

*A Democratic Justification of Democracy*¹

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¹ Chapter 1 of my dissertation.

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Public justification imposes limits on democracy's conceptual content, because diverse democratic citizens will favor different balances of value consistent with democracy's basic principles. Because the set of possible democratic compromises is large, and because we have no compelling public reasons to prefer any of them to any other, democracy is best understood as a threshold concept grounded on an indeterminate value compromise. This finding leads to a "democratic" justification of democracy, rooted in a widespread actual agreement on preventing consensus bads (e.g. tyranny, elitism, anarchy).

Claim 1: Our justifications of democracy should focus on acceptability, not truth.

- Existing democratic institutions are losing support.³
- "True" justifications of democracy can't persuade unless they're acceptable to democratic citizens.
- If justifications of democracy aren't accepted, existing democratic institutions may come to seem unjustified, and may eventually be replaced.
- Such a replacement would be likely to end the ongoing discussion about democracy's justification.
 - This is because genuine discussions about the justification of a political regime can only occur in a democracy.⁴
- An acceptable justification is therefore a necessary precondition to a true justification, because it keeps alive the possibility that we might eventually locate a true (and demonstrable) justification.
 - Paradoxically, we need an acceptable justification to create the conditions under which we might find a true justification.

³ Pew 2023, Claassen 2023.

⁴ Plato, Republic 557d.

Claim 2: Focusing on acceptability greatly limits the scope of any potential justification.

- Modern societies are characterized by deep, persistent evaluative disagreement.
- Justifications grounded in particular comprehensive doctrines are unlikely to command widespread approval.⁵

⁵ Rawls 1987.

- Instead, we should focus on areas where citizens agree.
 - But is there anything we agree about in a context of deep disagreement?
 - Yes – we agree about the undesirability of certain states of affairs.

Claim 3: It may be acceptable to justify democracy based on those states of affairs that it prevents, rather than those it promotes.

- There is an evaluative asymmetry between those states of affairs we find desirable, and those we find undesirable.
 - This evaluative asymmetry has an empirical foundation. History has generated more data on bads than goods. We know much more about bads like tyranny and elitism than we do about goods like a society of equals.
 - We are therefore more likely to agree about the bads than the goods, because we know the bads with some degree of specificity, whereas the goods are relatively more inchoate and opaque because they go beyond our historical experience.
- We're most likely to reach agreement on certain "consensus bads" like tyranny and anarchy.⁶
 - This consensus is constructive, not necessarily actual. In other words, these are consensus bads in the sense that we would disapprove of them if we experienced them, not in the sense that we all actually do disapprove of them.
 - Part of the role of education in a democratic society is to transform this constructive consensus into actual consensus through the study of the past.
- The strongest form this justification can take is contextual and provisional.
 - Contextual: We justify democracy by reference to a comparison set of ideal types, so justification is contingent on this comparison set.⁷
 - Provisional: Actual democratic regimes are likely to be only weakly justified, since we can always imagine a regime that fulfills our criteria more fully.

⁶ Estlund 2008 (160ff).

⁷ Cf. Landa and Pevnick (forthcoming).

Claim 4: Offering a justification attentive to disagreement precludes idealization of citizen attributes, like motivation and capacity.

- Idealization reduces the number of perspectives that our political system must accommodate.⁸
 - If we idealize the motivation and capacity of citizens, reasons to believe become beliefs (propositional justification becomes doxastic justification).
- If we assume deep disagreement, it's not clear that "ideal" motivation or "ideal" capacity have any content, because identifying some motivation, for example, as "ideal" seems to require resolving the evaluative disagreement that we are holding open by assumption.
- Ultimately, idealization collapses the problem of political choice into the problem of Kantian moral reasoning by a single mind.⁹

⁸ Gaus 2016.

⁹ Simmons 1999.

Claim 5: Focusing on acceptability yields a deflationary justification characterized by humility about our knowledge of the good.

- We can't agree about much, but we can agree that certain political outcomes are undesirable, and that democratic institutions do a good job of preventing them.
- This agreement keeps the democratic process going, which in turn allows democratic theory to continue.
- The conversation about democracy's true justification is valuable, and the only way to have it continue is to preserve the democratic institutions that are the target of the justification.
 - This means that we need to justify democracy in order to be able to justify it.
 - So we have to justify our democratic institutions provisionally in order to be able to justify them actually.
- This project supplies a provisional justification. I'm not sure whether it's possible to supply an actual justification, but I *am* sure that an actual justification can only be produced under democratic conditions.
 - So we require a provisional justification of the conditions required to produce a true justification.

- Obviously, the scope of the democracy that can be justified under this framework will itself be somewhat limited, in the sense that only institutions that contribute to the prevention of consensus bads will be justified. But I don't think this is the same thing as minimalist democracy, which is usually taken to be focused entirely on elections. It's also not a form of political realism, which seeks to give politics greater autonomy from morality.¹⁰
- This justificatory framework is much more likely to command widespread support among diverse citizens.
- It also justifies a large measure of the democratic institutions that are justified by more demanding theories of democracy.
 - The institutions required to prevent severe political disasters are a subset of the institutions required to achieve more demanding political objectives.
 - All democratic theories are concerned with preventing political disasters, because those disasters would preclude the achievement of their other objectives.
- My approach therefore provides a secondary justification for much of existing democratic theory, a justification that can be appealed to in the (likely) event that richer justifications prove unpersuasive to diverse citizens.
 - This justification is democratic, because it locates the content of the justification in the views of actual democratic citizens.

¹⁰ Cf. Przeworski 1999, Sleat 2022.

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