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DEMOCRACY AND EQUALITY

By Steven Wall

Many writers claim that democratic government rests on a principled commitment to the ideal of political equality. The ideal of political equality holds that political institutions ought to be arranged so that they distribute political standing equally to all citizens. I reject this common view. I argue that the ideal of political equality, under its most plausible characterizations, lacks independent justificatory force. By casting doubt on the ideal of political equality, I provide indirect support for the claim that democratic government is only instrumentally justified.

According to a common view, democratic government rests on a commitment to political equality. The ideal of political equality holds that political institutions ought to be arranged so that they distribute political standing equally to all citizens. The task for normative democratic theory, on the common view, is to articulate an attractive interpretation of the ideal of political equality and then to trace out its implications for the design and reform of political institutions.[1] Not every democrat accepts the common view, however. Mill famously rejected the ideal of political equality.[2] More recently, Richard Arneson has argued that political rights are justified to the extent that they protect more fundamental non-political rights.[3] Mill and Arneson claim that democratic government is the best form of government, but both are prepared to recommend politically inegalitarian institutions if it can be shown that they would yield better political outcomes over time. I shall call this position *democratic instrumentalism*.

[1] See, among others, C. Beitz, *Political Equality* (Princeton UP, 1989); H. Brighouse, 'Egalitarianism and Equal Availability of Political Influence', *Journal of Political Philosophy*, 4 (1996), pp. 118–41; A. Buchanan, 'Political Legitimacy and Democracy', *Ethics*, 112 (2002), pp. 689–719; T. Christiano, *The Rule of the Many* (Boulder: Westview, 1999); J. Cohen, 'For a Democratic Society', in S. Freeman (ed.), *The Cambridge Companion to Rawls* (Cambridge UP, 2003), pp. 86–138; J. Waldron, *Law and Disagreement* (Oxford UP, 1999).

[2] J.S. Mill, *Utilitarianism, On Liberty, and Considerations on Representative Government*, ed. H.B. Acton (London: Dent, 1987), p. 306.

[3] R. Arneson, 'Democratic Rights at National and Workplace Levels', in D. Copp, J. Hampton and J. Roemer (eds), *The Idea of Democracy* (Cambridge UP, 1993), pp. 118–47, at p. 120.

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My aim in this paper is to provide indirect support for democratic instrumentalism by undermining a powerful and common argument for the non-instrumental value of democratic government. This argument, which I call the *egalitarian argument for democracy* (EAD), purports to vindicate political equality by deriving it from a deeper egalitarian ideal. As the discussion proceeds, I identify different versions of this argument and critically discuss each version in some detail.

I. THE EGALITARIAN ARGUMENT FOR DEMOCRACY

Before I outline the targeted argument, a few preliminary points are in order. First, it is important to note that even if politically egalitarian institutions would in fact produce optimal political outcomes over time, this fact would not vindicate the ideal of political equality. It would establish only that political equality is justified by democratic instrumentalism. For the ideal of political equality to be vindicated, it must be shown to be more than a mere by-product of a sound justification.

Secondly, it is possible that political equality is a bedrock normative ideal. I shall not have anything to say against this possibility here. I shall proceed on the assumption that if the ideal of political equality is a sound normative ideal, then it is derived from a deeper value, or set of values, that explains its moral importance. An ideal is derived from a more fundamental value if it is a necessary component of the more fundamental value, in the sense that realization of the more fundamental value requires its realization.

Thirdly, as indicated above, I shall not discuss every argument for political equality. I shall focus instead on what I take to be the most promising defences of the ideal. These pursue the strategy of grounding political equality on a deeper notion of equality. Defences that follow this strategy are instances of the (EAD).

I now present the (EAD) in general form.

P1. Every citizen's life is equally morally important (or of equal moral worth)
P2. Consequently fully legitimate political institutions, including institutions that distribute political standing, must show equal regard for all citizens
P3. Political institutions that do not distribute political standing equally to all citizens fail to show equal regard for all citizens
P4. Only democratic governments distribute political standing equally to all citizens
C. Therefore only democratic governments are fully legitimate.

So presented, the (EAD) justifies democratic government by appeal to the ideal of political equality. And it purports to show that the ideal of political equality has (non-instrumental) justificatory force because it follows from a deeper egalitarian idea, namely, the idea that everyone's life is equally important.

Both (P1) and (P4) of the above argument are open to challenge. (P4), in particular, does not follow from (P3) without additional premises. However, I shall not contest either (P1) or (P4) here. My concern is with the transition from (P2) to (P3). As presented above, this transition requires supplementation. I shall be asking whether there is a plausible line of argument which can provide the needed supplementation.

Proponents of political equality have offered a number of formulations for whatever it is that is supposed to be distributed equally by democratic institutions. Among other things, writers claim that democratic institutions provide citizens with 'an equal say',[4] an equal share of political power,[5] equal political influence,[6] equal political liberties[7] and equal political status.[8] The general statement of the (EAD) employs the vague phrase 'equal political standing'. Depending on how this vague phrase is specified, we get rival versions of the argument.

The different versions of the argument can be usefully sorted into two broad families: resource-centred and status-centred arguments. (Resource-centred arguments view political power in terms of a resource to which citizens have an equal claim, whereas status-centred arguments view political equality in terms of the relations between citizens that it establishes.) In what follows I shall consider the most important members of both families of argument. The critical discussion of both sets of arguments will not only undermine the (EAD), but also cast light on how democratic government can be justified without appeal to political equality.

II. EQUALITY OF RESOURCES

Resource-centred arguments construe political standing in terms of the distribution of political resources. These arguments seek to show that for political institutions to treat citizens with equal regard, they must distribute political resources equally. In this way, these arguments seek to justify the transition from (P2) to (P3) in the (EAD).

[4] Buchanan, 'Political Legitimacy and Democracy', p. 710.
[5] I. Shapiro, *Democracy's Place* (Cornell UP, 1996), pp. 49–52.
[6] Brighouse, 'Egalitarianism and Equal Availability of Political Influence', pp. 119–20.
[7] Cohen, 'For a Democratic Society', p. 92.
[8] E. Anderson, 'What is the Point of Equality?', *Ethics*, 109 (1999), pp. 287–337, at pp. 312–13.

Resource-centred arguments start from a common premise: equal political standing consists in equal distribution of a certain kind of political resource. (It is not obvious that treating citizens with equal regard requires the equal distribution of any kind of resource, political or otherwise. But in this section I grant this commonly accepted premise.) The task for a resource-centred argument is to identify the best description of this political resource (or resources) and explain why its equal distribution is necessary if political institutions are to treat citizens with equal regard.

The vote is sometimes taken to be the relevant resource. Political equality requires that each sane adult citizen has an equal vote. I shall call this the *equal votes rule*. If the equal votes rule is satisfied in a political society, then (on this view) political equality obtains in the society. Two immediate objections can be pressed against this view. The first objection is that the vote is not well thought of as a resource. The second objection is that equal votes are neither necessary nor sufficient for political equality. The first objection was pressed by Mill, and I shall not have much to add to what he said.[9] The second objection, when thought through, gives us reason to look for an alternative description of the resource that is to be equalized.

The main reason for denying that the vote is a resource is that the exercise of the vote is an exercise of power over other persons. And, so the objection runs, we do not have fundamental rights to exercise power over other persons unless we can justify doing so. The vote, unlike a personal resource such as money, cannot legitimately be used simply to promote one's own interests or aims. It is therefore better conceived as a public responsibility than as a personal good.[10] This objection moves too swiftly. It is possible that the vote is both a public responsibility and a personal good. The point can be developed as follows. On some matters on which citizens vote it is important for them to aim to reach correct judgements about what their society should do. These include issues that concern justice, for example. But, on other matters, there may be no correct judgement about what the society should do which is independent of the distribution of preferences of those who are voting.[11] When these issues are on the table, citizens should vote in part to express their preferences and to further their own interests. The distinction between these two kinds of political issues is important, and I shall be revisiting it at several points in this article. For now, it shows how the vote can be both a claim to exercise power over

[9] See also Arneson, 'Democratic Rights at National and Workplace Levels', pp. 120–2; R. Dworkin, 'Political Equality', repr. in his *Sovereign Virtue* (Harvard UP, 2000), pp. 194–98.

[10] See Mill, *Utilitarianism, On Liberty, and Considerations on Representative Government*, pp. 323–39.

[11] A distinction of this sort is drawn by Dworkin, 'Political Equality', pp. 203–205. See also J. Raz, 'Liberalism, Scepticism and Democracy', repr. in his *Ethics in the Public Domain* (Oxford UP, 1994), pp. 97–124, at pp. 116–17.

others and a resource for furthering one's own interests.[12] These remarks show that resource-centred arguments are not immediately defeated by the claim that it is an error to conceive of political power as a resource.

The second objection against the equal votes proposal holds that this rule is neither necessary nor sufficient for political equality. That equal votes are not sufficient for political equality has been widely noted. Citizens with more money or greater access to public forums can exercise greater control over political outcomes than those with less money or less access to such forums. Equality of votes is therefore compatible with great inequalities in political power. Political equality demands that 'something' is equalized. The vote is, at most, only a part of the bundle of resources that comprise this 'something'. That on a resource-centred view equal votes are also not necessary for political equality has been less widely appreciated. In part, this is because defenders of resource-centred arguments frequently help themselves to status-centred considerations. There is nothing in principle wrong with this. The best defence of political equality may be a 'mixed view' which combines resource-centred and status-centred considerations. I shall not consider mixed views directly, since what I say against status-centred arguments will tell against these views as well.

At present, however, I am investigating the plausibility of pure resource-centred views; and on such views, equality of votes is not plausibly a necessary component of political equality. The reason for this is that if equality of votes is only a part of the bundle of resources that must be equalized for political equality to obtain, then it ought to be possible to maintain political equality while violating equality of votes, so long as the unequal votes are compensated for by other resources relevant to political equality. Citizens could, in other words, have different, but equal, bundles of resources. Those with less money, for example, could be given extra votes.

The idea that unequal votes could be compensated for so as to preserve political equality can be resisted. Maybe no extra amount of any other resource can make up for any inequality in the vote. However, without further explanation, this claim is not very convincing. To give it a fair run, I need to bring into view the more robust resource-centred view of political equality towards which I have been gesturing. The rejection of the equal votes rule led to talk of a bundle of resources that must be equalized. How should this bundle be characterized?

A natural proposal invokes the idea of an equal distribution of political power. Whatever resources are relevant to political power should be included within the bundle of resources that must be equalized if political

[12] For this point, see T. Christiano, 'Knowledge and Power in the Justification of Democracy', *Australasian Journal of Philosophy*, 79 (2001), pp. 197–215, at p. 200, fn. 13.

equality is to obtain. Political power, we might say, is the ability to influence political outcomes. (For present purposes, I do not need to provide a sharper account of this idea, for however the idea is developed, the equal political power view is subject to the same objections.) The main problem with the view, as many have noted, is that it is a mistake to think that all sources of inequality in political power are objectionable.[13] Some citizens have greater control over political outcomes because they are more articulate or more motivated to participate in politics. These sources of inequality of political power do not plausibly call for redress. To avoid this implausible consequence, proponents of the equal political power view must distinguish objectionable from non-objectionable sources of political power, and hold that only the former compromise the ideal of political equality.

This manœuvre amounts to an abandonment of the simple equality of political power view. But it points the way towards an alternative and much more promising resource-centred argument for political equality. This argument holds that political equality requires not equality of political power *per se*, but equal opportunity to exercise political power. A version of this view is suggested by Rawls,[14] who holds that political equality requires that each citizen has a fair opportunity to hold public office and to influence the outcome of political decisions. A fair opportunity to do something, as Rawls conceives it, is realized when everyone who is 'similarly motivated and endowed' has an equal prospect for success. Thus the Rawlsian understanding of political equality is more accurately, if not fluently, described as fair equality of opportunity for equal political influence (or 'the fair opportunity view' for short).

The fair opportunity view is not vulnerable to the objection I pressed against the strict equality of political power view, namely, that this view implausibly requires us to compensate for inequalities in political influence due to differences in citizens' abilities and motivations to participate in political life. Yet the fair opportunity view runs into some problems of its own. One major problem is that it implies that seemingly undemocratic systems can realize the ideal of political equality. Suppose, for example, that an otherwise democratic regime establishes a random disfranchisement scheme. When citizens reach their thirtieth birthday, one third of them are randomly disfranchised for the remainder of their lives. Whatever we think of this scheme, it does not violate the fair opportunity view. All citizens, prior to their thirtieth birthday, have an equal chance of being disfranchised. It is true that after each citizen's thirtieth birthday, some will have greater opportunity to influence political outcomes than others. So it might be said

[13] See, for example, M. Walzer, *Spheres of Justice* (New York: Basic Books, 1983), pp. 304–7.
[14] J. Rawls, *Political Liberalism* (Columbia UP, 1993), p. 327.

that fair equality of opportunity for equal political influence must obtain continuously throughout the lives of adult citizens. But a little reflection reveals that this amendment will not do, for in a representative democracy, some citizens run for political office and win. After the election, they have greater opportunity to influence political outcomes than others. If the fair opportunity view is not to condemn representative democracy, then it had better not require that fair equality of opportunity for political influence must obtain continuously throughout the lives of citizens.

Confronted with the random disfranchisement scheme, the proponent of the fair opportunity view will probably reply that the opportunity to vote is a special kind of resource. It is, or should be, inalienable. I shall come back to this idea. For now, I shall mention a second problem with the fair opportunity view, one which supplements the first one. Suppose there is some bundle of resources which would guarantee fair opportunity for equal political influence, provided that each citizen is given a fair opportunity to obtain this bundle. I shall call it the *political resource bundle*. There is no reason to think that it must be the same for all citizens. Different combinations of opportunities and goods could in principle be equal. For example, some could be given greater access to public forums, whereas others could be given votes with greater weight. Thus while the fair opportunity view requires that each citizen has a fair opportunity to obtain an equal political resource bundle, it does not require that each citizen has an identical set of opportunities and goods.

If the fair opportunity view allows citizens to have different, but equal, political resource bundles, it becomes puzzling why the different bundles must be equal. On the (EAD) the strategy is to anchor the ideal of political equality to a deeper ideal of equality. The proponent of the argument must show that (P_3) follows from (P_1) and (P_2). But suppose two citizens do not have a fair opportunity to obtain equal political resource bundles, but do have a fair opportunity to obtain equal overall resource bundles, where an 'overall resource bundle' refers to the set of resources that includes both political resources and resources to pursue non-political aims and interests. Here the inequality in political resources is made up for by other resources. This situation violates the fair opportunity view; but it does not show that the two citizens are being treated with unequal regard.

Again the proponent of political equality can reply that the resources in the political resource bundle are special. If political institutions are to treat citizens with equal regard, then this bundle must be given priority over other resources.[15] This view, like the idea that the vote must be an inalienable resource, conflicts with the underlying premise of resource-centred

[15] This appears to be Rawls' view. See his *Political Liberalism*, p. 327.

arguments, namely, that these resources are personal goods. If these resources are considered to be personal goods, then it remains a mystery why they should be singled out for this special standing. This exposes the central weakness of resource-centred arguments for political equality. To account for the special standing of political resources, we need to view them not as resources, but as constitutive elements of the requirement that all citizens should be treated with equal regard. However, to view them in these terms, we need to move beyond resource-centred arguments and conceive political equality in terms of status.

III. EQUALITY OF STATUS

Resource-centred arguments fail to explain why political equality is required by deeper egalitarian concern. Status-centred arguments may fare better in this task. These arguments for political equality hold that political institutions that distribute political standing should be designed to reflect or express the equal status of all citizens. If successful, a status-centred argument will bridge the gap between (P2) and (P3) in the (EAD).

Before I consider these arguments, it is necessary to explore what 'equality of status' means. Despite the frequency of appeals to equality of status in recent political philosophy, little work has been done to clarify this key idea. I shall say, provisionally, that equality of status obtains in a given social context when the relations between persons in this context are not constituted by status hierarchies that reflect judgements of different intrinsic worth. So understood, equality of status does not condemn all forms of hierarchy. In many contexts of social life (universities, hospitals, the military, etc.) social relations are ordered hierarchically. But these status hierarchies do not, or at least do not necessarily, reflect judgements of different intrinsic worth.

How then does a status hierarchy reflect a judgement of different intrinsic worth? Suppose a person is selected to be the top general in his country's army because he is courageous and intelligent. These properties are intrinsic to him. But if he were chosen to be the top general because he had these properties, this would not establish that the status hierarchy at the top of which he stands is inconsistent with equality of status. Judgements of intrinsic worth must refer to something more basic than judgements which reflect an accurate assessment of a person's character or abilities. Proponents of equality of status can claim that while persons differ in abilities and talents as well as in moral character, they are equal in a more fundamental sense. Each has a life that is equally morally important. I shall

call this claim *basic equality*. Basic equality is compatible with some types of status hierarchy and incompatible with others. I shall say, then, that for a given social context, if a status hierarchy in that context reflects judgements which conflict with basic equality, then equality of status does not obtain in that context.

One further point should be made. I have spoken loosely of status hierarchies 'reflecting' judgements of intrinsic worth. This idea can be understood in different ways. A status hierarchy can reflect a judgement if the reason for establishing or maintaining it is based on this judgement. Alternatively, a status hierarchy can reflect a judgement if it is widely, and not irrationally, perceived to rest on the judgement. Taking both of these formulations into account, equality of status obtains in a given social context if the relations between persons in this context are not constituted by status hierarchies that either are supported by judgements that some persons outrank others (in the basic equality sense), or are widely and not irrationally perceived to be based on such judgements. We then can apply this idea to the domain of politics to get a conception of political equality. Political institutions, including those that distribute political power, should not reflect judgements of different intrinsic worth that conflict with basic equality.

Political equality, so understood, condemns a range of politically inegalitarian arrangements. Yet for the ideal of political equality to play the role that it needs to play in the (EAD), it must do more than condemn institutional arrangements which fail to show equal regard for all citizens. It must establish that political institutions which do not distribute political standing equally to all citizens fail for that reason to show equal regard for all citizens. This is because the proponent of the (EAD) must explain why (P3) has more content than (P2). For this reason, to gauge the justificatory force of political equality, understood now and throughout this section as an ideal mandating equality of status in the domain of politics, we need to identify institutional arrangements that would be condemned by the ideal of political equality, but would not be condemned by other ideals that were equally or more plausible. By reference to these institutional arrangements, we then can ask whether the ideal of political equality has independent justificatory force because it is needed to explain why these arrangements would fail to show equal regard for all citizens. (The strategy here assumes that if the ideal of political equality has justificatory force, then there is at least one instance, actual or hypothetical, where it would condemn an institutional arrangement that would not be condemned by other ideals of equal or greater plausibility.)

I shall now put on the table two ideals which are both reasonably plausible and would condemn many arrangements which also would be

condemned by the ideal of political equality. The first is the *ideal of rational political authority*. It holds that no one has a claim to exercise greater political power than others on the basis of properties not relevant to exercising that power well. The second ideal is the *egalitarian outcome ideal*. It holds that political institutions are fully legitimate only if they do better than all alternative institutions in producing outcomes over time that treat citizens with equal regard. It is not necessary to identify the content of such outcomes here. I need to make only one stipulation. According to the egalitarian outcome ideal, the distribution of political power is not itself a relevant consideration in determining whether an outcome treats citizens with equal regard. Given this stipulation, whatever it means for an outcome to treat citizens with equal regard, the egalitarian outcome ideal directs us to design institutions that will best produce outcomes that do so, given the circumstances in which the institutions must function.

The ideal of rational political authority can explain why, in some circumstances, it would be right to distribute political power equally. If all else is equal, and no citizen has greater political competence than any other, then according to this ideal, no citizen has a claim to exercise greater political power than any other. Since no citizen has a claim to exercise greater political power than any other, if all else is equal, then political power should be distributed equally. Now suppose all else is not equal. Suppose the arrangement favoured by the egalitarian outcome ideal is one that contains political inequality. This could be true even if all citizens had equal political competence. Then it would be plausible to say that while no one had a claim to exercise greater political power than anyone else, there none the less would be a reason to give greater political power to some than to others. The reason follows from the egalitarian outcome ideal. Suppose, alternatively, that two arrangements are equally good with respect to the egalitarian outcome ideal, but that one of them contains political inequalities that cannot be justified by the ideal of rational political authority, whereas the other contains no political inequality. Then we have a reason to favour the latter arrangement over the former. The reason derives not from a commitment to political equality, but from a commitment to the ideal of rational political authority. (For example, suppose that if *A* has more political power than *B*, then *A* has a benefit that *B* does not have. If *A* has properties relevant to good political judgement which *B* does not have, then according to the ideal of rational political authority, the benefit is warranted. But if *A* and *B* are equally competent to exercise political power, then according to this ideal, *A*'s benefit is unwarranted. This would provide a reason to take the benefit away from *A*. But equally it would also provide a reason to give *B* some non-political benefit to ensure overall equality of

treatment between *A* and *B*. No commitment to political equality is needed to ground these reasons.)

These two ideals are reasonably plausible ideals. No doubt an adequate discussion of them would need to register a number of clarifications and qualifications. The ideal of rational political authority, in particular, may strike some as too demanding. At the very least, it should allow that those who are selected to exercise greater political power by a reliable process for selecting those with greater political competence have a claim to exercise this greater political power, even when the process misfires. Other counter-examples that do not fit this ideal, at least as I have presented it, can also be imagined. For present purposes, however, I do not need to provide a full defence of the ideal of rational political authority or the egalitarian outcome ideal. I am relying on both of these ideals for illustrative purposes only.

It is worth noting that both of these ideals exert a pull on the proponent of the (EAD). Those who seek to ground political equality on a deeper commitment to equality need to be concerned with the tendency of political institutions to bring about egalitarian outcomes, even though they will think that this tendency is not the only factor relevant to assessing their legitimacy. Likewise, for those who understand political equality in terms of status, the ideal of rational political authority, or some version of it, should be attractive. Political equality does not condemn all inequalities in political standing. It condemns only those inequalities that conflict with basic equality. This is why there is no objection to the person who stands at the top of the status hierarchy of his country's military because of his courage and intelligence. These are properties that are not irrelevant to performing this job well.

I am now in a position to identify the issues which divide the proponent of political equality from its critic. The proponent must hold that the two ideals I have been discussing are insufficient for realizing political legitimacy. This is demonstrated by any institutional arrangement that satisfies the ideal of rational political authority and the egalitarian outcome ideal, but violates the ideal of political equality. For the sake of vividness, we can assume that such an arrangement includes a well designed version of Mill's plural voting scheme. By 'well designed' I mean that (i) it includes a procedure that reliably identifies those who have properties relevant to good political judgement and grants them more heavily weighted votes than others; and (ii) it is favoured by the egalitarian outcome ideal.

The proponent of political equality needs to explain why such an arrangement none the less should be rejected.[16] The explanation needs to

[16] I assume here (uncontroversially) that political equality, understood in terms of equality of status, is inconsistent with plural voting arrangements.

identify reasons for rejecting the arrangement because it introduces an objectionable status hierarchy into the political domain. Can an explanation be found? The most promising candidates invoke the notion of respect. The idea here is that if political institutions are to treat citizens with equal regard, then they must treat them with equal respect. And any institutional arrangement that includes a plural voting scheme, no matter how well designed, would fail to do so.

I shall now consider a couple of attempts to defend the equal respect claim. (These arguments are preliminary to the main line of argument in defence of the equal respect claim, which will be considered in the next section.)

(a) *An argument from analogy*

In some contexts, to show people equal respect we must treat their interests with equal consideration. The following remarks convey the gist of the idea.

> Consider the ways in which equal respect is expressed within some affective associations; for example, in a group of friends. We express equal respect in such contexts by consulting all who wish to assert their preferences in making decisions about where to go for dinner or which movie to see.... Systematically, giving one friend's input more or less weight than the others, or giving them more or less opportunity to get themselves heard, would similarly count as expressing unequal respect.[17]

These claims are indeed plausible. When formulating joint plans to go out for dinner or attend movies, friends should give equal weight to one another's preferences. By analogy, so the remarks invite us to conclude, political institutions should be designed to give equal weight to the preferences of all citizens.

The analogy misleads, however. As I noted above, on some matters on which citizens vote, it is important for them to aim to reach correct judgements. These include issues that concern justice or political morality more generally. I shall call these *judgement issues*. However, on other matters on which citizens vote, there may be no correct judgement which is independent of the distribution of preferences of those who are voting. Such issues are similar to decisions to go to dinner or attend movies. I shall call these *aggregation issues*. (Some may deny that there are any aggregation issues. A perfectionist utilitarian, for example, may hold that all political issues are judgement issues.[18] But I assume here, innocently for present purposes, that at least some issues are aggregation issues.) The point I need to press

[17] Brighouse, 'Egalitarianism and the Availability of Political Influence', p. 123.
[18] The example was suggested by an anonymous referee.

is that the argument from analogy achieves whatever force it has by ignoring judgement issues and focusing exclusively on aggregation issues.

An example which brings this out more clearly is provided by a group of people who must decide only judgement issues. Suppose the group consists of stockholders who own stock in a company. They meet to decide one issue, namely, how to distribute (justly) the dividend income generated by the company's profits. The members of the group might all agree to make decisions by adopting a plural voting scheme. If this arrangement were the best means for reaching correct judgements, and if all members of the group knew this to be the case, then it is hard to believe that the scheme none the less would treat some with disrespect. To be sure, the stockholder group, like the group of friends in the passage above, is not analogous to a real world political society. In real world political societies, citizens must decide both judgement and aggregation issues. For this reason, a well designed plural voting scheme for a democratic society would need to find a way to ensure that aggregation issues were decided properly. Perhaps the scheme should give plural votes for some kinds of issues, but not for others. But this is a matter of getting the details of the scheme right.

(b) *Self-Respect*

The argument from analogy fails. But a second more powerful argument is frequently advanced. This argument holds that equality of political status is a precondition for all in a democratic society to have a secure sense of self-respect.[19] I shall grant, for purposes of argument, that self-respect is a vital component of our good and that political institutions ought to secure it. Why should anyone think that political equality is especially relevant to the self-respect of democratic citizens?

Two claims commonly advanced need to be distinguished. A weak claim holds that when political equality is realized, the basic political institutions of a society publicly affirm the equal moral worth of all citizens. This, in turn, makes it easier for all to have a secure sense of self-respect. This claim is weak because it does not preclude the possibility that the institutions of a democratic society could publicly affirm the equal moral worth of all citizens in other ways. By contrast, a strong claim holds that the realization of political equality is a necessary component of 'the social bases of self-respect', without which all citizens cannot have a secure sense of their own worth.

The weak claim is plausible, but it does not ground the ideal of political equality. It establishes only the modest point that the political institutions of

[19] See Rawls, *Political Liberalism*. For a helpful reconstruction of the argument see Cohen, 'For a Democratic Society', pp. 108–11.

a democratic society should be designed to encourage citizens to develop a secure sense of their own worth. Since this can be achieved by arrangements that do not realize political equality, the weak claim fails to vindicate the ideal. The strong claim, if it were sound, would indeed vindicate the ideal, but there is no reason to accept it. Imagine, for example, a democratic society that granted all citizens equal civil liberties and a fair share of wealth, and guaranteed these entitlements in its founding documents and in its basic constitutional structure. This guarantee plausibly could be understood to constitute the 'social basis of self-respect'. By guaranteeing each citizen equal civil liberties and a fair share of wealth, the basic political institutions of the society would affirm the equal moral worth of all, thus making it easier for all citizens to develop a secure sense of self-respect. This imagined democratic society need have no commitment to political equality. Indeed, it could include the well designed plural voting scheme that I have been discussing. This shows that political equality is not a necessary element of the social basis of self-respect.

Still, while it is not strictly necessary, political equality, some may continue to think, is crucial to self-respect. They may reason as follows. 'We can imagine democratic societies which would both violate political equality and secure the social bases of self-respect, but these are not the societies with which we are concerned. For actual societies, any deviation from political equality will damage the self-respect of some citizens. This means that in practice, if not in principle, political equality is an indispensable component of the social bases of self-respect.'

This line of argument has considerable force when directed at a plural voting scheme. It is hard to imagine, if such a scheme were adopted in any modern democratic society, that it would not express an insulting message to at least some citizens. By insulting these citizens, the scheme would make it harder for them to have a secure sense of their own worth. Thus on the argument contemplated here, the appeal to self-respect, in order to ground political equality, turns crucially on the expressive meaning of institutional arrangements that distribute political standing unequally.

I shall call this argument the *expressive self-respect argument*. The expressive self-respect argument is a token of a more general type of argument for political equality. The more general argument focuses on the expressive meaning of institutions that violate political equality. To assess the promise of the expressive self-respect argument, I must consider the more general type of argument of which it is a token.

IV. EXPRESSIVE MEANINGS AND CONVENTIONAL EXPLANATIONS

In the stockholding group discussed above, all the members agreed that the plural voting procedures put in place were a good idea. But in modern democratic societies this level of consensus would not be attained. If a plural voting scheme were adopted for a modern democratic society, it is almost certain that some citizens would perceive it as unfair. So it can be argued that while there is nothing inherently objectionable about the plural voting scheme, if none the less it would be perceived as objectionable by at least some citizens in modern democratic societies, then there is a reason not to implement it in these societies. This line of thought moves from perception to reality, holding that the fact that an institution would be perceived as objectionable can be a reason for concluding that it is in fact objectionable.

This argument needs to be stated in its most plausible form. The mere fact that an individual perceives an institution as objectionable does not show that the institution is in reality objectionable. The perception must get something right. The something right, however, cannot be that the institution is inherently objectionable, for then the perception would not ground the objectionable feature. What then is there for the perception to get right? The answer must be that the perception gets right what the institution expresses. The opponent of the plural voting scheme can argue that the scheme is objectionable because it expresses an insulting message, e.g., that some citizens are more important than others.

That an institution expresses a message, whether insulting or not, is a belief-dependent social fact. By this, I mean that if citizens regard an institution as expressing a message, then this will be true in virtue of the fact that they hold certain beliefs about the institution and its significance. These beliefs may or may not be rational. For the sake of simplicity, they may be sorted into three general categories – rationally forbidden, rationally optional, and rationally required beliefs. The rationally forbidden beliefs can be put to one side here. If citizens hold irrational beliefs about an institution and these beliefs explain why they perceive it as objectionable, then we may conclude that they are mistaken in their perception. We may say that the institution does not in fact express an insulting message. If this is right, then the interesting possibilities are the rationally optional and rationally required beliefs which stand behind the perception of offensive expressive meanings.

To return to the argument I have been considering, many modern democratic societies have political cultures that are for a variety of historical

reasons deeply committed to the equal votes rule. The citizens in these societies would, in all likelihood, consider a formal deviation from this rule to express an insulting message. For this reason, the argument I am now evaluating would probably tell against even the best designed plural voting scheme for these societies. It would establish that there is an expressive reason against implementing the scheme. However, it is a mistake to conclude from this that the argument, which I shall now dub the *expressive argument*, can show that the ideal of political equality has independent justificatory force.

Much more would need to be said to establish this conclusion. One would need to show that the ideal of political equality best explains why it is objectionable for political institutions to express this kind of insulting message. That is, one would need to show that the best explanation of why the message is perceived as insulting is that citizens are (not irrationally) committed to the ideal of political equality. However, an alternative and simpler explanation is available, *viz* that it is bad for political institutions to insult those who are subject to them, because this alienates them from the institutions. Advancing this claim in no way commits one to the ideal of political equality. To assess the force of the expressive argument, then, we need to ask whether this simpler explanation is better than the explanation that invokes political equality.

The example of the stockholding group again illuminates this question. Every member of the group agreed that a plural voting scheme would be a good idea, because it would enable the group to make the best decisions that it needs to make. Such a scheme, I suggested, would not reflect the kind of status hierarchy that is incompatible with basic equality. If this is right, then we cannot say that the members of the group in affirming the scheme are failing to 'see' that the scheme really is offensive. Suppose now the members of the group were to come to believe (and not irrationally) that the plural voting scheme expresses the judgement that some of them are more worthy than others. If this were to happen, I have suggested, then the scheme would indeed express an insulting message. At this point, the expressive argument would come into play and ground a reason to reject the scheme.

This transition needs to be made plain. The first thing to say about it is that it need not result from any specific cause. In actual political societies, a myriad of historical and sociological factors condition the expressive meaning of different institutions, practices and symbols. The same will hold true for my imaginary group. Moreover, in the scenario I have sketched it would be a mistake to say that the cause of the transition was the dawning realization by the members of the group that their scheme constituted an objectionable status hierarchy. That would be a bad account of the

transition, since I have assumed that when there is agreement on the scheme no one is failing to realize that the scheme is objectionable.

Reflection on the example of the stockholding group, accordingly, brings out an important point. If the argument for rejecting a plural voting scheme, or any other arrangement inconsistent with political equality, is the expressive argument, then it is unnecessary to appeal to the ideal of political equality to explain why the expressive argument gets its grip. Even if this ideal were unsound, the expressive argument could still explain why the scheme should not be adopted. The explanation would be that it is bad for institutions to express an insulting message to those who are subject to them. On this explanation, it is not important exactly why an institution has come to have an insulting expressive meaning. What matters is that the institution has the meaning it has.

I can make this point sharper by introducing some terminology. A *conventional explanation* holds that the meaning an institution has for a group is a function of the rationally optional beliefs shared by its members. That is, a conventional explanation of the expressive meaning of an institution for a group rests on the idea that if its members did not have the beliefs which give the institution the meaning it has for them, they cannot be rationally faulted for not having those beliefs. The beliefs which give the institution the meaning it has for the group are the result of contingent historical and social facts. Conventional explanations contrast with *critical explanations*. A critical explanation of the meaning an institution has for a group is a function of beliefs which are rationally required. Suppose a society has an arrangement that distributes political standing unequally to its members along racial lines. Suppose the arrangement is not perceived as offensive by any member of the society. Suppose further that the best explanation of why no one in the society perceives it as offensive is that the members of the society have irrational beliefs about racial classifications and their significance. That is, suppose that if the members of the society did not have these irrational beliefs, then they, or at least most of them, would perceive the arrangement as offensive. This would constitute a critical explanation of the expressive meaning of the arrangement in question.

My point is that if a well designed plural voting scheme is to be rejected because of its expressive meaning, then we are owed an explanation of why it has this expressive meaning. In principle, the explanation could be either conventional or critical. But if the scheme is well designed, then the explanation plausibly is a conventional explanation. If the members of the group perceive the scheme as conveying an offensive message, then this will be best explained by various historical and social facts about the group which have given rise to various (rationally optional) beliefs and attitudes among its

members. This analysis exposes the error of relying on the expressive argument to ground the ideal of political equality. For this ideal to have independent justificatory force, it must be a critical ideal. It must explain why we have reason to reject institutions and practices irrespective of the contingent expressive meanings the practices may have in one circumstance or another.

It is true that with a little imagination the analysis here can be resisted. It is possible to construct a scenario in which a plural voting scheme would express an insulting message to some citizens, where the explanation for this fact would be critical, not conventional. Perhaps, given the details of the imagined scheme, those who receive fewer votes are rationally required to believe that the fact that they receive fewer votes is a sign that they are less intelligent. The expression of a message can be insulting, even when what it expresses is evidently true. But this kind of possibility, while interesting, will not be of much help to proponents of political equality. They need to show that deviations from the ideal of political equality, as such, generate this kind of insult; and this claim is manifestly implausible.

In pressing these points, it is not necessary for me to deny that the offensive expressive meaning of a politically inegalitarian institution can provide a good reason to reject the institution. Suppose a plural voting scheme is objectionable for a given society because it leads to political outcomes that distribute economic resources unjustly. It is possible that the scheme should be rejected for this society not only because it yields distributively unjust outcomes, but also because, in so doing, it expresses the message that some are more worthy than others. The fact that the scheme expresses this insulting message would provide an additional reason to reject it, over and above the reason provided by the fact that the scheme yields unjust distributive outcomes.

This is a valid point; but it does nothing to shore up the expressive argument for political equality. The same point, in principle, could be pressed against politically egalitarian institutions. For it is possible that politically egalitarian institutions could in some circumstances lead, and be publicly known to lead, to political outcomes that do not treat citizens with equal regard. By so doing, the politically egalitarian institutions could express the message that some are more worthy than others, and the expression of this insulting message would then provide a further reason to reject the institutions. The lesson to draw from this is that the connection between political equality and the expression of offensive meanings is deeply contingent. Concern for the latter need not carry with it any principled commitment to the former. For this reason, the expressive argument cannot ground the ideal of political equality.

The failure of the expressive argument to ground the ideal of political equality also undermines the expressive self-respect argument mentioned at the end of the previous section. So I have still have not identified an argument to bridge the gap between (P2) and (P3) in the (EAD).

V. GIVING DISAGREEMENT ITS DUE

The foregoing critique of resource-centred and status-centred arguments for political equality did not make too much of the fact that in modern societies there is substantial disagreement in politics. Yet it is often claimed that this fact provides support for the ideal of political equality.[20] Does the present rejection of political equality misfire by taking insufficient account of political disagreement? To answer this question, I need to unpack more about how the appeal to disagreement is supposed to work.

People disagree because they have different views. The (EAD) holds that institutions should treat citizens with equal regard. It does not, at least not obviously, hold that institutions should treat the views of citizens with equal regard. Those who appeal to the fact of political disagreement to buttress the (EAD) must accordingly explain the connection between respecting the views of citizens and respecting those citizens themselves. The task here is complicated by the fact that some political disagreements bear on the issue of political equality itself. Those with strong aristocratic sympathies will believe that political equality is unjust. Obviously, the proponent of political equality cannot maintain that political institutions should treat the views of these citizens with equal regard. In response, one can distinguish political views which are consistent with political equality from those which are not. It then can be said that political equality requires us to treat only the former views with equal regard. The argument would now be that so long as citizens do not reject the arrangements required by political equality, the ideal of political equality demands that their views should be treated with equal regard.

We still need an account of the connection between treating persons and treating their (currently held) views with equal regard. By respecting people's views we respect their nature as rational beings. This claim might provide the basis for an argument for universal suffrage. To deny adult citizens the right to vote in democratic elections would not simply fail to respect their political views, but also, arguably, it would fail to respect their capacity to form respectworthy political views. And this would, arguably, fail

[20] See Christiano, 'Knowledge and Power in the Justification of Democracy', pp. 208–11; Waldron, *Law and Disagreement* (Oxford UP, 1999), pp. 204–8.

to respect their rational nature. But this line of thought, even if it is sound, does not lend support to political equality. Extending the vote to all is compatible with politically inegalitarian institutions. And there is a big difference between saying that one should respect the views of one's political opponents and saying that one should respect the capacity of opponents to form respectworthy views. To design political institutions to favour sound views over misguided views does not disparage the capacity of any citizen to form sound views. Moreover, if the goal is to respect the rational nature of persons, then this goal is served by respecting their capacity to form sound views, not their tendency to form misguided views.

Here is a second attempt to explain the connection between respect for a person's views and respect for that person. For a variety of reasons, people's views about politics are coloured by their perception of their own interests.[21] So it can be argued that if political institutions are to treat citizens with equal respect, then these institutions must be designed to advance the perceived interests of all citizens equally; and to do this, they must treat the political views of all citizens with equal respect.

The argument here can be interpreted in different ways. On one version, the argument maintains that citizens have a claim to have their perceived interests treated equally, even if doing so would result in injustice. This is not plausible. If I hold unjust views, then the fact that implementing these views would further my perceived interests does not generate a claim on others to ensure that I have sufficient political power to advance these views. For this reason, the argument is more plausibly interpreted so as to apply only to a subset of political views. The subset includes only views which have an equal claim to rational acceptance. The argument now would hold that when citizens disagree, and when their disagreement concerns two or more views which have an equal claim to rational acceptance, then it is to the interest of each that his own favoured view should prevail. To treat this interest equally, we must ensure that each of these citizens has equal political power with respect to the topic under disagreement.

The new version of the argument is more appealing than the previous one, but it fails to ground the needed conclusion. It does not show that all citizens have an equal claim to have their political views treated with equal respect. It shows only that those who have views that have an equal claim to rational acceptance have an equal claim to have their views treated with equal respect. Nothing that I have said here implies that right answers to political issues are not subject to reasonable disagreement. When there is disagreement on an issue, citizens should strive to reach the best resolution

[21] See Christiano, 'Knowledge and Power in the Justification of Democracy', pp. 205–6.

of the issue. Political institutions should be designed not to treat the beliefs of citizens with equal respect, but rather, to the extent possible, to give effect to their sound beliefs. In some circumstances, this may best be done by establishing institutions that distribute political standing equally, or nearly equally, to all citizens. But in other circumstances this may not be the case.

As I have emphasized, not every political issue is a judgement issue. On aggregation issues, citizens can vote to further their own tastes. Thus with respect to these issues, citizens may have an equal claim to have their interests taken into account. This is an important point, and one that has implications for the design of democratic institutions. But it is a different point from the one I have been considering in this section. Properly understood, the need to give political disagreement its due does nothing to vindicate the ideal of political equality.

VI. DEMOCRACY WITHOUT POLITICAL EQUALITY

Unless I have overlooked something important, the (EAD) should be rejected. Its rejection plainly does not require the rejection of democratic government. For one thing, as I allowed at the beginning of this article, political equality might be a bedrock normative ideal. The failure of the (EAD) to ground this ideal, one might conclude, is just a reflection of the fact that it requires no deeper support. Alternatively and I believe more plausibly, one can favour democracy while rejecting political equality. This is the position recommended by democratic instrumentalism.

Democratic instrumentalism advances a bold thesis. I cannot defend the view against all objections here. But my critical discussion of the (EAD) has exposed a number of valid considerations which are often used to support political equality, but in fact are independent of it. As I now show, these considerations can be accounted for by a thoroughly instrumentalist view of democracy.

First, expressive considerations are the considerations which drive the expressive argument for political equality. A political decision-procedure that is otherwise optimal could be sub-optimal because it expresses an insulting message to some citizens. In societies that have a deep commitment to the equal votes rule, any deviation from equal votes will in all likelihood be experienced as offensive by some citizens. This provides a reason against making changes in the formal rules which would have this consequence. On an instrumentalist view of democracy, this reason need not be decisive. It is possible that for a given society a deviation from the one-person/one-vote idea would result in political outcomes over time that

were best for that society, all things considered, despite the negative expressive meaning of the deviation. However, if expressive considerations are as weighty as many take them to be, then this possibility will be remote. Thus in many contexts, democratic instrumentalists will agree with proponents of political equality that the formal rules of the political process should not deviate from the equal votes rule.[22]

A second set of considerations concern aggregation issues. These issues are those whose correct resolution depends on the distribution of preferences. Earlier I claimed that these issues provide support for democratic government. The reason for this is that to decide these issues correctly, a political decision procedure must first identify the distribution of preferences with respect to them. This is efficiently accomplished by giving all citizens an opportunity to express their preferences, and ensuring that expressed preferences have an impact on the decisions made by the decision procedure.

Still, while the correct resolution of aggregation issues depends on the distribution of citizen preferences, these preferences can be aggregated in different ways. What is needed for their correct resolution is a fair aggregation procedure. I shall not here offer an account of such a procedure, but it is a mistake to assume, as the problem of entrenched minorities all too often reveals, that a fair aggregation always results when each citizen is given equal political power to determine political outcomes. For this reason, the problem of fairly aggregating the interests of citizens may be handled better by an instrumentalist account of democracy than by an account that affirms political equality.

A third and final set of considerations concern the value of the opportunity to participate in political life. Putting expressive and aggregative concerns to one side, it may still be thought that it is important for each citizen to have an opportunity to make a difference in political life. This idea supports the view of political equality which I earlier dubbed the fair opportunity view, that each adult citizen should have fair equality of opportunity for political influence. Importantly, rejection of this view does not entail rejection of the claim that the opportunity to participate in politics should be extended to all.

Two instrumentalist reasons can be offered in support of this claim. The first reason appeals to the possible side-effects of increased participation in politics. It may be true, as Mill believed, that political participation

[22] Democratic instrumentalists may want to press for procedural reforms that would have the same effect as a deviation from equal votes. For imaginative discussion along these lines, see P. van Parijs, 'The Disfranchisement of the Elderly, and Other Attempts to Secure Intergenerational Justice', *Philosophy and Public Affairs*, 27 (1998), pp. 292–333.

cultivates moral and intellectual development. If it does, then there is a strong instrumental reason not only to extend the opportunity to participate in politics to all, but also to encourage citizens to exercise that opportunity. The moral and intellectual development of the citizenry will probably lead to better political outcomes over time. Accordingly, a democratic instrumentalist can recommend extending the opportunity to participate in politics to all, even if doing so would have the predictable short-term consequence of producing worse political outcomes.

A second instrumentalist reason to value extending the opportunity to participate in politics to all concerns the autonomy interests of democratic citizens. This reason does not derive from any commitment to political equality. Indeed, it would be quite implausible to hold that a condition of autonomous agency is that one's political standing is equal to that of one's fellow citizens. The appeal to the autonomy interests of citizens grounds at most a claim to have some opportunity to make a difference in political life.

To conclude: expressive considerations, the need to resolve aggregation issues correctly, and the interests citizens have in political participation all provide some support for democratic government. Whether they are robust enough to justify a strong and unwavering commitment to democracy is not an issue that has been explored here. What can be asserted is that so far as these considerations are sound, they provide support for democratic government, but no vindication of the ideal of political equality.[23]

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