

## The Ballot and the Wallet: Self-Respect and the Fair Value of Political Liberties

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Abstract. Economic disparities often translate into disparities in political influence, rendering political liberties less worthy to poor citizens than to wealthier ones. Concerned with this, Rawls advocated that a guarantee of the fair value of political liberties be included in the first principle of justice as fairness, with significant regulatory and distributive implications. He nonetheless supplied little examination of the content and grounding of such guarantee, which we here offer. After examining three unconvincing arguments in its favor, we complete a more promising yet less explored argument that builds on the value of self-respect. We first inspect the conditions and duties that securing self-respect entails. We then look into how uneven allocations of the value of political liberties bear, expressively and due to the power imbalances they yield, on such conditions and duties.

Keywords: Economic inequality, political liberties, self-respect, power, expressive harm

### 1. Introduction: Rawls on Affluence and Influence

Economic disparities, such as those on the rise in recent decades, often translate into disparities in political influence. Bartels (2008) and Gilens (2014) have shown, for example, that US senators' roll-call votes and federal government policy more closely correspond to the policy preferences of those in the top fifth of the income distribution than to those of middle- and low-income citizens. And Epp and Borghetto (2020) argue that, as inequality has grown in Europe, legislative agendas have migrated away from redistributive and social safety-net issues. On an influential view, this partly results from the fact that political liberties, albeit evenly distributed in liberal democracies, are often only formally secured, such that those with more resources to donate to electoral campaigns or with above average information, leisure time, and personal contact with elected officials can more effectively exercise them.

Of the various philosophical reactions to this concern (see Christiano, 2012), Rawls' has been the most influential. In response to similar worries by Daniels (1975) and Miller (1974), Rawls first distinguished political liberties from their value. Even when evenly allocated, he granted, political liberties are more useful to the wealthy, as they are better equipped to influence political outcomes. He then singled out political liberties for special treatment, such that the protection of their fair value be included in the first principle of justice as fairness and "everyone has a fair opportunity to hold public office and to influence the outcome of political decisions" (Rawls, 2001: 327).

Granting the fair value guarantee (hereinafter, the FVG) first-principle priority has profound implications. It renders impermissible that the fair value of political rights be traded for greater access to the primary goods, like income and job opportunities, that the other principles of justice as fairness allocate. And it forbids disenfranchising certain groups "on the grounds that their having these liberties may

enable them to block policies needed for economic growth and efficiency” (2001: 47). Its distributive implications are likewise profound (Daniels, 1975; Brighthouse, 1997; Edmundson, 2017). The FVG commands that democratic policymaking be insulated from economic interests by, for example, limiting private donations to electoral campaigns and by publicly financing political parties (1996: 356-63). But it also requires restricting economic disparities that, capable of distorting political equality, the difference principle would otherwise allow (1999: 198-9).

For all its significance, discussion of the FVG in Rawls’ work is scant, and arguments in its favor are often deemed imprecise or incomplete. The FVG remains, Niko Kolodny (2014: 196) notes, “one of the darkest corners” of his account.<sup>i</sup> This paper aims to shed light on the content and grounding of the FVG. In particular, we examine three arguments that Rawls offered in its favor, all of which we find wanting, and complete a more promising argument, according to which the FVG is necessary, morally speaking, to fully secure citizens’ conviction of their own worth.<sup>ii</sup>

Two reasons advise focusing on this argument. One is of scope. Given that analyses of the FVG often apply Rawls’ general arguments for the priority of liberty to the particular case of political liberties, they are not discriminating enough. They often have trouble explaining why these liberties alone merit special treatment, yielding false positives. The argument from self-respect, by contrast, suitably explains why political liberties alone merit such treatment. Second, in examining the relationship between political liberties and self-respect, we hope to clarify the idea of self-respect, which Rawls (1999: 386) considered the most important primary good but remains undertheorized.

An important caveat before starting off is that, although the argument from self-respect claims that the FVG is necessary to fully secure citizens’ conviction of their

own value, it nowise claims that it also suffices for this. In fact, someone who wields less political power than others, or who has no franchise to begin with, may have reason to be more convinced of her own worth, all things considered, than more powerful others. For she may have other conditions that are likewise necessary to wholly secure self-respect, like having one's conception of the good appreciated by relatives and colleagues and suitably protected by nonpolitical liberties, as we detail in section 4.1, more fully realized. What the argument from self-respect seeks to show is modest, thus: that citizens' self-respect, which hangs on various determinants, cannot be *fully* secured without the FVG.

The paper proceeds as follows. After introducing the main features of the FVG in section 2 and inspecting three oft-cited arguments for it in section 3, we develop the argument from self-respect in section 4. We first distinguish the personal and the political conditions of self-respect, the latter of which entails two specific duties of mutual respect—a duty to respect others' conception of the good and a duty to offer reasons to justify one's political stance to them. We then look into how the allocation of political liberties and their value bears on these specific duties by inspecting its expressive effects and the power relations it entails, and discuss competing recent views by Krishnamurthy (2013), Schemmel (2018), and Wall (2006). Finally, we elaborate on the argument by considering two objections in section 5.

## **2. Unpacking the fair value guarantee**

Rawls' conceptions of basic liberties in *Political Liberalism* (1996) and in *A Theory of Justice* (1971) importantly differ. In the original formulation, the first principle of justice as fairness protects a fully adequate formal scheme of equal basic liberties,

including political liberties, for each individual compatible with the same liberties for all (Rawls, 1971: 302). In later work, Rawls (1996: 5) amends the first principle to include a proviso requiring that “political liberties, and only those liberties ... be guaranteed their fair value.”

In *A Theory of Justice*, basic liberties, political and nonpolitical alike, are protected only formally. They constitute a bundle of legally protected paths and opportunities whose worth hinges on the resources available to those who hold them. For example, freedom of speech is more valuable to the well heeled, as they will more easily access and control the press. The value of basic liberties is, thus, a matter of pure procedural justice: disparities in this regard are just if they result from a just basic structure. If just institutions render permissible, or perhaps mandatory, large disparities in income and wealth, disparities in the worth of basic liberties will be correspondingly large but presumably just.

But how much inequality will a just society allow? The difference principle, according to which economic disparities are justified only if needed to make the worst off better off than otherwise, cannot prevent by itself that significant disparities arise. Their permissible size is ultimately contingent on empirical facts concerning the extent to which individual economic incentives may be required to boost productivity (Cohen, 1992), which may yield more or less egalitarian distributions in different societies. But what is relevant is that significant disparities may not be unjust. What motivates the redefining of basic liberties in *Political Liberalism* is that, left to its own devices, the difference principle may yield an uneven worth of political liberties, such that the wealthy have outsized political influence and can more easily get their way (Daniels, 1975; Cohen, 2002; Edmundson, 2017).

The FVG is introduced, then, to offset the reinforcing effects of socioeconomic inequalities and disparities in the worth of political liberties. But this does not entail that everyone's political influence should be identical. It rather commands, in a way that is modeled on the principle of fair equality of opportunity, which Rawls' second principle of justice grants, that "citizens similarly gifted and motivated have roughly an equal chance of influencing the government's policy and of attaining positions of authority irrespective of their socioeconomic class" (Rawls, 2001, p. 46). The FVG seeks to equalize political influence *only* among those who are similarly skilled and motivated, as we further inspect in section 5.

Note, however, that, although the FVG is modeled on the principle of fair equality of opportunity, it does not overlap with it. To start, each principle targets distinct *distribuenda*. Both arbitrate access to positions of authority and responsibility. But the principle of fair equality of opportunity applies to nonpolitical positions, in the private and the public sector alike, whereas the FVG is restricted to political positions. In addition, only the FVG enjoys first-principle priority, which entails that, for Rawls, it is more pressing to secure a fair competition for political positions than for nonpolitical ones.

Also note that the specific focus on socioeconomic class and not on other factors, such as race or religion, does not entail that disparities in the worth of political liberty stemming from such factors are permissible. Rawls factors out race and religion and centers on class because, as we have seen, in a just society the difference principle may authorize economic inequalities but not inequalities of other kind (Pogge, 1992, p. 92). In nonideal scenarios, however, disparities in political influence are likely to result from racial or religious discrimination and not just from

economic disadvantage. We can venture that the scope of the FVG would then accordingly expand.

### **3. Grounding the fair value guarantee**

Rawls offers four arguments for the FVG. Two of these, the strains-of-commitment argument and the argument from the first moral power, are general. They support the priority of basic liberties as a whole over other primary goods. The other two, the instrumental argument and the argument from self-respect, offer specific reasons for the priority of political liberties and their fair value. We here inspect the first three, leaving the fourth for the next section.

Start with the strains-of-commitment argument, which targets freedom of conscience but Rawls deems likewise applicable to other freedoms (1999, p. 181). The idea, roughly, is that the parties to the original position, relying on their general understanding of human psychology, will avoid committing to principles that their representees will be unable to accept. Anything short of equal liberty of conscience, Rawls reckons, will create excessive strains of commitment. For people are unwilling to “take chances with their liberty by permitting the dominant religious or moral doctrine to persecute or to suppress others if it wishes” (1999, p. 181; see Taylor 2013 and Hart 1989 for criticisms). But does political inequality generate excessive strains of commitment? Would people readily trade their political liberties for other goods?

Examples of people putting their body or their freedom on the line to get suffrage abound. Suffragettes or African-American civil rights activists show that being denied franchise may cause unbearable strains of commitment. Note, however, that in both cases formal political equality, rather than fair political opportunity, was

primarily at stake. Applied to the FVG, the strains-of-commitment argument becomes less intuitive. For some may reasonably trade less political influence for more income or other valuable goods. Surely, empirical considerations of this sort do not undermine Rawls' view, whose target is not existing preferences but "what persons need in their status as free and equal citizens, and as normal and fully cooperating members of society over a complete life" (1999, p. xiii). Under just institutions, Rawls may retort, citizens who conceive of themselves as free and equal would hardly renounce political influence. But Rawls fails to explain why exactly. The strains-of-commitment argument offers no reason to explain what renders the unequal worth of political liberty unbearable—a reason that the argument from self-respect offers, as we will argue.

The second general argument leans on the first of the two moral powers whereby citizens conceive of themselves as free and equal. One such power is a sense of justice, a capacity to understand, apply, and be motivated by principles of justice. The other is a capacity to form, revise, and rationally pursue a conception of the good. Each basic liberty supports these moral powers in its way. And Rawls suggests that political liberties are crucial to help citizens develop and exercise a sense of justice.<sup>iii</sup> Citizens who actively participate in politics are

called upon to weigh interest other than [their] own and to be guided by some conception of justice and the public good rather than by [their] own inclinations. Having to explain and justify [their] views to others, [they] must appeal to principles that others can accept (Rawls, 1999, p. 206).



The argument from the first moral power has been connected to other Rawlsian concepts, like moral autonomy (Taylor, 2013), stability (Edmundson, 2017), and self-respect (Cohen, 2002). Its gist is that political liberties are pivotal to people's sense of justice. For they facilitate that they reflect on, and suitably consider, other citizens' views.

The Achilles heel of this argument is that it fails to show that political liberties, let alone their fair value, are *necessary* to develop a sense of justice. Wall (2006), for example, argues that nonpolitical realms may similarly foster a sense of justice. The family and the workplace do not just offer opportunities to exercise one's sense of justice. They may also be a more fitting than politics, where interactions are more impersonal, to achieve this effect. If this is correct, tradeoffs between political liberties and other goods may not undermine people's sense of justice, provided they can form a family and access meaningful jobs. And if one holds, *contra* Wall, that politics is special, and therefore irreplaceable in developing a sense of justice, the question of why political influence should be equal remains. As Brighthouse (1997, p. 163) notes, “[i]t may be that in fact a sense of justice is better developed by those who are the recipients of—or who at least can observe—mild but significant injustices and inequalities.” One thing is to show that the ability to exert political influence is critical to develop a sense of justice, quite another that this influence must be equal.

Take Rawls' specific arguments next. The first is that political liberties have instrumental value, such that their fair value is needed to fully secure a just allocation of other primary goods. The FVG is included in the first principle, Rawls (1996, p. 330) argues, because “it is essential in order to establish just legislation.” Political liberties are Hohfeldian powers: they render citizens able to change others' legal relations, including the ability to replace representatives who may promote or allow

injustices while in office, arguably shielding citizens from such injustices.

This argument is liable to three objections. First off, it is doubtful that the FVG is necessary for just legislation. There is growing evidence that economic disparities translate into disparities in political influence (Bartels, 2008; Sort, 2008; Gilens, 2014; Epp and Borghetto, 2018). But equal political influence need not always yield just outcomes, as it may be used for good and for ill. Political liberties provide citizens with the power, for example, to cancel fellow citizens' rights or "to block policies needed for economic growth and efficiency," as Rawls (2001, p. 47) admits. It is hence hard to believe that, as Wall (2006, p. 251) argues, "irrespective of social circumstances, the guarantee for the fair value of political liberties is an indispensable condition for the justice of the political process." Second, whether necessary or not for just legislation, proving the link is an empirical matter that exceeds the purview of philosophy. Third, even if political liberties were valuable for their impact on quality of government, they would be so in the aggregate yet not necessarily for each citizen (Brennan, 2012). In large political communities each particular vote has a negligible impact on political outcomes. So political liberties cannot be said to be instrumentally valuable for each individual.

Rawls concedes some of these difficulties. Proving the link between the FVG and just legislation is a task for social scientists, he admits, not for political philosophers (2001: 226-227). He also concedes that, in terms of outcomes, Mill's system of plural voting "may be perfectly just," provided extra votes for the better educated yield net gains in the full scheme of basic liberties (Rawls, 1999: 204-205). In response to these problems, Rawls deemphasizes the instrumental value of the FVG in favor of noninstrumental reasons, which prompts the argument from self-respect.

#### 4. The argument from self-respect

The argument from self-respect is scattered over several remarks in *A Theory of Justice* about the significance of self-respect, which Rawls considers the most important primary good (1999: 386). Rawls defines self-respect as a psychological condition with two components. One is a person's sense of her own worth, a secure conviction that her conception of the good is valuable and worth pursuing. The other is confidence in one's ability to realize that conception. When self-respect is lacking, Rawls posits, we fail to find our ends worth pursuing and may "sink into apathy and cynicism" (1999: 386). It is for this reason rational for the parties to the original position to avoid, "at almost any cost," social conditions that may undermine the self-respect of their representees (1999: 386).

Rawls believes that self-respect is not fully secured when the status of equal citizenship is not publicly affirmed for all, which happens when fundamental rights and liberties, and the value of political liberties in particular, are unevenly allocated. In other words, for Rawls, the social bases of self-respect—those aspects of basic institutions needed to secure people's sense of their own worth and confidence in their ability to realize their conception of the good—include legally prescribed rights and liberties, among which political liberties are special. "The effect of self-government where equal political rights have their fair value," he contends (1999: 234), "is to enhance the self-esteem ... of the average citizen."

But why does the public affirmation of fair-valued political liberties comprise the social bases of self-respect, such that they are indispensable to fully secure it? One criticism is that the psychological attitude of the self-respecting person (her

confidence in the value of her conception of the good and in her ability to realize it) is distinct from the attitude that the rights and liberties comprising the bases of self-respect (the recognition of the equal status as citizen) foster (Doopelt 2009; Eyal 2009; Moriarty 2009). Another is that political liberties, and their fair value, may be unnecessary to wholly secure a conviction of one's own worth. According to Wall (2006), arrangements other than political liberties, such as equal civil liberties and a fair share of wealth, may suffice to fully secure citizens' self-respect.

Rawls invites these objections as he fails to account for why the status of equal citizenship is necessary for self-respect. He reckons that a "subordinate ranking in public life would indeed be humiliating and destructive of self-esteem" (1999: 477). But this is a restatement of the idea, rather than an argument for it, which the remainder of this section offers.

#### **4.1 The conditions and duties of self-respect**

Before unfolding the argument, the specific conditions and duties that Rawls' idea of self-respect entails bear clarifying. Start with the conditions. Rawls holds that self-respect is supported by a number of conditions, namely the circumstances under which individuals have moral reasons to acquire and securely sustain, other things being equal, a self-respecting attitude. These conditions, which are distinct from the institutional arrangements that support them (i.e., the social bases of self-respect), comprise personal conditions and political ones (Stark, 2012).

Personal conditions include having a rational plan of life that satisfies the Aristotelian principle—that is, a plan that engages one's talents and natural capacities in an interesting and challenging way—plus the appreciation of one's deeds by fellow

associates like relatives, friends, and colleagues (1971: 440). The connection between these conditions and basic liberties is straightforward. On the one hand, liberties like free speech, freedom of conscience, and freedom of movement enable individuals to freely choose and pursue the ends that may suitably realize their abilities. Freedom of association, on the other hand, guarantees that they can interact with people of similar inclinations and abilities who may appreciate their endeavors, such as friendships, families, congregations, scientific and artistic societies, and sports associations.

A third, political condition is also required for self-respect, Rawls posits. This condition requires that “whenever in public life, citizens respect one another’s ends and adjudicate their political claims in ways that also support their self-esteem” (1971, p. 442). And it is of particular relevance because it is a “background condition,” meaning two things. One is that it is necessary for the effectiveness of the other two. The other is that it ensures that people keep a self-respecting attitude when they venture out of the associations they belong to and interact with other people. This interaction is typical of politics. But, given that societies where Rawls’ principles are in place will not be segregated into isolated associations, it is likely to occur across the board.

The political condition requires that citizens respect one another’s ends in the public realm, Rawls holds. To flesh this idea out, it pays turning to Rawls’ account of the duty of mutual respect (Stark, 2012). The duty of mutual respect is a natural duty that the parties to the original position endorse (Rawls, 1971, p. 178-9). It is the duty to show the respect that everyone deserves as a moral being, as someone with a sense of justice and a conception of the good. And, on Rawls’ view, it is discharged by our willingness “to see the situation of others from their point of view, from the perspective of their conception of the good; and [by] our being prepared to give

reasons for our actions whenever the interests of others are materially affected” (1971: 337). The general duty of mutual respect entails, in brief, two specific duties: a duty to respect others’ conception of the good and a duty to credit them as being entitled to political justification.

To examine the link between the FVG and self-respect we need, thus, to look into how the allocation of political liberties and their value bears on these specific duties. The argument from self-respect, which we now unfold, undertakes this task by inspecting the expressive effects of this allocation and the power relations it entails.

#### **4.2 The expressive value of political liberties**

Take expressive effects first.<sup>iv</sup> Self-respect requires, to repeat, both the appraisal (personal condition) and the respect (political condition) of others. How political institutions treat us importantly affects, Rawls believes, “how we think others value us” (1999: 477), and thus self-respect. One way in which political institutions do this is by publicly marking individuals as worthy or unworthy of attitudes like respect, esteem, admiration, and so on in fellow citizens’ eyes, as when state officials publicly express equal consideration of, or deprecation for, certain religious or sexual minorities. On Rawls’ view, an uneven allocation of basic liberties, and of the value of political liberties, diminishes the self-respecting attitudes of those at the losing end of the allocation in this expressive way. For it has “the effect of *publicly* establishing their inferiority as defined by the basic structure of the society” (1971: 544, our italics), which is “humiliating and destructive of [their] self-esteem” (ibid). It expressively thwarts, in brief, the political condition of self-respect.

To unfold this idea, first consider how an uneven allocation of basic liberties, nonpolitical and political alike, may expressively harm individuals' conception of the good, infringing the first duty of mutual respect as a result. If, for example, the state enacts labor laws limiting some jobs to men, as in Russia, where women cannot drive trains, it sends a message that infringes the first duty in two ways. First, and most obvious, in passing and enforcing such laws, the state shows disrespect toward women who wish, but are unable, to take these jobs. It fails to regulate the job market such that their conception of the good is suitably considered. Second, in so doing, the state also harms women who, uninterested in such jobs today, might nonetheless change their mind in the future. It fails to fittingly include their point of view as moral agents with a capacity to revise their conception of the good. And the same happens with political liberties. Disenfranchising some expresses disrespect toward the conception of the good of those who wish but are unable to exercise those liberties and toward the moral agency of those who, uninterested in voting or running for office today, may want and will be unable to do so in the future.

Next consider how being denied political liberties infringes the second duty of mutual respect, which it does in a way that being denied nonpolitical liberties does not. When the state denies the franchise to some, like women in the past or felons in some countries today, it publicly expresses that they are unworthy of directly influencing political decisions. Their status as equal authorities in the community of justification is then undermined. For their reasons are less than fully included in the “game of giving and asking for reasons” that characterizes the political process, as Rainer Forst (2012: 38) puts it. As a result, a reason that enfranchised others would otherwise have to justify their political stance to them—a reason that seeing them as

equal authorities yields—no longer exists. They then have, to put it differently, a reason not to discharge their second duty of mutual respect.

And this is a reason that holds, as we will further discuss in the next section, whether or not they act on it. As it happens, some of those who have franchise may justify their political stance to their less fortunate peers out of pity or plain decency. But just as men under coverture laws—whereby women’s rights were subsumed by those of their husband—had a reason not to see their wives as equal authorities in the family, whether or not they happened to act on such reason, enfranchised citizens have a reason not see disenfranchised others as equal authorities in the political community they belong to, and to fail to justify their political stance to them, whether they happen to act on such reason or not.<sup>v</sup>

None of this shows, however, that these expressive harms to self-respect occur when the FVG is not secured. Disenfranchising women or felons, some may argue, no doubt expresses disrespect toward them. But formal political equality may suffice to avoid so doing, just as formal equality of nonpolitical basic liberties may suffice to avoid so doing. There are two differences, however, that warrant that political liberties, unlike nonpolitical ones, be singled out for special treatment.

First off, unlike most goods to which nonpolitical liberties provide access, political power is competitive, or at any rate more competitive than nonpolitical goods (Rawls 1996: 358; 2001: 150; see also Brighouse and Swift, 2006: 476; Pogge, 1989: 147-8). The value of freedom of conscience or of freedom of movement for a particular citizen does not hang, or less so compared to the value of political rights, on the extent to which others have and exercise these freedoms. If others cannot pilgrim because they are penniless, one’s ability to pilgrim does not become *eo ipso* more valuable. By contrast, the amount of political influence each citizen wields is partly a



function of her position in the distribution of political influence. If the poor have less influence than they would if the FVG was secured, the amount of influence that the wealthy wield does not remain constant. It increases. And, with it, the extent to which poor citizens' views are publicly disfavored, compared to the views of wealthier ones, likewise increases.

Second, unlike other basic liberties, political liberties are tools to influence how the state and its policies should be arranged. When the state allows disparities in the worth of nonpolitical liberties, it no doubt allows that the wealthy be more capable to fully develop their conception of the good. For example, the well heeled may more often travel or donate to their local church than the poor, which may result, other things equal, in disparities in how confident of their ability to securely develop their conception of the good each of them is. Yet, in so doing, and insofar as economic disparities are authorized by the difference principle, and hence permissible, the state does not publicly favor affluent citizens' conceptions of the good over those of less affluent citizens. It remains neutral. By contrast, when the state allows that political liberties be more valuable to the rich than to the poor, it no longer remains neutral between competing views of how the state itself, and its policies, should be organized. For it publicly expresses that the rich should be allowed to wield greater influence over its decisions, which is likely to yield legislation that favors their views over those of less affluent, yet similarly willing and able, citizens.

The public message the state flags when uneven political influence exists infringes the two specific duties of mutual respect. First, in publicly allowing that poor citizens' conception of the good be less appositely included in the resulting legislation, the wealthy have reason not to discharge their duty to suitably consider their conceptions of the good. If, for example, the state systematically discriminates

against the cultural and leisure activities of the poor in favor of those that the wealthy prefer, so the wealthy monopolize public broadcasting and state theaters, and this occurs because elected officials turn their attention away from the poor, then the wealthy have a reason to see the cultural and leisure tastes of the poor as less worthy of public support, and less worthy simpliciter, than theirs. On the other hand, if the wealthy believe that the views of the poor have little chance to be suitably considered by elected officials, no matter how organized and willing to influence political decisions the poor may be, then the wealthy have reason to no longer justify their political stance to them. For persuasion—the chief means to advance their interests when opportunities for political influence are evenly distributed—is no longer needed to advance their political ends.

To clarify our point, consider how it differs from Meena Krishnamurthy's (2013) attempt to complete Rawls' argument from self-respect. Failure to secure the FVG, Krishnamurthy argues, undermines people's self-respect because it expresses an unequal valuing of both their private interests and their views on the public good resulting from their exercise of their two moral powers. Our claim that political inequality infringes the duty to respect others' conceptions of the good—the first duty of mutual respect—nicely overlaps with the two strains of her view. For a complete conception of the good has both a private and a public dimension. We agree, thus, regarding the effects that the FVG has on how people's conception of the good is publicly perceived. But her argument, we also argue, is incomplete. It misses an important dimension of the expressive value of political liberties: that how their value is distributed publicly signals the extent to which individuals credit each other, in the shared space of justifying reasons that a political community entails, with being able to give and receive reason as members of equal standing. Thus, when the state allows

that the value of political liberties be unevenly allocated, such that similarly able and motivated citizens cannot influence political decisions as much as wealthier ones, it does not just express that their conceptions of the good are not as worthy of respect, as Krishnamurthy claims. It also expresses that they are not equal authorities, fully able to give and receive reasons, in the shared space of justification that a political community involves. This is what our argument regarding the second duty of mutual respect seeks to capture.

Expressive arguments for the FVG, like Krishnamurthy's and ours, are nonetheless liable to two related concerns. For they rely on how self-perception depends on how others perceive us, which is in turn contingent on how institutions publicly treat us. The first concern is that, when the people as a whole are disempowered, as in a dictatorship, it seems unreasonable to infer how others view us from how the state treats us.<sup>vi</sup> We partly concur. The expressive capacity of political institutions importantly hinges on the extent to which such institutions reflect people's views, something only well functioning democracies suitably do. (This is anyway the case in Rawls' account, whose application he restricts to constitutional democracies.) But this does not entail that when state action fails to track such views, tracking those of a dictator instead, subjects can no longer infer what others think of them from what the state does. For, in addition to reflecting or failing to reflect how people see each other, state action, including nondemocratic state action, also alters how people see one another. For example, LGBT+ folks in democracies surely have reason to infer how others see them if gay marriage gets banned. But they also have reason to do so when, living in a dictatorship, the same occurs. Not just because even dictators need support from at least some influential groups to remain in power, thus having to reflect their views in policymaking to some degree, but also due to the ability of state

directives to shape the existing social ethos and how people see each other, given how pervasive, coercive, final, and hard to avoid such directives are, as we argue in the next section.

A second concern is that, if nonexpressive reasons why the value of political liberties bears on self-respect are absent, some may then argue that the reason why failure to secure the FVG is harmful is entirely contingent on the existing background of shared beliefs (Wall 2006: 260-261). In many democracies concentrations of political influence stemming from concentrations of wealth may no doubt trigger outrage and disaffection. Yet they may perhaps entirely do so as a result of shared beliefs that are historically contingent and could be replaced by more innocuous beliefs (Brennan 2012). This is true, yet only in part. Expressive harms to self-respect no doubt hang on the existing background of shared beliefs. Alternative bundles of shared beliefs could, then, render the failure to secure the FVG publicly inoffensive, unless independent reasons for the link between political liberties and self-respect existed. One such reason is available, however, which we next inspect.

### **4.3 Political subordination**

We have so far argued that, when the state authorizes that similarly able and motivated citizens wield uneven influence just because some are wealthier than others, political decisions expressively affect how they see each other and their self-respect. But disparities in political influence also affect self-respect for a different, albeit related, reason: the kind of subordination such disparities entail.

What harms nonaffluent citizens' conviction of their own worth is not only, and not always, that state decisions do not publicly reflect their views in a suitable

way. Democratic deliberation and majority rule may legitimately yield this result, with no trespassing of the duties of mutual respect, if the wealthy, for example, manage to persuade a majority to back their views, or if the views of some nonaffluent citizens are endorsed just by a minority and accordingly outvoted. The result is troubling, we here argue, when failure to reflect some citizens' views is the upshot not of persuasion but of a power relation whereby the wealthy can, by means of legislation, systematically subject the poor to their will.

Krishnamurthy (2013) argues that, when the FVG is not secured, "the rich are able to control the course of legislation to their advantage [and] the interests of the poor are disregarded [which] is undermining of the poor's sense of self-respect" (2013: 185). We concur. What we argue, however, is that what renders this result undermining of the poor's sense of their own worth, in a way that disparities in the value of nonpolitical liberties or in the allocation of nonpolitical power do not, is not only that it suggests that the interests of the poor are not of equal value or concern (Krishnamurthy 2013: 186). It is also that their interests are disregarded as a result of a relation whereby the powerful may subject the powerless to their will in a way that is particularly pervasive, final, coercive, and hard to avoid, which in turn affects how they see each other. Being at the upper end of such power relation, we contend, the wealthy have reason to think that it is up to them to decide when and how, if at all, less affluent citizens' conceptions of the good should be considered in political decisions, and to cease justifying their political stance to them as equal authorities of the same political community.

Power imbalances no doubt extend beyond politics. They are ubiquitous, pervading families, workplaces, churches, and universities without necessarily impairing the self-respect of children, employees, priests, and students. We argue that

what renders imbalances in the value of political liberties special, and especially undermining of self-respect, is that political liberties grant access to a kind of power that, due to its specific features, especially bears on the two specific duties of mutual respect. We unfold the argument in two steps. We first look into the specifics of political power.<sup>vii</sup> We then examine how an uneven allocation thereof bears on the duties of mutual respect.

Political power is, to start, particularly pervasive and sweeping. Those who wield it may impose their views on an extensive range of fundamental matters affecting the wellbeing of those subject to it, including their security and physical integrity, their access to basic goods, such as education or health care, their economic opportunities, and their ability to form a family. They may also alter their legal position as to whether they may freely move, whether they may be arbitrarily arrested and punished, whether they may enter into market exchanges, and so on. And they can do either with final authority: directives in nonpolitical realms that are critical to sustain the personal conditions of self-respect, including the family or the workplace, are subordinated to political directives, and turned down when in conflict with them. When similarly able and motivated citizens have uneven political influence just because some are wealthier than others, the wealthy are reassured in their ability to submit nonaffluent others to their will by the fact that the legislation they control is placed at the top of the legal hierarchy. It may override norms governing nonpolitical realms where citizens seek to realize, *qua* parents, workers, worshippers, or students, their conception of the good.

Political power is also coercive, in a particular sense. Those who wield it can permissibly subject others to physical compulsion, including threatening them with imprisonment, to induce compliance. Sure, those who wield other forms of power,

like employers do in monopsonistic labor markets, may also coerce those subject to it. But they cannot permissibly exert physical compulsion over them. A kind of compulsion that is special, and especially harmful to the self-respect of those who lack control over it, because it preempts any other type of consideration, including attempts at rationally persuading those at the receiving end of the power relation to achieve this effect.

Finally, political power is inescapable, or harder to escape anyway than other forms of power, like the power that managers often wield over first-line employees, which, if abused, may also undermine workers' conviction of their own worth. Perhaps the poor could avoid political power by fleeing their home country. But migration is costly, surely more so than quitting a job, when possible at all. And it anyway involves submission to political power in another jurisdiction where nonaffluent migrants, if the FVG is not secured or if they are denied franchise altogether in their new destination, will be likewise subordinated to others.

Thus, when the state allows that some citizens, despite similar aptness and motivation, remain less able than their wealthier peers, or entirely helpless, to exert their share of political power, it allows that the wealthy subordinate them in this particular way. When, for example, the preferences of voters in the upper third of the income distribution have roughly 50 percent more chances to impact the voting choices of their senators than the preferences of those in the middle third, as according to Larry Bartels (2008: 254) is the case in the US, and when the preferences of those in the bottom third have “no weight at all in the voting decisions of their senators,” high-income citizens subject less affluent citizens to their will. And they do so in a way that is pervasive, final, inescapable, and enforceable through physical

compulsion—with mid-income citizens being less able, and low-income ones entirely unable, of legally fighting them off.

Such power hierarchy is harmful to the self-respect of the poor because of its bearing on the two duties of mutual respect. On the one hand, mid- and low-income citizens' conceptions of the good fail, when this occurs, to be suitably reflected in political decisions, and in nonpolitical domains as a result, in a way that is sweeping and final. Higher-income citizens subject mid- and low-income citizens to their views, then, not just by getting their way in the regulation of nonpolitical realms that are critical to realize the personal conditions of self-respect—that is, to jointly realize people's conception of the good. For example, they may then succeed in banning gay marriage, in hindering certain market exchanges, in restricting some reproductive choices, in relaxing health and safety workplace regulations, or in rendering certain worships unlawful. They also do so in a way that, whenever nonpolitical activities conflict with their views, political directives, whose authority is final, prevail. Uneven political influence entails, in brief, that the conceptions of the good of citizens whose power is scant are both unsuitably reflected by political decisions and, resulting from the all-encompassing and final nature of such decisions, affected and potentially trespassed in nonpolitical domains, yielding a reason for more affluent and influential citizens not to regard them as equal authorities in the community of justification they belong to.

On the other hand, because political decisions are backed by the permissible threat of physical force and hard to elude, higher-income citizens have little reason, other things equal, to justify their political stance to less affluent ones. Should the costs of noncompliance, whether by emigration or by disobedience, be low, the wealthy would have a reason to justify their political stance to their less influential



peers. Credible threats of nonconformity may elicit, sometimes discharged honestly, sometimes as window dressing, public justification. But given that costs of emigrating and of disobeying are considerable, no such reason exists.

Note, then, that, contrary to what Wall (2006) and Brennan (2012) argue, this kind of political subordination bears on self-respect in a way that does not exclusively hang on the shared beliefs in place. It also depends on the features of political power we have here examined. And these features are not contingent. The pervasiveness and unavoidability of political power may be mitigated but not entirely go away. And its final and physically coercive character is constitutive of it. So their bearing on citizens' conviction of their own worth is neither contingent. It holds, *contra* Brennan and Wall, across a wide range of actual and nonactual circumstances.

A plausible objection, raised by Christian Schemmel (2018), is that disparities in political influence need not undermine self-respect if those whose influence is scant can resort to alternative means to secure it through the associations they are active in. Schemmel holds that a political system in which the wealthy hold disproportionate political influence may no doubt be disrespectful and insulting toward nonaffluent citizens whose influence is limited. Yet, absent formal political exclusions, it need not result in poorer citizens having a reason to lose their conviction of their own worth if, say, a lively protest movement exists and they can “shore up said convictions in solidaristic action with fellow sufferers of the same injustice” (11-12). This is because self-respect, on Schemmel's view, is a robust capacity to retain the conviction of one's own worth under adversity, including unjust circumstances like those in which the well heeled dominate politics and less affluent citizens systematically lose out.

We concur that securing self-respect should not be equated with achieving fully just institutions, and that a self-respecting person should be able to face adverse

circumstances without losing integrity. But we also believe that how political influence is allocated is special to secure such ability. For it is critical to ensure that people with different conceptions of the good can secure self-respect by means of associating with like-minded citizens but can also venture out of such associations keeping a self-respecting attitude. It is, in Rawlsian terms, critical to realize the political condition of self-respect, which is necessary for how effective the personal conditions, as discussed in section 4.1, are.

Our point here is not, or not mainly, that disparities in the worth of political liberties, such as those in Schemmel's example, are harmful to self-respect because some may then see their willingness, present or future, to exert political influence publicly frustrated, which in turn affects how others see them. Our point is that such disparities are harmful because, when they exist, the wealthy have reason not to suitably consider the views of less affluent citizens and are able to subject them to their will across many domains, including those in which associations with fellow sufferers can occur. They may, whether they actually do it or not, outlaw their religion. They may preclude them from joining a union. They may ban the local associations they are active in. And they may do so, or threaten with so doing, with no justification offered. It is thus not unwarranted to believe that, when this occurs, poorer citizens' self-respect is wronged. Not because anything sort of complete social justice is harmful to self-respect but due, instead, to the special impact that political power has on social interaction. An unequal distribution of political power gives those on the upper end of the power allocation the capacity to decisively and forcefully affect, whether they exert such capacity or just hint at the possibility so doing, the ways in which those on the losing end of the allocation shore up their convictions in solidaristic action with others.

A possible rejoinder is that those at the receiving end of power imbalances of this kind should be free to assess how strongly such imbalances bear on their self-respect.<sup>viii</sup> As agents, individuals can reflect on whether they should or should not let the state, or other external influences, have an impact on how confident they are of themselves, their projects, and their ability to securely develop them. So trying to persuade a person whose self-respecting attitude is robust, however politically powerless she may be, that she has a reason not to have this attitude could be obnoxious.

Note, however, that, for all the importance this insight may have to grasp how empirical self-respect works, normative accounts of self-respect, like the one we here employ, focus on the moral reasons people may have for a secure conviction of their own worth, and on how compelling such reasons may be. Normative self-respect refers, Schemmel (2018: 7) notes, “to the moral correctness of individuals’ convictions of their own worth, not to their status in the own eyes.” This is particularly clear when it comes to Rawls’ account of self-respect, which conveys not individuals’ *de facto* psychology but the moral psychology that grounds his conception of justice. Rawls’ account is anchored in his political conception of persons as free and equal citizens with two moral powers (Rawls, 1996: 29-35). A conception he uses to organize many central concepts of justice as fairness. For example, his list of primary goods results from what citizens need to exercise their two moral powers in a scheme of social cooperation, rather than from what people may here and now want (Rawls, 1982). And the same happens with self-respect and the conditions to secure it, which raise the question of when and why free and equal citizens have a reason to feel their sense of self-worth threatened, whether or not some may happen not to act on such reason. This is the question this article seeks to answer.

We thus concur that, as a matter of fact, some individuals may not be moved by the reasons that the duties of mutual respect, when undischarged, yield. They may not be troubled when, due to an uneven allocation of political power, the wealthy can subordinate them in the special way such power entails, either because they may have naturalized the views of more powerful groups or, as the rejoinder has it, because their psychological strength to maintain a self-respecting attitude under adversity is resilient enough. But the mere possibility of these reactions does not defeat the argument from self-respect, we think, for the same reason that Rawls' list of primary goods is not defeated because, as a matter of fact, some individuals might find some of these goods useless.

## **5. Objections**

We have argued that the FVG is warranted to avoid disparities in political power that, either expressively or because of the kind of subordination they entail, bear on the self-respect of those at the losing end of the power allocation. We now elaborate on this argument by addressing two further objections.

The first objection points to the difference between *fair* and *equal* political opportunity. The FVG (only) aims to ensure that citizens with similar skills and motivation have similar influence. It is compatible with inequalities in political power mapping onto individual disparities in political skills and motivation. Very often, however, these disparities are not random. They correlate with socioeconomic class, such that political skills and motivation tend to be higher among those who have more wealth and education. The FVG fails to fully secure self-respect, so the objection may

go, because it may be satisfied if the superior political skills and motivation of the affluent translate into more political power.

We raise two points in response. The first is that in a just society we should not expect differences in political skills and motivation to map onto income and wealth or any generic individual features such as race or gender. A just basic structure guarantees that everyone has roughly equal chances to develop political skill and motivation. And although education is critical to this effect, having equal chances to influence political decisions, as such, is also important to achieve this effect. For political disengagement and apathy often results from the perception that one's concerns go unattended, as Solt (2008) has shown. The moral is that the FVG should not be assessed independently from the other pieces of Rawls' theory. Correlation between political skill and socioeconomic inequality is, in principle, compatible with the FVG. But often it may just indicate that the basic structure is failing to operate justly.

A plausible rejoinder is that even if just institutions weaken the correlation between class and political skills, the natural lottery will unevenly distribute political talent, yielding inequalities of political power, which leads us to a second point. In a just society those with more charisma and eloquence will no doubt exert greater political power. The question is whether or not these inequalities can and should be cancelled out. Given that individuals cannot be entirely leveled in their talents and motivations, strict equality of political influence can only be achieved by restricting the means to exert influence of the politically talented, for example, by limiting their freedom of political speech (Edmundson, 2017: 57). Measures of this sort, however, risk throwing the baby out with the bathwater. For they impinge on the central range of application of other nonpolitical liberties protected by the first principle. It is not

simply that this “egalitarian collapse” conflicts with other Rawlsian commitments (Krouse and McPherson, 1988: 85). It is also the case that the bases of self-respect encompass nonpolitical liberties, such that infringing their central range is likely to undermine individuals’ conviction of their equal worth more than disparities in political power that may arise in a just Rawlsian society, which as we have seen we should expect to be moderate.

Consider now the second objection. Given that our argument ultimately depends on avoiding political inequalities that bear on citizens’ self-respect, some may argue that such disparities can be reduced without securing the FVG. This may occur in two distinct ways. It may occur, to start, if the link between power and political liberties is weakened enough. If the existing amount of political power is reduced because the state capacity is replaced by market forces or by anarchist social arrangements, or significantly constrained because policymaking is transferred away to independent agencies or submitted to exacting constitutional limits, disparities in the allocation of political liberties and their value may have negligible impact on citizens’ self-respect. Alternatively, disparities of political power may perhaps be avoided, with no alteration in the existing amount of political power, if access to such power is similarly restricted for all. If the harm done to citizens’ self-respect is due to disparities in political power, then leveling down all citizens by similarly disenfranchising them may permissibly avoid such harm (Taylor, 2013: 150).

Again, we raise two points in response. The first is that if we consider these alternatives from Rawls’ particular view, then both are nonstarters. For one thing, alternatives such as radically downsizing state capacity would render public powers helpless to realize other Rawlsian commitments, such as maximizing the social position of the least advantaged. For another, while the alternative of disenfranchising

all citizens would perhaps avoid harming citizens' conviction of their own worth, it would not avoid undermining other aims that political liberties seek to advance, such as the development of individuals' two moral powers.

Our second point leaves aside how these alternatives square with other parts of Rawls' theory. It considers the objection as such. Take first the possibility of downsizing or constraining state capacity. The amount of existing political power no doubt bears on how disparities in its allocation affect citizens' self-respect. If the total amount of political power is drastically reduced or constrained, the self-respect of those at the receiving end of an uneven allocation of power is accordingly less affected. But this does not rebut that the link between political liberties and self-respect hangs on the amount of political power that such liberties grant. It rather confirms it. Certainly, if the state were entirely replaced by market forces or anarchist social arrangements, assuming this is at all possible, the allocation of political liberties, and their value, would be of little import. Yet, where political power exists (and we have no trouble restricting the scope of the argument from self-respect to circumstances where this condition holds), uneven allocations of such liberties and their worth will bear, for the above reasons, on the self-respect of those subject to the kind of power these liberties confer.

This claim similarly applies to the alternative of disenfranchising all citizens to sidestep disparities in political influence. Given that a decision maker is needed where political decisions are to be made, this alternative is far-fetched. For if elections are suspended, then someone else (an epistocratic council, a noblesse-oblige elite, a dictatorship of the proletariat) will inevitably replace voters in wielding political power. And if, alternatively, voting were replaced by selection by lot, the critical issue of establishing how to allocate political liberties and their value would merely

translate into the issue of whom, or whose political ideas or preferences, should be selected by these means.

## **6. Conclusion**

“We can have democracy in this country, or we can have great wealth concentrated in the hands of a few, but we can’t have both,” Louis Brandeis famously reckoned. Rawls addressed this concern by advocating that the fair value of political liberties be secured by the first principle of justice as fairness. We have examined three unconvincing arguments for this guarantee, and have developed an argument according to which the FVG is necessary, morally speaking, to fully secure citizens’ conviction of their own worth. How should we arbitrate potential conflicts between the FVG and nonpolitical liberties and which particular redistributive and regulatory measures realizing it commands are tasks for another time.

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<sup>i</sup> Exceptions include Daniels (1975), Brighouse (1997), Cohen (2002), Wall (2006), González-Ricoy (2009), Krishnamurthy (2013), Fernández Manzano (2016), and Schemmel (2018).

<sup>ii</sup> Rawls' notion of self-respect is normative rather than empirical, as we further detail in section 4. We will here be interested, thus, in the moral reasons people may have, when the value of political liberties is unevenly allocated, to have their conviction of their own worth less than wholly secured, and in how

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compelling such reasons may be, rather than in whether they may act, as a matter of empirical psychology, on such reasons or not.

<sup>iii</sup> Arguably, the argument could be extended to the development and exercise of the second moral power. For, as Meena Krishnamurthy (2013: 183) argues, having a capacity for a conception of the good comprises having a capacity for a conception of the public good, a view of how society should be arranged.

<sup>iv</sup> On the expressive power of state action, and its effects on social status in particular, see Schemmel (2012), González-Ricoy and Queralt (2018), and Voigt (2018).

<sup>v</sup> We thank Andrew Williams for comments on this.

<sup>vi</sup> We thank an anonymous reviewer for raising this concern.

<sup>vii</sup> On some of these features, see Morris (2012), Kolodny (2014), Cordelli (2017), and González-Ricoy and Queralt (2018).

<sup>viii</sup> We are grateful to an anonymous reviewer for raising this concern.