Hard Questions for Democracy

Edited by
Raj Chari

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The recent financial and economic crisis has forced governments and people from around the globe to ask some hard questions about how democracy has evolved. Some of these are old questions; others are new. Is democracy really the most desirable form of government? How democratic is policy-making during the financial and economic crisis? Why do vote-seeking parties in modern democracies actually make voters miserable? Can women's under-representation in politics be explained because of voter bias? Why are some citizens still excluded from voting in their country? And can terrorist organizations that promote violence one day, really become democratic the next?

This represents the first book of its kind to ask and answer a broad range of hard questions that need to be addressed in times of both flux and calls for democratic change throughout the world. It does so by bringing together leading social scientists and rising stars from around the globe. Inter-disciplinary in its analysis, it is essential reading for students of comparative and international politics, political philosophy, gender studies and economics.

The book's website can be found at: www.democracyquestions.com and it was originally published as a special issue of *Irish Political Studies*.

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In December 2008, Girvin and Murphy edited a significant issue of *Irish Political Studies* in which contributors analysed continuity, crisis and change in Ireland, focusing on developments during the 1960s, 1970s and 1980s. In many ways, this issue builds on their insights, but in the context of a very changed Ireland. The country – indeed, the world – now finds itself questioning many aspects of democratic development in the second decade of the 2000s given the recent financial and economic crisis.

In fact the *raison d'être* of this issue is based on the recent global crisis, the effects of which have been deeply felt, especially in small states in world markets: the crisis has caused students of Irish and comparative politics to ask some hard questions about how democracy has evolved. Some of these are old questions with new answers; others are new questions with both old and new answers. The underlying theme of *Hard Questions for Democracy* is whether democracy as it was originally conceived in Ireland and the world can live up to people's expectations in modern times. That is, can democracy function *democratically* in the twenty-first century?

With this in mind, the objectives of this issue are to address hard questions about the theoretical, institutional, policy, partisan, participatory and conflictive aspects of democracy that are so relevant today.

The issue is subdivided into five main thematic sections, where each paper in each section addresses specific hard questions. The first section is 'democracy and legitimacy', where Hyland starts by exploring the roots of democratic legitimacy and questions if democracy is really the most desirable form of government. Mackie then ponders what the values of democratic proceduralism are.

The second section considers 'democracy and the markets', focusing on institutions and policymakers. In the first of two 'back-to-back' papers, Bernhagen and Chari ask which theoretical explanations from the political science literature are

useful in understanding why the global financial and economic crisis that started in 2007 occurred. Chari and Bernhagen then evaluate which of these theoretical explanations are of more value in understanding, more specifically, the crisis starting in 2008 in Ireland.

The third section focuses on 'democracy, political parties and voters', offering five papers. First, Laver asks why vote-seeking parties may make voters miserable. Brandenburg then reflects on what factors give politics such a bad name. Humphreys questions how much of a constraint compactness places on would-be gerrymanderers. McElroy and Marsh then consider whether or not women's under-representation in Irish politics can be explained by voter bias, or be understood in the recruitment practices of parties and supply-side issues. Gallagher closes by asking whether referendums weaken parties and constitute a threat to liberal democracies such as Ireland.

The fourth section highlights issues related to 'democracy and participation'. Situating the Irish case in comparative perspective, Honohan contemplates whether or not Irish emigrants should have votes. Sudulich then asks whether or not the Internet promotes increased political participation in Ireland.

The final section examines 'democracy, violence and conflict'. McKeogh questions whether or not citizens of a democracy can be considered 'just targets' for terrorists. Focusing on the Irish Republican movement, O'Boyle finishes by asking how those who have been politically violent ultimately become democrats.

In addressing significant hard questions, leading academics and rising stars from around the globe are brought together, many of whom have been students or colleagues of Eddie Hyland, whose 'hard questions' during seminars and presentations have always proved to be the toughest to answer. In this tradition, the work presented here is envisaged to provide social scientists with both a basis for reflection and a foundation to pursue novel work.

Acknowledgements

Democracy and Moral Autonomy

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ABSTRACT   *The focus of this paper is on the justificatory basis of democracy. The paper operates on two levels, theoretical and historical. On the theoretical level the author claims that many of the arguments put forward to justify democracy, such as that formulated by Dahl in 'Democracy and its Critics' based on his two principles of equality, although not without merit, suffer certain crucial weaknesses and do not, in fact, get at the real basis of the belief in the unique legitimacy of democracy. He goes on to argue that this legitimacy is grounded not simply in the positive ega-litarian consequences expected from democracy, but rather is to be found in the moral autonomy of the human being. Further, he claims, this moral autonomy is itself rooted in what the author calls the Cartesian autonomy of reason. On the historical level he claims that, while Descartes was himself extremely conservative with regard to orthodox Christian belief and traditional struc-tures of political authority, many self-styled followers of Descartes saw the autonomy of reason as implying a radical rejection of all 'external' authority, first in respect of religious belief, but also, then, with respect to the secular authority. The result was that within what Jonathan Israel refers to as the 'Radical Enlightenment', there developed as early as the mid-seventeenth century a tra-dition of liberal and democratic radicalism, based explicitly on the Cartesian autonomy of reason and what was referred to as the 'freedom to philosophise'. The author illustrates this with a brief account of the Dutch radical thinker Franciscus Van den Enden. He argues that if we posit moral autonomy as the basis of democratic legitimacy, this privileges one particular conception of democracy, namely deliberative democracy, as its paradigmatic form. Throughout the whole argument he gives a central role to the autonomy of reason as, in particular, it began to sweep across Europe with the influence of Cartesianism. It is possible that there are older egalitarian roots to modern democratic ideology or that democratic authority is grounded on democracy's epistemic properties. The author looks at these claims towards the end of the paper and concludes that the autonomy of the moral agent as based itself on the autonomy of human reason is the most plausible basis of the unique legitimacy of democracy.*

Introduction: Dahl's Two Principles of Equality

One common form of justificatory argument in favour of democracy is what I call the egalitarian instrumental argument. The arguments in question are instrumental in that

they take having a share in political power as an instrumental good; for example, a share in political power can enable people to protect and promote either their own interests or the interests of others that they might be concerned with. As arguments specifically for *democracy*, i.e. a collective decision-making procedure in which everybody affected by decisions has an equal effective right to participate in the making of those decisions, the arguments necessarily depend on a normative egalitarian premise. After all, from the perspective of power as an instrumental good, the most favourable distribution of power for any individual is a dictatorship in which that individual has a monopoly of power. Only if we assume that everyone has an equal right to the protection and promotion of interests would it follow that power as an instrumental good ought to be distributed equally; and this is exactly the structure of the basic argument for democracy that Dahl uses in his *Democracy and its Critics* (1989: 83–97).

He begins by stating what he calls his 'Equal Intrinsic Worth' principle. On the assumption, to put it negatively, that no one person's well-being is more important than any other person's well-being, we arrive at the 'equal consideration' thesis, namely that, specifically in the process of arriving at collectively binding decisions, each person's interest should be given the same consideration as every other person's interest. Dahl is well aware that the Equal Intrinsic Worth principle is not in itself sufficient to justify democracy as the best form of government. From the instrumentalist point of view a form of government is good if it results in egalitarian interest consideration. But could not a benevolent dictatorship produce just these consequences? A wise and virtuous ruler might rule impartially with the equal well-being of all citizens in mind.

There are two factors involved in determining whether appropriate and adequate consideration is given to a person's well-being in the exercise of political power, knowledge and motivation. With regard to motivation, the argument in favour of democracy is almost completely decisive. It is near to being true by definition that a person has an interest in his/her own interest satisfaction, and, hence, if I have a share in political power I can be relied upon to be motivated to protect and promote my interests and the interests of others that I might be particularly concerned about. On the other hand, if someone has power over me, I have no guarantee that they will use that power to protect and promote my interests; and Dahl argues plausibly that human history is testimony to the fact that minorities with a monopoly of political power tend to use that power to pursue their own interest satisfaction at the expense of the interests of those over whom they rule.

From the point of view of cognitive capacity, the argument in favour of democracy is less clear-cut. Granted that if I have a share in political power I can be relied on to use that power to promote the interests about which I am concerned; but surely having such a share in power is only an instrumental good if I am more likely than not to understand those interests and how they are likely to be affected by specific political decisions. Dahl quite explicitly recognises this, and hence introduces what he refers to as his 'Strong Equality' principle. This is not a normative principle at all; rather, it is an alleged substantive factual truth that most normal adult human beings *do* have the

cognitive capacity to understand what is and what is not in their interest and to judge potential political decisions from this perspective.[1]

With the Strong Equality principle in place we are in a position to articulate the instrumental egalitarian argument for democracy. From the Equal Intrinsic Worth principle it is argued that, specifically with respect to the political decisions, everyone's interests ought to be given equal consideration. The most direct way to ensure this is to give everyone whose interests are likely to be affected by political decisions an equal effective right to participate in the making of such decisions, provided they satisfy the Strong Equality principle. It can be concluded that democracy, with, it should be added, a highly inclusive franchise, is clearly the best form of government. Put another way, a share in political power is an instrumental *basic good* and from an egalitarian perspective such basic goods ought to be distributed equally. An equal distribution of political power is, fundamentally, what is meant by democracy. So democracy is the 'egalitarianly' best form of government.

As I said in my introduction, the argument is obviously not without merit; but it does suffer from certain weaknesses. The weaknesses stem from the fact that the argument makes the desirability and legitimacy of democracy contingent on the truth of the Strong Equality principle. I would have two interrelated concerns here. First, the Strong Equality principle is nowhere near to being obviously true. Even if it is assumed that people do understand their basic interests in, say, having sufficient food, clothing, housing, employment, health, etc. might it not be the case that there are other really important components of human well-being that many people may not initially appreciate? Even more damagingly, given that people understand where their immediate interests lie, will people generally understand how those interests are likely to be affected by complex economic, social welfare, educational, foreign policy, etc. political decisions?

Of more fundamental concern, I think, is the sheer fact of the contingency of the justification. I do not have, here, a logically conclusive, knock-down argument, but consider the following situation. Suppose we encountered a race of superior beings. Not only was their technology and science far in advance of our own, but we rapidly came to the conclusion that they were wholly benevolent and seemed to have some kind of extrasensory perception on the basis of which they could unerringly divine our deepest desires and interests. In addition to which they could infallibly construct a set of social policies that always resulted in the maximum positive interest satisfaction for all of us in a completely egalitarian way. Do we really believe that these superior capacities would necessarily imply that these beings had the right to rule us? Instinctively, I think, we would answer this question in the negative. Why we would so answer is what I intend to explore in the next section.

Moral Autonomy

Dahl himself is not, I think, wholly satisfied with the instrumental egalitarian argument. In *Democracy and its Critics* he introduces a very different form of argument that goes some way towards the conclusion that I argue for. Dahl's second type of

argument is based on the notion of autonomy and its place in our conception of a worthwhile human life (Dahl, 1989: 97–105). Although he does not spend a great deal of time explaining what he means by autonomy, it is clear from what he says that he is referring to what I shall call *de facto* autonomy. A person's *de facto* autonomy consists of their actual ability to think and decide for themselves and, in addition, to be in a situation where they can implement their decisions. When a person's life is so lived we say that they are in charge of their life, responsible for their decisions. Dahl makes the valid point that being so responsible for our lives is thought to be a central part of what it is to live as an adult, mature human being. He goes on to argue that no political system other than democracy offers the multiplicity of channels for the exercise and development of such autonomy.

These constitute a set of important considerations, though in the manner in which Dahl formulates them there is a crucial weakness. In analysing *de facto* autonomy we need to identify first what I call literal individual autonomy. This consists of, in line with the above definition, the situation in which an individual person can think and decide for her/himself and successfully implement those decisions. Does democracy as such directly maximise such autonomy? The answer, I think, is no. In a *liberal* democratic regime, where the scope of central decision-making is limited, individuals have the negative freedom that puts a wide range of possible choices under their own, individual control; but this is down to the liberal restriction on government authority, not to its democratic character. What democracy as such guarantees is the right and opportunity to participate in the exercise of what we could call collective autonomy; but as a supposedly independent argument for the value of democracy this suffers the defect of being almost completely tautological. Democracy is said to be a valuable form of government because it guarantees equal rights and opportunities of participation in the exercise of collective authority; but a system of government that guarantees such equal rights and opportunities is what we mean by democracy. So democracy is the best form of government because it is the most democratic![2] We need to dig a little more deeply.

My argument is that to appreciate fully even the value of *de facto* autonomy in either sense of the term we need to turn our attention to the moral autonomy mentioned in the title of the paper. In the rest of this section I shall explain what I mean by moral autonomy, explore its implications for democracy and trace what I believe are the roots of moral autonomy in the Cartesian autonomy of reason.

The moral autonomy of individuals consists of what we can call their 'moral status', what they can be obliged by. It is conceptually and empirically independent of *de facto* autonomy in any of its meanings and dimensions. A person who was, as a matter of fact, a slave, or so under the domination of another as to be completely subject to that other's manipulation, would still have what I call moral autonomy. Positively, it means that both in terms of what is required of me by my fundamental values and even what I should do, simply from a pragmatic perspective, in the pursuit of my interests and my goals can only be legitimately determined by myself. It was perhaps most famously formulated by the nineteenth century American writer Henry David Thoreau in his essay *On the Duty of Civil Disobedience*, where he says that the

only thing that I can be bound by is that which I believe to be my duty (Thoreau, 2008). Thoreau asserted this in an explicitly political context, namely his refusal to pay poll tax to the government, which he believed was pursuing totally illegitimate policies – imperialism and the extension of slavery to the 'New Territories'. As such Thoreau was emphasising the negative aspect of moral autonomy, namely that there is no external agency that has the fundamental right to bind an individual morally. It is this moral autonomy, I claim, that is the fundamental basis of our positive evaluation of *de facto* autonomy in both dimensions.

De facto autonomy, it is true, has a definitive pragmatic consequentialist value, namely the protection and promotion of interests, as discussed previously. On a much more fundamental level, however, it is the only situation that conforms to acceptance of the moral autonomy of the individual. Let us apply this specifically to democracy. We assume that living in the community with others will require specific decisions that are collectively binding on all members of the community. The claim of the moral autonomy thesis with respect to democracy is that there is no agency outside the group of citizens (or minority within the group) that has the right legitimately to require obedience to its will; the only form of authority compatible with that moral autonomy is one in which all share equally in the determination of the decisions by which all will be bound.

Although I do not believe that a conclusive foundational proof of the moral autonomy thesis is possible, I think its roots can be traced to a more fundamental autonomy, what I have been calling the Cartesian autonomy of reason. All students of philosophy know the name of Descartes and his '*cogito, ergo sum*'; and although he is duly credited with identifying in the modern era the necessity for the provision of a foundational base for provable knowledge of the world, there is a tendency to see his positive contribution thereto as problematic, to say the least, and, perhaps, wrong-headed in a fashion that would make his philosophy outdated and of merely antiquarian interest. In the first place, the foundation for human knowledge as constructed by Descartes moves directly from certainty of the '*cogito*' to the existence of God as a guarantor of the reliability of our cognitive capacities; a distinctly 'unmodern' basis for scientific truth (Descartes, 1968). Second, Descartes' actual knowledge construction method was wholly 'rationalist' in the sense that he believed that substantive knowledge could be achieved *a priori* through deduction from simple ideas and first principles, as in geometry, a deductive rationalism that was soon to be discarded by a robust empiricism that insisted that substantive knowledge of the world had to be mediated by perceptual experience. There is, however, an aspect of Descartes' method that is still of enduring relevance, and this is the basis of what I am calling the autonomy of reason.

Descartes begins his attempt to provide the foundations of human knowledge by engaging in what he calls 'methodic doubt', and it was this that had, and was seen to have, really radical implications. The straightforward assumption behind Descartes' method of doubt was that no belief, no matter how venerable the authority is that asserts it, no matter how universal its current acceptance, can be accepted unless, here and now, I can prove it to the satisfaction of my own reason. As

Diderot was to put it so trenchantly 100 years later in an article in his great Encyclopaedia: using 'Eclecticism' as a euphemism for critical reason, he defined a practitioner of critical reasoning as:

> a philosopher, who trampling underfoot, prejudice, tradition, venerability, universal assent, authority – in a word everything that overawes the crowd – dares to think for himself, to ascend to the clearest general principles, to examine them, to discuss them, *to admit nothing save on the testimony of his own reason and experience*. (Taylor, 1989: 323, emphasis added)

This was the idea that was eventually to set Europe on fire. Initially it was used to challenge the authority of Aristotelianism in the universities (Israel, 2001). Soon it was challenging the right of ecclesiastical 'authority'. It was extended, in the hands of radical thinkers such as Spinoza, to questioning the authority of the Prophets and of the Bible itself. Finally, it was used to reject the so-called 'right' of secular authorities first to dictate to people what they could think and say and, then, finally the right of such authorities to rule over people's lives. Where no external 'authority' could possibly have the right to dictate what was true and false, what was right and wrong, what was to be done and not to be done, the only legitimate structure of political power was one in which that power was vested in people themselves.

I have been arguing that, both theoretically and historically, one of the central pillars of the claim that only inclusive democracy could be considered a legitimate form of political power can be found in the autonomy of Cartesian reason and its associated moral autonomy. It could be suggested that rooting democratic legitimacy in this exclusively secular perspective overlooks what might be a completely independent basis of support for democracy in the modern world to be found in the radical Christian religious egalitarian movements that arose periodically throughout the Middle Ages. While it is true that many of these radical Christian movements espoused very egalitarian doctrines, leading their members to reject the unequal social, economic and authoritarian structures of their contemporary societies, it would, I contend, be a serious mistake to link them theoretically with the underpinning of the modern democratic ideology, despite the fact that there is a historical connection between, for example, the contemporary Amish communities (well known for their spirit of equality) and the early modern Anabaptists. I argue this for three main reasons.

First, even when a genuinely universalist egalitarianism was present, it was grounded in a quite specific interpretation of the Christian world view, in which the coming Utopia was seen as an explicit part of God's plan for the world. The relevant beliefs almost universally took the form of the acceptance of a plethora of myths and symbols (Cohn, 1993).

Second, although many of these movements were universalistically egalitarian in principle, many were also fiercely sectarian and exclusionary in practice. The heavenly paradise of equality 'embraced a kingdom of righteousness that was fiercely intolerant of all who failed to respond to the rigors and delights of the Anabaptist

Valhalla' (Williams, 1992: 554). This exclusionary mentality could, as in the case of the Münster Anabaptists, be so extreme as to justify the expropriation, exile and even execution of those – the wicked – who rejected their specific world view (Williams, 1992: 564 – see specifically Ch. 13.3, 'Restitution and vengeance'). Indeed, this was not just pious rhetoric but led to actual widespread exile and execution.

The third point bears more directly on the issue of democratic self-government. The egalitarian traditions we are dealing with were concerned almost exclusively with simple economic equality and communism of goods. There was a complete absence of reflection on the appropriate structures of political power. Cohn refers in the subtitle of his book to 'mystical anarchists' and when the issue of freedom and authority is raised it is in the form of individual freedom, often of a radical anti-nomianist nature, rejecting all moral constraints (see Cohn on 'The brethren of the free spirit', especially Ch. 9, pp. 163–186). In fact, in practice many of these movements, in particular the Münster Anabaptist movements, were fiercely oppressive in two related ways.

First, when the movements were not anti-nomian they often did reject much of traditional morality, particularly sexual morality (Cohn, 1993: 220). However, as was specifically the case with the Münster Anabaptists, a strictly authoritarian alternative was decreed. An example would be the moral code of Jan of Leiden (sometimes called John Beukels or John Bockelson), who was for a time a leader of the Anabaptists in Münster. Decreeing compulsory polygamy, he also made 'blasphemy, seditious language, scolding one's parents, disobeying one's master in a household, adultery, lewd conduct, backbiting, spreading scandal and complaining' sins punishable by death (Williams, 1992: 567). In fact, Jan personally executed one of his wives for complaining of his rule and trampled all over her body in public (Williams, 1992: 581–582).

The second type of authoritarianism was authoritarianism in the actual structure of power. The above-mentioned Jan of Leiden became the self-declared leader of the Anabaptists of Münster. He dissolved the city council, declaring it to have been only 'chosen by men' (Williams, 1992: 567) and shortly after had himself anointed king, first of Münster and then of the whole world. Both in practice and even in theory, this monarchic power was wielded in an extremely oppressive manner, leading to a continuous series of imprisonments and executions of the most brutal kind (Williams, 1992: 554ff). Even though the New Jerusalem was envisaged as a kingdom of peace (after the vengeance wrought on the wicked was finally complete), it was still envisaged as a kingdom.

My conclusion is that, despite the egalitarian critique of actual structures of inequality, poverty and exploitation, it is difficult to see these movements as having much to do with democracy in the modern sense of the word. For that, we need to return to the idea of the freedom of critical reason.

Of course, for most thinkers in the seventeenth century the radical implications of the freedom of critical reason (the freedom to philosophise, as it was called) were merely elaborated theoretically. However, even as early as the late 1600s there were exceptions, one of whom was Franciscus Van den Enden.

Franciscus Van den Enden

Van den Enden was born, probably in Amsterdam, in 1602 (Israel, 2001: 175–184). His family were Catholic and, in fact, he himself joined the Jesuits. While with the Jesuits he studied philosophy and eventually became a devotee of Cartesianism. As his thinking in philosophical and religious matters became more radical, he left the Jesuits. Thereafter, he maintained a precarious existence as a teacher of Latin and it is thought that he first introduced Spinoza to Cartesianism. By the 1660s he was well known in Amsterdam as an outspoken philosophical atheist and radical egalitarian; he cooperated with Peter Cornelius Plockhoy in designing an egalitarian 'cooperative' Utopia, which the latter actually founded in Delaware. Van den Enden himself became involved in a political conspiracy that would lead to his death. In 1665 he published his *Free Political Institutions* (Enden, 1665) and persuaded a group of disaffected French noblemen to back his ideas. Led by Gilles de Hamel, this group conspired to incite an insurrection in Normandy, to free Normandy from French rule and to declare it a democratic republic. Van den Enden continued in the conspiracy after he had left Amsterdam, under pressure from the city authorities, and opened a Latin school in Paris. Unfortunately, the conspiracy was revealed to the French authorities by one of Van den Enden's pupils. He and his co-conspirators were arrested and taken to the Bastille, where Van den Enden was interrogated and tortured. While the nobility involved in the conspiracy were beheaded, Van den Enden, as a commoner, was, as Israel puts it, 'escorted to the gallows and unceremoniously hanged' in the inner courtyard of the Bastille (Israel, 2001: 184) in September 1674, a martyr to democratic republicanism, but also to the freedom of critical reason.

I am not arguing, of course, that the spread of the idea of critical reason in the seventeenth century was the direct cause of the waves of democratisation that were to transform the modern world. I am arguing, though, that the relationship between the idea of critical reason, moral autonomy and democracy is not just a theoretical relationship. In Descartes' own time the radical implications of the autonomy of reason were plain to see and the inferences challenging so-called 'authorities' were explicitly made and, sometimes, as in the case of Van den Enden, acted on. A final point: if the basis of our belief in the legitimacy of democracy really is the autonomy of reason, and the ideal to be striven for is, as Rousseau puts it in *Émile*, that a person be 'governed only by the authority of his own reason' (Damrosch, 2005: 334), then it follows, I would argue, that the ideal form of democracy is one that has rational persuasion as its core, an ideal such as that adopted by deliberative democrats.

Moral Autonomy and Epistemic Democracy

As mentioned already, there is another very distinctive type of justificatory argument in favour of democracy, based on its 'epistemic' qualities, in particular on the claim that democratic decision-making has a good chance of arriving at good (perhaps, even, 'correct') decisions. It might be thought that such arguments would have little bearing on the moral autonomy argument. If it is true that democratic decisions

are more likely than not to be good decisions, then this would simply be an added bonus for democracy; it is the only form of decision-making that conforms to the moral autonomy of a reasoning agent and is likely to produce good decisions. Matters, however, are not that simple; one version of the epistemic argument threatens such a direct conflict with the moral autonomy argument that a short discussion is warranted.

I distinguish two versions of the epistemic argument, which I call the 'traditional' version and the 'epistemic procedural' version ('epistemic proceduralism' is the name given to this approach by its foremost contemporary defender, David Estlund). The traditional version goes back as far as Aristotle's *Politics*. Not a great lover of democracy, Aristotle did admit that the pooled experience of the many, who individually might not have great wisdom, could conceivably outstrip the competence of the individually wiser few. Famously, the argument was given a formalisation in Condorcet's 'jury theorem', which states that if a randomly selected voter has just a slightly better than evens chance of making the correct decision, then, as the group of voters increases, the probability of the majority decision being the correct decision rapidly approaches certain; a group of only 10,000 has a probability over 99 per cent of being right. Whatever the validity of these arguments, they do not seem to confront the moral autonomy argument in a negative way. They simply provide, if anything, additional reasons to value democracy.[3]

The case is otherwise with David Estlund's 'epistemic proceduralism' (Estlund, 2008); the basic reason for this is that Estlund claims that a decision-making procedure can have, in principle, authority over someone based on its epistemic characteristics, even if it is not a democratic procedure and even if someone has not given consent. In practice, Estlund believes that all non-democratic decision procedures fail the test of justifiable authority structures, namely that an authority structure should be acceptable to all reasonable perspectives. Still, priority seems to be being given to the positive epistemic characteristics of a procedure rather than to the autonomy of the moral agent. Estlund's argument is somewhat complex, but when it is broken down into its three essential parts it can be shown, I would claim, to challenge fundamentally the moral autonomy perspective, but, in fact, to have a close alignment with it.

The first part of Estlund's argument attempts to establish that a person might be morally subject to an authority even if that person has not consented to the authority in question. I shall formulate the argument in personal terms. If I am under a general moral obligation to contribute to an urgent task, and if my acceptance of an authority is necessary for the achievement of that task, then I am obliged to accept the authority. When Estlund (2008: 136–158) is arguing explicitly for this position he speaks in terms of there being an obligation to contribute to an urgent task that actually requires the acceptance of an authority; but all these things are open to reasonable doubt. It is only, I would claim, when I accept that there is an obligation to contribute and when I accept that an authority is required. On a fundamental level, this institutes the moral autonomy of the agent as the basis for moral authority of an agency.

The second part of Estlund's argument is an attempt to show that, even if it is objectively true that some non-democratic form of authority would be objectively better at guiding our collective attempts to address the urgent task facing us, no putative non-democratic authority can meet the fundamental conditions of justifiable authority. Even if some minority group is wiser that the rest of us, the contention that some particular group is the one in question is always open to objection from some reasonable perspectives. The basic reason is that 'no invidious comparison among citizens with respect to their normative political wisdom can pass the appropriate general acceptability criterion . . .' (Estlund, 2008: 36). As Estlund accepts the 'no invidious comparison' thesis on normative matters, he claims that given that 'there is widespread disagreement about what justice requires ... No citizen is required to defer to the expertise or authority of any other' (2008: 98). In a nutshell, Estlund's anti-epistocracy (rule by the wise) comes down to the thesis that there are numerous qualified, reasonable perspectives that can legitimately question any putative non-democratic authority. This, I would argue, is fundamentally identical to the moral autonomy perspective.

The third part of Estlund's argument is not directly relevant, either positively or negatively, to the moral autonomy thesis. In my analysis, this part of the argument attempts to show that democracy can meet one crucial condition of authority. Even if it is accepted that (because of the obligation to contribute to the solution of an urgent task that requires an accepted authority) we are obliged to accept some authority structure, surely there are conditions on the claim of any particular suggested authority. The whole of Estlund's argument (2008: 159–183) is based on the assumption that a putative authority that was provably hopeless at making decisions (i.e. was pretty sure to be worse than random at avoiding really awful decisions) could hardly command any authority at all. This is why Estlund has to make the very modest epistemic claim for democracy that it is likely to be better than random in avoiding such awful outcomes. Without expanding on the suggestion, I would say that rejecting the right of any minority or external agency to command, the choice is between anarchism and democracy and we could begin to argue for democracy only if we could show that the results were likely to be better than ungoverned anarchistic interrelationships.

But that is another question.

Notes

1. There are arguments for democratic legitimacy that focus specifically on democracy's alleged positive epistemic characteristics. For a discussion of how these relate to the moral autonomy argument, see the final section of this paper.
2. I am not dismissing the argument as totally pointless. On the one hand it focuses attention on the idea of participating in the exercise of collective autonomy and the role of this in our conception of a worthwhile human life. On the other hand, Dahl might be alluding to the possibility that participation in the exercise of collective autonomy might have the beneficial consequences of enhancing our actual capacity for autonomy in all spheres of life.
3. For a discussion of these arguments, see the chapter in Estlund (2008: 104–105) on the Condorcet jury theorem.

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