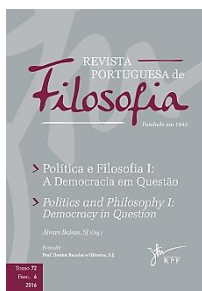


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Democracy for Idiots. Republicanism, Self-Alienation and Permanent Minorities

DAVID ÁLVAREZ*

Abstract

The main thesis can be summarized the following way: If freedom-status is the master good for republicans then, when democratic participation and mandatory citizenship undermine the self-respect of permanent minorities, self-alienation becomes a political status compatible with the republican ideal of freedom as non-domination. By self-alienation I understand the voluntary withdrawal of active democratic participation, the rejection of national membership as citizen, and the assumption of the status of permanent resident. The paper argues that permanent residency and national citizenship must be conceived as equivalent statuses in terms of non-domination and therefore, as compatible forms of democratic equality.

Keywords: democratic equality, democratic republicanism, mandatory citizenship, Pettit, self-alienation, political idiocy.

Democracy for idiots addresses the case of a democratic society that has to accommodate a substantial number of “idiots” within. For classic Athenians, *idiotes* were those citizens that voluntarily withdraw from participation in public life. Needless to mention that these Athenian idiots were native free males that may have reasons to avoid discussing and deciding public affairs among other native free males. I try to rescue this somehow controversial figure of the “idiot” to examine the case when one has private or public reasons to withdraw from the public role of active citizenship.

The *idiotes* represents a very illuminating figure for our contemporary democracies. He exhibits a dual profile, on the one hand, it can be someone with an idiosyncratic set of self-regarding priorities. On the other hand, the *idiotes* may be the figure of the conscientious self-alienation of someone who is aware of the structural limitation of the democratic system. For instance, one that knows that the Athenian demos is intrin-

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sically biased against any reasonable discussion of fair laws regarding gender, slavery, or foreign policy.

Similarly, our complex democracies also present structural limitations for the adequate representation of deeply held minority viewpoints that makes the rejection of active citizenship a reasonable option for many individuals. Self-Alienation however, cannot be reduced to other forms of civil disobedience or conscientious objection. These figures are typically the ultimate patriots. They express the highest loyalty to the constitutional principles by not recognizing deviating norms while accepting the punishment for the infringement. They deeply identify with their civic identity and operate within the system that they try to reform. In contrast, political idiots make explicit a democratic fissure that is beyond repair from the inside and opt instead for exercising resistance through distance.

In particular, the paper analyses Phillip Pettit's republicanism as one of the most sophisticated and influential conceptions of democracy, and argues that self-alienation is a way of exercising exit within the state that is compatible with this conception of republican freedom.

The main thesis can be summarized the following way: If freedom-status is the master good for republicans then, when democratic participation and mandatory citizenship undermine the self-respect of permanent minorities, self-alienation becomes a political status compatible with the republican ideal of freedom as non-domination. By self-alienation I understand the voluntary withdrawal of active democratic participation, the rejection of national membership as citizen, and the assumption of the status of permanent resident. The paper argues that permanent residency and national citizenship must be conceived as equivalent statuses in terms of non-domination and therefore, as compatible forms of democratic equality.¹

The following sections proceed by (1) showing the fundamental place of freedom-status and self-respect for a republican conception of democracy. Then, it continues by showing the connection between (2)

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1. For the purpose of this paper my main reference will be Pettit's restatement of his views in *On the People's Terms*. (Cambridge: Cambridge University Press, 2012). This is the most coherent and consolidated version of his republican thought. In *Just Freedom. A Moral Compass for a Complex World* (New York: Norton, 2014) Pettit expands his views on contemporary topics for a broader audience. It is however, in *A Theory of Freedom. From the Psychology to the Politics of Agency* (Cambridge: Polity, 2001, 156) when he explicitly discards "exit within the state" as a possibility and justifies focusing on "the voice of authorisation and contestation that is available to ordinary people under democratic arrangements."

democratic legitimacy, (3) distributive justice and self-respect. Next, it addresses the problem of self-respect for permanent minorities that (4) lack authorial power in democratic deliberations, and (5) editorial power for democratic contestation. Afterwards, it presents (6) the connection between dignity, status and political equality, (7) rejects mandatory citizenship as a plausible realization of democratic equality and (8) defends self-alienation as a form of democratic equivalence of status.

1. Freedom-status in republican theory

The republican conception defends an ideal of public freedom as non-domination which in turn is understood as controlled interference.² There is interference because the common institutions of a democratic state exercise shared coercion on our reciprocal freedoms, frustrating under its authority the range of our actions. They therefore constrain the universe of our choices, the space of our decisions and our capacity to act on them. However, we find moral reasons to incorporate ourselves under the coercive institutions of a democratic state because republican societies exercise this coercion on the people's terms, and controlled by the people itself. It can therefore provide an otherwise unobtainable "public good," the "freedom-status" that allows the dignity of equal public persons.³

This "freedom status" is illustrated by what Pettit dubs as the "eye-to-eye (eyeball) test".⁴ With this expression Pettit aims to capture the perception of equal self-value and fundamental self-respect that allows a citizen to conduct her public interactions looking in the eye at her fellow co-citizens, without shying away due to fear or deference. This test sets the level of transfer and social provision of resources instrumental to achieve this relational status and for the promotion of those personal capacities and attitudes conducive to this public disposition.

The "eye-to-eye test" is successful when every citizen recognizes each other as sharing an equal chance in shaping the terms in which common life is organized. Therefore, freedom-status is both an outcome of the institutions of public freedom, and the dispositional attitude to create them. This is the recursive paradox that haunts republicanism. It presupposes that the institutions are given by an outsider, a mythical legislator

2. Philip PETTIT, *On the People's Terms*, 153.

3. *Ibid.*, 83-84, 181-184.

4. *Ibid.*, 84-87.

with civic qualities beyond common people, and is therefore latently aristocratic. Or otherwise assumes that people already are equally virtuous, and then subjection to shared coercion is redundant. Pettit tries to argue himself out of this puzzle by justifying the epistemic virtues of (enforced) social coordination, which would minimize socio-economic dependence due to unsuccessful collective action. But then, for this to occur, it is not enough to remove the sources of individual oppression. They all must be members under common terms.

If the institutions of the republic had been designed by unenlightened individuals that do not know the love for public freedom, then the social order would be tainted by an original sin. We have no guarantee that this faulty design reproduces equal concern and receptivity to the claims of all members overtime.

Pettit's alternative consists on a dual model of republican democracy. It presupposes a sufficient minimum of public disposition among the population, supplemented with an invisible institutional hand that channels their more self-regarding incentives in the direction of the common good. This republican democratic model combines electoral democracy for the selection of representatives, with contestatory democracy for the control of political authorities. It is still highly institutional because it favors deliberative regulation over direct participatory deliberation. With this opposition Pettit defends the practical value of the automatic re-enactment of established norms and the reproduction of previous agreements, building up on a shared institutional culture.⁵

There are three additional requirements that determine the way in which the freedom status can be achieved:

Individualized control: all citizens have adequate channels to exercise contestation and influence on social organization.

Unconditionality: the terms of political power, procedurally and substantively, are not subject to external considerations or qualifications in its implementation. They are automatically enforced as a common will.

Efficacy: this condition stipulates that the degree of public control over the whole political process should be such that all undesirable political outcomes could be accepted as a matter of "tough luck." This *tough luck test* means that one has no reasonable grounds for

5. Ibid., 264-269.

resentment when the outcome is attributable to incompetence or culpable ignorance of fellow co-citizens, in their public or private roles, as long as the political apparatus is under shared equal control.

When these requirements are satisfied we can affirm that the state has political legitimacy even if it falls short of realizing full social justice. These conditions identify the adequate normative standing that a political authority must obtain when it organizes the lives of the citizens. As Pettit affirms, “the normative assumption is, on the one side, that the state ought to treat its citizens as equals and, on the other, that citizens are to be willing to accept this and to live on equal terms with one another.” And continues: “this intuition is intuitively compelling and it is not specific to the republican approach; it is endorsed in every plausible political philosophy”.⁶ That is, there are no grounds for “idiotic” withdrawal within the state.

2. Distributive justice and self-respect

The republican conception is first and foremost a conception of democratic justice. Its main concern is the democratic distribution of political influence and the resources necessary to generate the personal attitude to use this power. It is therefore an almost purely procedural conception of justice as it does not pre-determine the substantive outcome of the democratic use of power.

This republican conception of democratic justice derives social justice from a strong formal conception of political legitimacy. To some critics, this conflation would be inconsistent with the republican conception as they point that material inequalities also have an undermining effect on the perception of equality of political status among the citizenry. Therefore, they claim that democratic legitimacy must be supplemented with an independent conception of socioeconomic justice.⁷

6. Ibid., 132.

7. For instance, Fabian Schuppert, “Non-domination, non-alienation and social equality. Towards a republican understanding of equality.” *Critical Review of International Social and Political Philosophy*, 18 (2015) 440-455. Here the author defends that individuals should be protected from alienation from themselves induced from non-intentional interactions in the social order. In my understanding, these would be largely included in the eye-to-eye condition.

It can be argued, however, that these criticisms rely on a basic misunderstanding of the demands of the freedom-status. The public provision of this status is the goal of social life, and social institutions and resources should be designed in order to realize this goal among the citizenry. As many critics correctly identify, this implies a sufficientarian principle of distributive justice, measured by the eye-to-eye test. But although sufficientarianism emerges as a non-comparative principle alternative to other egalitarian theories (“enough resources” as opposed to “same than others”), in this case its satisfaction is linked to an intrinsically relational condition. Passing the eye-to-eye test implies that the overall distribution of resources has no impact on the perception of equal dignity and civic status, and that material inequalities do not affect the disposition of the citizens to exercise their equal share of political influence. It implies, therefore, that inequalities must be socially approved. The margin of permissible inequalities may vary through cultural contexts. For instance, in a Free Buddhist Republic inequalities may have marginal impact on civic status while in the Free Nordic Republic they may be offensive, demanding strong redistribution and even the “leveling-down” of those indignant goods that threaten public equality. In sum, nothing in this relational-sufficientarian principle rules out strong limits to social inequality. But, what is really relevant for the realization of freedom-status is the implementation of an institutional order that prevents illegitimate conversions of goods and resources into political influence.⁸ The isolation of the different social spheres, the blockage of illegitimate conversions, and their supervision by the political authority is what really demands the “tough-luck” test. In sum, there are not intrinsic criteria of distributive justice for the realization of freedom-status but only the strong requirement of blocking the interference of inequality into the democratic determination of the social order.

It is interesting to contrast this view with the well know Rawlsian liberal-egalitarianism. For Rawls equality and freedom are also the markers of citizenship and the building blocks of his Kantian constructivism. They are not just formal or programmatic descriptions, since the basic rights and liberties are qualified by their “fair value” that entails their realistic realization. What is really interesting is that for Rawls citizens are conceived as participants in a joint social enterprise, entitled to a

8. Adapting the classic terminology from Michael Walzer (*Spheres of Justice. A Defence of Pluralism and Equality*. New York: Basic Books, 1983).

fair share of the social production. There is a very interesting and subtle contrast between Pettit and Rawls, because both condemn the degrading aspect of social dependence and welfare capitalism.⁹ On the republican side, social coercion generates rights and entitlements that are antithetical to beneficence and dependence. On the Rawlsian side, citizens are explicit social cooperators and, in addition to being equal citizens at the political level, the conditions for the achievement of self-respect are also extended to the comparative criteria that reward their involvement in social production.¹⁰ Therefore, the “social bases of self-respect” are singled out by Rawls as the most important primary good and their social distribution should be constrained by the difference principle.¹¹ This entails the assumption that not all citizens will feel their social belonging with the same intensity. Some will fit in the social system easier. They will find that it is shaped by their capacities and preferences in a larger degree than other collectives. But a just society must design its institutions to maximize the sense of social belonging and the due respect for the life projects of its less advantaged members. Although self-respect is a subjective attitude that cannot be socially distributed, the institutional environment may be designed to maximize its promotion and minimize its erosion.

One particular case of institutional undermining of self-respect is through the perception of an unfair participation in the burdens and benefits of social cooperation. Rawls identifies two patterns of reactions that emerge when the strains of commitment are perceived as excessive: a resentful attitude that leads to frequent confrontation and violent revolt; and a sense of alienation that leads to the withdrawal from social participation.¹²

It is interesting to notice that these toxic effects on self-respect derive from the perception of an institutional state of affairs. It has a vertical dimension in the sense that it stresses the internalization of how one is being treated by the institutions. At the same time, it makes explicit the importance of the principle of publicity, which demands transparency on the public terms of social cooperation.¹³ Therefore, the perception of the strains of commitment should be based on objective assessments of inter-

9. John RAWLS, *Justice as Fairness. A restatement* (Cambridge: Harvard University Press, 2001), 135-140.

10. *Ibid.*, 5-6.

11. *Ibid.*, 59-60.

12. *Ibid.*, 128-129.

13. *Ibid.*, 121-122.

personal comparisons, which rely on widespread institutional structures of public justification.

In contrast, Pettit's conception of freedom-status as civic self-respect emphasizes the agential dimension over the institutional, since what actually matters is the efficient transformation of social resources into public freedom and not their distribution according to an external criterion. What really matters is the street level of horizontal interactions and the patterns of inter-subjective recognition that express a civic republican attitude. This is the precondition for the exercise of proper republican democratic authority.

3. Permanent minorities, authorial democracy and self-respect

There are a number of structural limitations in Pettit's Democratic Republicanism that may seem incompatible with the self-respect of permanent minorities but that, nevertheless, seem to pass the "tough luck" test of democratic acceptability.

First, Pettit seems to underestimate the national –and therefore alienating, character of the republic. This historical dimension of the political community is one of the recurrent blind spots for insiders because natives do not need to be naturalized. But, as we have seen, we cannot take the republican institutions as impartial creations conferred by an omniscient lawgiver. We should assume that they are the product of a self-correcting historical experience. Pettit relies on this cumulative dynamic to defend his preference for a concept of deliberative regulation that builds upon consolidated consensus and limits effective deliberation to unprecedented cases. Simultaneously, Pettit wants to distance himself from other corporatist conceptions of the nation, understood as a collective intergenerational entity with national interest. In contrast, he defends the public interest of the demos, identified in aggregate terms, as the proper object of political influence.¹⁴ This subtle nuance may discard the most extreme forms of republican patriotism, but seems difficult to fully reconcile with the path-dependent inertia of his deliberative regulation. The criteria for the identification of the public interest emerge from this cumulative experience and, therefore, republicanism tends to create thick political cultures overtime.

14. PETTIT, *On the People's Terms*, 245-246.

Additionally, one of the constitutive elements of the republican conception of legitimacy is the defense of shared institutions of public freedom. This expected loyalty and the virtue of republican patriotism is perfectly in line with a sustained duty of co-responsibility and identification with the common good. This is the attitude that allows the appearance of the republican public space, one that is only maintained through personal political implication. This predisposition and the values that it reproduces through the active participation in social institutions generate an understandable priority for the fellow citizenship. The extent to which this republican identity is compatible with a cosmopolitan conviction is a matter of balance. Pettit criticizes those conceptions of corporate nationalism that sacrifice the wellbeing of its citizens for the continuity of the political community although he does not discuss the most frequent opposite case, the difficulty for national democracies to represent cosmopolitan interests.¹⁵

Democratic deliberations tend to focus disproportionately on internal affairs and to weigh all events in function of the national interest. Consequently, republics constitute domestic publics that regard the rest of the world as permanent minorities. Active dissenters may understandably feel alienated from a political identity that is inherently biased against the claims of outsiders. For instance, negligence in the collective responsibility for humanitarian and refugee crisis may deeply alienate cosmopolitan activists, but also permanent residents and other refugees. These may have to choose between integration as alienated permanent minorities or opt for self-alienation as permanent residents. The case of cosmopolitan and transnational allegiances is a deep source of strains of identity that is not adequately recognized in democratic republican terms.

Pettit is perfectly aware of the gap between institutionalized political power and popular political influence. This chasm is explicitly reflected in his model of democracy, which opposes the dual dimensions of the people, as *constituted* people, incorporated in the institutions of the state as the organized agent of the citizenry; and as *constituting* people, expressed in the political forces and channels that exercise the political control of the state in a dynamic and creative way. The constituted people perpetuates the conservative identity of the republic, the constituting people brings

15. Ibid.

openness but both face structural limitations to incorporate some groups into the republican identity.¹⁶

Pettit acknowledges the intrinsic limitation of democratic republicanism to deal with persistent minorities and concedes that self-government and self-determination as second best solutions for territorially concentrated minorities.¹⁷ This pragmatic solution can be defended as an alternative way to promote the good of equal freedom and civic dignity among groups systematically divided by a deep breach of understanding and communication and, in line with the interpretation held in this paper, consistent with the multiple realizations of the principle of expressive equality.

In his brilliant work on modern constitutionalism, James Tully shows how the main families of modern political justification ultimately rest on unarticulated conventions that still keep alienating women and minority cultures. Tully argues for an alternative tradition of complex constitutionalism that incorporates alien bodies through accommodation instead of mandatory translation into the hegemonic categories of public reason. His arguments for a democratically shaped constitutionalism -instead of a constitutionally constrained democracy; find common ground with Pettit's republicanism.¹⁸ Additionally, Tully defends that "two of the primary goods of constitutionalism are civic participation and the civic dignity that goes with it,"¹⁹ and that the recognition and accommodation of degrees of self-government constitute analogous and equivalent ways to promote these goods. Also that modern constitutionalism should undergo a "conceptual revolution," and the first step in that direction is to recognize "the civic dignity of speaking in one's cultural voice, and the corresponding civic indignity of speaking for others or of being compelled to speak in the dominant language and traditions of discourse."²⁰

Paradoxically, Tully remarks that social belonging is one additional good provided by modern constitutionalism and that this belonging is precisely more intense through the struggle for cultural recognition than when this is finally awarded.²¹ The cases that Tully presents imply struggles

16. Ibid., 285-288.

17. Ibid., 211-218.

18. Ibid., 238.

19. James TULLY, *Strange Multiplicity. Constitutionalism in an age of diversity*. (Cambridge: Cambridge University Press, 1995), 192.

20. Ibid., 34

21. James TULLY, *Public Philosophy in a New Key*. Vol. I. (Cambridge: Cambridge University

for self-government or differentiated citizenship in multicultural settings. They presuppose territorially concentrated groups that can engage in relevant public contestation. The problem of self-alienation in contrast, springs from scenarios where the dissenting individuals are territorially dispersed and have to face unreceptive majorities.

The problem with republican democracy is that it cannot properly address this problem of globalized and complex democracies because it does not translate into our usual categories of domination and we cannot say that there is a group that intentionally exploits or marginalizes a minority. It is a case that would easily pass the “tough luck” test because the majority just happens to have a different set of constituted preferences and may lack the sufficient receptivity towards others.²² What is perceived as an intense problem by a minority cannot be brought about to the majority conscience without great effort, and therefore, does not qualify as common avowable interest.²³ There is not sufficient discursive interaction because “not all recognize that all recognize a problem.”²⁴ Additionally, the background assumption in political philosophy is that “resident” is only a transitional condition in the way to full-membership as an integrated citizen, and not a proper political status.²⁵

This deep breach affects dissenters, residents, and other persistent minorities that are territorially dispersed. They may show higher density in some neighborhoods, or establish networks and local organizations, but they generally live their day-to-day life among mixed populations. However, when these very networks and social movements fail to translate their claims to the democratic fora, then these minorities do not count as constituting people. They may feel that the vote is a useless tool, that exercising their voice is a frustrating experience, and that exile is an option

Press, 2008), 180-184.

22. For instance, disregarded as unreflective “moral stands,” as pointed out by John McCormick in “Republicanism and Democracy,” In: Niederberger, A. & Schink, Ph. (eds.). *Republican Democracy. Liberty, Law and Politics*. (Edinburgh: Edinburgh University Press, 2013), 105.
23. Philip PETTIT, *A Theory of Freedom*, 156.
24. *Ibid.*, 67.
25. For Pettit “All adult, able-minded, more or less permanent residents count as citizens, on this conception, not just those with the right to vote and stand for office.” In *On the People’s Terms*, 138. For instance, David Owen provides an exhaustive account of the different categories of migrants “in terms of civic marginalization, that is, marginalization relative to the norm of the national citizen.” In “Citizenship and the marginalities of migrants.” *Critical Review of International Social and Political Philosophy*, 16:3 (2013): 326.

contingent on the existence of a matching hosting state, where they would still remain as residents.

4. Permanent minorities, editorial democracy and self-respect

All things considered, in our diverse and complex democracies persistent minorities may fail to identify with the democratic exercise of authorial power. Pettit contemplates an auxiliary way to exercise democratic control over political power in complex societies, where it is difficult for the demos to track the translation of their authorial power to the policies finally implemented. In these circumstances where they cannot fully identify themselves as the authors, they can always act as editors of conflicting policies. But this editorial capacity is of limited use to persistent minorities. The purpose of these corrective mechanisms is to enhance the accountability of the government and of the different bodies of the instituted people, which must reflect the will of the constituting people as engaged citizens. We have already seen that the problem here rests on the previous formation of the democratic will that has to be implemented.

The other traditional avenue for the exercise of editorial power is through courts that protect the rights of minorities from abusive majorities. But this avenue does not really reflect the authorial power of the minorities or their influence in shaping the democratic will. Courts merely interpret or protect already recognized rights and prerogatives as framed in the legislature or as terms of international treaties recognized as law of the land. This act of legal recognition may also involve substantive authorial power by the demos that selects, imports, translates and adapts foreign standards and practices, as it is explained by Seyla Benhabib's conception of cosmopolitanism as "democratic iterations."²⁶ But this, however, presupposes an integrated democratic will, sufficiently responsive to the ius-generative initiatives of activists and social movements.

This way, through democratic iterations, cosmopolitan norms are translated into alternative but equivalent terms for other peoples. This very productive conception may also hide a correlative side-effect, namely that those that have no real influence in the democratic iteration of cosmopolitan terms may feel doubly alienated from those standard citizens of

26. Seyla BENHABIB, *Another Cosmopolitanism* (Oxford: Oxford University Press, 2006).

the republic that also are cosmopolitan subjects. These uneasy minorities would in contrast, self-identify in their passive dimension of subjects of human rights protection and as denizens of the world. All in all, this residual identity may be preferable to many persistent minorities than the strains of identification with the democratic consensus. The paper argues that when mandatory identification becomes a source of potential alienation and resentment, voluntary self-alienation as a political status constitutes a normatively acceptable alternative to national citizenship.

5. Equality, dignity and rights

On situations of disaffected groups and lack of identification with the political order the usual republican response is to display new institutional avenues for incorporation. The opposite attitude, one that sponsors a greater tolerance towards non-citizenship, seems to rely on liberal anti-political values. Living in a republic as residents would grant those individuals a very robust sphere of negative rights and protections, consistent with the ideal of freedom as non-domination. But, in contrast to multicultural citizenship, non-citizens would lack the legal tools to influence the terms of a demos. Richard Bellamy illustrates this opposition with the image of the city walls.²⁷

The liberal language of human or natural rights leaves the unprivileged outside the city walls, as mere petitioners for redress by the privileged within, who may deploy these self-same rights to deny any civic responsibility for these others. The republican approach brings all right-claimants within the city walls, giving them access to the political mechanisms required to offer them redress.²⁸

But by pressing the politization of rights and membership in republican terms, republican thinkers place themselves in a difficult position. On the one hand, they want to be maximally inclusivist, bringing in as fellow citizens all those residents and disaffected dissenters. On the other hand, by incorporating into the constituted people groups with a reluctant rela-

27. Richard BELLAMY, "Rights, Republicanism and Democracy", In: Niederberger, A. & Schink, Ph. (eds.). *Republican Democracy. Liberty, Law and Politics* (Edinburgh: Edinburgh University Press, 2013), 263.

28. Ibid.

tionship with the political identity, republicans are devaluing the dignity they attach to the category of citizenship.

Waldron nicely registers these opposing views when he reconstructs Arendt's Athenian conception of political equality as an artificial persona conferred as a necessary condition for the creation of a specific political space.²⁹ In contrast, the modern concept of citizenship and human dignity appears as the universalization of a status-term that grounds demands among us.³⁰ While the first notion is entirely political, the second one emerges as a moral leveling up that "can be associated with a furious sense of one's rights and a willingness to stand up for them as part of what it means to stand up for what is best and most important in oneself."³¹ The dilemma we face corresponds to a historical crossroad of these two conceptions. When highly intense minority views are diluted in an unreceptive political space then political exit may be the coherent way to stand up for one's self-respect.

Our modern "idiotes" are recalcitrant insiders that by rejecting national identification, pose a novel challenge to the modern notion of the democratic state. We may answer to this question by granting them a non-national political persona in a global order of post-national states.³² Alternatively, we may stick to our modern ideal of democratic equality by imposing mandatory citizenship. Developing a detailed account of the first proposal exceeds the limits of this paper so the discussion will explore the second argument.

6. Democratic equality and mandatory citizenship.

The case for mandatory citizenship is made by Helder de Schutter and Lea Ypi, in a paper awarded with the Brian Barry Prize in Political Theory (2015).³³ Confronted with the growing phenomenon of qualifying settled neighbors that decline offers to acquire citizenship, the authors defend that long-term residents disrupt the political fabric of a just society

29. Jeremy WALDRON, *Dignity, Rank & Rights* (Oxford: Oxford University Press, 2012), 20.

30. *Ibid.*, 139.

31. *Ibid.*, 145.

32. I explore this proposal in "Individual Membership in a Global Order: Terms of Respect and Standards of Justification," *Public Reason*, 4:2 (2012): 92-118.

33. Helder DE SCHUTTER and Lea YPI, "Mandatory citizenship for immigrants." *British Journal of Political Science*, 45:2 (2015): 235-251.

and conclude that it the imposition of mandatory naturalization is compatible with the ideal of democratic equality. Their paper presents two main arguments:

The first just states that non-citizens are vulnerable to exploitation and contribute to the degradation of the labor market. The second argues that long-term residents ultimately parasite on social cooperation. The first one builds a strong case for the state duty to offer citizenship but it is less convincing in showing the strength of the duty to accept it, because it is constructed around the self-interest of the resident and on her perception of citizenship as a benefit, not as an obligation. The point makes more sense, for instance if mandatory citizenship also implies a system of compulsory voting, also favored by Pettit, so the most vulnerable would have a modicum of electoral influence.³⁴ Pettit also supports compulsory voting in order to bring higher reliability and representativity to experiences of public consultation. This view, however, would fit more adequately among the “burdens” of citizenship instead of as a protection against domination. Mandatory consultation would not necessarily imply mandatory citizenship because effective consultation may require specific demographics -like input from children; that are not necessarily part of the enfranchised demos and have no electoral power.³⁵

The second and more controversial case -which fundamentals the bulk of their proposal, is worth a lengthier discussion. This argument ultimately holds that long-term residents are free-riders that take advantage of the commitment of the citizenry to maintain a stable political community over time. In particular, residents that share the obligation to obey the (coercive) law, that pay taxes, that lack adequate political representation, that are excluded for public positions, and that contribute to the general wellbeing to a certain degree, are nevertheless in a privileged situation because they do not serve in the military, they do not perform jury or electoral duties, and they are exempted from allegiance to the national

34. Pettit supports this system in Australia, even if it is less than perfect (*On the People's Terms*, 169 and 210 n.26).

35. Pettit supports experiences of mandatory consultation in *Just Freedom*, 147. However, we should keep in mind that Pettit not always uses the term “citizen” in its official sense (see n. 24 supra) but also a wider way, taken from Tully. This wider meaning is relevant for public consultation: “I take citizens in this discussion to comprise, not just citizens in the official sense, but all the more or less settled residents of a state who, being adult and able-minded, can play an informed role at any time in conceptualizing shared concerns and in shaping how the state acts in furthering those concerns.” *On the People's Terms*, 75.

identity and from the duty to defend its legacy against foreign criticism. Consequently, both authors conclude that long-term residents enjoy a disproportionate share of social benefits at the expense of an over-burdened citizenry. Therefore, access to citizenship should be mandatory. The state has the obligation to offer it and the immigrant has the duty to comply with the requirements.

Regarding the first argument, we may point out that it relies on very contextual circumstances and that different descriptions of rights and duties produce different assessments. Their following and more theoretical argument is more interesting for our discussion. It relies on what they dub as the All-Affecting Principle (AIF), which states that:

[A]ll those who repeatedly (significantly) affect others, have a duty to participate in a democratic process in which justifications for particular courses of action are advanced. The idea behind the principle is that one cannot constantly perform actions which exert influence on others or make use of common spaces without being prepared to join the civic political forums where practices that affect others are discussed and negotiated.³⁶

In contrast to the more familiar All-Affected Principle (AF), this new formulation entails an obligation to share a political space of reasons, in particular, “it demands for the democratic politization of these relationships.”³⁷ This single principle encapsulates two complementary arguments: on the one hand, mandatory political inclusion allows the citizens to understand the concerns of the resident minority. On the other hand, through this demand of justification, minorities are exposed and familiarized with the general social view point.

Through this principle, the authors seem to conflate issues relative to national identity with matters relative to local conviviality. In particular, they identify scenarios of local conflicts to justify the participation in the official apparatus of formal institutional politics. Examples of local conflicts between residents and citizens may also provide more interesting opportunities for the implementation of deliberative-communicative practices in the neighborhoods, instead of translating the conflicts into the more constituted terms of national institutional politics. This is precisely the space in which now diluted minority reasons are less likely to affect

36. *Ibid.*, 243.

37. *Ibid.*, 244.

and influence the majority view. The resort to local examples is misleading, as the authors know that there are many democracies in which residents are allowed to participate and vote in local politics, and that the kind of problematic interactions that they depict are better solved through actual discourse-friendly relationships among affected participants.³⁸

Additionally, minorities would rarely find significant channels of political participation at the national level—at least while they still are a demographic minority. Their condition of irrelevant and permanent minority makes it difficult to pass the “tough luck test,” as their political demands may routinely find indifference at the national stage, when extracted from the interactive context where they arose. This lack of adequate representation as full-and-equal citizens is precisely what justifies political resentment. Therefore, mandatory citizenship may very well backfire if the structural limits of the constituting people are not taken into account.

7. Democratic equivalence and self-alienation

Self-alienation, as the voluntary option for a status of residency, may do better at the “eye-to-eye test” than mandatory citizenship. In fact, the space of face-to-face relationships in neighborhood politics demands a different and specific set of political virtues and attitudes of tolerance and accommodation. Citizenship comes from city, and nationality from nation. The proposal of self-alienation implies relaxing the strong identitarian demands of the constituted people in favor of the reinforcement of local levels of self-government and civic participation.

Self-alienation also allows for the political expression of detachment and dissidence as an alternative between frustrated irrelevance and sacrificial exile. On the first case, compulsory identification with the national identity may justifiably fuel political resentment. On the exile alternative, it amounts to the adoption of a status of resident in a different country, and requires previous admission by a suitable state. Remaining in place while renouncing to the national identification, paradoxically, implies the enlargement of political space for the community. It habituates novel forms of expression of dissidence and the adoption of alternative forms of hybrid membership, critical loyalty, cosmopolitanism or local, etc.

38. PETTIT, *A Theory of Freedom*, 69-70.

Self-alienation in the form of partial membership may also be an interesting solution for scenarios of hyper-pluralism in which radically different traditions have problems to converge and derive fully acceptable consequences from a tenuous overlapping consensus. Alessandro Ferrara, for instance, defends a model of multivariate democracy in which the hegemonic majority helps identify conjectural interpretation of the foreign tradition that are compatible with the terms of public reason.³⁹ This is a move that presupposes an extremely receptive majority, fully embracing the duty of civility to persuade cultural minorities to share the core normative content, some through principled affirmation, some as *modus vivendi*, of the same multivariate democracy. This virtuous civic attitude, however, loses its point when naturalization is mandatory and residence is not an option anymore.

A different solution implies not the accommodation of the doctrinal tradition but the negotiation of the terms of membership. Andrew March, for instance, explores the difficulties of different Islamic traditions to reach a Rawlsian overlapping consensus.⁴⁰ One of his suggestions implies the offer of partial citizenship, with specific bundles of rights and duties, which accommodate limited recognition of duties towards non-Islamic states, reformulations of secular authority in contractual obligations, and specific forms of loyalty and civic friendship. March is more optimistic about finding a reasonable degree of overlapping consensus to back thicker forms of citizenship in strictly political forms of liberalism that restrict the discussion of these goods to the public sphere. This articulation may be, however, less easy in more comprehensive varieties of republicanism. Then, the price for pluralist inclusion is to constraint the expression of a widely shared and substantive republican tradition. The option of self-alienated residency constitutes a compromise to be explored in cases in which resident minorities are willing to recognize and admit the legitimacy of the majority in keeping a historically rich way of life as long as they are not coerced into compulsory identification.

The argument of equitative burden-sharing for compulsory citizenship is a matter of the proportionality between burdens and benefits, and these have to be contextually and specifically calibrated. In those cases where long-term residents enjoy a privileged situation as free-riders it makes

39. Alessandro FERRARA, *The Democratic Horizon: Hyperpluralism and the renewal of Political Liberalism* (Cambridge: Cambridge University Press, 2014).

40. Andrew MARCH, *Islam and Liberal Citizenship: The search for an Overlapping Consensus* (Oxford: Oxford University Press, 2009).

sense to increase the level of expected contributions to a degree similar to that of the general population. This may be done through access to full egalitarian status of citizenship. But it may be also done by restricting the basket of benefits for residents that decline the offer of citizenship. It is a mistake to presume that equality of status requires homogenization. What fairness demands, going back to Rawls, is the public justification of the strains of commitment and the avoidance of political resentment. What fairness really demands is not that the strains of commitment be identical but to be equivalent. This implies that different baskets of rights and duties may imply equally valuable contributions to the community, even if some are fully committed citizens and others well adjusted residents and dissidents.

A fair and reasonable compromise may accommodate resident status within a republican framework by recognizing that the host community of citizens feels a stronger political identification with the historical institutional order in which they were shaped as members and that they contribute to shape in turn. This is a communitarian element implicit in the thicker versions of republicanism. This explicit recognition also accepts that even the most dynamic forms of constituting peoples operate within structural constraints that limit the political influence of permanent minorities and active dissidents, and that coerced political identification in some cases may justify reactions of social resentment.

Consequently, it is possible to articulate a robust system of constitutional protections embedded in stable status of residency, with equivalent baskets of burdens and benefits for those who have reasons to resent compulsory national identification. The main condition is that the status of residency should be protected from domination and dependency, and subject to public justification in equivalent terms. To that effect, a series of national and transnational courts and institutions could monitor and negotiate the equivalent terms of independent non-domination for residents, living along with citizens committed to the exercise of political control over state interference on national terms.

Conclusion

Our contemporary democracies face challenges of integration of increasingly diverse flows of populations across their borders and a growing hyper-pluralization within. This global horizon widely exceeds the traditional demands of homegrown multicultural citizenship. The

republican conception of democratic equality delineated by Pettit provides an attractive normative framework for self-respectful collective self-determination. We contend, however, that it is still seriously attached to the modern model of the territorial state, and to a homogenizing ideal of status equality. The paper examined this model and concluded that the terms of the demos would predictably generate *constrains of identity* in permanent minorities and that they would be reasonably justified when they exercise political idiocy and reject mandatory citizenship.

Self-alienation, understood as a voluntary option for permanent residence, is a political status that may help accommodate dissenting and disaffected permanent minorities in equivalent terms to those of the traditional citizenship of our evolving democracies. Additionally, the recognition of self-alienation as a political status also opens political space of our modern democracies to new avenues of contestation and to exercise exit from within.

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