriate both in political theory generally (Geuss 2008; Galston 2010; Rossi and Sleat 2014) as well as in democratic theory particularly (Achen and Bartels 2016; Bagg 2018; Arlen and Rossi 2020).

Addressing in depth the issue of realism in political philosophy would exceed the scope of this discussion.³ Nonetheless, I believe that this matter deserves to be taken seriously. Simply stipulating that my discussion belongs to ideal, rather than non-ideal theory would not suffice. Even in pursuit of ideal standards for social institutions one is not licenced to ignore the fundamental facts about human society to which these standards are ultimately meant to apply. Still, I believe that while my assumptions are certainly idealizing and simplifying, this does not prevent me from drawing conclusions that are relevant for real-life democracy. Perhaps their relevance lies not in their contribution to understanding the way in which ostensibly democratic institutions function today, but rather in helping clarify which values should those committed to the democratic ideal pursue in engaging in political action, and in which way they may

³ On responses to the realist challenge in political philosophy generally see Estlund (2020), and in democratic theory Frega (2020).

attempt to reform or even revolutionize democratic institutions. I will discuss the possible implications of my account for democratic politics in greater detail in the Conclusion.

Having clarified my assumptions, I turn to the outline of my discussion. Chapter 1 begins by defining the subject matter of the argument: democracy. This task will prove to be much less straightforward than it may initially seem. Democracy is a contested concept, and how one defines it, clearly has important consequences for one's account of the value of democracy. Here I take an *interpretive* approach drawing mainly on Ronald Dworkin's methodology in political philosophy. On this view, democracy is an interpretive concept whose content can only be specified by providing an interpretation of its place within the larger system of political concepts and their value. Any definition listing necessary and sufficient conditions for democracy can only be provisory and tentative and can only be justified together with an account of the value of democracy. The tentative definition I propose is that democracy is rule by the people. Democracy is collective political decision-making in which citizens participate such that the resulting decisions are ultimately attributable to them, that is, all of them equally, and only them. In other words, democracy's distinguishing characteristic is that citizens have a social status and institutional powers which enable them to participate in collective political decision-making processes such that they can properly view their results as their own making; in a democracy, citizens are co-rulers of their polity. This requires minimally that citizens have an equal say in political decision-making.

Chapter 2 clarifies the problem of the value of democracy and terms of the debate between instrumentalists and non-instrumentalists. As I noted earlier, what is at stake in this debate is the nature of our commitment to democracy. While instrumentalists treat democracy as an optional institutional design solution, non-instrumentalism is best understood as being motivated by a view that democracy is an essential element of a good society. Understanding the debate in these terms implies that vindicating the non-instrumentalist position requires more than showing that democracy has non-instrumental value. The claim that democracy has non-instrumental value is compatible with the view that it is best understood as an optional institutional design solution. To vindicate non-instrumentalism proper, I argue, one must show that democracy has what I call *important essential constituent value*, i.e., there is a value V such that democracy is an essential constituent element of the realization of V , and there are at least some possible instrumentally superior alternatives such that if they were available, their mere instrumental superiority would not be a decisive reason to choose them over democracy given that democracy realizes V and they do not. This is not to say that V always provides decisive reasons for choosing democracy. What it means is that V is a non-instrumental value unique to

democracy which is significant enough to justify choosing democracy over instrumentally superior alternatives, at least in paradigm cases. Showing this, I believe, is a minimal requirement for a plausible defence of non-instrumentalism.

Do contemporary non-instrumentalist accounts of the value of democracy satisfy this requirement? In Chapter 3 I review one of the most popular family of non-instrumentalist theories, i.e., *equality-based* theories. These views identify the relevant non-instrumental value of democracy as some form of equality, e.g., equal concern and respect, public equality, vertical equality, or relational equality. I join those critics of these views that argue that democracy is not in fact a necessary condition of realizing these types of equality in society, therefore democracy cannot be an essential constituent element of their realization. Various clearly non-democratic regimes may also ensure equality. I focus particularly on forms of what I call *impersonal rule*, i.e., forms of government where political decisions are arrived at through processes and mechanisms in which one cannot attribute decision-making power to any individual or group. Examples include randomized decision-making, e.g., a policy lottery, computerized decision-making, or decision-making through sufficiently decentralized bureaucracies.

An advocate of equality-based theories may argue that impersonal rule lacks something that democracy has, and which makes it a better candidate to fully realize the relevant kind of equality in society. To show, this, however, one must explain why it matters that citizens rule the polity together rather than it being ruled for them. The case of impersonal rule shows that to do this, one must appeal to values other than equality. It may be that ruling the polity together is so significant that a society of equals is unimaginable without it but showing this requires first establishing the value of ruling the polity together, and then showing that this value is an integral part of realizing the value of equality in society. Compare: certain individual liberties are so important that a society of equals is unimaginable without them. But one does not deduce this simply from considerations about the value of equality; rather, the theory of equality must appeal to independent arguments on the value of individual liberties. Only once these are at hand, can arguments on equality, informed by accounts of the value of individual liberty, step in. This indicates that some form of equality may indeed play an important role in the complete theory of the value of democracy. But it is not the value to which one must appeal to defeat the instrumentalist challenge. For this, one must establish why it is good that citizens rule the polity together rather than it being ruled for them.

This leads us to the question of political agency in the context of democratic participation. That is, to the question of why exercising our agency by participating in democratic decision-

making processes is of significant value to us. One of the most common answers to this question is that this contributes in some unique way to our *autonomy*. We are not fully autonomous in society unless we have a say in the political decisions made about us. Chapter 4 explores this view. I argue that although most arguments against an autonomy-based account of the non-instrumental value of democracy are not sound, there is an important consideration which ultimately does undermine it. I will call this the *Public Authority Objection*. This objection rightly points out that in democratic participation citizens wield public authority, i.e., exercise power over others. However, we are generally not entitled to enhance or affirm our autonomy by way of exercising power over others. While, as I show, this argument is often formulated too crudely, it points to a significant insight: in democratic participation we decide not only for ourselves, but also others. Often there is no way to view this activity as one shaping one's own life autonomously. Democratic participation and autonomous self-determination are qualitatively different types of activities. Autonomy simply cannot be the proper ground for valuing the particular kind of practice or activity that democratic participation is.

In Chapters 5–6 I present my own account of the non-instrumental value of democracy which centrally builds on the concept of *service value*. I begin with my definition of democracy as rule by the people. Democratic citizens have the power to author political decision-together, that is, they are co-rulers of their polity. The question of the value of democracy is the question of the value of ruling the polity together. Ruling in general is of value because it serves the governed (Raz 2009; Viehoff 2016). But what is the value of service? Service clearly has instrumental value; it is good as a means to advance the good of others. However, service, I argue, also has non-instrumental value. Serving others is something worth pursuing for its own sake. Relating to others as agents whose activity is aimed at advancing their good is a self-standing source of value. I call this type of value service value. Democracy establishes uniquely valuable relations of mutual service among democratic citizens by allowing them to engage their agency in advancing the good of one another via establishing justice together as co-rulers of their polity.

Chapter 6 argues that the service value of democracy is in fact an important essential constituent value of democracy. Under the conditions of modern society this type of mutually serving relationship can only be established by democracy. In modern societies most of our fundamental interests are intertwined with the basic rules governing interaction among citizens which may be called, in a Rawlsian fashion, the basic structure of society. The basic structure is constituted and maintained by social cooperation, i.e., our continued engagement in the collective undertaking of upholding the fundamental institutional and social structures of the

polity. To depend on the basic structure for the advancement of our most fundamental interests is to depend on one another. Under the condition of such deep social interdependence, a particularly important relational value is realized when citizens relate to each other in the mode of mutual service as co-decision-makers on their shared affairs. Furthermore, establishing these serving relations under the condition of deep social interdependence is something individuals can reasonably prioritize over instituting an instrumentally superior, but non-democratic polity. In this way, my account of the non-instrumental value of democracy can vindicate the non-instrumentalist position against the challenge of instrumentalism. In the Conclusion I summarize my findings and draw some implications of my account for the challenge of contemporary democratic politics.

Chapter 1 – Defining democracy

It makes sense to start an argument on democracy with the definition of democracy. Defining democracy, however, is a rather difficult task, for it is often thought of as an ambiguous and elusive concept. In his seminal essay W. B. Gallie lists democracy as one of the paradigm examples of *essentially contested concepts* “the proper use of which inevitably involves endless disputes about their proper uses on the part of their users.” (Gallie 1956, 169) Indeed, throughout history democracy has been claimed by the most diverse groups of politicians, ideologues and philosophers. Some view democracy as best realized by deliberative and participatory institutions (Pateman 1970; Barber 2003); for others representative legislatures exemplify the essence of democracy (Waldron 2016b, 135; Urbinati 2006); yet others have taken the ideal of leadership sanctified by popular acclamation as the quintessential embodiment of democracy (Schmitt 2008). Given this diversity, how can one arrive at a sound and theoretically useful definition of democracy?

1.1. Political concepts

Political concepts, such as democracy, are used not only in political philosophy, but also in empirical social and political science and everyday political discourse. Political philosophy, including democratic theory, is not free to define its concepts in complete isolation of these scholarly and everyday discourses, for then it would risk proposing a theory not of democracy, for example, but of something else entirely. At the same time, political philosophy cannot simply *adopt* a definition of political concepts from everyday discourse or empirical scholarship. Political concepts in everyday conversation, political journalism, and political speeches tend to be used in a way far too imprecise for philosophical scholarship. Furthermore, these concepts are also sites of direct political contestation; various interest groups and ideologies fight to appropriate political concepts, e.g., democracy, for their own purpose, disregarding historical accuracy and conceptual coherence. As a result, there are always many contradictory concepts of democracy in circulation in political discourse.

As for empirical scholarship, one may hope that the plethora of empirical measures and indices of the quality of democracy and democratization (Munck and Verkuilen 2002; Coppedge et al. 2011, 2020) offer guidance with regard to the definition of democracy. Just as the philosophy of mathematics borrows the definition of *number* or *set* from first-order mathematics to ask the philosophical questions about them, so should political philosophy

expect political science to supply the definition of democracy about which we can, then, ask philosophical questions. However, political science and similar disciplines clearly must rely on political theory and perhaps everyday discourse for a definition of democracy, not the other way around. Empirical scholarship cannot begin by enumerating the typical institutional arrangements of democracies hoping to abstract from this list a workable definition of the concept, for any such attempt inevitably comes up against the problem of the reference class. We might want to draw out the definition of democracy by looking at actually existing democracies, but how do we know which of the many things in the world are democracies? As David Beetham remarks “democratic institutions are so termed in so far as they embody democratic principles [...] Of the two, however, it is the principles that are central to the question of definition; institutions are secondary and derivative.” (Beetham 1999, 4)

The problem, then, is as follows. Political philosophy cannot arbitrarily define concepts, such as democracy, independently of their usage in everyday discourse and empirical scholarship. But it also cannot expect these two to supply it with a definition of democracy. How should, then, the philosopher define political concepts? In my view, the answer lies in Ronald Dworkin’s concept of *interpretation* (Dworkin 1986, 45). Philosophers, politicians, and others in the long tradition of democratic theory and politics, marked off a specific conceptual playing field in which, or in whose immediate vicinity, all democratic theorists ought to stay insofar as they wish to contribute to this debate. This conceptual playing field, however, is populated by various and incompatible conceptions of democracy, some actually proposed during the course of the history of political thought, some merely possible. To select one of these conceptions as the definition of democracy, one must propose a sound *interpretation* of the concept, i.e., an argument for why said conception should be treated as the definition of democracy.

Let me illustrate. In recent years, the concept of *illiberal democracy* was subject to some scholarly debate.⁴ The question is roughly as follows. In some countries, notably Hungary and Poland, certain key liberal institutions are in decline— e.g., judicial independence, freedom of press, the separation of powers, the rule of law, etc. – but institutions of a certain democratic pedigree – such as regular elections, plebiscites, and so on – are in place (Plattner 2019; András 2017; Drinóczi and Bień-Kacała 2019). Are these regime types genuine variants of democracy, e.g., do they belong to Max Weber’s category of plebiscitarian leader democracy (Körösényi, Illés, and Gyulai 2020), or are they non-democratic regimes, e.g., so-called hybrid regimes (Bozóki and Hegedűs 2018), perhaps outright autocracies? Everyday political discourse does

⁴ The term was originally proposed by Fareed Zakaria (1997).

not settle the matter; advocates of these regimes maintain that the illiberal democracies are genuine democracies, while their adversaries disagree; there is no consensus to appeal to. Empirical data similarly does not answer the question which is conceptual not empirical in nature. And clearly neither side is entitled to cut the Gordian knot and declare their position correct by definitional fiat.

To settle the matter, one has to put forward an account of what, roughly speaking, *democracy is meant to be about*. An advocate of the category of illiberal democracy, i.e., of the position that illiberal democracy is a genuine form of democracy, may argue that illiberal policies are compatible with democracy, for democracy, at the end of the day, is all about majority rule or enacting the will of the people, both of which can yield illiberal outcomes. Their adversary, on the other hand, may hold that illiberal states can never be genuine democracies, for democracy is not about majority rule at all, but rather the most expansive realization of liberal equality. One may object that this is not a definitional question at all; rather, it is a first-order moral question about the importance of liberal constitutionalism which masquerades as a debate on the definition of democracy. However, the preceding discussion shows precisely that when it comes to political concepts such as democracy, first-order normative questions and definitional questions cannot be clearly separated. As Dworkin argues, the content of *interpretive concepts*, such as democracy, is determined not by a finite list of necessary and sufficient conditions or some hidden essence, but rather ought to be arrived at through an interpretation of social practices that pertain to this concept in terms of their *purpose, significance, or simply value* (Dworkin 2011, 131). There is no value-free Archimedean point for political philosophy where pure conceptual analysis could yield an adequate understanding of political concepts wholly detached from normative issues (Dworkin 2004, 2).

Would not this approach preclude any meaningful debate on the value of democracy from the outset? Particularly, if one must associate some value with democracy to define it, how can one address in good faith anti-democratic proposals which might maintain that democracy is, at least sometimes, void of value? Democratic theory simply cannot proceed from Dworkin's premise that we "agree that democracy is of great importance but disagree about which conception of democracy best expresses and accounts for that importance." (Dworkin 2004, 8) We do not all agree that democracy is of great importance, and the value of democracy must be accounted for against the background of this genuine and reasonable disagreement. This is correct, however, the fact that defining democracy inevitably involves associating some value with it does not exclude the possibility of an anti-democratic position. To illustrate, consider a debate between a principled anarchist and a statist, i.e., someone who believes in the moral

necessity of the state. The first thinks states are of no value, and the second that they are of great value. Of course, in order not to have a verbal debate, they need to agree on what they mean by “state”. Assuming that the state is an interpretive concept, they cannot simply adopt a standard definition, e.g., that the state is a human community that successfully lays claim on the monopoly of the legitimate use of violence in a territory (Weber 1994, 310–11). They need to interpret it, i.e., give a further reason why this is a *good* definition.

The statist might think that this is a good definition because she believes that the purpose of the state is to institute justice, and it can only do so if it has the monopoly of violence. The anarchist, of course, disagrees. She believes that states never institute justice, in fact, she thinks of states as nothing but sources of illegitimate domination. However, were she to use the term “state” simply to mean “the institutional source of illegitimate domination”, they would have a verbal debate. The statist agrees with the anarchist that institutional sources of illegitimate domination should not exist, but for her this does not yet mean that states should not exist, as the anarchist would have it. To vindicate her position, the anarchist must agree that the state is *meant to serve*, for example, justice, and needs to proceed by denying either that this purpose is worth serving or that the state in fact serves it. Similarly, anti-democrats have to associate some sort of value with democracy, given that it is an interpretive concept, in order not to argue in bad faith, and then need to proceed by showing that this value is in fact not important, or not a value at all, or that democracy has nothing to do with realizing it.

How to define democracy, then? If this account is correct, a definition of democracy can only be vindicated together with an account of its value. The ultimate test for the adequacy of a definition of democracy is whether the full account of the value of democracy based on it is plausible and appealing. A definition of democracy, such as the one I will propose in the next sections, should be thought of not as an exhaustive elaboration on the content of this concept, but rather a steppingstone for the larger argument without which it could not take off the ground. At the end of the day, this definition is subject to holistic justification together with the account of the value of democracy which is based on it. Since in this thesis I do not provide a full account of the value of democracy, I cannot hope to conclusively vindicate the definition of democracy I propose. However, I believe that the arguments I provide in later chapters establish strong reasons for holding it to be plausible.

One may worry that “holistic justification” is simply a euphemism for “circular justification.” Indeed, one must be careful not to build into the definition of the concepts one uses the very conclusions one intends to draw about them. To this end, one’s definition needs to be firmly anchored in the conceptual playing field marked off by the usage of the word both in everyday

and scholarly contexts. For example, one cannot define democracy as the divinely inspired form of government or the one which always produces Pareto optimal outcomes because this is simply not how the word has been used by anyone at any point in history. The proposed definition must also allow for meaningful debate on the value of democracy and on anti-democratic positions. In the next section I will propose such a theoretically anchored starting point for the definition of democracy. Keep in mind, however, that the ultimate argument for adopting this definition rather than another one can only be that the full account of democracy's value based on it, of which I can only present a fraction in this thesis, is the most appealing one among the alternatives.

1.2. Rule by the people

The starting point of my definition of the concept of democracy is that democracy essentially means *rule by the people*. That the idea of democracy as rule by the people is well within the conceptual playing field of democratic theory – in fact, that it is in the centre of it – is beyond dispute. Since its ancient beginnings democracy has been associated with popular rule (see Ober 2008, 2017) and throughout its history it has been tied both in theory and practice to notions such as self-rule, self-legislation, self-determination, and later popular sovereignty. And while other ideals, such as equality and freedom, are also central to the democratic ideal, as we will see in the next section, it is hard to see any kind of regime as even partially democratic if it does not aim at ensuring that the people, i.e., all members of the political community, in some way share the ruling power of the political institutions under which they live. It is no surprise, then, that in contemporary scholarship many democratic theorists also take the notion of rule by the people as the starting point of their definition of democracy (see Waldron 2012, 188; Estlund 1990, 397, 2008, 93; I. Shapiro 2003, 252; Richardson 2003, 56; Brettschneider 2007, 4; Harrison 1993, 2; Birch 2007, 111).

It should be noted right at the beginning, however, that there is an important intellectual tradition in democratic theory which denies that the concept of rule by the people is the appropriate basis for the definition of democracy. Drawing on the work of Schumpeter (1975) many have argued that the concept of rule by people is either incoherent or impracticable, and therefore should not be used to define democracy (Przeworski 1999). Rather, democracy should be understood as a form of government where the holders of certain high political offices are elected under the appropriate circumstances, which include, among others, the freedom of press, the rule of law, and so on. This fits what is normally thought of as the defining characteristics of really existing democracies, as against dictatorships or electoral autocracies, for example,

and provides a more or less easily operationalizable criterion for political scientists to work with. As such, it is a more realistic and down-to-earth approach to grasp what is distinctive about the kinds of regimes we normally call democratic than the high-minded, but also highly idealistic notion of rule by the people. I will call this the *minimalist challenge*.

Addressing the substantive points of minimalists' objection against the notion of rule by the people will allow me to elaborate and defend this notion at the same time. Before I would do that, however, I must note certain methodological problems with the minimalist approach. The way in which the minimalist treats political concepts is bizarre. At first sight, the argument appears to support an *anti-democratic* position according to which the democratic ideal is incoherent and unrealistic, and yet it concludes by a *redefinition* of democracy. What motives this latter move is utterly mysterious. It is quite telling that other, non-minimalist, authors, upon coming to believe that the democratic ideal is not and may never be realized in real life, proceed to introduce a *new* concept to designate the real-world phenomenon, as Robert Dahl does with the concept of polyarchy (Dahl 1971, 8). He believes that what really exists and perhaps the only thing that can exist in the real world is an egalitarian division of power adequate to a pluralist society – but that, he correctly asserts, is not democracy and should not be so called.

The minimalist resembles a political theorist in ancient Rome in the last days of the old republic who upon realizing that the mixed republican constitution praised so eloquently by Cicero does not exist in the real world and perhaps was an illusion all along, as power was always exercised by dominant classes, proposes to redefine “republic” as a form of government with a *de facto* monarch on top with the senate and other bodies playing a secondary role. While this definition would certainly better fit the political realities of the time, it would be completely mistaken; what it describes is simply not a republic, but an empire ruled by an emperor. Rather than illuminating anything, the proposed redefinition only serves to mask this crucial difference and give republican credentials to monarchy or even tyranny.

Of course, minimalists would resist the idea that their view has such insidious consequences; indeed, they argue that the democratic ideal they defend is worthwhile on its own right, for it does not merely fit political realities, but also defines something worth striving for (Przeworski 1999, 45). While this may be so, it does not follow that what they define is in fact a conception of *democracy*. Non-democratic forms of government can exhibit many values, especially in comparison to dictatorship or absolute monarchy. Nineteenth century European and American democracy characterized by exclusion based on wealth, gender, and race, was in many ways preferable to the kinds of autocracies and tyrannical absolutisms that existed at the time. It would have made perfect sense for people suffering under the domination of the Russian Tsar,

for example, to argue that it would be better to have the very limited popular government that prevails in England or the US. But it simply does not follow that because of this, and because such a definition would best fit political realities, all there is to democracy is the election of leaders by a constituency in which only wealthy white males have the franchise, as was the rule in England and the US.

Let me turn from the methodological problems of minimalism to its positive arguments which will allow me to simultaneously defend and spell out the content of the concept of rule by the people. The first possible minimalist point against democracy as rule by the people starts with the consideration that “the people” refers to a plurality of individuals. But while it is clear how a single individual, e.g., a monarch or a dictator, might rule, it is much less clear what it means for a plurality of individuals to rule. One option is to treat the plurality as an individual, or rather a supra-individual entity, with thoughts and volitions on its own, so that it is essentially construed as the same type of thing as the single monarch or dictator. Thinking of the people as this type of collective entity, hovering above citizens, so to speak, and acting in ways which could potentially come into conflict with the interests of the individual member of the political community is unappealing for obvious reasons.

The only other option, it might seem, is to think that rule by the people requires aggregating, in some way, individual beliefs and volitions thus creating a kind of popular will or will of the people which is then enacted in politics thus realizing democratic government. However, this view is claimed by minimalists to be suspect for several reasons. First, Schumpeter contends that the very notion of an autonomous independent will is questionable (Schumpeter 2006, 256). Second, results in social choice theory, such as the Condorcet Paradox and other discursive dilemmas, and perhaps most importantly Arrow’s impossibility theorem as well as other impossibility results (e.g. Pettit and List 2011, 50) show that there is no such thing a single straightforward aggregation of individual wills into a general one that could be, without doubt, be attributed to the whole of the collective.

How can these challenges be overcome? Let me begin with the second one concerning aggregation and the impossibility results. The fundamental mistake of the arguments based on these impossibility results is that they treat collective decision-making, in effect, as an act of discovery, i.e., as an act of discovering how the appropriate decision function maps individual preferences onto possible decisions. But decision-making both collective and individual is not an act of discovery; what it primarily involves is not identifying facts about preferences and possible actions but *making up one’s mind*. Making up one’s mind, choosing, or deciding – whether in the context of individual or collective decisions – means precisely inventing

procedures that determine how various preferences, beliefs, commitments, and so on, should count in deliberation, which are to be excluded or included with what weights and under what circumstances (Scanlon 1998, 52–53). Rational choice theory begins one step too late, so to speak, when many such questions are already assumed to be settled in terms of maximal individual preference satisfaction. Yet with real people whose inner life tends to be messy and incoherent, and who are often not quite sure what they want, it is central to individual decision-making as well as to building character and leading an autonomous life more generally, i.e., *ruling* oneself autonomously, as it were, that one develops more or less coherent procedures for filtering, weighing against one another, excluding, and including one’s preferences, value commitments, etc.

Similarly, when it comes to collective decision-making, groups need to develop such procedures *precisely* because there is no a priori identifiable, pre-given fact of the matter as to what *they* want given what each individual member wants. The group cannot hope simply to discover its decisions, just as individual people do not simply discover their decisions but *make* them. What the impossibility result shows, in other words, is that “[t]he group agent has to establish and evolve a mind that is not just a majoritarian or similar reflection of its members’ minds; in effect, it has to develop a mind of its own.” (Pettit and List 2011, 8) The group too needs to make up its mind about the matters it decides on. On a social scale, this involves establishing the appropriate institutions for participation in joint rule. As Henry Richardson puts it, “[t]he reason no mathematical function can adequately capture, in full generality, an appropriate relation between individual preferences and social choice is that social choice procedures can adequately operate only against the backdrop of fair procedures of agenda selection, debate, and discussion.” (Richardson 2003, 50)

But how can a plurality of people make up its own mind about things? Does this not imply the idea of supra-individual collective entities hovering above mere individuals? There is no denying that the activity of rule by the people is something that a plurality of people does together. It is collective action. It is not simply the aggregate effect of independent actions on the part of individuals, but rather something that involves adopting “we-thinking” or acting in the “we-mode” (Tuomela 2013, chap. 1), acting upon collective intentions or we-intentions (Kutz 2000a; Searle 2010; Ludwig 2016) or making joint commitments to act together (Gilbert 2013). “In a genuine democracy, the people govern not statistically but communally. They treat their nation as a collective unit of responsibility, which means that they, as citizens, share derivative responsibility for whatever their government, acting officially, does. [...] they create

and maintain an integrated communal agent, the people, in which individual citizens figure as equal members.” (Dworkin 1990, 337)

However, thinking of ruling together as collective action does not necessarily imply the existence mysterious and threatening supra-individual entities any more than ordinary cases of acting together do, e.g., dancing a waltz, playing tennis, or taking a walk together. As Anna Stilz puts it: “the democratic state is a joint practice in which we act together to secure a common end, and its unity can be explained on lines similar to the unity of other practices in which we commonly act together.” (Stilz 2009, 192) First, not all accounts of collective action posit some kind of group agent as part of their social ontology. For example, the theories of Christian Kutz (2000a) or Kirk Ludwig (2016) posit no such extra agents over and above the individuals who engage in group action.

Second, most contemporary accounts of group agency, for example that of Pettit and List (2011), insist that we should think of group agents as nothing mysterious. They are not independent claimants of rights and interests, and their properties strictly supervene on those of the individuals that constitute them. Positing group agents may be indispensable to properly explain various phenomena in collective action, but this by no means implies that these agents have any of the properties that would render them potential sources of tyranny or oppression. Indeed, in his main treatise on democracy Pettit (2012b) argues that democratic politics should be premised on what he calls, drawing on the terminology of Sieyès, the priority of the *constituting people* over the *constituted* or the *incorporated* people:

it is only in virtue of the role of the several, constituting people in establishing and continuing to maintain the state that the constituted or incorporated people exist, figuring as an agent that can be relied upon to adjust and act in suitably rational ways, or at least to be sensitive to the demands of agential rationality [...] the corporate or constituted people is an agent that emerges under the norm-imposing control of its constituting members, not an entity that can push back against those very individuals (Pettit 2012b, 289–90)

Even if the ontological worry of positing group agents is discarded, a question remains about the relation between rule by the people as collective action and the individual actions that constitute it. If democracy is rule by the people, then in a democracy is it the people (singular) or people (plural) who rule? I believe that the answer is “both”. Take the sentence “the couple danced a waltz.” No individual member of the couple did anything that would count as dancing a waltz. It is impossible for one person to dance a waltz. It is only appropriate to say that the two of them, i.e., the couple danced a waltz. Similarly, one might say that it is possible that it is the collective, whether an additional entity or not, which rules without any individual member doing anything that would count as ruling. One might suggest that the individual dancer *played*

a part in dancing the waltz. But playing a part in *X* is not the same as doing *X*. Playing a part in winning the battle is not the same as winning the battle. Similarly, playing a part in the collective's rule is not ruling. At the same time, in the case of the dance, it is not true that the individual dancer did nothing resembling dancing. She did something that is part and parcel of dancing a waltz, e.g., leading. Think of a group that builds the house. It is true that no individual member can truthfully say "I built the house." But each can truthfully say that "I was a builder of the house." Similarly, citizens in a democracy can truthfully say that they are rulers of the polity, although obviously not in the sense that they are all individually sovereign dictators of the polity. What they do is ruling, just as what the dancer does is dancing, although it is a sort of ruling that one can only perform together with others, as one can only dance a waltz together with others – it is *ruling together*.

However, the minimalist may object, it is not true that in a democracy citizens rule together. For the institutions that in contemporary polities ensure democratic participation are mostly *representative* institutions. These institutions realize not rule by the people, but rule by the people's elected representatives. Insisting that democracy is rule by the people would rule out or at least demote most contemporary democratic institutions as not or not fully democratic and would only acknowledge a radical form of direct democracy as genuine. But this would be a mistake. First, because such direct democracies are unlikely to come into being in the near future, and second, because as even non-minimalists, such as Nadia Urbinati (2006), Jeremy Waldron (2016a, 2016b), and others (cf. Young 2002, 121 ff.) point out, it is both historically and normatively wrong to treat representative democracy as a kind of "second best" which we only institute because direct democracy is impracticable on a large scale.

Two remarks are in order. First, while representative democracy certainly should not be treated only as a second best, the same is true of direct or non-representative democracy. An adequate definition of democracy should be able to incorporate both kinds and treat neither as anomalies. Second, the claim that the idea of rule by the people and representative democracy are at odds with each other is dubious. Although here I cannot hope to develop anything resembling a full theory of representation, I believe that it is fairly plausible to claim that the primary way in which elected representatives exercise their power is by way of substantive representation, i.e., by acting for the people (Pitkin 1972, 115), or perhaps more precisely as agents of the people (Waldron 2016a). If they rule, then they rule on behalf of the people, or perhaps it would be more accurate to say that the people rule through their representatives. Representatives possess a social role in which they wield institutional power on behalf of or as stand-ins for others (Rehfeld 2018, 232). This is compatible with various degrees of trusteeship

in representation, but when representatives cease to be sufficiently responsive and accountable to the people, then this is usually taken as a sign of the deterioration of the democratic quality of government. Therefore, minimalists, such as Przeworski are wrong to claim that in a democracy “rulers are elected.” (Przeworski 1999, 44) In a democracy, rulers elect, and the elected rule on behalf of and as agents of the genuine rulers. Even representative democracy, then, can be thought of as rule by the people.

There is a further worry, however. Even if some kind of representative democracy is compatible with rule by the people, one may argue that it is in fact one of the worst kinds. For the people to rule together, they must form a singular, unified will which then representatives, being agents of the people, must strive to enact. Construing democratic politics as rule by the people implies, it may be argued, a conception of democratic politics as the formation and enactment of the popular will. The thought of democracy as rule by the people inevitably collapses into advocacy for *populism*. But populism, i.e., the claim that democratic politics ought to be aimed at the enactment of the will of the people whatever that might be, is a dangerous disfiguration of democracy (Urbinati 2014), rather than its true expression.

Some democratic theorists are happy to adopt the label “populist” (Mouffe 2018), albeit often only in a “qualified” form (Richardson 2003, 56), or argue that populism is a genuine democratic option, and a populist or perhaps plebeian reimagining of democratic politics may very well be called for to address the challenges that liberal democracy appears less and less capable of answering (Vergara 2020; McCormick 2019). I disagree with this position, however. In my view, the worry of populism as it relates to the conception of democracy as rule by the people is genuine. Nonetheless, it can be shown that the idea of democracy as rule by the people does not necessarily lead to populist conclusions.

Whether the idea of democracy as rule by the people leads to populism depends greatly on how exactly the worry is spelled out. One way is to treat the worry of populism as an instance of the more general worry of the tyranny of the majority or public opinion. If democracy means that the people rule, then in a democracy it is possible that the people abuse their ruling powers. However, it is unclear if democracy is more vulnerable to this type of objection than other forms of government. Where rule exists, the possibility of the abuse of rule exists too. Of course, if rule by the people is taken to mean majoritarian absolutism, the threat of abuse and popular tyranny would substantially increase. But as Dahl correctly notes, “no one has ever advocated, and no one except its enemies has ever defined democracy to mean, that a majority would or should do anything it felt an impulse to do.” (Dahl 2006, 36) Democracy is indeed rule by the people, and as such, it is subject to the same kind of institutional limitations and constitutional

safeguards that are meant to ensure that no rule, whether by the people or not, turns into tyranny. No such institutional solution is perfect, of course, and the chance of abuse and tyranny can never be fully eliminated. At the same time, this does not pose a special problem to democracy either, as it is unclear, why the tyranny of the majority would be necessarily worse than tyranny by anyone else.

Another reason for thinking that rule by the people is essentially a populist idea is not that it leads to the tyranny of the majority, but to a certain kind of anti-pluralism.⁵ If in a democracy the people rule, then in all political issues a single popular will must prevail. Whatever interests, claims, preferences, etc. cannot be comfortably accommodated into this single unified will of the people is marginalized or entirely suppressed. But this is not how democracy works or should work. It is an important part of democratic politics that individuals and groups put forward claims and exercise their political agency not as parts of the grand collective that is the people, but as individuals and groups whose interests and preferences may not fit together that well with the rest of the people. I believe this is an important insight. A populist may answer that it is wrong to conceive of the people as a static collective that only demands conformity to the majority; rather, the people should be understood as a site of political contestation, as a political community always in flux, constantly challenged from the margins, and always amenable to redefinition. This way populism can integrate this element of individual or particularist contestation into its picture of democracy. I would offer a different answer, however. For even with this amendment, I believe, populism still misconstrues the nature of popular rule.

What is essential to rule by the people is that rule is exercised by the people *together*, but not necessarily *as one*.⁶ Populism, I believe, fails to make this crucial distinction. Some collective projects do transpire by way of forming and enacting a single collective will. Certain groups, such as juries and investigative commissions, are formed for this specific purpose. Or think of a scientific research group set on discovering an elementary particle or proving a mathematical theorem. The group exists because its members came together to subsume their activities *qua* group members to this sole purpose, and within the context of collective scientific labour, their interests, preferences and opinions that do not fit within this singular collective determination are rightly side-lined. It makes sense for members of the research group to expect one another only to use their equipment, their lab time, and so on, for the collective's purpose of discovering the particle, not their individual projects.

⁵ On anti-pluralism as the main worry about populism see Müller (2016b).

⁶ I borrow the idea of ruling together but not as one most directly from Kalypsos Nicolaidis (2012). More broadly, the idea has its roots in federalist republicanism, see for example, Bohman (2013).

But not all collective undertakings are of this character. Instead of a research group, think of a university. A university too exists, in some sense, for the furthering of human knowledge and scholarship. And as institutions generally, it exists only because individuals are willing to act together under shared collective intentions aimed at upholding the particular rules, roles, authorities, and so on that constitute the university as an institution (Searle 1995). It is not entirely false to say that it is their shared will to uphold this institution of learning. This may be true even if they disagree about how precisely this institution should function, if certain individuals or groups advance their particular interests and come into conflict with others within the framework of the collective project of upholding the institution. Granted, when such conflicts and disagreements reach a certain level of intensity, the collective project may break down. Nonetheless, it can still function even when members do not have anything resembling a single unified will to enact as the research group does.

A democratic polity sometimes functions as a research group. At times, for example in constitutional plebiscites, it calls upon citizens to come together to arrive at a single crucial decision together, and to form a shared will to which they should subsume their particular interests and preferences *qua* citizens (Ackerman 1991). Other times democracy works more like a university, where citizens partake in the joint exercise of ruling the polity together in various ways and with various particular aims but always within the framework of a shared understanding and collective intention of upholding a system of institutions that jointly realize rule by the people. One may call the network of shared wants and collective intentions that constitute the complex and layered framework of joint action to uphold a self-ruling polity ‘the will of the people’, but it should be clear that it is nothing like the well-articulated and universally endorsed “general will,” that anti-populists fear.⁷ This argument shows, in my view, that the idea of democracy as rule by the people does not necessarily lead to populism. However, being very general, it leaves open the question of what institutional arrangements are compatible with democracy precisely. How do the people rule together? I take up this question in the next section.

1.3. Having an equal say

As citizens of a polity, we all live under shared arrangements that greatly affect how we live and what life chances we have. These arrangements include not only material infrastructure, but also the complex system of rules that define and uphold the rights and duties of citizens to

⁷ For a helpful discussion on non-populist understandings of the people as a collective entity and the will of the people see Pettit (2012b, 289 ff.).

one another. Citizens rule their polity together in the sense that they all have a say in how these shared arrangements are shaped through political decision-making.⁸ By political decision-making I understand decision-making on the wielding of public authority and the institutional power of political institutions, most importantly the state and its organs.⁹ What does it mean for citizens to have a say? Some authors define having a say primarily in terms of having influence or opportunity for influence over political decision-making (Rawls 1993, 327; Goldman 1999; Dworkin 2002, 192; Pettit 2012b, 154; Kolodny 2014a, 320–21; Viehoff 2019). But citizens in all polities, whether democratic or not, can influence political decisions. They can incite riots, go on strike, commit political assassinations or engage in terrorism. Clearly, these authors have a specific kind of influence in mind.

Suppose that all citizens had sufficient resources to stage a coup d'état whenever a decision is made contrary to their preferences, and they regularly take the opportunity to overthrow the government, not unlike urban elites did in many Italian city states during the Renaissance. One may say that some sort of popular government is in place here, for citizens clearly influence political decisions. Yet we would not call this a democracy. Why? First, citizens in this violent republic do not exercise the *right kind* of influence. To have a say is not to have the ability to collapse the polity into anarchy whenever one so wishes. The problem is not only that it is a particularly violent or harmful way to influence political decision-making. There are more benign forms of influence that do not constitute a say. The press may exercise great influence on political decision-making. But journalists *qua* journalists do not have a say in political decision-making.

This is not because informal influence is any less valuable or useful than other kinds of influence. Indeed, we can agree with Kolodny that “there is no reason to discount opportunity for indirect influence: the availability of resources, such as wealth and leisure, to influence the votes of others or the decisions of representatives. Having the means to persuade others seems as much an opportunity to influence a decision as being able to cast a ballot oneself.” (Kolodny 2014b, 333) But while opportunity to indirect or informal influence certainly is as much an opportunity to influence as the opportunity to cast the ballot, clearly, they are not the same sort of influence.

⁸ It is worth noting that democracy, on the present interpretation, realizes a particular type of co-rulership. In some regimes of co-rulership, rulers do not rule, i.e., make political decisions, together, but rather divide ruling competences among them, or possess them fully while being subject to the other's veto. But if popular rule were organized in these latter ways, we would not recognize the resulting regime as a democracy.

⁹ Market exchanges and scientific discoveries may also greatly shape these shared arrangements, but consumers, suppliers, and scientists – in these capacities – do not rule the polity, as they do not shape shared arrangements through political decision-making.

Having a say, then, is not the same thing as having influence, for influence may be informal. A say in political decision-making, on the other hand, needs to be *formal* in some sense, or rather, institutional. One has a say when one can exercise influence via decision-making procedures that are formally recognized by the relevant institutions. One exercises influence *via* a formally recognized decision-making procedure when one influences the procedure not through informal means, but rather in a recognized institutional *role*. One needs to be *part* of the procedure; more than that, one needs to exercise this influence in *one's capacity* as role-haver within the procedure. A popular MP may write a column in a newspaper and influence public opinion. But this is not exerting the kind of formal influence in question. For she did not exert this influence in her capacity as an MP. Being an MP and being known to be one, of course, played an important role in her being able to exert this influence. But writing influential columns is not among the ways in which MPs influence the political decision-making procedure *according to the definition of the role*.

Let me call this type of formal or institutional influence *input*. Is having a say the same thing as having input? It is not. Take, for example, a political arrangement in which citizens vote on fundamental political decisions, but a random mechanism decides whether the votes will be evaluated according to majority rule or minority rule, or some other aggregation procedure. Call this a *randomitarian* regime. By casting a ballot under a randomitarian regime the citizen provides input as much as she provides input into the democratic decision-making procedure. But it would be absurd to say that citizens in the randomitarian regime have a say in political decision-making. One may suspect that the reason for this is that the resulting decision does not necessarily line up with citizens' preferences in any predictable way. But this would be mistaken. Consider what Henry Richardson calls the case of the *want-collation machine*:

suppose rule were delegated not to a special class of guardians but to an impersonal, utilitarian want-collation machine. This machine would gather information from people about which options would satisfy their wants, preferences, or interests, and to what degree, and then would calculate which option will yield the greatest sum (or average) level of satisfaction of the relevant kind. (Richardson 2003, 63)

Under the rule of the want-collation machine people have input. We can imagine "election days" when citizens are called upon to enter their preferences into the computing system of the machine which then produces decisions. The resulting decision does line up with their preferences in a predictable way and not obviously unreasonable way. Still, I would hesitate to concede that they have a say. At any rate, as Richardson correctly notes, rule by want-collation machine is not democracy. Whatever it means for citizens to rule their polity together as

democratic citizens, it does not mean providing input in the manner citizens do under the rule of the want-collation machine.

What kind of input should democratic citizens have, then, to be able to rule their polity together? This may be elucidated by the example of a *contestatory* model of government. Under such a government, political decisions are not made democratically, but rather by a randomly selected body, an expert panel, a computer, etc. However, each citizen has the right to *contest* the resulting decisions through a fair procedure. Perhaps citizens can veto certain decisions, initiate processes of judicial review, and so on. Clearly, again, they have input; they are recognized as playing a clearly defined role in the decision-making process and in this role, they are able to exercise formal influence over the outcome of the decision-making process. Still, we would not consider a contestatory government a democracy. Why is that?

Philip Pettit, who discusses the role of contestation in democracies and views it as a necessary (but not sufficient) element of democratic government, distinguishes between *authoring* and *editing* as two exemplary modes of influencing decision-making (Pettit 2000, 115). A contestatory government casts most citizens in a strictly editorial rather than an authorial role; it allows them to retroactively “weed out” undesirable decisions, but their input does not figure in the *making* of said decisions. Intuitively, citizens in a contestatory regime have a say in political decision-making. However, I would be hesitant to say that they rule their polity together. It appears that the concept of democracy is very tightly bound up with the idea of authorship. Even Pettit, who greatly values – according to some, *overvalues* (McCormick 2013) – contestation and editorial rights, concedes that citizens’ authorship of political decisions is a necessary condition of democracy.

Having a say, therefore, requires not only influence generally, nor simply input, but authorship. What does make one an author – or to be more precise, a co-author (after all, the decisions under consideration are collective) – of a decision? How is authorial input different from other, e.g., editorial, kinds of input? A case where this distinction becomes especially clear, in my view, is that of a jury trial. Witnesses give input into the jury’s decision, but only jurors have a say. Witnesses influence the decision in their formal capacity as witnesses, but they do not author it. The witness’s actions, i.e., providing a testimony, do count as influence in that they make a difference to the outcome of the decision-making process. This influence may even prove to be *decisive*. Their testimony may prove to be so persuasive that the jury has no choice but to convict, for example. In other words, as far as the difference-making capacity of individuals is concerned, the witness may wield significantly greater influence than any juror

or indeed the jury as a whole. Still, the witness does not have a say in the decision, and do not make the decision; only the jurors do. In what sense?

The crucial difference, in my view, is that the decision, i.e., the verdict, can only be appropriately *attributed* to the jury, not to the witness. Jurors are *ultimate bearers of responsibility* for the decision in the sense that to the question “who did this?” i.e., “who made the decision” it is appropriate to list the name of the jurors. This is a rather thin and lightweight characterization of responsibility in that it does imply anything, in and of itself, with regard to the moral praise or blame they deserve for making the decision whether they owe reparations to anyone if the decision wrongs a person, etc.¹⁰ Jurors are authors of the verdict in the sense that they are the ones who ultimately “own” it, i.e., for whom it is appropriate to view it as theirs.

Note that one reason why the jurors are in a position to view the verdict as their own because they occupy the institutionally recognized role with the power to make verdicts. Imagine an alternative institutional setup in which the jury’s function is not to make the verdict but to make a suggestion to the judge. Suppose that judges happen to heed to these suggestions almost all the time. Then it is possible that a jury in this setup performs the exact same actions as a real jury, with the outcome being the exact same verdict; yet the jury in the alternative setup is not the maker of the verdict – the judge is. Attributability, then, at least in some contexts, depends on what social role one is recognized to have. But while institutional recognition is necessary for having a say, it is not sufficient. Institutions can arbitrarily decide to designate this or that person as being ultimately responsible for this or that decision. The court could set up an institutional rule saying that all false verdicts should be attributed to devil. This would not make the devil the author of these decisions.

The institutional recognition of authorship must also be *warranted*. This requires primarily that authors’ agency be sufficiently closely tied to the collective action and its outcome. That is, that the authors’ agency does not lead to the outcome through some deviant causal chain, the intervening agency of other persons or groups are absent, and so on. Furthermore, authors must play a central enough part in bringing about the outcome so that they do not count as mere *facilitators* or the collective action, but rather its genuine authors. The distinction between authorship and facilitation may be illustrated by the concept of complicity in wrongdoing. Accomplices partake in the collective effort of bringing about a wrongful action, but they do not themselves commit the action; this is why they are accomplices, not co-principals. Their

¹⁰ For more on this type of responsibility see Watson (2004).

agency is not tied sufficiently closely to the group action for them to think of them as “authors” or doers of the wrongdoing.¹¹ Spelling out a full theory of attributability in collective contexts is beyond the scope of the present discussion. Suffice it to say that at least under some circumstances it is warranted to recognize individuals as authors of collective actions, including collective decisions, e.g., in the jury case. It is worth noting that the conditions of attributing collective actions to individual authors are not fulfilled in the case of all collective actions. Some collective actions can only be properly attributed to the whole collective, but to no individual member (Copp 2007; Pettit 2007). In such cases the institutional recognition of authorship may not at all be warranted.

To have a say, then, is to have warranted institutional recognition of authorship regarding collective political decisions. However, it is a widespread view that democracy requires not only that citizens have a say but that they have an *equal* say (Buchanan 2002, 710; Christiano 2008, 9; Anderson 2009, 214; Kolodny 2014a, 197; Viehoff 2014, 337; Goldman 2015, 236). As David Beetham notes, “a system of collective decision-making can be said to be democratic to the extent that it is subject to control by all members of the relevant association [...] considered as equals. Popular control and political equality are the core principles of democracy” (Beetham 1999, 5). Indeed, no one would recognize a system as democratic in which a religious or ethnic group had disproportionate voting power in elections, for example. It seems that one can only talk of rule by the people, i.e., democracy, where citizens can partake in ruling on an equal footing. But why is that?

We could treat the requirement of having an equal say simply as an intuitive datum. It just happens to be the case that in everyday and scholarly discourses the concept of democracy is associated with that of an equal say. We simply do not think that the people rule unless they rule as equals. Why democracy requires an equal say needs no explanation, this is simply part of the meaning that the term “democracy” happened to assume in the history of political thought. However, how precisely having an equal say should be understood is contested. Some argue that plural voting schemes are compatible with democracy; if not Mill’s, which grants greater voting powers to the more educated, then perhaps that of Brighouse and Fleurbaey (2010), which gives greater political impact to those with more stakes in a particular decision. And as Ronald Dworkin (2011) argues, enhancing the weight of the say of certain historically marginalized and contemporarily oppressed groups, e.g., through districting measures, may very well be compatible with the spirit of democracy. Are these arrangements really compatible

¹¹ For a discussion on complicity see Kutz (2000b), Lepora and Goodin (2013).

with citizens' having an equal say? The answer requires elucidating what having an equal say means precisely and how and why it matters for one's conception of democracy.

Here I defined democracy as rule by the people. That is to say, rule by all the people, not just some of the people; the whole citizenry, not just a subgroup of it. This is what primarily sets democracy apart from monarchy, aristocracy, and oligarchy. Rule by the people is clearly not realized when only some people have a say and others have none. There is a sense, then, in which democracy as rule by the people requires that all equally have a say. But does it require that all have an equal say? To answer, it first needs to be clarified what it is for says to be equal. I argued that one has a say in political decision-making when one's authorship of decisions is institutionally recognized, and this recognition is warranted. The equality of a say cannot simply be a matter of equality of impact of one's contribution to the decision-making understood in probabilistic or causal terms. A quiet juror who in her capacity as juror does not contribute much to the deliberation process on the verdict but merely goes with the flow and votes with the majority is as much an author of the verdict as the most active members of the jury.

Of course, inequalities in impact can undermine one's status as a genuine author of an action or a decision. If a wealthy juror could bribe all other jurors to vote in a certain way, they would rightly think that their authorship is deficient and unequal in some important sense. This may be true even if the wealthy juror always behaves and never bribes anyone. The mere threat or possibility of interference may sometimes be as constraining as the actual exercise of interfering power (Pettit 2012a). Other types of institutionally recognized formal inputs, e.g., an editorial say, may also affect the equality of the authorial say. If we all have one vote, but I can veto the final decision, in a certain sense I may be more of an author of the decision than the others;¹² think of a family meeting where each family member votes, but the father may veto the final outcome – is this decision made together, or rather everyone except the father had a merely consultative role?

Consider now the somewhat simpler case of authoring a scholarly article together, rather than a collective political decision. It may be that one of the co-authors adds so little to the paper that calling her one of the authors is not warranted anymore. She is an author of the paper only nominally. Similarly, suppose that a writing project is set up in such a way that one of the co-authors has a significantly less important role to play than others, e.g., they are in charge only of citations and getting bibliographic details for the reference list. One may argue that even though they did play a role in completing the article, calling them an author would not be

¹² Although if I can only veto it but not vote, I am not an author at all, I am an editor.

appropriate; they appear to fulfil a markedly different role than the authors of the main text, and therefore should not be recognized as having the same role.

Now, what if the demoted authors did all the same things as regular authors, however, when it came to authorial decisions to be made together, their input would be recognized to have half the weight regular authors' have? In this plural voting scheme, could the demoted author be still thought of as a genuine author of the paper? It depends. First, it depends on how the demotion is justified. If one has half a vote because of one's race, ethnicity, gender, or other arbitrary features, one might rightly feel that the devaluation of their vote has an exclusionary purpose; it is meant to ensure that they do not partake in collective project in the same way as regular authors do. The writing project is set up in such a way that they are but nominal or at best auxiliary authors rather than real ones. This attempt may not be as successful as outright disenfranchisement, but its spirit is nonetheless the same. If, on the other hand, there are valid reasons behind the plural voting scheme, one may not view their authorship as threatened. What valid reasons are, and if there are any, of course, depends on the kind practice and its social background within which the collective effort takes place.

What this line of thought indicates is that having an equal say is best understood as a matter of citizens' ability to view one another as fulfilling the same role, i.e., that of co-author of political decisions or *co-rulers of the polity*, within the political decision-making process, rather than some auxiliary or merely nominal role. Only when this requirement is fulfilled can one rightly say that the people rule, that is all the people, not merely a subgroup. Note that the fulfilment of this requirement is compatible with various differences in impact, even institutionally enshrined ones. If the impact of historically marginalized and currently oppressed groups is artificially increased through districting measures as Dworkin (2011) suggests, others do not necessarily have to register this as in any way being aimed at relegating them to an auxiliary or merely nominal role in the collective project of ruling the polity together. To the contrary, such measures would be best seen as aimed at ensuring that the marginalized individuals can partake in political decision-making as fully-fledged co-rulers of the polity together with the rest of the democratic citizenry.

Further note that this explication of the notion of having an equal say does not reference equality as an independent value – as does, for example, Dworkin's. It spells out the meaning of citizens' having an equal say only in terms of what it means that all the people rule, rather than only a subgroup of the people. Such an arrangement may be justified by reference to the value of equality, although I should note that in Chapter 3 I discuss the connection between the ideals of equality and democracy in greater detail and argue that this connection is in fact much

weaker than it is usually supposed. Nonetheless, the justification of an equal say by reference to either equality or any other value is not the issue here. Rather, my goal in this chapter is to elucidate the sense in which democracy, i.e., rule by the people, requires citizens to have an equal say in political decision-making. At this stage, this is a merely conceptual, rather than justificatory endeavour, although these conceptual points, at the end of the day, must be justified holistically together with the normative conclusions established on their basis.

The question remains whether the argument I provide here allows for a Mill-type plural voting scheme where differential votes are granted according to competence. Here I cannot undertake a comprehensive discussion of the role of competence in democratic politics, thus I can only provide a brief outline of an argument. I believe that my account of having an equal say supports arguments against a Mill-type competence-based plural voting scheme. As David Estlund's demographic objection points out, it is always reasonable for citizens to suppose that competence travels with (perhaps implicit or unconscious) biases and inclinations that prompt the competent to arbitrarily advantage certain social groups (Estlund 2008, 222).¹³ Therefore, citizens can always reasonably suppose that the plural voting scheme serves – perhaps not as efficiently as outright disenfranchisement – the arbitrary exclusion of certain citizens from democratic co-rulership. While these citizens would certainly retain impact, and in some sense would still have a say in political decision-making, they would rightly see the setup of the political arrangement under which they live as aimed not at ensuring that citizens rule their polity together, but rather that ruling privileges are reserved for an arbitrary social group, while others are demoted to a secondary, auxiliary or perhaps merely nominal role in which they cannot view themselves as genuine co-rulers of the polity. Living under such a regime one cannot help but feel that one is not meant to play the same kind of role in political decision-making as the competent and educated; the reason why the latter have extra votes is because they are meant to call the shots, while others are meant to play a kind of secondary role, certainly not the role of co-rulers or co-authors of political decisions.

Such feelings may sometimes be misguided or unwarranted. The analysis I present here does not exclude the possibility that there could possibly be good reasons for introducing plural voting schemes, perhaps even competence-based ones. It does not imply that such reasons do exist – and I, in fact, believe they do not – but it allows for their existence. It does indicate, however, that when a plural voting scheme or any other institutional measure can be interpreted as being aimed at the exclusion from democratic participation or the relegation of some

¹³ For a discussion on Estlund's argument, see Lippert-Rasmussen (2012), Brennan (2018).

individuals or social groups to a secondary, auxiliary, or merely nominal status in terms of the co-rulership of the polity, it is incompatible with the concept of rule by the people and is therefore undemocratic. Think of the exclusionary voting regulations in the Southern US from the end of the 19th century to the Civil Rights era. They were clearly aimed at the exclusion of the African American population from democratic participation, although not by direct disenfranchisement. Nonetheless, they did undermine citizens' ability to view the institutional setup of political decision-making as being aimed at realizing rule by the people, that is, all the people, and not just some subgroup. While African Americans retained some say, the institutional setup was clearly aimed at ensuring that they do not play the same kind of role as their white compatriots. To the extent that other institutional setups exhibit the same kind of feature – and I believe a Mill-type plural voting scheme would – they are similarly undemocratic.

However, none of this is yet a justification or a vindication of the ideal of rule by the people or citizens' having an equal say. It is merely an explanation of why rule by the people requires citizens' having an equal say and what this means precisely. What is argued is simply that for the people to rule, citizens must be able to see the institutional setup under which they live as being aimed at ensuring that they are all institutionally recognized as fulfilling the same role of co-ruler or co-author of those political decisions which shape their shared arrangements within the polity, and that this recognition is warranted. This is compatible with various differences in citizens' impact on political decision-making, e.g., ones based on native talents in public speaking and persuasion, or institutionally enshrined ones aimed at the full inclusion of historically marginalized groups. Whether it is compatible with some sort of plural voting scheme is an open question. However, I outlined certain arguments that point to the rejection of this view.

1.4. The institutions of democracy

My definition of democracy, then, is as follows. Democracy is rule by the people, that is, a polity is a democracy, if in it citizens shape their shared arrangements through political decision-making together such that they all have an equal say in decision-making, i.e., the political decisions are attributable to all of them, rather than to a subgroup, for they are all institutionally recognized as equal co-authors of these decisions fulfilling the same role within the decision-making process, and this institutional recognition is warranted, not merely nominal. In a democracy, citizens bear ultimate responsibility for political decisions, including decisions about authorizing others to make decisions for them on their behalf. I will close this

chapter by clarifying in some more detail what institutional arrangements are compatible with democracy so understood.

Rule by the people requires that citizens have an equal say. Arguably, realizing this is impossible without some form of universal franchise. But franchise or the formal right to vote, in and of itself, is hardly sufficient for ensuring that the people rule. As mentioned earlier, substantial inequalities in citizens' overall impact on political decision-making, independent of their institutionally recognized authorial input, may undermine their standing as co-rulers of their polity, particularly if it stems from sources that are arbitrary from the point of view of democratic decision-making. One's greater impact resulting from their greater innate ability of rational persuasion may not undermine others' standing as co-rulers, but the same may not be true if said impact stems from one's excessive personal wealth. Genuine rule by the people, therefore, may be threatened by the disproportionate influence of money on politics.¹⁴ Furthermore, citizens may also not be able to view themselves as fully-fledged co-rulers of their polity, if they do not possess the appropriate participatory capabilities, i.e., capabilities to make effective use of their means of democratic participation. These include, crucially, capabilities to make informed political decisions. Democratic inclusion, in other words, is not simply a matter of granting each citizen the formal right to vote; citizens can only view themselves as genuine authors of political decisions if they have *substantive opportunity for consequential participation* in political decision-making including not only voting but also public deliberation that precedes voting.

Let me briefly discuss the issue of majoritarianism. While democracy is widely thought of being closely tied to the idea of majoritarianism, majoritarian decision-making procedures have a tendency to exclude potentially large portions of the population as well as marginalized or otherwise vulnerable groups from consequential political participation, particularly when they form parts of an entrenched or persistent minority. Indeed, although majoritarian procedures, particularly simple majoritarianism, has some decision theoretical advantages – as per May's theorem and similar results – it is often noted that it only realizes rule by the (whole) people if implemented against the background of sufficient pluralism, such that members of any actual losing minority can reasonably expect being on the winning side in the future. Even then,

¹⁴ See also Rawls's arguments for the fair value of political liberties (Rawls 1999, 194 ff.) and Corey Brettschneider's (2007) account of democratic rights. Brettschneider's work is of particular importance here, as it shows that concern for preserving citizens' status as co-rulers of their polity may ground measures of constitutional protection for their basic liberties and may also justify bodies to interpret and enforce such constitutional protections, i.e., constitutional tribunals. In other words, there may be a path from the idea of rule by the people to democratic constitutionalism. However, here I cannot pursue this line of thought in greater detail.

however, as Mathias Risse (2009a, 2009b) points out it is unclear if majoritarianism has of any clear advantage over alternative decision-making procedures, such as the Borda count. For this reason, I will remain non-committal regarding the extent to which democratic institution ought to be majoritarian.

I already noted that rule by the people is compatible both with direct or participatory and representative forms of democracy. I also find it important to emphasize that rule by the people allows for there being multiple interrelated sites of democratic co-rulership. While elections and referenda may be of primary importance, citizens may shape political decision-making in their capacity as co-rulers of their polity in many ways. Participation in public deliberation is part and parcel of democratic co-rulership; this may take place in various fora and in many different forms, from writing political op-eds through giving speeches to protesting (Young 2001). Citizens may pursue democratic participation not only as solitary individuals but also as members of social groups and associations. Among these associations political parties may be of primary importance (White and Ypi 2016). Previously I compared the democratic polity to a university. As in a university the goal of knowledge and furthering scholarship are pursued by various agents in a multitude of ways, e.g., through study groups, reading circles, student associations, and so on, so too in a democracy – as Fabio Wolkenstein (2019) argues drawing on Hans Kelsen (2013) – the goal of ruling the polity together is pursued by numerous interrelated agents of democratic popular sovereignty.

At this point one may object that the picture I paint of democracy is overly optimistic. I talk of democracy as a joint venture for ruling the polity together in which citizens partake on an equal footing. In the real world, democratic politics is nothing more than endless struggle between various interest groups driven by tribalism, polarization, fear and ignorance (Somin 1998). In these struggles, participants aim not at co-rulership, but hegemony, minding only that their camp, tribe or ideology reigns victorious at the end of the day (Achen and Bartels 2016). Not that this matters, since the outcome of these struggles is overwhelmingly determined by the privilege and wealth of participants, such that the interests of affluent strata in society are disproportionately represented in democratic political outcomes (Gilens 2012). If democratic theory is to have any connection with political realities, it must start from these facts of democratic politics (Arlen and Rossi 2020). Rule by the people may be a noble ideal, but it exists nowhere in the real world.

I will discuss the issue of realism in political theory in greater detail in the Conclusion. Here I would only make a few remarks. Democracy is rule by the people. If no existing state is ruled by its people, then no existing state is a democracy, regardless of what they call themselves.

Other political values, such as justice or equality are not fully realized in currently existing states, but this does not speak against the use of these categories. In my view, political philosophers should heed to David Estlund's (2020) advise to avoid what he calls *utopophobia*, i.e., the erroneous devaluing of normative theories because it is difficult to comply with them. However, resisting utopophobia can easily transform into detached utopianism where the proposed principles and ideals have no chance whatsoever to be realized in any meaningful sense in the real world. This, I believe, should be avoided, not only because it would treat people's often painful struggles for democratization or against democratic backsliding as necessarily in vain, but also because democracy, while a social ideal, is meant to apply to our societies.

Democracy, together with justice, liberty, equality, and so on, is meant to denote a normative ideal for the governance and evaluation of actually existing human societies, not a nation of angels. I believe, however, that my proposed definition of democracy passes this test; although it is not actually realized in today's world, it can and should be realized to a sufficient extent, and as such it is something worth aspiring to. The fact that the democratic ideal properly spelled out contains demands that are not yet fulfilled in the real world does not mean that the ideal is utopian or detached from reality; it only means that the grand project of democratisation is far from being completed, similarly to struggles for social justice and equality. This dissertation, in a sense, attempts to contribute to this project by providing a deeper understanding of democratic ideal which we try to achieve.

Chapter 2 – Democracy and its value

This thesis addresses the problem of the value of democracy. Why should we support, commit to, and generally value democracy, and are there any non-democratic alternatives that may be as worthy of our commitment and valuing as democracy? In contemporary democratic theory these questions are most often discussed in the context of the debate between instrumentalist and non-instrumentalist positions on the value of democracy. I too wish to contribute to this debate by defending a non-instrumentalist position, rather than spelling out a full theory of the value of democracy. However, even this more limited theoretical undertaking requires some conceptual groundwork as the very terms of the debate are often rather vague and unclear. Laying these conceptual foundations is my goal in this chapter. By clarifying and interpreting the fundamental concepts and questions of the debate I will be able to identify what is precisely at stake in these discussions and clearly define the goal of my argument as well as situate my conclusion within the wider theoretical landscape.

2.1. Questions of value

Why democracy? This question may be raised in various contexts. That democracy should be instituted and supported may be challenged by an anarchist on the ground that all forms of government, whether democratic or not, count as sources of tyranny and oppression and should therefore be abolished.¹⁵ That a non-democratic system of government would be better could also be argued by an advocate of autocracy or dictatorship who maintains that people need the direction and guidance of their natural superiors and cannot be trusted to rule themselves. Discussing the worth of democracy in these contexts is not an unimportant task. However, I will not engage with these positions. As noted in the Introduction, addressing the anarchist challenge would far exceed the scope of the present discussion, and I believe that there are rather straightforward reasons to reject the autocratic position independently of what one thinks of the value of democracy.

In the context of today's democratic theory, the question of the value of democracy is usually raised in terms of the debate between instrumentalist and non-instrumentalist conceptions of democracy. What is this debate about precisely? One reason to value democracy is because it does good things, that is, it produces outcomes that we have reason to value. As Amartya Sen (1994) famously noted, no famine has ever occurred in a democracy with a free press. It is a

¹⁵ Although one may argue that a fully voluntaristic type of democratic government may just be the only way to organize society in a way that is compatible with the core anarchist tenets. See Wolff (1970).

well-established empirical fact about democracies that they are less war-prone and more peaceful toward one another than non-democracies (Mello 2014); it stands to reason to assume that if all states were democratic, war would substantially subside. Empirical findings also show that democracy can contribute to the protection of human rights (Davenport and David A. Armstrong I. 2004) and economic growth (Acemoglu et al. 2019).¹⁶

It is also often argued that the epistemic features which the democratic decision-making process exhibits make it particularly likely to produce good or correct political decisions. Although a longstanding tradition in political science emphasizes the ignorance and political incompetence of individual voters (Somin 1998, 2015), many argue that even if these findings are correct, arguments in social epistemology indicate that such individuals deliberating and making decisions together as a group may exhibit great epistemic competence (Landemore 2012; Christiano 2015c; Goodin and Spiekermann 2018). After all, already Aristotle notes in the *Politics*: “The many, of whom none is individually an excellent man, nevertheless can when joined together be better – not just as individuals but all together – than those [who are the best], just as dinners contributed by many can be better than those equipped from a single expenditure.” (Aristotle 2013, 1281b) Finally, democracy may also be said to develop character and civic virtue. Citizens may become better debaters, deliberators, and overall better people by virtue of democratic participation.

Instrumentalists argue that these types of values are those to which one can appeal in answering the question “why democracy?” Democracy should be instituted and supported because it produces these good outcomes. It is valuable insofar, and only insofar,¹⁷ as it is a good instrument of creating peace, prosperity, generally good political decisions, and virtuous citizens. Those that oppose them, that is, non-instrumentalists, of course, do not deny that democracy has such virtues. They generally agree that democracy is valuable as an instrument of attaining worthwhile goals. In addition, however, they argue that democracy also has other kinds of values, namely values which are not reducible to the kinds of outcomes it produces. For example, non-instrumentalists might argue that an additional value of democracy is procedural fairness. Democracy, it is argued, makes decisions in a fair manner, and this is of value regardless of what the actual outcome of decisions are. Democracy may also be said to have symbolic value; irrespective of what outcomes it produces, the fact that democracy makes

¹⁶ For further discussion of these benefits of democracy see Christiano (2011).

¹⁷ Some might label this position “pure instrumentalism” to distinguish it from other variants (Arneson 2003). Here I only talk about instrumentalism in the sense of pure instrumentalism.

all citizens co-rulers of their polity conveys an important message to all citizens which they may find valuable for its own sake.

It is perhaps not immediately clear what precisely is at stake in this debate. It is not easy to see why it matters whether democracy's value is instrumental, non-instrumental or both. What precisely hinges on whether democracy is only valued as a means to achieve valuable goals or not? This may appear to be a minor technical point with little theoretical or practical consequence. To better understand the significance of this debate, it is worth further clarifying what instrumentalists argue precisely. We may call something a value of something else if it makes it the case that it is appropriate to have certain positive attitudes towards it and perform certain actions in relation to it; "to call something valuable is to say that it has other properties that provide reasons for behaving in certain ways with regard to it." (Scanlon 1998, 96)¹⁸ The relevant attitudes and behaviours might involve respect, admiration, promoting, or complying. Of these, instrumentalists in particular seem to be interested in a specific subset of valuing attitudes when it comes to democracy. Rarely do they talk of reasons for admiring or respecting democracy. Rather, their focus are the reasons for instituting, sustaining, and replacing it with alternatives. In short, they are interested in when and why democracy is *preferable* to alternative, non-democratic forms of government.¹⁹

For example, Richard Arneson defines his instrumentalism as claiming that "the form of government that ought to be instituted and sustained in a political society is the one the consequences of whose operation would be better than those of any feasible alternative" and this today happens to be democracy (Arneson 2009, 197); according to Steven Wall, instrumentalists believe "that democratic government is the best form of government, but [...] are prepared to recommend politically inequalitarian institutions if it can be shown that they would yield better political outcomes over time." (Wall 2007, 416) Jason Brennan takes his instrumentalism to be the view that "the only reason to favour democracy over any other political system is that it is more effective at producing just results, according to procedure-independent standards of justice." (Brennan 2016a, 11)

Non-instrumentalists less often characterize their position so clearly in terms of the preferability of democracy to non-democratic alternatives. At times, non-instrumentalist

¹⁸ Scanlon's and similar *fitting-attitude* or "buck passing" accounts of value have been criticized (Suikkanen 2009). However, the following discussion is not premised on the full endorsement of such accounts, merely on the claim, which I believe is intuitively appealing, that it is appropriate to behave in a certain kind of "valuing way" towards things of value.

¹⁹ Here I do not treat preferability as a subjective category, i.e., something is preferable not if it aligns with the relevant subjects' preferences, but rather when said subjects have reasons to prefer said option, even if they do not already prefer it.

accounts appear to be more focused on the question of democratic legitimacy or democratic authority, i.e., what value underlies our obligation to obey democratically created law (e.g., Rostbøll 2019). The question of democratic legitimacy and that of its preferability may, of course, intersect. For example, one may argue not only that democracy is a legitimate form of government capable of creating authoritative law, but that “where democratic authorization of the exercise of political power is possible, only a democratic government can be legitimate.” (Buchanan 2002, 689) Clearly, if democracy is the only legitimate form of government, it should be preferred to all others which are, then, necessarily illegitimate. However, as Daniel Viehoff emphasizes, the reasons to establish democracy, rather than some other form of government, need not be the same as the reasons to obey it (Viehoff 2014, 375). Legitimacy may be what singles out democracy as preferable to alternative forms of government, but this can only be the conclusion, not a premise of an argument on the value of democracy. What the instrumentalist and non-instrumentalist primarily debate, therefore, is not the nature of democratic legitimacy, but the preferability of democracy, although the two may turn out to be connected.

Why does it matter whether the preferability of democracy is determined by instrumental or also non-instrumental values? This matters because it has important implications regarding the nature of our commitment to democracy. If the preferability of democracy depends only on its instrumental value, then democracy is something which can be easily replaced if something as good or better comes along. “Democracy is nothing more than a hammer. If we can find a better hammer, we should use it.” (Brennan 2016a, 11) Democracy, like a hammer, is one of the many possible tools we may use to solve certain practical problems. Which of these tools is to be used depends on our particular circumstances and preferences. Democracy is one among the many possible institutional solutions for certain specific problems, and we are free to experiment to find out if it is the best fit for us. For instrumentalists, the question of whether society should be democratic is on a par with the question of whether the legislative body should be bicameral or what the optimal number of supreme court justices is.

Non-instrumentalism, on the other hand, appears to be motivated by a different understanding of the nature of our commitment to democracy. To be sure, non-instrumentalists do not believe that democracy can never be replaced. As I will discuss later in this chapter, they do not think of democracy as having absolute value. They do believe, however, that democracy is not an optional institutional design solution we may experiment with. Rather, it is something that individuals in normally functioning societies can be at all times expected to strive for it, unless extraordinary hindrances exempt them from doing so. For them, democracy is not simply one

of the many things that makes sense for reasonable people to want to have in their society. Instead, democracy is an essential element of the furniture of a properly functioning society. When they consider struggles for democracy and against autocracy, they insist that these struggles are grounded upon and are justified by a valid complaint that something essential is missing from their social and political lives. Democracy, if not exactly the first virtue of social institutions, is somewhere near the beginning of the list.

Instrumentalists, of course, may insist that it is exceedingly unlikely that an instrumentally superior alternative will ever come along (Bagg 2018). Democracy may only be an instrument, but it is an exceptionally good instrument, perhaps the best possible one. Instrumentalists are not necessarily anti-democrats. Therefore, non-instrumentalist worries are mute. One can be an instrumentalist and as fully committed to democracy as possible, i.e., practically exclude the possibility of ever recommending non-democratic regimes. But the likelihood of instrumentally superior alternatives coming along is beside the point. Non-instrumentalists contend that instrumentalists mischaracterize the *nature* of our commitment to democracy. Even if both recommend democracy under contemporary circumstances, non-instrumentalists argue, instrumentalists recommend it for the wrong reasons. Democracy should be instituted not or not only because it produces the best outcomes, but because it non-instrumentally contributes to the realization of an important social-political value. This matter is relevant not only when we deliberate about when to replace democracy, but more generally when it comes to the question of what is good about democracy, how it could be made better, what aspects of it need protection and how. In answering these questions, non-instrumentalists argue, we ought to focus not only on democracy's ability to produce good outcomes, but also the way in which it realizes its non-instrumental value.

My goal in this dissertation is to defend a non-instrumentalist conception of the value of democracy against the challenge of instrumentalism. To do so, it must be clarified what the content of the instrumentalist claim is beyond these rather superficial preliminary considerations. It also needs to be made clear which requirements non-instrumentalist positions have to fulfil in order to refute instrumentalism. In doing so it will be instructive to keep in mind this formulation of what precisely is at stake in the debate between instrumentalists and non-instrumentalists, and why this is not simply an insignificant matter of political axiology, but a substantive debate on what we may expect of our political institutions.

2.2. Instrumentalism

The core of the instrumentalist claim is that democracy is but an optional instrumental design solution for a practical problem with which we may experiment. This implies, crucially, that in deciding whether to prefer democracy to some alternative non-democratic form of government, one may only appeal to its instrumental value. But what is instrumental value? Perhaps the most natural understanding instrumental value is to say that something valued instrumentally when it is valued as a means to an end rather than as an end in itself (Kagan 1998, 278). This may prompt us to accept the following proposition:

Instrumental value₁: democracy has instrumental value insofar as it is a good means to attain a valuable end.

However, valuing something as a means to an end presupposes that someone uses said thing for a specific purpose. “When we ask what makes a hammer valuable, we usually ask whether it is functional for us, as we are. Hammers have a purpose—to pound in nails—and good hammers serve that purpose. Hammers primarily have *instrumental value*.” (Brennan 2016a, 10) But who uses democracy for what purpose? It is not entirely clear if the language of *use* is most appropriate when applied to social institutions. Do citizens *use* the courts to settle disputes? Does the student *use* the university to get an education? Does perhaps *society* use courts to settle disputes and universities to educate people the way in which road workers use some heavy machinery that can only be operated by a group of people? Certainly, courts are *meant* to settle disputes, and universities to educate students, but the language of use seems at least somewhat unclear.

Furthermore, some of the things that instrumentalists identify as instrumental values of democracy would be rather implausible to construe as its purpose as an instrument. For example, it seems perfectly reasonable to point to the peace, prosperity, and the civic virtue of citizens as at least some of democracy’s instrumental values. But democracy can hardly be said to be used to create peace, prosperity and civic virtue. Peace treaties and economic reform bills may be used to create peace and prosperity, and they may be made democratically. But when instrumentalists argue that peace and prosperity are among the instrumental values of democracy, they do not mean that democracy tends to make good peace treaties and economic reform bills; rather they mean that the overall effects of democratic government create an environment which is conducive of peace and prosperity. The same is true of civic virtue fostered by democratic participation. These usually *accompany* good political decision-making,

but often they are side-effects, rather than direct consequences of political decision-making. However, advantageous side-effects usually do not count as instrumental values. Hammers are used to pound in nails – if they do *this* well, they have instrumental value. If the handyman pounds in lots of nails, he may get a good workout. But the hammer is not a fitness equipment; giving you a good workout is not one of its instrumental values.

What this shows is that the language of instrumental value when applied to democracy is bound to be somewhat metaphorical. *Instrumental value*₁ cannot be literally true. Democracy does not have instrumental value in the same sense as a hammer does. What, then, may be the instrumental value of democracy? A rather straightforward suggestion would be to define democracy's instrumental value in terms of its outcomes or consequences. This is a common strategy. For example, David Miller notes that “*instrumental* justifications value democracy for the way in which it translates the people's wishes government policy: democracy is desirable because it produces outcomes that satisfy wants most efficiently.” (Miller 1983, 151) According to Thomas Christiano, instrumentalists evaluate democracy “by reference to the outcomes of using it compared with other methods of political decision making” (Christiano 2015a, 78). Or take Christian Rostbøll's formulation: “The instrumental justification of democracy holds, first, that the form of government that ought to be instituted is the one with the best consequences and, second, that democracy is the form of government with the best consequences” (Rostbøll 2015b, 425). This, then, may suggest the following:

*Instrumental value*₂: democracy has instrumental value insofar as it produces good outcomes.

The problem with this proposal is that the goodness of outcomes may be measured in a number of different ways, not all of which accord with core instrumentalist intuitions. There is a clear sense in which an outcome may be good because it was produced by a fair procedure, for example. However, instrumentalists usually would not want to count democracy's ability to produce outcomes that are good in this way among democracy's instrumental values. The instrumentalist might attempt to address this problem head-on and explicitly exclude these procedure-dependent outcome-related values. For example, in Brennan's formulation, instrumentalism “maintains that we should distribute power in whatever way tends to promote the procedure-independent right ends of government, whatever those right ends may be.” (Brennan 2016, 11) This leads to the following claim.

Instrumental value₃: democracy has instrumental value insofar as it produces procedure-independently good outcomes.

While this formulation of instrumentalism as anti-proceduralism is appealing, it is not entirely clear what this kind of procedure-independence is supposed to mean precisely. Suppose that at least under some circumstances, democratic decisions are seen as more legitimate; by giving each an equal say democracy makes citizens feel more included and thereby contributes to societal peace. I take it that this kind of societal peace would be an instrumental value of democracy. But is it a procedure-independent value? Certainly, in this case societal peace exists only because democracy makes decisions through a certain procedure, i.e., one that gives each an equal say and thereby makes people feel included. But clearly, societal peace is not valuable because it is produced by certain procedures. It is valuable in and of itself. This suggests the following specification of instrumentalism as procedure-independence proposed by Richard Arneson: “democracy, when it is just, is so entirely in virtue of the tendency of democratic institutions and practices to produce outcomes that are just according to standards that are conceptually independent of the standards that define the democratic ideal.” (Arneson 2004, 42) Here Arneson discusses the matter of instrumentalism in terms of justice. However, his definition can easily be spelled out in terms of value:

Instrumental value₄: democracy has instrumental value insofar as it has a tendency to produce outcomes whose value is conceptually independent from the standards that define democracy.

By Arneson’s own account, this definition should exclude procedural fairness – or rather democracy’s tendency to produce outcomes that are good because they are made in a procedurally fair way – from the instrumental values of democracy. Is this correct? Is procedural fairness *conceptually dependent* on the standards that define democracy? Democracy is defined as a form of government where citizens have an equal say in the making of political decisions. The equal say is the standard that defines democracy. Further argument might show that having an equal say – under certain circumstances at least – implies procedural fairness in collective decision-making. But procedural fairness is certainly not included in the definition of democracy. Procedural fairness is a value independent from the standards that define democracy at least in the sense that it is not part of the definition of democracy. However, procedural fairness may depend on the standards that define democracy in a certain sense. As said, the standard that defines democracy is the equal democratic say. If democratic decisions

are procedurally fair, this is *because* the decision-makers have an equal say. If they had an unequal say, then, other things being equal, the procedure would become unfair. Fairness in decision-making, then, in this particular case, is at least partially *constituted by* an equal say.

At this point it is worth introducing the notion of *constituent good* and *constituent value* as discussed by Joseph Raz. This concept will also be significant in later discussions on the non-instrumentalist position. According to Raz: “Things are constituent goods if they are elements of what is good in itself which contribute to its value, i.e., elements but for which a situation which is good in itself would be less valuable.” (Raz 1986, 200) Assuming that procedural fairness or a fair procedure is a *good in itself*, it may be said that the equal say is an element of what is good in itself, i.e., procedural fairness, which contributes to its value, and for which it would be less valuable.

One might object that it is somewhat misleading to say that in the absence of the equal say procedural fairness would be less valuable, for I assumed that in that case the procedure would cease to be fair altogether. This is correct but note that something does become less valuable when it ceases to be valuable. Still, perhaps we can get a better grip on the notion of constituent value if we think of the various things that make up the equal say, i.e., universal and equal franchise, rights to participate in public deliberation, and so on. We might think of each as constituent values of the value of procedural fairness. If citizens lost the right to participate in public deliberation, or if the franchise became unequal but remained universal, the political decision-making procedures would become less fair, although perhaps could remain *somewhat* fair. When all these constituent elements are lost, however, procedural fairness is lost as well.

In my view, Arneson’s definition is best seen as being aimed at this concept of *axiological constitution*. For this reason, *Instrumental value₄* may be modified in the following way:

Instrumental value₅: democracy has instrumental value insofar as it has a tendency to produce outcomes, such that the standards that define democracy are not constituent goods in relation to the value of said outcomes.

As we have seen, this excludes procedural fairness as an instrumental value of democracy as it should. At the same time, it includes societal peace induced by the equal inclusion of citizens by democratic institutions. In this scenario societal peace obtains not only because of the good decisions that democracy made, but also because of the egalitarian setup of the democratic decision-making procedure. However, this egalitarian setup is not a constituent value of societal peace. Democracy is not an *element* of societal peace for which it would be less valuable, rather,

societal peace is a *consequence* of democracy. The relationship between democracy and societal peace is not constitution but causation. Although here democracy causes societal peace not by way of producing good decisions, but by engendering positive attitudes toward political institutions in the minds of citizens.

Instrumental values allows us to give a final characterization of instrumentalism.

Instrumentalism: whether democracy is preferable to some alternative non-democratic arrangement is determined by democracy's tendency to produce outcomes of which it is true that the standards that define democracy are not constituent goods in relation to the value of said outcomes.

It should be noted that *Instrumental values* does not define instrumental value in the ordinary sense of the word. There is no clear sense in which values that satisfy *Instrumental values* make democracy valuable as a means to some end, and *Instrumental values* does not have any straightforward application to the value of ordinary tools, such as hammers. Nonetheless, *Instrumentalism* helps explain in what sense instrumentalists treat democracy as an institutional design solution with which we may experiment. On this view, the problem for which democracy is meant to be a solution is characterized in complete independence from the defining features of democracy. What *Instrumentalism* denies is that the political arrangement under which we live could be a constitutive element, rather than causal facilitator, of some social or individual good, or if it is, then this fact plays no role in determining the preferability of democracy.

2.3. Non-instrumentalism

Non-instrumentalism defends claim about the nature of our commitment to democracy, i.e., that it is not merely an institutional design solution with which we may freely experiment, but rather a non-negotiable element of a good society. What is required for showing this? Non-instrumentalism is often characterized as the view that democracy has not only instrumental, but also *intrinsic* value. Miller, Christiano, and Rostbøll all use this terminology as do a number of other authors (Griffin 2003; Ober 2007; Valentini 2013). This suggests the following characterisation of non-instrumentalism:

Non-instrumentalism₁: whether democracy is preferable to some alternative non-democratic arrangement is determined not only by democracy's instrumental value, but also intrinsic value.

However, as with instrumental value, it is not easy to see what intrinsic value would mean precisely in the case of democracy. Intrinsic value is best understood as value that depends entirely on the intrinsic characteristics of something (Rønnow-Rasmussen 2015, 30). Intrinsic characteristics are most straightforwardly defined as the characteristics something has when considered in and of itself, as though nothing else in the world existed. But what would it be like to imagine a world where only democracy exists and nothing else? The answer is unclear at best.

Furthermore, as Christine Korsgaard (1983) points out in her seminal paper, however intuitive the instrumental-intrinsic distinction might seem, these two do not actually contrast with one another. It is not the case that something has either instrumental or intrinsic value, for it is conceptually possible that something good has neither intrinsic nor instrumental value. For example, constituent value, as defined in the previous section, is neither instrumental nor intrinsic; constituents goods have their value by virtue of an extrinsic property, i.e., their relationship of constitution to something that is good in itself. It appears, then, that non-instrumentalism is better defined with reference to constituent goods. This would also better cohere with *Instrumentalism* which also references this notion. This leads to the following formulation:

Non-instrumentalism₂: whether democracy is preferable to some alternative non-democratic arrangement is determined not only by democracy's instrumental value, but also by its constituent values.

If *Non-instrumentalism₂* is true, then *Instrumentalism* is false. It appears that *Non-instrumentalism₂* captures the core of the non-instrumentalist position very well. But do all kinds of constituent values fit the purposes of non-instrumentalists? Consider again procedural fairness which may be a constituent value of democracy. If procedural fairness obtains in a democratic society, it obtains because citizens of this society have an equal say in political decision-making. Democracy is a constituent element of procedural fairness in this case. However, as I will discuss in greater detail in the next chapter, procedural fairness may be realized by other kinds of procedures as well. In at least some circumstances, randomized decision-making, e.g., a coin flip is considered procedurally fair. This is the fair way to decide who serves in tennis, or who gets thrown out of the sinking lifeboat (Dworkin 2011). We could imagine circumstances in which political decisions are made randomly, rather than democratically, such that procedural fairness is realized.

If such options exist, then it seems that at least sometimes we could be in a situation where both democracy and rule by coin-flip realize procedural fairness. Other things being equal, this non-instrumental value of democracy does not decide which one to choose. Thus, one is bound to make a decision based on one's particular circumstances and preferences. One may very well be free to experiment with either solution to see which fits one's situation best. At this point one rightly feels that this non-instrumentalist position is problematically similar to instrumentalism. Here too democracy appears to be treated as one of many institutional design solutions from which one may pick and choose, rather than an indispensable element of a good society. It seems that at least in principle we could dispense with democracy and replace it with something equally good. That rule by coin-flip is impracticable at the moment and perhaps will always be is of little consequence. Instrumentalists too may concede that democracy is the only feasible way to attain the instrumental goods that justify instituting it, and perhaps this will always be the case. Instrumentalists are not necessarily anti-democrats. What matters is the way in which they value democracy. And here it appears that the non-instrumentalist who appeals to multiply realizable constituent goods and the instrumentalist express rather similar attitudes toward democracy.

Rostbøll (2019) expresses similar concerns about what he calls *justice-first non-instrumentalism* about democracy. These are non-instrumentalist views which begin with a theory of justice, formulated independently of democracy, which specifies certain goods to be promoted, e.g., procedural fairness, and then in a next step show that democracy non-instrumentally promotes these goods. He expresses doubts “about the non-instrumental credentials of this justification” because here we “lose the idea that democracy creates something new and unique, which we can understand only with reference to democratic institutions and practices. [...] In this way, they do not provide a truly constitutive justification of democracy, which is characterized by the idea that the value of democracy is non-reducible, that is, that the latter cannot be based on some value the meaning of which is given independently of democracy.” (Rostbøll 2019, 247)

Rostbøll's discussion remains somewhat vague and imprecise, however, he seems to share my concern. If one appeals only to constituent values, understood as I defined them in the previous section, which allows for the multiple realizability of democracy's non-instrumental value, even by non-democratic alternatives, then one reduces democracy to an institutional design solution, as does instrumentalism. The alternative would be what he calls *Kantian non-instrumentalism* which is “committed to the idea that democracy's justification lies in a norm that can be fully conceived only in conjunction with the idea of democracy itself.” (Rostbøll

2019, 248) On his view, “*The justification of X is non-instrumental, if X is justified by a norm N, which itself can be fully conceived only with reference to X. [...] If X is justified by an N given independently of X, the justification is instrumental, because then X must be seen as a means to N.*” (Rostbøll 2019, 249)

This latter formulation seems incorrect, however. Procedural fairness, for example, is a norm given independently of democracy. Still, even if democracy is justified by procedural fairness, democracy does not have to be seen as a means to procedural fairness. This is false both on the intuitive understanding of what it means for something to be a means to some end, and on *Instrumental values*. Democratic procedures do not produce procedural fairness as a means, but constitute procedural fairness. But even if Rostbøll’s formulation is inaccurate, it points in an important direction. For non-instrumentalists to provide a substantive refutation of instrumentalism, it is not enough to show that *Non-instrumentalism₂* is true. They have to establish a stronger connection between the value that underlies the preferability of democracy and the standards that define democracy itself.

The problem is that *Non-instrumentalism₂* leaves open a logical space for views that lie between *Instrumentalism* and non-instrumentalism proper in that they acknowledge the non-instrumental value of democracy, but still treat democracy as an institutional design problem we may experiment with. This view may be specified as follows:

Weak non-instrumentalism: whether democracy is preferable to some alternative non-democratic arrangement is determined not only by democracy’s instrumental value, but also to its constituent values which in principle can be realized by non-democratic forms of government as well.

Weak non-instrumentalism is not a form of instrumentalism. In fact, it implies the negation of *Instrumentalism*. But while *Weak non-instrumentalism* refutes instrumentalism in a technical sense, it leaves its spirit intact, as it were. Recall that what is at stake in this debate is not about a technical point in political axiology, but the nature of our commitment to democracy. And it appears that the sort of commitment that non-instrumentalists wish to defend can only be grounded by a value of democracy that is not only non-instrumental, but also something unique to democracy.

One may argue that this is an overly demanding criterion for vindicating non-instrumentalism. Even if there is a distant possibility that an outlandish and fanciful non-democratic regime, such as rule by coin-flip, may also realize the non-instrumental value of

democracy, this does not have to trouble non-instrumentalists too much; *Weak non-instrumentalism* is good enough as the definition of non-instrumentalism. However, actual non-instrumentalists do seem to care about the concern expressed here. Rostbøll, as we have seen, wants explicitly to reject *Weak non-instrumentalism*. Or think of Buchanan's dictum quoted above that where democracy is feasible, it is the *only* appropriate form of government to institute. His intent is clearly to move beyond *Weak non-instrumentalism* and to establish the uniqueness of democracy. Similarly, Christiano in one paper considers the possibility that his view, which as I argue in the next chapter falls under *Weak non-instrumentalism*, may be instrumentalism in disguise, and goes to some length to show that this is not so (Christiano 2015b, 255 ff.). This indicates that non-instrumentalists are generally aware of the fact that the grey zone marked out by *Weak non-instrumentalism*, where instrumentalism is technically refuted, but the strong commitment to democracy as an indispensable element of a good society is not yet vindicated, exists, and they wish to move beyond this.

How can one, then, move beyond *Weak non-instrumentalism*? Rostbøll proposes to base democracy's justification – or to use my terminology: preferability – on standards that are defined in terms of, rather than independently from, democratic procedures themselves. In my view, this proposal is best understood in terms of what I call *essential constituent value*:

Essential constituent value: *X* has essential constituent value in relation to *Y* if and only if *X* is a constituent good in relation to *Y*, and *X* is part of the essence of the realization of *Y*.²⁰

In other words, the kind of value the non-instrumentalist is after is not only non-instrumental, but also one that makes essential reference to democracy (Viehoff 2017, 280). To illustrate, think of the human person and its physical constituent parts. My kidney, for example, is a constituent part of me; it is one of the things that make me up, that constitute me. It can be replaced, however, without me ceasing to be myself. If a new kidney were transplanted into my body as a replacement of my current one, then this different body part would play the same constitutive role the previous kidney played in the past. Similarly, democracy and coin-flipping can both play a constitutive role in realizing procedural fairness. Therefore, neither is essential constituent good to the value of procedural fairness, just as my kidney is not an essential constituent part of me.

²⁰ For a discussion of something being part of something else's essence, see Kit Fine (1995).

However, accepting some naturalistic assumptions, it may be argued that my brain is an essential constituent part of me. If you were to destroy my brain and replace it with someone else's, I would most likely cease to exist.²¹ You cannot have me without having my brain. This is not to assume that I *am* my brain, i.e., that there is nothing more to being me than to being me brain. It may very well be the case that my brain is only part of me, a constituent element, like the kidney. However, unlike the kidney, it is an *essential constituent element* as it is part of my essence that I am partially constituted my brain; if I were not partially constituted by my brain, I would not be myself. It is not simply that the existence of my brain is a necessary condition of my existence – again, assuming some sort of naturalism. Lots of other things are necessary to my existence, e.g., an oxygen-rich atmosphere. But my brain plays an essential role in making me what I am, such that nothing else could do the same. It is in an important sense *irreplaceable* or *uniquely* suited to play the kind of constitutive role in establishing my existence and identity that it does.

Consider, then, the following definition:

Strong non-instrumentalism: whether democracy is preferable to some alternative non-democratic arrangement is determined not only by democracy's instrumental value, but also to its essential constituent value.

In my view, *Strong non-instrumentalism* is the appropriate starting point for non-instrumentalism. To vindicate the non-instrumentalist position, it is necessary to show that *Strong non-instrumentalism* is true. However, as we will see, it is not yet sufficient.

2.4. Preferring democracy

While the preceding discussion made important steps to clarify the debate, both *Instrumentalism* and *Strong non-instrumentalism* leave space for multiple interpretations. Further clarifications are needed to set the stage for the main argument of this dissertation. Particularly, it needs to be clarified what it means for instrumental value, as defined by *Instrumental values*, to have the kind of priority in determining the preferability of democracy that *Instrumentalism* attributes to it. This is the task I undertake in this last section of the Chapter. To facilitate a clearer discussion on this matter, it is helpful to introduce the concept of *instrumental superiority*. Take any two sets of values V_A and V_B such that there are two forms of government A and B and A has the tendency to produce V_A and B to produce V_B $X \in V_A$ such

²¹ Let me set aside various complications concerning personal identity and brain surgery (Parfit 1984).

that the standards that define A are constituent goods with regard to X and the same is true of all $Y \in V_B$ according to some relevant metric it is *ceteris paribus* better to have V_A as it is produced under A rather than V_B as it is produced under B . If so, then A is instrumentally superior to B .²²

Instrumentalism claims that democracy's instrumental value determines whether or not it is preferable to non-instrumental regimes. What does this mean? At times, instrumentalists seem to make the rather modest claim that *sometimes* if a non-democratic regime is instrumentally superior to democracy, then *all things considered* it is the better choice. For example, Arneson in discussing relational equality or as he calls it – following Elizabeth Anderson – democratic equality, which is clearly a non-instrumental value, makes the following claims.

[An instrumentalist] standard for determining what political arrangements ought to be instituted can allow that bringing about the good of democratic equality can figure among the results that affect the all things considered instrumental assessment of possible political arrangements. [...] I don't rule out the possibilities that a culture of democratic equality is a formidably good state of affairs and that political equality promotes this culture. These normative claims might be part of the case for democratic instrumentalism [...] Acknowledging the goodness of a culture of democratic equality allows the instrumentalist to avoid the perhaps unpalatable position that there is nothing to regret if an instrumentalist assessment establishes that a nondemocratic political order in given circumstances would produce better outcomes than a democratic order, so democracy should not be sustained. If instituting a nondemocratic political order reduces the good of democratic equality, it is regrettable that we ought to opt for an undemocratic regime even though it is best all things considered. (Arneson 2009, 210)

It is worth noting that although Arneson is a card-carrying instrumentalist, this claim seems to have a non-instrumentalist overtone in that it concedes that non-instrumental values, e.g., relational equality, can figure in the overall assessment of which regimes should be instituted. His claim appears to be that while democracy has many values, both instrumental and non-instrumental, at least sometimes the instrumental values are decisive when it comes to the all-things-considered preferability of democracy to its alternatives.

Steven Wall makes a similar point. In discussing the expressive or symbolic value of democracy notes that while this value may be of some import, “[i]t is possible that for a given society, a deviation from the equal votes rule would result in political outcomes over time that were best for that society, *all things considered*, despite the negative expressive meaning of the deviation.” (Wall 2007, 436–37, emphasis added) Here again Wall as an instrumentalist seems simply to claim that while all sorts of values are relevant for the overall assessment of

²² It is important to specify that V_A and V_B are considered here as they are produced by A and B respectively because it might be the case that according to some relevant metric it is better to have V_B than V_A , but given the way in which B produces V_B , e.g. its speed or cost-effectiveness, V_A ends up being the better choice, e.g. because it is better to have $X \in V_A$ quickly than $Y \in V_B$ slowly even though it is better to have Y than X when one disregards these further factors.

democracy, it is at least *possible* that the instrumental superiority of a non-democratic alternative may make it the better choice all things considered. These claims seem to be motivated by the wish to deny the following proposition:

Democratic absolutism: democracy is always all-things-considered preferable to all alternatives.

While instrumentalists would certainly want to avoid *Democratic absolutism*, *Instrumentalism* is not best interpreted as the rejection of this claim. For *Democratic absolutism* is trivially false. If an asteroid were to hit Earth causing the extinction of the human species accompanied by incredible suffering of millions, and the only way to avoid this fate would involve suspending democratic procedures and introduce autocratic decision-making, no one would insist that keeping democracy and letting humanity die out should be the preferred. Non-instrumentalism does not demand democracy at all costs. Elizabeth Anderson in discussing her non-instrumentalist view makes this very clear:

In our consumer culture, we take it for granted that shopping is an activity many people enjoy, beyond its instrumental value in enabling people to acquire goods they desire. For these consumers, shopping has noninstrumental as well as instrumental value. Yet its noninstrumental value is conditional on its instrumental value. Although some people can content themselves with pure window-shopping for goods beyond their reach, most would stay home if shopping malls contained only goods that they could not acquire by shopping. I shall argue the same about democratic participation. It would make no sense if it didn't achieve the ends for which it is instituted. Yet in virtue of its instrumental value, it acquires a noninstrumental value too. (Anderson 2009, 213)

For Anderson, the non-instrumental value of democracy is conditional on its instrumental value. This is compatible with *Strong non-instrumentalism*, for essential constituent values can be conditional. To say that *X* is an essential constituent good vis-à-vis the realization of the value *V* is not to say that *X* is essentially a constituent good vis-à-vis the realization of *V*. That is, it is not essential for *X* to be a constituent element of the realization of *V*, but rather that the way in which *X* contributes to the realization of *V* is by way of being part of the essence of the realization of *V*. Compare, again, the case of my brain and myself. Assuming naturalism, my brain is an essential constituent element of my person. But this does not mean that where my brain is, I am there. For example, after I die, my brain may persist, but no longer constitutes me, since I am no more. So my brain can exist without constituting me, but I cannot exist without my brain constituting me. Similarly, democracy may exist without realizing its essential constituent value, and the realization of this value may be conditional on the presence of other factors.

Instrumentalists can agree to this. In another paper, for example, Arneson notes that non-instrumentalists “do not hold that a democratic system of government is unconditionally morally valuable [...] Most would say democracy is conditionally valuable. It is valuable only given mass literacy and the presence of other cultural background conditions, according to its advocates.” (Arneson 2004, 42) *Democratic absolutism*, then is not the focal point of the disagreement between instrumentalists and non-instrumentalists. They can both agree that democracy’s value is conditional on a certain level of instrumental performance. *Instrumentalism*, then, is better understood in terms of the following principle:

Instrumental absolutism: instrumentally superior non-democratic alternatives are always preferable to democracy all things considered.

To reject this view, non-instrumentalists must maintain the following claim:

Non-instrumental preferability: instrumentally superior non-democratic alternatives are sometimes not preferable to democracy all things considered.

Denying instrumentalism, then, requires showing that instrumental superiority is at least sometimes not decisive with regard to democracy’s preferability to alternatives; it is at least conceivable that there are cases when a non-democratic regime is instrumentally superior to democracy, yet democracy remains preferable. Two remarks are in order. *Instrumental absolutism* as stated here is compatible with the following claim:

Non-instrumental tiebreaker: if democracy and its alternative are instrumentally equivalent, but democracy has non-instrumental value that the alternative lacks, then other things being equal, democracy is preferable to the alternative.

Were the alternative instrumentally superior, we may be compelled to choose it according to *Instrumental absolutism*, however, given that it is not, its non-instrumental value may render it preferable. It might seem that instrumentalists do not necessarily have a problem with *Non-instrumental tiebreaker*. After all, Arneson concedes that there may always be something regrettable about having to give up democracy. Let me call this principle:

Necessary value₁: if democracy is not instituted, some value is always lost.

If the options before us are instrumentally equivalent, then it is hard to see why the loss of value involved in not choosing democracy is not an appropriate reason to prefer democracy. I am unsure as to what position instrumentalists should take precisely on *Non-instrumental tiebreaker*. On the one hand, it is certainly a tenable instrumentalist position to hold something like the following principle.

Non-instrumental irrelevance: non-instrumental value may never decide if democracy is preferable to an alternative.

On the other hand, there does not appear to be anything incoherent or contrary to basic instrumentalist intuitions in accepting a weaker claim than *Non-instrumental irrelevance*, e.g., the claim that instrumental superiority has lexical priority when it comes to the preferability of democracy as per *Instrumental absolutism*. For the purposes of this discussion, I will leave open the question of whether instrumentalists must accept *Non-instrumental irrelevance* as well as *Instrumental absolutism*.

Non-instrumental preferability, of course, implies that both *Non-instrumental irrelevance* and *Instrumental absolutism* are false. One complication this view involves, however, is that it is compatible with:

Instrumental-Non-instrumental equivalence: it is conceivable that democracy has non-instrumental value V_D and a non-democratic alternative X has instrumental value V_X such that X is instrumentally superior to democracy, but V_D and V_X are equivalent according to the appropriate metric, so that other things being equal, neither democracy nor X is preferable to the other.

One may suggest that this is not the right outcome for non-instrumentalism. It is true that in this scenario the alternative's instrumental superiority does not make it preferable to democracy, but there is also nothing, not even V_D , that would select democracy as uniquely preferable. However, I believe that expecting non-instrumentalism to exclude cases like this would be overly demanding. If non-instrumentalism denies *Democratic absolutism*, which it must, that is, if it allows that some form of instrumental superiority may defeat V as a reason for choosing a form of government, then it is hard to see why certain forms of instrumental superiority could not in principle match, rather than supersede, the significance of V . Conceding this theoretical possibility is simply the cost of denying the absurd view of *Democratic*

absolutism. Furthermore, I believe that these scenarios do not pose a genuine problem for non-instrumentalism as I will discuss later in this chapter.

Non-instrumental preferability is compatible both with *Weak non-instrumentalism* and *Strong non-instrumentalism*, but unfortunately neither implies it. It is conceivable, for example, that as per *Weak non-instrumentalism* democracy has a multiply realizable constituent value V , such that whenever instrumentally superior non-democratic alternatives lack V , V makes democracy preferable. However, when both a democratic and a non-democratic regime realize V , instrumental superiority may decide between the two. While this is compatible with *Weak non-instrumentalism*, it is not necessitated by it, for it is not necessary that V defeats instrumental superiority even in the first case.

Strong non-instrumentalism similarly does not imply *Non-instrumental preferability*. In and of itself, it seems only to imply *Necessary value₁*. Suppose that democracy has essential constituent value V . Since democracy is part of the essence of the realization of V , it is impossible for V to be realized without democracy. Without democracy, V is lost. This is not to say, of course, that democracy alone can or always does realize V . Similarly, to say that my brain is an essential constituent part of me, unlike my kidney, for example, is not to say that my brain alone can constitute me. My brain on a table disconnected from all other parts of my body does not constitute me. Still, it is true that without my brain I cannot exist; once my brain is destroyed, there is no hope anymore for recovering me. Thus, whenever my brain is lost, I am lost, which does not mean that where my brain is, I am there. Similarly, we can make sense of the idea that if democracy fails to be realized, then all chance of realizing V is lost.

However, *Necessary value₁* does not show that *Instrumental absolutism* is false. In fact, both *Instrumental absolutism* and *Non-instrumental irrelevance* are compatible with *Necessary value₁*. The instrumentalist may agree that when democracy is not instituted, some value is always lost, but she maintains that this value is simply not relevant in terms of the preferability of democracy. One may argue, for example, that feudal society exhibits certain values, e.g., it makes possible the existence of chivalric virtues which are unavailable in our modern age. However, this is not the kind of value that would be relevant in deciding whether or not to revert to a feudal society. It is not only that modern society's benefits outweigh those of chivalric virtues, so that all things considered we are better off with modern benefits even though we lack chivalric virtues. Rather, chivalric virtues are not the kinds of things that could enter into deliberation on why to choose modern society over feudalism. It is the wrong kind of reason to invoke in deliberating about preferability.

For this reason, a stronger principle is needed to substantiate *Non-instrumental preferability*. For example, one might propose:

Necessary value₂: if democracy is instituted, some value is always realized.

However, *Necessary value₂* is neither implied by *Strong non-instrumentalism* nor is it a particularly appealing principle. *Strong non-instrumentalism* does not imply *Necessary value₂* because it is compatible with democracy's essential constituent value being conditional. Suppose democracy's essential constituent value *V* is conditional on conditions *C*. If *C* is not fulfilled, implementing democracy does not realize *V*. Thus, it is not true that when democracy is instituted, some value is always realized, for it is possible that in this case there is no value to democracy anymore. This is fortunate, for *Necessary value₂* would imply that even when democracy actively produces horrible outcomes, there remains something valuable about it, i.e., even if political decisions bring nothing but destitution and suffering to everyone, they remain at least a little bit valuable simply because the people made them together. This is a very strange view which even non-instrumentalists, such as Anderson, oppose. Indeed, one needs to have rather extreme populist inclinations to think that even the most horrendous decisions are of some value simply because they are "the will of the people."

This discussion indicates that it is hard to find a clear path from *Strong non-instrumentalism* to *Non-instrumental preferability*. In fact, I believe that *Strong non-instrumentalism* needs to be amended to support *Non-instrumental preferability*. To this end, I introduce the following definition:

Important essential constituent value: A form of government *X* has important essential constituent value in relation to *Y* if and only if *X* has essential constituent value in relation to *Y*, and *Y* sometimes defeats instrumental superiority as a reason to prefer *X* to an alternative form of government.

This concept allows me to give a final formulation of the non-instrumentalist position I wish to defend in this thesis:

Non-instrumentalism proper: democracy has important essential constituent value.

This view does not merely deny *Non-instrumental irrelevance* but also addresses *Instrumental absolutism* directly. It claims that democracy's essential constituent value is of sufficient

importance that it is able to defeat non-democratic alternatives' instrumental superiority as a decisive reason for preferring democracy.

How strong of a democratic commitment does *Non-instrumentalism proper* support? We have already seen that it does not imply *Democratic absolutism*. It allows, as it should, that sometimes the instrumental superiority of a non-democratic alternative is a sufficient reason for preferring it to democracy. How wide the range of these cases is precisely is left open by the definition. It does not specify whether it includes only emergency situations, for example, where the extinction of humanity is at stake, or more ordinary cases as well. One may expect non-instrumentalism to make the stronger claim that not only is democracy sometimes preferable to instrumentally superior non-democracy, but it is in the vast majority of cases. This would certainly be a welcome result for non-instrumentalism. If democracy proved to be preferable to instrumentally superior non-democracy only in a few and marginal cases, then *Non-instrumentalism proper* may be true, but we would hardly think of the non-instrumentalist position as genuinely vindicated. However, it would clearly be exceedingly difficult to assign a precise numerical value to how often democracy should be selected as preferable to instrumentally superior non-democratic alternatives for non-instrumentalism to be truly proven correct. For the purposes of this discussion, I believe it is sufficient to show that at least under the conditions of modern society, democracy is usually preferable to instrumentally superior non-democracy unless the instrumental benefits are intuitively too enormous to ignore, e.g., the continuation of the human species, the eradication of all disease and misery, and so on.

Finally, I would like to consider the following important issue. Suppose that there is a non-democratic regime X that exhibits the important essential constituent value V_X . As far as other kinds of value are concerned, including instrumental value, democracy and X are on a par. In this case would we have reasons to choose to democracy rather than X ? It is far from clear what precisely the non-instrumentalist answer should be to this question. *Non-instrumentalism proper* seems to allow for cases where we have reason to choose X over democracy, or at least we have no reason not to choose it. Suppose, for example, that according to some metric V_X is better than V_D . There appears to be no a priori reason to exclude the possibility of such comparisons between essential constituent values. If V_X is better, then there it seems we have no reason to stay committed to democracy, as long as other things are kept equal.

This may seem troubling from the non-instrumentalist point of view. How could a non-instrumentalist conception allow that non-democratic regimes exhibit non-instrumental values that make them preferable to democracy? However, it should be noted, first, that it would be unreasonable to expect non-instrumentalism to a priori establish that democracy is the best

conceivable form of government, save for emergency cases, such as the extinction event. Non-instrumentalism does not and cannot be expected to have such Leibnizian ambitions. It is simply beyond the limits of human reason to definitively prove that nothing like V_X could possibly exist. Still, the question is not really whether we will ever come across anything like V_X . What is at stake in this debate, as I have repeatedly emphasized, is the nature of our commitment to democracy. And one might worry that if non-instrumentalism allows for scenarios such as this one, it commits the same mistake as *Weak non-instrumentalism*.

Recall that *Weak non-instrumentalism* allows that democracy's non-instrumental value be multiply realizable, even by non-democratic regimes. This means that when one must choose between democracy and such a non-democratic regime, then other things being equal, one has no reason to prefer democracy. I argued that this brings *Weak non-instrumentalism* in problematic proximity to instrumentalism. One may propose an analogous argument for *Non-instrumentalism proper*, for it is compatible with the following:

Non-instrumental equivalence: it is conceivable that democracy has important essential constituent value V_D and a non-democratic alternative X also has important essential instrumental value V_X such that democracy and X are instrumentally equivalent, and V_D and V_X are equivalent according to the appropriate metric, so that other things being equal, neither democracy nor X is preferable to the other.

If *Weak non-instrumentalism* treats democracy as one of many possible solutions to an institutional design problem from which we may pick and choose, then it seems that *Non-instrumentalism proper* does so too. For if *Non-instrumental equivalence* is true, then whether we institute X or democracy is up to our particular situation and preferences. If this is a problem for *Weak non-instrumentalism*, why is it not a problem for *Non-instrumentalism proper*?

I would argue that the two cases are not in fact analogous. According to *Weak non-instrumentalism* democracy's constituent value is multiply realizable, such that is possible that both democracy and a non-democratic alternative realizes said constituent value. This means that nothing is lost when the alternative is instituted instead of democracy; there is no opportunity cost attached to choosing the alternative. *Weak non-instrumentalism* does not imply *Necessary value*₁. For *Weak non-instrumentalism* there may be nothing to regret when we do not choose democracy as long as the non-democratic alternative realizes its non-instrumental value. It is this feature that makes *Weak non-instrumentalism* problematically similar to instrumentalism. For instrumentalism also holds that there may be nothing to regret when we

do not institute democracy, as long as an instrumentally equivalent or better arrangement is instituted, as there is nothing to regret when we choose one of two equally good hammers and let the other one lie idle.

Non-instrumentalism proper does not share this feature. On this view, there is always value lost when democracy is not instituted, even when there is equally significant value gained. Suppose I am torn between becoming a teacher and doctor. As a teacher, I get to shape young minds and impart wisdom to others; as a doctor, I get to heal people and even save lives. I value both equally, and I would think of each as providing me with ample to reason to choose one profession over the other. Suppose I choose being a teacher. I may still regret having to miss out on healing people and saving lives, even though I value shaping young minds just as much. Similarly, if we choose democracy, we may rightly regret having to give up on V_X , and vice versa. The choice is not the same as the one between two equally good hammers.

Of course, as I mentioned already, even instrumentalists can agree that *Necessary value₁* is true. They would only insist that the value lost is not relevant to regime choice. However, I stipulated that V_D and V_X are important essential constituent values, that is, they are rightly invoked in deliberation on the preferability of regime types. In other words, if we choose X , we can regret not merely not having V_D but not *choosing* V_D , that is, foregoing the realization of a value the realization of which would have been the proper goal of our choice. In contrast, we may regret not having chivalric virtues, in that it may be good to have them,²³ but we cannot regret choosing modern society over feudal society because by doing so we forgo the possibility of the realization of chivalric virtues. Chivalric virtues are not the sorts of things for which we should choose a form of social organization. Choosing between democracy and X is a *hard choice* in a sense in which choosing between modern and feudal society or between two hammers is not a hard choice. This highlights that while *Non-instrumentalism proper* is compatible with *Non-instrumental equivalence*, it does not assign the same kind of value to democracy as *Weak non-instrumentalism* or *Instrumentalism*.

This also helps explain why *Instrumental-Non-instrumental equivalence* does not threaten the non-instrumentalist credentials of *Non-instrumental preferability*. Suppose that the equivalence between X and democracy is due not to the fact that the significance of X 's non-instrumental value is equivalent to democracy's, but that the significance of its instrumental value is. As discussed earlier, on the non-instrumentalist view, neither instrumental nor non-instrumental value has the kind of priority the instrumentalist imputes to instrumental value.

²³ Although as a matter of historical fact I doubt that they were genuinely valuable character traits.

Both can defeat the other, and therefore it must be conceivable that they match one another. Still, *Instrumental-Non-instrumental equivalence* is not a problematic result for non-instrumentalism. Choosing between democracy and *X* in this case is still a hard choice. Were we to choose *X*, we could still regret losing the choice-relevant non-instrumental value of democracy which is not true when we choose between two equally good hammers or two equally good realizations of a multiply realizable non-instrumental value.

While this may be true, one may still doubt that *Non-instrumentalism proper* assigns the right kind of value to democracy. I argued that non-instrumentalists value democracy as an indispensable element of a good society. But how can one say that democracy is an indispensable element of a good society, if a non-democratic one can clearly be as good as or evidently even better than democracy, albeit not because of its instrumental, but because of its non-instrumental superiority? I believe that the answer to this question is that it is not conceptually necessary that there is only one kind of good society or only one way for society to be good. There could be many different kinds of good society, and it is at least conceivable that some of those are not democratic. Admitting this may seem to considerably lessen one's devotion to the democratic ideal. Indeed, as someone very much committed to democracy, I feel compelled to emphasize that it is my opinion that all good societies are democratic. However, intellectual honesty equally strongly compels me to concede that it would be beyond reason to expect non-instrumentalism to provide a conclusive argument that excludes the possibility that among all the conceivable forms of social organization which instantiate the properties that constitute goodness in human society some may be non-democratic.²⁴

It should also be emphasized that acknowledging this possibility is very far from accepting *Instrumentalism* or even *Weak non-instrumentalism*, just as admitting that being a good parent and being a good statesman can both constitute a good life is not to concede that parenting or statesmanship are only instruments of the good life or that they are interchangeable solutions to the same problem. They constitute goodness in life in qualitatively different ways and the choice between them is emphatically different from the choice between two equally good hammers. Understanding how parenting or statesmanship makes one's life good and how this differs from the way parenting makes it good is tremendously valuable information in deliberating about how to live a good life.

²⁴ In this spirit I believe that Buchanan's claim quoted above that where democracy is feasible it is the only legitimate form of government is dubious. I do not believe that such an unqualified claim can be substantiated by any sort of argument.

Similarly, even if it is conceivable that some good societies are not democratic – something that I do not believe but cannot refute – understanding how democracy makes a society good is tremendously important information. As I argued in the previous chapter, democracy is a form of government where the people rule together, where our role as citizens is that of co-rulers of society. Under democratic arrangements our agency is implicated in the life of the polity in a special kind of way. We are makers of the fundamental laws and rules that govern our shared life in the polity. The way we value democracy informs our understanding of the significance of our own political agency and why it matters that we are not merely addressees but also authors of the political arrangements under which we live. The value of democracy tells us about the significance of the fact that we are moral agents in our political life.

This information would be supplied by a full theory of the value of democracy. Unfortunately, in this thesis I cannot offer such a complete account. My goal is more modest. It is to show that choosing democracy is not like choosing the best available hammer; that democracy is not an institutional design solution, but rather an indispensable element of a good society. Rather than spelling out all the details of the significance of our political agency, I undertake the more limited task of showing that the way in which democracy embeds our political agency in the life of the polity is of such value that makes it appropriate always to regret not having it and when possible and otherwise permissible, e.g., when the extinction of humanity is not at stake, to strive to bring it about.

Chapter 3 – Democracy and equality

It is a natural suggestion that the defence of non-instrumentalism should be based on the concept of *equality*. The concept of equality seems central to the democratic ideal; democracy has been praised since antiquity for upholding citizens' equal status. It is not surprising, then, that equality-based accounts of the non-instrumental value of democracy are among the most common non-instrumentalist positions in contemporary democratic theory. I agree that equality is among the non-instrumental values of democracy. However, as I argued in the previous chapter, showing that democracy has some non-instrumental value is not enough to vindicate *Non-instrumentalism proper*. For it also needs to be shown that some form of equality is an important essential constituent value of democracy. In this chapter I argue that contemporary equality-based accounts of the non-instrumental value of democracy are unable to show this. They can at best establish *Weak non-instrumentalism*. This does not necessarily refute these accounts, but rather shows that they are incomplete. They need to be amended by further argument regarding the equality-independent value of democracy.

3.1. Horizontal equality

Egalitarianism begins with the idea that all human beings – or all beings similar to humans in the relevant ways – have *equal moral status* or *equal moral worth*. Each person matters morally and matters equally; in moral considerations no person should be treated as having greater intrinsic worth, i.e., being more important simply by virtue of her being who she is. This doctrine of basic equality has been the subject of much recent discussion in moral and political philosophy (see Arneson 1999; Waldron 2008; Carter 2011; Steinhoff 2014). I will not defend or dispute this principle here, but simply discuss what further principles follow from it specifically for democratic theory. For even if the principle of basic equality is true, as I think it is, it is far from clear what implications it has for political institutions.

One account of what follows from basic equality for political institutions may be spelled out in terms of *horizontal equality*.²⁵ Horizontal equality obtains when citizens are treated by political institutions as equals, that is, there are no two citizens such that said institutions engage with or relate to these two citizens in such a way that would betray that in the eye of these institutions one citizen enjoys superior standing relative to the other. While the idea of horizontal equality is rather straightforward, its specific requirements are not. Horizontal equality may simply be understood as the requirement of *fairness*, i.e., that political institutions

²⁵ I take the concepts of horizontal and vertical equality from Dworkin (2002, 192–93).

treat citizens' claims, interests, needs, desires, worldviews and so on, consistently with the strength, weight or import of each of these considerations (Broome 1990, 95; see Hooker 2005; Saunders 2010b). Alternatively, the requirements of horizontal equality may be spelled out in terms of equal concern and respect (Dworkin 2002),²⁶ where equal concern means that political institutions take equal interest in citizens' equally strong claims, interests, and preferences (Scanlon 2017, chap. 1), while equal respect means that they take seriously the fact that human beings are capable of and entitled to make judgements about the good life and the way in which society should be organized, to act on these judgements and take responsibility for their actions. Thomas Christiano (2008) adds that not only equal concern and respect are requirements of equality on political institutions, but so is *publicity*. *Public equality* or *the public realization of equality* requires that people be able to view political institutions as working towards the equal advancement of interests.

Most of these authors believe that horizontal equality also requires democracy. For example, Dworkin argues that the requirement of equal concern and respect prescribes that “no adult citizen’s political impact is less than that of any other citizen for reasons that compromise his dignity—reasons that treat his life as of less concern or his opinions as less worthy of respect.” (Dworkin 2011, 384). Only when each have an equal say in political decision-making can citizens view one another as being treated as equals by political institutions (Waldron 2012, 192–96). Similarly, for Christiano (2008), democracy has the unique ability to realize public equality, i.e., ensure that people be able to view political institutions as working towards the equal advancement of interests. A particular obstacle to this in contemporary pluralist societies is that there is widespread disagreement about what the equal advancement of interests means. Not only do people have differing conceptions of the good, but they also differ in their capacity to wellbeing, they are fallible, and have cognitive biases. For political decision-making procedures to realize public equality, they have to ensure that these factors do not affect political outcomes. Democracy, Christiano argues, makes good on this requirement, and is uniquely suited to do so, for it enables differing views of diverse persons to be taken into account in a fair manner and that people have a chance to correct one another’s biases and continually better their fallible views.

I do not dispute that these arguments establish that democracy realizes equal concern and respect as well as public equality and it is non-instrumentally valuable for this reason. However, I believe that none of these arguments show that horizontal equality, however its precise content

²⁶ Dworkin’s notion equal concern and respect has implications both for horizontal and vertical equality, the latter of which I discuss in the next section.

is spelled out, is an essential constituent value of democracy, i.e., that democracy is an essential constituent element of the realization of this value. Arguments based on randomized decision-making show this clearly. For example, David Estlund argues against a fairness-based interpretation of the egalitarian argument for democracy in the following way: “if what we want is a procedure that is fair to all, why not flip a coin? That is, why not choose a law or policy randomly?” (Estlund 2008, 66) That is, democracy is not the only decision-making procedure that treats individuals fairly, a coin flip also does so. As mentioned in the previous chapter already, in many cases we take randomized decision-making to be fair, e.g., in deciding who serves in tennis, or who gets thrown out of the sinking lifeboat. The point generalizes beyond fairness-based conceptions of horizontal equality. If what horizontal equality requires is that political institutions do not treat anyone as having superior standing, then making decisions randomly appears to satisfy this requirement however it is interpreted.

To assess this challenge, it is better to formulate it not in terms of coin-flips, but *lotteries* which are the most widely discussed forms of randomized political decision-making today. Many different kinds of lotteries may be used in political decision-making. For example, *sortition* is the selection of representatives or office holders more generally from the pool of all (capable) citizens. Perhaps a more radical idea is that of the *enfranchisement lottery* whereby voting rights are assigned to a random selection of citizens. In *lottery voting* “instead of simply counting up votes and declaring the majority the winner, we metaphorically put all of the votes into a hat and randomly select one, taking that as decisive.” (Saunders 2010c, 118) Note that it is possible to lottery vote both directly on policy or on office holders or representatives. The latter case, however, is not equivalent to sortition. Under sortition office holders are randomly chosen from the pool of all available candidates, whereas in lottery voting, they are chosen from the pool of candidates for whom people actually lottery-voted. Finally, we can consider the case of *policy lottery* whereby a policy decision is chosen randomly from a pool of choices that is determined independently of lottery votes. When policy lottery is applied to decisions about office holders, it is equivalent to sortition.

Historically many such methods were considered part and parcel of democratic politics. For example, sortition was a central aspect of Athenian democracy. Furthermore, in recent years a number of political philosophers argued that such lotteries are compatible with the basic democratic ideal, and under some circumstances they might even be preferable to other decision-making methods, such as majority voting. For example, Peter Stone advocates sortition for contemporary democracies (Stone 2016). Claudio López-Guerra argues that enfranchisement lottery is also compatible with basic democratic principles (López-Guerra

2010, 2014, 162) as does Estlund who notes “I do not see in this arrangement anything that is particularly offensive or contrary to the moral spirit of democracy if it turned out to have pragmatic advantages.” (Estlund 2008, 182) Many authors also defend lottery voting both for office holders (Amar 1984, 1995; Guerrero 2014) and for policies (Saunders 2008, 2010a, 2010c).

I will set aside the question of which kinds of lotteries are in fact compatible with the democratic ideal and instead focus on one that is viewed by virtually everyone as non-democratic, i.e., policy lottery. This is the one that Estlund holds to be as fair as democracy yet rejects it as “an absurd proposal in most political contexts” (Estlund 2008, 82). This is the decision-making method about which Christiano, reviewing Estlund, remarks that “this strikes me as perverse and I wonder if something hasn’t gone wrong with the whole discussion of procedural fairness.” (Christiano 2009, 231) I will not defend policy lottery as a viable solution for problems in political decision-making. I will simply argue that as far as horizontal equality is concerned, policy lottery is as capable of realizing this value as democracy. There may be many reasons to reject policy lottery, but that it fails to treat citizens as equals is not one of them. What this shows is that horizontal equality can at best ground *Weak non-instrumentalism*. If one’s goal is to defend *Non-instrumentalism proper*, then the abovementioned arguments of Dworkin, Christiano, and others, based on various interpretations of horizontal equality, do not suffice.

To clear away some obvious and easily defeasible objections, let me stipulate the following about the kind of policy lottery I consider. Under the policy lottery regime in question there are institutional guarantees that prevent the lottery from selecting gravely unjust decisions, just as in a democracy there are institutional guarantees against the tyranny of the majority. Another objection to avoid is that a policy lottery is unfair because by giving each option an equal chance of being selected it fails to track the *weight* of individuals’ interests, preferences, and opinions. Against this objection I stipulate that the policy lottery is a *weighted* lottery. A weighted lottery is a lottery that does not give each option an equal chance of being selected, but rather assigns greater probabilities to certain options. Granted, a weighted lottery does not *guarantee* that weightier interests will always be advanced, but neither does democracy. The two are on a par in this regard. Still, a weighted policy lottery is not yet democracy. It is not even lottery voting, for weights do not need to be determined by votes. They may be determined by polls, brain scans, Big Data analysis, etc. Suppose, for example, that a supercomputer collects data from individuals in various ways, assessing their interests, preferences, opinions, choices, and then assigns weights to each of these, and runs a weighted lottery on the reasonably just policy

options in light of this data. This kind of policy lottery is clearly not democracy. This is a version of the want-collation machine discussed in Chapter 1.

A policy lottery of this sort is by definition fair, i.e., it gives due weight to the equally weighty interests of persons. On a fairness-based conception of horizontal equality, the policy lottery is as egalitarian as democracy. It too realizes the same non-instrumental value as democracy, and when it comes to a choice between them, then, other things being equal, nothing dictates that democracy should be instituted. Consider now the Dworkinian conception of equal concern and respect. Equal concern, like fairness, demands abstaining from actions that can be viewed as treating persons comparable interests as having unequal weight or import and this, again, the type of policy lottery under discussion does. When it assigns burdens or benefits to individuals it does not do so for reasons that would contradict that person's equal standing – e.g., their race, gender, class, etc. Indeed, it does not do so for any reason whatsoever. But could perhaps equal respect fail to be realized under the policy lottery? One may indeed argue that policy lottery shows no respect, or worse, equal disrespect to citizens by denying them a say in political decision-making. Only democracy fully respects citizens' diverging views by "giving positive decisional weight to the fact that a given individual member of the group holds a certain view." (Waldron 1999, 113)

However, one cannot simply stipulate that respecting citizens requires granting decisional weight to their views. This would beg the question. In many cases, e.g., tennis and the lifeboat, randomized decision-making seems to show no disrespect at all. Indeed, intuitively it makes sense to say that equal respect to individuals' value judgements may involve not preferring any such judgement over another, but rather choosing from them randomly. One would need to show that the case of political decision-making is significantly different from these contexts such that the requirement of equal respect in this specific case implies a requirement of equal say. Note, however, that such an argument would most likely have to appeal to values other than horizontal equality. It would have to appeal to values which bring forth the specific moral considerations and requirements in the political case that are missing in other contexts where equal respect can be realized without an equal say. For this reason, the argument from equal concern and respect on its own is *incomplete*. It requires further elaboration in terms of other, equality-independent values to avoid collapsing into *Weak non-instrumentalism*. As I will show, this is a common feature of equality-based non-instrumentalist arguments.

What about public equality? In my view, policy lottery satisfies this ideal as well. Assuming sufficient transparency in the process, this political decision-making method seems to achieve the public realization of equality; it is clear to all citizens how political decisions are made, and

they can rest assured that in choosing ways to implement equality in society no one particular group's conception about the meaning of equality can unduly affect the outcome; they can be certain that no fellow citizen's cognitive biases, faulty reasoning, or simple disagreement with them will tilt the scale against their own view. The requirement of public equality appears to be fulfilled. Perhaps there are other conceptions of horizontal equality which withstand the challenge of policy lottery; I certainly cannot exclude this possibility here. Nonetheless, I believe that the foregoing discussion provides strong reasons to believe that the arguments discussed above do not suffice on their own to show that democracy is an essential constituent element of the realization of horizontal equality in society, for policy lottery is on a par with democracy from this point of view.

Some proponents of equality-based accounts of the value of democracy concede that policy lottery would treat citizens as equals. For example, Dworkin remarks in passing that “[d]emocracy is the only form of government, *short of rule by lottery*, that confirms that equal concern and respect in its most fundamental constitution.” (Dworkin 2011, 390 emphasis added). These authors are happy to acquiesce in *Weak non-instrumentalism*. Perhaps they are not particularly interested in the debate between instrumentalists and non-instrumentalists. Perhaps they are, but they believe that *Non-instrumentalism proper* is overambitious and *Weak non-instrumentalism* is sufficient to show that instrumentalism is technically false. However, as I argued in the previous chapter, showing that instrumentalism is technically false is of little theoretical import on its own. What is at stake in the debate between instrumentalists and non-instrumentalists is not a fine conceptual point in political axiology, but the nature of our commitment to democracy. If we are to show that democracy is not simply an optional institutional design solution, but an indispensable element of a good society, then we must move beyond *Weak non-instrumentalism*.

Many advocates of equality-based accounts of non-instrumentalism share this theoretical ambition and have levelled forceful arguments against the idea that rule by lottery can be as fair or egalitarian as democracy. One of the most developed arguments are proposed by Christiano who discusses the challenge of lotteries both in *The Constitution of Equality* (Christiano 2008, 108–11) and in his review of Estlund's book (Christiano 2009). In *The Constitution of Equality* Christiano discusses various lotteries, including simple lotteries, sortition for the position of absolute ruler, and a form of lottery voting he calls “point voting”, but not policy lottery as I understand it. Still, his concerns about other forms of lotteries may apply to policy lottery as well. In his book the main concern he raises in connection to lotteries is that the kind of equality ensured by lotteries is “a very thin form of equality because it contracts the reach of equality to

just the initial lottery. It eliminates equality at other stages.”²⁷ (Christiano 2008, 109) He argues that introducing lotteries – here he discusses point voting in particular – “lessens the value of engaging in negotiation and in engaging in deliberation. It leaves much more to chance while the system of ordinary voting extends the reach of equality into these areas.” (Christiano 2008, 111)

In a democracy, citizens can deliberate as equals, vote as equals, contest policies in various ways as equals, whereas under policy lottery, the only instance in which they are treated as equals is when the choice is randomly picked. For this reason, it does not make sense for them to engage in public deliberation for reasons other than scholarly curiosity, for deliberation has no consequences for political decision making whatsoever. At this point, however, the argument is not yet complete. For it has not been made clear why precisely this loss is a significant one. Of course, there are a number of reasons why we might prefer a society in which consequential democratic deliberation is available to us, e.g., it contributes to the development of civic virtues, and an egalitarian ethos, it might have better epistemic properties than a lottery system, etc. But this is clearly not Christiano’s primary worry. He thinks that removing collective deliberative decision-making from all these areas raises a specifically *egalitarian* concern, i.e., it hinders the realization of public equality in some way.

According to Christiano, “[w]hat a system of ordinary voting does is extend the reach of equality” whereas a lottery system “contracts the reach of equality to a fairly small set of issues and it allows inequality *or chance* to rule the rest.” (Christiano 2008, 110; emphasis added) On this view, lotteries hinder equality because chance is on a par with inequality. But this is a counterintuitive claim. As we have seen, in many cases, chance is the right way to ensure equality, e.g., in tennis or the lifeboat. Why would one equate chance with inequality in the political case, then? Christiano’s argument against lotteries in his review on Estlund is instructive here. This concerns the ideal of fairness embodied in policy lottery. He argues that “what fairness demands or even recommends depends on the enterprise that is being regulated by fairness.” (Christiano 2009, 231) For example, fairness in a running contest means giving the prize to the fastest runner. In other words, what it means to treat each contestant’s interest in winning as equal is not letting social background, academic qualification, wealth, and so on make a difference in the decision-making process on prize allocation, only athletic prowess. In contrast, in a contest for a research position at a scientific institute, treating contestants as equals means, among other things, excluding athletic abilities and including academic qualifications

²⁷ In this particular passage he talks of a wage lottery supposedly analogous to policy lottery.

in the decision-making process. When it comes to *political decision-making*, he argues, democracy includes and excludes the right sorts of considerations, and policy lottery does not. But why exactly? One of Christiano's argument is that democracy "will help produce outcomes in which everyone's interests are taken into account." (Christiano 2009, 232) But this is true of policy lottery as we have seen. He also claims that democracy is uniquely suited to realize public equality (Christiano 2009, 233), but this, again, is dubious, as I have already discussed.

Christiano's argument that lotteries realize only a "thin" form of equality is more naturally read simply as the claim that under a lottery regime we are able to *do less*, i.e., we have no option of engaging in consequential deliberation, voting, and the like, i.e., we have no say, and it would be good for some reason to have a say, and better yet an equal say. Christiano emphasizes that "a necessary condition for equality mattering is that the thing being equalized is such that more is better than less." (Christiano 2008, 34) So his argument crucially depends on his explanation of what it is better to have more of a say, than less, or any say at all. His claim is that the abstract requirement of public equality coupled with the background conditions of diversity, disagreement, and cognitive bias explain why having a say matters. Once the significance of having a say is established, the refutation of policy lottery is rather straightforward. But the example of the policy lotter challenges the very idea that the requirement of public equality plus the background conditions of diversity, disagreement, and cognitive bias explain the significance of having a say.

If the significance of having a say is not explained simply by the meaning of public equality and the empirical background conditions of a pluralist society, then Christiano must move beyond a narrowly equality-focused argument and invoke equality-independent values that explain why it is good to have a say. He is not entirely unprepared to meet this challenge. For example, he argues, drawing on Michael Walzer's (1988) work, that our interest in having a say is also rooted in our interest in not being subject to a social order that completely disregards our own preferences and convictions, for this would force us to confront our social world as an alien terrain; a room furnished by others, rather than being filled by the familiar things that would endow it with meaning and significance, allowing us to feel home in it. Another argument of his is that to show proper respect to citizens means that "each person's judgment about how society ought to be organized must be taken seriously [...] Anyone who is excluded from participation in discussion and decision-making can see that his or her interests are not being taken seriously [...] So justice, which requires public equality, demands an equal say for each." (Christiano 2008, 88) In my view, the merit of these arguments is questionable (e.g., Viehoff 2014, 348). They are important, however, for they show that to counter the challenge

of policy lotteries, arguments from horizontal equality must invoke arguments regarding the equality-independent value of, for example, being at home in the world or taking one's judgement about the organization of society seriously. An argument which focuses narrowly on what it means to realize horizontal equality under the conditions of modern pluralist societies is bound to remain incomplete. The question, then, is whether there is any other conception of equality from which one can derive the value of democratic participation.

3.2. Vertical equality

Equality-based accounts of the value of democracy are often put in terms of vertical, rather than horizontal equality, i.e., in terms of equality between office holders and ordinary citizens, rather than equality between ordinary citizens in relation to political institutions. Vertical equality concerns not how the ways in which ordinary citizens are treated by political institutions compared with each other, but rather the relationship between the ordinary citizen and the office holder who is "above" her in terms of power and authority, on a "vertical" axis so to speak. Democracy is supposed to be an essential constituent of ensuring vertical equality because it empowers ordinary citizens to be the ultimate decision-makers on issues regarding who and under what conditions will occupy such positions of power and authority.

Here again I grant that democracy is sufficient for realizing vertical equality. But is it necessary? In other words, is democracy an essential constituent element of realizing vertical equality? I believe that most arguments to this effect do not suffice to substantiate this claim. First, it should be noted that there are historical cases where officials were not selected through election but by other means, e.g., sortition, which were found by ancient democrats to be perfectly compatible with vertical equality even though the element of participation was missing. While this is hardly conclusive proof, it should at least give us pause and make us think about whether democracy is in fact necessary for vertical equality.

To better understand the relationship between democracy and vertical equality, it is important to have a clearer picture of the problem to which vertical equality is supposed to be the solution. Once this is clarified, it becomes possible to assess whether democracy is uniquely suited to solve this problem or not. One way to think about the problem of vertical equality is as follows. Political power may be construed as a resource whose distribution must comply with certain principles of equality and fairness. For example, it must be the case that positions of power and authority are filled through a fair procedure, such as an election. On this view, vertical equality obtains, i.e., individuals in positions of political power and authority can view themselves as equal to ordinary citizens, if and only if the institutions that distribute power and authority

comply with egalitarian distributive principles, including procedural fairness. This is, of course, not a very appealing understanding of the view in question. First, it is unclear if this construal excludes sortition as an appropriate mechanism to replace elections. After all, as we seen, random selection can, in many circumstances be viewed as a fair selection procedure. Second, it is also unclear that if power and authority were distributed, as other goods, according to egalitarian distributive principles, then the result would be even remotely similar to democracy. For example, shouldn't such a distribution favour the worst-off with extra resources (Kolodny 2014a, 214)?

At any event, political power and authority are best not seen simply as resources to be distributed in an egalitarian manner. Importantly, they involve *power over others* and therefore, intuitively, they pose a specifically serious challenge to the equal standing of the parties involved. Needless to say, other kinds of resources, e.g., money or social status, can make one more powerful and influential than others, but these do not place anyone *under the rule of others*, at least not directly. Being directly under the rule of someone else, i.e., being in a social position where someone else is entitled to make authoritative prescriptions which I must obey, is a particularly disadvantageous position from the point of view of affirming one's equal standing. It may be thought, therefore, that special measures need to be put in place – in addition to fair equality of opportunity to acquire these positions – to ensure that officials and ordinary citizens have equal standing in society. Is democracy the only way to do this? To answer, it is worth asking, first, why exactly power over others or being under the rule of someone else poses such a grave challenge to equality.

A possible answer, popular especially in the *republican* tradition of political thought, takes as its starting point the concept of *domination*. Relations of domination, e.g., those between masters and slaves, are the paradigm cases of the violation of equal standing. Positions of differential power and authority give rise to the threat of domination of ordinary citizens by officials which is why the special – purportedly democratic – measures ensuring vertical equality are needed. The value of vertical equality, in other words, is derivative of the value of non-domination. Is this a strong foundation for an equality-based account of the non-instrumental value of democracy? I will, again, not challenge the idea that democracy can prevent domination in the way that is expected from it. But is democracy necessary for non-domination? Republicans themselves disagree on whether non-domination on a social scale requires democracy. Many have pointed out that there is a long tradition of *critiquing* democracy in republicanism (Urbinati 2012; McCormick 2013). Others argue that the concept

of domination can at best underpin an instrumentalist position on the value of democracy (Lovett 2010, 213).

In recent years, however, Philip Pettit (2012b) proposed a stronger republican defence of democracy according to which “[w]hatever policies the government supports, and whatever policies any one of us wills on government, none should be put in place unless it is implemented under a form of popular control in which we all equally share. That is the only guarantee against the doubly disabling effect of public domination.” (Pettit 2012b, 25) That is, “under a republican conception, what legitimacy requires is shared, popular control of the state.” (Pettit 2012b, 149) In my view, this indicates that for Pettit democracy is an essential element of ensuring non-domination in society which in turn is essential for legitimacy. His argument for this claim is as follows. He understands domination as arbitrary or uncontrolled interference, i.e., „interference that is exercised at the will or discretion of the interferer; interference that is uncontrolled by the person on the receiving end” (Pettit 2012b, 58). Persons in positions of power or authority threaten with interfering in the lives of those subject to this power in an arbitrary or uncontrolled manner. The solution to this threat is obviously to make said interference *controlled*. Pettit invokes the famous example of Ulysses and the sirens where the shipmates tie Ulysses to the mast of the ship, yet this interference is not arbitrary, for it happens under the instruction of Ulysses himself. He is in control of the situation, which therefore fails to be a case of arbitrary interference. Pettit suggests that democracy is similarly a type of self-binding which ensures that state power is tied sufficiently closely to citizens’ agency so that it acts not as an alien force upon them, to which they are subordinate, but as the extension of their own volition.

There are a number of rather straightforward objections to this idea. First, while Ulysses orders the shipmates to tie him *alone*, in a democracy we do so collectively such that our own preferences are often not reflected in the outcome. In a large enough democratic body it is unclear, how much impact our own contribution even has. Can one say that a democratic citizen whose vote is one among millions is in control of how political power is exercised in the same way Ulysses is in control of his shipmates? I will set aside this objection and come back to it in the next chapter. For now, I will focus on what I think is a greater problem for Pettit’s account. As Pettit himself recognizes, there are many forms of control.

It may seem that the influence exercised in control has to be the active sort that involves a positive input on the part of the controller. But it should be noticed that there are two other forms of influence possible, which I shall describe as virtual and reserve influence. And each of these can support control just as effectively as the active variety. (Pettit 2012b, 156)

He illustrates what virtual and reserve control mean by the example of riding a horse to a desired destination. “In virtual influence I am poised to intervene, but only if an intervention is needed to keep the horse on track. In reserve influence I am equally poised to intervene, but only if my wishes change and an intervention is needed to satisfy them.” (ibid) In both cases the controller gives not an active positive input, but rather a corrective one. If this is a fully-fledged form of control, then it is unclear, why it is not enough for ensuring that state power is uncontrolled. If it is, then it seems that the republican has no argument to the effect that democracy, i.e., an equal say – which involves an active positive input – is needed for non-domination; perhaps virtual or reserve influence is also satisfactory.

As we have already seen in Chapter 1, it is Pettit (2000) himself who in an earlier paper indicates what such a system might look like. Recall his discussion on *contestation* as an important aspect of democratic participation. He argues that it is an important part of democratic citizenship that citizens be able to contest decisions already made. Clearly, in contestation they do not exercise a decision-making power, i.e., they do not have an equal say in the making of political decisions. Instead of being *co-authors* of decisions, their role is more similar to *editors*, who make changes of the product that produced independently of them. As I argued in Chapter 1, a contestatory system, where citizens would only have editorial, but not authorial power, is not a democracy. Pettit recognizes this and insists that what he proposes is a “two-dimensional model” of democracy where active as well as passive forms of participation, collective decision-making and contestation play an equal role. He reiterates this commitment in *On the People’s Terms* as well: “the modes of influence whereby people might exercise control over government include virtual and reserve influence, as well as active.” (Pettit 2012b, 157) But it is unclear why this would be the case, i.e., what would be missing, in principle, if participation rights were restricted to contestation. State power would clearly remain controlled according to Pettit’s own definition.

Another way to dissolve uncontrolled power is simply to introduce a policy lottery. By allowing the lottery, rather than agents with their own will and cognition, to decide on political matters, we make it the case that no-one has dominating power over anyone else, at least as far as political power is concerned. One may argue that a kind of non-agential, structural domination would still remain; perhaps the impersonal mechanisms which now rule over us pose as great a threat of domination and unfreedom. Perhaps, but then this is not a problem of vertical equality anymore, for non-agential domination by definition does not require agents in positions of political power and authority. If it is a problem, then it is a problem for personal

autonomy or freedom, conceived of in a way that is conceptually distinct from relations of power, authority, or domination, and also from vertical equality.

Perhaps the problem of vertical equality should not be spelled out in terms of domination, i.e., arbitrary or uncontrolled interference. Even when officials' power is controlled, e.g., by constitutional or contestatory mechanisms, there remains a problem of equal standing between them and ordinary citizens. That is, there remains a sense in which they are, if not dominated, then still *subordinated to* or under the rule of officials. The power of the officials still presents itself as an alien force against which they have to struggle and protect themselves, e.g., through contestation, and this still challenges their equal standing. The only, or at least the typical, way in which this problem can be solved is by making officials' power an extension of citizens' own power to manage their own affairs, i.e., if officials' power is *delegated* by citizens such that they act as *agents* of citizens who are their principals (Kolodny 2014b, 317). And this agent–principal relation can only be secured in the presence of democracy, or at the very least elections.

Why would this be so? One answer is that power is delegated from ordinary citizens to officials through elections. Elections are collective decisions in which a political community decides to empower certain officials to act as their agents. The fact that these decisions are democratic, i.e., each citizen has equal participation rights, guarantees that everyone manages effectively to delegate power to officials so that they have legitimate authority to rule over all of them (Kis 2019). Perhaps elections do have such a function, however, it is unclear if only they can fulfil it. In principle, citizens could agree beforehand, e.g., in the process of constitution-making, on procedures of delegation other than elections, e.g., sortition. Perhaps such a constitution itself would have to be created in a democratic way, but then democracy could effectively dissolve itself while upholding the principle that officials should be the agents of citizens who delegate their power to them.

Perhaps elections are not best seen primarily as acts of delegation of power, but rather as ways in which the kind of *accountability* is ensured that is central to the agent-principal relation. But again, why should we believe that elections are uniquely suited to ensure the relevant kind of accountability? For example, Jeremy Waldron, otherwise an enthusiast of elections and democracy, writes: “In ancient Athens, which was a kind of democracy, certain political officials were selected from the body of the people by lot. They carried out their tasks as the people's agents, and at the end of their term of office each of them was accountable to the people through a formal process called *euthynai*” (Waldron 2016a, 184). Of course, I would treat neither institution as pre-eminently democratic, nonetheless, I believe Waldron makes an

important point: sortition and an official procedure for account giving can jointly ensure that officials are accountable agents of the people. Therefore, democracy, as a form of government, of political decision-making – with the possible exception of constitution-making – is not needed to ensure vertical equality by establishing the agent-principal relation between officials and ordinary citizens.

The foregoing discussion shows that the contestatory system, the policy lottery, and a range of clearly non-democratic arrangements can secure vertical equality. Vertical equality, therefore, is not a value that democracy is uniquely suited to realize. But perhaps this is not entirely correct; perhaps there is still something essential to the equal standing of citizens lost when they are not granted an equal say in political decision-making. Christian Rostbøll defending a non-instrumentalist non-domination-based account of the value of democracy writes:²⁸

Wouldn't selecting representatives or laws following a coin flip also be a procedure in which no one is in a position to be another's master and in which each is treated as autonomous? [...] the coin flipping procedure cannot be rejected because it does not treat citizens fairly, but it can be rejected (I argue) as a decision-making procedure that fails to respect citizens interacting as autonomous beings. [...] From this perspective, the trouble with laws or representatives chosen by flipping a coin is that this method of deciding makes meaningless the deliberations and judgment of citizens on the validity of the legal order to which they are subject as addressees. (Rostbøll 2015a, 274)

Rostbøll argues here that the republican ideal of democracy based on non-domination includes not only the idea that no one is master over anyone else, but has an additional positive element, i.e., autonomy. Vertical equality, it might be said, is not in fact secured as long as this element of respect for citizens' standing as autonomous agents is not affirmed. He, in effect, repeats the respect-based argument discussed in the previous section and faces the same difficulties. Before he could make an argument based on vertical equality or domination, he needs an independent argument showing that citizens are owed a say in political decision-making as a matter of respect for their autonomy. Here we seem to leave the terrain of vertical equality altogether and transition into a discussion on what individual autonomy, rather than equality, demands of political institutions. He may attempt to derive these requirements of autonomy from the concept of non-domination,²⁹ although I do not think of this as a particularly promising line of thought. In any case, this argument needs to precede any argument based on vertical equality, and the argument from vertical equality is incomplete without this argument about the equality-independent value of democratic participation.

²⁸ It should be noted that this is not his current position. For this see Rostbøll (2016, 2019).

²⁹ Christoph Hanisch (2013) makes such an argument.

3.3. Relational equality

Relational egalitarianism is the view that the primary requirement of equality for political institutions is to set up social arrangements such that all citizens relate to each other as equals. It might seem obvious that such a society of equals must be a democracy. Yet whether democracy is in fact an essential constitutive element of relational equality in a social context is far from clear; it depends greatly on how the requirement of relating to each other as equals is spelled out precisely. One option is to say that a society of equals is one that lacks social hierarchies, i.e., in which citizens are not ordered or ranked according to various aspects of superiority or inferiority. This is one of the ways in which Elizabeth Anderson explains her version of relational egalitarianism (Anderson 2012). She argues that eliminating hierarchies requires democracy.

However, it is unclear how strong the connection is between democracy and the lack of social hierarchies. One argument Anderson proposes is that democracy is the solution to the problem posed by a particular type of social hierarchy, i.e., hierarchy of command, which exists where systematic relations of domination establish the unaccountable arbitrary authority of some over others in society. But we have already seen that non-domination does not require democracy. In other cases, however, particularly in earlier writings, Anderson suggests a closer link between democracy and relational equality. In “What is the Point of Equality?” she writes:

egalitarians seek a social order in which persons stand in relations of equality. They seek to live together in a democratic community, as opposed to a hierarchical one. Democracy is here understood as collective self-determination by means of open discussion among equals, in accordance with rules acceptable to all. To stand as an equal before others in discussion means that one is entitled to participate, that others recognize an obligation to listen respectfully and respond to one's arguments, that no one need bow and scrape before others or represent themselves as inferior to others as a condition of having their claim heard. (Anderson 1999, 313)

Here she clearly equates a society of equals with a democratic society and treats democracy as necessary for avoiding the emergence of social hierarchies. Why? One answer is that in a non-democratic society, citizens need to bow and scrape before others to have their claim heard. But it is unclear why this would be the case. A contestatory system with strong constitutional protections for individual rights and transparent and fair procedures for the adjudication of citizens' claims to contest political decisions seems to affirm citizens' equal standing as much as the institution of the vote. It is not immediately clear why non-democratic institutions would necessarily engender the kinds of attitudes toward decision-makers that Anderson describes. Perhaps there is another argument at work here, however. One might argue that positions of differential non-democratic power always disturb the egalitarian nature of citizens'

relationships regardless of how they affect their attitudes or their psychology more generally, i.e., whether they in fact make people bow and scrape. There is always something about political power that corrupts the egalitarian relationship of citizens, unless this power is embedded into a wider framework of democratic authorization.

Not only is this latter view somewhat mysterious – what exactly is it about fairly distributed, e.g., sortitioned, non-dominating, but undemocratic power that threatens social equality? – it also seems intuitively questionable. The fact that in a relationship unequal non-democratic power exists does not always give rise to problematic kinds of social hierarchies and relational inequalities. Positions of power in many contexts are filled in non-democratic ways; think of how officials in universities or in churches are appointed (Kolodny 2014b, 303). Yet in these contexts the mere fact that power is acquired non-democratically does not seem to threaten relational equality (Kolodny 2014b, 304). The provost does not become my social superior simply because she is appointed by the rector rather than elected by the student body. This is not to say that these positions of power may not be abused and become dominating. If so, however, the reason why this relation is inegalitarian is because it is dominating, not because it is undemocratic. And it may very well be rendered non-dominating without making it democratic, e.g., by introducing the appropriate institutional checks, balances, and opportunities for contestation. It seems that non-democratic power, as long as it complies with the requirements of vertical equality, which as we saw in the previous section do not include democracy, is not automatically threatening to relational equality in the sense of giving rise to problematic social hierarchies (Viehoff 2019, 21).

Perhaps there are other requirements of relational equality that non-democratic power necessarily violates. One could argue, for example, that instead of starting with social hierarchies, the ideal of relational equality should be based on paradigm cases of personal face-to-face relationships, e.g., friendships and marriages. Such an inquiry would shed light on the fact that

participants in an egalitarian relationship will have a reciprocal commitment to treating one another with respect. Each sees the other as a full-fledged agent who has the capacities associated with this agential status. [...] Moreover, neither participant is seen by either of them as possessing more authority than the other within the context of the relationship, and each sees the other as entitled to participate fully and equally in determining the future course and character of the relationship. (Scheffler 2015, 24)

Equal rights to participate in decisions on the future course and character of the relationship are part and parcel of an egalitarian relationship. Clearly, non-democratic regimes deny this right of equal participation to citizens by refusing to give them an equal say in political decision-making. Democracy, therefore, is an essential constituent of realizing relational equality in

society. But what justifies the claim that parties to an egalitarian relationship are entitled to equal participation rights on decisions about the future course and character of the relationship? A Scheffler-type egalitarian might argue that the principle follows from the nature of decision-making in the context of an egalitarian relationship. In such a relationship decision-making is governed by what Scheffler calls *egalitarian deliberative constraints*; that is, “each person accepts that the other person’s equally important interests—understood broadly to include the person’s needs, values, and preferences—should play an equally significant role in influencing decisions made within the context of the relationship.” (Scheffler 2015, 26) One may argue that only democracy ensures that parties’ interests play an equally significant role in decision-making.

However, the connection between the egalitarian deliberative constraint and democracy is much weaker than this line of thought indicates. The egalitarian deliberative constraint demands not the inclusion of all parties as decision-makers but attributing due weight to their interests. In essence, it prescribes that a *principle of fairness* should guide decision-making within the context of the relationship. But as Scheffler notes, “decisions made within the context of an egalitarian relationship need not always be arrived at jointly.” (Scheffler 2015, 27) A teacher can take a student’s interests into account in a fair manner without including her on decisions about her homework. Even a benevolent dictator could make unilateral decisions in which the interests of all affected parties are taken into account fairly. For Scheffler, such cases are deviations from the standard case of joint decision-making and need special justification. By default

each party is equally entitled to participate in decisions made within the context of the relationship. This participatory requirement follows from the more general point, noted earlier, that the parties to an egalitarian relationship view each other as equally entitled to determine the future course and character of the relationship. The participatory requirement can be modified in cases like those mentioned but only in ways that are acceptable to the parties themselves. (Scheffler 2015, 27)

But how is the participatory requirement itself justified? The egalitarian deliberative constraint by itself does not provide such a justification. There is, perhaps, another principle that explains the participatory requirement. In some relationships, e.g., friendships or marriages, unequal power seems to threaten the egalitarian character of said relationship. Daniel Viehoff invites us to consider the following example:

Spouses in an egalitarian marriage may disagree about whether they owe it to their neighbor to invite her to a party they are holding, even though they both would be happier if the neighbor didn’t come. [...] If one of them unilaterally goes ahead and invites the neighbor even though he knows that his spouse thinks they ought not to, then this is, I think, a presumptive problem for their relationship. (Viehoff 2019, 27)

In this case one of the spouses claims unequal power, i.e., power to unilaterally decide about the invitation of the neighbour that the other spouse does not have, and this unequal power does in fact seem to undermine the egalitarian character of the marriage. They seem to relate to each other as equals to a lesser extent. Elsewhere Viehoff concludes that examples such as these indicate that “an egalitarian relationship requires, among other things, rough equality of power over the interactions that make up the relationship.” (Viehoff 2014, 356)

Can the principle of equal control ground a strong commitment to democracy? Note, first, that even if the principle of equal control applies in the case of friendship and marriage, not all relationships are like these. The relationship between the teacher and the student, or a doctor and her patient, for example, is importantly different from a friendship, and it is unclear if the requirement of equal control carries over to these cases as well. It seems, for example, that teachers and students can relate to each other as equals despite not having equal control over the terms of their relationship. The relevant question, of course, is whether the relationship among citizens is like friendship and whether the principle of equal control applies to it. There are several reasons to doubt this, e.g., political communities are usually large anonymous communities, while friendships and marriages are face-to-face relationships. The latter are usually optional while membership in a political community is not. Viehoff argues that despite these seemingly essential differences it may still be possible to include the citizenship-relation into the family to which friendship also belongs, and where the principle of equal control applies (Viehoff 2019, 29–33). Yet he worries that extending the relational egalitarian ideal based on friendship to the political community may only be possible if certain demanding conditions are satisfied. Relationships such as friendships require a certain level of conscious commitment to the relationship and that parties actively take an interest in it which in a political context may only be secured under rather special circumstances (Viehoff 2019, 34).

But even if citizens’ relations are like friendships in the relevant sense, it is still unclear if equal control needs to be exercised by citizens in the exact same way as in personal relationships, or indeed, in any way that would even remotely resemble democracy. As Scheffler notes, in extending the ideal of relational equality from personal relationships to society, i.e., in “developing the ideal of a society of equals, a crucial task will be to determine how the participatory requirement should be modified to apply to the large-scale deliberative processes that are needed in a society whose members are largely anonymous to one another.” (Scheffler 2015, 37) There is no guarantee, however, that these necessary modifications will yield democracy. For the principle of equal control does not imply *ipso facto* a commitment to an equal say; it merely prescribes that parties to an egalitarian relationship should not wield

unequal power. This is obviously satisfied when no party wields any power at all over the relationship, but such decisions are left to lotteries, coin-flipping or other impersonal mechanisms. Indeed, Viehoff notes that equal control may be realized “by taking turns in deciding contested decisions, deferring to an impartial third party, or adopting some other egalitarian decision procedure that we [i.e. parties to the relationship] accept as binding.” (Viehoff 2019, 28, 2014, 369 n43; Scheffler 2015, 25) He emphasizes that “equal control is distinct from the ideal of self-rule, either individual or collective, that is often deemed central to liberal democratic political morality.” (Viehoff 2014, 357) Democracy, however, seems to be a matter precisely of self-rule, and not simply equal control. The value of democracy is the value of an arrangement where citizens are co-authors of the rules under which they live; it is the value of this authorship that a proper account of the value of democracy needs to establish first. But the preceding argument indicates that relational equality by itself cannot explain the value of co-authorship or self-rule.

Perhaps this conclusion is rushed. On a very abstract level it may be true that taking turns in decision-making or appealing to an impartial arbiter is compatible with relational equality. However, what it means to relate as equals depends on the nature of the relationship in question. In some friendships or marriages, it may be perfectly acceptable for both parties to decide contested issues by appeal to an impartial arbitrator. But in some cases, this would be detrimental for the relationship. Perhaps not particularly close friends do not mind taking turns or appealing to arbiters to decide contested matters, while childhood friends would feel that their relationship is greatly damaged if they do not decide such matters together. Thus, *in abstracto* it may be true that taking turns and appealing to arbiters is compatible with relational equality, however, the specific relation among citizens may be such that in this particular context only democratic decision-making can establish relational equality.

Anderson’s (2009) seminal paper on the value of democracy may be read in this way. She argues that “the core value of democracy is equality of social relations” (Anderson 2009, 219) and what it means for members of society, i.e., co-citizens, to relate as equals should be spelled out in terms of mutual respect, the realization of the shared goods of sympathy and autonomy, and collective learning (ibid). Democracy, she argues, is uniquely suited to realize these. Perhaps some egalitarian relations can be non-democratic, but egalitarian relations among citizens cannot. This strategy invites several questions. First, it needs to be shown that democracy is in fact uniquely suited to realize these values. As for mutual respect, it is unclear in what sense would citizens under lottocracy or a contestatory system fail to show respect one another. Recall the problem concerning respect from the previous sections. Sympathy, for

Anderson, means the recognition that the interests of all members of the political community matter and should be consulted; this seems to mean, in essence, a commitment to the egalitarian deliberative constraint which, however, was already shown not to require democracy. I take it that collective learning is an instrumental value of democracy, or if not, certainly not unique to democracy; elsewhere Anderson herself talks of cases of collective moral inquiry which take place outside the framework of democratic decision-making – although not egalitarian deliberation (Anderson 2016). Autonomy is an especially interesting case which I will discuss in the next chapter.

Still, perhaps the relationship among citizens may be such that relational equality demands the realization of these or similar values in a specific way, i.e., through democracy. Even then, however, such a view would have to rely on an account of why it is important for citizens' relations to be characterized by sympathy or collective autonomy. Relational equality as an abstract principle will not explain this. Rather, one must appeal to an account of the moral significance of the structure and nature of citizens' relations. Only because within the context of citizens' relations sympathy and collective autonomy are of significance can these be required for relational equality among citizens. The relational egalitarian account at best works in tandem with this further, not narrowly equality-focused normative account. And one can also not exclude the possibility that this independent account is capable to establish a non-instrumentalist account of the value of democracy on its own. After all, if citizens' relations are such that sympathy and autonomy are valuable within them, and democracy is uniquely suited to ensure that citizens relate in the mode of sympathy and autonomy, then what further work is left for the principle of relational equality? In any case, the theory of the non-instrumental value of democracy based on relational equality remains in and of itself incomplete similarly to those based on horizontal equality and vertical equality.

3.4. Impersonal rule

Equality-based accounts of the value of democracy seem to operate under the premise that democracy is primarily a matter of the distribution of political power; I believe that the views discussed in this chapter all build on this same point whether they present it in terms of horizontal equality, vertical equality, or relational equality. Apart from a few exceptions, they all assume that *someone* needs to make political decisions, i.e., someone needs to rule. From the view that there is both a practical and a moral necessity to authoritative political institutions (Christiano 2008, 237) they infer the practical and moral necessity of positions of rule with persons of ultimate decision-making power in them. If that inference is granted, it may seem

rather straightforward that the equal moral standing of all persons, in one way or another, necessitates the equal distribution of power among citizens. “I cannot be free from coercive control in matters of justice and morality, but my dignity requires that I be allowed a role in the collective decisions that exercise that control” (Dworkin 2011, 379). That is, there will be some collective decisions, or decisions made by persons at any rate, and equality demands that everyone partake in them as equals.

The example of policy lottery discussed in this chapter and that of the want-collation machine introduced in the previous one challenge this presupposition. Both are examples of cases, albeit hypothetical, where political decision-making operates *impersonally*, such that no one, no identifiable individual or group makes decisions for the rest of political community. These cases indicate that it is not true that unless political decision-making is democratic, it needs to be autocratic or hierarchical. It is not true that if not everyone makes decisions, then some minority will. If so, then equality-based arguments do not seem to have much of a bite anymore. The principle of equal power – some version of which is employed, I believe, by each variety of equality-based accounts discussed so far – is satisfied, when no one has any.

One may object that the examples I give are not genuine possibilities which should be taken into account in deliberating about democracy and its alternatives. The probability of any nation in the world adopting policy lottery as a decision-making procedure is practically zero. I agree that the probability of the introduction of policy lottery anywhere in the world in the near future is infinitesimal; it might even be an inefficient and perhaps wholly unfeasible option at the moment. However, if the argument for democracy is that it is the most efficient or the only feasible option from the range of many possible options that all satisfy the basic moral requirements we expect a form of government to fulfil, then it is unclear to me, whether this position substantially differs from instrumentalism. It is at best *Weak non-instrumentalism*, a view whose problems I have discussed in Chapter 2.

I also believe that it is worth emphasizing that the infeasibility of an impersonal political decision-making mechanism should not be exaggerated. Perhaps policy lotteries are nowhere to be found, but the want-collation machine is not nearly as far-fetched a possibility as it may sound at first. With the rapid progress of computational technology, particularly in the area of artificial intelligence, automated decision-making becomes an increasingly prevalent feature of policy-making (Coglianese and Lehr 2017) and the possibility of political decision-making being given over partially or even fully to impersonal mechanisms, e.g., automated decision-making algorithms, should not be considered as fancyful science fiction, but rather as a perhaps distant, but certainly not unrealistic option (Kapelner 2019; Danaher 2016).

Furthermore, one does not even have to venture as far as the territory of artificial intelligence and automated decision-making to challenge the idea that *someone*, i.e., some identifiable individual or group, needs to rule for political institutions to function. In a seminal paper Dennis Thompson describes the *problem of many hands*: “many political outcomes are the product of the actions of many different people whose individual contributions may not be identifiable at all, and certainly cannot be distinguished significantly from other people's contributions.” (Thompson 1980, 907) Especially in the executive branch of government, Thompson argues, issues are decided by the actions of various officials none of whom needs to have a decisive role or any kind of decision-making status, i.e., a status of rule over anyone else; a myriad of actions contributes to producing a certain outcome without anyone necessarily having control or a position of rule over the whole of the process.

It is widely accepted that in many contexts of collective action outputs can be produced in such a way that no individual participant can be thought to have decisive role in, or any sort of control or decision-making power over the whole process (Pettit 2007; Copp 2007). One might argue that in such cases it is the whole of the collective as a group to whom the outcome should be attributed. Note, however, that such agency can only be plausibly attributed to groups with a sufficient level of centralized organization; a sufficiently decentralized or unstructured governing body may not possess a sufficient level of coherence to be considered a single unified group agent. If so, then even a sufficiently decentralized bureaucracy can make it the case that rule is not exercised by any particular person or group, so that everyone has equal political power, for in effect, nobody has any at all. I will call all these cases, where this latter situation obtains, i.e., policy lottery, the want-collation machine, decentralized bureaucracy, and so on, cases of *impersonal rule*.

One may object that even if some cases of impersonal rule are not necessarily unfeasible or unlikely to come about, they are still irrelevant for the debate on the value of democracy. As Rainer Bauböck (2018) notes, democracy, like justice, has circumstances, i.e., conditions under which it is empirically feasible and normatively necessary. One such circumstance of democracy is that power needs to be distributed among persons. Once this need ceases to obtain, democracy ceases to be an ideal. Democracy is a solution to the specifically political problem of negotiating the distribution of power among citizens with rival claims and interests to rule. Impersonal rule would, in effect, abolish the realm of the political and render such negotiations unnecessary.³⁰ Such an apolitical or post-political case, so to speak, is outside the grasp of

³⁰ I am grateful for this consideration to János Kis.

democratic theory, which, after all, is the theory of democratic *politics*, and as such, its domain is that of the political.

I believe this objection is misplaced for two reasons. First, even if impersonal rule transcended the domain of the political, the question of whether or not this would be desirable, particularly in comparison to democracy, remains. The reasons for or against such a move are legitimate objects of philosophical study as well as public debate. And since the principles of political philosophy as well as democratic theory are clearly relevant to the question – after all, it is a question of the value or preferability of democracy to impersonal rule – it is hard to see why it would not fall under the purview of these disciplines. Furthermore, claiming that impersonal rule somehow falls outside the realm of the political fails to take into account that since antiquity elements of impersonal rule, e.g., sortition or decentralization of rule, such as the separation of powers, have been part and parcel of the design of political institutions. Isn't the rule of law itself, i.e., the ideal that laws rule not men, an attempt to take steps toward impersonal rule? Isn't federalism a tradition which emphasizes decentralization precisely to prevent anyone from becoming a master and tyrant over others? These are hardly outside the realm of the political; in fact, they seem to be on a par with democracy in that they offer a solution to the problem of competing claims and interests to political power, i.e., the solution of equally denying power to everyone.

Perhaps impersonal rule is outside the realm of politics is because it is essentially *anarchy*. However, I have stipulated in the Introduction that refuting anarchism is not my goal here, and I will not treat anarchy as a genuine alternative to democracy. I would argue that the claim that impersonal rule is anarchy is analytically suspect. It may be true that under impersonal rule people's shared affairs are governed by a spontaneous order in which no one rules. But this is not what constitutes anarchy. In my view, anarchy means the non-existence of political obligations. Such obligations clearly do exist under impersonal rule; citizens have content-independent and exclusionary reasons to obey the rules created by the impersonal mechanism as a matter of non-chosen obligation. These obligations may even be enforced by coercive institutions. It seems to me that for all intents and purposes this is not anarchy, but a commonwealth. It is easy to understand the idea of the practical moral necessity of political authority as the idea of the necessity of some identifiable people possessing that authority. But what I think is in fact central to this idea is the necessity of living under certain types of rules which we are obligated to obey in a specific kind of way, i.e., as political obligations, regardless of how these rules were made.

A final objection is that the thought that impersonal rule satisfies the requirement of equal power is perverse, for it essentially claims that the equal distribution of disvalue, i.e., the lack of political power, can realize the value of equality. I agree that saying this would be implausible. Yet this claim presupposes that not having a democratic say is a disvalue. Why this is the case can easily be explained if one excludes the possibility of impersonal rule, i.e., assumes that in each case when I lack political power, someone else has it, thus our equal standing is challenged. The disvalue of the lack of political power, then, derives from the disvalue of inequality. But in the light of the possibility of impersonal rule, it should be clear that one is not entitled to this assumption. Further argument is needed to show that having a say is of value and lacking it is a disvalue. If equality plays a role in explaining the value of democracy, it enters at a later stage. Narrowly equality-focused accounts of the non-instrumental value of democracy, therefore, necessarily remain incomplete; they must be supplemented by an independent account of the value of democratic participation as such.

One may argue that this result is expected. It would be extremely difficult to spell out any ideal of a society of equals, by relying solely on values that are directly rooted in the concept of equality narrowly construed. As Scheffler notes, discussing relational equality, “the ideal of an egalitarian relationship draws on values other than equality itself. It draws on values such as reciprocity and mutual respect, and on a conception of the rights and responsibilities of agents.” (Scheffler 2015, 24–25) This quite naturally applies to other conceptions of equality as well. Principles of equality on their own, most of the time, say little more than that equally weighty interests of individuals should be treated as such. For any more substantive accounts of what the relational egalitarian ideal might involve, one must invoke other values. In other words, egalitarian values, save for a few extremely formal and abstract ones, are in some sense parasitic on non-egalitarian values. Recall Christiano’s dictum that for equality to matter, the thing equalized must matter first.

Therefore, it is not a defect in egalitarian arguments that they draw on equality-independent values, such as respect, autonomy, self-rule, and so on. People are not owed respect because of equality; they are owed respect because they are persons of moral significance. Yet mutual respect is part and parcel of equality, whether horizontal, vertical, or relational. Similarly, the value of democracy may not be directly rooted in the concept of equality, yet democracy may be part and parcel of realizing equality in society. While this is certainly possible, it is not self-evident. Once the equality-independent value of democratic participation is clarified, we are in a position to ascertain whether the contribution of this value to the realization of equality is of any significance or not. Of course, there may be a sense in which equality must figure in any

account of the value of democracy. Clearly whatever value democracy realizes, it realizes it for a multitude of people; and whenever such multitudes are concerned, moral equality is bound to play some role in the moral account of the case. Whether we talk about distributions, relations, or the moral aspects of *anything* that involves more than one person, the fact that these persons have equal moral standing, and therefore they matter equally, must come into play at one level of discussion. Perhaps all accounts of the value of collective matters are egalitarian in this very thin sense. In any case, whether equality plays a greater role than this in non-instrumentalism can only be determined once the equality-independent value of democratic participation is clarified. In the next chapter I turn to one of the best-known proposals for such a value, namely, autonomy.

Chapter 4 – Democracy and autonomy

Why rule our polity ourselves democratically, instead of letting it be ruled justly for us? This is the central question of the value of democracy. In the previous chapter I argued that equality-based answers to this question are insufficient. We can conceive of various arrangements where equality reigns, yet citizens do not rule the polity democratically. A satisfactory account of the value of democracy must explain the value of democratic *participation* specifically, i.e., why it is good that citizens actively engage in political decision-making. A common answer to this question is based on the concept of autonomy. It is often better to do something ourselves rather than letting it be done for us because this makes us more *autonomous*. If we were denied the opportunity to exercise our agency in various ways, e.g., move around, associate freely, express our opinion in the public sphere, choose our occupation, and so on, we would rightly feel that our autonomy is harmed. Perhaps democratic participation too derives its value from autonomy in this way. In this chapter I examine arguments to this effect. I will argue that although many common objections to autonomy-based accounts of the value of democracy are not convincing, this approach ultimately fails. However, its failure will prove to be instructive and allow me to introduce a number of concepts and considerations that will be relevant in later chapters where I present my own account of the value of democracy.

4.1. Arguments from autonomy

Why focus on autonomy? Autonomy is a value that can explain the significance of the exercise of agency, i.e., doing things ourselves. One reason why it is good that I choose my career, rather than an expert or an impersonal but wise mechanism choosing it for me, is because this makes me more autonomous. Autonomy is not the only such value. Self-ownership – if conceptually coherent and normatively appealing – might be another value that selects certain exercises of our agency as having particular significance, i.e., those which pertain to our standing as self-owning individuals. But it is not often argued that there may be a path from self-ownership to democracy. The same is not true of autonomy. Since at least Rousseau it has been argued that democratic rule and autonomy are closely related to one another (Estlund 2003, 76; J. Cohen 1986, 2010, 148). The central intuition behind the argument from autonomy is made explicit by Scott Shapiro as follows: “Democracies give expression to, and create opportunities for the exercise of, the individual's autonomous capacities.” (S. Shapiro 2012, 437).

Before examining this proposal, it is worth clarifying what autonomy is. The debates surrounding this concept are immense, but it is safe to say that “the notion of autonomy still

finds its core meaning in the idea of being one's own person, directed by considerations, desires, conditions, and characteristics that are not simply imposed externally on one, but are part of what can somehow be considered one's authentic self." (Christman and Anderson 2005, 3) In other words, one is autonomous when it is appropriate to view one as the genuine author of one's own life choices or more generally the whole shape of one's life. What it is, however, for someone to be her own person or to shape or author one's own life? Joseph Raz famously identifies three conditions which he takes to be individually necessary and jointly sufficient for autonomy. First, minimum rationality or cognitive ability to make and carry out plans, select goals, and identify means, second, an adequate set of options to choose from, and third, autonomous choices need to be made independently, or free from coercion (Raz 1986, 372–73).

Many theorists have argued that these Razian conditions are not sufficient for autonomy. So-called *hierarchical theorists* claim that autonomy requires not only that one makes a competent and independent choice out of an adequate set of options, but also that one *endorses* said choice in the appropriate manner (Taylor 2005, 1; Christman 2009, 155; Sneddon 2013, 20). The term "endorsement," of course, can also be interpreted in various ways, but what is generally meant by this in the literature is that one makes one's choices autonomously, or shapes one's life in an autonomous manner, only if in light of one's most deeply held attitudes, reasons, desires or values, one can approve of the choice or action in question and recognize it not as an external, alien phenomenon, but rather as one's own. Take, for example, John Christman's influential account of autonomy as non-alienation. For him, autonomy refers to "reflective self-*acceptance* without alienation. What is meant by this is that we are able to accept our motives in light of our social situation, our histories, and their relation to the value orientation that makes us who we are, practically speaking." (Christman 2015, 148) In contrast, when we are alienated from our choices, we feel constrained by them, we would like to resist and repudiate them (Christman 2009, 143–44). It is important that non-alienation is the result of authentic, undistorted and reasoned self-reflection, which may be hypothetical (Christman 2009, 155). Still, if in the light of such reflection one is not, or would not be, alienated from one's choices and life traits, then one is autonomous.

Hierarchical theories are not unchallenged. For example, advocates of so-called *relational* theories of autonomy argue, drawing on various insights in the feminist literature, that a plausible conception of autonomy cannot be built upon the idea of an independent, atomistic individual possessing a unified, authentic self. Instead, conceptions of autonomy should assign a central role to the fact that human beings are essentially dependent creatures who are defined by their relations to others, and perhaps essentially exist as relational beings (Mackenzie and

Stoljar 2000; Westlund 2009; Sullivan and Niker 2018). Assessing this and other criticisms and further mapping the debate on the concept of autonomy would exceed the scope of the present discussion. Still, I believe, this short overview offers a reference point for evaluating various arguments relating autonomy and democracy; in so doing, however, we should keep in mind that any such evaluation depends greatly on the particular conception of autonomy one considers.

What is, then, the supposed relationship between autonomy and the value of democracy? First, it is worth mentioning that there are autonomy-based *instrumentalist* arguments for democracy which hold that democratic regimes are the best available means to produce autonomy for individuals (Harrison 1993, 175–76; Wall 2007, 438). Democracies tend to be good at protecting human rights, bringing about growth and stability, all of which may contribute to people leading a more autonomous and altogether better life. This is clearly not the kind of argument non-instrumentalists are looking for. The general structure of autonomy-based non-instrumentalist arguments is as follows. It is a fundamental moral requirement that all individuals should lead an autonomous life; they should be their own person and able to view their life as their own making, at least to a sufficient extent, rather than the result of external forces outside their control. The only way to satisfy this requirement under the condition of political society, where we must live under rules that bind us all, is to grant each a say in how the polity is governed. Before turning to assessing this argument, I will briefly survey a few versions of it put forward by prominent authors in the field. This will help giving substance to the rest of the discussion.

One the most well-known proponents of an autonomy-based account of the value of democracy is Carol Gould (1990, 2004). Her argument is as follows. Human beings are essentially *free*, i.e., possess the capacity for self-development or self-transformation (Gould 2004, 33). I take it that the value of this freedom or capacity for self-development and self-transformation is rooted ultimately in autonomy, i.e., in the fact that through it, people are able to become their own person to a greater degree. Exercising our freedom is a “normative imperative” which grounds an equal right on the part of all individuals to the conditions, material and social, for the exercise of autonomous agency (Gould 2004, 34). One of the conditions of the exercise of autonomous agency is involvement in decision-making over the common activities and shared goals in which individuals necessarily engage (Gould 2004, 35). Therefore, each individual has an equal right to be a decision-maker on said matters, and democracy is the only political arrangement that grants this right to all. On Gould’s view, then, democracy is valuable because without it, individuals would be unable to exercise their agency

in a certain way, i.e., in the field of collective decision making, which is necessary for them to be considered free and autonomous. Note that autonomy-based arguments are not necessarily independent of or antithetical to equality-based arguments. The ideal of equality still plays a role in the argument. Rather, the function of the argument on autonomy is to spell out the prior account of the non-egalitarian value on which the egalitarian requirement of an equal say to all depends.

Another influential autonomy-based argument is proposed by Elizabeth Anderson (2009). In the previous chapter I categorized her account as a relational egalitarian one. But as Gould's, it is an egalitarian argument that depends on a prior account of the value of autonomy and its importance to democracy. She argues that to relate to one another as equals, citizens must be able to communally set shared goals thereby fostering collective autonomy (Anderson 2009, 221). For Anderson, the value of this kind of collective autonomy derives ultimately from the value of individual autonomy; more precisely, from the fact that collective autonomy embodies the recognition that in politics "states of affairs are to be pursued *for the sake of people, in recognition of the authority of people to set their own ends.*" (Anderson 2009, 223)

A somewhat similar line of argument is proposed in a paper by Jeremy Waldron (2012). He considers a variety of arguments for democracy including one based on autonomy. He begins with the consideration that the value of autonomy compels us to grant decision-making powers to individuals in self-regarding cases. When you decide where you alone will have dinner tonight, I am obligated to recognize you as the authoritative decision-maker lest I disrespect your autonomous standing. The same principle is at work, he argues, in group-regarding cases where the autonomy of each individual member of the group compels us to grant decision-making powers to each member. It is this precise principle that underpins the agency value of democracy: "when we are talking about decisions that must be made among millions of people rather than just one or two individuals. It remains the case that the decision in question is to be made by them, in a way that respects each and every one of them." (Waldron 2012, 196)

These are just a few illustrations of how the basic autonomy-based account of the value of democracy may be spelled out. Most of these arguments are ambiguous between two readings. Shapiro's quote highlights two ways in which democratic participation may help realize the value of autonomy. As he notes, democracy both *gives expression to* and allows the *exercise of* autonomy. These modes refer to two distinct ways in which autonomy may be valued; autonomy can be taken to be a *goal* or a *constraint* (Harrison 1993, 169; Sneddon 2013, 165). Taking autonomy to be a goal involves taking positive steps towards making sure that individuals are able to exercise their autonomy or become as autonomous as possible.

Autonomy, on this view, is something to be maximized. If autonomy is valued a constraint, on the other hand, then we should primarily strive to *avoid* interfering with or diminishing individuals' autonomy. Our duties concerning others' autonomy are, on this view, primarily negative, rather than positive.

The two categories are of course not mutually exclusive; democracy may advance the value of autonomy both as a goal and as a constraint. Indeed, as I mentioned, most arguments presented above seem to do both. For example, Gould's argument appears to posit both that the capacity of self-development and self-transformation through the exercise of autonomous agency is worth pursuing as a goal, and that its worth places constraints on how human society may be organized, i.e., it prescribes its democratic organization. Some of these arguments may be more prone to one interpretation than the other. For example, Waldron's argument points more towards a constraint view according to which respect for our autonomous standing is primarily what calls forth requirements of democracy. The important question for our inquiry is whether these arguments suffice to establish democracy as a uniquely preferable form of government even to some instrumentally superior alternatives. I will argue that they ultimately fail, although perhaps not for the reasons – or not for all the reasons – their opponents commonly advance against them. Still, their failure will be instructive as to how a successful theory of the value of democratic participation or the exercise of one's agency in democratic decision-making should be conceived of.

4.2. Autonomy as a constraint

If autonomy is a constraint, it must be respected and protected. One may argue that non-democratic forms of government necessarily commit impermissible infringements upon individuals' autonomy, and therefore democracy is preferable to any other kind of regime, for only it shows proper respect to our standing as autonomous agents (Sneddon 2013, 151). But why would non-democratic governments necessarily disrespect the autonomy of citizens? One might point to the coercive nature of political power, for example. Political institutions necessarily wield political power and political power is necessarily coercive; coercion, however, is essentially antithetical to autonomy – whenever one is subjected to coercion, one's autonomy diminishes. Therefore, political power must either be eliminated or made compatible with autonomy (Blake 2001, 265).

In Chapter 6 I will return to the question of whether coercion indeed always has this kind of damaging effect on autonomy. Here I will grant this premise for the sake of argument and proceed by asking how precisely democracy would render coercion compatible with autonomy.

After all, in most everyday situations having a democratic say is neither necessary nor sufficient to right the wrong of the coercive invasion of autonomy. It is not necessary, for consent without a say can right the wrong of coercion as well; as a matter of fact, we normally think of consent as the primary way to render coercion permissible. Think of the usual non-political cases where coercion is applied in society. A firefighter may be coerced into obeying the orders of her superior, e.g., by threatening with various penalties including dismissal, but only if she signed up for this. Rarely do we think that people can be drafted to be firefighters, and when we think they can, e.g., in various emergency situations, we do not think that giving them a democratic say is necessary to justify their conscription.

Having a democratic say also seems insufficient to justify coercion in most everyday situations. Suppose that I am an accountant, and my landlord coerces me into helping him and his friends with their books by threatening with substantially increasing my rent. To offset the wrong of coercing me, he gives me a democratic say in when and how I am to help him and his friends. This, however, hardly does the trick. His actions remain coercive, and impermissibly so. Indeed, the fundamental mistake behind this line of thought is to view the normative function of the democratic say as that of consent. But having a democratic say is not an imperfect version of consent. In other words, it is unclear why respect for autonomy requires democratic participation rights rather than refraining from action or, again, consent. The primary way to respect one's autonomy as a constraint is to not interfere with them in any way or only with their permission. But it is not at all obvious if democratic participation indicates any kind of permission, consent, or anything along these lines. It is, therefore, unclear, in what way constraint arguments from autonomy support democracy.

Consider, however, Waldron's argument in his paper "Participation: the Right of Rights" (1998). His argument begins with the consideration that political decision-making centrally concerns what rights we recognize one another to have. However, the very idea of a right presupposes a conception of the autonomous person capable of independent deliberation and action. Thus, in all cases of political decision-making about the rights of a person we have to take into account the fact that "the point of any argument about rights has to do with the respect that is owed to this person as an active, thinking being" and therefore "we are hardly in a position to say that our conversation takes *his* rights seriously, if at the same time we ignore or slight anything *he* has to say about the matter." (Waldron 1998, 332) One may generalize this argument beyond decision-making directly on rights. Whenever we make a decision about someone, we owe to them, lest we disrespect their standing as an autonomous person, to involve them in the decision-making process.

There are several questions to ask about this argument, however. First, even if we are not permitted to “ignore or slight” what the person has to say about the matter, it is unclear if this implies that we ought to give them a say in the decision, i.e., democratic participation rights. After all, mere input rights or discussion rights might also suffice, for they too seem to engage the person’s capacity to autonomously form opinions about her rights. Second, it is unclear if subjecting an active thinking being to impersonal decision-making mechanisms, for example, always constitutes disrespect to their standing as autonomous agents. It seems that sometimes subjecting them to such a procedure, e.g., a coin toss, is the only way to respect all involved agents’ standing as autonomous and morally equal beings.³¹ One may object, however, that only a democratic participation right can express proper respect for our autonomous standing. Recall Waldron’s dictum that only a democratic say gives “positive decisional weight to the fact that a given individual member of the group holds a certain view.” (Waldron 1999, 113)

But why does respect for autonomy require a say with a decisional weight? One may appeal to the argument from self-regarding cases as noted in the previous section. Clearly, in self-regarding cases respect for one’s autonomy does require giving decisional weight to one’s views. If in a self-regarding case the fact that my views about what the best course of action is has no decisional weight, then, clearly, I am not in charge of choosing my actions. This would be incompatible with my standing as a self-governing autonomous agent. But is the same true of collective cases? First, note that in the self-regarding case the requirement is stronger than what Waldron suggests for the collective case. In self-regarding cases my opinions should not only have decisional weight, but rather they should be *decisive*. When it comes to self-regarding decisions, autonomous, self-governing individuals should wield powers similar to that of consent and permission; their assent to a certain course of action should function as the final decisive factor constrained only by morality, not the intervening agency of others.

The argument that Waldron and others wish to advance seems to assume that *a say with a decisional weight* and *a decisive say* are qualitatively the same and can perform the same kind of normative function. But this is false. We are back the previous point: the vote is simply not a diluted veto or tuned-down sort of consent. Democratic participation rights do not give us the power to *decisively* settle political matters; they are not meant to, since they are rights to partake in an essentially *collective* form of political decision-making. However, in self-regarding cases the decisiveness of the powers of consent, permission, and even promise plays a crucial role in establishing our self-governing or autonomous status. The fact that I am an autonomous person

³¹ Waldron (2010) might dispute this point.

is affirmed and partially constituted by the very fact that I do not have to, and in fact cannot negotiate with anyone whether or not I promise you something. I alone can make a promise, I alone can consent, and I alone can permit you certain things, and it is precisely this quality of these normative powers that explains why they are so important for establishing the fact that I am the master of *my own* life, i.e., an autonomous person.

Indeed, we normally recognize how crucial the decisiveness of individual input is even in other-regarding or collective cases. The decision of whether or not I should marry you is one of great importance for the both of us. But neither we, nor all affected parties should vote on the matter. Indeed, respect for our autonomy requires not only that our say have decisional weight but that it be decisive, i.e., that both of us can decisively break the deal. The same goes for more mundane other-regarding decisions, such as taking a job. Here too both the employer and the employee need to consent, lest they lose some of their autonomy. If one were to maintain that when it comes to politics, respect for autonomy suddenly ceases to require us having a decisive say, and a say with a decisional weight suffices, one owes us a good explanation of why this unexpected change occurs.

An explanation may appeal to feasibility. In modern largescale societies we simply cannot secure everyone's consent and have efficiently functioning political institutions at the same time. The best we can do is voting. This argument, however, is not convincing. The vote does not perform the same normative function as consent, so it is unclear why it should be its preferred substitute. Why not defer to experts or impersonal mechanisms? None of these options do what consent is supposed to do, so if consent is unfeasible, it is not immediately clear which is best suited to replace it. It seems to me that any argument for the vote as the preferred substitute should be able to explain why we should accept that in political cases a say with a decisional weight, i.e., the vote, can substitute for a decisive say, e.g., consent, when we would not accept such substitutions in other collective cases, such as marriage or employment. As far as I can tell, proponents of the constraint argument so far have not provided a sufficient answer to this question.

4.3. Autonomy as a goal

If autonomy is a goal, then it should be maximized. For democracy's non-instrumental value to derive from the value of autonomy as a goal, it is not enough to show that democracy is a good or even the best available means for maximizing autonomy. Rather, democracy must be shown to be an essential constitutive element of realizing full autonomy in society. Democratic institutions must empower us to exercise our autonomy in ways that otherwise would not be

available to us, thus making us as autonomous as possible.³² For example, Gould’s argument holds that involvement in communal decision-making is a condition of full autonomy on a par with other material and social conditions of self-development. Similarly, Anderson’s account aims at showing that participation in collective democratic decision-making is needed for full autonomy, i.e., for the full recognition of citizens’ authority to shape their social world in accord with their determination.

Why would this be so? One answer is that in the absence of democracy one would be necessarily under the power of others which would be damaging for one’s autonomy. For example, Gould notes that “an individual’s actions were determined by others in such contexts [i.e. in social and political ones], it would not be an exercise of the agency that is required for self-transformation.” (Gould 2004, 35) The argument is similar to the one explored in the previous chapter, i.e., that the absence of democracy might engender inequality among citizens. Here the worry is it that it might lead to non-autonomy for some. But both arguments face the challenge of impersonal rule. What if your actions are not determined by others but by impersonal mechanisms, that is, no one in particular? Would that also block self-development and self-transformation? It is unclear that it would. Many impersonal constraints on our ability of self-development and self-transformation, e.g., the weather, mild illnesses, etc., are not necessarily autonomy-reducing.

Still, one might argue that even if impersonal rule would not be inequality inducing, it would be autonomy reducing. For example, Anderson argues that “[e]ven if a dictator could arrange our affairs to our liking, we would still prefer to be autonomous – to manage our collective affairs for ourselves, according to our own collective judgment.” (Anderson 2009, 225) What matters for autonomy, on her view, is that we arrange our affairs ourselves according to our own collective judgement not that we do it free from the influence of others. Presumably, even if impersonal mechanisms arranged our affairs to our liking, we could raise the same objection, i.e., that our collective judgement still fails to have a bearing on how our affairs are arranged. But why does this sort of collective autonomy matter? As mentioned already, for Anderson, democracy is central to the recognition “*of the authority of people to set their own ends.*” (Anderson 2009, 223) But grammar is of the essence here. Clearly, political arrangements should recognize individuals’ authority to set their own ends *severally*. This interest is derived

³² At this point the line between goal and constraint arguments may be thought to become somewhat blurry. After all, one could say that the requirement of maximizing autonomy imposes a constraint on institutions. Still, it is worth keeping the distinction for didactic purposes.

directly from their interest in autonomy. It is much less clear if political arrangements should also recognize people's authority to set their own ends *collectively*.

Unless one maintains that collective autonomy is a self-standing source of value – a claim rarely defended – one appears to be compelled to argue that by *participating* in the collective setting of societal goals individuals' exercise *their own* individual autonomy in some way. There is, of course, a trivial sense in which this is true. Ideally, when I decide to participate in democratic decision-making, I do so as an autonomous agent. Making this decision and acting on it is an instance of me consciously shaping my own life according to my own determination. But this consideration is not of much help for Anderson's argument. Her claim needs to be not that partaking in collective decision-making construed as an individual act, e.g., that of getting up and going to the voting booth, contributes to individual autonomy. This would be true of deliberatively deciding to participate in any kind of activity; whether I vote or take a walk, I may act as an autonomous agent in charge of my own life. Anderson's claim must be something stronger, i.e., that participating in democratic decision-making, *qua* individual contribution to a collective act, i.e., not simply taken as an individual act on its own, contributes in some important way to one's autonomy.

There may be cases when this is true. Singing in an orchestra or playing in a sports team may be an important part of me shaping my own life. My individual contribution *qua* contribution to a collective effort is a way in which I exercise my autonomy. However, there are three important objections against this being true of participation in collective democratic decision-making: the Trade-off Objection, the No-Impact Objection, and the Incompatibility Objection. The Trade-off Objection, presented most clearly by Thomas Christiano (1996), holds that if democratic participation rights contribute to our autonomy, then they should be tradeable for other instruments of autonomy, e.g. money or free time. For surely, if democratic participation enhances our autonomy, then there must be a certain amount of money or free time that enhances our autonomy to the same extent, so that it is unclear why we should prefer democratic participation to said amount of money or free time, if they are equivalent in terms of their ability to enhance autonomy. But clearly, democratic participation is not tradeable for money or free time, therefore, its value cannot derive from its ability to enhance autonomy.

This argument seems to rely on the premise all autonomy enhancing goods are tradeable in this way. However, this is highly debateable. Take, for example, freedom of occupation. It seems reasonable to say that the rights that guarantee our freedom of occupation grant us a range of choice that enhance our autonomy, and this is why freedom of occupation is valuable. Suppose one would like to dispute this claim by a version of the Trade-off Objection, arguing

that the value of free occupation cannot derive from its autonomy-enhancing quality, for then we should be open to trade freedom of occupation for other freedoms or autonomy-enhancing resources, which we clearly are not. Such an argument would be absurd. There is no reason to presume that if freedom of occupation derives its value from its autonomy-enhancing quality, then it must be tradeable for any other autonomy-enhancing good. Why presume that autonomy-enhancing goods are universally tradeable, rather than that they are not tradeable as a default, and tradability requires explanation. This seems to be a rather intuitive way of thinking about autonomy. Basic liberties, for example, appear to pick out distinct spheres of freedom in which we can exercise our autonomy and goods that enhance autonomy in different spheres cannot be presumed to tradeable for one another, e.g., freedom of movement for freedom of speech. It seems reasonable to argue – although a full argument is certainly required here – that democratic participation rights enhance our autonomy in a *specific domain* or *in a specific way* and therefore cannot be presumed to be tradeable.³³

The No-Impact Objection (Jacob 2014) builds on the empirical fact that in most democratic societies individual votes have only an insignificant impact on the overall outcome of the decision-making process. Our vote might count, but it has virtually no power to significantly stir outcomes in the direction we prefer. As Jason Brennan puts it:

In a democracy, the majority of voters, considered as a collective, in some sense rule themselves and everyone else. If majorities frequently change, every citizen might eventually have the opportunity to be part of a winning majority. But it is unclear why we should regard this as empowering individual citizens, or giving them greater real autonomy. Individual citizens have only a vanishingly small chance of making a difference. Even when an individual votes in favor of the winning side, had she reversed her vote, or refused to vote at all, the same political outcomes would have occurred anyway. (Brennan 2016b, 343–44)

There are a few different ways to unpack the No-Impact Objection. One is to say that the argument is about the probability of one's vote being decisive. The idea behind this understanding of the argument is that the having the opportunity to perform an action *X* enhances our autonomy only if there is a high enough probability that the outcome of *X* is *decided* by *X* alone. But individual votes rarely decide the outcomes of democratic decision-making processes. This low probability of decisiveness, therefore, counts against the idea of democratic participation as autonomy-enhancing.

³³ Of course, intra-domain tradability may still pose problems. For example, one may argue that democratic participation is meant to enhance *political autonomy*. But then other freedoms may also enhance autonomy in the same domain. So further explanation is needed for why democratic participation is not tradeable for stronger discussion or contestation rights, for example. Here, however, one may appeal to the claim that democracy not only grants us greater autonomy in a specific domain, but also in a specific way, i.e., by allowing us to set our collective goals, which other forms of political participation do not.

However, what precisely is high enough probability of decisiveness? Certainly, it is not 1, for then no action would count as an exercise of autonomy. *Vis maior* can always intervene, and it is never certain that an action decides an outcome. Trying to find any lower threshold inevitably invites *sorites*-type problems. For whatever probability one chooses as the threshold, a slightly lower probability of being decisive will still be compatible with an action having an autonomy-enhancing quality. This, of course, does not necessarily show that there is no threshold; perhaps only that it is hard to find or that it is vague. Still, the fact that it is this hard to give a precise interpretation of the No-Impact Objection in terms of probability suggests that alternative formulations may be preferable.

One such alternative may appeal to the concept of *control*. On this view, democratic participation does not enhance autonomy because it does not give us control over political decisions. For nothing enhances our autonomy unless it increases our control in a specific domain. However, autonomy might not require control. As Henry Frankfurt's famous examples show, I may have reasons to endorse an action of mine as my own, i.e., acknowledge it as an autonomous action, even when I have no control over its outcome (Frankfurt 1969, see also 1971). Alternatively, one may ask what precisely control means. To avoid the problems of the previous interpretation, one should not equate control with the high enough probability of the decisiveness of one's actions. Perhaps control means, as Philip Pettit (2012b) proposes, *patterned influence*: to have control over a process means the ability to influence that process in such a way that our input produces a non-random, i.e., patterned, change in the process. This certainly is true of democratic participation. Our voting for a candidate in an election, for example, exerts a patterned influence on the decision-making process; if we vote for the candidate, she will be elected with one more vote or lose by one less. That is certainly patterned influence, i.e., control (see also Goldman 1999).

To be sure, having control in this sense does not guarantee decisiveness or that we can always have our way. But having control is not the same thing as being in control. And autonomy often only requires having control rather than being in control. Take, again, freedom of occupation. Freedom of occupation enhances our autonomy by giving us control over our career. It does not enhance our autonomy by putting us in control of our career. How our career will turn out will still depend on many factors outside us, from hiring managers to developments in the labour market. This does not invalidate the fact that freedom of occupation enhances our autonomy. We are more autonomous because we have control over – even though we are not in control of – our career. Perhaps the same is true of democracy. We are more autonomous for having control over political decision-making, even though we are not in control of it.

However, there remains a question as to how precisely democratic participation is meant to enhance our autonomy. It seems that freedom of occupation is autonomy enhancing because it does leave certain questions up to me and me alone, e.g., to what jobs I apply, how I formulate my cover letter, etc. Suppose that instead of freedom of occupation we had a central authority assigning jobs to individuals which was nonetheless governed democratically such that we all vote on who gets which job. This arrangement certainly does not enhance our autonomy in the same way as freedom of occupation. Does it enhance it in any way? One may doubt that it does. While freedom of occupation leaves some things in our hands, this democratic arrangement leaves virtually nothing up to us and us alone, except perhaps how we cast our vote. But having the freedom to choose how to vote on which job I get appears characteristically different from having the freedom to decide which job to apply to for myself.

This leads us to what – following Christiano – can be called the Incompatibility Objection (Christiano 1996, 24–25). It states that democracy cannot enhance autonomy, for it makes our ability to choose a certain option dependent on the assent of others which for him is characteristic of unfreedom, i.e., the lack of autonomy. As we have seen in the previous section, inclusion in collective decision-making does not always enhance or respect our autonomy in any obvious way. But the Incompatibility Objection seems to rely on the stronger claim that having to acquire the assent of others is always autonomy cancelling. This appears to be an unreasonably strong interpretation of the Razian independence clause. There are many collective settings in which one is able to exercise one’s autonomy despite having to secure the assent of others. When I co-author a paper with a colleague, I can only make changes with the assent of my co-author, but this does not divorce the act of writing from my autonomous agency. It is perfectly reasonable for authors to view the paper as their achievement and writing it as an exercise of their autonomy. The fact that they did not enjoy complete independence does not render the process of writing the co-authored paper a process completely alien to her agency of which she is only a spectator.

Of course, this is only true if the collective project of writing the paper together is set up in the appropriate way. If one author has a veto over all decisions regarding the paper and the other does not, then having to acquire the assent of one does cancel the autonomy of the other within this collective project. What it means to set up a collective project in such a way that all participants can rightly view it as autonomy enhancing rather than autonomy cancelling is a complex matter. It probably has to do with sufficiently egalitarian arrangements within the collective venture, such that no one has disproportionate influence over how the collective acts. In addition, the conditions of the attributability of collective actions to individual participants

discussed in Chapter 1 are also relevant. Think again of the example of the juror and witness; they appear to participate in the decision-making on an equal footing, but only jurors can appropriately claim that they *made* the decision. Thus, whether a decision is autonomy-enhancing for one depends not so much on control or probability of decisiveness, but rather on the status one is granted within the decision-making process. An expert witness may be so persuasive that jurors are compelled to make a certain kind of decision. Still, the witness does not make the decision; the jurors do, for only they are granted a status that empowers them to act as decision-makers. Perhaps there is even more to be said about the conditions under which participation in collective decision-making constitutively contributes to one's autonomy. The point to be noted here is that the Incompatibility Objection does not show that it never can.

Even if it is true, however, that democratic participation *qua* participation in collective decision-making, i.e., not taken simply as an individual act, *may* significantly contribute to our autonomy – contrary to the three objections discussed so far – more is needed to defend an autonomy-based conception of the value of autonomy for the sake of defending *Non-instrumentalism proper*. First, it has to be shown that democratic participation not only can, but actually does have the autonomy-enhancing quality alleged by Anderson and others. Arguments to this effect are, in my view, hinted at, rather than explicitly presented in her and others' works. Second, it also needs to be shown that it is this aspect of the value of democratic participation that makes democracy preferable to other regimes, including instrumentally superior ones. However, there is a strong argument against this latter point, one that may – and in my view, in fact, does – undermine the whole autonomy-based conception of the value of autonomy. This is what I call the Public Authority Objection.

4.4. The Public Authority Objection

Perhaps the strongest argument against autonomy-based conceptions of the value of autonomy is what I call the Public Authority Objection. The Public Authority Objection claims that autonomy-based accounts rely on a fundamental misunderstanding of the nature of democratic participation. Democratic participation rights do not simply enable us to pursue our own goals and shape the world in ways we see fit, but, crucially, to exercise public authority over others. By participating in democratic decision-making, I do not simply contribute to deciding how the world should be, but also what other people have to do as a matter of political obligation. The power to shape the world and my own life may derive their value from autonomy. However, the value of power to shape *others'* lives, and to create binding directives enforced through the

coercive institutions of the state, can hardly be ultimately grounded in the value of individual autonomy.

This point is put very clearly by J. S. Mill in his *Considerations on Representative Government*. He argues that it is false to think of the democratic citizen and his participation rights that “the suffrage is given to him for himself; for his particular use and benefit, and not as a trust for the public.” For in “whatever way we define or understand the idea of a right, no person can have a right (except in the purely legal sense) to power over others: every such power, which he is allowed to possess, is morally, in the fullest force of the term, a trust. But the exercise of any political function, either as an elector or as a representative, is power over others.” (Mill 1998, 353–54) Or in the words of Gerald Gaus: “A claim to political power is a claim to political authority over others—a public office—rather than a claim to a resource that is personally beneficial.” Therefore, to be “a voter is to occupy a political office.” (Gaus 1996, 250–51) As holders of that public office, we ought not mainly to consider how we might shape our life according to our own determination. “Rights to power over others are rights to serve as steward for the interests of the affected parties. The moral test for the correct assignment of such stewardship rights is that they should be passed out so as to maximize fulfilment of the rights of those people affected by this rights assignment and exercise.” (Arneson 2003, 126)

The upshot of this argument is that even if democratic participation contributes to our autonomy by way of granting us power to do things in the world, i.e., shape political decisions to some extent, the reason why we should be able to participate in democratic decision-making cannot be democratic participation’s autonomy enhancing quality. Democratic participation rights grant us power over others, and it is not for the sake of our autonomy that we should have power over others. Autonomy is the wrong kind of reason to base the choice of democracy upon, i.e., to choose to empower citizens to have power over each other’s life.

Is this a convincing argument? First, it is worth noting that the mere fact that in exercising our democratic participation rights we must mind the interests of others, i.e., that there are moral constraints on how we may use these rights, does not by itself refute the claim that the value of these rights derives from their connection with autonomy. For it is true of all other rights and powers we have whose value derives from autonomy that we are under moral constraint when exercising them. We have the right to freely move around; in so doing, we should make sure that we do not irresponsibly walk in the middle of the road and cause a traffic accident. We should mind the interests and rights of others in exercising our rights. Sometimes these moral constraints on us are rather stringent. As a doctor I have various rights to make decisions about my career, for example. If I have been practicing cardiology for years, I may decide to switch

to oncology one day. The value of the right to alter my career path arguably derives from the value of autonomy. But in thinking about whether or not to make this career move, I have to take into account how it might affect my patients, whether it would be ethical to abandon them mid-treatment to pursue my career goals. This does not refute the fact that the value of my right to choose a different career path derives from the value of my autonomy.

However, none of these examples involve power over others. Of course, a lot depends on how precisely the claim is understood that democratic citizens have power over one another. Clearly, this power is not comparable to the power of a dictator or an absolute monarch. Is the kind of power that democratic citizens have over each other on a par with all other kinds of power over others? I will come back to this question in Chapter 6. For the time being, I will grant the assumptions of the Public Authority Argument, i.e., that democratic citizens have power over others and that this power can be thought of as *prima facie* problematic.

It is not generally true that the value of power over others cannot derive from autonomy. Take, for example, property rights. As Daniel Viehoff points out:

Property rights are, centrally, rights to control the use of certain objects. They do give their holder control over other persons, whom he can bar from using these objects. But what is good about his having property rights, and justifies his having them, is not that they give him control over the other person. Rather, what is good is that these rights enable him (within limits) to use certain objects as he sees fit. (Viehoff 2017, 290)

Property rights grant us power over others, e.g., the power to exclude them from using our property, and the value of us having this power derives from the contribution property rights make to our autonomy. A perhaps even simpler example would be the very mundane Hohfeldian powers we all have. We all have the power to allow others to or ban them from calling us late at night. These are powers to change the normative situation of others, i.e., give them duties or permissions, without their consent. The value of us having this kind of power over others is clearly rooted in our autonomy. It is necessary for me to be able to exercise such power over others in order to be sufficiently independent from others, to enjoy my autonomy and shape my life on my own terms. Might democratic participation rights be of this kind as well?

It is worth discussing these cases in greater detail. As Viehoff notes, what we value about property rights is not the power to exclude others. For the sake of argument, let me suppose that property contributes to autonomy by ensuring a steady and ready supply of resources for pursuing our goals and shaping our life according to our own determination. The power to exclude others is merely instrumental for ensuring this steady and ready supply. As Viehoff remarks in a footnote: “owner *O* would be indifferent between (a) having the right to exclude

another person *T* from using or entering the object that *O* owns, and (b) *T*'s simply not being capable of using or entering *O*'s property. So directive power over *T* is not a constituent component of the good that justifies *O*'s right." (Viehoff 2017, 290 n30) The example would be even more convincing if option (b) referred to a case where *T*'s ability to enter *O*'s property automatically corresponded to *O*'s desires regarding *T*'s access to her property. In such a case *O* would not have the power to exclude *T*, but would also not need it, for *T* would only show up on *O*'s property when this is acceptable to *O* anyway.

These kinds of powers over others contribute to autonomy only instrumentally. This is not what non-instrumentalist autonomy-based accounts of the value of democracy are after. Is the same true of the Hohfeldian powers I mentioned? Clearly, part of the value of my power to ban you from calling me late at night is its instrumental contribution to me having a good night's sleep. However, I believe one could convincingly argue that there is more to be said about this case. We are not solitary beings; we affirm our autonomy not only in pursuing our own projects in isolation from others, but also in our interactions with others and in interpersonal contexts. One may argue that in those contexts it is crucially important for affirming our autonomy that our agency has sufficient bearing on the way in which our interpersonal relationships operate. Being able to shape the terms of the governing norms of these relationships may be part and parcel of affirming our authority in ourselves, and our standing as beings who can make valid demands on others.³⁴ This may require power over others, e.g., powers to ban them from calling us late at night. In the absence of such powers, our standing as beings whose say in who can call them and when *matters* would be undermined. We would not be recognized as being fully in charge of our life, i.e., as autonomous beings. On such an account power over others is a constitutive element of affirming our autonomous standing; its contribution to our autonomy is not merely instrumental.

I will not pursue the question of whether this account is plausible. Rather, I ask whether democratic participation rights might grant us power over others that on this account is necessary for affirming our standing as autonomous moral agents.³⁵ There are various reasons

³⁴ This line of thought is largely inspired by Stephen Darwall's account of the second-personal viewpoint (see Darwall 2006).

³⁵ It is interesting to note that Viehoff concedes that autonomy, i.e., "the non-derivative good of self-rule—the good of *A*'s ruling over *A*—unlike a non-derivative good of rule over others," (Viehoff 2017, 290) may grant us legitimate power over others, including democratic participation rights. He is sceptical about this proposal mainly because of the No-Impact Objection. However, his view should exclude the account under discussion in this paragraph. Viehoff's acceptance of autonomy as a valid justification of democratic participation rights rests on his view that democratic power over others are analogous to the powers that property rights grant us. But on this account, this is not so. Here power over others is thought of as a constituent component of one's autonomy: I can only be autonomous if I can tell some people what to do, e.g., not to call me late at night. If democratic powers

to reject this proposition and thereby save the Public Authority Objection. One is that the kind of power over others democratic participation rights grant us, namely *political* power over others, is not on a par with the kind of personal powers to shape our interactions with others. These personal powers typically do not include powers to conscript unwilling others into our own projects. I can ban you from calling me late at night, but I cannot order you to help me move to a new apartment. As Niko Kolodny notes, the power we exercise via democratic participation is categorically different from the powers we exercise in shaping our lives autonomously, i.e., in pursuit of our legitimate private projects, e.g., religious observance. Perhaps to fully affirm one's standing as an autonomous moral agent one must be granted some power over others when it comes to their religious observance. For example, one might have to be granted the right to ban others from disturbing one while one is praying. In pursuit of religious observance one "may have a claim on me to avoid interfering with that observance, to cede to him with a fair share of resources that he might use for his observance, and to tolerate the effects of his observance on the character of our shared culture." (Kolodny 2014a, 216)

But no one, or at least no liberal, thinks that he has a claim on me to become an active or passive instrument of his religious observance. That is, if his religious observance has as a constitutive part some action of mine or treats me in the objectionable (for example, forcible, coercive) ways distinctive of political decisions, no one thinks that his interest in it gives him a claim on me to perform that action, or endure that treatment. (Kolodny 2014a, 216–17)

The value of your autonomy may explain why you have valid claims on me, or perhaps even power to prescribe certain things for me, e.g., not to disturb you while praying or not to call you late at night. These powers may not only have instrumental contribution to your autonomy. Perhaps if I do not acknowledge you as a person who can tell me whether or not I can disturb them during prayer or call them late at night, I do not fully appreciate your standing as an autonomous individual. Still, these powers can only be powers that ensure that I leave you be and that I cede you enough resources that you may lead your life autonomously. They cannot be powers that allow you to enlist me in your own projects. "If nine Jewish men need a tenth, it is not as though they have a claim on me to make their minyan." (ibid.) Democratic participation rights grant us powers precisely of this kind, i.e., to enlist others in collective projects of establishing and maintaining a particular political order. This is not something whose value can derive from the value of the autonomy of citizens.

over others were of this sort, then Viehoff's view should reject them, despite his openness to autonomy grounding the value of democracy.

Is this correct? In my view, there are reasons to believe that the picture may be more complicated. In modern societies characterized by closely knit ties of social cooperation we all depend on the collaboration of others for our ability to pursue our own projects. For example, Kolodny agrees that we have a valid claim on others to cede us a fair share of resources to pursue our projects. But in modern societies resources are not piled up in an open field so that citizens simply need to get out of the way and allow others to grab their fair share. For me to access my fair share I do need the cooperation of others; as Kolodny agrees, I have a valid claim on them to cooperate. Might democratic participation rights, then, be rights that ensure that we can compel others to play their part in the complex processes of social cooperation on which we depend for autonomously pursuing our own projects?

I believe that we have reasons to doubt this. The first concerns decisiveness. As mentioned earlier, the decisiveness of our powers to consent, promise, and so on, play an important role in their contribution to our autonomy. They carve out a sphere of personal sovereignty for us. The powers to ban others from calling us late at night are similar. It is unclear if they could make the same contribution to affirming our autonomy if we had to share them with others, particularly the addressee, in the way democratic citizens share their power to rule the polity. The second consideration is more important, and in fact, I believe that it points to the important truth in the Public Authority Objection. The way in which power over others may contribute to our autonomy is by way of helping me to be my own person, lead my life on my own terms. Now, the question is whether it is plausible to think of democratic participation rights as being valuable because they allow me to view *my own life* as *my own*. It is not immediately clear that it is. In exercising democratic participation rights, we shape not our own life, but a shared life or a common life.

If I ban you from calling me late at night, I do shape the interpersonal space we both inhabit, but with the goal of ensuring that I can lead my life on my own terms. The same is not true of democratic participation. It is not a plausible interpretation of the practices of democratic self-rule that they are aimed at ensuring participants' autonomy. In many ways democratic participation is a kind of practice that has little to nothing to do with individuals leading their lives according to their own determination, trying to ensure that they are their own person. One piece of evidence for this claim is that as democratic citizens we are meant to participate in decisions which cannot possibly be thought of as having anything to do with living our own life according to my own determination. For example, even if I successfully resolve never to have children, I may still vote on school reform or parental leaves. Of course, the state of education in my country may very well affect me; better schools may contribute to economic growth

which may affect my overall wellbeing. But this same reason does not grant me a democratic say regarding others' consumer choices or careers, even though these may also affect economic growth. Weighing in on what others consume, what jobs they take, and whether teachers should be paid more are not ways for me to shape my *own* life, they are ways to shape our shared life.

Another argument concerns voting ethics. While this matter is controversial, I believe that proponents of the Public Authority Objection present strong arguments to the effect that in voting our decisions ought primarily to be governed by the consideration that since we exercise power over others, we should be good stewards to said others' interests. It is not the case that we are given a resource which we are free to use in whatever way within the constraints of morality. Were we to decide how to vote, even when all options are morally permissible, we could be criticized for being remiss if we flipped a coin or chose randomly. As democratic citizens, we are meant to take seriously the fact that our decisions shape the way in which the polity is governed, deliberate on the merit of the options, and decide not according to our personal preference but according to what contributes to justice or the common good. The purpose of democratic participation is not to allow us to shape the political world in a way that we would prefer it to be, but rather to allow us to shape it in the way it should be.

The reason why it is implausible that autonomy is the source of the non-instrumental value of democracy that makes it preferable to minimally instrumentally superior regimes is that it is hard to see democratic participation as a kind of activity that has essentially to do with affirming or enhancing our autonomy. Whereas choosing our careers, asserting our views in public and exercising other freedoms may be plausibly seen as being ultimately aimed at appropriating our own life, i.e., making it our own to a greater extent, democratic participation does not seem to fall into the same category. This is not to say that democratic participation rights do not make us more autonomous in some contexts. It is simply to say that this is not what makes it the case that democracy is preferable to minimally instrumentally superior non-democratic regimes. Arguably becoming a dictator or a billionaire could enhance our autonomy even more so. This is no reason to grant us dictatorial powers or to give us exorbitant amounts of money.

The task of identifying what it is about democratic participation specifically that makes it non-instrumentally valuable in such a way that would support *Non-instrumentalism proper* led us to the concept of autonomy. But we have seen that autonomy is not the appropriate basis for answering the question of why we should rule the polity ourselves rather than have it ruled for us justly. Democratic participation is a particular kind of exercise of our agency which is not appropriately viewed as being primarily aimed at shaping our *own life* according to *our own* determination. Rather, in democratic participation we shape a shared life, and in so doing, we

are called upon to be good stewards to the interests of those over whom we rule democratically, i.e., fellow members of our polity. But what value could there possibly be to being empowered to shape our shared life and serve as good stewards to others' interests beside instrumental value? I take up this question in the next chapter.

Chapter 5 – The service value of democracy

In this and the next chapter I present my account of the non-instrumental value of democracy, which I believe can vindicate *Non-instrumentalism proper*. The previous chapters indicated that the primary task for non-instrumentalism is to identify the non-instrumental value of democratic *participation*. In other words, to show why it is non-instrumentally good that citizens rule the polity themselves, rather than others (or impersonal mechanisms) ruling it for them justly. I argue that the purpose of rule is best understood as *service*; rulers are meant to serve the governed. Furthermore, serving others is a good for its own sake; advancing the good of others through our own agency endows our relationships to others with a particularly valuable quality. Democracy, i.e., rule by the people, is rule, and therefore, service. And as such, it has non-instrumental value which I call *service value*. This account can adequately explain the particular good that pertains to democratic participation, that is, the value of ruling the polity ourselves, rather than it being ruled for us. This, however, is not sufficient for vindicating *Non-instrumentalism proper*. For that, it must also be shown that democracy is an essential constituent element of realizing this service value, and that this value is relevant in deliberation on regime choice. I discuss these latter points in the next chapter.

5.1. Why rule?

Democracy is rule by the people, that is, a form of government where citizens are co-rulers of their polity. In a democracy, citizens do not merely inform or edit decisions, they author them; their input is not simply that of an interested stakeholder, but that of a decision-maker. The question of the value of democracy, then, boils down to the question of the value of granting citizens the status of co-ruler, which, in turn, immediately invokes the question of the value of rule as a practice. Why is it good that citizens can engage in the practice of ruling their polity together? Why, in other words, is it good that political decisions are made by us, i.e., citizens, rather than simply for us, if it is in some way guaranteed that the resulting decisions are not in any relevant sense worse either way? This is the central question concerning the value of democracy. To answer the question, one needs to identify legitimate reasons for citizens to want to rule their polity together, rather than have it ruled for them, that is, reasons to engage their agency in the practice of rule.

We often value exercising our agency in pursuit of something good, rather than simply enjoying said good without ever employing our agency to achieve it. Examples, such as Nozick's (1974) Experience Machine show that we generally prefer an active to a passive life,

even if in both we are recipients of the same kinds of benefits, e.g., pleasure. As Joseph Raz notes:

Many of the more important goals people adopt are important to them, at least in part, because they are things for them to do and to achieve. We want to be good parents, not only to have healthy, well developed children. We want to cultivate friendships, not merely to be spontaneously loved and cherished by others through no deeds of our own. We want to have successful careers, not merely to have lots of money and a reputation of success. (Raz 1986, 282)

Action reasons, as Raz calls them, i.e., reasons to exercise our agency for the sake of something good, are numerous and varied. Let me call the specific values that provide us with action reasons *agency values*.³⁶ I will say that we have an action reason to do something, i.e., to do it ourselves, rather than enjoy the relevant outcome independently of how it is achieved, when we thereby realize some agency value. For example, we might have an action reason to engage in some project, not only because we would like to enjoy the outcome of the project, but also because of the contribution of our engagement to our autonomy; by exercising our agency in this particular way we become more autonomous, i.e., better able to view our life as our own making, or ourselves as our own person. Autonomy, then, is an agency value and can give us action reasons.

Is there, then, a specific agency value that pertains to the practice of rule including democratic rule, i.e., rule by the people? Chapter 4 concluded that autonomy is not such an agency value. To answer this question, one must clarify the point of rule, in particular democratic rule, as it relates to action reasons and agency values, i.e., the point of engaging one's agency in ruling the polity together with one's fellow citizens. First, it is important to distinguish the question of the point of rule as a practice from the similar question of the purpose or value of the existence of any kind of rule or political authority. From Hobbes to Kant and beyond, political philosophers produced numerous arguments to the effect that there is a practical, perhaps even moral necessity to the existence of political authority and the accompanying activity of rule. But these arguments, if successful, only show that there is a point to rule, as against anarchy, which by itself does not immediately imply that any particular person has a legitimate reason to want to exercise said rule, i.e., that there is agency value to rule. Most of the reasons these arguments identify for the necessity of rule, e.g., coordination, security, justice, etc., can, in principle, be brought about by impersonal mechanisms, such as Richardson's want-collation machine. For this reason, these arguments, one might say, establish the point of rule for the

³⁶ Dworkin (2002) uses the term "agency value," but I use it in a rather different sense than he.

people, but not, at least not in the first instance, the point of rule by the people, or in fact, by anyone at all.

Of course, when impersonal rule cannot be implemented, “the moral necessity of the state” as it is sometimes called (Christiano 2004), may give one reasons for engaging in the activity of rule. If rule is morally necessary, then this might be reason enough for some to want to rule, for example, if no one else is able or willing. Here, however, the reasons for wanting to rule are purely instrumental. They are not true action reasons in the Razian sense, but rather what he calls outcome reasons. We choose to bring about rule through our own activity because this is the best means to attain the goals dictated by the moral necessity of the state. But if equally good means presented themselves, e.g., a want-collation machine, we would be indifferent between ruling ourselves, or simply being ruled. Thus, it is unclear if the ends of rule, understood in terms of security, justice, or whatever else underlies the practical or moral necessity of political authority identify, are agency values by themselves. In other words, it is unclear if they compel us to try to realize them through the exercise of our own agency, rather than simply value their realization in whatever way it is brought about.

Real-life rulers, of course, often do not care much about the ends of rule, e.g., justice. Rulers often want to rule because of the personal benefits the ruling powers bring them; it might even be the case that they do not value these merely instrumentally but enjoy rule itself. But even if this is characteristic of the psychological makeup of many rulers, this is certainly not the point of rule. Rulers are not supposed to want to rule simply to gain personal advantages. As proponents of the Public Authority Objection emphasize, rulers, having been granted power over others, ought to be good stewards to others’ interests and exercise their power for their advantage, not according to some partial and arbitrary standard, but rather in a fair and just manner. On the most basic level, the practice of rule is aimed at the good of those subject to rule. Rulers are meant to advance the good of the ruled, or as Raz rightly puts it, “their role and primary normal function is to serve the governed.” (Raz 1986, 56 – emphasis added)

Rulers are supposed to want to rule to serve others. This insight is of fundamental importance for the present discussion, for as we will see in the next section, service has agency value; in fact, it has a particular kind of agency value which I will call service value. But before turning to this discussion, it is worth emphasizing that saying that rule is service is not – in and of itself – an endorsement of Raz’s service conception of authority. Legitimate authority may have various grounds, but whatever theory of authority one endorses, one can remain committed to the idea that the point or purpose not of the existence, but the activity or practice of rule is service. Acknowledging this neither presupposes, nor directly implies any further claim about

the legitimacy or justification of political authority, although one certainly can, as Raz does, attempt to derive such further claims from it. The more important insight, however, is that the point of rule is serving the governed.

5.2. Service value

Rule is a form of service. As such, it belongs to a large family of practices and activities: rulers serve the governed, doctors serve their patients, teachers their students, parents their children, on occasion friends and family members serve each other, and Good Samaritans serve people in need. Why is service valuable? Clearly, service has instrumental value; it is valuable because it has beneficial consequences or because it is a means to attain good ends. Those who are served are made better off, and may feel cared for, loved or otherwise valued, while those who serve may experience joy or self-fulfilment upon benefiting fellow human beings. I would argue, however, that in addition, service also has non-instrumental value; it may be valued not only for the good consequences it produces, but for its own sake as well.

If service were only instrumentally valuable, then it would be easily replaceable. When one can bring about the beneficial consequences of service through other means, one has no reason to prefer service to these other means, just as one must be indifferent between using one of two equally good hammers, if they are only valued as instruments. However, this is not generally the case with service. Let me give a few examples. Suppose you take a walk in the park and happen upon a person in need. As a Good Samaritan, you would normally help them. At the same time, however, your neighbour also shows up; it is known to you that she is a Good Samaritan as well. She would be just as able and willing to provide help. In terms of outcomes, your help and the that of the neighbour are equivalent. Should you be indifferent between you helping the stranger and your neighbour doing the same? One might argue that service in this case has personally beneficial consequences to you, e.g., the feeling of joy or self-fulfilment you would feel upon helping the person. Suppose, however, that you could let your neighbour help and take some harmless drugs that induce same feelings. Still, I believe you have a legitimate reason to want to help the person in need yourself.

Consider another case, e.g., providing emotional support for a spouse in a time of hardship. Suppose that there are two equally effective ways to lessen their distress. Either I can comfort them, or they can take medication. If my help only had instrumental value, then I would have to be indifferent between these two options. However, I do have reasons to want to comfort my spouse myself even if taking medication is equally effective. Again, one may want to explain this by invoking the feelings of joy, self-fulfilment or closeness that results from acting as a

supportive spouse. However, if my comforting activity produced all these benefits for me, but failed to lessen my spouse's emotional distress, I would lose the reason to pursue this activity for its own sake. Indeed, it would be rather selfish of me to want to uselessly comfort them when only medication can help. Conversely, if my activity did lessen their distress, but produced no feelings of joy or self-fulfilment for me, e.g., because I am tired, overwhelmed, and momentarily incapable of deriving any emotional satisfaction from acting as a supportive spouse, I can still value the fact that I am the source of the lessening of my spouse's distress. What I non-instrumentally value about this activity, then, is advancing my spouse's good itself.

Of course, this example differs from the previous one in a very important way, i.e., it concerns service that takes place within the context of a close personal relationship and not between strangers. Before discussing the relevance of this difference, let me briefly present a third example where service is part not of an intimate personal relationship, but rather one mediated by certain social institutions. Consider the reasons one may have for wanting to become a doctor. One may be prompted to become a doctor by realizing that there being doctors in society has enormous societal benefits. But if there is no shortage of doctors, this may not be a relevant reason for wanting to become a doctor at all. One might decide to become a doctor because of the personal benefits it brings. In a society where doctors enjoy a high social status and esteem, above average salaries, and similar advantages, becoming a doctor might be appealing for individuals for these reasons alone. One may also derive much joy and self-fulfilment from being a doctor; one may quite enjoy being engaged in caring for patients, and one may gain a greater appreciation for life and health, and a deeper understanding of the human condition. However, it seems possible to attain all these outcomes in other ways as well. If such an alternative option presented itself, would one still have a reason to want to become a doctor? In my view, one would. A doctor may value not only the consequences and beneficial side-effects – for herself, the patient, and society – of practicing medicine, but also the practice itself. She may value the fact that the patient's health was brought about by her agency, rather than in some other way. A life spent in service of others is a good life because it is spent in this way; an hour spent in service of others is an hour well spent. This goodness does not derive simply from the goodness of the outcomes brought about by the acts of service.

These examples indicate that service has non-instrumental value. Doing good to others is itself good, and it is good for its own sake. Service has agency value; we do not only have outcome reasons to serve others. I will call this kind of agency value *service value*. To better understand service value, it is worth saying more about what service itself is. For the purposes of this discussion, I define service as advancing the good of others through one's own agency.

What is the good of others? I would resist defining this in terms of overall subjective well-being or preference satisfaction. Teachers serve students by making them more knowledgeable about the world. But knowing more does not always increase our overall subjective wellbeing. Perhaps by learning of the horrors of world history, you become disheartened and overall worse off than you had been in your blissful ignorance. Nonetheless, your teacher did serve you by teaching you world history; she advanced your good in the specific way that was required of her in her specific social role.

Take another example. You persuade me to report the serious ethical misconduct of my employer that I discovered. Although this will jeopardize my career and render me overall worse off than if I turned a blind eye, it makes sense to say that you did something good for me, served me, or advanced my good. This applies in other contexts too. Parents serve their children not only by making them better off in terms of subjective wellbeing or preference satisfaction, but also by teaching them to do the right thing even when this makes them worse off. Raz also defines service in terms of promoting one's acting on reasons that apply to one (Raz 1986, 56). Perhaps there is a sufficiently broad concept of wellbeing that can accommodate these cases as well; after all, wellbeing is a notoriously complex notion. Nonetheless, in this discussion I will distinguish between one's good and one's wellbeing, treating the former as a more extensive category including one's compliance with one's moral duties and reasons that apply to one.

The concept of service lends itself quite naturally to a comparison with the notion of care widely discussed in feminist philosophy. According to Joan Tronto's and Berenice Fisher's well-known definition, care involves "everything that we do to maintain, continue, and repair our 'world' so that we can live in it as well as possible." (Tronto and Fisher 1990, 40) This indicates that the concepts of care and service overlap with one another substantially, and there may be ways to reformulate the present account in terms of care rather than service. Here I will not further explore this possibility.

What is it to advance others' good through one's own agency? Clearly, one does not serve others if the advancement of their good is accidental, effected by a deviant causal chain, or otherwise is a matter of sheer luck. This is not to say that the lucky advancement of others' good is necessarily void of value, but it is not service. Service must be in some sense *aimed at* the advancement of the good of others. When are one's actions aimed at the advancement of others' good? A straightforward answer would be that agents' intentions, motives, and attitudes more generally determine the aim of one's actions. But I believe that this attitude-dependent view is not satisfactory. Altruistic attitudes are neither necessary nor sufficient for service. They are not sufficient because being well-intentioned and trying to advance the good of others is not

serving them; it is wanting to serve them and trying to do so. There may be value to intentionally trying to do good, regardless of the success of one's efforts, but that is not the value of actually doing good to them, i.e., serving them.

Altruistic attitudes are also not necessary for service because service can be performed without such attitudes. Intuitively, a selfish doctor who is only interested in the problem-solving aspect of her profession or only cares about her status and reputation serves others if she saves lives. Although her subjective reason to be a doctor is not to serve others per se, it is hardly an accident that she ends up saving patients' lives. Others rightly claim that the *point* of her actions *qua* doctor is to save lives regardless of her intentions, motives, or attitudes more generally. The example might seem to suggest that the point of one's actions are determined not by the agent's proactive attitudes, but by the recipients' reactive attitudes. But this would be a mistake. Service may indeed make certain reactive attitudes appropriate, but their presence is surely not necessary for service. The ungrateful patients of the selfish doctor are served, even though this fact is not reflected in their attitudes.

What determines, then, the point of one's actions? I believe that the point, aim, or purpose of actions, in the sense relevant for this discussion, is an *interpretive* concept in the sense discussed in Chapter 1. It is to be arrived at by a process of interpretation which seeks to make sense of the way in which human interaction is structured in a particular political community and how this affects the nature of interpersonal relations in that particular context (Sangiovanni 2008, 146–50). Such an interpretation draws on several sources. One is what Sally Haslanger (2014) calls social meaning, that is, the culturally determined interpretive schemas members of society use to navigate the social world. These schemas establish a semantic framework, as it were, for ascertaining the significance of particular actions. Another is the consequences of said action or the typical consequences of the type of action in question. Perhaps a certain type of action is assigned a social meaning in a particular cultural context that would suggest classifying it as service, e.g., in a particular social context spanking is routinely seen as part of parenting which is seen as service. But if the type of action in question systematically fails to advance the good of the served, then it cannot be interpreted as service despite the social meanings that attach to it.³⁷

Third, the attitudes of agents and recipients also play a role. Consider the case of an altruistic investor. Investors' goal is usually to make profit and not to benefit local communities. This is the social meaning that attaches to their activities. Even if an investment happens to benefit

³⁷ It should be noted that as Haslanger points out, social meanings are usually contested and in flux such that actions rarely have a singular and unified social meaning in any cultural context (Haslanger 2018).

local communities, members of these communities would rightly doubt that the point of the investment was their benefit, rather than a side-effect of profit seeking. For this reason, they would correctly reject interpreting the investor's actions as service. But upon learning that this particular investor is an altruistic one whose goal is to benefit local communities, it may become appropriate to revise the interpretation and view this particular action as service after all.

There are probably further factors to be taken into account in interpreting the point of actions besides these three.³⁸ But whatever these factors are, they still underdetermine the final interpretation of the point of actions. This interpretation, as Dworkin (2011) emphasizes, ultimately depends on how these various factors are best accommodated within a broader hermeneutic framework with indispensable normative elements. The right interpretation of the point of a particular action engages with the complex interplay between the social meanings, individual attitudes, consequences, and other factors that attach to the action to make sense of the goals it tries to achieve and the values these goals are meant to realize. When those goals and values are best fleshed out in terms of advancing the good of others, the action in question can be classified as service.

Service, then, is an interpretive concept insofar as it is an interpretive matter whether the point of an action is to advance the good of others, or it merely advances the good of others as a side-effect. In the same way we can classify types of actions and practices, e.g., parenting or democratic participation, as service as well, as I will discuss later. To say that service is an interpretive concept is not to say that actions or practices' status as service is usually or often vague and dubious. Many cases of Good Samaritanism, for example, can be rather straightforwardly interpreted as service. However, there are hard cases which also need to be accommodated. Are the spouse's kind words to their partner aimed at alleviating their emotional distress or are they, to put it crudely, just trying to shut them up? Perhaps their own attitudes are mixed and vague. Is the teacher's attempt to comfort the upset student aimed at helping them, or are they inappropriate intrusions into her private sphere? Looking at the outcomes alone may not settle these questions; perhaps both succeeded in alleviating the distress of the recipient, but whether this was a side-effect or the goal of said actions, i.e., whether they count as service, depends on what meaning these actions possess in the context of the particular relationships, practices, and institutions within which they take place. It is in this sense that service can be called an interpretive matter. A full theory of service should further explore the

³⁸ It is worth noting that all these factors interact with and mutually shape one another. The social meaning that attaches to a particular type of action may affect the attitudes with which agents engage in it, the typical consequences of said action may shape its social meaning, and so on.

complexities of the interpretation of actions and practices. However, even this brief outline will prove to be important as it has weighty implications for the value of service.

Service has non-instrumental value which I called service value. Service value is a type of agency value that attaches to actions that advance the good of others. What kind of value is this exactly? For whom is service non-instrumentally good? There is sense in which it may be said to be non-instrumentally good for the provider of service, i.e., the server. It is good to be a Good Samaritan, a supporting spouse, a doctor who saves lives, not only as a means to produce good effects, but for its own sake as well. At the same time, it is also non-instrumentally good for the recipient of service; it is good to be served and cared for. It is good to be the object of one's concerned attention aimed at finding ways to advance our good. These non-instrumental values are quite independent from the feelings of joy, satisfaction, or self-fulfilment that may accompany service – these are advantageous side-effects that may be induced by drugs or the Experience Machine. My focus here is instead the self-standing, non-instrumental value of serving and being served. Of course, this value is conditional on the instrumental value of service; it cannot be realized if the server's agency does not in fact advance the good of the served.

The two sides of the non-instrumental value of service seem to be mutually dependent on one another. Part of why it is good to serve, and a very central part at that, is that it plays an indispensable part in constituting the good of being served, i.e., of being the object of one's concerned, benevolent attention, and vice versa. The locus of the non-instrumental value of service, then, is most appropriately seen in the *relation* between the server and the served. Eric Beerbohm makes a similar observation in discussing the value of democracy:

consider Samaritan acts. What is the appropriate way of valuing them? The Samaritan herself seems to get it wrong if she is fixed on the value of her identity as a helper. A relational approach does not rely on the value of being a helper, or simply in the well-being enhancement in the object of help, but in the relationship of helping itself. (Beerbohm 2012, 39)

Service value, then, is a kind of relational value. But wherein does the value of the serving relationship itself lie?

One may argue that the value of service derives from the value of human contact, community, and sociability. As social animals we value companionship, interpersonal relationships, being in touch with others, and developing bonds with them. Serving others may be a good way, perhaps a unique way to develop such bonds and to enjoy certain forms of human sociability. For example, one might argue that what the doctor values in her profession qua service is the special bonds she develops with patients, or the way in which she becomes part of their lives,

that is, the unique kinds of social interactions that ensue from this practice of service. If being a doctor did not involve opportunities for such social interaction and human contact, it might lose its non-instrumental value.

Suppose, for example, that some patients in a hospital are in such fragile condition that they need to be cared for without human contact, e.g., by means of care robots. Further suppose that technology is developed enough for these robots to be programmed to do their tasks on their own without human supervision or intervention; alternatively, they can be subjected to manual control by actual humans without loss in the quality of the care provided. From the patients' end the two cases look the same. From the operators' end, manual control involves only pushing a few buttons without any chance to communicate or otherwise interact with patients. Would we think that in this case there is a distinct value realized by operators' pushing the buttons, i.e., serving patients themselves, which is missing if care robots are programmed to act on their own?³⁹

However persuasive this example may be, there clearly are cases where service value is realized without much human contact or social interaction. Think of secret benefactors who do good to others with the explicit intention not to reveal themselves to or have any kind of contact with the helped. It seems that there is value to establishing these relations of service even when this does not involve creating a rich personal relationship. This indicates, I believe, that service value does not simply derive from the value of human contact and sociability. In this case the beneficiary and the benefactor still relate to each other in a certain sense; they are part of one another's lives even though they are not all aware of this. The benefactor may still rightly think that their life is more valuable for being spent in service of the beneficiary, and the beneficiary may still value being served, although she may not know who serves her. Service value may be instantiated, then, even when service does not contribute to the enrichment of our social lives.

Another proposal may be that service's relational value derives from its non-instrumental contribution to relational equality. There are certainly connections between service value and relational equality. In some cases, service, particularly reciprocal or mutual service, can be a central, non-instrumentally contributing element of relational equality (Lister 2013). It is also true that unreciprocated service can often undermine relational equality, for it can betray an asymmetry in the parties' attitudes toward one another's interests. When I serve my friend who never reciprocates, this means that I treat advancing her interests as something for the sake of which it is worth taking action, but the same is not true vice versa. However, it is not the case

³⁹ I am indebted to Daniel Viehoff for the example.

that when serving relations realize non-instrumental value, they do so because of their contribution to relational equality.

Take a friendship that is initially based on a shared interest or hobby but is not characterized by mutual service. As time passes, however, the friends start to provide more and more service to each other, e.g., they help each other move, provide emotional support in times of need, etc. Their friendship might improve in quality as a result; it is now a better friendship than it was before. However, it clearly does not improve by becoming more egalitarian. It is possible for a friendship to be fully egalitarian without being characterized by any service. The lack of service does not necessarily make a friendship hierarchical or unequal, and the relationship does not necessarily become more equal as a result of the reciprocal service. Service can improve interpersonal relationships not by making them more egalitarian, but rather by endowing them with a wholly distinct relational quality.

What is the distinct non-instrumental relational quality or value of service? Suppose that a friend helps me move. This has several instrumental benefits; my furniture gets moved more quickly and efficiently, she and I gain a sense of satisfaction and self-worth, and we may even have some fun. In addition, by helping me move, my friend can express, enact, and thereby reinforce a certain kind of care and love towards me, characteristic of friendship. By helping me move, she acknowledges that my good is reason enough for her to mobilize her agency; service both signals and constitutes a kind of investment in and commitment to the relationship that could not be attained in any other passive way. As friends, we no longer simply delight in one another's company, but are now willing to undertake what Kant calls "practical love" or "active benevolence" (Kant 1991, 244–45) for the sake of one another.

As G. A. Cohen notes, mutual service or as he calls it communal reciprocity engenders a

spirit of commitment to my fellow human beings: I desire to serve them while being served by them, and I get satisfaction from each side of that equation. [...] The relationship between us under communal reciprocity is not the market-instrumental one in which I give because I get, but the noninstrumental one in which I give because you need, or want, and in which I expect a comparable generosity from you. (G. A. Cohen 2009, 41–44)

In other words, mutual service can – although does not always do – endow the relationship with a new spirit, i.e., a new animating principle whereby the wants and needs of the parties to the relationship acquire a special significance as objects of their proactive care and concern – practical love – and by virtue of which they no longer simply act with each other but for each other.⁴⁰ Mutual service transforms the very nature of the relationship into one whose

⁴⁰ On this distinction see Honneth (2016, 46).

fundamental principle of organization is service, i.e., into a relationship whose fundamental characteristic is that parties in it act for each other's good.

Service value, then, is the value of agents' relating to each other in the mode of active benevolence. While this holds generally for all instantiations of service value, the way in which relating in the mode of active benevolence takes shape in case of different forms of service and in different social contexts may differ substantially. Me providing emotional support to my spouse and a doctor providing me healthcare are both non-instrumentally valuable because they realize relationships of active benevolence. However, the two answer to very different human needs in the context of very different social practices and personal relationships, and therefore, the way in which they matter to individuals involved are also vastly different. If my spouse and I were to explain why service in the form of emotional support is important for us, how its value should figure in deliberation on which course of action to take, we would have to say much more than that it allows us to relate in the mode of active benevolence. We would also have to explain why relating in this way has significance in the context of our relationship and what practices are necessary to instantiate this relationship. The same is true of other forms of service including, as we will see, democracy.

5.3. Democracy as service

Democracy is rule by the people and rule is service. But what kind of service is it? To say that rule, including democratic rule, is service is not to say that rulers ought to strive to make all aspects of subjects' lives better. Rulers should not act as overbearing parents, constantly interfering with subjects' private lives out of paternalistic concern to ensure they make all the right decisions and attain the highest possible level of wellbeing. Different forms of service are meant to advance different aspects of others' good. Doctors are meant to serve us by making us healthier but not by helping us make better career choices. The latter form of service is not appropriate for the social role that doctors occupy. Similarly, rulers are meant to advance subjects' good in a very specific way, i.e., by achieving the ends of rule, pre-eminently *justice*. Living under just a social and political order is an important element of our good (Dworkin 2011, 422; Rawls 1999, 462–63) and it is this element of our good that rulers are meant to advance.

As a form of service, democracy has instrumental value as well as non-instrumental value. Rule by the people, like all kinds of rule, is only valuable, if it helps attain the ends of rule, most importantly justice. Tyrannical rule, even by the people, is of no value as rule. But when rule manages to fulfil its purpose as service, then it is also valuable as a way of advancing others'

good. Good rulers serve the governed, and in so doing they realize not only the good of the governed, but a separate, although dependent, type of value, i.e., the value of exercising their agency for the sake of others' good. This is what I call service value. Service value, recall, is relational value; by empowering the people to rule, democracy establishes a uniquely valuable kind of relationship among citizens, one whose animating principle is citizens' mutual active benevolence toward one another.

This is not to say the democratic institutions prompt citizens to act out of benevolent concern or fellow feeling toward each other. It would be unrealistic to expect citizens to have such attitudes even in the most idealized form of democracy. Rather, the claim is that properly functioning democratic institutions structure citizens' relationship *qua* co-rulers of their polity according to a principle of active benevolence; they enlist citizens in a social role where their job is to serve one another by securing the ends of rule, most importantly justice. This is compatible with the claim that most citizens do not think of themselves and their democratic participation in these terms. Perhaps the average citizen treats democratic participation rights as personal resources. Regardless, the point of these rights is to allow citizens to rule together justly.

The point may be further illuminated by the following example. We have already seen that doctors may serve patients even if they do not act out of benevolent or altruistic concern for them. Yet through healthcare institutions even selfish doctors and their patients enter into a relationship whose animating principle is service. Properly functioning healthcare institutions enlist doctors in a social role where their job or responsibility is to serve patients, thereby structuring the doctor-patient relationship according to a principle of active benevolence in relative independence from the attitudes of the individual participants of the relationship. Of course, even within properly functioning healthcare institutions individual doctors and patients may distort their relationship by acting maliciously thereby rendering it incompatible with service. And such malicious actors may also distort the functioning of the institutions themselves such that it needs repair and reform.

Similarly, democratic institutions establish a relationship of mutual service among citizens by enlisting them in the common project of ruling the polity justly together. Thus, they enable citizens to view each other as members of a political community who not only peacefully coexist under a just political order, but on a fundamental level are constantly called upon to advance one another's good by establishing just rules of social cooperation. Even if citizens do not have benevolent intentions or experience much fellow feeling towards each other, they fulfil a social role – that of democratic co-ruler – in which they are meant to serve others. Of course,

individual citizens may damage this relationship by acting maliciously, e.g., by trying to exploit democratic institutions for their own benefit at the expense of others, and their concerted actions may undermine the proper functioning of democratic institutions such that these institutions need repair and reform.

One may raise the following question: do not democratic institutions only have instrumental value, insofar as they facilitate the realization of the service value of citizens ruling the polity together? Or are these institutions non-instrumentally valuable as well? It is true that democratic institutions enable the realization of the service value of citizens ruling the polity together. Without democratic institutions, citizens could not rule together. But the contribution of democratic institutions is not purely instrumental. Consider the service value of practicing medicine as a doctor. To become a doctor, one must have the right kind of training to acquire an enormous amount of practical and theoretical knowledge. In addition to this knowledge, successful training grants one a certain social status or role which is embedded into a complex institutional setting. Both the knowledge and the social role may be valued instrumentally in relation to practicing medicine. In the absence of knowledge, I would not know how to cure diseases. Without the status or social role, I would have a hard time convincing others to follow my advice or let me perform surgery on them.

However, the social role also has a non-instrumental significance here. It empowers me to perform a number of actions that are part and parcel of practicing medicine. Only as a licenced physician can I issue prescriptions, doctor's notes, request access to various medical equipment and pursue collaboration with fellow doctors and utilize medical institutions in all the specific ways only doctors can. Within the social setting under consideration, it is essential to caring for others *qua* doctor that one is able to issue prescriptions and request MRI examinations. The social role of the doctor, the institutional powers that it involves and the wider institutional setting to which it belongs are constitutive elements of the doctor-patient relationship that realizes service value – it is only a doctor-patient relationship if it is between a person with one specific institutional role, i.e., that of doctor, and one with another, i.e., that of patient.

The case of democracy is similar. Citizens in a democracy are co-rulers of their polity. Not only do they exert political influence, but they do so in a very specific kind of way, i.e., by being the ultimate authors of the most fundamental political decisions concerning their polity. There are many other ways to influence politics; journalists and policy advisers may have enormous influence over political matters. These influences may be extremely beneficial for others, may contribute greatly to justice, and thereby serve others. But only as democratic citizens can citizens influence the rules that govern and shape their polity by making them.

Ruling is a specific kind of service which citizens are only able to engage in if they possess the status of co-ruler of the polity. Only once they are acknowledged as co-decision-makers on the fundamental political decisions are they in a position to rule the polity together. I will further discuss the significance of this consideration in the next chapter.

Democratic institutions are not mere instruments which, like medical knowledge, serve as means to citizens' engagement with politics as co-rulers. Rather, they play a constitutive role in the realization of the service value of democratic participation. Democratic institutions, first and foremost, define what it means to be a democratic citizen, i.e., what it means for individuals to have the status of democratic co-ruler; they set the constitutive rules for the collective self-rule of the polity. They define not only who the co-rulers of the polity are, but also how they are able to exercise their power as co-rulers. These rules, e.g., about what counts as a valid vote, how citizens are able to initiate referenda, or challenge laws in a constitutional tribunal, are not mere instruments of citizens' rule. Without them the very institutional options that constitute being a democratic co-ruler of the polity would not exist. Democracy, as a form of government, therefore, is not an instrument, but a constitutive element of the realization of the service value of rule by the people, and it is in this sense that it may be said to have or share in the service value of said rule.

One may object that it is false that citizens serve one another by ruling the polity justly together. One way to argue for this is to propose an argument along the lines of the No-Impact Argument presented in Chapter 4. The No-Impact Argument challenges autonomy-based conceptions of the value of democracy by pointing out that the individual citizens' impact on the overall decision-making process is virtually negligible, therefore the act of democratic participation cannot be construed as contributing to one's autonomous self-determination in any meaningful sense. As one among millions of democratic citizens we cannot really shape the rules that govern the polity according to our own determination. Similarly, one may wonder if citizens can be thought of as co-rulers even in this sense, given that their impact is negligible. After all, in what sense do citizens serve anyone if their impact is negligible? In what sense do they advance the good of others through their own agency, if their agency does not make much of a difference in determining the outcomes of the decision-making process? They cannot really say that they made their polity better by contributing to ruling it justly if how the polity ends up being ruled is virtually independent of their contribution.

Although I already voiced concerns about the No-Impact Argument in the previous chapter, I believe that on the basis of the service value of democracy an even stronger answer can be given to this challenge. For even if it is rarely up to us only how our life turns out to be, it still

seems like a legitimate requirement of autonomy-enhancing exercises of agency that they shape one's life and one's world in a way that is recognizably how they wanted it. If there is no way to recognize ourselves in the outcome of our actions, if our own convictions, values and plans left no recognizable mark on these outcomes, then it may be hard to see how the actions that bring about these outcomes are supposed to make us more of our own person, i.e., make us more autonomous.

But the same is not true of service value. Think of a parent whose child grows up to be a well-adjusted adult leading a good life. It would be natural for the parent to value her parenting as service which advanced the good of the child by contributing to her growing up to be a well-adjusted adult. Yet under normal circumstances it would be a mistake for her to think that she had overwhelming causal control over what kind of person their child grows up to be. While the philosophical literature on parenting often emphasizes the overarching authority parents exercise over their children, this certainly does not translate into overarching control over the development of the child. Children are normally subject to a vast range of external influences which compete with and often override parental influence. At the end of the day, there may not even be any individual feature of the adult child's life and personality that parents could unequivocally trace back to their own agency, or in which their agency would be reflected in a clear way, for all such features are results of an inextricable mix of parental and external influences. Still, the fact that the parent was part of the child's development, i.e., that she did engage her agency in the activity of advancing the child's good, is sufficient ground for her to think that service value has been realized. The fact that the formation of the child's personality and overall shape of life is the result of the interaction of myriad different influences should not discourage her from valuing the fact that she is one of those influences, and therefore she contributed to the advancement of the good of the child.

Another counterargument is offered by Julia Maskivker (2019) in her argument for the duty to vote based on Samaritan duties.⁴¹ She argues that if it is appropriate to blame people for their insignificant contribution to collective undertakings which lead to injustice, then it stands to reason to appraise people for their insignificant contribution to good collective undertakings as well. A single vote may not make much of a difference but taken as an individual contribution to a larger collective project to institute justice, it may be appraised. One may object that the first premise is false; insignificant contributions to collective injustice is not blameworthy. For example, Walter Sinnott-Armstrong (2005) argues that negligible individual emissions of

⁴¹ Maskivker does not use the notion of service and service value that I present here, but rather focuses on duties to aid.

greenhouse gases do not make one blameworthy for climate change. Iris Marion Young (2011) argues that individual contributions to largescale structural injustice are not blameworthy.

While I agree that responsibility gaps between individual contributions and collective injustices can exist, there are also clearly cases where there is no such gap. Think of Parfit's (1984) well-known example of the thousand torturers who each contribute only an insignificant input which taken together result in the excruciating pain of a victim. Even though individual torturers' contribution is negligible, they are blameworthy for engaging in such a collective project. If this is true, Maskivker argues, then the same applies to benevolent collective undertakings (Maskivker 2019, 51). One may argue that praise and blame may not be perfectly symmetrical in these cases. Perhaps, but this does not affect my point which is that even insignificant contributions to collective projects can connect our agency with the outcomes of said project such that our agency acquires moral significance in connection with these outcomes. Under some circumstances it makes sense to be blamed or praised for, take pride in, or regret our participation in collective projects even though our contribution was insignificant. If so, then I believe it is also possible to view our agency as advancing the good of others in the context of such collective projects.

For example, think of a person who greatly values their involvement in some social movement that led to positive developments in society which advanced the good of many affected people. Perhaps she fulfilled a rather miniscule role, e.g., participated in protests or gathered signatures, but she was not a leader or a major figure in the movement. Essentially, her impact on the positive outcomes of the overall activity of the movement was negligible. Perhaps it would be strange for her to value her involvement with the movement because thereby she shaped the polity in her own image or left a mark on society that is recognizably her own, thereby enhancing her autonomy, and living her life more according to her own determination. But it would not at all be strange for her to value her involvement because of the service that she performed for all those who benefited from the work she did. The fact that one's contribution has little impact is of no consequence for the realization of service value.

What is valuable about democratic participation qua service is not that it allows citizens to leave a recognizable mark on how the polity is governed – that would indeed be difficult given the low impact of their contribution – but that their contribution engages their agency in a collective project of doing good to others by ruling the polity justly together. Democracy, then, has service value in that it constitutively enables citizens to serve one another by ruling their polity justly together. Democracy is not merely an instrumental facilitator of service via

collective rule, but a constituent element, for without having the status of ruler, granted by democratic institutions, citizens could not partake in the common project of ruling together.

5.4. The significance of service

Showing that democracy has service value is in itself insufficient to defend non-instrumentalism against the instrumentalist challenge and to vindicate *Non-instrumentalism proper*. It only shows that democracy has a non-instrumental value which is at the same time an agency value. This is important because the previous chapters showed that democracy's important essential constituent value must be an agency value. It remains to be argued, however, that democracy's service value is also an important essential constituent value of democracy. For this, it must also be shown that democracy is an essential constituent element of the realization of its service value and that this value can defeat instrumental superiority as a decisive reason in deliberation about regime choice. I will present my arguments to this effect in the next chapter. In this section my goal is to clarify the questions and the problems immediately connected with them so as to lay the foundation of the ensuing discussion.

If democracy is an essential constituent element of the realization of its service value, then it is a necessary condition of its realization. But there are many different ways for citizens to serve each other. Doctors, teachers, parents, volunteers, and charitable donors all serve their fellow citizens. Cannot any combination of these substitute democracy as a source of service value? In other words, to ensure that citizens relate to one another in the mode of service or active benevolence would it not suffice to ensure that enough opportunity to engage in these kinds of service is available? This points in the direction of a version of the Trade-off Argument discussed in Chapter 4. If democracy is valuable because it realizes service value, then surely democracy can be traded off for other kinds of service which equally enable citizens to advance each other's good and ameliorate their relationship by so doing.

Suppose, for example, that we are ruled by a council of experts, a benevolent dictator or an impersonal mechanism, but upon realizing the value of service, they institute a rich scheme of volunteering, community service, and charity work, to allow citizens to advance one another's good. Why could we not trade democracy for such an arrangement? Perhaps there is something special about serving our fellow citizens by way of ruling the polity together, rather than picking up trash in the park or charitable donation. After all, different forms of service are often not interchangeable. One cannot simply trade being a doctor for being a teacher, although both are kinds of service. This is not simply because of the doctors' investment in her career and life choices, but also because being a doctor is a characteristically different kind of service than

being a teacher. As a teacher, one's job is not to save lives; and it makes sense to prefer serving others by saving their lives rather than by teaching them. Teaching and saving lives, while both belong to the more general category of service, are not interchangeable instantiations of the same value. Similarly, one may argue that service by collective rule is a specific, non-interchangeable kind of value.

However, consider the following scenario. Suppose that there are only three political communities⁴² *A*, *B*, *C*, such that each citizen of *A* has an equal positive say in ruling *B*, and similarly the citizens of *B* collectively rule over *C*, and those of *C* over *A*. The end result of this is that each citizen, whether that of *A*, *B*, or *C* – are co-rulers, but not of their own polity. In this case, it would be true that the citizens of each community serve others by ruling them together with fellow citizens, only the persons served are not themselves. The service value of ruling together appears to be realized, and it is not yet clear why the fact that it is not self-rule, and therefore not democracy, is of any kind of importance. If it is not, then, the service value of democracy is not in fact unique to democracy, and therefore cannot be its essential important constituent value.

To answer this challenge, which I will not do until the next chapter, some conceptual elaboration is needed first. Recall that service value is relational value; service has non-instrumental value because it endows our relationships with a particularly valuable quality, that is, it allows individuals to relate in the mode of active benevolence. Whether this value is realized and in what way depends on the underlying relationship in the context of which purported service takes place and the background structures of practices and institutions in which these relationships are embedded. Service value is practice dependent. Different relationships shaped or even constituted by different practices and institutional contexts are improved by service in different ways or not at all; and in the context of different relationships endowing said relationship with the quality of service requires the implementation of different rules, roles, and modes of action. In different friendships, for example, friends must do and say different kinds of things to relate to each other in the mode of service.

Some forms of service are specific to particular kinds of underlying relations, practices, and institutions. Certain relations, practices and institutions give rise to particular expectations and make certain needs salient objects of possible service or constitute new kinds of needs altogether. Take, for example, legal representation which is a form of service. The very need for legal representation exists only against the backdrop of legal institutions and a web of social

⁴² The example may be constructed with any number of polities.

relations in which individuals relate to one another as co-citizens of a polity who are owed a fair trial, can expect certain constitutional protections, and so on. It is the underlying institutions and practices that make sense of and perhaps also make required the existence of legal representation as a form of service. And only as occupants of a particular status or role within this web of underlying institutions and practices, i.e., that of lawyer, can one respond to this requirement and enact legal representation as a form of service. There are, of course, many different ways in which the role of lawyer may be constituted, but some such role must be in place for the service value of legal representation to be realized. This role, therefore, is an essential constituent element of the realization of this service value.

Whether democracy is an essential constituent element of the service value it realizes depends on the background of practices, relations, and institutions that constitute the condition of possibility for this form of service. It depends on what needs this background generates or makes salient as potential objects of service, in what way this background context calls upon individuals to advance the good of each other, and whether citizens may appropriately answer this call under non-democratic institutions as well as democratic ones. In other words, one must examine what it is about the relationship of citizens that makes it appropriate for them to want to serve each other by way of ruling the polity justly together, and whether this feature of their relationship assigns the same service value to collective other-rule in the case of *A*, *B*, and *C*. I will come back to this case in the next chapter.

Once such an argument is provided, it may establish that democracy is an essential constituent element of its service value, that is, the same service value cannot be realized by non-democratic forms of service. This, however, is not sufficient for vindicating *Non-instrumentalism proper*. It also must be shown that the essential constituent value of democracy is *important*, that is, it can defeat instrumental superiority as a decisive reason in deliberation about regime choice. However, one may suspect that service value is never important in this sense:

Instrumental priority: it is never the case that service value can provide decisive reasons to choose one arrangement over an instrumentally superior one, i.e., instrumental optimality always takes precedence over service value.

This claim in its most general form is surely too strong. Consider the following scenario. Imagine that it became possible to create a society where all acts of service are carried out by automatons such that no service value is ever realized, but the automatons happen to do a better

job than any human could; they raise children better, educate students more effectively, they even help the elderly across the street in a smoother way than humans. The instrumental superiority is often minimal, but it is always clearly there, consequently, this automated society is instrumentally superior to all societies in which some service exists. However, most would agree that this is a dystopia. Even though the automated society is instrumentally optimal, the lack of service, which is stipulated to be suboptimal, is reason enough not to choose it.

One may suppose that the reason why many would find the automated society a dystopia is because it would considerably thin human relationships. There would be considerably fewer occasions for us to build human connections and relationships if we were banned from engaging in the service of one another. I believe, however, that this is not a correct interpretation of the problem. Not all forms of human sociability involve service, and there is no reason to believe that in an automated society we could not develop more ways to connect with and relate to each other without service, e.g., through games, creative projects, and so on (cf. Danaher 2019).

We find the automated society dystopic not because it damages human connection and sociability, but because in a society where we could only tend to our own good, and never had a chance to help, teach, heal, assist, i.e., serve others, we would lead a morally impoverished life. Were we never able to engage in service of one another, i.e., to exercise our agency for the sake of each other's good, we would be deprived of an important source of value in our lives. As I argued, service endows our relationships with a valuable quality and as such has non-instrumental value. This non-instrumental value would be rightly missed under the automated society. This is not to say that the benefits of the automated society cannot be imagined to be great enough to justify abandoning this non-instrumental value; it means, rather, that not all forms of instrumental superiority justify abandoning all service value completely. That is, instrumental optimality does not always take precedence over service value, *Instrumental priority* is false.

However, one may make a weaker claim. Perhaps instrumental optimality does not always take precedence over service value, but instrumentally optimal service does always take precedence over instrumentally suboptimal service. As I argued in the previous sections, service value is conditional on instrumental value. No act of service is of value qua service unless it is a means to the end of advancing some else's good. The value of service is not the value of benevolent intention or trying to do good, but of actually advancing the good of others through our own agency. This raises the question of how much instrumental value service value is conditional upon precisely. In other words, how good an instrument of advancing others' good one's service must be for it to have service value? One may argue for the following principle:

Instrumentally optimal service: the value of service is conditional upon *maximal feasible instrumental value for the served*, i.e., unless one's service is the best available means for advancing others' good, one's service does not realize service value, perhaps it does not even count as service.

The following example may be used to substantiate this principle. Your doctor informs you that you need surgery. Performing surgery on you is a kind of act that can potentially have service value; it can advance your good. Suppose that your doctor – a trained and very accomplished surgeon – would be happy to perform the surgery. At the same time, you learn that a more experienced, better trained doctor is also available and willing to do the same. It may appear now that if your doctor insisted on performing the surgery herself because this would allow you two to relate in the mode of service, she would be appealing to the wrong kinds of reasons for choosing her over the other doctor. After all, how could someone be genuinely intent on serving you and yet let you not end up as well off as possible just to realize service value for herself? It seems that such a person has no genuine interest in you whatsoever; she is interested only in her own do-goodery and is willing to sacrifice others' wellbeing for the selfish aim of inserting her agency in various processes that promote others' good even if doing so actually decreases the effectiveness of these processes.

What seems counterintuitive is the idea that service could be wasteful, i.e., that some advancement of your good can be wasted and yet service value still realized. While I acknowledge the force of this intuition, I believe it is wrong to explain it in terms of *Instrumentally optimal service*. There are cases which show that this principle is also too strong. Consider, again, the example of one friend helping another to move. Suppose that the friend's help is instrumentally suboptimal; a moving company would do a better job. Yet it seems that the friend to whom help is offered has no grounds for complaint. Although the helping friend blocks the better service of others, she manages to express and enact active benevolence for the sake of her friend, thereby endowing their relationship with the valuable quality of service. The value of service is the value of relating to others in a serving mode, and it seems that the helping friend does realize this value even though her help is suboptimal.

Take another example. *P*'s birthday party is coming up and it is known that she would enjoy a party. *Q* and *R* are both friends of *P* and either one may organize the party, but not both. It so happens that *R* is a professional party planner who would do a better job than *Q*. Still, it would not strike me as unreasonable if *Q* argued that that it is important for her that she be the one who does this nice thing for *P*, and this should be reason enough to let *Q* do it. Of course, *R*

would just as much derive service value from organizing the party, so they may decide to flip a coin or make some other sort of fair decision. Note, however, that the fact that *R* would do a better job does not settle the question. The fact that *Q*'s service is instrumentally suboptimal neither hinders the realization of service value nor renders it irrelevant for the choice of the organizer. Indeed, it would seem somewhat unreasonable and ungrateful for *P* to reject *Q* as the organizer by claiming that since *R* could do a better job, *Q* would act selfishly and hinder rather than advance *P*'s good by preventing her from having the best possible birthday party.

These examples show that service value is not conditional on maximal feasible instrumental value, that is, *Instrumentally optimal service* is false. But then how can we explain the intuition that genuine service must not be wasteful? One may argue that a wider range of value ought to be considered. Perhaps service value is not conditional on maximal feasible instrumental value, but it is conditional on maximal feasible overall value for the served. Consider the following variation on the birthday case. Suppose that *Q* and *R* are equally good party organizers, but it so happens that *R* is a much closer friend of *P* than *Q*; it would mean much more to *P* if *R* threw the party than *Q*. Not because *Q* would do a bad job, indeed, we may imagine that the parties of *Q*'s and *R*'s would be identical: the same venue, the same guests, the same music, the same food, etc. However, once we include the, as it were, "procedure dependent" value of organizing the birthday party, e.g., how much it would mean to *P* if her closer friend did this for her, *R*'s services proves *overall most beneficial* for *P*. If so, we might judge that it would be selfish and inappropriate for *Q* to insist on organizing the party, and she would realize no service value by doing so.

The proposition, then, is as follows:

Optimal service: service value is conditional on the maximum feasible advancement of the overall good of the served, including both the instrumental and the non-instrumental value realized for her.

I am sceptical about this view too. Suppose that *R* is indeed a closer friend to *P*, but the friendship of *Q* and *P* is a new one which so far had no opportunity to deepen. So far *Q* and *P*'s friendship was premised only on their shared enjoyment of some activity and they did not do much for each other in terms of service; up until now they only delighted in one another's company but had not undertaken any active benevolence. Nonetheless, their relationship has the potential to be deepened and enriched by service. If *Q* could organize the party, it would be a milestone in her relationship with *P* and would greatly improve and enrich their relationship

by endowing it with a dimension of service and other-directedness. Not only would service be an instrument of making their relationship better, but it would be a constituent element of establishing a deeper, richer, and overall more valuable relationship between *P* and *Q*. I believe that at least under some circumstances, one should acknowledge that even if *R*'s throwing the party would mean more to *P*, the potential improvement in the relationship of *P* and *Q* in terms of service is also a comparably weighty reason to let *Q* organize the party. Not because *Q* organizing the party would be the best overall for *P* alone, considering only her interests in isolation from all other parties, but because it would be the best for both *P* and *Q* as participants of a valuable, evolving relationship; the relational value thus realized could be, in my view, on a par with that of *R*'s organizing the party, even though the latter would be better for *P* considered in isolation.

Whether service value is realized is determined neither by the interest of the server in serving nor the interest of the served in being served. What matters is not the instrumental and non-instrumental value realized by service for either party considered in isolation, but rather the *relational* value realized for *all of them* in the context of the relationship within which the service takes place. Service value is not the agent-neutral value of the advancement of the good of others but rather it is the value of relating to others in a certain way, a particular way of being in the world together with others, of acting for an appearing to others in a serving-caring way. What matters for the realization of service value is not primarily that the best possible outcome for the recipient be brought about, but that the relevant relationships be improved in a specific way, and whether that happens depends on all involved parties' interests and the nature of their relationship.

This may seem as a rather straightforward consequence of the claim that service is an interpretive concept. What precisely counts as service depends on the way in which we relate to one another, that is, how intersubjective space is structured by practices, institutions, and social meanings, and what expectations, claims, requirements it makes sense for us have given that intersubjective space is so structured. Among these expectations we find expectations regarding the toleration of suboptimal service. In the first birthday scenario it makes sense for *P* to tolerate the suboptimality of *Q*'s service, for given their relationship – and the wider background of institutions, practices, social meanings and so on – *Q*'s actions are rightly seen as being aimed at advancing *P*'s good in a way that is appropriate in the particular context and therefore said actions can be interpreted as realizing service value in the context of the same relationship. In the second birthday scenario, the same actions would not be rightly seen as

serving, for the intersubjective space between the parties is structured such a way that does not support the same interpretation. Thus, we may formulate the following principle:

Practice dependent optimality: service value is conditional on the maximum feasible advancement of the overall good of the server and the served appropriate in light of the way in which intersubjective space is structured between the server and the served by those institutions, practices, social meanings that underpin their relationship.

One may argue that while this explanation may be plausible in cases where the stakes are relatively low, e.g., birthday parties, the same cannot apply to more serious cases, e.g., the surgery. In the birthday case, service takes the form of bestowing a rather trivial benefit, while the surgery is about protecting you from serious, potentially life-threatening harm. Where such fundamental interests are at stake, it is implausible to say that the conditionality of service value on optimality is practice dependent. In those serious cases *Instrumentally optimal service* applies, i.e., the maximum feasible instrumental value is a precondition of the realization of service value.

I believe that this is false and the practice-dependence of the conditionality of service value on optimality applies across the board. Consider parenting, for example. Although here fundamental interests are at stake, intuitively, in most cases, we are not required to hand over our children to the best available parents. This is, of course, contested (Gheaus 2021), and I do agree with critics of views that explain the value of merely adequate parenting in terms of parents' interest in self-fulfilment and self-knowledge, as do, for example, Swift and Birghouse (2014). Yet, I believe, our intuitive judgement is correct. The relationship between parents and children – as of many serving and caring relationships – is substantially impoverished if they are reduced to their instrumental dimension. Not because this would rob parents from advancing their interest in self-fulfilment and self-knowledge, but because it would preclude the realization of particularly important relational values, i.e., the service value of parenting.

The differential sensitivity of service value to instrumental value in case of different forms of service is explained not in terms of the gravity of the interests at stake, but in terms of service value's practice dependence. Who and how it makes sense for us to serve, i.e., what the legitimate expectations and requirements exist around service, is largely the matter of the way in which we relate to one another, that is, how intersubjective space is structured by practices and institutions. Take parenting, for example. There are many possible forms of parenting. Suppose that in one context it is birthparents who usually take care of children, while in another

a more communal form of parenting prevails where birthparents do not play a particularly salient role, but rather the whole neighbourhood partakes in raising the children. Suppose that the two options are instrumentally equivalent, however, being raised by birth parents allows access to specific kinds of benefits for children which are not available under communal parenting, while communal parenting compensates with other goods.

In the communal context children clearly cannot complain that they are being excluded from the specific benefits of being raised by birthparents. First, the constitutive norms of the practice of child rearing in the communal context do not cast birth-parenting as a form of parenting, and therefore its specific benefits are not something that children can legitimately expect to receive from their caregivers. Furthermore, given the way in which this practice is organized, no one is likely to have the resources and know-how to provide the benefits of birth-parenting. Under the birthparent regime, the resources of child rearing are likely to be in the possession of the parents, while in the communal setting they might be dispersed across the neighbourhood, such that individual communal carers cannot always readily count on the availability of relevant resources, nor necessarily know how to use all of them.

Similarly, if in the communal context a pair of birthparents took it upon themselves to raise their child on their own, they would face difficulties, as they probably have neither the relevant resources and knowledge nor the communal recognition and legal rights that are necessary for many activities that pertain to birth-parenting; for example, they would have no standing – either informal or legal – to make decisions about their children’s education, for under the prevailing form of social organization they are not the persons charged with that task. Even if they manage somehow to raise their child on their own, as a grownup, she might legitimately complain that their acts were selfish and inappropriate, for they excluded her from the enjoyment of the benefits that in the communal context are normally connected with child rearing. Even if the birthparents didn’t necessarily make her worse off overall, their actions can be viewed as being inappropriately connected with the good of their child, for in that communal context what it means for people to mind the good of children is to partake in communal child rearing activities.

What benefits it is appropriate for servers to exclude the served from depends on the particular form of social organization, e.g., the constitutive norms of human interaction and prevailing practices, the distribution of resources, including material goods, legal standing, knowledge, etc. However, this practice dependence does not mean that the legitimate expectations regarding service are determined by what is customary in a given context. This is an interpretive matter. To ascertain the level of sensitivity of service value to instrumental

suboptimality, we must ask the question: given how intersubjective space is structured in a given context by prevailing practices and institutions, what is the best way to understand how the value of service figures in improving the quality of human relations and interactions? Such an interpretive investigation may yield the result that for service value to be realized, prevailing practices and institutions must be reformed.

For example, the reason why it is inappropriate for the surgeon to insist on performing the surgery when a better surgeon is available is that the under the form of social organization in which the practice of providing health care is exercised in this particular context excluding patients from the benefit of the best available surgery is not something that is appropriate for surgeons to do. Not necessarily because the prevailing social convention forbids them; we may very well imagine that it does not. However, if we engage in the interpretation of the practice in question, i.e., try to make sense of it and identify its purpose within our broader normative framework, then we find that doctors denying the best available surgery to their patients is not compatible with them acting as serving agents advancing their patients' good.

In other words, it is not simply that in our society the norms that govern the doctor–patient relationship make it a taboo for doctors to insist on performing adequate but suboptimal surgery. Rather, what makes this inappropriate is that the kind of relationship that usually exists between doctors and patients – unlike that of parents and children or friends – is not such that the quality of their relationship would be improved even by suboptimal service. The legitimate expectations around service are determined by the way in which our agency is caught up in the web of human relations. In the context of a friendship, even a suboptimal birthday party may help establish the kind of reciprocity and each-other-directedness that constitutes the relational value of service in friendships, whereas in a relationship such as the one between doctors and patients, where interactions among parties are more episodic, they typically play a less central role in each other's lives, and their interactions take place within an institutional context which is aimed at the efficient mass provision of health care, it makes more sense to conceive of the form of service that establishes a well-functioning relationship among them as being more sensitive to instrumental optimality. The same might not be true if doctors and patients had closer and more personal relationship with their patients, i.e., more similar to what parents have with their children, in whose case it would seem perfectly acceptable not to hand over children to better qualified strangers.

To establish, then, that the service value of democracy is an important essential constituent value of democracy, one must more closely examine the relations of citizens that emerge from the way in which their shared life is structured by the fundamental practices and institutions

that constitute the polity. The nature and structure of this relationship will ultimately determine the significance of the kind of service value that it realized by democracy, and whether democratic institutions are uniquely suited to realize said service value. I take up these topics in the next chapter.

Chapter 6 – Why democracy?

In this chapter I present my defence of non-instrumentalism based on the service value of democracy. I argue that the service value of democracy is an important essential value of democracy. This means, on the one hand, that democracy is an essential constituent element of the realization of this value and, on the other hand, when it comes to the question of the preferability of democracy to an instrumentally superior regime, this value can provide decisive reasons to choose democracy rather than the instrumentally superior alternative. In other words, we can have decisive reason to choose democracy because it realizes this service value even when this means sacrificing instrumental optimality. As I showed at the end of the last chapter, what determines the essential constituent elements of a particular kind of service value as well as its importance is the nature and structure of the underlying relations and practices within which service takes place. To see whether democracy is an essential constituent element of a kind of service that makes sense for citizens to prioritize over instrumental optimality, we must ask, first, what it is about citizens relations that makes it appropriate for them to want to serve each other by way of democratically ruling the polity justly together, second, whether the same features of citizens' relations would allow other forms of service to realize the same service value, and third, whether it makes sense for citizens to prefer the realization of this service value to instrumental superiority, at least in some core cases.

6.1. Social interdependence

What makes democracy a uniquely valuable form of mutual service for citizens, I believe, is the fact of *deep social interdependence*. As citizens we live together in a polity. We do not simply live *alongside* one another, but share what Christiano calls a *common world*, i.e., a system of shared arrangements with which our most fundamental interests are intertwined, and which distributes the advantages and disadvantages of social life (Christiano 2008, 79). This system of shared arrangements includes but is not limited to what Rawls calls the basic structure of society, i.e., “the political constitution and the principal economic and social arrangements” (Rawls 1999, 6), the legal system more broadly, and those informal social structures we constantly reproduce through our individual actions and interactions which also play an important role in distributing the benefits and burdens of social coexistence (Young 2011, 62–63).

This common world is not merely a shared space we all inhabit or a shared resource on which we all rely, like a fishing lake or a pasture. Rather, the common world is produced by human cooperation. It exists because we bring it into existence. Not only because the material infrastructure that makes up this common world in the physical sense – the roads, the power grid, the sewage system, etc. – is the product of human labour, but also because much of this social world is made up by the rules that govern interaction among citizens, and the continued existence of these systems of rules and their enforcement is possible only if citizens continue to go along with them, and thereby jointly uphold them. As citizens, then, we live together in a polity not only in the sense that we live in close proximity, and we rely on shared resources with which our fundamental interests are intertwined, but also in the sense that we are all recruited in the cooperative scheme whose continued functioning is a necessary condition of the existence of the common world and the polity itself.

The common world of the polity as a system of shared arrangements upheld by human cooperation is of special moral significance to us. In addition to creating the conditions under which we can advance our fundamental interests, this “system also engages the moral interests of each person by enlisting him or her into a common project of establishing justice among them.” (Christiano 2008, 79) There are several ways in which our agency is enlisted in this common project of justice. First, our agency is always inevitably causally implicated in the functioning of the system of cooperation that constitutes the polity which produces and distributes the advantages and disadvantages of social life. Whether the social structures and institutions that emerge from this system of cooperation and the distributions they produce are just is ultimately determined – in a strictly causal sense – by how we exercise our agency.

We are enlisted in the common project of establishing justice in society not simply in the sense that we all have a natural duty of justice which requires us to support just institutions that apply to us when this is not excessively costly for us (Rawls 1999, 99). I would not deny that we have such a duty, nor that due to our embeddedness into systems of social cooperation we are almost always in a position to discharge this duty. But we are enlisted in the common project of establishing justice in another, more fundamental sense as well. It is not simply the case that we are required as a matter of moral obligation to “lend a hand” in establishing justice, to set aside some of our resources which we would otherwise use for other projects for the purpose of helping instituting justice, as long as this is not too great a sacrifice for us. We are also enlisted in the sense that we pursue all our own projects within the context of social cooperation, under political institutions whose existence, functioning, and justice all depend on the fact that the citizenry collectively recognizes and actively upholds them. We are enlisted in establishing

justice in the sense that our agency is the *stuff* which makes up the system of social cooperation that constitutes the polity itself and determines its justice.

This means that whenever someone suffers an unjust setback to their interests due to their position within this scheme of cooperation, our agency is implicated in that wrong. We should not rush to conclusions regarding the moral significance of this type of causal implication. It would be incorrect to infer from this fact that whenever a citizen suffers some loss as a consequence of the functioning of the system of social cooperation, all other citizens are to be held *responsible* for this loss in the very same way they would be, had they personally harmed said citizen in the context of some face-to-face interaction, or were accomplices to some interactional harm which would imply, for instance, their blameworthiness.⁴³

Still, this way of being implicated in the wrongs that befall on others is of moral significance to us. We are, or at least should be, concerned about not featuring in causal chains that lead to unjust harms to others. This concern is not reducible to an agent-neutral concern about the presence of injustice in the world; it is not simply that injustice makes the world worse, and we would rightly prefer it to be better instead. Rather, one's concern about being causally implicated in injustice is an agent-relative one. As Scanlon notes, if you

learn that others with whom you generally associate see no reason to care about you or to give your interests any weight in their decisions unless it is to their advantage to do so, or that they regard you as having standing only insofar as you, like them, are a member of the elect group of true believers, this has a pervasive effect on your relations with them. (Scanlon 1998, 76)

Whether these are personal, face-to-face relations or rather ones mediated by social and political institutions does not appear to make much of a difference. Even when we relate to others through the institutions and largescale practices of society, the same agent-relative concern seems to arise when we are implicated in social injustice:

When the citizen experiences a special reaction to the injustices of her own state, she is concerned about her individual relationship to unjust associations and structures. So understood, this attitude cannot be explained by an agent-neutral desire to reduce the amount of aggregative wrongdoing in the universe. It is not intelligible without special reference to what she does and the special weight that she accords to avoiding wronging others by her actions or omissions. (Beerbohm 2012, 41)

Beerbohm explains this agent-relative concern in terms of Stephen Darwall's (2006) notion of the second-personal standpoint. According to Darwall, our moral standing makes it appropriate for others to exhibit agent-relative concern about affirming our standing as beings of moral significance, possessing dignity and worthy of respect. When I harm you, I should not

⁴³ See Young (2011) for a discussion.

only entertain the agent-neutral consideration that I make the world worse, but also an agent-relative one about not affirming *your* moral standing personally. As citizens of the same polity, we depend not only for our wellbeing and the advancement of our interests on this system of social cooperation, but also for protection against injustice and for access to our due, as required by justice, that is, for the affirmation of our standing as individuals to whom justice is owed, who have a particular kind of standing among others. Being causally implicated in injustices that harm others, therefore, can damage our relationship to them by making it harder to interpret our overall conduct as being premised on a recognition of their moral standing.

This is even clearer given the fact that social cooperation makes us not only causally, but also *morally implicated* in the workings of the polity. The shared arrangements that constitute our common world partially consist of informal social structures that citizens uphold as a matter of convention or convenience. However, central to these shared arrangements are political institutions, which create and enforce rules that citizens are meant to uphold as a matter of *moral obligation*, i.e., political obligation. Our enlistment in the common project of establishing justice in the polity implies that our moral reasons for action in pursuit of justice, i.e., what it is for us to try to achieve justice in the polity in a right rather than a wrong way, will be (partially) constitutively dependent on this scheme of social cooperation. As citizens of the polity, we are not always free to pursue justice in any way we find suitable.

The constitutive nature of this dependence is worth emphasizing. It is true of participation in any kind of collective venture that the fact of participation affects the moral considerations we must act upon. If we start interacting with others through the cooperative framework of a market, for example, this affects the kinds of considerations we must act upon, e.g., we must start minding pecuniary externalities and other effects our price signals may cause that can affect the wellbeing of others and therefore influence how we might go about fulfilling our duties of not harming others. But the cooperative scheme in this example, i.e., the market, merely specifies the determinables in our underspecified moral duties; it specifies what it means for us to discharge our independently existing moral duties in this specific context. The market makes no claim on us to recognize having to sell on a market price or buying at the lowest available price as a moral duty we have by virtue of our participation in the scheme of cooperation.

Political institutions, on the other hand, do make such claims on us. Political institutions make a claim on us to take responsibility for the social and political order they create by upholding the system of social cooperation through compliance with their basic norms and rules as a matter of moral obligation. This creates specific kinds of relationships among citizens, and

specific demands on them to affirm one another's moral standing as co-citizen by complying with the rules of political institutions. This means that even if I believe that injustice could be better mitigated if I do not comply, I ought not to refuse compliance, lest I damage my relationship not with victims of injustice, but with my fellow citizens who rightly expect me to respect my political obligations. Thus, political obligation can condemn us to not mitigating injustice, and thereby not responding appropriately to the fact of being causally implicated in injustice, in what we believe is the right way.

The severity of the possible moral damage involved here should not be overstated. If the injustices in the polity are great enough, political institutions become illegitimate, and political obligations are not binding any longer. And even in the case of lesser injustices, non-compliance in the form of civil disobedience may be justified. Still, it remains true that the fact that political institutions, as central elements of the shared arrangements that make up the polity, by way of making us politically obligated to obey the rules they create implicate our moral agency in their workings and connect our moral personality with them in the most intimate way. Given that political institutions too are brought into existence and upheld by social cooperation, the stuff of which, recall, is citizens' agency, citizens depend on one another for determining the political obligations that apply to them even in a non-democracy.⁴⁴

For these reasons, citizens are in an extremely morally precarious position in relation to one another. Social cooperation places them in a relationship of deep mutual interdependence. Their interdependence is deep in the sense that they depend on one another for their most fundamental interests, including not only their material needs, but also justice and the second-personal recognition of their moral standing. Under such circumstances they are bound to view one another as individuals in relation to whom they are extremely vulnerable; not only in the sense that they are likely to suffer serious setbacks to their interests if others fail to behave in the appropriate way, but also in the sense that they cannot hope to advance their good without relying on others in doing so.

6.2. Service and deep interdependence

Under the condition of such deep social interdependence, mutual service through the democratic governance of our shared affairs has unique value. When those on whom we deeply depend relate to us in a serving mode, a particularly important relational value is realized. In the context of deep interdependence, service transforms relations of mere dependence and

⁴⁴ Recall that throughout this discussion I assumed that political obligations could exist even in a non-democracy.

vulnerability into relationships of benevolence and care. Service alleviates the threatening and menacing character of relations of dependence and vulnerability. This does not make individuals any less dependent, nor should it. As Stephanie Collins notes in her book on care ethics, “dependency should not always be construed as a ‘bad’ thing. Many dependency relations are good for us and valuable to us. They are necessary for, and indeed constitute, deeply important human goods.” (Collins 2015, 147) Indeed, social cooperation, while it engenders dependence and vulnerability, is a greatly valuable way for humans to live together. Still, given the structure and nature of relations among citizens it calls forth, it makes it appropriate for them to want to relate to one another in the mode of mutual service so that they no longer have to view each other as potential threats but as partners engaged in a common project working for each other’s good.

Let me illustrate. Suppose that you and I have a farm together. Cultivating this farm is the only way for us to advance our most fundamental interests, e.g., in food and shelter, and there is no way for us to divide up the farmland, we must work on it cooperatively. This means that we are deeply interdependent on each other. What is the appropriate way for us to relate to one another in this case, how should we govern our interactions? One option is that you simply act selfishly to ensure maximum benefit to you. You make me or trick me into cooperating with you in ways that are most beneficial to you without taking my interests into account in any way. In my view, this would be a dreadful way for us to relate under the condition of deep interdependence. Not necessarily because it would give rise to relationships of oppression and domination. For suppose that I am as able to make you or trick you into working for my benefit. Neither one of us can overpower or subdue the other, thus in our struggle to ensure maximum benefit for us we find a *modus vivendi* and establish a system of cooperation upheld not so much by co-authored rules, but by mutually inflicted harms and threats.

You could also propose, however, that we govern cooperation together democratically. By so doing you signal that that you would rather have both our deliberative faculties engaged in authoring the rules of cooperation that determine the way in which the benefits of cooperation are produced and distributed; this means that you assign a specific kind of moral significance to the fact that my good is dependent on your agency. You refuse to be indifferent about or even abuse this fact of interdependence; you no longer treat me as a mere element of the environment to include into your calculations on how to maximize benefits for yourself. Rather, you treat me as someone whose good matters to you enough to treat it as an action reason. You show willingness to establish a decision-making scheme in which I can legitimately expect you to be a “good steward to my interests,” as you wield public authority over me.

Seana Shiffrin's discussion on the value of communicating respect to fellow citizens through democratic participation, among other things, helps illuminate the significance of this type of engagement with governing our shared scheme of cooperation. She writes:

as an agent and as a subject of others' agency, it is not sufficient that we live in materially just relations with each other and know indirectly, however incontestably, of each other's good will. [...] When I make an intentional effort to convey my respect, other things equal, my action is more meaningful than my leaving my respect to be assumed or inferred by you, because I do not leave it to you to infer my attitudes from my actions and omissions; rather, I assume responsibility as an individual to affiliate myself with that respectful content, and I aim to ensure you know it matters enough to me that I exert my agency to convey it. (Shiffrin 2017, 150–51)

In my view, of course, what we convey by engaging in the democratic governance of our shared affairs under deep interdependence is not respect *per se*. Rather, through the service of co-rule, you convey to me an attitude of concern for my good and your appreciation for the fact that it depends on you. But as with respect, it matters greatly that you do not simply privately mind my good. That is, that you do not treat me as a mere moral patient, like a pet whose wellbeing it is your job to secure. Rather, by showing willingness to publicly engage your agency in authoring the rules of our shared affairs, you openly express that it matters to you that I be able to see you as a person for whom my good and my standing as a moral agent matter.

Note that the moral significance of this affirmation of my standing as a moral agent crucially derives from the fact that it is *addressed to me*. By showing willingness to participate with me in democratic co-rule you do not simply guide your agency by the agent-neutral concern for justice, but rather by the agent-relative consideration that because of our deep interdependence, the appropriate way to affirm *my* standing as a moral agent is by showing willingness to work out together the basic rules of the cooperative scheme on which we both depend. And since we mutually depend on each other, we both have an interest in being recognized as a moral agent whose good matters to those on whom we depend. The democratic co-rule of our cooperative scheme advances this interest of ours. Thus, we establish a relationship in which the significance of our good is affirmed in a specifically valuable way, i.e., as the object of the benevolent concern of those individuals on whom important aspects of our good depends. Under this democratic arrangement the person on whom I depend for food and shelter is charged with a role in which she is expected to care about my interests as a co-ruler, and the same is true of me.

One may contend that the value of the democratic governance of the cooperative scheme in the farm example is established on the basis of relational equality. Thus, what I offer here is in fact a relational egalitarian account. It is true that the argument relies on the egalitarian

consideration that individuals' interest in having their relationships of dependence and vulnerability transformed into relations of service and care matter equally. But as I noted in Chapter 3, invoking such an egalitarian premise is almost inevitable in any argument regarding a plurality of people. Furthermore, mutual service in the form of the democratic co-governance of the scheme of cooperation is not argued to be valuable because this renders the farmers' relationship more equal. I take it that governing their conduct in accord with the Schefflerian egalitarian deliberative constraint, i.e., treating the other's interests as important as their own, is sufficient for establishing equality among them. In case interests collide, they can turn to throwing dice or finding an impartial arbiter. But as I will argue in the next section in greater detail, doing so would not establish the same kind of relational value as mutual service through democratic government.

It is also important to note that although establishing a relationship of mutual service under the condition of deep interdependence is central to the proper appreciation of parties' standing as moral agents, this appreciation does not come in the form of affirming their autonomy. It is certainly important that under such circumstances involved parties do show respect for one another's autonomy and allow each other to shape their own lives independently of alien influence. But one does this not by including another in a democratic decision-making process, but by cutting out enough private space for one within the cooperative scheme to allow the autonomous pursuit of their projects. Respect for one's autonomous agency primarily requires others to get out of one's way as much as possible, again, under the guidance of egalitarian deliberative constraints, but not necessarily to include one in any common decision-making process. Inclusion in a democratic decision-making process allows one not to shape their own life but to shape a shared life; it does not enable one to lead an autonomous life according to one's own determination, but to inhabit an appropriately structured intersubjective space.

The relational value of the democratic governance of schemes of cooperation under the condition of deep interdependence is not equality or autonomy per se. Rather, it stems from the fact that as co-rulers of our cooperative scheme we appear to the other – and they appear to us – as a specific kind of agent who matters in a specific kind of a way, i.e., in a way that warrants mobilizing one's agency for their sake. Our actions take on a particular meaning in this context, they start to matter to us and to the other person in a specific and specifically valuable way. Rawls's discussion of the natural duty of mutual aid in *A Theory of Justice*, which draws on Kant's argument for the duty to serve each other, or duties of love (Kant 1991), is instructive here. He argues that we should recognize such a natural duty of mutual aid (i.e., mutual service), and the recognition of this duty should rest on the appreciation of the fact that

The public knowledge that we are living in a society in which we can depend upon others to come to our assistance in difficult circumstances is itself of great value. It makes little difference that we never, as things turn out, need this assistance and that occasionally we are called on to give it. The balance of gain, narrowly interpreted, may not matter. The primary value of the principle is not measured by the help we actually receive but rather by the sense of confidence and trust in other men's good intentions and the knowledge that they are there if we need them. (Rawls 1999, 298)

I take it that for Rawls the public knowledge of living in a society oriented toward mutual aid is not merely an instrument of securing the confidence and trust that he mentions, but rather is a constitutive element of these. We gain a specific kind of confidence and trust in others because our intersubjective space is structured in such a way that our needs and wants appear as objects of others' proactive care and concern. Gaining such confidence and trust is of particular importance when one deeply depends on said others. To put it simply, when we deeply depend on others, it is good that they care about us, that they serve us. Not for the self-regarding reason that this maximizes our good, but because there is value in being in the world among others as a person who matters enough that others treat their good as a reason for them to exercise their own agency for its sake. And, in turn, it is good to exercise our agency for the sake of others.

These lessons apply in the case of social cooperation in the polity. Citizens are deeply dependent on the basic structure of society, its fundamental institutions and the formal and informal rules of interaction that constitute those structures and processes that produce and distribute the benefits and burdens of social coexistence. A particularly important value is realized if in response to this deep interdependence and vulnerability we establish relationships among us in which we appear to one another as serving-caring types of agents who are concerned about deploying their agency to ensure that the scheme of social cooperation is just and works to advance the good of all. But is this a uniquely important value? Is democracy the only appropriate way to establish relationships of mutual service against the backdrop of deep social interdependence? And how important is it that service value be realized precisely? In other words, is democracy an important essential constituent element of this service value? I turn to this question in the next section.

6.3. The uniqueness and importance of democracy

Governing democratically a shared scheme of cooperation on which we all deeply depend, that is, through which we all deeply depend on one another, has service value. But is this an important value? In other words, is it the case that at least sometimes realizing this value can be more important than establishing an instrumentally superior arrangement for us? Could this service value defeat instrumental superiority as a reason for choosing democracy over another

form of governance? I believe this service value is indeed important in this sense. Consider the farm case again. I argued that it would be possible for the farmers to govern the scheme of cooperation on which they depend through mutual threats. Suppose that such a scheme would also be instrumentally superior to the democratic governance; our mutual fear of one another would prompt us to work harder, produce more and better food and sturdier shelter to avoid the other's wrath.

Despite its instrumental superiority, such a scheme would exhibit serious relational disvalue. Under this scheme, while we depend on each other and are vulnerable to each other, we do not relate in a serving-caring way, but rather as essentially hostile beings who pose constant mutual threats to each other. The tolls of such a permanently threatened existence are not only psychological but also moral. As in the constant war of the Hobbsean state of nature, life under this balanced scheme of mutual threats is *brutish* in that within it we are treated and treat others inhumanely, more or less as elements of the environment to which we have to adjust our behaviour, similarly to the weather and wild animals, but which do not *matter* to us on their own. This is a moral injury to us not only because of the potential misrecognition of our moral standing, but particularly because of the misrecognition of the significance of our relationship of deep vulnerability. Being fundamentally dependent upon and vulnerable to someone else in the eyes of whom I am but a mere nuisance, an obstacle to work around, rather than a fully-fledged moral agent with their own interests, their own good, is to be party to a deeply morally damaged human relationship.

There may be situations where the instrumental benefits of governing our interactions under the condition of deep interdependence by a system of mutual threats are so great that we are willing to pay the cost of the relational disvalue that necessarily accompanies such a form of government. But it is hardly necessary that this should be the case. In fact, I believe that it is perfectly reasonable for individuals to forgo substantial instrumental benefits for the sake of not leading a constantly threatened life but rather one of mutual service and care. The same holds, I believe, for any non-democratic arrangement where parties fail to relate in a mode of mutual service under the condition of deep interdependence. The fact that under such a non-democratic system our standing as moral agents is not affirmed by one another's caring-serving stance toward us is a weighty enough reason to reject this system. In other words, mutual service under the condition of deep interdependence is an important value; it can ground our commitment to certain arrangements even when they are instrumentally suboptimal.

Note that the importance of this service value is rooted in the background condition of deep interdependence. It is because we deeply interdepend that it is particularly important for us that

those on whom we depend relate to us, and we to them, in a serving mode. Where the interdependence relation is not deep in this way, i.e., when parties do not depend on one another for their fundamental interests, relating to others in a serving mode may be less important. Think of markets again. In many market relationships individuals do not necessarily stand in a relationship of deep interdependence. When I trade vintage philosophy books in an online marketplace, I am not particularly troubled, nor should I be, by others not relating to me in a caring or serving mode. It may still be required of me and others to show respect to each other by guiding our actions by agent-neutral considerations of fairness or transactional justice. But under the condition of what might be called shallow interdependence, it may be much less objectionable not to establish caring-serving relationships among us in which we act *for* each other. However, if I depended on other market actors for my life or the recognition of my moral standing, then relating in a serving-caring mode would take on much greater importance, possibly outweighing, as I argued, at least certain forms of instrumental superiority.

This also helps explain why collective other-rule in the case of *A*, *B*, and *C*, mentioned in Chapter 5.4., does not realize the relevant service value of democracy. As members of different polities, their relationship is not characterized by deep interdependence, and therefore it is not particularly valuable for them to relate to each other in a serving-mode by way of other-rule. Unilateral rule is likely not to improve the relationship between citizens of, say, *A* and *B*; it would not transform a relationship of dependence and vulnerability into one of care and service, but rather establish a dependent and perhaps even dominating relationship between two previously independent political communities (cf. Stiliz 2019, 98 ff.). Given the relationship members of different political communities stand to one another, the kind of unilateral imposition exemplified in the case of *A*, *B*, and *C*, is a source of disvalue regardless of how much it improves, for example, their material wellbeing. Therefore, it does not qualify as an appropriate form of service.⁴⁵

But is democratic co-rule the only way for individuals to relate to one another under the condition of deep interdependence? After all, serving relationships within systems of cooperation may be established in many different ways. Think of the farm again. We could govern work on the farm non-democratically while ritually giving gifts and doing favours to each other at predetermined times of the year. In this way, we would institute a social role in which we relate to each other in the mode of mutual service. Would such an arrangement not

⁴⁵ Of course, if their relationship comes to be characterized by deep interdependence, it will in time make sense for them to govern their shared affairs together, for in that case they may be said to inhabit the same common world and are divided only by merely formal jurisdictional boundaries.

be an appropriate replacement for democracy? In my view, it would not. In the farm example, our deep interdependence is mediated by the basic norms that govern cooperation which produces food and shelter. In other words, our interests depend on the rules you and I follow when we work in the farm together. We depend on each other through those actions and attitudes of ours that constitute and uphold this scheme of cooperation. The significance of mutual service in the democratic governance of our cooperation derives from the fact that it responds to this fact of interdependence and the vulnerability it inevitably involves. This does not mean that other forms of service are unjustified or void of value, but it does mean that they do not answer the fundamental challenge that gives rise to a legitimate expectation of mutual service in this context of deep interdependence.

Similarly, there are many different ways in which we can establish serving relationships among citizens. We can create extensive opportunities for volunteering and charitable donation. But these will not respond to the fundamental fact of vulnerability engendered by our dependence on the basic rules and norms that constitute the scheme of social cooperation. We may serve one another by collecting rubbish in the park in our spare time, but this will not allow others to view us as agents who take proper notice of the fact that others' good depend on our contribution to the scheme of social cooperation, and therefore we are willing to exercise our agency in shaping the fundamental rules that determine how this scheme operates and thereby relate to them in a caring-serving way. Mutual service through democratic rule, unlike picking up trash in the park, responds the very dependence and vulnerability that makes this form of service appropriate, i.e., the one mediated by the system of social cooperation, and thereby transforms relations of mere dependence and vulnerability into relationships of service and care.

One may object that civil society organizations, journalists, and many others work to guard the justice of social cooperation, and therefore serve others by trying to ensure the propriety of the basic rules that govern social cooperation without democratic participation. Their activities are much unlike picking up trash in the park, and more similar to democratic co-rule. Even if they do not have democratic participation rights, i.e., are not co-rulers of their polity, they may still try to pressure rulers into instituting justice. However, if citizens only had opportunity to shape the basic rules of social cooperation in this way, they would rightly feel that their capability to ensure justice is defective. If there is justice in society, it is not their making; it is the making of rulers whose work they may have facilitated, but who can still take full credit of creating justice. This might seem somewhat odd in light of what I said before about social interdependence and individual citizens' agency being the stuff of the system of social cooperation. If the system of social cooperation is the result of citizens' interactions, then are

not all citizens always makers of the system and its justice? As I discussed in Chapter 1, we should make a sharp distinction between one playing a causal role, even a crucial causal role, in bringing something about, and said thing being attributable to one as one's own making. Recall the example of the jury trial. An expert witness may have tremendous causal impact on the verdict, but the witness does not make the verdict, the jurors do. The act of making the verdict is not attributable to the witness, only the jurors. This is because the jurors occupy a particular social role which ties their agency to the verdict; this allows them to view the verdict as their own, to take responsibility for it, take pride in it or experience shame or guilt if it turns out to be unjust.

In the social context it is the democratic say that ties citizens agency most tightly together with justice; it renders them makers of justice by making the establishment of justice attributable to citizens. Democratic citizens occupy a social role in which they are not only forced to contribute to and uphold a system of rules by the mere fact that they cannot avoid living in a society, but in which they can view this system as their own making and achievement for which they can take responsibility. This has great moral significance. Taking responsibility in this way and tying our agency to the making of the basic rules and norms of the system of social cooperation is crucially important for transforming relationships of mutual dependence and vulnerability into ones of care and service. Suppose I let an expert council or an impersonal mechanism rule rather than claiming democratic participation rights and acting as a co-ruler of the polity. By so doing, I express disinterest in proactively engaging my agency with the making of justice, that is, with the process of determining how the interests of my fellow citizens should be taken into account when determining how the basic institutions that determine the terms of interaction and the distribution of social advantages and disadvantages. In other words, I disengage my agency and deliberative faculties from the task of deciding how your good should be taken into account within the scheme of social cooperation of which I am also a part and which I will also uphold.

This level of disengagement and disinterest under the condition of deep interdependence is problematic even if the resulting system of cooperation, e.g., rule by an expert council or impersonal mechanisms, ends up being just. Shiffrin's discussion is also instructive here:

It's not enough that I endorse the pattern of installed justice, for discursive affirmation or endorsement of a system may be issued from a posture of remove that will not succeed as a communication of *respect*, an interpersonal relationship requiring more substantive participation by its members than mere approval of one party's circumstances or another's action toward him. [...] The system must, therefore, not only be endorsed by us but also must be our product. (Shiffrin 2017, 153–57)

While, again, I disagree with Shiffrin that what is at stake here is showing respect, I agree that there is something deficient about the mere endorsement of and compliance with a just system of rules from a posture of remove, particularly under the condition of deep interdependence. When your good so fundamentally depends on me and my contribution to our shared scheme of cooperation, distancing myself from governing said scheme by way of inserting an expert panel or an impersonal mechanism between myself and the rules I will end up being subject to, signals that your good, although it depends on me and my contribution to social cooperation, is not sufficiently significant for me to mobilize my deliberative faculties and agency, and to take responsibility for it by assuming the role of the democratic co-ruler of the polity.

But one may resist this conclusion by arguing that one may show proper appreciation for others' good precisely by disengaging oneself from the governance of the scheme on which others' good depends, particularly, when said scheme would be better governed by an expert panel or impersonal mechanisms. After all, if the expert panel could better institute justice, then isn't stepping aside the responsible and indeed caring thing to do? Do I not best serve others by not imposing my incompetent decisions on them? This seems to be true in many everyday cases. If my friend or child needs surgery, I do not do them any favours by trying to perform it myself. I ought to step aside and let a doctor treat them instead. This is correct. But even then, we should not completely disengage our agency from the project of making sure that they are doing well. If once I dropped them off at the hospital, I ceased to show interest in their health, never visited or asked how they were doing, they would rightly feel that I abandoned them in a certain sense. In the context of the parent-child relationship it is crucially important not only that parents stay involved while children are under the care of medical professionals, but also that they retain the final say in what happens to their children, even when they may not make the best possible decisions. They cannot renounce all responsibility once the child is handed over to the doctor without renouncing their standing as parents altogether.

Service value, recall, is relational value. It is the value of a certain way of being in the world among others, of being a certain kind of agent who relates to other in a certain kind of way. Disengagement, even when it leaves the parties better off, does not promote, but precludes the realization of service value by destroying the very relationship within which service value is meant to be realized. This is not to say that under some circumstances disengagement is not the right thing to do. The continuation of some relationships is harmful for parties, perhaps despite their best efforts and intentions. Other times the instrumental benefits of ending a relationship are so great that it is wrong to insist on keeping it. But clearly one cannot establish a relationship

of service with another by exiting their relationship. In these cases, one does something good for the other in a certain sense but does not realize the relational value of service.

It may be objected that by trusting an expert panel with ruling the polity, and thereby disengaging their agency from the establishment of justice, citizens do not abolish their relationship with one another. They remain participants of the system of social cooperation, and the expert panel will continue to rely on them for implementing their laws and decrees. Consequently, since individual citizens' contribution is the stuff of social cooperation, citizens will always be in a position to block or sabotage the rule of the expert panel. Although they are no longer makers of justice, they can always be unmakers of injustice; they can always stay vigilant and ready to organize general strikes and revolutionary action were the expert panel resort to injustice, and in this way they can remain sufficiently invested in common project of implementing justice in the polity.

But even a parent who abandoned their child to an orphanage can reintroduce themselves into their life if they judge that the child is being treated badly. In fact, any stranger can do that. This hardly indicates that a serving relationship exists between the absentee parent and the abandoned child. Of course, citizens under epistocracy are not wholly absent from one another's life. As participants of social cooperation, they remain involved in upholding their cooperative scheme and the epistocratic system of government and they may do so out of the conviction that this is for the best, i.e., that this secures justice most effectively for the whole citizenry. But this alone does not make their relationships serving relationships. Consider the example of parents who always act in a cold and unsympathetic way toward their children out of the, let us assume, correct, conviction that this will prepare them for the hardships of life and make them best off in the long run. It may be true to say that the parents have caring attitudes, after all, they only want what is best for their children, but even if their actions succeed in making them better off, they do not have a serving-caring relationship; and they certainly do not relate in a way that would fit the legitimate expectations of children given the background of institutions, social meanings, and practices that structure parent-child relationships in society.

In the case of the vigilant citizenry under epistocracy, their engagement with the common project of establishing justice remains characterized by a posture of remove, to use Shiffrin's term, which, I argued, constitutes a serious relational disvalue under the condition of deep social interdependence. They may be better off under epistocracy, but given the background condition of deep social interdependence, the right way for them to serve each other is by becoming makers of the fundamental rules and norms that govern social cooperation. It is conceivable that the instrumental benefits of epistocracy are so great under some circumstances that

tolerating this disvalue is justified. But choosing this option does not amount to realizing the service value which is appropriate for their situation, but rather opting for losing this value for the sake of the instrumental benefits of epistocracy.

This is not to say that democratic citizens can never defer to expert opinion. Rather, it indicates that the role of expertise in democracy is best understood, similarly to political representation, discussed in Chapter 1, on an agent-principal model. The role of ordinary citizens vis-à-vis experts in democratic decision-making is not simply to “shut up and listen” (Blake 2019). Citizens rely on expert knowledge in determining the aims and proper functioning of social cooperation; their responsibility is to find appropriate ways to channel expert knowledge into the democratic decision-making process, not to hand over political power partially or wholly to experts, whether *de facto* or *de jure*. It may be appropriate to describe this as a division of labour between ordinary citizens and experts (Christiano 2012), but it is one where citizens retain a principal role.⁴⁶

As parents should not relinquish their standing as bearers of final responsibility for their children when they turn to expert opinion, so democratic citizens should treat experts as agents who participate in democratic deliberation and decision-making on their terms and on their behalf.⁴⁷ Of course, citizens’ relationship differs greatly from the parent-child relationship. What makes it appropriate for citizens to relate to each other in the mode of mutual service as democratic co-rulers of their polity is that their relationship is characterized by deep interdependence, unlike the parent-child relationship. Our relationship as citizens in modern societies is analogous to familial relationships only in the sense that we are in a particularly important way placed in the hand of each other – as children are placed in the hands of their parents. We are deeply vulnerable to and depend for the pursuit of our own projects on each other. Entering into the relationship of mutual service that democracy establishes means taking seriously this fact of interdependence and its moral consequences; of taking responsibility for our role as moral agents in society. More than that, this is the only appropriate way to take responsibility for our role in society at least under the conditions of deep interdependence. The way we are called upon to serve each other by the way in which social cooperation functions in modern society is *qua* makers of this scheme of social cooperation. Answering this call is only

⁴⁶ Naturally, experts are themselves often, although not always, citizens, therefore the same person may be an agent of the people *qua* expert and a principal *qua* citizen.

⁴⁷ It goes without saying that the relationship of citizens is in many important ways not like the parent-child relationship. The latter is a hierarchical one in which dependence is asymmetric. However, they are similar in that the dependence is deep and the serving relationship that constitutes the appropriate response to this dependence involves authority. Citizens’ relationship is in some ways a symmetric variant of this type of relationship.

possible under institutions that make us makers or co-authors of the fundamental rules that constitute the scheme of social cooperation, i.e., under democratic institutions.

As Jeremy Waldron rightly observes, democracy “signifies that the state belongs to the people and that it is not just something set up for the public benefit.” (Waldron 2016a, 177–78) Democracy makes political decisions ultimately attributable to us citizens and no one else, thereby expressing that the polity is ours, it belongs to us. But it belongs to us *not as property*, but as a *responsibility*, as a task we are charged with. By assuming this responsibility, we realize an important relational value vis-à-vis our fellow citizens, i.e., the service value of democracy. Democracy is an essential constituent element of this value. There is no other way to appropriately respond to the fact of deep social interdependence, except by becoming makers of the social and political systems on which we deeply depend, that is, by governing them democratically. This value – as the similar relational value in friendship or parenting – is realized even when it involves suboptimal service, for what we value about relating to each other in this mutually serving way is not the maximal advancement of one another’s good – although the adequate advancement of each other’s good is a prerequisite of the realization of service value – but the kind of concern expressed by aligning our agency with the common project of making and remaking the basic rules of social cooperation in such a way that advances each other’s good by way of instituting justice.

Democracy, therefore, does not only have essential constituent value, but also important essential constituent value. In the context of citizens’ deep interdependence relating to each other in the mode of mutual service as co-authors of the system of social cooperation on which they depend and through which they are connected is singled out as a uniquely valuable form of service which citizens have reason to prefer to instrumental optimality. Not because preserving the quality of interpersonal relationship in the political community should always take precedence over instrumental improvement – again, if the costs are too great, e.g., human extinction, it should not. But there are nonetheless cases where citizens should prioritize establishing the right kinds of relationship among each other over instrumental optimality as friends should prioritize the relational value of suboptimal service over having the best possible birthday party.

6.4. Directive power and moral independence

In the remainder of this chapter, I would like to examine what I take to be the most important objection to my argument about the importance of democracy. The starting point of the objection is that as democratic co-rulers, citizens do not simply serve one another by bestowing

benefits on each other. They do not make gifts and throw birthday parties. Rather, they serve each other by exercising public authority backed by the coercive apparatus of the state. This is a variation on the Public Authority Objection introduced in Chapter 4. That argument, aimed at refuting autonomy-based conceptions of the value of democracy, holds that democratic citizens wield power over others and the value of one's power over others can never be derived from one's autonomy. Similarly, one may argue that the service value of democracy is simply the *wrong kind of reason* to grant anyone power over others.

To assess this objection, it is important, first, to clarify what precisely warrants treating serving others by the exercise of democratic ruling powers as a special case. Democratic citizens, of course, *rule* one another, and one might believe that ruling others is always presumptively morally suspect. But why exactly? A fairly straightforward suggestion is made by Daniel Viehoff:

It is a moral fact about us that we each have our own life to lead, a life for which we bear special responsibility. The success of each person's life matters not just to her, but also objectively, and others thus have reason to help her lead a good life, and she reason to help them. Still, the reasons we each have to help others lead a good life are constrained by the special relation each of us has to her own life, and to the projects, relationships and challenges that constitute it. [...] Political power presumptively poses a problem for an agent's moral independence. (Viehoff 2017, 284–85)

According to this suggestion what makes rule special is the fact that it presumptively harms moral independence. Moral independence here is understood as the basic moral fact that each of us is entitled to lead their own lives according to their own determination without undue influence from others. This way of understanding moral independence links it closely to the concept of autonomy as introduced in Chapter 4. Nonetheless, in the following discussion I will continue using the terminology of moral independence.

The loss of moral independence appears to be a particularly serious loss; it stands to reason that it can only be justified by a specific set of considerations. Perhaps it is the case that service value is not among them. I will not dispute the premise that if P ruling Q indeed presumptively harms Q 's moral independence, then the service value of rule is not the right kind of reason to establish the value of or justify P ruling over Q . In fact, I agree that there are kinds of rule and power over others more generally that do presumptively harm the moral independence of subjects, and in the case of which service value is not the right kind of reason to allow those power relations to emerge. For example, an extremely overbearing parent or a benevolent dictator may end up in some sense advancing the good of their children and subjects respectively, but they do so by harming their moral independence which makes their service wrongful, and as such, void of value altogether. However, this consideration does not

undermine the view defended here, for it is not supposed to establish that rule *as such* is of value, but that democratic rule specifically is. It is not meant to defeat anarchism but to defeat instrumentalism. If there are some kinds of rule which my account cannot justify or single out as valuable, then this is of no concern for the present discussion. While many authors prefer to integrate the account of the value of democracy into a more general account of the justification or moral necessity of political authority, the two issues are separate and do not have to be discussed together as I noted in Chapter 2.

Is democratic rule, then, suspect in the same way the rule of overbearing parents and benevolent dictators is? One may argue that democratic rule shares the property that makes all other kinds of rule suspect in this way, namely, that it is *coercive*. Coercion presumptively harms moral independence, and since democratic rule must involve coercion, it too necessarily threatens moral independence. I believe that the antecedent of this conditional is false. This may seem counterintuitive. If moral independence is closely analogous to autonomy, then indeed all forms of coercion is presumptively harmful for moral independence, because all forms of coercion threaten autonomy. For example, Raz argues that “[a]ll coercion invades autonomy by subjecting the will of the coerced.” (Raz 1986, 155). The coercer “subjects the will of another to his own and thereby invades that person's autonomy.” (Raz 1986, 154) Similarly, Michael Blake argues that “Coercion, we might therefore say, expresses a relationship of domination, violating the autonomy of the individual by replacing that individual’s chosen plans and pursuits with those of another” (Blake 2001, 272).

Yet these claims make it clear that coercion harms autonomy by virtue of its *dominating* quality. Coercion harms moral independence, in other words, insofar as it involves domination, i.e., the subjection of the coerced to the will of another. However, as I argued in Chapter 3, democratic rule does not have such a dominating quality. Who exactly subjects the will of democratic citizens to their own? Who replaces their chosen plans with those of another person? No doubt, democratic citizens are subject to coercion, But as Kolodny (2014a) and Pettit (2012b) remind us, a characteristic feature of democratic legislation is precisely that it places no one in a position to subject the will of the rest of the citizenry to their own.

Viehoff’s own understanding of why rule is presumptively harmful for moral independence differs from this coercion-based explanation. He writes:

Political power presumptively poses a problem for an agent's moral independence. Both coercive threats and authoritative directives—the two forms of power most central to politics—involve one person's intentionally changing another's reasons for action. What is more, such exercises of power are normally intended not just to provide a minor change in reasons (the way that, say, a request may do), but to practically settle how the subject ought to act—to create a conclusive reason for a particular course of action. If A has such directive power over B, then A is enabled to effectively settle what B will do (at least if B is rational), and thus to direct B's rational agency at will. (Viehoff 2017, 285)

It is, then, *directive power* that makes service value the wrong kind of reason to establish democratic rule. But do democratic citizens have directive power over one another? Having directive power, as Viehoff explains, is to have the power to create conclusive reasons for others to act. A conclusive reason is a reason for action that is not overridden by countervailing reasons for action (Raz 1999, 27). To say that democratic citizens have directive power over others is to say that they have the power to settle the question of what will be the final reasons for them to act, not counteracted by other competing reasons, at least with regard to certain domains. This claim is ambiguous between a distributive and a collective reading.

On the distributive reading, it would mean that each citizen has the power to “practically settle” how others are supposed to act. This is clearly false. Democratic citizens do not have the power to ban each other from crossing the street or step on the grass in the park, even though they have the power to make rules about these matters together. But maybe even though no democratic citizen is a dictator onto herself, the fact that they together exercise such tremendous public power has consequences for the standing of the individual democratic citizen as well. As Arneson emphasises, “[t]he right to participate by voting in the legislative and executive processes of a democratic state is in a *small way* an instance of a right to exercise a special power to direct the lives of others” (Arneson 2009, 200; emphasis added). In other words, the power granted us by democratic institutions is a scaled-down version of the power granted, for example, to the ship captain or the drill sergeant to direct the lives of their subordinates. For all intents and purposes, it is the same kind of thing as the political power an absolute monarch or a dictator wields over citizens.

But this is a very peculiar thing to say. What would it mean for one to instantiate directive power in a “small way?” It seems to me that this would precisely mean that the power instantiated is *not* directive. Once the power of the dictator is made “smaller” or is “watered down” it is not dictatorial power anymore. It is rather curious that instrumentalists are willing to accept both that democratic citizens wield the same kind of power that dictators and ship captains, and at the same time the No-Impact Objection which holds that individual democratic citizens have no real power over the outcomes of the decision-making process. It cannot be true simultaneously that I as a democratic citizen have the power to direct the lives of others, i.e., to

give them conclusive reasons for actions, although only in some diluted way, *and* that my wishes that others act in certain ways are inconsequential because my voice is lost among the voices of millions. The power to direct the lives of others “in a small way,” i.e., by way of exerting negligible impact as a member of a large democratic community on what reasons for action they end up with, is not power to direct the lives of others at all. One cannot seriously say that I can in any way have the power to tell others what to do, when I in fact need the cooperation of millions of others, including those I wish to tell what to do, to get them to do it.

Those who make this point seem to be under the sway of certain Hobbesian intuitions about the nature of authority. For them, the paradigm of authority is the Hobbesian sovereign who certainly does have directive power over the lives of the governed. And from the fact that democratic citizens wield public authority, they infer that this authority must be in some “small way” the equivalent of Hobbesian sovereignty. But this inference is both flawed and philosophically myopic. The Hobbesian sovereigntist tradition is not the only way to think of the nature of political power, and arguably not the most fitting for the case of democratic politics. It would be much more accurate to attribute to democratic citizens authority in sense of in the ancient sense of *auctoritas*, i.e., as the quality of commanding respect and the recognition of the import of one’s views in public decisions by virtue of their standing in society. As Pettit puts it, a democratic citizen in this sense is “a voice that cannot properly be ignored, a voice which speaks to issues raised in common with others and which speaks with a certain authority: enough authority, certainly, for discord with that voice to give others reason to pause and think” (Pettit 1997, 91).

However, one may still turn to the collective reading of the claim that democratic citizens have directive power over others. On this interpretation, there is in fact an agent that has directive power over democratic subjects. It is not the individual democratic citizen, but rather the democratic collective as a whole. This group agent has directive power over citizens, and this directive power is the reason why subjected citizens’ moral independence is in danger. It is certainly the case that democracy is a form of government in which citizens rule together. This requires establishing a system of interlocking collective intentions, and perhaps even various group agents that decide and act together. But as I discussed in Chapter 1, ruling together does not necessarily mean ruling as one. While democratic rule is always a joint project, it is not always warranted to view the whole of the democratic public as acting as a single unified collective agent with its own well-defined volitions that may dominate individual citizens. Democratic citizens rule their polity together not simply by voting, but also by deliberating, protesting, making appeals to the constitutional court, organizing political parties, and so on.

To say that in all these activities a single unified collective agent is at work who directs the life of citizens in accord with its own distinct volition is very implausible. This view of the democratic public as a tyrant unto itself is an ancient bogeyman created by anti-democrats. This is not to say that democratic institutions can never be abused to create tyrannical democratic publics, only that this is not necessarily so.

Furthermore, as also emphasized in Chapter 1, it is important not to have a mystical view of collective agents, as suprapersonal entities hovering above individuals. Certainly, making a verdict alone, e.g., as a judge, is different from making one together with others, and therefore the way in which the making of the verdict is attributable to the individual juror is different from the way in which it is attributable to a judge. But this does not mean that the juror does not make the verdict, as it is true that only two can dance a waltz, but this does not imply that the individual members of the duo do not dance the waltz, but someone else, i.e., the duo as a group agent, dances it instead. Individual members of the duo are dancers of the waltz, individual jurors are makers of the verdict, and democratic citizens are rulers of their polity, albeit they act together with others. If the group agent of the citizenry has directive power over the individual citizen *P*, therefore, then it has it by virtue of, and only in the sense that *P*, *Q*, and all other citizens share this power among each other. Of course, when directive power is shared this way, it gets diluted, and it is perhaps more natural to say that it dissipates completely. Under democracy no one has directive power over anyone else in particular.

However, one may argue that even then directive power does not dissipate entirely, or at all. Citizens are still subject to – perhaps impersonal – directive power in that they do not supply many of their conclusive reasons for action for themselves. Their reasons for action are shaped by rule-making processes of which they may be part but which they have no chance to decisively control or escape. This appears to some extent lessen their moral independence, i.e., their ability to live their own life on their own terms. If so, then there may still be a justification for the claim that citizens should not be subjected to this impersonal directive power of democratic institutions only for the sake of realizing the service value of democracy. If they are to be so subjected, then this may only happen for the sake of instrumental value.

I believe that this is incorrect, even if one maintains that directive power does not dissipate under democracy. To see why, let us recall that what grounds the specific relational service value of democracy is the fact of deep social interdependence. Citizens of modern societies live together under schemes of social cooperation in which their good depends on one another's agency. I argued that this warrants establishing relationships of mutual service among them where service is aimed at making the norms and governing rules of social cooperation just.

Democratic rule is meant to ensure justice in social cooperation. Democratic rule makes claims on those parts of our agency which are caught up in interdependence relations with others anyway. Since others' good depends on these aspects of our agency we have no prior claim on them. We have no standing to demand that these aspects of our agency be governed according to our own determination; we are already beholden to others with respect to their exercise. This is admittedly a very wide range, since under the condition of modern society our agency is very deeply embedded into tightly woven ties of social interdependence, but it is not the whole of our agency. There remain and ought to remain – as mandated by justice – genuine spheres of private business which democratic decision-making has no right to encroach upon. Were the directive power of democracy to intrude into these areas, we would have a legitimate complain. But one cannot presume that under the condition of deep interdependence all directive democratic power is presumptively intrusive in this way.

To put the matter in more abstract terms: democratic directive power presumptively harms moral independence only where one can legitimately expect one's judgement, convictions, preferences, and so on, to take precedence in determining one's reasons for action, i.e., where one is entitled to lead one's life in whatever way one pleases. When we live together in society, many cases are not like this. I am not entitled to step on your foot, punch you in the face, take your property and so on. I am also not entitled to exercise my agency within the scheme of social cooperation in ways that harm others and hinder justice. In those cases, I am already beholden to others with respect to my conduct. I am accountable to them and may be called upon to comply with just principles of cooperation.

This is not to say that simply because I am subject to these requirements, they are arbitrarily enforceable by any person or group. Take the farm case, for example. Since you depend on me for the availability of food and shelter, I am under a requirement to do my fair share of work on the farm. I may be very lazy and stubborn, such that the only way to get me to do my share is to threaten me with serious bodily injury. This does not mean that you have the right to enforce this requirement by threatening me with serious bodily injury. My right to bodily integrity, the badness of pain, and so on, all speak against your right to do so. But what does *not* speak against it is my entitlement to moral independence. Forcing me to do my fair share of work by means of a threat of serious bodily injury is wrong not because it harms my moral independence, but for a host of other reasons. If you were not dependent on my work, but wished to utilize my labour to gain some additional benefits, then my moral independence – together with my rights, and so on – would perhaps be again of relevance in criticising your coercive conduct.

Is, then, democratic directive power presumptively harmful for moral independence? The answer largely depends on what the domain is where this power is exercised. If it is the amount of time one can spend in a public park on a Sunday afternoon, then perhaps yes, the introduction of exclusionary reasons in this domain presumptively harms our moral independence. Barring special circumstances, e.g., a global health crisis or a natural catastrophe, one ought to be able to spend as much time in a public park on a Sunday afternoon as one prefers. If it is about the transportation of dangerous chemicals, then it seems that the claim that regulating this domain is somehow threatening to our moral independence is strange. We never should have been allowed to transport dangerous chemicals in any way we see fit in the first place. We can have absolutely no complaint if this domain is ruled by democratic directive power. Whether democratic directive power harms moral independence depends on our pre-existing claims that our preferences, convictions, judgements, and so on, in short, the sorts of reasons that pertain to our moral independence, take precedence in the relevant domain. When those claims are valid, the exercise of democratic directive power in a particular domain may be harmful for our moral independence; but when they are not, it is not.

Democratic directive power, then, presumptively harms moral independence only if it operates on a domain where one can legitimately expect one's judgement, convictions, preferences, and so on, to take precedence in determining one's reasons for action. These domains, however, are normally located in what is traditionally called the private sphere. To them belong the matters that pertain to one leading one's own life according to one's own determination, and where political power should not operate in the first place. Political power is meant to regulate our shared life, to determine the norms of interaction in political society and set up systems for us living in society together. It is decidedly not meant to tell us how to lead our own lives. Outside this private domain in what may be called the public sphere, where the interests of others are at stake as well, our moral independence has less import, or perhaps none at all. One can acknowledge that the way in which our shared life is governed greatly determines our options and incentives in our private life. One may not infer from these, however, that in each and every case when directive power is exercised on one in any domain whatsoever, one's ability to take responsibility for and shape one's own life according to their own determination is somehow diminished, and one's moral independence is harmed.

This, of course, does not mean that in the public domain we have no valid claims against the exercise of directive power. We may resist being subjected to the directive power of dictators and warlords in the public domain for reasons of domination, equality, liberty, dignity, but not moral independence. One may also very well doubt that a sharp line can be drawn between the

public and the private sphere. Similarly, we may resist democratic directive power in the public domain when it starts becoming tyrannical or encroaches upon the private sphere. It is not that democratic directive power is beyond reproach, only that it does not pose a presumptive threat to moral independence under the condition of deep social interdependence. Outside this condition it may be thought of as threatening to moral independence as dictatorial power. Suppose, for example, that *P* lives in complete isolation from others at one's own farm in the wilderness. One day a democratic community wishes to extend its jurisdiction to *P*. In this case *P* may very well be concerned for her moral independence. Since she depends on no one and no one depends on her, the domains on which the democratic directive power is intended to operate fall within the purview of her moral independence; she can legitimately expect herself to set conclusive reasons regarding these domains. This does not mean that her inclusion is necessarily unjustified. She might be obligated by the natural duty of justice to join the democratic community. She might have duties of aid or simple prudential reasons to enter into interdependent relationships with the democratic community. But in this specific case her moral independence would be presumptively harmed by subjection to democratic directive power.

However, as the discussion in the previous section established, most of us in contemporary societies are not in the position of the lone farmer leading an autarkic life into which the democratic public intrudes with its rule-making activity. Rather, we are already caught up in a web of social interaction, cooperation and interdependence. Democratic directive power operates on this interpersonal domain and is aimed at ensuring justice in social cooperation. As such, it cannot be presumed to harm moral independence. If so, then the analogue of the Public Authority Objection against the present account fails. The service value of democratic self-rule is not the wrong kind of reason to establish the sort of power relations that are involved in democratic citizenship, for these power relations, unlike dictatorial power, which is dominating, for example, is not presumptively harmful for moral independence.

In sum, the service value of democracy is an important essential constituent value of democracy. Democracy is an essential constituent element of the realization of a particularly important relational value among citizens. In modern societies citizens stand in a relationship of deep interdependence. They depend for their fundamental interests on the way in which the system of social cooperation is set up, and since this system is constituted by their actions and interactions, they ultimately depend on one another. Under the condition of deep interdependence, it is particularly important that individuals relate to one another in the mode of mutual service. But not just any kind of service. It is of particular significance that citizens turn their relations or mere dependence and vulnerability into serving relations. And since they

depend on one another through the system of social cooperation, it is appropriate for them to serve one another by making and shaping this system of social cooperation.

This requires democratic co-rule, for otherwise their ability to make and shape the system of social cooperation would be defective. If they were not ultimate decision-makers on how their polity functions, they would be forced to stand idly by as injustice emerges, waiting for the benevolent dictator or the council of experts to heed to their pleas. All the while, since they would have to continue contributing to the system of social cooperation in which the injustice emerges, their agency would be inevitably tied up with said injustice which would severely damage their relationship to their fellow citizens. For citizens to relate to one another in the appropriate way, they must relate in the mode mutual service and the particular kind of mutual service that is appropriate for them can only be realized by democratic institutions that ensure that they are all co-authors of the political order under which they live, that is, that they are co-rulers of their polity. Democracy, in other words, is an essential constituent element of the service value that they realize in this way.

This is an important essential constituent value of democracy. It cannot be realized in the absence of democracy, and it can defeat instrumental superiority as a reason to choose democracy instead of an instrumentally superior non-democratic regime. Of course, it does not always defeat instrumental considerations. I do not deny – and neither does any non-instrumentalist – that there are instrumental benefits which defeat any sort of non-instrumental consideration. If humanity could only be saved from extinction by non-democratic means, then, perhaps, we do have to give up on democracy. But not any kind of instrumental superiority can defeat the service value of democracy in deliberation on the preferability of democracy to its alternatives. For this reason, the service value of democracy is an appropriate basis for the defence of non-instrumentalism against the instrumentalist challenge.

Conclusion

This concludes my argument in defence of non-instrumentalism against the instrumentalist challenge. I claimed that what is at stake in the debate between instrumentalism and non-instrumentalism is not a fine technical point in political axiology, but the nature of our commitment to democracy. Instrumentalism is driven by the view that democracy is merely one of the many possible solutions for an institutional design problem, i.e., to the problem of how to make rules to govern our shared existence in the polity. While democracy has its merits, there are, in principle at least, alternative arrangements that according to all relevant metrics perform as well or better than democracy. In contrast, non-instrumentalists treat democracy as an indispensable element of a good society. I argued that thinking about democracy in the non-instrumentalist way is justified because democracy establishes uniquely valuable relationships of mutual service between citizens under the condition of deep interdependence. Transforming our relations of dependence and vulnerability into relations of service, concern, and care, is of great enough importance to decisively support democracy against (at least some) instrumentally superior regimes. The service value of democracy is an important essential constituent value of democracy.

Once again, this is not to say that democracy has absolute value or that there can be no cases when the instrumental superiority of an alternative arrangement defeats the non-instrumental reasons favouring democracy. If the extinction of humanity can only be secured by non-democratic means, then, perhaps, we have sufficient reasons to abandon democracy. If a non-democratic alternative promises to eradicate all disease, suffering, and all others evils, perhaps we would be foolish to refuse these benefits. Needless to say, such possibilities do not appear to be presently forthcoming. However, I do believe that political developments, growing economic and ecological uncertainty, mounting global challenges, and the enduring crisis of democracy, as well as technological advancement may make various forms of non-democracy, e.g., epistocracy, political meritocracy, or (partial) rule by AI, appealing alternatives, at least to some. My argument offers resources to counter the challenge of these alternatives. For even if they are shown to be instrumentally superior to democracy, one can point to the service value of democratic arrangements to advocate for preserving and improving rule by the people instead of replacing it.

Yet it is important to be clear about the implications of the fact that my account does not show the absolute value of democracy. For this allows not only that some instrumentally superior alternative may be preferable to democracy, but also that some non-democratic

arrangements may exhibit non-instrumental value that makes them preferable to democracy. Recall the hypothetical case discussed at the end of Chapter 2 where a non-democratic alternative exhibits the same instrumental value as democracy, but it also has a set of important essential constituent values that democracy does not. I argued that given our deep dependence on the fundamental rules of social cooperation, democracy, i.e., the governance of these rules through our joint agency as co-rulers of the polity, has a unique significance to us as a form of service. Yet nothing excludes that there are other features of our shared existence in modern society which would make other institutionalized forms of service valuable. Perhaps some of these may only be realized under a non-democratic regime *X*. Of course, even if this were the case, it would have to be shown that *X*'s service value is in fact as important as that of democracy. However, if one succeeds in showing this, then perhaps there is no clear sense in which democracy is preferable to *X*.

However, this does not mean that *X*'s service value can simply replace that of democracy, or that *X* does as good a job in establishing relationships of service as democracy. Democracy's service value would be *lost* under *X*, and *X*'s is under democracy. Both losses are something to regret. The choice between democracy and *X* is not like the choice between two equally good hammers – to use Brennan's metaphor. It is more like choosing between two inherently valuable forms of life which sadly exclude one another. That there may be a plurality of ways in which a society may be organized which are valuable for their own sake, is not something non-instrumentalism can or should exclude. Its task is simply to show that if we reach an impasse where neither democracy nor its alternative appears to be preferable, then the choice is unlike the one between two equally good hammers. However, this sort of pluralism also cannot be presupposed without further argument. Even if it proves to be true, showing that democracy has important essential constituent value is not unimportant.

The question of the value of democracy is the question of the value of our political agency. Democracy is a form of government which enlists us in collective project of ruling the polity justly together. It recruits us in a shared undertaking in which we partake as co-rulers of our political community. The theory of the value of democracy tells us about why and how it matters that our agency is connected in this way with political rule; it tells us why it is significant that we rule the polity justly together rather than it simply being ruled for us justly. This contributes greatly to our self-understanding as political agents, and the significance of our standing not only as addressees, but also as authors of the political arrangements under which we live. It clarifies what we owe each other as political agents, as citizens of the same polity who bear shared responsibility for justice.

Unlike the autonomy-based views of the value of democracy, discussed in Chapter 4, the service value account does not focus on the democratic political agent as someone whose primary interests lie in affirming their standing as their own person whose principal objective is to pursue personal projects of their own choice. Exercising choice and political judgement, of course, is part and parcel of democratic political agency, however, this choice is crucially *not* about shaping one's own life or the world according to one's own determination, but rather a choice about others' lives. Instrumentalism and liberal political theory more generally rightly think that such choice about others' lives is morally suspicious, i.e., potentially intrusive, paternalistic, or even dominating. The service value account specifies conditions under which this suspicion is no longer justified. That is, conditions, under which said choice constitutes service, and more than that, service which establishes relationships among individuals which are reasonable for them to want given the conditions of social coexistence. The service value account conceives of political agents as always necessarily embedded into relationships of deep interdependence and vulnerability and are therefore called upon not only to assert their autonomy, but also to provide morally appropriate responses to their situation. On this view, as political agents living together under the morally precarious condition of deep interdependence, our primary moral responsibility is to be serving-caring kinds of agents. This consideration, I believe, should prompt us to rethink the way in which we think about political action, and the role we ourselves should play in society as political actors.

At this point it is worth briefly discussing the relationship between the service value account and equality-based accounts of the non-instrumental value of democracy. I argued in Chapter 3 that such an equality-based account is incomplete without a further argument regarding the value not of the equality of the democratic say, but the democratic say itself. The primary task of non-instrumentalism is not to show why it matters that decision-making power is distributed equally in society, but why it matters that citizens have such decision-making power at all. Both autonomy-based views and the service value account offer answers to this more fundamental question. The latter, I argued, is more plausible than the former. Where does this leave equality-based views, however? One possibility is to say that one can simply combine the service value account with an equality-based account claiming that the service value account specifies those elements of the ideal of social equality which make democracy uniquely valuable. I am personally not at all unsympathetic to such an approach. However, I believe that further argument would be needed to show that the service value of democracy is best understood as part of an overarching ideal of a society of equals. I believe that my defence of non-instrumentalism based on the service value of democracy is plausible independently of such an

argument. It may prove to be overall desirable to accommodate service value within a broader egalitarian ideal, but for our present purposes this does not seem necessary.

Finally, I would like to address what I take to be one of the more serious methodological or perhaps meta-level objections to my view of the value of democracy. This is the objection that mine is a highly and problematically idealistic view. Not only is it psychologically implausible to impute democratic citizens the motive of service, but it is also hard to see real-life democratic politics as being in any way aimed at establishing relationships of mutual service among citizens. Empirical evidence shows that in really existing democracies, citizens are not primarily motivated by feelings of fraternity or fellowship; if anything, they vote according to their commitment to specific identity-groups (Achen and Bartels 2016). Their struggles foster not justice but polarization, and do not advance the good of all citizens, so much as that of privileged groups of status and affluence (Gilens 2012). Rather than prompting citizens to work together in partnership to rule the polity justly together, democratic institutions seem to be aimed at facilitating controlled struggle; they call upon them to advance their interests and conceptions of the good by finding allies, building coalitions and majorities. Rather than mutual service or deliberation about the common good, democracy is best seen as *agonism* (Mouffe 2000). Thus, even a very optimistic assessment of how democratic politics works would cast my account as hopelessly utopian and detached from actual reality.

There are a few things to be said about this objection. First, one would misunderstand the account at hand if one took it to be a descriptive or predictive account of the effects of introducing democracy to society; it is certainly not meant to draw the conclusions of the socioeconomic effects of democracy on really existing countries over last century or so. Rather, it is about the *value* of these institutions and the *point* of introducing them. To illustrate this, consider the following. It might be the case that as a matter of sociological fact, schools in today's society function as institutions of oppressive social control fostering subservience to prevailing ideologies and authorities as, for example, Michel Foucault or Pierre Bourdieu argued. Even if this is the case, however, it should be clear that the schools are not *meant* to be means of oppressive social control. Their purpose and their value in society does not lie in fostering subservience and conformity to prevailing ideologies. The value of schools has to do with education, and this is so even where social contingencies exert distorting effects on their functioning. What Foucauldian and Bourdieusian arguments show is not what schools are *really* about, but how they fail to live up to their genuine purpose.

The realist may retort that ought implies can. My argument is only convincing if citizens are in fact capable of relating to each other in the mode of mutual service as I describe it. The democratic society based on fraternity, partnership, and mutual service, needs at least to be possible, for it to underpin the value of democracy. If the constraints of human nature preclude such relations among citizens in the first place, if reaching the democratic ideal is never feasible, then the value of this ideal becomes extremely dubious. One may be reminded, however, to David Estlund's (2020) argument in defence of unrealistic or even hopeless political standards. As he notes, although ought implies can, ought does not imply reasonably likely. It may be that due to the inherent imperfections of human nature, there will always be people who break their promises for selfish reasons without further justification. This does not mean that it is sometimes permissible to break our promises for selfish reasons without further justification. Such motivational constraints of human nature have no effect on the moral requirements that regulate our personal behaviour, so why should they matter when it comes to politics?

Still, I share the realist's unease with the idea of genuine political values that are out of the reach of what is humanly feasible. I would much rather question the thought that realizing the democratic ideal is precluded by the constraints of human nature. Such claims that notoriously hard to verify. Many things that in the past seemed part of human nature or the natural order turned out to be products of tradition and prejudice. In the case of democracy, I would argue that the adverse empirical phenomena that characterize really existing democracies are the result of distorting circumstances exogenous both to human nature as well as the inherent characteristics of democracy. Today democratic institutions everywhere in the world operate in societies suffering from severe economic and social inequalities, unrepaired historic injustices, ethnic and religious tensions; democratic institutions are under constant attack by anti-democratic actors actively trying to undermine their proper functioning. Given such external conditions, is it any surprise that democracies fail to exhibit the kind of fraternity and mutual service that I discuss?

Yet the question remains: if the value of democracy is only realized in an ideal world without inequalities and social tensions, then what is the point of having democratic institutions in the real, non-ideal world? The democrat may argue that the democratic ideal, like most political ideals, is *aspirational*. We are not meant to realize it in its entirety, but rather aspire to approximate it as much as possible. However, here again it is Estlund that reminds us to beware of what he calls the fallacy of approximation. Sometimes having only a part of something good is worse than having none of it (Estlund 2020, 271). Perhaps realizing democracy in a world without inequalities and social antagonism engenders relationships of mutual service, but in the

real world, it leads to polarization, populism, the demise of civility, and so on. Maybe, if we cannot realize the democratic ideal in its entirety, then it would be better not to realize it at all, at least, if we have instrumentally superior alternatives.

In answer, I would first note that I do not think that for the value of democracy to be realized, one needs to eliminate *all* inequalities and social tensions. Arguably, some level of antagonism or at least disagreement is an ineliminable circumstance of politics, but people who serve each other and who relate to one another in the mode of communal reciprocity do not have to have perfectly harmonious interests and preferences and consensus regarding the common good. They merely have to conduct themselves in such a way that the good of others can be viewed as a genuine object of concern for them. This is compatible with the existence of opposing interests and fundamental disagreements in society.

Second, it is worth recalling the axiological considerations presented in Chapter 2. There I argued that a proper account of the non-instrumental value of democracy should identify a value of which democracy is an essential constituent element, such that this value cannot be realized without democracy. This is compatible with the claim that said value has further – essential and non-essential – ingredients, as well as conditions which are necessary for its realization. These may include mass literacy, the rule of law, and the elimination of massive social inequalities. This means, first and foremost, that creating democracy for the sake of realizing its value is best conceived of as part of a larger project of bringing about all the necessary ingredients and conditions of the realization of said value. If we set out to implement democracy with the purpose of establishing a society of mutual service, we cannot leave social inequalities intact. Insofar as mitigating social inequality and easing social tensions are, similarly to democracy, also elements of the realization of mutual service in society, there is no reason to treat them simply as immutable background conditions against which the project of democratisation takes place. To the contrary, they can and should be incorporated within the larger undertaking of realizing the service value of democracy, i.e., the creation of a society where citizens serve one another by ruling the polity justly together.

One may object that under some circumstances, securing some background conditions and elements, e.g., mitigating social inequalities and easing social tension, of the realization of the service value of democracy is most efficiently achieved through non-democratic means. Maybe we should introduce non-democracy temporarily precisely to achieve these goals and prepare society for the introduction of democracy proper, as in Marxist theory producing a fully emancipated society requires first the dictatorship of the proletariat. I would remark first that this possibility cannot always be a priori excluded. As I emphasized throughout, sometimes

instrumental considerations can defeat the reasons to choose democracy. Maybe we have reasons to opt for non-democracy not only when the extinction of humanity is at stake, but also when the very preconditions of democracy are in danger, as militant democrats argue (Sajó 2004; Müller 2016a; see also Malkopoulou 2020). Indeed, throughout history democratisation often required revolutionary action against autocratic oppression, and revolution, despite the best intentions of revolutionaries, is rarely a democratic affair.

I would also note, however, that we should not overestimate how much non-democracy can contribute to democratisation. Democracy is not simply a matter of an institutional setup; it is a collective political practice which calls upon citizens to exercise their agency in various ways. Their knowledge of and capabilities to engage in this practice can only be developed and maintained through their active participation therein. As Rosa Luxemburg remarks critiquing Lenin's developing dictatorship, the lack of public participation and democratic control has devastating effects: "Public control is indispensably necessary. Otherwise the exchange of experiences remains only with the closed circle of the officials of the new regime. [...] The only way to a rebirth is the school of public life itself, the most unlimited, the broadest democracy and public opinion." (Luxemburg 2004, 306–7) There is a limit to how much non-democracy can do for the fostering of democracy.

Furthermore, we should not forget that in the project of creating a society of mutual service, the implementation of democracy has special significance in that it is an essential constituent element of such a society. In whatever way we plan to realize this value, implementing democracy must figure somewhere in those plans. In whatever way we plan to create a society of mutual service, democracy is a step we cannot miss. Democracy must be realized, not because it can bring about a society of mutual service on its own. Were it as close to its ideal form as possible, it would probably still be unable to bring forth such a society all by itself, for inequalities, historic injustices, social tensions, and so on, can all intervene and adversely affect social cooperation. Thus, whenever we attempt to secure democracy, we must take steps to counteract these adverse effects as well. Nonetheless, without democracy we cannot have that society of mutual service. This is the reason why we should create democracy in an imperfect world.

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