Towards a Democratic-Sortitional Meritocracy:
Reflections on the Democracy-Meritocracy Debate

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Declaration

I declare that this thesis is my own work and that it has not been submitted for a degree at another university. It does not contain work published elsewhere.
Abstract

This thesis investigates the arguments of the political meritocrats, such as Daniel A. Bell, Tongdong Bai, Joseph Chan, Ruiping Fan and Qing Jiang. The political meritocrats argue that core positions of political authority should be allocated by merit rather than popular elections, because contemporary democratic politics is deficient in many ways. To that end, they argue, the democratically elected officials of the core executive and/or legislature should be constrained if not replaced by some meritocratically selected officials. Their proposed merit-based mechanisms for selecting public officials include, for example, examinations, interviews, peer recommendations and assessments of bureaucratic performance. This thesis has three aims. First, contra the political meritocrats, I argue that an individual might not merit political power, even when she has some personal attributes helpful for improving political decision-making quality. Second, in line with the political meritocrats, I argue that a political system need not distribute political power equally to be morally justified, at least when we focus on some familiar conceptions of equality, stability and acceptability underpinning democratic arrangements. Third, pace the political meritocrats, I defend the democratic-sortitional model of meritocracy. The model envisions a core legislature composed of two chambers, the first elected, and the second meritocratically selected. Unlike the existing models of meritocracy, however, those occupying the meritocratic chamber of the democratic-sortitional model are chosen by sortition. The democratic chamber is responsible for designing the eligibility criteria for the meritocratic chamber, according to citizens’ deliberative conclusions on what skills, expertise, interests and so on merit political representation. Interested citizens fulfilling those criteria will be randomly selected for the meritocratic chamber. This thesis will not just enhance our understanding of various conceptual and normative issues related to the idea of political meritocracy, but it will also shed light on how meritocratic political systems should be evaluated and designed.
1. Introduction

Contemporary political philosophers tend to start their inquiry into politics against the background presumption that democracy is the only form of rule that is morally justifiable. Even though democratic institutions in reality might be defective in some way, we are not to abandon democracy as the optimal political system, but to think about how to improve it; equally, we are not to accept any non-democratic alternative, but rather seek democratisation. As Kolodny (2014a: 195-196) says, non-democratic forms of rule are rarely taken as seriously as democracy among political philosophers today.

Meanwhile, many established democracies select their core public officials in the executive and/or legislature by means of free and equal elections. These elections are free in the sense that all (adult) citizens are at least formally free to run for them and vote for whatever candidates they prefer, and these elections are equal in the sense that the weight of every (adult) citizen's vote is at least formally equal. There are, of course, always debates over what electoral systems are freer or more or less equal in different respects. Also free and equal elections might not be a sufficient condition for a political system to be labelled as 'democracy'. But free and equal elections, at least in principle, are an important if not necessary component of democracy. For many political theorists, any political system without free and equal elections in these senses would be undemocratic, and therefore morally unjustified.

Over the last decade or so, however, there are an increasing number of political theorists aiming to explain why this view is mistaken. Among them are the political meritocrats. These scholars, many of whom are based in East Asia, include Tongdong Bai (2013a; 2020; 2021), Daniel A. Bell (2009; 2013; 2015), Bell and Pei Wang (2020), Joseph Chan (2013b; 2014), Ruiping Fan (2013) and Qing Jiang (2013). While these political meritocrats have different views on what justifies a political system, they converge on several claims:

(a) There are several deficiencies of contemporary democratic politics;

(b) The quality of political decision-making matters, and an individual merits political power when she has the character, knowledge and skills that are helpful for enhancing political decision-making quality;
(c) political institutions should be so designed to allocate political power to those who merit it; and

(d) to avoid the deficiencies of modern democratic politics, and to enable political power to be given to those who merit it, democratic elections should be supplemented if not replaced by meritocratic mechanisms of selecting public officials, at least in such East Asian societies as China.

Bai, Chan, Fan and Jiang, for instance, propose that the core legislature be composed of a meritocratically selected body, in addition to the democratically elected body. The officials of that meritocratic body must pass certain meritocratic assessments, such as examinations, recommendations from experienced civil servants, professional political training and so on. Bell and Wang take a step further and argue that all positions of the top political leadership should be chosen by meritocratic assessments, in which examinations play a major role.

This thesis aims to evaluate the challenges that the political meritocrats pose for democracy. Here are my major claims. First, *contra* the political meritocrats, I argue that an individual might not merit political power, even when she has some individual attributes helpful for enhancing political decision-making quality. To explain whether an individual merits political power or positions of authority, it requires considerations of factors other than one’s individual qualities. Second, *in line with* the political meritocrats, I argue that a political system need not distribute political power equally (i.e. an important condition of democracy) to be morally justified, at least when we focus on some familiar conceptions of fairness, equality, stability and acceptability underpinning democratic arrangements. But the justifiability of political systems (including meritocracy) does depend on the extent to which it secures free and equal opportunities for political participation.

Third, *pace* the political meritocrats, I defend the *democratic-sortitional* model of meritocracy. The model envisions a core legislature composed of two chambers, the first elected, and the second meritocratically selected. The two chambers share roughly the same responsibilities and functions in settling everyday legislative matters. A similar core legislature was proposed by Bai (2020) and Chan (2014). What makes the democratic-sortitional model different from their proposals is that, in that model, the first elected chamber is responsible for deciding the eligibility criteria for the meritocratic second chamber, based on citizens’
deliberative conclusions over what interests, skills, issues and so on merit representation by the meritocratic chamber. After the democratically elected officials fix the criteria for the meritocratic chamber, citizens who fulfil those criteria can be randomly chosen to occupy the chamber. The democratically elected officials are required to periodically revisit the criteria they make for the meritocratic chamber. The main features of the democratic-sortititional model, compared to the existing models proposed by such political meritocrats as Bai (2020), Bell (2015) and Chan (2014), are that (i) it widens rather than narrows citizens’ opportunity to influence who acquires positions of authority, and that (ii) it mitigates the extent to which fallible human judgments distort the fairness and accuracy of the meritocratic selection process of public officials. Different from the existing models, the democratic-sortititional model provides the democratic elected body with considerable authority vis-à-vis the meritocratic body. But this model retains a good potential to avoid what political meritocrats take to be the deficiencies of modern democratic politics. It also avoids several other concerns over the existing models.

The purpose of this introductory chapter is to lay the foundations for these claims. In §1.1, I provide the background information about the democracy-meritocracy debate. Then, in §1.2, I present the key terminologies, distinctions and assumptions underpinning my analysis in the rest of this thesis. I sketch the democratic-sortititional model of meritocracy in §1.3, before offering a preview of each of the chapters and their main arguments in §1.4. I close by elaborating the significance of the thesis in §1.5.

§1.1. The Democracy-Meritocracy Debate: The Background

§1.1.1. Meritocracy, Merit and Political Power

To understand the contemporary democracy-meritocracy debate, we should first clarify the relationships between two terms: meritocracy and merit. Meritocracy used to be a term, coined by the British Sociologist Michael Young, that appears mostly in the discussions of the ideal distribution of social opportunities. In the field of distributive justice at least, many contemporary debates over meritocracy are inspired by The Rise of the Meritocracy written by Young (1994). There Young imagines a society in which all assignments of social opportunities (e.g. jobs, rewards, educational opportunities) are based on merit, understood
as one’s talent and efforts. In that society, one’s life chances would be minimally constrained by social factors beyond one’s control, such as class, family background, race, and so on. Young’s picture of meritocracy depicts the familiar ideal that an individual’s life prospect should maximally be a function of her natural endowments and motivation, rather than her socioeconomic origin. Having said that, Young himself is very critical of meritocracy. Many contemporary political theorists of social justice also dismiss meritocracy as an ideal regulating the distribution of life opportunities.¹

Sometimes the term ‘meritocracy’ has other meanings. For instance, we say that an organisation is a meritocracy, when it allocates its opportunities (e.g. jobs, rewards, resources) to its members on the basis of merit. To say that X merits Y, intuitively, we are to say that (a) certain facts about X and Y render X apt to have Y, for various possible reasons: perhaps X needs Y the most; perhaps a world in which X has Y is better than a world in which X does not; perhaps the value of Y can only be maximised if it is given to X; perhaps X has certain qualities for which Y should be the reward; perhaps giving Y to X is a way of showing appraisal respect for X or X’s qualities.² Despite the many possible understandings of merit, people do make considerable claims about merit in our everyday lives. Claims are made about whether some individuals merit the high income they receive; claims are made about whether some scholars merit their academic titles; claims are made about whether an essay merits a first; and so on. One usual view is that it would at least be pro tanto morally objectionable, if X does not get Y even when X genuinely merits Y. One might also think that it would be pro tanto morally objectionable, if X gets Y even when X does not merit Y. These intuitions about merit provide us with another way to read Young’s depiction of meritocracy: it exhibits the thought that an individual’s socioeconomic backgrounds should not affect her merit for life opportunities. Instead, what determines one’s aptness for various life opportunities should be one’s talent and efforts.

A similar question can be asked about political power, or positions of political authority: who should merit public positions that provide the opportunity to rule? We frequently make claims about the merit of our politicians for their roles. It might be said, for instance, that the Prime Minister does not merit his job because he does not handle the COVID-19 pandemic

¹ For criticisms of meritocracy as a social ideal, see Markovits (2020), Sandel (2020) and so on. For defences of this ideal, see Miller (1996), Mulligan (2018), Wooldridge (2021) and so on.
well. It might be said that a politician lacks merit for his role because his political decisions deeply divide the citizens of his country. It might be said that one merits a position of political authority only if one acquires that position through winning a fair and equal election. Someone sympathetic to Plato’s thoughts on rulership might say that those with superior moral quality and knowledge of the common good merit the capacity to rule. In Confucianism, there is also the thought that individuals with superior moral virtues and abilities to serve people’s moral well-being merit the right to govern.

Whereas claims are very often made about the merit of politicians, political theorists seem less interested in the question: should there be political institutions that formally distribute political power, or positions of political authority on the basis of merit? In other words, should political institutions be meritocratic? Those who say ‘yes’ would probably be considered anti-democratic. Consider a paradigmatic meritocratic process. Suppose the university is employing a new professor of political theory. The university assesses the candidates for the professorship based on the following criteria: their records of political theory research, their ability to secure external funding, their past teaching performance, their ability to develop professional connections with others, and so on. There are a small group of committees who assess the candidates’ merit for the position according to these criteria, and the candidate who satisfies the criteria best would be given the professorship. But what if this kind of selection method is extended to the selection of political decisionmakers? Imagine there is a regime in which major political decision-making roles (e.g. those in the core executive and/or legislature) are distributed on the basis of merit. Citizens must go through assessments testing their aptness for political decision-making positions. There are a small group of committees responsible for differentiating citizens’ performance in those assessments, and the best candidates on their view will be given the roles. This regime, however, would seem deeply undemocratic if not objectionable.

The idea that political power should be formally distributed on the basis of merit, or something close to it, was in fact embraced by various historically influential philosophers and schools of thought. Plato, for example, holds not only that those with superior moral quality and knowledge should merit the right to rule. He also holds that there should be

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3 See 473c to 507b of Plato’s Republic. I read the edition by Ferrari and Griffith (2000).
4 See Bai (2013a; 2020) and Chan (2013b; 2014) for some good contemporary discussions of the Confucian perspectives on rulership.
institutions cultivating, selecting and promoting political leaders who merit political power. Another example is John Stuart Mill’s (1861 [2015]-a) defence of plural voting. He argues that university-educated citizens should have additional votes compared to those who do not.

In the Chinese philosophical tradition, the idea that there should be mechanisms to select and promote meritorious people to the ruling body of the government can also be found in Mohism, Confucianism and Legalism. To be sure, these thinkers and schools have very different views on the moral basis for an individual to merit political power, and on the suitable institutional arrangements to cultivate and accommodate meritorious political leaders. Yet they generally share the view that political power should be formally distributed according to certain merit-based standards. Today only very few political theorists defend this kind of thought. After all, it looks incompatible with the widely held view that political power or positions of authority (at the highest level of government) should be distributed by some processes (e.g. elections) that (a) weigh the input (e.g. votes) of every citizen equally, and (b) impose no formal merit-based constraints on one’s access to political power or the key positions of authority.

Among these very few political theorists are the political meritocrats I mentioned earlier, who advocate some forms of government that formally distribute political power or (some) major positions of political authority according to merit-based criteria. For instance, Bell (2015: 4) envisions a political system in which those occupying the top political leadership roles are chosen ‘by means of examinations and assessments of [their] performance at lower levels of government’. Bai, Chan, Fan and Jiang maintain that an ideal form of core legislature should not just include a democratically elected body, but that body should also be assisted if not significantly constrained by some meritocratically chosen representatives. But what leads these political meritocrats to celebrate such meritocratic institutions? This has to do with what they regard as the ills of contemporary democratic politics.

§1.1.2. Democratic Problems, Meritocratic Solutions

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5 See 473c to 507b of Plato’s Republic, for instance.
6 For Confucian perspectives on this idea, see Bai (2013a; 2020), Chan (2014), Elstein (2015), Fan (2013), Jiang (2013), Kim (2016) and so on; for relevant Mohist perspectives, see Chiu (2013), Fraser (2020) and so on; for relevant Legalist perspectives, see Pines (2014) and Wang (2017) and so on.
While the institutional proposals of the political meritocrats differ, they all agree that (a) there are various deficiencies of modern democratic politics, and that (b) such deficiencies can be mitigated only if the democratically elected officials are assisted, constrained or replaced by meritocratically chosen officials. In this section, I shall focus on the main problems of democratic politics in the political meritocrats’ view, and why they think that those problems can be addressed only if meritocratic elements are introduced to the selection of public officials.

The first problem of democratic politics is that elections, as the primary method for many established democracies to select public officials, are populist by nature. They are populist in the sense that voters’ subjective preferences have the most decisive influence on which leaders are to be chosen in elections. This feature of democratic elections raises two concerns. On the one hand, voters’ preferences are not necessarily determined by the candidates’ ability to rule competently. One can vote for a particular candidate based on arbitrary factors, such as ‘whether he or she is likable, is one of “us,” and is someone who can come to visit us in our living rooms’ (Bai, 2020: 53-54), which have nothing to do with the candidate’s ability to make morally informed decisions. On the other hand, voters can make morally concerning choices. As Jiang (2013: 34) argues, ‘democratic electorates give rise to imperialism, fascism, and hegemonism’, because democratic elections ‘concern majority opinion with no respect for the quality of the opinion’. When the majority of the electorate have clearly objectionable policy demands, the representatives they elect are likely to be morally defective, since one must respond to voters’ demands to stand out in elections, no matter what those demands are. In short, whether or not democratic elections can produce competent political leaders is largely contingent upon the preferences of voters. If voters tend to have non-arbitrary and morally informed preferences, it is likely that high-quality leaders will be elected; if not, however, the quality of the elected leaders could be a worry.

The second problem of democratic politics is that voters do lack the capacity to form non-arbitrary and morally informed preferences in general. Many political meritocrats assume that voters can form such preferences only when the following conditions obtain: (a) they are adequately informed to avoid making ignorant and irrational political judgments, (b) they

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7 Wolff (1994) raised a similar problem.
show a concern for all those affected by their votes. But there is evidence that condition (a) is unsatisfied. For example, Bell (2015: 25) cites Jason Brennan,

79 percent of Americans cannot identify their state senators. During election years, most citizens cannot identify any congressional candidates in their district. Immediately before the 2004 presidential election, almost 70 percent of American citizens were unaware that Congress had added a prescription drug benefit to Medicare, though this was a giant increase to the federal budget and was the largest new entitlement program in decades. Generally, citizens in other democracies are no better informed than Americans.

When citizens are not informed enough to make sound political judgments, it is also questionable if they can form political preferences that satisfy their interests best. Similar concerns over voters’ ignorance and its effects on their capacity to make rational political judgments are also raised by Bai (2013a; 2020) and Chan (2014).

What exacerbates the ignorance of voters is the fact that being informed is costly. In large-scale societies, the chances that an individual vote can make a difference to the electoral outcomes are extremely slim, whereas being politically informed is a demanding task. Again, Bell (2015: 24) cites Brennan,

Individual citizens have almost no power over government, and individual votes have almost zero expected utility. Thus, political knowledge does voters little good. Acquiring knowledge is costly and difficult. If you knew that your vote were likely to be decisive, then you would invest time and effort into acquiring political knowledge. However, when you realize that your vote makes no difference, you probably decide not to bother.8

If the impact of an individual is less than trivial, and if it is demanding to be politically informed, then as Bai (2020: 65) says, voters will have ‘very little interest in voting, let alone in being informed’.

8 The issue of whether it is rational to vote goes back to Downs (1957).
What about condition (b)? Do voters generally show a concern for all those affected by their votes? The political meritocrats’ answer is ‘no’. Instead, they think that voters often disregard the interests of those affected by their votes. The future generations, foreigners and so on are particularly vulnerable to the self-regarding tendency of voters. As Bai (2020: 55) says,

in a globalized and increasingly complex world, a state’s policies often have significant effects on the nonvoters, including future (and past) generations and foreigners, and should take their interests into consideration. But the institution of one person, one vote lacks effective mechanisms to do so. For example, democracy may have difficulties in dealing with issues of budget deficit (i.e., spending future generations’ and foreigners’ money for the present voters), environmental issues (i.e., spending future generations’ and foreigners’ resources for the present voters), proper treatment of resident aliens (e.g., legal domestic helpers and illegal immigrants), and foreign aid or other issues involving the interests of foreigners.

Voters also have a tendency to prioritise their self-interests over the common good. For example, Jiang (2013: 33) says that ‘When people choose their representatives and there is a clash between partial interests and the common interest…they must choose representatives of partial interests rather than those representing the common interest’. Similarly, Chan (2014: 88-89) notes that ‘Some voters vote irresponsibly pursuing narrow self-interests at the expense of the common good’.

The third problem of democracy for various political meritocrats is that under electoral politics, both voters and politicians tend to be short-termist: that is, they rarely make political judgments and decisions that take the future seriously. For example, Bell (2015: 3) says that ‘In difficult economic times…voters often select populist leaders who advocate policies inimical to the long-term good of the country, not to mention the rest of the world’. In the same vein, Jiang (2013: 34) maintains that voters ‘do not think of long-term interests or of the common interests of all mankind, in which they themselves will not share’. Bai (2020: 57) is even more pessimistic and points out that ‘voters are not even necessarily rational about their short-term material interests, let alone long-term ones’. Even if, in a better
scenario, voters ‘do understand their interests, they tend to vote according to their short-term economic interests’ (Bell, 2015: 153). Elected politicians also lack incentives to make long-termist decisions due to short electoral cycles. For instance, Chan (2014: 87) points out that elected officials often ‘offer policy promises that are detrimental to the long-term good of society merely to win short-term electoral support’. This is in line with Bell and Wang’s (2020: 75-76) claim that ‘an elected leader would be more constrained by short-term electoral considerations at the cost of long-term planning for the good of the political community and the rest of the world’. Even if it happens that voters choose talented political leaders, those leaders usually ‘lack the motivation to engage in long-term planning if they worried about losing power every four or five years’ (Bell, 2015: 34).

The fourth problem of democratic politics is that elections tend to foster civic antagonism. For instance, candidates for elections often have an antagonistic attitude towards each other. As Chan (2014: 87-88) says,

as elections are a form of competition that necessarily produces winners and losers…[they] may induce highly antagonistic rivalry among candidates. Opponents may engage in negative campaigning strategies to discredit each other…Party politicians [also] are often seen as opportunists who exploit or exaggerate their opponents’ weaknesses for partisan gains, sometimes going to such extremes as to risk the good of the country for the good of their party.

It is not just the electoral candidates who exhibit hostile attitudes towards each other. In democratic politics, voters often vote according to their firmly held political beliefs, without reconciling their views with those endorsing opposing political opinions. For this reason, Bai (2020: 59) says that electoral politics easily ‘degenerates into a form of war of might, the outcome of which depends upon which side is mightier in terms of the number of votes, and democratic stability is but a modus vivendi’. Arguably, civic antagonism can be both instrumentally and intrinsically bad. Instrumentally, hostile relationships among citizens can

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9 For some good discussions of the relationship between democracy and short-termism, see Caney (2016; 2019), González-Ricoy and Gosseries (2016), MacKenzie (2016b) and so on.

10 For nice discussions of civic antagonism and democratic politics, see Mouffe (1999; 2009), Svolik (2019) and so on.
be a source of social instability. Intrinsically, harmonious relationships among citizens seem valuable for their own sake.\textsuperscript{11}

The fifth problem of democratic politics is that minority groups often get silenced or suppressed. A longstanding criticism of elections, for example, is that the financial cost of running for elections is tremendously high. As Chan says (2014: 88), ‘The fact that electoral campaigns require extremely high levels of financing and are increasingly influenced by corporations also contributes to the popular belief that parties serve only the interests of the powerful’.\textsuperscript{12} Moreover, especially for democracies with majoritarian electoral systems, ‘the interests of the vocal and powerful tend to trump the interests of the silent (or silenced) and the powerless’ (Bai, 2020: 55), since the majority have dominant power over the political procedure.\textsuperscript{13}

To be fair, many democratic theorists are aware of these problems of democratic politics. These problems are also complex and contested, the relevance of which depend on the particular systems of democracy we have in mind. Even if these criticisms of democracy are sound, one might wonder if they must be addressed by weakening the political decision-making power of elected officials and introducing meritocratic elements to the top level of government. One way to mitigate these problems that seems consistent with preserving our commitments to democracy, it is often held, is to \textit{widen political participation}, that is, to provide citizens a wider range of effective opportunities to influence the political procedure, without abandoning popular elections as the major method of selecting public officials. Many deliberative theorists of democracy, for instance, think that establishing deliberative institutions (e.g. e-democracy, deliberation day, citizens’ jury) in which citizens exchange their views over issues of political concern, including those of the future of humanity, has considerable values. These institutions do not only enable citizens to be more active participants in politics, but they also have the potential to address the ills of democratic politics I mentioned earlier. Here are some arguments that deliberative theorists usually make: deliberative institutions can enhance citizens’ understanding of political matters;\textsuperscript{14} they can foster mutual understanding among citizens and hence moderate civic antagonism driven by

\textsuperscript{11}See Chan (2000; 2014), for example.
\textsuperscript{12}Arguably, this varies enormously from one liberal democracy to another.
\textsuperscript{13}See also Robeyns (2019), Taylor (1998) and so on.
\textsuperscript{14}See Estlund (1997; 2008), Hess and McAvoy (2014), Landemore (2017) and so on.
elections;\textsuperscript{15} they can encourage long-termist thinking among citizens when the relevant deliberative institutions focus upon intergenerational political issues;\textsuperscript{16} and so on. If it is possible to address the ills of democratic politics without abandoning the defining way of selecting political leaders of democracy, for example, by widening participation or establishing deliberative institutions, why should we not just rely on this option, that looks less objectionable than allocating positions of authority on the basis of merit?

The political meritocrats in general do not oppose measures to widen political participation. In fact, as we shall see in Chapter 6, they are very supportive of whatever institutions and liberties for citizens to have an effective political voice. What they reject is the thought that widening political participation in general (or establishing deliberative mechanisms more specifically), \textit{without introducing meritocratic elements to the selection of public officials}, can effectively cure the ills of democratic elections. For example, to the thought that widening participation helps to mitigate civic antagonism, Chan’s (2014: 89) response is that ‘active participation does not necessarily produce deliberative attitudes and abilities, and often it results in the opposite—with people’s political views becoming hardened and more polarized, and proponents of opposing views becoming less respectful of each other’. Citizens’ active participation in politics, in other words, could exacerbate rather than mitigate civic antagonism. Another worry is the practical difficulty of practising deliberative institutions in large-scale societies. Most political meritocrats intend their proposals to be applicable to the social, cultural, political and economic contexts of China. China, however, is a country with big populations, and various political meritocrats have rejected deliberative institutions as a viable supplement to democratic elections for this reason. For instance, Bai (2020: 93) says that e-Democracy is practicable only in countries like ‘Iceland, a country of approximately 330,000 people, the size of a large town in the United States or a (rather) small one in China’. Regular political exchanges with other citizens, which deliberative institutions aim to facilitate, might be particularly difficult in large societies. Arguably, though, one might wonder if all deliberative institutions must necessarily be unsuccessful in such large-scale societies as China, since several assemblies and deliberative polls had already been held in China, and the

\textsuperscript{15} See Cohen (1997; 2002), Habermas (1996) and so on.
\textsuperscript{16} See MacKenzie (2018), Smith (2003) and so on.
findings on Chinese citizens’ deliberative results and processes are generally positive (Fishkin et al., 2010).

Another solution is to establish institutions and educational programmes aiming to improve the political knowledge, long-termist thinking, civic solidarity and so on of citizens. Most political meritocrats do not object to such solutions per se, but some of them think that the meritocratically selected officials can have an important educational role to play. For example, Bai (2020: 90) believes that if our legislature includes a meritocratically selected branch, people can be made ‘aware of the idea that political participation is not an inborn right but is based on competence and has moral requirements’, thereby encouraging them to take political matters more seriously. Chan (2014: 101) also thinks that a standing meritocratic chamber in the core legislature has much educational worth, when it accommodates morally and politically exemplary individuals who can ‘serve as role models for other politicians and the entire citizenry’, because ‘the manner in which they debate on public affairs, the viewpoints they bring into public discussion, and the judgments and decisions they make can have an educational influence on other people. In short, the political meritocrats rarely deny that democratic elections can produce high-quality outcomes if citizens are educated, informed and long-termist in general, but introducing a meritocratic component to the top political decision-making body might be what it takes to cultivate such qualities among citizens.

Clearly, the political meritocrats can be subject to at least two possible challenges. First, one might wonder if the alleged ills of democratic politics are ‘real’ or serious enough to discount the moral justifiability of democracy. Second, one might question if those ills must be addressed by establishing meritocratic institutions within the core political decision-making body. Although these are some serious challenges that can potentially trouble the political meritocrats, in their majors works on meritocracy they have already responded to these challenges. Whether or not their responses are successful, these challenges will not be the main areas on which I interact with the political meritocrats. I grant that the political meritocrats raised legitimate worries about democratic politics. I also grant that those worries about democratic politics can hardly be addressed unless the democratically elected officials are assisted or constrained by some meritocratic institutions. I am interested in other questions in relation to the democracy-meritocracy debate, which I explain in §1.4.
§1.1.3. Epistocrats and Political Meritocrats: A Related Contrast

At this point, one might wonder how the views of political meritocrats differ from those of the epistocrats. Similar to the political meritocrats, many of those who call themselves or are labelled as epistocrats think that voters’ incompetence is a concern for the political decision-making quality of democratic procedures. For the sake of clarity, it helps to explain in what ways the political meritocrats differ from the epistocrats.

By epistocrats, I refer to the group of scholars who advocate whatever forms of government that have the best capacity to produce competent political decisions. They include, for example, Jason Brennon (2011b; 2014; 2016; 2021), Adam Gibbons (2021), Dimitri Landa and Ryan Pevnick (2020), Anne Jeffrey (2018). On this point, political meritocrats and epistocrats converge. But their views diverge when it comes to which particular institutions exhibit this capacity best. As I said earlier, all political meritocrats think that the democratically elected officials of the core executive and/or legislature should be assisted and constrained, if not replaced by some meritocratically selected officials. But epistocrats do not necessarily favour this way of selecting core public officials. For example, Brennan (2016) is open to such mechanisms as weighted voting, disenfranchisement and so on to improve the political decision-making quality of democracy. But these mechanisms do not require introducing a standing meritocratic body to the top level of government. In a Madisonian fashion, Landa and Pevnick (2020: 1) argue that well-designed representative democracy itself is a form of epistocracy, which ‘through treatment and selection mechanisms, bring[s] forth an especially competent set of individuals to make public policy’. Similarly, Jeffrey (2018) proposes a political system that gives domain-specific authority to different expert institutions: for example, the government can outsource its power to environmental expert institutions over key political issues relevant to the environment. One key difference between the epistocrats and political meritocrats, therefore, is that the former do not necessarily share similar institutional proposals, whereas the latter propose institutions with a clear common feature: that is, there should be a general-purpose meritocratic body, the decision-making power of which is not confined to a limited number of issues, at the top level of government, that supplements and constrains if not replaces the democratically elected body.
Another difference between the epistocrats and the political meritocrats is that the political meritocrats make claims about the conditions under which citizens merit political power or positions of authority, but the epistocrats rarely make such claims. For example, as we shall see in Chapters 2 and 6, the political meritocrats make very specific claims about the personal attributes (e.g. experience, qualifications, skills, character) one should have to merit top political decision-making roles. But the epistocrats rarely explore the basis for individuals to merit political power. The epistocrats do take seriously the attributes one should have to be a competent voter of political decisionmaker, but they seldom argue about whether an individual merits political power because she has those attributes. Most epistocrats are more interested in which institutions, all things considered, would exhibit the optimal political decision-making quality. Having clarified how my targets of inquiry (i.e. the political meritocrats) differ from another influential group of political theorists (i.e. the epistocrats) that are similarly thought to be critical of democratic politics, I shall now discuss the terminologies, distinctions and assumptions key to my analysis.

§1.2. Key Terminologies, Distinctions and Assumptions

§1.2.1. Political Power

The political meritocrats are primarily interested in questions about the allocation of political power. But what is political power? For this thesis, I say that political power refers to the capacity to determine the outcomes of (a) political decision-making processes, and/or (b) the allocation of major positions of political authority (i.e. those in the core executive and/or legislature). Formal political power, then, refers to one’s capacity, established by the constitution or law, to determine the outcomes of political decision-making processes, and/or the allocative outcomes of positions of authority. One typical source of formal political power is the constitutional right to vote or intervene in the political decision-making procedure, for instance. But political power can also be informal. One is politically powerful in the informal sense, to the extent that one has the capacity, which is not established by the constitution or law, to determine the outcomes of political decision-making processes, and/or the allocative outcomes of political positions. One source of informal political power, for instance, is wealth: an economic giant might not have the constitutional power to change the outcomes
of the political processes, but it has a tremendous capacity to influence the major political decisionmakers, or to manipulate public opinions to create greater social support of his preferred political decisions.

There has been longstanding disagreements over which conception of political power is the best.\textsuperscript{17} This thesis, however, does not seek to deal with those disagreements. My aim is to select a conception of political power that enables me to engage with the political meritocrats. As most political meritocrats focus on the distribution of political power in the senses above, I shall base my inquiry on them.

\textsection{1.2.2. Meritocracy versus Democracy}

The political meritocrats advocate different political systems. All these systems are \textit{meritocracies}. But what is meritocracy, and how does it differ from \textit{democracy}, the political system of which various political meritocrats are critical? Most political meritocrats concentrate on the distribution of political power and important political decision-making responsibilities, and how their proposed meritocratic political systems achieve the optimal distribution in this regard. For this reason, I shall establish the contrast between meritocracy and democracy primarily based on how they allocate political power. I say that meritocracy is the political system that is so designed to distribute political power, and/or major political decision-making roles (i.e. those in the core executive and/or legislature), according to some merit-based criteria. Such criteria, moreover, must be \textit{formal} and \textit{uniform}. A merit-based criterion for allocating power or political positions is formal, if and only if (a) it is constitutionally or legally required that power and/or political positions be distributed according to that criterion; the criterion is uniform, if and only if (b) all those responsible for allocating political power and/or positions of authority must conform to that criterion in allocating political power and/or positions of authority must conform to that criterion in allocating political power and/or major political decision-making roles. To clarify, suppose a meritocratic political system requires that positions of authority be given to those with the best educational qualifications. In that system, not only will this requirement be constitutionally or legally written. Those responsible for allocating those positions, be they ordinary citizens or a small group of selection committees, must also assess the candidates based on educational qualifications.

\textsuperscript{17} Dowding (1996; 2017) and Morriss (2002) had some very good discussions of the philosophical debates in relation to the concept of power.
qualifications alone. In contrast, a political system is a democracy, only if it is so designed to formally equalise political power over the political decision-making and/or representative-choosing outcomes. Whereas citizens choose their common political decisionmakers, these decisionmakers must be authorised by some processes (e.g., elections) that (a) give equal weight to each citizen’s choice of representative(s), and (b) allow citizens to freely choose their preferred decisionmakers.

Here are two related points. First, since some political meritocrats propose political systems in which some but not all core public officials are democratically elected, should those systems be regarded as meritocracy, or democracy? For example, both Bai, Chan, Jiang and Fan defend some political systems in which one branch of the core legislature is meritocratically selected, whereas one other branch is democratically elected. It could be unclear how we should label those political systems. The distinction between democracy and meritocracy, though, need not be strictly binary. Some political systems lean more towards meritocracy, some more to democracy. But one tentative measure of whether a political system leans more closely to democracy or meritocracy, I propose, is to see how strong the role the relevant meritocratic body plays in the whole political decision-making processes. On Bai’s, Jiang’s and Fan’s institutional proposals, the meritocratic decision-making body has some features rendering it normally more powerful than the democratically elected body, such as greater voting weight, the rights to nominate the head of government or veto bills passed by the democratic body, and so on. As we shall see in Chapter 6, Chan also proposes that the meritocratic decision-making body of the government should play a conditional strong role when most citizens lack competence and virtue. Therefore, Chan’s envisioned political system leans more closely to meritocracy, at least when that condition on citizens’ virtues and competence obtains.

Second, one might wonder if democracy can be meritocracy. For instance, Madison (1961 [1787]) regards democratic elections as a means through which voters assess the merit of the candidates for public positions; in that sense democracy seems meritocratic. While one reasonable way to capture the essence of democracy is to conceive it as a system in which voters assess the candidates for political power, democracy cannot be a meritocracy because voters are allowed to freely exercise their judgments over who merits political power best. In a meritocracy, the criteria for assessing candidates for political power are formal and uniform. A democracy cannot formally require citizens to vote according to any particular criterion; if
a political system does that it ceases to be democratic. A distinction between (a) democratic
elections as a means to assess candidates’ merit for public roles, and (b) democratic elections
as a feature of meritocracy, therefore, should be clearly drawn, since (b) is not entirely
appropriate.

I do not claim that I offer the single-best conceptions of meritocracy and democracy. The senses of meritocracy and democracy are partly stipulative and serve to capture the main
characteristics of political meritocrats’ proposed political systems, and of the political system
(i.e. democracy) which they criticise. There are considerable definitional disagreements over
both terms, and I can only deal with those disagreements in depth on other occasions.\(^{18}\)

§1.2.3. Justice, Legitimacy and Authority

The political meritocrats challenge the view that democracy is the only form of rule that can
be morally justified. They also aim to provide some moral justifications of meritocracy. But
what makes up a justification of a political system? It is common for political theorists to
justify a political system, by showing that it is \textit{just}, \textit{legitimate} and \textit{authoritative}. In the rest of this
thesis, I will follow this approach to political justification. Here I shall clarify what I mean by
justice, legitimacy and authority.

I understand justice, legitimacy and authority as some morally crucial demands. Justice refers to whatever moral demands that apply to a political system. They include, for
example, \textit{procedural demands}, that is, the moral requirements that apply to the procedural
features of political institutions. For instance, some believe that it is an instance of procedural
injustice, if it is not the case that citizens have a formal equal input into the political decision-
making procedure. This points to a common procedural demand on political systems: they
should be so arranged to give citizens equal formal political power. But justice also includes
\textit{non-procedural demands}, which I understand as whatever moral requirements that do \textit{not} apply
to the procedural features of political institutions. One example is the demand that political
systems should in general facilitate social conditions for citizens’ basic needs to be met. This
is not a demand on the procedure of political institutions per se. But whether a political
system can satisfy such a demand is nevertheless a criterion for which we assess its justice.

\(^{18}\) See Yair (2007) and so on for relevant definitional issues over meritocracy. Also see Dahl (1989), Held (2006),
Saward (1998) and so on for relevant definitional issues over democracy.
Another way to justify a political system is to show that it is legitimate or authoritative. Legitimacy regulates the relationship between the ruler(s) and the ruled. It often refers to the moral permissibility of some agents or political institutions to exercise coercive political power over their subjects. In other words, if a ruler or a political procedure is legitimate among some subjects, it would at least be pro tanto permissible for that agent or procedure to demand, even by coercive means, compliance from those subjects. Authority also regulates the relationship between the ruler(s) and the ruled, whereas it denotes the capacity to create political obligations. De facto authority stands for the actual ability of an agent or political procedure to compel its subjects to follow its demands. An authoritarian regime, for instance, can have much de facto authority because it has great power to obligate its citizens. Meanwhile, normative authority refers to the ability of an agent or procedure to morally require compliance from its subjects. If a political procedure is normatively authoritative, for example, it would at least be pro tanto morally objectionable for the relevant subjects not to follow the commands of that procedure. Demands of legitimacy and authority can be demands of justice. But demands of justice are not necessarily demands of legitimacy and authority, since justice encompasses a much broader range of moral demands. One can also have legitimacy or authority with respect to a pursuing a particular policy or action, even when the policy or action is unjust.

One way to challenge meritocracy is to show that it is unjust, illegitimate or unauthoritative. I will explore this kind of challenge in Chapters 3, 4 and 5.

§1.2.4. Four Interests

There are many different interests that touch on our social or political relations and arrangements, and all these interests could affect how meritocracy ought to be evaluated. In any case, for purposes of discussion, I assume that we have the following interests:

(a) an interest in living within a just political system;
(b) an interest in having the right or at least relevant merit-based criteria for the allocation of goods (including political power), when justice requires that those goods be meritocratically allocated;

(c) an interest in seeing that, when certain goods are distributed according to some merit-based criteria, the goods are in fact given to those who meet those criteria; and

(d) an interest in being ruled by public officials motivated by and exhibiting appropriate moral standards (e.g. not engaging in corrupt activities).

Interest (a), I believe, is reasonably uncontroversial. Anyone with some minimal concerns for justice is likely to have an interest in living within a just political system. Interest (d) is also quite commonsensical: we normally want our public officials to avoid some morally objectionable behaviour, such as corruption, power abuse and so on. But interests (b) and (c) require more explanation. Interest (b) is based on the intuitive thought that, in our everyday lives some goods should be distributed on the basis of merit. People might disagree substantively what those goods ought to be, but if some goods should indeed be meritocratically allocated, the allocative criteria for those goods should be right or at least relevant. For example, if we think that the grade of an essay should depend on students’ academic merit, then we would want essays to be assessed according to considerations that are relevant to one’s academic merit. If a student’s essay gets a lower score just because of her skin colour, or because the marker personally dislikes the student, one usual reason why we find this case objectionable is that the marker does not reach his judgment on the basis of the student’s academic merit. In this thesis, I follow this intuition: goods that can be permissibly allocated on the basis of merit should be distributed according to the right or minimally relevant criteria measuring one’s merit.

Meanwhile, interest (c) reflects our interest in correspondence. Here is a paradigmatic example. Suppose, again, two candidates, X and Y, compete for the same PhD scholarship. The scholarship, according to the university, will be given to the candidate with the best academic merit. There is clear evidence that X outperforms Y in terms of academic merit. For instance, X has published on influential journals, and she has good degrees from some
very top universities, strong academic references, and so on. Y does not have publications and academic qualifications as good as those of X. Even so, Y rather than X is awarded the scholarship in the end. Something seems wrong with the outcome; if X is indeed better than Y in terms of academic attainment, and if academic achievements are the basis for which the scholarship is allocated, X appears to be wronged in some ways when she is not given the scholarship.

Whether interests (b) and (c) are relevant to questions about the allocation of political power, of course, depends on whether political power should be meritocratically distributed at all. If the answer ‘no’, then there is no point examining what is required to have the best merit-based criteria for assessing candidates for political power, and to bring the closest correspondence between an individual’s merit and her political power. Here is my approach. First, in Chapters 3 to 5, I show that many objections to merit-based allocation of power, inspired by some familiar defences of democracy based on the concepts of fairness, equality, stability and acceptability, do not succeed. There is not a prima facie case against merit-based distribution of power. Second, I make the stronger claim that there are good justice-relevant reasons to have a particular institutional model of meritocracy, that is, the democratic-sortitional model. Those reasons also explain why other models of meritocracy are limited. In what immediately follows, I shall describe the main features of the democratic-sortitional model.

§1.3. The Democratic-Sortitional Model of Meritocracy

As noted earlier, one major aim of this thesis is to defend the democratic-sortitional model of meritocracy. While this model will cut through most of my discussions in what follows, it is important to summarise its institutional features. This model is inspired by Bai’s and Chan’s models of meritocracy. As we shall see in greater detail in Chapter 6, both of them introduce a second chamber, composed of meritocratically selected members, to the core legislature. I also propose that a meritocratic second chamber be introduced to the legislature. However, the meritocratic chamber of the democratic-sortitional model is sustained by these additional infrastructures:
(1) *Citizens’ Assemblies:* Citizens are regularly assembled, through random sampling, to participate in deliberative forums to discuss what interests, experience, skills or expertise merit representation in the core legislature. A report will be produced after each meeting.

(2) *Post-Deliberation Official Response:* Current elected members of the legislature are required to respond officially to the report in (1) and produce a set of eligibility criteria for the meritocratic representatives. Moreover, those criteria must meet two requirements: (a) it should be publicly clear which citizens in the populace meet those criteria, and (b) no ‘assessors’ should be involved in deciding who meet those criteria.

(3) *Sortitional Merit-Based Selection:* Those fulfilling the criteria in (2) can register their interest in becoming a potential representative in the meritocratic second chamber. The meritocratic representatives will be chosen, by means of *sortition*, from the pool of qualified and interested citizens.

These three features of my proposed bicameral democratic-sortitational model differentiate itself from Bai’s and Chan’s models. On my model, the meritocratic representatives will be expected to share roughly the same responsibilities as the democratically elected representatives. These responsibilities include making, debating and passing law or policy proposals, questioning the performance of other legislators, and so on.

There are two components of Post-Deliberation Official Response: (a) it should be publicly clear which groups in the populace meet those criteria, and (b) no ‘assessors’ should be involved in deciding who meet those criteria. But what do these components mean? One general feature of a publicly clear criterion is that the public are easily able to know which individuals meet that criterion. For example, *age* is a publicly clear criterion. Suppose the meritocratic body in the democratic-sortitational model dictates that only adult citizens can be eligible for the body. This criterion is publicly clear, because it is transparent to citizens which groups in the entire citizenry meet this criterion. Other publicly clear criteria I have in mind are educational qualifications, occupations, gender, income and so on. But there are some paradigmatic publicly *unclear* criteria, such as *political competence* and *virtues.* Many political
meritocrats hold that one’s merit for political power should be measured according to such criteria. Yet these criteria are publicly unclear. For instance, citizens are hardly able to tell which groups of the citizenry are politically competent and virtuous. Some qualities that are often associated with ‘good’ politicians are reasonably uncontroversial, such as public-spiritedness, integrity and so on. Still, citizens can hardly tell which groups in the citizenry exhibit those qualities. These publicly unclear criteria for merit are something which, in my view, should be avoided by a meritocratic process for selecting public officials.

What does it mean, then, when I say that no ‘assessors’ should be involved in deciding who meet the merit-based criteria? Consider some paradigmatic assessment methods that involve assessors. Suppose X assesses Y’s academic merit based on Y’s essays. The whole assessment process involves an assessor, X: X must exercise her judgments of the quality of Y’s essays. The institutional proposals of various political meritocrats also involve assessors. For example, as will be discussed further in Chapter 6, Bai’s (2013a; 2020), Bell’s (2015) and Chan’s (2014) proposed meritocratic decision-making bodies involve a group of individuals assessing the merit of the candidates for the relevant bodies. Some assessment methods, in contrast, are assessor-free: suppose, for example, we measure one’s merit for political roles by certain proxies, such as age, gender, educational qualifications, her scores in some assessor-free examinations (e.g. exams containing only multiple choice questions), and so on. Any citizen of a particular age, gender, education and examination scores can occupy the relevant roles. No assessors are required by such methods.

Three related points should be flagged. First, elements of this institutional proposal can be found in the theory and practice of democratic innovations. While citizens’ assemblies are regularly held in various countries to discuss major political issues, much academic attention has been drawn to the potential of citizens’ assemblies to enhance political decision-making quality and civic relationships. In some countries, current legislators are officially required to respond to reports generated after deliberative forums. There have also been proposals to incorporate sortition into different levels of government, out of concerns for greater political fairness, decision-making quality and so on. Second, I cannot provide the

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19 See Ackerman and Fishkin (2002; 2004), Bächtige et al. (2018), Fournier et al. (2011) and so on for further discussions of the theory and practice of citizens’ assemblies.
20 Consider the case of Ireland, for example: see Farrell et al. (2019).
full institutional details of this model. For example, the size of the meritocratic chamber, the division of seats within the chamber, the term of office of the meritocratically selected officials, and so on, are all relevant considerations to assess the strengths of this model. My aim is more modest, however. I hope to explain why the mentioned features of the democratic-sortitional model will circumvent the objections that apply to meritocracy in general, and to the versions of meritocracy proposed by several political meritocrats (i.e. Bell, Chan and Bai).

Third, I call my preferred system a ‘democratic-sortitional’ model of meritocracy. One might wonder why I do not call that model as a meritocratic-sortitional of democracy; after all, in that model the democratically elected body has greater authority vis-à-vis the meritocratic body. Sortition and deliberative institutions are also typically thought to be some democratic mechanisms. If so, does my model deviate much from democracy? Or am I essentially defending a political system that is democratic at its core? I confess that it is hard to explain whether my proposed institutional model, all things considered, should be called a democracy or meritocracy. However, it is adequate that I provide a defence of the meritocratic component of my model (i.e. a meritocratic decision-making body selected by means of sortition); many democratic theorists will already feel uncomfortable with such a component. The extent to which my model is democratic, because that component is subject to democratic control, or because the model makes use of various democratic mechanisms, is a question I set to one side in terms of my present discussion. For the purposes of argument, I will treat my model as if it is a meritocracy, since to advocate such a central meritocratic institution is to advocate a radical, even if not a total, departure from conventional democratic ideas and structures.

§1.4. Thesis Preview

The following chapters focus on the questions below:

*The Merit Question:* What does it imply when someone merits political power?

In addition, when does someone merit political power, and why?
The Power Distribution Question: Many democratic theorists hold that political power should be distributed equally, whereas any non-democratic political system (including meritocracy) that deviates from equal political power must, according to democrats, violate some standards of justice, legitimacy or authority. Does justice, legitimacy or authority require that political power be distributed equally, and does it forbid merit-based distribution of political power?

The Institution Question: The political meritocrats defend certain core political decision-making bodies, the major roles within which are distributed according to merit-based criteria. If we were to distribute political power according to merit at all, what kind of political institutions would be morally preferable overall?

Chapter 2, ‘Meriting Political Power’, deals with the Merit Question. There I argue that the characteristic function of political power is to realise the requirements of justice, and one’s merit claims to political power should relate to that function. However, contra many political meritocrats, I hold that the moral basis for an agent X to merit some share of political power does not plausibly depend on X’s personal attributes. These attributes even include the attributes (e.g. political knowledge and virtues) that are ordinarily assumed to be possessed by competent political decisionmakers. Instead, in an Aristotelian fashion, I argue that X merits a share of political power, if and only if, when X in fact has that share, the characteristic function of political power (i.e. realising justice) will be served better overall, whatever X’s attributes. Therefore, in principle, even if X falls short of the attributes that a competent political decisionmaker is supposed to exhibit, X can still merit political power, so long as justice will be better realised when X has political power.

Chapters 3 to 5 are devoted to the Power Distribution Question, and partly to the Institution Question. Many democratic theorists maintaining that political power should be equally distributed build their accounts on some conceptions of political fairness, equality, stability and acceptability. In Chapter 3, ‘Fairness, Equality, and Political Opportunity’, I provide a systematic interpretation of what it means for opportunities for political participation to be fair and equal. While many political meritocrats, despite their rejection of
democratic elections, think that fair and equal opportunities to participate in politics are important, it is sometimes unclear what it takes for such opportunities to obtain. Chapter 3 aims to bring greater clarity to this area. This is not the sole purpose of the chapter, however. One common argument for democracy and against meritocracy is that unequal political power, even when it results from some meritocratic processes, upsets political fairness, a value that is widely celebrated over questions about political participation. In the chapter, I will explain why political fairness does not commit us to equal political power.

Chapter 4, ‘Equality and Equal Political Power’, turns to the value of equality and what it demands with respect to the distribution of political power. In particular, I examine two conceptions of equality: relational equality and public equality. These conceptions of equality, in recent years, are some influential moral foundations of democratic justice, legitimacy and authority. Most versions of relational-egalitarian arguments for democracy hold that if political power is distributed unequally, it would be more difficult for citizens to relate to each other as equals. To explain why relational equality does not require equal political power, I critically evaluate the paradigmatic relational-egalitarian arguments for democracy by Daniel Viehoff and Niko Kolodny. I also look at the public-egalitarian arguments, offered by Harry Brighouse, Thomas Christiano and Valeria Ottonelli, against unequal political power. These arguments in general share the claim that (a) political institutions fail to treat citizens as equals when political power is unequally distributed, and/or that (b) citizens must be able to see that they are treated equally by their political institutions. Political arrangements, including meritocratic selection of public officials, signalling that some citizens are superior to others in certain ways should best be avoided. I will explain why public equality does not decisively defeat meritocracy. Even if public equality matters, there are some features of the democratic-sortitional model of meritocracy that enable it to meet the demands of public equality.

Chapter 5, ‘Stability, Acceptability and Equal Political Power’, addresses two other values invoked by many democratic theorists to justify equal political power: stability and acceptability. The stability-based argument for democracy holds that equal political power fosters social tranquillity and peace, whereas the acceptability-based argument for democracy maintains that only political arrangements that distribute political power equally can be acceptable to all (reasonable) citizens. My concerns over stability as the normative basis for equal political power are mainly driven by the unclear causal connection between equal political power and the many factors of socio-political stability. My approach to the
acceptability-based argument is more specific: I will challenge David Estlund’s influential acceptability defence of equal political power, which could help us to think more broadly about the limitations of the acceptability-based argument. In addition, throughout Chapters 3 to 5, I will discuss the ways in which the democratic-sortitional model takes seriously political fairness, equality, stability and acceptability.

Chapter 6, ‘Models of Meritocracy’, turns to the Institution Question. In particular, it studies the models of meritocracy: Daniel A. Bell’s China Model, Joseph Chan’s Bicameral Legislature, and Tongdong Bai’s Confucian Hybrid Regime. While these institutional proposals have many merits, I argue, they are defective because (a) the relevant meritocratic bodies of their models are non-participatory, in the sense that they do not provide citizens with formal and effective opportunities to participate in the processes through which the criteria for one’s merit for public roles are decided, and (b) these bodies rely heavily on rational mechanisms to assess citizens’ merit for political power. A decision-making process is rational when, as Dowlen (2008: 12) puts it, its production of outcomes involves ‘the application of human reason and…the judging, or weighing, of options against each other to decide which is viable or preferable’. In other words, on Bell’s, Chan’s and Bai’s models, whether citizens meet the eligibility criteria for the relevant meritocratic bodies involve some agent(s) comparing different citizens, and the agent(s) possess(es) final authority over which citizen(s) merit(s) the positions within those bodies best. These two features of their models upset various considerations I develop in Chapters 3 to 5. I defend further the democratic-sortitional model of meritocracy, which does not exhibit these features. This model also utilises institutions of deliberative forums and sortition, without weakening too much the role of democratically elected bodies in the political decision-making processes. These features, I argue, can have values that many political meritocrats expect meritocratic institutions to deliver, while circumventing various concerns over meritocratic institutions that diminish the decision-making role of democratically elected representatives. Finally, I conclude the thesis in Chapter 7.

§1.5. The Significance of the Thesis

I shall close by addressing the contribution each chapter can make to the democracy-meritocracy debate. First, the value of Chapter 1 is not just to allow readers to see the main
background and structure of the analysis that follows. The particular contribution it makes to the democracy-meritocracy debate is to draw a distinction between democracy, meritocracy and epistocracy, that is at least sharper than the way in which that distinction is made by the current literature. Many accounts of political meritocracy that are currently available, in my view, fall short of some systematic discussion of the defining features of these three political systems. Also, the political meritocrats often share with the epistocrats their worries about democratic politics (e.g. voters’ ignorance, civic antagonism), and the proper measuring rods of the justifiability of political institutions (e.g. their ability to produce just outcomes). Since the political meritocrats and epistocrats converge on a number of claims, one might wonder how their views differ from another. What was established in this chapter can hopefully bring greater clarity to the differences between democracy, epistocracy and political meritocracy, which were not adequately addressed by the current literature.

Second, by exploring the basis for merit claims to political power, Chapter 2 seeks to elucidate a view that is often overlooked by the existing accounts of political meritocracy: whether an individual merits political power and/or positions of authority does not entirely depend on her possession of certain relevant personal attributes (e.g. knowledge, skills and characters) enabling her to rule well and in good faith. Most advocates of meritocracy read closely the literature on political leadership, and they explained very well which specific personal attributes would be valuable in a political decision-making setting. But an individual’s having those attributes does not ground her merit for political power. Those attributes are merely information about the tendency of an individual to use political power well, yet essentially her merit for political power depends on whether her having power, all things considered, in fact realises justice best. However, Chapter 2 does not just provide a novel view, that differs from that of the political meritocrats, on what makes someone merit political power. The basis for one’s merit for power is an area that rarely receives attention from political theorists in general, and it is worth taking the opportunity to cultivate this area in Chapter 2.

Third, compared to the existing scholarships on political meritocracy, Chapter 3 to 5 study much more closely the criticisms of meritocracy inspired by the concepts of fairness, equality, stability and acceptability. Most existing works on political meritocracy are relatively ambitious in their scope and original in many respects, and for this reason, I believe, they did not have too much time to investigate comprehensively the four concepts above and their
relationship with meritocracy. The defenders of democracy that I selected for discussion in Chapters 3 to 5 are those whose views have not been discussed much by the political meritocrats. By considering those defenders, I hope to advance the way in which we understand the concepts of equality, stability and acceptability, and their relevance to the democracy-meritocracy debate.

Finally, Chapter 6 is valuable in three ways. Its first value is to offer a systematic summary of the main features of Bell’s, Chan’s and Bai’s models of meritocracy. This summary can be a basis for future attempts to contrast and evaluate different institutional proposals of meritocracy. The second value of Chapter 6 is to establish a framework for comparing different models of meritocracy, whereas to the best of my knowledge, no political meritocrat has developed such a framework so far. The third value of the chapter is to develop a model of meritocracy that is different from the institutional proposals of the political meritocrats, prompting new ways of thinking about how meritocratic political systems can be designed.
2. Meriting Political Power

The political meritocrats hold that political power and/or positions of authority should be given to those who merit them. They also hold that political institutions should be so designed to allocate political power to the meritorious, even when such institutions involve weakening the power of the public officials who are democratically elected. Clearly, one important question for the political meritocrats is when individuals merit political power. But this is not a question that only the political meritocrats should take seriously. Even in a democracy, many political roles, except those in the core executive and/or legislature, are distributed according to merit-based criteria. These jobs, including civil servants, technical advisors to the head of government and so on, allow their occupants to exercise political power. Meanwhile, we often make merit claims about politicians: to say that Trump does not merit the US presidency, for instance, many are to imply that he does not merit the political power (and symbolic leadership) he has as a president. We also resent the fact that political power is distributed to those who do not merit it.

These facts prompt interesting normative problems. First, where some political roles allowing their occupants to exercise political power are distributed according to merit, which conception of merit should inform the distribution of those roles? Second, to justifiably claim that a person does (not) merit the political power she has, which idea of merit ought we to have in mind? Third, what underpins our resentment against people who, in our view, do not merit their political power? To offer a pro tanto response to these questions, we need a sound conception of merit with respect to political power. In particular, this conception will enable us, in Miller’s (2001: 72) terms, to ‘have a proper measuring rod against which to gauge social realities, saying how far they do or do not conform to meritocratic criteria’. However, although much has been said about what makes someone deserve or merit such social goods as jobs and rewards, the suitable basis for merit claims to political power rarely invites serious contemplation from political theorists, except the political meritocrats.22

22 Daniels (1978a), Feinberg (1970), Kagan (2014), Miller (2001), Mulligan (2018), Sen (1999b), Sher (1989), Walzer (1983) and Wilson (2003), for instance, have offered sophisticated accounts of what makes an individual deserving or meritorious of socioeconomic goods, such as jobs, incomes and rewards. It is also unfortunate that, while there are considerable discussions of which virtues exercisers of power (e.g. voters, political representatives etc.) should display, the senses in which those virtues matter to one’s merit for power have rarely been addressed. See Brennan (2011a), Dovi (2007), Lever (2017), Volacu (2019), and so on.
To contribute to this less cultivated area, in this chapter I aim to (a) explore the limits of some usual views (including those held by the political meritocrats) on the conditions under which one merits political power, and (b) defend a particular view of merit with respect to political power. The particular view of merit I defend is called the *Macro-Aristotelian View*. This view has two components. First, in an Aristotelian fashion, it says that merit claims to political power must be based on its characteristic function, and the instrumental relationship between an agent and that function. The characteristic function of political power, I argue, is *justice realisation*: the basis for merit claims to political power should appeal to considerations of whether this function can best be fulfilled. Second, according to the Macro-Aristotelian View, an individual’s merit for political power does not essentially depend on whether she has the *individual attributes* to exercise political power in ways that realise justice. Rather it depends on whether justice will *in fact* be realised overall if she is given political power. In other words, someone can exhibit a range of qualities that we typically associate with good exercisers of (e.g. voters, public officials) political power, but nevertheless lack merit for power.

In §2.1, I discuss two general bases for merit claims to political power: (a) the Qualities-Based View and (b) the Consequentialist View. The Qualities-Based View rests merit claims on one’s exhibition of certain qualities, *whether or not* those qualities serve any ends. The Consequentialist View rests merit claims on the consequences produced by giving political power to some agent(s). I argue that the Qualities-Based and Consequentialist Views should be rejected, because (1) the Qualities-Based View struggles to explain the relevance of some particular qualities to merit claims, and (2) the Consequentialist View, whether it is read in a welfarist way or not, runs into trouble.

In §2.2, I discuss an alternative view on the relationship between merit and political power: the Aristotelian View. There I argue that the characteristic function of power should be *justice realisation*, because (a) our deep concern for justice commits us to the view that the worth of political power is largely attached to its just distribution and exercise, and (b) claims to have power must be based on considerations that everyone, subject to that power, can reasonably accept, whereas considerations of justice meet this requirement. I also distinguish between two varieties of the Aristotelian View: the *Macro-Aristotelian View* and the *Micro-Aristotelian View*. The Macro-View says that
P merits (a specific share of) political power (more than Q), if assigning (that share of) power to P (rather than Q) will better realise the demands of justice overall.

The Micro-View says that

P merits (a specific share of) political power (more than Q), if P has a set of qualities enabling her to use (that share of) power to realise the demands of justice (better than Q).

Various political meritocrats’ accounts of political merit exhibit the structure of the Micro-View. However, I argue that the Macro-View is a better version of the Aristotelian View, since it avoids three important objections to the Micro-View: the *Irrationality Objection*, the *Indifference Objection*, and the *Trade-off Objection*. The Irrationality Objection says that merit claims based on the Micro-View can signal a kind of irrationality; the Indifference Objection says that the Micro-View is indifferent to the history of an agent’s qualities, namely how those qualities came about; the Trade-off Objection says that the Micro-View might be subject to the difficult choice between merit and equality.

In §2.3, I refute three major criticisms of the Macro-View: the *Democratic Objection*, the *Unaptness Objection* and the *No Difference Objection*. According to the Democratic Objection, since justice requires that political power be distributed equally, either merit claims to power are not worthy of consideration, or the Macro-View leads to the absurd conclusion that every citizen merits power equally. According to the Unaptness Objection, the Macro-View fails to bring out the unaptness of an individual having power in certain cases. The No Difference Objection says that the Macro-View, which I defend, hardly differs from the Consequentialist View, which I reject, and therefore the standard criticisms of the Consequentialist View apply to the Macro-View as well. To conclude, in §2.4 I look at two issues: (1) the proper status of political virtues that we usually think exercisers of political power should exhibit, in relation to merit claims to power, and (2) how we should respond to the normative questions noted at the beginning of this chapter. When addressing both issues, I argue, we can benefit from the distinction between the *justificatory* and *indicative* values of political virtues.
§2.1. The Qualities-Based and Consequentialist Views

I assume that an adequate account of what makes someone meritorious of political power should at least be able to address the following questions:

*The Whether Question:* Is an agent P meritorious of political power?

*The How-Much Question:* How much political power does P merit?

*The Comparison Question:* What makes P, compared to another agent, more meritorious of power, or meritorious of more power?

Questions like ‘Is Trump meritorious of the US presidency’, for example, are essentially a form of the Whether Question. Questions like ‘Which citizens merit more voting power’ often presuppose some answers to the How-Much Question. Questions like ‘Does Biden merits the US presidency more than Trump’ is a form of the Comparison Question. A full account of political merit might require considerations of a wider range of questions; but for present purposes these three questions suffice to bring out some important implications of the views on merit I am going to consider.

Before I turn to the Aristotelian View, which I defend, I shall consider two ordinary views on political merit: the Qualities-Based and Consequentialist Views. According to the Qualities-Based View, merit claims to goods should be grounded on one’s exhibition of certain qualities, *whether or not* those qualities serve any ends. We might, for instance, consider someone meritorious of a musical award, merely because she displays some sorts of musical talents, *without* grounding this belief on the instrumental value of such talents to any ends. We might also, for example, say that soldiers who performed a heroic act in the past merit a medal, even though the quality is no longer instrumental to valuable ends, because they have lost their ability to be heroic. In both examples, one’s musical talents and heroic past *in and of themselves* render one meritorious of the relevant awards. When the Qualities-Based View is applied to merit claims to political power, it implies that
P merits (a specific share of) political power (more than Q), if P exhibits certain qualities (better than Q), whether or not such qualities are instrumental to any ends.

What are the implications of the Qualities-Based View for the three questions above? Suppose, for example, political competence is one of the relevant qualities. For the Whether Question, the Qualities-Based View says that, an agent is meritorious of political power, when she exhibits a certain level of political competency. To the How-Much Question, the Qualities-Based View can respond in two ways. The first response is to assign a corresponding share of power to some particular qualities: agents exhibiting quality \( Q_1 \) merit \( S_1 \), those exhibiting qualities \( Q_2 \) merit \( S_2 \), and so on. The second response is to measure how strongly an agent exhibits some relevant qualities; the more one exhibits those qualities, the more political power one merits. To the Comparison Question, the Qualities-Based View responds that, if some quality \( Q_n \) is the basis for differentiating one’s merit for power, then those displaying \( Q_n \) better would merit more political power.

The second basis is offered by the Consequentialist View, which says that

P merits (a specific share of) political power (more than Q), if P’s (rather than Q’s) having (that share of) power produces the best consequences overall.

The Consequentialist View’s response to the three questions at the beginning of this section is relatively straightforward: only consequences matter. Suppose, for instance, the view takes the average welfare of individuals as the relevant measure of better or worse consequences. For the Whether Question, the view says that an individual merits political power if her having political power maximises the average welfare of individuals. For the How-Much Question, the view says that P should merit S share of political power, if P’s having S maximises the average welfare of individuals. For the Comparison Question, the view says that one agent merits more political power than another agent, if the former’s having greater political power than the latter leads to greater average welfare among individuals.

The Qualities-Based View and Consequentialist Views are quite common in our everyday arguments about one’s merit claims to goods. But they cannot even be a plausible pro tanto basis for merit claims to political power. On the one hand, it seems highly suspicious
to claim that someone’s exhibition of certain qualities can *in and of itself* justify her merit for political power. As an example, the political meritocrat Qing Jiang (2013: 83-84) argues that if someone is a descendant of Confucius, she has a noble lineage and is on this basis pro tanto meritorious of political power, at least in the context of China. It is mystical, however, why one’s Confucian lineage is valuable at all: this is no different from arbitrarily assuming that some social groups are naturally apt to have power. Even if such Confucian lineage is indeed valuable, why should some *particular* qualities, instead of others, be chosen as the groundings for merit claims to power? I call this the *Relevance Problem* with the Qualities-Based View: the view struggles to explain the moral relevance of some particular qualities to merit claims to power.

The Qualities-Based View, to be sure, can take more promising forms than the one Jiang offers. Perhaps we can confine the relevant qualities to some widely appealed *political virtues* of citizens or representatives, such as civic altruism, public-spiritedness, benevolence, political knowledge, integrity, civility, fair-mindedness, and responsiveness to public interests.\(^{23}\) Still, this leaves the Relevance Problem unresolved: we have yet to explain why some particular political virtues are relevant to merit claims to power. Notice that on the Qualities-Based View, some particular qualities are morally relevant whether or not they are instrumental to any ends. If we justify the relevance of those qualities by appeal to their instrumental worth to some independent goals, we are effectively endorsing either the Consequentialist View (or the Aristotelian View, as we shall see later).

One way to resolve the Relevance Problem of the Qualities-Based view is to conceive political power as a *prize*. For example, if someone exhibits some qualities worthy of celebration, such as diligence, professionalism, sincerity and so on, it is often assumed that there is reason to give her a prize to recognise or praise those qualities. Similarly, some virtues of citizens or professional politicians (e.g. being public-spirited, concerned about the common good, knowledgeable about politics) are often thought to be praiseworthy. One might argue, therefore, that those virtues should be rewarded by giving the agents exhibiting those virtues (more) political power and/or positions of authority. While such goods as awards, occupational promotion and so on might be sensibly regarded as prizes in this sense,

\(^{23}\) See Bell (2015), Brennan (2011a), Chan (2014), Dovi (2007), Lever (2017), López-Guerra (2014) and so on, for more in-depth discussions of the virtues of citizens or political representatives.
however, it is deeply implausible to regard political power as a prize. Political power is public by nature, in the sense that the way in which it is distributed and exercised will affect the interests and life prospects of many others (Arneson, 2004; Brennan, 2016; Goodin, 2007; Wall, 2007). Why, then, should having an opportunity to influence the prospects of others be seen as a prize for celebrating someone's qualities? Even if it makes sense to regard political power as a prize, questions still remain about why some qualities, instead of others, should in particular be celebrated. The Relevance Problem is unsolved.

Let us now return to the Consequentialist View. This view runs into difficulties when we ask: what makes a state of affairs better or worse than another? The Consequentialist View must rely on a particular theory of value, which enables us to rank different states of affairs in order. We can draw a distinction between two general forms of consequentialism, both of which can trouble the Consequentialist View. According to welfarist consequentialism, the optimal state of affairs is one that the sum total of, or average sense of well-being among individuals is maximised, whereas that sense is determined by one’s subjective experience, happiness, desires, interests, and so on. This kind of consequentialism is most notably held by such utilitarians as Bentham (1789 [1996]), Mill (1861 [2015]-c) and Sidgwick (1907).

To show the problem with this view, compare two worlds. In W1, the politically powerful have almost full control of what information people can receive. People in W1 are consistently told that W1 is the best world that has ever occurred in human history; the majority in W1, except the major policymakers, do not have information access to the many injustices going on in W1, such as corruption, exploitation, and so on. The populations of W1, therefore, have a good sense of well-being overall, as they are structurally deceived to think that they live in a just world. Meanwhile, in W2, people’s freedom of speech and press is well-protected. Although the politically powerful, in order to achieve their ends, invest a lot in manipulating public opinions, injustices can still be exposed, for example, by certain whistle-blowers or citizens. The people in W2 are thus able to know that they live in a quite unjust world, and, for this reason, have a weaker sense of well-being overall compared to those in W1. The Consequentialist View, premised on welfarist consequentialism, would imply that the distribution of political power in W1 tracks merit better than W2. This is an awkward conclusion, since W1 looks more unjust. Perhaps a more promising version of the Consequentialist View is to define good or bad consequences by reference to a list of objective goods, such as justice, legitimacy, equality, autonomy, fraternity and so on. I call
this the \textit{objective-list} consequentialism. The challenge for objective-list consequentialism, however, is to explain why merit claims to power should be tied to some specific goods. This form of the Consequentialist View is subject to the Relevance Problem as well. I will discuss the Consequentialist View further, when I reply to the No Difference Objection in §2.3.3.

§2.2. The Aristotelian View: Micro or Macro?

Here is an alternative view on political merit: the Aristotelian View. According to this view,

\[ P \text{ merits (a specific share of) political power (more than Q), if } P \text{ best serves (or serves better than Q) the characteristic function of power.} \]

On Aristotle’s view, because the purpose of knives is to cut things well, the best knife users should merit the knives; because the purpose of flutes is to play good music, the best flute players should merit the flutes; because the purpose of medicine is to improve people’s health, those who are in the best position to improve people’s health by medicine (e.g. doctors) merit medicine most. The same reasoning applies to political power: merit claims to power should go to the best users of it with respect to political power’s functions.

The Consequentialist View should not be confused with the Aristotelian View, however. To clarify, suppose two candidates, Tom and Jerry, are competing for a professorship. The characteristic goal of professorships, I assume for present purposes, is to celebrate scholars who have great teaching and research skills. Tom is a less good teacher and researcher compared to Jerry, but assigning the professorship to Tom rather than Jerry will produce a better state of affairs from the consequentialist point of view, say, racial balance. Assume further that, a world that is more racially balanced is better than a less racially balanced world, everything else being equal. In this scenario, the Aristotelian View will imply that Jerry is more meritorious of the professorship than Tom, while the Consequentialist View will imply that Tom is more meritorious. The Aristotelian View focuses narrowly on the instrumental relationship between an agent and the characteristic purpose of a good. In the example of Tom and Jerry, the characteristic purpose of professorships is to celebrate the teaching and research skills of scholars. This purpose, according to the Aristotelian View, determines Tom’s and Jerry’s merit for the professorship for which they compete. The reason
why Tom merits the professorship more than Jerry is that Tom has better teaching and research skills. But the Consequentialist View, as applied to the example of Tom and Jerry, does not rely on assumptions about the characteristic function of professorship. Jerry merits the professorship more than Tom even when Tom realises better the function of professorship, because Jerry’s having the professorship is what leads to the best consequences. The Consequentialist and Aristotelian Views give different reasons for one’s merit (in comparison to other candidates) for a good. The reason that the former gives is sensitive to what would happen after one is given a particular good; the reason that the latter gives is sensitive to whether certain facts about an individual put her in a good position to serve the characteristic function of the good in question.

What, then, should be the characteristic function of political power? I argue that it should be justice realisation. Justice, as I defined in §1.2.3, refers to whatever moral demands, which can be procedural or non-procedural, that apply to a political system. While it is beyond the scope of this chapter to defend a particular conception of justice, it suffices to note briefly what justice is generally concerned with, and why it matters. No matter which conception of justice we endorse, my conclusions will not be affected. Usually, demands of justice are those addressing the following questions, although this list is not exhaustive:

**Institutions:** What features should political institutions (e.g. constitution, political decision-making process, bureaucracy) exhibit, especially if they are to be legitimate and authoritative? What ends should political institutions serve? What are the background institutions under which political power should be distributed and exercised?

**Agents:** How should political agents (e.g. political representatives, citizens, civil servants) act? What duties should apply to specific political roles? What are the moral limits to the reasons that public officials or citizens more generally should advance in public discourses?

**Decisions:** What are the conditions under which political decisions (laws and policies) should be made? What effects should political decisions aim to produce?
The claim that justice realisation should be the characteristic function of power rests on two assumptions: (a) our deep concern for justice commits us to the view that the worth of political power is largely attached to its just distribution and exercise; and (b) claims to have power must be based on considerations that everyone, subject to that power, can reasonably accept, and considerations of justice meet this requirement. For one thing, most of us do have a weighty interest in justice. A sane citizen with a minimal sense of justice would be willing to see that political power is used to make just policies and laws; people resent those who exercise political power in ways leading to injustices. It also seems almost trivial to note that many political theorists do affirm the primacy of justice. A prominent example is Rawls (1999), who treats justice as the first virtue of political institutions; in his view, the basic structure of society should be arranged in such a way that the principles of justice, constrained by certain priority rules, could be maximally realised. For many perfectionists from Aristotle, political authority should promote the good life of citizens, and the realisation of justice is instrumental to or constitutive of this goal (Caney, 1991; Chan, 2013b; 2014; Raz, 1986; Tahzib, 2019). In addition, many democratic theorists hold that voters and political representatives should make decisions helpful for realising justice (Brennan, 2011a; Dovi, 2007; Estlund, 2008; Lever, 2017; Volacu, 2019). It would be unclear why these democratic theorists make such claims, were they not to believe that realising justice is an important goal to achieve. In short, we normally attach value to political power when it is distributed and exercised justly. It coheres with our sincere concern for justice to regard justice realisation as the characteristic purpose of power.

For another, by defining the characteristic purpose of power as justice realisation, we take seriously the idea that claims to political power must be justifiable to all. Political power is coercively exercised. The major political institutions of society, especially the core executive and/or legislature, have the power to coerce citizens into following their decisions, for instance, by punishment, taxation and so on. Since coercion is normally objectionable, claims to use coercive power should be justifiable to all those subject to that power. One common way to justify for claims of political institutions or agents to political power is to appeal to considerations that all citizens can be reasonably expected to accept. Considerations of justice take this idea seriously. This is not to say, of course, that citizens would not reasonably disagree about what justice substantially amounts to. The point is rather that grounding merit
claims to political power on considerations of justice is hardly controversial enough to provoke reasonable disagreements.

Assuming that the characteristic function of political power is justice realisation, we can now discuss the varieties of the Aristotelian View. According to this view, P merits (a specific share of) political power (more than Q), if P best serves (or serves better than Q) the characteristic function of power. This view, however, can be read in either a micro or macro way. On the Micro-Aristotelian View,

P merits (a specific share of) political power (more than Q), if P has a set of qualities enabling her to use (that share of power) to realise the demands of justice (better than Q).

The Macro-Aristotelian View, in contrast, says that

P merits (a specific share of) political power (more than Q), if assigning (that share of) power to P (rather than Q) will better realise the demands of justice overall.

It should be noted that the Micro-View is not a form of the Qualities-Based View, which is subject to the Relevance Problem. The Qualities-Based View says that some qualities of oneself should be the foundations of merit claims to power, whether or not those qualities serve any independent ends. But the Micro-View rests merit claims to power on some particular qualities, because those qualities are instrumentally valuable to the purpose of power; the relevance of those qualities is non-arbitrary and is based on their instrumental worth to the defining purpose of power, that is, justice realisation.

To clarify the two views further, consider the three questions about merit again: the Whether, How-Much, and Comparison Questions. We can apply the Micro- and Macro-Views to these questions to see how they differ. In applying the Micro-View, our first step is to draw a list of relevant qualities that enable one to realise justice better by exercising political power. These qualities, for example, can be political knowledge, civic altruism and so on, the virtues that we often associate with good citizens or politicians. In response to the Whether Question, the Micro-View measures an agent P against that list. If P does not exhibit the
qualities on that list, she is *not* meritorious of power. For the How-Much Question, the Micro-View requires that an individual’s share of political power be *positively proportional* to her exhibition of the relevant qualities. The better she exhibits those qualities, the more political power she merits. For the Comparison Question, the Micro-View ranks the merit of different agents in terms of their better or worse exhibition of the relevant qualities.

Most political meritocrats seem to endorse this view of merit, or something close to it. Although they do not explicitly define the characteristic function of political power as justice realisation, they do presuppose some specific demands of justice, legitimacy or authority. Those who exhibit qualities (e.g. political knowledge and virtues) enabling them to exercise political power in ways that satisfy those demands, according to these political meritocrats, merit political power. One paradigmatic example is the claim, shared by Bai (2021), Chan (2014) and Fan (2013), that those with superior intellectual and moral qualities merit political power, because they are likelier to make decisions beneficial for people’s well-being, whereas the legitimacy of the government, in their Confucian view, depends on its capacity to serve people’s well-being. Bell does not share the same Confucian conception of legitimacy, but as we shall see in Chapter 6, he thinks that a good government must possess some desirable features, such as the ability to produce high-quality political decisions, to maintain social stability and prosperity, to counter corruption and so on, while those with the qualities helpful for maintaining such features of the government should merit political power. In short, the political meritocrats do assume that there are some tasks that the government ought to perform well, and that those with the favourable individual qualities for performing those tasks render them meritorious of political power. The political meritocrats make assumptions about what ends political power and/or positions of authority are supposed to serve. They also treat individual qualities helpful for realising those ends as one’s basis for meriting political power. In this sense, their views of merit are micro-Aristotelian.

Contra the Micro-View, the Macro-View looks not to individual qualities. Rather, the Macro-View begins by drawing a list of *possible worlds*, and it is the most just world on that list that determines our answers to the three questions. For the Whether and How-Much Questions, for example, the Macro-View requires the following: if, in the most just world among all the worlds under consideration, an agent P has \( n \) share of political power, then P merits \( n \). For the Comparison Question, suppose we are deciding if P or Q is more meritorious of \( n \) share of political power. If, in the most just world among all the worlds
under consideration, P rather than Q has \( n \) then P merits \( n \) more than Q. If the most just world, compared to all other worlds under consideration, is one in which both P and Q have \( n \), then they are equally meritorious of \( n \). Meanwhile, P merits a greater share of power than Q if, in the most just world, P has a greater share of power than Q.

The Macro-View, in short, works like this:

1. We draw a list of possible worlds: \( W_1, W_2, W_3, \ldots \) and \( W_n \). Suppose \( W_n \) is the most just one on the list.

2. In \( W_n \), there are \( n \) persons: \( P_1, P_2, P_3, \ldots \) and \( P_n \). There \( P_1 \) has \( S_1 \) share of political power, \( P_2 \) has \( S_2 \), \( P_3 \) has \( S_3 \), \ldots and \( P_n \) has \( S_n \).

3. On the Macro-View, \( P_1 \) merits \( S_1 \), \( P_2 \) merits \( S_2 \), \( P_3 \) merits \( S_3 \), \ldots and \( P_n \) merits \( S_n \).

Here is another example. Imagine that A has a set of qualities, which, on the Micro-View, enable A to make good use of political power to realise what justice requires. B does not exhibit those qualities as well as A. This might be because, for instance, A understands the character and demands of justice better than B. Suppose further that there are two ways to distribute political power among them, D1 and D2:

<table>
<thead>
<tr>
<th></th>
<th>D1</th>
<th>D2</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>90%</td>
<td>50%</td>
</tr>
<tr>
<td>B</td>
<td>10%</td>
<td>50%</td>
</tr>
</tbody>
</table>

Assume further that for some reasons, D2 will overall fulfil the requirements of justice better than D1. This might be because, for example, D2 is produced by a political process that is itself an important requirement of justice, whereas D1 is not. For this reason, even if in D1 more power is given to A, who has a better ability than B to realise justice with political power, the Macro-View says that D2 tracks merit better than D1.

One common misunderstanding of the Macro-View is that, in applying the view, we must consider all possible worlds. This is not true, however. The Macro-View merely tells us
that among the possible worlds we draw, the most just world will determine one’s merit, compared to other individuals, for political power. But the Macro-View does not tell us which possible worlds we should draw. Here is a simple reason. Consider a world in which everyone is ruled by an all-kind, all-powerful and all-knowing God. In this world, there are no governments. Only the God has the right and capacity to exercise power over individuals; individuals have no power at all. However, the God never makes mistakes about justice. Every decision the God makes is just. Suppose this is the most just possible world. But if we take this imagined world into account, then the Macro-View would imply that nobody except the God merits political power. The list of possible worlds we should draw when applying the Macro-View, therefore, should be realistically possible, in the sense that it is feasible for us to be in those worlds.

There are three reasons why the Macro-View offers a better basis for merit claims to power than the Micro-View. The first reason is that the Micro-View permits political power to be put to its sub-optimal use. Presumably, whether political power is put to its most efficient use (i.e. maximally realising justice) depends not just on the individual qualities of those to whom power is distributed. To illustrate, compare D1 and D2 again: individually, A is a better user of political power than B, but overall D2 fulfils the demands of justice better than D1. If we do want to put political power to its most efficient use, why should we opt for the sub-optimal D1, which is better from a micro-standpoint, instead of D2, which is better from a macro-standpoint? The Micro-View, therefore, is subject to what I call the Irrationality Objection: if we rationally want the most just world, then ceteris paribus, it looks irrational for us to want a world that is less just. Merit claims informed by the Micro-View might signal this kind of irrationality in certain cases.

The second reason is that the Micro-View is indifferent to the causes or history of one’s political qualities. I call this the Indifference Objection. One reason why some do not exhibit certain political qualities as well as others, for example, is that the former lack the relevant opportunities to cultivate those qualities. Consider the example of A and B again. Suppose B makes less efficient use of political power than A, because B has an underprivileged social origin, which blocks B’s educational opportunities to develop the relevant qualities to use political power as efficiently as A. The Micro-View, however, disregards this fact and selects A as the more meritorious person anyway. But this fails to capture the intuition that the developmental history of one’s qualities appears to make a difference to her merit claims to power.
The third reason is that the Micro-View is subject to the Trade-off Objection: it fails to reconcile the tension between our interests in merit and equality. Consider, for example, the case of affirmative actions. They are often justified on grounds of equality or fairness, but it is usually assumed that affirmative actions upset our interest in merit as the basis for the allocation of (some) goods.\textsuperscript{24} Suppose an egalitarian sympathetic to the Micro-View says that in deciding whether A or B should be assigned more or less power, we should take into account B’s unfair social disadvantage. She can claim, for example, that although D1 tracks the merit of A and B better, D2 should nevertheless be preferred because it is more egalitarian and just, since it compensates B’s disadvantage by giving her more power. Here is the dilemma for the Micro-View, however: either we want D1, that is more meritocratic but less egalitarian, or D2, that is less meritocratic but more egalitarian. None of these options can be both meritocratic and egalitarian. Equality and merit do not fit neatly together.

But the Macro-View avoids all these objections. First, merit claims informed by the Macro-View are rational. As I said, the Macro-View draws a list of possible worlds, and it is the maximally just world on that list which prescribes whether one merits power more than others, and how much. If we rationally want a maximally just world, we will likewise rationally want a world that tracks merit optimally on the Macro-View. The reason is that, on the Macro-View, a world without itself being maximally just cannot track merit optimally. The Irrationality Objection does not apply. Second, The Indifference and Trade-off Objections are less likely to threaten the Macro-View. The Macro-View can be premised on a conception of justice requiring, for example, that unfairly disadvantaged individuals be compensated by having more political power. So long as the conception of justice the Macro-View presupposes dictates that how an individual’s attributes came about should make a difference to her share of power, the view can be sensitive to history. How well a distribution of power tracks merit, on the Macro-View, also depends partly on how well it conforms to the requirements of that conception of justice. The meritocratic degree of a distribution of power, in other words, is positively related to how well it assists the unfairly disadvantaged, everything else being equal. The Macro-View need not sacrifice merit for the sake of equality.

Since these objections apply to the Micro-View, they are some objections that the political meritocrats should take seriously. As I discussed earlier, most political meritocrats

\textsuperscript{24} See Mulligan (2018), for example, for arguments along this line.
think that there are certain qualities that good citizens and political decisionmakers should exhibit, because those qualities enable them to use political power well. They also ground one’s merit for political power and/or positions of authority on those qualities. For these reasons, their views are micro-Aristotelian by nature. Here is why the objections I just made to the Micro-View can trouble the political meritocrats. First, a world in which political power is concentrated on politically competent and virtuous individuals could be immensely unjust, but a world in which the allocation of political power tracks the competence and virtues of individuals less well could be less unjust. The reason is simple: the justice of a political system does not entirely depend on whether those holding political power and/or positions of authority are politically competent and virtuous. A totalitarian regime, for example, can accommodate some very competent and virtuous politicians. Perhaps its president makes very good choices of the people working for the government. But this regime can be deeply illiberal and hence tremendously unjust. The Micro-View inherent in the political meritocrats’ accounts, however, would imply that this totalitarian regime tracks individuals’ political merit very well. But if we do care about justice, we would not rationally want to live within a totalitarian regime, which, according to the Micro-View, tracks merit well. But this sort of tension is absent from the Macro-View.

Second, we do take seriously the background of those holding political power and/or positions of authority. An individual’s political prospect is often (dis)advantaged by her social background. Whether one is well-educated, or belongs to some politically influential classes, for instance, makes a big difference to one’s opportunity to develop the qualities that we associate with competent and virtuous citizens or politicians. But the Micro-View implies that, if the competent and virtuous individuals in fact have privileged background, they will nevertheless merit political power more. It is not obvious how the political meritocrats would respond to such cases. Third, because the political meritocrats’ views on merit are micro-Aristotelian, sometimes it is unclear how their interest in meritocratic politics is consistent with equality. As we shall see in Chapter 6, most political meritocrats welcome positive measures to widen citizens’ opportunity to participate in politics. Some of them also propose that some seats of the relevant meritocratic decision-making bodies be specially left to traditionally marginalised groups, such as the female and ethnic minorities. 25 How do they

25 See Bai (2020) and Bell (2015).
justify these affirmative actions? If it happens that these marginalised groups lack the competence and virtues that they associate with good political decisionmakers, why do they still merit political decision-making roles? The Macro-View of merit is able to explain why, whereas the Micro-View is not.

§2.3. Reply to Objections

In this section, I consider three major objections to the Macro-Aristotelian View: the Democratic Objection, the Unaptness Objection and the No Difference Objection.

§2.3.1. The Democratic Objection

The Democratic Objection focuses on the implications of the assumption that justice requires an equal distribution of political power for my claim. The Democratic Objection has different versions. According to the first version, because justice requires an equal distribution of political power, the basis for merit claims to power is not worthy of consideration. Not many contemporary political theorists embrace the idea that political power should be distributed on the basis of merit. Rather, a more common view is that political power should be distributed equally to citizens, to realise such democratic ideals as popular sovereignty, political equality, and self-government. It is therefore mistaken, or at least highly controversial, to assume in the first place that political power should track merit at all. Theorising about the basis for merit claims to political power, according to this view, has little moral relevance, unless it can be shown that we have reason to distribute power on the basis of merit.

This is the most common worry I have encountered so far about the value of theorising about the basis for merit claims to power. But this challenge can be met easily: we need not show that political power should be distributed according to merit, before we can meaningfully discuss the basis for merit claims to power. Consider the case of desertism. People need not be desertists themselves before they talk about the proper basis for desert claims, for example, to punishment, rewards, jobs and the like. If someone is a desertist, she probably needs to offer a view on what underpins desert claims; if someone is not a desertist, it is worthwhile anyway for her to clarify the basis for desert claims, in order to show more
clearly what is wrong with desertism. The same applies to merit claims to power. Whether or not we believe that the distribution of political power should track merit, studying the normative foundations of merit claims to power puts us in a better position to assess the arguments for or against merit-based distribution of power.

Also, we cannot disregard the fact that in everyday political discourse, as I said at the beginning, we do make merit claims about those who exercise political power. Sometimes the normative claims we make about such issues as electoral exclusion, differential voting weight, the assignment of public positions and so on presuppose certain answers to the question: who merits political power more, and how much. Why should children be disenfranchised? One possible reply is that children do not merit as much political power as adults. Why should, as many epistocrats argue, the politically competent be given more political power? One possible reply is that the politically competent individuals merit political power more than others. This is not to say, of course, we must answer these questions in terms of merit. But when these questions can at least be answered in terms of merit, it is hard to dismiss merit as a meaningful subject of inquiry with respect to political power.

Here is the second version of the Democratic Objection, which is concerned more specifically with the implications of the Macro-View. The objection runs like this:

(1) The most just world, \( W_0 \), is one in which political power is distributed equally, since justice requires an equal distribution of political power.

(2) According to the Macro-View, for X to merit a share of power S than Y, it must be the case that in \( W_0 \), X has S, but Y does not. If both X and Y have the same share of power in that world, they merit that share equally.

(3) In \( W_0 \), everyone has an equal share of power. Everyone merits an equal share of power.

But (3) is a counter-intuitive conclusion, since we normally think that not everyone is equally meritorious of power.

To establish this objection, however, we must assume that (a) the application of the Macro-View must be confined to the worlds that distribute political power equally, or that (b)
a world that distributes power equally must be more just than the worlds that do not. But both assumptions are implausible. Imagine we are comparing the justice of, say, W₁, W₂ and W₃. None of these worlds fulfil the principle of equal power distribution: rather, power is distributed unevenly in all these worlds. But one of these worlds can still be more just than the other two, for example, because it better fulfils other requirements of justice. Suppose further that there is another world, W₄, which fulfils the principle of equal power distribution. But W₄ can still be less just than W₁, W₂ and W₃, for example, because it fails to uphold many other principles of justice. No matter which world we pick from W₁, W₂, W₃ and W₄, we will not come to the conclusion that everyone merits power equally. The Democratic Objection collapses once we acknowledge the possibility of such cases.

§2.3.2. The Unaptness Objection

The second objection to the Macro-View is the Unaptness Objection, which holds that the Macro-View, in certain cases, fails to bring out the unaptness of individuals to have power. Consider two senses of merit. When we say ‘X merits Y’, we often imply the following:

*The Qualification Implication*: X is qualified to have Y.

*The Better-World Implication*: A world in which X has Y is, ceteris paribus, better than a world in which X does not have Y.

The Macro-View brings out the Better-World Implication of merit claims, since the view involves comparing the better or worse worlds in terms of justice. But the view might not bring out the Qualification Implication. To illustrate, suppose in W₁, those who have political power are on average very incompetent. However, these people can make decisions by consulting a very strong Justice Programme, which provides extremely reliable guidance on which decisions ought to be made. The power holders in W₁, although they themselves are very incompetent in making just decisions, are nevertheless able to keep their world just. The situation of W₂ is different: those who have political power are on average more intelligent than those in W₁, for instance, because their political knowledge is better. But these people do not have a Justice Programme as strong to guide their decisions, and the people there
must count on themselves in making political decisions. Since their judgments are less reliable than the Justice Programme, power holders in W_2 often make unjust policies, rendering W_2 less just than W_1 overall. The Macro-View seems to imply that the power holders, on average, in W_1 are more qualified to have power than those in W_2. This looks implausible.

However, it is essentially irrational to think that those in W_1 are more qualified. This example supposes that the power holders in W_2 have some qualities (i.e. political knowledge) that those in W_1 do not exhibit as well, and, for this reason, the power holders in W_1 are on average less qualified. But we have to ask, again, why some particular qualities matter. We tend to think that people exhibiting certain qualities are more meritorious of political power than others, not because those qualities are intrinsically meritorious, but because those qualities are instrumentally valuable to the proper end of political power. But if what we essentially care about is how well the end of power is fulfilled, the best-qualified people seem to be those in the best position to meet that end. Even if the power holders of W_2 are more politically knowledgeable than W_1, they are not in a good position to realise justice and thus less qualified. Qualities might indicate someone’s capacity to perform certain tasks, but the fact that someone exhibits certain qualities does not necessarily mean she is in the best position to do those tasks. Once we clarify the distinction between being in the best position and having the relevant qualities, it is clearer why those in W_2 are less qualified.

Here is another example pressed by Thomas Mulligan that supports the Unaptness Objection.\textsuperscript{26} Suppose that in country C, there are two people competing for political power, X and Y. X is ‘more meritorious’ in the intuitive sense: X is smarter, more sober, not a racist, whereas Y is less smart and sober, and Y is a racist. X, in other words, has the attributes that we typically associate with meritorious users of political power. But it happens to be the case that our worlds are filled with racists who will respond better to Y’s leadership than X’s leadership. Because X lacks legitimacy among the people, many just decisions she makes cannot be enforced and are fiercely resisted by the people. In contrast, since Y has much greater legitimacy among the people, some very few just decisions she makes are able to be implemented. For this reason, justice writ large is better promoted under Y than under X. On the Macro-View, Y would merit political power more than X. But this is counterintuitive.

\textsuperscript{26} Mulligan raised this objection to me in our personal conversation, although a similar example can be found in his book \textit{Justice and the Meritocratic State} (2018).
I am not convinced that this example is counterintuitive enough to undermine the Macro-View, however. First, we need to clarify whether C would in fact be more just under Y’s rather than X’s leadership. Y is better placed than X to enforce some just decisions, but this does not follow that C would be more just when it is led by Y instead of X. For example, we can imagine that if C is ruled by a racist leader like Y, the racism in C will persist; but if C is ruled by X, the racism in C will at least begin to be addressed. If C is indeed more just overall when it is under X’s leadership, then the Macro-View has no trouble showing that X is more meritorious than Y. Second, suppose that C is in fact more just overall under Y’s rather than X’s leadership. Perhaps it happens that the very few just decisions that Y makes are too important, such that if those decisions were not made, C would be extremely unjust. For example, Y might make decisions that make the basic liberties of citizens more secure, or Y might make economic decisions such that everyone is able to meet the necessary material conditions to lead a minimally worthwhile life, despite the fact that Y is less competent and is racially prejudiced. I do not see any reason not to regard Y as more meritorious than X in this case, although X has many qualities that we typically associate with good political decisionmakers which cannot be found in Y. Why? Again, if the reason why we care about certain qualities of politicians is that those qualities enable them to use power in a way that realises justice, then it seems that our more fundamental concern is to have justice realised. In some cases, justice cannot be served well even when the competent and virtuous have power. But when justice can be realised better under the leadership of the less competent and less virtuous, we might still think that those people merit political power, because we are in an unfortunate and non-ideal situation in which justice can best be served under the leadership of those people.

§2.3.3. The No Difference Objection

Another major criticism of the Macro-Aristotelian View is that essentially it does not differ from the Consequentialist View, and many criticisms of the Consequentialist View of merit will apply to the Macro-Aristotelian View as well. Before I explain why this is not the case, I shall explain the usual grounds underpinning this objection.

One might think that the Macro-View is just a particular version of the Consequentialist View. According to the Consequentialist View, whether an individual merits
political power (more than another), and how much, depends entirely on whether her having (a particular share of) power produces the best consequences. One version of the Consequentialist View, as I discussed in §2.1, is the Objective-List Consequentialist View. On this view, whether a consequence is better or worse than another depends on whether some independent moral goods are realised, such as justice, legitimacy and so on. An individual’s merit for (how much) political power (compared to others) is determined by whether her having (some particular share of) power best realises those goods. But this view exactly exhibits the structure of the Macro-Aristotelian View. The Macro-View says that an individual merits (a particular share) of political power (more than another), if her having (that share) of power best realises what justice requires. Is the Macro-View not taking justice as an independent good that determines better or worse consequences, and then basing one’s merit for power on those consequences? My reply is that the Macro-View is one Objective-List Consequentialist View, but both views are not equivalent. The key difference between the two is that the Objective-List Consequentialist View does not make assumptions about what the characteristic function of political power ought to be. For this reason, the view struggles to explain why the instrumental relationship between an agent and the realisation of justice is relevant to our thinking about one’s merit for political power. This is the Relevance Problem, which does not obtain in both the Micro- and Macro-Aristotelian Views.

Even if I have established the distinction between the Consequentialist and Macro-Aristotelian Views, one might still wonder if the Macro-View is vulnerable to some criticisms of consequentialist theories of merit, because the Macro-View is at least partly consequentialist. One typical criticism of consequentialist theories of merit is that they fail to bring out the responsibility dimension of merit, for instance. A widely held intuition about merit is that, if X merits something, X must be responsible for her position or attributes that render her meritorious of that thing. If this intuition is true, then the Macro-View could be in trouble. Suppose country C is selecting a new king. This king has tremendous political power. There are two candidates for the throne: X and Y. X is likelier than Y to use political power well to realise what justice requires. However, Y is the chosen one who has the blessings from the God. If Y has the throne, then the God will assist Y in realising justice. Under Y’s rule, therefore, C will be more just. The Macro-View implies that Y merits political power more

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27 See Sher (1989), for example.
than X, even when Y is not responsible at all for the justice realised in C. One reason why people might find it objectionable to treat Y as more meritorious than X is that Y better realises justice by luck. X is just unfortunate to be disadvantaged by factors beyond his control: he is not the chosen one.

Yet, one general worry about the responsibility dimension of merit is that individuals are rarely fully responsible for everything about themselves. One might wonder if X is responsible for his position to use political power well. X might, it could be said, also get that position by luck: for instance, it might be the case that he was born into a social class that gives him rich opportunities to learn the art of rulership. If one is responsible for something only if no luck is involved, then one might reasonably say that X is not responsible for his position to rule well, because X is just lucky to have the resources and opportunities to be in that position. For this reason, I doubt that responsibility can be a meaningful tool for thinking about merit, because it is very likely that what position someone is in inevitably involves luck in certain ways.

§2.4. Conclusion

In this chapter, I considered the Qualities-Based, Consequentialist and Aristotelian Views on one’s merit for political power. Both the Qualities-Based and Consequentialist Views are subject to what I call the Relevance Problem: that is, both views struggle to explain why some particular personal attributes or goods are relevant to merit. The Aristotelian View has two versions: the Micro-Aristotelian and Macro-Aristotelian views. Because both Aristotelian Views have a clear conception of the characteristic function of political power, that is, justice realisation, they are immune to the Relevance Problem that troubles the Qualities-Based and Consequentialist Views. However, the Macro-Aristotelian View is superior to the Micro-View. The reason is that unlike the Micro-View, the Macro-View does not signal irrationality in some cases, it takes one’s developmental history of personal attributes seriously, and it reconciles the tension between equality and merit. I also explained why some major objections to the Macro-View do not succeed.

I shall close this chapter by reflecting on two related themes. The first theme is the appropriate status of political virtues in merit claims to power. In existing literature on voting ethics, political leadership, meritocracy and so on, much attention is drawn to the political
virtues that power holders (e.g. voters, policymakers, political representatives) should display. These virtues can be *epistemic*, such as rationality, informedness, sincerity and so on. These virtues can also be *moral*, such as reasonableness, sense of justice, civic altruism and so on. How, then, should we situate such political virtues in merit claims to power? As discussed earlier, the Qualities-Based View as the basis for merit claims to power should be rejected, for it is unable to address the Relevance Problem. Political virtues are instances of individual qualities. Does it follow that one’s political virtues should play no role in merit claims to power?

In response, we can distinguish between two possible roles of political virtues with respect to merit claims. The first role is *justificatory*: if someone exhibits some relevant political virtues, this justifies her merit claims to power. But political virtues can also play an *indicative* role: they are *indicators* of whether assigning political power to an agent is likely to produce a just state of affairs. This distinction is important because, in practice, the Macro-View can be difficult to apply. Suppose we compare the merit of two candidates for power: A and B. How can we tell, then, that the first world, where A rather than B is given the power, is more just than the second world, where B rather than A is given the power? In most cases, I believe, we cannot make fully accurate judgments on the comparative justice of different worlds, because making such judgments involve a huge amount of information that is hardly available. Hence, we must rely on certain *epistemic shortcuts* enabling us to make the judgments. Facts about one’s political virtues are precisely such epistemic shortcuts. They are not the basis for one’s merit claims to power, but they can provide partial information about whether a world in which a particular agent is given power will be more just. Many of those working on political virtues, unfortunately, do not carefully distinguish between the justificatory and indicative roles of political virtues. They seem to assume, albeit quite implicitly, that those virtues are the *grounds* for merit claims to power. As we have seen, however, basing merit claims to power on such qualities as political virtues runs into conceptual difficulties.

The second theme deals with the several questions I mentioned at the beginning of this chapter. First, whereas some political roles allowing their occupants to exercise political

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29 The people I have in mind here include Bai (2013a; 2020), Bell (2015), Brennan (2011a), Chan (2013b; 2014), Fan (2013) and so on.
power are distributed according to merit, which conception of merit should inform the
distributive procedure of those roles? Second, to justifiably claim that a person does (not)
merit the political power she has, which idea of merit ought we to have in mind? Third, what
underpins our resentment against people who, in our view, do not merit their political power?

To the first question, of course, the answer is that merit-based assignment of political
roles should be essentially informed by the Macro-View of merit. But how can one decide if
assigning power, or occupations exercising that power to some particular individuals will
create a more just world than otherwise? The most feasible option seems to be to gather as
much relevant information about those individuals as possible, such as their characters,
experience, educational qualifications, political knowledge and so on. Although these qualities
are not the basis for one’s merit claim to power, facts about such qualities of oneself
nevertheless help us to judge whether the most just world could be created, if political power
is held by some particular individuals exhibiting those qualities. Finally, to the third question,
my response is that the Macro-View enables us to rule out certain morally irrelevant
considerations when we express our resentment against those who, in our view, are not
meritorious of power. We can resent a power distribution for many different reasons. One
might, for example, resent someone’s having power because he does not look likable. One
might also resent someone else’s having power because she does not have the same skin
colour as ours. But merit-based resentment against an individual’s having power cannot, and
should not be justified by these reasons, for these reasons are not considerations of justice.
3. Fairness, Equality, and Political Opportunity

While the political meritocrats hold that political institutions should be designed to allocate political power based on merit, most of them also think that the opportunity to participate in politics ('political opportunity' for short) should be fair and equal. For example, Bai (2020: 86) says that ‘the fairness of meritocratic selection [of public officials] has to be guaranteed by law, it must be open to the public, and the government has responsibility for offering any means necessary for citizens to be educated and to participate in politics’; Bell (2015: 32) says that ‘everybody should have an equal opportunity to be educated and to contribute to politics’. Clearly, they share an interest in a society in which opportunities for political participation are fair and equal. The specific conditions under which those opportunities are fair and equal, however, are less cultivated in their works on meritocracy. In contrast, in the democratic theory literature, much has been said about what it takes for political opportunity within democracy to be fairer and more equal. When political opportunity in a meritocracy is fair and equal is a question receiving relatively little attention.

The purpose of this chapter is to bring greater clarity to this question, by offering an interpretation of Fair Equality of Political Opportunity (FEPO). I begin, in §3.1, by distinguishing between a few relevant forms of political participation, explain why political participation is normally valued, and contest the ordinary view that the value of political participation can best be realised when political power is distributed equally rather than unequally. Then, in §3.2, I contrast several obstacles to political participation. In §3.3, I turn to the idea of FEPO: there I first summarise Rawls’s influential view on political opportunity, and then explain why my interpretation of FEPO avoids the shortcomings of Rawls’s view. The implications of FEPO for the obstacles to political participation identified in §3.2, and for meritocracy, will also be discussed. After that, in §3.4 I respond to the thought that a concern for political fairness would commit us to equal political power rather than merit-based distribution of power. In §3.5, I discuss how the democratic-sortitional model interacts with FEPO, before I conclude the chapter in §3.6.

§3.1. Conceptualising Political Participation

§3.1.1. Forms of Political Participation

Political participation can be widely defined as citizens’ activities that affect politics (van Deth, 2016). What those activities include is almost infinite. As a starting point, however, it suffices to identify the following activities that, in my view, are characteristic of political participation in modern societies, although these activities do not constitute an exhaustive list:

*Decision-Making*: One can participate in politics by making political decisions.

*Selection of Decision-Makers*: One can participate in politics by selecting the decision-makers of the political community or organisation to which she belongs.

*Implementation and Enforcement*: One can participate in politics by helping to enforce the decisions made by the government, for example, by being part of its armed force or civil service.

*Forming and Participating in Political Associations*: One can participate in politics by forming and partaking in political associations, such as political parties and pressure groups.

*Expressing Political Opinions*: One can participate in politics by expressing their political opinions. There are various activities we can take part in to express our political views. For instance, we can do so by partaking in the activities (e.g. labour strikes, protests) organised by the political associations which advocate values or policies similar to ours. We might also express our political views by directly involving ourselves in public discourse on politics, via social media, consultation forums and so on.

*Agenda-Setting*: One can participate in politics by influencing the topics of the public agenda.
We can also distinguish between professional and non-professional participation in politics. One participates in politics as a professional when she performs political activities that are part of her career. Some political activities are distinctively performed by such occupations as politicians, civil servants, lobbyists and so on. Performing those activities, moreover, is the professional duties of those occupying such positions. Meanwhile, people participate in politics non-professionally, when they engage in political activities the participation of which is not part of their professional duty. Some political activities can only be performed by certain professions, and some activities can be performed by both professionals and amateurs. Advising and implementing political decisions, for instance, is a characteristic activity of bureaucrats. In ancient Athens, political decision-making was an activity in which all adult male citizens, whatever their professions, can take part. But in modern societies it has mostly become the professional duty of a small group of political elites, be they democratically chosen or not. In most liberal democracies today, such activities as selecting decision-makers, joining political associations, expressing political views, setting political agenda and so on can normally be performed by all citizens whatever their professions.

§3.1.2. The Value of Political Participation

What, then, makes political participation so important such that political and social institutions should generally be designed to widen citizens’ participation in politics? Here are four common responses to the question. First, the Moral Capacity View holds that political participation is a primary means by which citizens develop and exercise a bundle of moral capacities. Mill (1861 [2015]-b), for example, believes that political participation cultivates citizens’ capacities to reason about political affairs and to form an informed conception of the common good. Along these lines, Rawls (1999; 2001a; 2005) holds that our two moral powers (i.e. the sense of justice and the capacity to form a conception of the good) are exercised by political participation, given that the fair value of citizens’ basic political liberties

31 It could be controversial whether there is such thing as professional participation in politics. For instance, van Deth (2016) holds that ‘political participation refers to activities of people in their role as nonprofessionals or amateurs and not, say, as politicians, civil servants, or lobbyists’. However, van Deth himself also says that political participation refers to any activities affecting politics. If we accept this general definition, it is unclear why we should exclude political activities performed by non-amateurs from political participation. Doing so makes it easier to disregard the many ways in which politics is affected by non-amateurs.
is secured; I shall discuss Rawls’s view on the fair value of political liberties further in §3.3. Similarly, Galston (2004: 263) says that political participation provides us with

enlarged interests, a wider human sympathy, a sense of active responsibility for oneself, the skills needed to work with others toward goods that can only be obtained or created through collective action, and the powers of sympathetic understanding needed to build bridges of persuasive words to those with whom one must act.

Second, the Relational View says that political participation enables individuals to develop some morally valuable relationships with their fellow citizens. Dworkin (1998: 456), for example, notably maintains that when citizens share the responsibility for making decisions affecting their political community, they become political partners instead of mere contestants of political power. In addition, Anderson (2010b) argues that adequate political participation helps citizens, especially the disadvantaged (e.g. the segregated groups), to integrate into the political community, and integration is what it requires for citizens to relate to others as free and equal communal members. Another version of this view suggests that political participation is an engine of civic solidarity and friendship, because it fosters the empathy (i.e. concern for the well-being of the disadvantaged members of the community) or trust among citizens (Cohen and Arato, 1992; Mason, 1998; Misztal, 1996; Seligman, 1997).

Third, according to the Governance Enhancement View, through political participation, citizens can aggregate their wisdom on public affairs or compel the government to be more accountable and responsive to the public interests, thereby improving its quality of governance. For example, Mill (1861 [2015]-a) notes that all governments, however well they performed in the past, are always fallible in the sense that they cannot always make correct policy judgments. However, through public discussions and voting, citizens bring together their wisdom on politics such that a wider range of voices can be heard by the governors, therefore reducing their likeliness of making political mistakes. Some political activities (e.g. participation in public debates over politics), in other words, serve the function of information pooling, through which people make their experience and knowledge visible to their fellow citizens and to the governors (Goodin and Spiekermann, 2018; Landemore, 2017). The increased availability of information, according to this view, helps the government to make
better policymaking judgments. Meanwhile, the fact that citizens can impose pressure on the government by influencing public opinion would incentivise the government to stay accountable and responsive to the interests of the general public, were it to remain stable and legitimate in the eyes of the people.

Fourth, the *Obligation View* holds that as members of the political community, citizens are morally obligated to participate actively in its affairs. It is *pro tanto* morally wrong for citizens not to participate in politics. For instance, it is sometimes argued that citizens of democracies have a moral duty to vote because ‘non-voters are free-riders who are selfishly benefiting from the public good of a competitive electoral system’ (Lever, 2010: 904). Rousseau (1762 [2018]) also famously holds that individuals should participate in politics for the sake of the common good. Following this tradition, many contemporary theorists of republicanism argue that citizens have a moral obligation to be an active participant in politics, in order to be self-governing and free from the arbitrary will of the powerful. For example, one can achieve this, in Honohan’s (2002: 5) terms, by discharging ‘[political] duties [of which one imposes on oneself] and performing public service both military and political’.

Fifth, according to the *Interest View*, citizens have a fundamental interest in political participation. This view is held by Christiano (2008), Cohen (2002; 2003), Rawls (1999; 2005) and so on. For instance, it is sometimes said that citizens have a fundamental interest in securing their dignity, and to that end they must be able to shape the political world in which they. Sometimes it is argued that citizens have a fundamental interest in being politically autonomous agents, while political participation is what it takes for citizens to express themselves as autonomous political agents.

A few related issues should be addressed here. First, it is common for people to endorse plural views on the significance of political participation. Mill, for example, holds simultaneously that political participation develops our moral capacities, and that it improves the quality of governance. I keep the four views separate merely to categorise more systematically the values that people often associate with political participation. Second, in making sense of the values of political participation, these views might not focus on the same set of political activities. Some of them, for instance, put more emphasis on political decision-making activities, while some put more on others. Third, these views do not just explain why political participation is important. They also provide us with some standards by which we measure whether citizens’ participation is successful or adequate. If social and political
institutions fail to enable citizens’ political participation to realise the values upheld by these views, then we have reason to discount the moral appeal of those institutions. In fact, some criticisms of meritocracy are precisely driven by a concern for the realised of political participation’s value, as I shall discuss in §3.1.3.

§3.1.3. Equal Political Power and the Value of Political Participation

I grant that the above claims on the value of political participation are sound. However, one common view is that the value of political participation can only be, or will be, best be realised by democracy rather than other political systems. If this is the case, then there is reason to think that we should have a political system that allocates power equally, because equalising power is a defining aim of democracy. Does the value of political participation, then, ground a case for equal political power, and derivatively a case against political meritocracy? My answer is ‘no’, for the following reasons.

As I said in §1.2.2, meritocracy is the political system that is designed to distribute political power, or major political decision-making roles (e.g. those in the core executive and/or legislature), based on formal and uniform merit-based criteria. Democracy, to the contrary, is the political system so designed to equalise political power. While democracy is typically regarded as a political system that aims to widen political participation, one might wonder if meritocracy will take citizens’ opportunity to participate in politics less seriously. But this is not the case. The main, and perhaps the only crucial difference between meritocracy and democracy is how they allocate political power. But political power is a restricted notion that differs from political opportunity. An individual’s opportunity to participate in politics, to be sure, is affected by her share of political power: for example, if someone has no political power at all, then it is hard to imagine how she could meaningfully participate in political decision-making or representative-choosing activities. So conceived, political power is one resource for political participation: this resource affects what political activities (e.g. political decision-making) in which we can participate, and how much influence we can have through participating in those activities. Political meritocracy rejects equal distribution of that resource, when individuals have differential merit for political power. This does diminish some individuals’ opportunity to participate in the political activities involving
the exercise of political power, for the simple reason that in a meritocracy those considered less meritorious have less political power.

Having said that, the political meritocrats share with many democrats the view that citizens’ political opportunity should be widened. As will be shown in §6.1, many political meritocrats endorse the important institutions or political liberties that are often regarded as crucial infrastructures of democratic societies, such as the rule of law, judicial independence, freedom of speech and assembly, basic human rights and so on. These institutions and liberties, moreover, are often taken to be the preconditions for citizens to participate in politics freely. Thus, even in a political meritocracy citizens can be left with much room for political participation.

In addition, at least under some models of meritocracy, individuals’ opportunity to participate in political activities involving the exercise of political power would only be minimally diminished by the fact that political power is allocated on the basis of merit. One of these models, for example, is the democratic-sortitional model, which I defend. This model is characterised by a bicameral legislature, with a meritocratically selected chamber and a democratically elected chamber. Both chambers share roughly the same responsibilities and power to assist and monitor each other. Interested citizens who meet the relevant criteria for the meritocratic chamber will be randomly chosen to be its members. However, those criteria must be decided by the democratically elected body. The democratic body must also base its decisions over those criteria on citizens’ deliberative results on what skills, experience or interests merit representation by the legislature. Because citizens can participate in the processes through which the eligibility criteria for the meritocratic decision-making body are decided, the democratic-sortitional model gives citizens rich opportunities to influence the political decision-making procedure. This model, or at least part of this model (i.e. the meritocratic chamber), retains the defining feature of meritocracy: it distributes political power unequally among ordinary citizens and the citizens who satisfy the eligibility criteria for the meritocratic chamber, since the latter enjoy an extra means (i.e. the opportunity to occupy the meritocratic body) to influence the political decision-making procedure. But this model is labelled as ‘democratic’ because (a) its inequality of political power is limited to one specific, albeit important, governing institution, and (b) such inequality of power is produced by institutional mechanisms (e.g. sortition, elections, deliberative forums) that are widely associated with democracy.
Still, some might reply that the value of political participation is diminished nevertheless under my proposed model of meritocracy. Citizens who fail to satisfy the eligibility criteria for the meritocratic body, or those who are not fortunate enough to be chosen to occupy the body, are deprived of a valuable opportunity to influence the political decision-making processes. Also, not every citizen has the opportunity to develop the attributes necessary for their access to the meritocratic decision-making body. For example, if the meritocratic chamber treats educational qualifications as a criterion for merit, then citizens without those qualifications, or the means (e.g. educational opportunities) to those qualifications, will effectively be excluded by the chamber. Such problems could be even more concerning for other models of meritocracy (such as those proposed by Bell and Bai, as will be described in §6.1), which allocate most if not all major political decision-making roles to citizens who meet the relevant merit-based criteria. In contrast, under democratic elections, while only the winners can acquire the relevant political decision-making roles (in the core executive and/or legislature), elections are a form of competition in which every citizen can freely participate, because elections, unlike meritocratic competitions, have much lower entry requirements. In many democracies, an individual is able to run for elections as long as she is a full citizen. This bar is much lower than that of meritocratic competitions, and thus elections allow a wider range of citizens to compete for a seat in the core executive and/or legislature. The openness of elections might give us a case for democratic elections over meritocratic selection.

But this is hardly a legitimate objection to meritocracy. Even under elections there are considerable ‘losers’ who are deprived of the opportunity to occupy the political decision-making body. In this respect, elections are not necessarily superior to meritocratic selection. Moreover, elections do not clearly give citizens greater opportunity to develop the attributes enabling them to stand a decent chance of winning. In fact, one longstanding criticism of elections is that they are often dominated by candidates with similar demographic features, such as race, educational background, economic circumstances and so on. The means to electoral success, in other words, is usually unevenly distributed among citizens, rendering some almost permanently disadvantaged in the electoral process. Finally, whereas democratic

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elections have relatively lower entry requirements than meritocratic competitions for political roles, it permanently deprives some groups of the opportunity to be part of the core political decision-making body, that is, the groups who are unable to seek or gain electoral support. I am not arguing that meritocratic selection necessarily outperforms democratic elections in increasing citizens’ prospects of becoming a core public official overall. But clearly under both selection mechanisms for public officials, certain social groups are likely to be disadvantaged. The fact that some social groups could be excluded by the meritocratic processes does not provide us with a decisive case for elections over meritocratic selection of public officials, since allocating public roles by means of elections inevitably disadvantages some social groups as well.

In short, it is hard to dismiss meritocracy by appeal to the value of political participation. In any case, we do think that political systems should provide citizens with fair and equal opportunities for political participation. To understand what this means, and what it takes for a meritocracy to offer such opportunities, it helps to identify some major obstacles to political participation which are often thought to require mitigation.

§3.2. Obstacles to Political Participation

Whether an individual can perform certain political activities depends on her relevant freedom to do so. Performing political activities involves exercising relevant political liberties. It also seems relatively uncontroversial to say that to carry out most activities discussed in §3.1.1, one must at least possess the following liberties: (a) freedom of speech, (b) freedom of assembly, (c) freedom of association as well as (d) freedom to acquire political power or occupy the professions exercising that power. I shall call these the four basic liberties for political participation. The first three liberties secure our freedom to engage in non-professional participation in politics, while the fourth protects our freedom to access opportunities to participate in politics as professionals. It could be controversial what these liberties effectively require, though. But for present purposes, it helps to draw on MacCallum’s (1967) view that most claims about freedom take the form below:

P has the freedom of R, if and only if P is free from obstacle O to do R.
A few related issues are worth addressing. First, not all obstacles that diminish one’s freedom to do something are morally objectionable. Suppose John has permanently lost his voice because he consumed too much spicy food, although he was fully aware of the negative effects of so doing. John’s freedom of speech is undermined, since overconsuming spicy food took away his ability to talk. Yet many might believe that John’s diminishing his freedom of speech in this way is not morally problematic, because he is largely responsible for his loss of voice. Our task, then, is to pick out the morally relevant obstacles, which we have reason to remove or reduce. Thus, we need to flesh out a list of obstacles that might constrain one’s exercise of the four basic liberties, and then consider which of these obstacles are morally objectionable and should call for redress.

Second, opportunity is dependent on freedom. Whether I have the opportunity to be a superstar, for example, depends largely on whether I have the relevant freedom to be so. If my freedom to be a superstar is diminished by the fact that I sing terribly, then my opportunity to be so is likewise undermined by that fact. In the same vein, we have the opportunity to speak, assemble, form or join associations, as well as acquire political power or occupy the professions exercising that power, if and only if we are free to do so. Obstacles to political freedom, in short, are obstacles to political opportunity. In what follows, I shall assume that what constrains people’s political liberties will likewise constrain their opportunity to participate in the relevant political activities. Claims about opportunity, therefore, take a similar shape to those about freedom:

P has the opportunity for R, if and only if P is free from obstacles O to perform R.

With these in mind, we can now further distinguish between several obstacles to one’s political opportunity. To begin with, there are formal or quasi-formal obstacles. In many authoritarian regimes, for example, not all citizens enjoy the legal rights to free speech, assembly, association and to run for public offices. These rights might only be granted to a specific class of ruling elites, or those of certain gender, races, income level, age and so on. When citizens express political views or participate in assemblies and associations that are unacceptable from the government’s point of view, they are likely to be subject to coercive threats to their agency, property and personal safety. Some regimes might state in their
constitutions that all citizens are entitled to such liberties, but effectively only a small number of citizens can be protected by them, since the government can coerce those attempting to exercise their constitutional rights to free speech, assembly and association on arbitrary legal grounds. Such obstacles to citizens’ political liberties are quasi-formal, in the sense that their effects do not de facto differ very much from formally depriving some citizens of those liberties. Another example is the disenfranchisement of children in many established democracies today. Not only do children lack the freedom to select the political decision-makers, but they are also formally deprived of the chance to run for elections. These formal or quasi-formal obstacles to people’s exercise of their basic liberties will effectively diminish their opportunity to participate in the relevant political activities.

There are also informal obstacles to political participation. These obstacles can be economic. In a democracy, for example, the major means by which citizens acquire the positions in the core executive and/or legislature is to run for elections. Running for elections, however, is tremendously expensive. In the 2016 US presidential election, for example, Trump put ‘$66 million in self-funding for his presidential campaign and $957 million in total campaign’ (Mazo and Kuhner, 2018: 4). While the financial threshold for participating in elections might be particularly high in the US compared to other democracies, there are other reasons to think that money constrains citizens’ impact on the political decision-making processes. For example, as Christiano (2012: 250) points out, ‘[policymakers] must make decisions with an eye to what powerful economic entities do in response to those decisions’. This is the case especially when those entities have helped the relevant policymakers to acquire and maintain their political power. Robeyns (2019) also observes that rich people can financially support politicians and encourage them to produce political agenda and decisions favourable to the rich, and that the rich have the financial resources to manipulate public opinions by purchasing media outlets or supplying citizens, according to their online footage, with tailored information. The poor rarely have the economic capacity to influence political decision-making, nor can they manipulate public opinions as easily as the rich. In short, economic factors greatly affect whether citizens can participate in certain political activities, and what they can achieve by taking part in them.

Informal obstacles to political participation can also be epistemic. To perform some political activities, we must know certain things. For example, to select our political decision-makers, we must at least know how the selection mechanisms work. To form or participate
in a political association, we must know the ways in which we can do so. Sometimes we do not only have to know certain things, but we also have to know more than others, especially when it comes to competitive political activities. To compete for occupations exercising political power, for example, we must at least know something about what occupations are available, the relevant selection criteria, ways to occupy them and so on. But to successfully acquire those occupations, we must know better than our competitors how best to occupy them. Not only are there certain epistemic preconditions for participating in politics, but how far an individual can go in the political arena also depends on her having superior epistemic competence to her competitors.

In addition, some obstacles to political participation are structural or social. These obstacles are rooted systematically in our social and political institutions. Examples of these obstacles include, but are not limited to (a) the silencing and underrepresentation of certain social groups in political institutions or public discourse; (b) educational and racial discrimination; (c) residential segregation; and so on. In many societies today, for example, women are still politically disadvantaged in the sense that their voices are not sufficiently represented in the political sphere, nor are their opinions taken seriously by their fellow male citizens and government; they also lack access to many important policymaking positions (Teele et al., 2018). Also, major political actors tend to be those with higher educational qualifications. For instance, better educated citizens dominate almost every political institution and venue in Western Europe, ranging from political parties, cabinets and parliaments, to interest groups, political deliberation occasions as well as internet consultations (Bovens and Wille, 2017). Another related issue is that members of disadvantaged groups tend to live together, while this enables the advantaged groups to deny public goods to the disadvantaged. Anderson (2007: 602) sheds light on this problem very well:

The citizens of a rich town may vote for zoning regulations that prevent the construction of housing for lower-income people. They may then provide themselves with excellent schools from which they have effectively excluded the less advantaged. They may insist on local funding of schools, to prevent

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33 For more in-depth discussions of structural injustice, please refer to Anderson (2007), Powers and Faden (2019) as well as Young (2003).
the less advantaged from gaining access to revenues drawn from property
taxes on the rich.

As said earlier, to perform certain political activities, some epistemic competence is required,
while such competence is developed through education. The segregated poor, then, are likely
to be deprived of the educational resources allowing them to develop the knowledge and
skills valued by occupations within the political sector. Their opportunity for occupying
political professions is thus limited. Finally, one’s political opportunity can be informally
constrained by natural obstacles. For instance, some might lack the native talents that enable
them to perform well at schools. While educational qualifications are often influential on
one's career success in politics, an individual’s natural disadvantage in learning will effectively
undermine her political opportunity over the long run.

Here is a summary of the obstacles to political participation I identified. First, formal
or quasi-legal formal obstacles to political participation refer to the legal barriers to one’s
(exercising influence through) participation in certain political activities. Second, obstacles to
political participation can be informal: economic, epistemic, structural and natural factors can
all limit one’s opportunities to participate in politics, and how much political influence one
could have. But how should we respond to these obstacles? I will address this question in the
following section.

§3.3. Fair Equality of Political Opportunity (FEPO)

In this section, I provide an interpretation of Fair Equality of Political Opportunity (FEPO),
which is a set of general principles explaining why the obstacles identified in the previous
section should require mitigation, and when. My account of FEPO is partly inspired by
Rawls’s view on the subject, although I reject parts of his view. Before I present that account,
I shall summarise Rawls’s thoughts on political opportunity.

Rawls’s (2005: 5) account of political opportunity is best presented by his first
principle of justice, the principle of equal basic liberties (PEBL):

Each person has an equal claim to a fully adequate scheme of equal basic
rights and liberties, which scheme is compatible with the same scheme for all;
and in this scheme the equal political liberties, and only those liberties, are to be guaranteed their fair value.

Which basic liberties, then, are ‘political’? Rawls’s answer to this question is unclear. As Brighouse (1997: 159) says, “The political liberties [on Rawls’s account] are not specified in detail, although it is certain that they include for example the rights to vote and to stand for election’. However, the liberties to vote and to stand for elections are only possible when positions of authority are allocated by elections, and Rawls himself did not provide an obvious case for the thought that those positions should be allocated by electoral means. To proceed, therefore, I shall read Rawls more broadly. I assume that Rawls understands political liberties as those prerequisite liberties for individuals to participate in politics, for example, in ways identified in the previous section. The basic political liberties, I suppose, at least include (a) freedom of speech, (b) freedom of assembly, (c) freedom of association as well as (d) freedom to seek political influence or occupy the professions exercising that influence, and so on.

Meanwhile, Rawls (1999: 198) claims that

[The basic political liberties] lose much of their value whenever those who have greater private means are permitted to use their advantages to control the course of public debate. For eventually these inequalities will enable those better situated to exercise a larger influence over the development of legislation. In due time they are likely to acquire a preponderant weight in settling social questions, at least in regard to those matters upon which they normally agree, which is to say in regard to those things that support their favored circumstances.

Because socioeconomic factors lead to inequalities of political influence, Rawls (2005: 327) further argues that the *fair value* of political liberties should be secured, which requires that ‘[everyone] has a fair opportunity to hold public office and to influence the outcome of political decisions. This notion of fair opportunity parallels that of fair equality of opportunity in the second principle of justice*. 
Fair equality of opportunity (FEO) requires the following: ‘positions are to be not only open in a formal sense, but that all should have a fair chance to attain them’ (Rawls, 1999: 63). Formal EO with respect to the assignment of social goods (e.g. occupations, resources, rewards etc.) obtains, if and only if there are no legal and institutional barriers to one's access to such goods (Daniels, 1978b: 217). Put differently, formal EO requires only that the allocation of social goods be formally open to talents. FEO goes beyond that: on this view, social goods should not only be formally open to talents, but those with similar natural talents and motivation ought to have similar life chances or prospects of success, irrespective of their initial socioeconomic position (Rawls, 1999; 2001a). Why, then, should one’s life chances not be affected by one’s socioeconomic starting point? Rawls’s (1999) answer, very briefly, is that one’s initial socioeconomic location is contingent and morally arbitrary. It is unfair for an individual’s life prospects to be affected by that location, for which she is not morally responsible. For Rawls, the effects of morally arbitrary factors on life chances should be mitigated.

In sum, Rawls permits inequalities in political opportunity, only if the following conditions are met. First, each citizen has an equal and adequate set of formal political liberties. This requires that there be no legal or quasi-legal barriers to citizens’ political participation. Second, one’s chances of acquiring political opportunity should be as far as possible independent from one’s socioeconomic circumstances. Rather, that opportunity should depend upon one’s natural talents and efforts.

Rawls’s (1999) overall view on political opportunity should also be considered in conjunction with his second principle of justice, Democratic Equality, which is lexically lower than the PEBL and primarily deals with the distribution of socioeconomic goods. According to Democratic Equality, socioeconomic inequalities are permitted, only under background conditions of (a) FEO, as applied to the distribution of socioeconomic goods, and (b) the difference principle (DP), according to which socioeconomic inequalities are permissible only if they maximally benefit the least advantaged (Rawls, 2005: 6).

As noted earlier, Rawls is well aware that socioeconomic position greatly affects the worth of political liberties for citizens. The socioeconomically disadvantaged are likely to find their political liberties less valuable, because the impact they can make by those liberties is largely constrained by their socioeconomic disadvantage. Democratic Equality is, all things considered, what Rawls takes to be the right principle mitigating the effects of socioeconomic
factors on the value of political liberties, on the condition that the PEBL has been fulfilled. Even in a society where FEO obtains, those with better natural endowments and motivation are likely to be in a socioeconomic position enabling them to exercise greater influence via their political liberties. The DP ensures that the least disadvantaged can benefit maximally from economic inequalities arising from the background conditions of the PEBL and FEO, thereby minimising the negative impact of socioeconomic inequalities on the value of political liberties for the least well-off.

To clarify, Rawls does not claim that inequalities of political opportunity should be permitted when they maximally fulfil what Democratic Equality requires. One political meritocrat, Tongdong Bai (2020: 102), for example, defends a sort of political difference principle: political inequalities are permissible if they best benefit the least well-off materially. But Rawls’s view is not akin to the political difference principle. Suppose there is an authoritarian regime, the political leaders of which are extremely competent at making policies that satisfy the demands of Democratic Equality. This regime, however, restricts heavily citizens’ basic liberties to participate in politics. This would be an unjust society for Rawls, because the PEBL takes priority over Democratic Equality. The only permissible inequalities of political opportunity are those specified by the PEBL, and inequalities of political opportunity cannot be allowed because this better realises the demands of Democratic Equality. Democratic Equality should be seen as a separate set of principles, subject to the constraints of the PEBL, that help to increase the worth of political liberties for the disadvantaged, rather than a condition on permissible inequalities of political opportunity.

What does Rawls say more specifically about the opportunities for professional political participation? What would be the implications of his view on one’s chance to attain positions of political authority? In a just society, as Rawls understands it, the equal basic liberties of everyone are fairly secured; there is fair and equal opportunity to acquire social positions; the most disadvantaged benefit most from socioeconomic inequalities, in terms of their socioeconomic prospects, and the influence they could have in exercising their political liberties. However, in such a society, the more talented would have higher chances of attaining positions of political authority. The opportunities and resources they earn for their

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34 In the Yale Political Theory Workshop, Bai generously clarified to me that his political difference principle should be seen as a revision of Rawls’s view, instead of what is implied by Rawls’s account.
better political prospects than other citizens also result entirely from their natural endowments, not their initial socioeconomic location.

Rawls’s account of political opportunity, however, is often troubled by his differential treatment of social and natural determinants of life chances. Rawls (1999: 63) notes that both social and natural determinants of life chances are morally arbitrary. On his view, natural determinants should be regulated by the DP, but social determinants are instead subject to FEO (Rawls, 1999: 74-83). But this move is puzzling: if the basis for FEO is that social determinants of life chances are morally arbitrary, and if natural determinants are no less arbitrary than social determinants, then it is unclear why social and natural determinants should be regulated by different principles. As Clayton (2001: 248) argues, Rawls somehow falls short of ‘a morally relevant distinction which supports the appropriateness of dealing with natural causes of inequality differently to those generated by social causes’.

In addition, what makes a determinant of life chances natural instead of social? One can understand natural determinants as biological endowments—that is, one’s biological features at birth. But it might be argued that biological endowments are affected by socioeconomic environment as well. Assortative mating, genetic engineering and so on, are certain means by which socially or economically capable parents alter the biological features of their children prior to their birth (Arneson, 2015; Kollar and Loi, 2015). The notion of natural determinants of life chances, therefore, is itself controversial. Since Rawls’s account of political opportunity is closely tied to FEO—which relies on a controversial distinction between natural or social determinants of life chances—we need an alternative that will not get into similar troubles.

Finally, Rawls’s PEBL might regulate too little, in the sense that it permits at least inequalities of political opportunity driven by natural factors. Suppose there is a society in which FEO obtains: those with similar natural endowments and motivation have similar life chances. However, it is almost inevitable that some individuals would have the natural endowments giving them greater opportunity to influence politics. For example, many of those with successful political career tend to be very sociable and articulate, whereas some people are naturally endowed with great social and communicative skills. Rawls’s view on political opportunity does not seem to find this kind of natural political advantage.

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35 See Fishkin (2014) for a similar line of reasoning.
objectionable. But this is controversial: if we accept the general assumption that political opportunity ought to have value for individuals regardless of their natural features, why should it be particularly valuable for the naturally endowed, in the sense that the naturally endowed can permissibly have greater political influence?

For these reasons, I propose an alternative and simpler account of FEPO that circumvents the problems troubling Rawls’s view. FEPO, I argue, requires the following:

(a) *Equal Formal Political Opportunity*: There should not be formal and quasi-formal obstacles to non-professional political participation, whereas entry to professional participation should be formally open to all.

(b) *Fair Political Contest*: If some individuals are equally meritorious of some political opportunities, then their chances of acquiring those opportunities should be roughly the same.

Part (a) of FEPO should be reasonably uncontroversial. Today very rarely would anyone find it acceptable for a regime to restrict its citizens’ opportunity to participate in non-professional political activities, such as protests, expressing political opinions, and so on. Most would also agree that entry to public office should at least be formally open. To these ends, some institutional prerequisites, such as judicial independence and the rule of law, are required (Wall, 2018). These institutional prerequisites protect citizens from being deprived of their basic liberties for political participation on arbitrary legal grounds. The implications of Equal Formal Political Opportunity for the obstacles identified in §3.2 are also clear: formal and quasi-formal obstacles to political participation should call for redress.

Fair Political Contest requires more elaboration. It presupposes that we can make merit claims about political opportunity. Why, then, should the distribution of political opportunities track differences in merit? The answer, I believe, lies in our interests in *fairness* and *equity*. We normally think that jobs, rewards, life opportunities and so on should go to those best-qualified for them. If two candidates for the same job are equally qualified, but one of them stands a better chance of getting the job, we are inclined to believe that the distributive process of the job is somewhat unfair or inequitable. If we find unfairness and inequity in the allocation of socioeconomic goods and opportunities objectionable, then to
be consistent we should likewise take unfairness and inequity seriously in the distribution of political opportunities. If two persons merit some political opportunities to the same extent, it is unfair for their chances of acquiring those opportunities to be unequal.

A related question is when individuals merit a sort of political opportunity. My view is that every citizen is equally meritorious of the opportunity to participate in politics in general. It would thus be unfair and inequitable if some individuals have greater opportunity to participate in politics (e.g. due to socioeconomic or legal reasons). For example, if some individuals lack the opportunity to make meaningful influence over public discussions because they lack the financial resources to do so, this would upset Fair Political Contest, since their ability to influence politics is unfairly and inequitably disadvantaged. But why should individuals merit equally the opportunity for political participation? In response, I can only appeal to the general assumption that we have a fundamental interest in political participation. This interest is fundamental because opportunities for political participation are almost always useful whatever our conceptions of the good. We have an interest in shaping our political world such that it coheres with our visions of the good.

Although every individual merits equally the opportunity to participate in politics, not every individual merits political professions equally, for two simple reasons. First, political professions are often a scarce resource which cannot be shared by everyone. The number of political professions available is finite, and when this happens decisions must be made over who are best-qualified for those professions. Second, not everyone has an interest in participating in politics as professionals. One’s good life might not involve pursuing a political career. An interest in political professions cannot be fundamental, because political career is not a necessary component of good life for all. However, we have a fundamental interest in an opportunity to participate in politics, because an opportunity to shape our political world is necessary for us to lead a good life. This includes the opportunity, both formal and informal, to participate in politics as professionals, but we do not have a fundamental interest in political professions per se.36 Because individuals merit the opportunity to participate in politics equally, we can now explain why, for example, economic, structural, epistemic, legal and natural

36 Christiano (2008) has a similar line of reasoning in Chapter 1 of his Constitution of Equality, which appeals to the idea of human dignity. My view does not appeal to that idea, however.
obstacles to political participation are objectionable: they unfairly and inequitably diminish some individuals’ opportunity to participate in politics, to shape their common political world.

Another related question is whether Equal Formal Political Opportunity is a more important requirement of justice than Fair Political Contest. I am inclined to say ‘yes’, because formal political institutions and procedures that define and distribute liberties and rights have the publicity effects of declaring the political status of citizens. When some citizens are deprived formally the liberties to participate in politics, those citizens are publicly declared as politically inferiors. In our public political culture at least, this is likely to create a deep sense of resentment and insult among citizens. The second reason is that without Equal Formal Political Opportunity, it is hardly possible for Fair Political Contest to obtain. For instance, political contests are unlikely to be fair, if the formal entry to those contests is not guaranteed to all; if exercising basic political liberties would threaten our agency, property or safety, the consequences would be too grave for us to bear. Therefore a political system that offends Equal Formal Political Opportunity, other things being equal, tends to be more unjust than one that offends Fair Political Contest.

Here are some brief remarks on how this interpretation of FEPO differs from Rawls’s account of political opportunity. Both Rawls’s and my view are against formal obstacles to political participation. However, my interpretation of FEPO does not rest on controversial assumptions about when one’s political (dis)advantage is caused by social or natural factors. Also Rawls’s view does not dismiss natural obstacles to political participation, whereas my view does, because all obstacles to political participation undermine Fair Political Contest. Another difference between my view and Rawls’s account is this: I treat FEPO as some weighty principles of justice, but they can be overridden by other moral considerations. Rawls, in contrast, takes the PEBL as the most important principle of justice regulating the basic structure of society. These features of my interpretation of FEPO have three merits. First, it is not subject to the potential criticisms of the distinction between natural or social causes of political (dis)advantage, which is made by Rawls’s account. Second, it condemns all obstacles to political participation, whereas Rawls’s view permits great inequalities of political opportunity so long as they are solely caused by differences in natural endowments and motivation. Third, when FEPO is conceived as a set of weighty but overridable principles of justice, it is much more flexible than Rawls’s view when it comes to questions about the trade-offs between widening political participation and other principles of justice.
What, then, would FEPO demand on meritocracy? That is, what features a system of meritocracy should exhibit, were it to satisfy what FEPO requires? Clearly, to meet Equal Formal Political Opportunity, the most important requirement of a meritocracy is that it imposes no formal or quasi-formal obstacles to political participation on citizens. A meritocracy should also be committed to mitigate whatever political obstacles that might upset Fair Political Contest. But the main feature distinguishing meritocracy from democracy is that the former allocates political power, or positions of authority, by merit-based criteria. One important question, therefore, is what an FEPO-sensitive meritocratic selection process of public officials would be like.

One feature of such a selection process is that it should be formally open to all. In other words, if a meritocracy has some political decision-making bodies the officials of which are chosen by merit-based criteria, then any citizen who meets those criteria should be eligible to compete for the positions within those bodies. However, Fair Political Contest also condemns whatever obstacles to political participation. This means that in an FEPO-sensitive meritocracy, citizens’ opportunity to acquire meritocratically allocated public positions should be minimally affected by social, economic, epistemic and natural factors. In other words, to satisfy FEPO, a meritocracy must as far as possible provide the best social and economic conditions for citizens to develop whatever skills enabling them to succeed at the meritocratic competitions for political roles.

It is crucial that a meritocracy should be committed to FEPO. One reason is that the availability of political talents should be maximised. Some disadvantaged groups could have great potential to contribute valuably to the political processes, but if their political skills are not adequately cultivated, this could upset a goal that meritocracy is purported to achieve, that is, to attract political talents to the ruling body of the government, because the potential of such groups to contribute to politics is wasted by the fact that they lack the access to acquire the skills and qualifications valued by political decision-making roles. Another reason is that FEPO prevents frozen political hierarchies. It is a general social fact that those with great political power tend to accumulate the social, cultural and economic capital enabling their next generations to develop a political career more easily. However, we would

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37 This is also a common reasoning for the more general thought that fair equality of life opportunities matters. See Heckman (2011), Goldman (1987), Mason (2001), Segall (2013), for example.
not want our political procedure to be dominated by any single social group. Individuals must be able to compete for a position of authority, even when they do not belong to a social group that has long been politically privileged.

A final point of relevance is that FEPO is a demanding set of principles on inequalities. As we have seen, inequalities in wealth, access to knowledge, natural endowments, social status and so on can all lead to unequal opportunities for political participation. To meet FEPO, therefore, a meritocracy (and whatever political systems) must mitigate the effects of this wide range of inequalities on one’s access to political participation. For example, it is not enough that the meritocratic processes of selecting public officials be formally open to all. Every citizen must have equal access to the resources and opportunities enabling them to be competitive in those processes. A number of other social policies are necessary to this end: for example, the educational system should as much as possible be organised in a way that no particular citizens can acquire more or less political capital from the system, and the political procedure should seek to represent the interests of citizens from a variety of educational backgrounds.

§3.4. Political Fairness and Equal Political Power

My view of FEPO, I believe, is not particularly controversial. Friends of democracy rarely object that all obstacles to political participation should be mitigated. Even the political meritocrats would probably not find my account of FEPO objectionable, since most of them are supportive of widening political participation, and of whatever measures necessary for making meritocratic competitions of political roles fairer and more open. In any case, my interpretation of FEPO and distinctions between different obstacles to political participation would hopefully bring greater clarity to the question of what fair and equal political participation demands on meritocracy, since, to the best of my knowledge, so far the political meritocrats have not given a systematic account of what a meritocracy satisfying such demands would look like.

But one might question the significance of describing an FEPO-sensitive meritocracy, on the ground that meritocracy itself offends political fairness. The *Fairness Argument* for equal political power, for example, holds that equal power is a crucial condition of political fairness. Even if FEPO includes some relevant conditions of political fairness, another important
component of political fairness is equal distribution of political power. Because meritocracy permits differential political power due to differential merit, it offends political fairness in at least one way. From the standpoint of political fairness, therefore, an FEPO-sensitive democracy, which allocates political power equally, would be morally superior to an FEPO-sensitive meritocracy, other things being equal. In other words, my account of FEPO is sound, but describing an ‘FEPO-sensitive’ meritocracy is unhelpful, because an FEPO-sensitive democracy would better satisfy what political fairness requires overall. The upshot is that we should concentrate on theorising about and working towards an FEPO-sensitive democracy, rather than an FEPO-sensitive meritocracy.

However, this worry about the significance of outlining an FEPO-sensitive meritocracy collapses, once we show that one of its premises—the Fairness Argument—is mistaken. To do this, I shall look at several familiar attempts to justify equal political power in terms of political fairness. Typically, the Fairness Argument for equal power takes the following structure: if a political procedure is fair, it is at least pro tanto authoritative, in the sense that it creates a duty of some weight among its subjects to obey the outcomes of that procedure. 38 However, if we disobey the outcomes of a fair political procedure, we grant ourselves some sorts of special privileges that other subjects ruled by the same procedure do not have. If we grant ourselves special privileges, we fail to treat fairly those for whom such privileges are denied, because we do not treat ourselves and others alike. A political procedure is fair only if it distributes political power equally. Political procedures that distribute political power unequally therefore lack the capacity to have such fairness-based authority over their subjects. Traces of the Fairness Argument can be found in the works of Allan (1998), Buchanan (2002), Shapiro (2002), Singer (1973) and so on.

For present purposes, I grant that a fair procedure has this kind of authority. I also grant that failing to obey the outcomes of a fair procedure can be seen as a violation of our duty to treat ourselves and others fairly. The Fairness Argument, of whatever versions, relies heavily on the assumption that equal political power is an important component of a fair political procedure. I call this the Fairness Assumption about equal political power. Yet, once it

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38 For more general discussions over the relationship between fairness and political authority, see Hart (1955), Klosko (2004), Rawls (2001b), Simmons (1979) and so on.
is shown that the assumption is problematic, the Fairness Argument will no longer be sustainable.

Here are several defences of the Fairness Assumption about equal political power. The first defence is given by Shapiro (2002: 436-438), who sees equal political power as an infrastructure of the fairness of political procedure:

[Democratic] processes are fair because power is shared in a roughly equal manner. Equal power-sharing consists, first, in the equal voting power that individuals, or groups to which they belong, have in the selection of policies or election of representatives. Secondly, equality of power is determined by the equal and meaningful opportunity that individuals, or groups to which they belong, possess to express their views and to persuade others as to the value of their positions.

Shapiro’s claim is that democratic processes are fair only if two conditions are met. First, they must distribute political power equally. Second, they must provide equal and meaningful opportunity for individuals to express their views and establish the value of those views to their fellow citizens. Shapiro, however, does not explain much why both conditions are together necessary for a fair political procedure. In particular, he does not explain why the first condition (equal political power) constitutes the fairness of democratic procedure. There is much literature exploring why an equal distribution of a good does not necessarily imply that the distribution is fair.\(^39\) It is therefore not uncontroversial to justify the fairness of an equal distribution of political power just because it is equal, and it is not obvious how Shapiro can take for granted that equal political power constitutes political fairness. In addition, the second condition Shapiro places on procedural fairness seems compatible with many elements of FEPO. For instance, FEPO requires that opportunities for political participation be maximally free from any obstacles, be they social, economic, epistemic or formal. A meritocracy that takes FEPO seriously would not really deviate much from what Shapiro demands on a fair democratic process, except that meritocracy does not require equal political power.

\(^{39}\) See Broome (1990), Sher (1980) and so on.
The second defence is provided by Jones (1994: 180):

The interests of individuals who form a political community are equally affected by the decisions of that community. Any particular decision may, of course, affect the interests of some individuals more than those of others, but if we take the entire set of decisions, we can say that all members’ interests are equally at stake in the political process...If individuals’ interests are equally at stake in a political process, those individuals, as a matter of fairness, have a right to play an equal part in that process to ensure that their interests are taken equally into account.

Jones understands an individual’s stakes as the extent to which her interests are affected. He holds that a political decision-making or representative-choosing process is fair, only if every individual whose interest is equally affected by the process has an equal say over its outcomes. This idea is in line with the familiar all-affected principle in democratic theory, according to which, in Näsström’s (2011: 117) terms, ‘all those affected by a political decision ought, directly or indirectly, to have a say in its making’.

The kind of all-affected principle constituting Jones’s view assumes that individuals within the same political community might have different stakes at particular political decisions, but they have an equal stake in the entire set of decisions. From this assumption, Jones draws the conclusion that a fair political process must give each individual (within the same political community) an equal share of political power. But there are two problems with Jones’s view. For one thing, he does not clarify the distinction between ‘having an equal stake’ and ‘having some stakes equally’. We say that two individuals have an equal stake in some political procedure, when their interests are affected by that procedure to the same extent. Meanwhile, we say that two individuals have some stakes equally in a political procedure, when their interests are both affected by that procedure to some extent, whether or not the procedure affects the interests of both to the same degree. It makes sense to claim that individuals (within the same political community) equally have some stakes in their political processes in general, since political processes and their decisions tend to have far-reaching impact on

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40 See Dahl (1990), Fung (2013), Goodin (2007), Shapiro (2009), Young (2002) and so on for further discussion of the all-affected principle.
people’s life prospects. Yet it makes little sense to think that individuals have an equal stake in the political processes, because the interests of individuals are often affected by the political processes at different degrees. Jones’s reasoning is fallacious.

For another, Jones makes the claim that a political procedure distributing political power unequally is unfair when and because it does not take seriously the fact that those subject to the authority of the procedure have an equal stake in it. This claim implies that the fairness of a distribution of political power is a function of how well it tracks the stakes of citizens (or any relevant individuals whose interests count). The more equal individuals’ stakes in the political procedure are, the more equal their share of political power should be; and vice versa. However, if the thought that individuals have an equal stake in the political procedure is implausible, then by Jones’s logic a fair distribution of political power must be unequal instead, since individuals’ stakes in the political procedure are often unequal. In fact, any argument positing that the distribution of political power should track individuals’ stakes is likely to welcome unequal political power, when this tracks individuals’ stakes more accurately. As Saunders (2010: 153) argues, for instance, ‘if some decision has greater effects on women than men, and we accept that people’s say ought to be proportionate to what they have at stake in the decision, then the just democratic solution may give both men and women some influence, but women a greater share proportional to their greater stakes’. Defining fairness in terms of stakes, in short, opens a pathway to unequal political power.

The third defence holds that a political procedure is fair only if it structurally mirrors some fair bargaining circumstances, and a political procedure mirrors fair bargaining circumstances only if it distributes political power equally. Rawls’s argument about political justice manifests this view. In his *Theory of Justice*, Rawls (1999: 195-196) writes that

> If the state is to exercise a final and coercive authority over a given territory, and if it is in this way to affect permanently men’s prospects in life, then the constitutional process should preserve the equal representation of the original position to the degree that this is practicable…a constitutional democracy can be arranged so as to satisfy [this] principle of [political] participation…[In a constitutional democracy,] the authority to determine basic social policies

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41 See Brighouse and Fleurbaey (2010) for some sophisticated thoughts on conceptualising, justifying and improving democratic procedure in terms of stakes.
resides in a representative body selected for limited terms by and ultimately accountable to the electorate…each vote [of citizens] has approximately the same weight in determining the outcome of elections.\textsuperscript{42}

Similar arguments were made by Nelson (1980) and Cohen (1997).

Here are some key features of Rawls’s original position (OP) in relation to the idea of fairness. For Rawls, the original position (OP) is a hypothetical device for which we think about the most fundamental principles of justice regulating social, political and economic arrangements. The participating agents in the OP are to decide what those principles should be, while they are assumed to possess the same kind of rationality, interests and information. Rawls’s (1999: 11) basis for homogenising such features of the participating parties in the OP is this: ‘Since all are similarly situated and no one is able to design principles to favor his particular condition, the principles of justice are the result of a fair agreement or bargain’. For Rawls, therefore, the OP is fair because it forbids asymmetric bargaining advantages over what principles of justice are to be chosen.

If our political procedure should mirror the OP as much as possible, then the procedure should minimise the asymmetric bargaining advantages among citizens over what political decisions are to be made as well. However, to this end the value of equal political power is modest, since equal political power is neither necessary nor sufficient for a political procedure without asymmetric bargaining advantages among its participants. It is not sufficient because equal political power is compatible with considerable asymmetric bargaining advantages among citizens. In §3.2, we have already discussed at length how the socially powerful groups can exercise tremendous influence on the political process. Differences in wealth, knowledge, and so on can all lead to asymmetric bargaining advantages among the participants in the political decision-making or representative-choosing process. In fact, those maintaining that a fair political procedure should mirror fair bargaining circumstances are aware of the deficiency of equal political power alone and tend to advocate

\textsuperscript{42} In \textit{Political Liberalism}, Rawls (2005: 330) also expresses roughly the same idea: ‘The guarantee of fair value for political liberties is included in the first principle of justice because it is essential in order to establish just legislation and also to make sure that the fair political process specified by the constitution is open to everyone on a basis of rough equality. The idea is to incorporate into the basic structure of society an effective political procedure which mirrors in that structure the fair representation of persons achieved by the original position’.

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measures widening political participation welcomed by FEPO. This suggests that equal political power, even for many democratic theorists, contributes to the fairness of democratic arrangements only when it operates under strong conditions of FEPO. Meanwhile, equal political power is not necessary because we might even imagine cases in which asymmetric bargaining advantages are minimal within a political process that distributes political power unequally. For instance, Bai (2013a; 2020) and Bell (2015) envision meritocratic political systems in which many if not all members of the core executive and/or legislature are chosen by competitive assessments (e.g. examinations, interviews) rather than democratic elections. But they also advocate that there be sufficient opportunities for people to cultivate the relevant skills and knowledge to be successful in those assessments, and that the interests of the structurally disadvantaged on the political ladder should be represented within the legislature. This does not mean that their models of meritocracy are successful, of course. In Chapter 6 I will explain further the limits of both models. In any case, their suggestions illustrate that political arrangements that distribute political power unequally, at least in principle, can be designed in a way that seeks to minimise asymmetric political bargaining advantages among citizens.

The fourth defence of the Fairness Assumption maintains that a political procedure is fair only if there are no valid complaints about it. This defence is consistent with one ordinary intuition about procedural fairness: a procedure of allocating X is fair, only if the subjects to whom the allocative outcome of X applies do not have any valid complaint about the way in which the procedure in question produces the allocative decision on X. I call this the no-complaint component of procedural fairness. The no-complaint component coheres, for example, with our ordinary view on the fairness of job allocations. If a job candidate is unsuccessful in applying for a job, and she has valid grounds for thinking that the job allocation procedure went wrong in certain ways, intuitively there is reason to suspect that the procedure is somewhat unfair. In a like manner, our political procedure has an allocative dimension. Many decisions of political decision-making or representative-choosing procedure are concerned with allocating the determinants of the life prospects of both citizens and non-citizens. These determinants include, but are not limited to rights, liberties, duties,

43 See Cohen (2003) and Rawls (2005), for example.
44 See Rescher (2018), Scanlon (2018), Segall (2013) and so on for further discussions of the no-complaint component of procedural fairness.
burdens, opportunities, wealth, resources, political power and so on. Following the intuition underpinning the no-complaint component of procedural fairness, it is reasonable to claim that for a political procedure to be fair, it must incite no valid complaints. This view is, for instance, held by Waldron (1999: 70), who understands fairness as something similar to ‘that to which no one can reasonably object’. But what counts a valid complaint about political procedures? The answer to this question overlaps with my discussions of acceptability in Chapter 5. In particular, §5.2 shows that whether or not a political procedure distributes political power equally, it is likely to be subject to some qualified, reasonable or valid complaints anyway, because citizens permanently disagree about what justice demands on a political procedure. If this view is true, then conceptualising the fairness of equal political power in terms of the no-complaint component will lead us nowhere, whereas no conceivable political procedure is free from valid complaint.

To summarise, the major reasons underpinning the Fairness Assumption are not compelling. The Fairness Argument against unequal political power, therefore, does not succeed. Because political fairness does not require equal political power, fairness can coexist with meritocracy. For these reasons, the objection that describing an FEPO-sensitive meritocracy is worthless also collapses.

§3.5. Political Opportunity in the Democratic-Sortitional Model

Before I close this chapter, I shall explain in what senses the democratic-sortitional model is committed to and regulated by FEPO. Under the democratic-sortitional model, citizens are randomly assembled, on a regular basis, to participate in deliberative forums to discuss what interests, skills, experience or expertise merit representation by the core legislature. The current elected members of the legislature are also required to respond officially to the deliberative results of citizens, and produce a set of eligibility criteria for the meritocratic body of legislature. Citizens who meet those criteria can be randomly chosen to occupy the meritocratic body. However, as I said in §1.3, it is also required that those criteria should be

45 As a side note, there are other ways of interpreting the no-complaint thought. For instance, Nagel (1979) holds a more prioritarian approach: he says that X is acceptable if it is least unacceptable to those for whom it is most unacceptable.
publicly clear, in the sense that it is transparent to citizens which groups in the populace meet those criteria, and that no ‘assessors’ should be involved in deciding who meet those criteria.

Several features of the democratic-sortitional model are committed to FEPO. For example, similar to many other models of meritocracy, it imposes no formal constraints on political opportunity. Everyone is free to participate in various political activities. It also gives every citizen an equal formal opportunity to acquire the key positions in the legislature. In fact, the democratic-sortitional model even gives citizens an extra means to participate in politics professionally. In most democracies, citizens can occupy the core political decision-making body only if they have gone through some competitive elections. But under the democratic-sortitional model, not only can citizens run for elections, but they can also be part of the legislature through the meritocratic ladder. This gives citizens an additional way to participate in politics professionally, which does not otherwise obtain in a purely electoral democracy.

Meanwhile, FEPO requires Fair Political Contest. The fact that under the democratic-sortitical model, citizens who meet the eligibility criteria for the meritocratic body are randomly chosen to occupy the body, displays the model’s commitment to this principle of justice: anybody who meets the eligibility criteria stands a fair chance of acquiring those positions. One common concern over meritocratic selection processes is that the assessors of citizens’ merit might make mistakes about citizens’ merit, thereby diminishing the fairness of the processes. I raise a similar concern over Bell’s, Chan's and Bai’s models of meritocracy in Chapter 6. But this problem is less pressing for the democratic-sortitical model, because it invokes merit-based criteria that are assessor-free: fallible human judgments are less likely to distort the fairness of the meritocratic selection process.

While some features of the democratic-sortitical model are favourable for FEPO, the model is also regulated by FEPO. For example, the deliberative forums under the model should be so arranged to ensure free, equal and effective participation from all sectors of society. The standards measure aiming to reduce the participatory costs in elections, such as campaign financing, also apply to the democratic-sortitical model, since it includes one standing democratically elected chamber.

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46 For perspectives on how to make this possible in deliberative forums, see Curato et al. (2017), Fishkin and Ackerman (2002; 2004), Bächtige et al. (2018) and so on.
§3.6. Conclusion

In this chapter, I have distinguished between several major forms of political participation, and when they are valuable. However, as I have shown, the value of political participation is not closely attached to equal political power, which is a defining feature of democracy. The reason is that equal political power is not necessary nor sufficient for the realisation of political participation’s value: some institutional arrangements (such as those proposed by the political meritocrats) that distribute political power unequally can accommodate the worth of political participation, and a democracy in which political power is (formally) equal does not imply that the value of political participation is optimally realised.

This chapter also identified various obstacles to political participation: formal obstacles (i.e. legal barriers to political participation) and informal obstacles (e.g. economic, epistemic, social or structural, natural barriers to political participation). I discussed Rawls’s view on what equality and fairness demand on the mitigation of such obstacles, and his view has three major problems: (a) he is troubled by the distinction between social and natural determinants of life chances; (b) his account permits inequalities of political opportunities, including the opportunities to attain positions of political authority, driven by natural factors; (c) his principles regulating the allocation of political opportunities are too stringent, in the sense that they cannot be overridden by other moral considerations. In light of this, I have offered an interpretation of FEPO which avoids these problems. Although democrats might not disagree with the way in which I understand FEPO, and what it requires, it suffices that my interpretation of FEPO can bring greater clarity to questions about what it is like for a meritocracy to be committed to fair and equal allocation of political opportunity. In addition, one worry about my view is that political fairness does demand equal political power, and if this worry makes sense, then my aim to describe an FEPO-sensitive meritocracy would be meaningless. I replied to this worry by showing that most attempts to ground equal political power on the idea of fairness are unsuccessful. I finished the chapter by addressing the merit of my proposed democratic-sortitonal model of meritocracy from the standpoint of FEPO.

This chapter contributes to the democracy-meritocracy debate in several ways. What political fairness demands on democracy is a familiar subject for democratic theorists, which has already been studied very carefully. However, although most political meritocrats share a concern for widening political participation, not much has been written on the general
principles regulating the allocation of political opportunity within meritocratic political systems. By discussing some possible forms of and obstacles to political participation, and what an influential political theorist (i.e. Rawls) would say about the relationship between fairness and political opportunity, this chapter managed to produce a set of principles (i.e. FEPO) that serves as a worthwhile point of reference for the political meritocrats. Finally, this chapter defends meritocracy against some major fairness-driven defences of equal political power, and explores the merit of the democratic-sortitional model from the standpoint of FEPO. It therefore offers some resources to strengthen meritocracy as a defensible political system, and draws a clearer picture of what value my proposed democratic-sortitional model, which differs from other models of meritocracy, could have.
4. Equality and Equal Political Power

Our ordinary view of the relationship between equality and democracy is perhaps best described by Robert Dahl (2006: 4-6):

If we make two assumptions, each of which hard to reject in reasonable and open public discourse, the case for political equality and democracy becomes extraordinarily powerful...all human beings are of equal intrinsic worth, that no person is intrinsically superior to another, and that the good or interests of each person must be given equal consideration...it almost goes without saying that the only political system for governing a state that derives its legitimacy and its political institutions from the ideal of political equality is a democracy.

Democracy is the political system that is designed to distribute political power equally. If this is true, then Dahl’s view would imply that the ideal of equality requires equal political power. However, meritocracy is the political system that distributes political power on the basis of merit. When individuals’ merit for political power is different, their share of political power also differs. One natural conclusion, therefore, is that meritocracy upsets equality.

The aim of this chapter is to explain why this conclusion is mistaken, by considering two conceptions of equality that are often invoked by egalitarians to justify democratic arrangements: relational equality and public equality. I argue that (a) neither of these conceptions of equality would plausibly commit us to equal political power, and that (b) meritocracy can be compatible with these conceptions of equality. I begin, in §4.1, by contesting the connection between relational equality and democracy. In particular, I focus on the paradigmatic relational-egalitarian arguments for democracy offered by Daniel Viehoff (2014; 2019) and Niko Kolodny (2014a; 2014b). By examining the views of both, I show that equal political power is not a crucial condition for citizens to relate to each other as equals. In §4.2, I turn to the concept of public equality. Public-egalitarian arguments for democracy usually hold that (a) political institutions should be so arranged to publicly treat citizens as equals, and that (b) citizens must be able to see that they are publicly treated as equals. Undemocratic arrangements, moreover, offend (a), (b), or both. With Harry Brighouse’s, Thomas
Christiano’s and Valeria Ottonelli’s arguments in mind, I argue that although public-egalitarians are right about the significance of public equality, they are mistaken to think that public equality requires equal political power. Throughout §4.1 to §4.2, I will also address when meritocracy is compatible with relational and public equality, and highlight the potential of the democratic-sortitional model to meet some sound conditions of relational and public equality. I conclude the chapter in §4.3.

§4.1. Relational Equality

The first conception of equality I examine is relational equality. Egalitarians who value relational equality often hold that there is something valuable about the fact that citizens relate to each other as equals. The ideal of relational equality, as it is usually understood, has two components. The interpersonal component of relational equality draws a list of conditions of what it means for someone to relate to another on an equal footing, depending on such factors as their power, attitude, interests, and reasons for actions. Meanwhile, according to the institutional component of relational equality, socio-political arrangements that are hierarchical and single out some as inferiors and some as superiors, or that create a public culture promoting hierarchical thinking and considerations, should be avoided. The ideal of relational equality is discussed widely by Anderson (1999; 2009; 2010a; 2012), Lippert-Rasmussen (2018), Miller (1997), Scheffler (2010; 2015), Schemmel (2012; 2021), Walzer (1983) and so on. While relational equality is often interpreted as a socioeconomic ideal, some also treat it as the moral basis for democratic arrangements. These people include, but are not limited to Buchanan (2002), Klein (2021), Kolodny (2014a; 2014b), Motchoulski (2021), Shapiro (2002), Singer (1973), Viehoff (2014; 2019), and Wilson (2019).

There are various reasons why relational equality is valuable. For one thing, relational equality can be considered a deontic requirement of what we owe to each other. We have a strong interest in relating to others as equals and not being treated as inferiors. For this reason, it is sometimes argued that individuals are owed equal treatment by political institutions or other agents, or that individuals are owed the socioeconomic conditions more generally for which they can relate to others on an equal footing. For another, relational equality can be seen as a good that ought to be promoted on both intrinsic and extrinsic grounds. Intrinsically, it might be thought that the world goes better if there is more relational equality among
individuals. Extrinsically, it might be said that relational equality among individuals is instrumental to other social goods (e.g. self-respect).  

For present purposes, I grant these values to relational equality. In §4.1.1 and §4.1.2, I explain why our concerns for relational equality would not plausibly commit us to equal political power, by focusing on two political theorists who justify democratic arrangements in terms of relational equality: Viehoff and Kolodny.

§4.1.1. Viehoff’s Argument

I shall start with Viehoff’s (2014: 340) view:

by obeying [democratic procedures], we can avoid acting on certain considerations that must be excluded from our intrinsically valuable egalitarian relationships. The authority [i.e. the capacity to call for compliance] of democratic decisions rests on the egalitarian fact that none of us has more of a say than any other.

To illustrate Viehoff’s claim, three questions are relevant. First, what does Viehoff mean by ‘considerations’? Second, what considerations should be excluded from egalitarian relationships? Third, why can we avoid acting on those considerations if we obey democratic procedures granting an equal say to all? In response to the first question, Viehoff (2014: 351) understands ‘consideration’ as reason(s) for actions. Suppose I go to vote because I treat voting as my civic duty. Here the thought that voting is a civic duty is my consideration, my reason for voting. I can also have multiple considerations for actions. For example, I might decide to vote not only because voting is my civic duty, but also because this duty can be fulfilled at minimal cost. Here the civic responsibility and cost of voting are both my considerations.

To answer the second question, we must first clarify the conditions under which, for Viehoff, an individual relates to someone else as an equal. According to Viehoff (2014: 353-356), X and Y relate to each other as equals only if the following requirements are met:

48 For more discussions of the value of relational equality, see Voigt (2020), for instance.
The Requirement of Equal Concern: X and Y see the interests of each other as equally significant when they determine how to act within their relationship.

The Requirement of Equal Rights: The relationship between X and Y must be structured in a way that (a) gives equal rights and duties to each party, and that (b) X and Y see each other as having equal rights and duties.

The Requirement of Non-Subjection: X and Y have and are committed to having rough equality of power over the interactions making up their relationship. Their relational equality is threatened where X and Y have significantly different power over how they interact with and relate to one another. Their relational equality is threatened also when the actions or deliberation of X or Y are not guided by ‘norms that sustain and protect equal power among us—norms that bar us from relying in our dealings with one another on advantages that are in fact distributed unequally among us, or that we know are quite likely to be so distributed’.

To clarify these requirements further, it is worth looking at a paradigmatic egalitarian relationship that Viehoff (2019: 26) considers, friendship:

49 Viehoff (2014: 353) expresses the three requirements this way: ‘To relate to one another in accordance with the ideal of equality is to see one another’s interests as being equally significant when it comes to determining how to act within the relationship…if I am to relate to you as an equal, then I must take your interests to be of as much significance as mine when it comes to those matters bearing on our relationship’ (the Requirement of Equal Concern); ‘the relationship must also be structured so as to give equal rights and duties to each party. Among friends, for instance, we would expect that my duty to help you when you are in need is mirrored by a similar duty on your part when I need a hand…if we are to relate to each other as equals, we must also have, and see each other as having, equal rights in our relationship’ (the Requirement of Equal Rights); ‘an egalitarian relationship requires, among other things, rough equality of power over the interactions that make up the relationship. Relational equality is, in turn, threatened where the parties to the relationship have significantly different power over how they interact with and relate to one another. We might call this the threat of subjection, and refer to equal power as a matter of nonsubjection. Where the parties to a relationship lack equal power, the relationship lacks the distinctive value associated with relating to one another as equal…nonsubjection requires not only that the parties in fact have roughly equal power, but also that the parties be committed to having equal power. Normally, having such a commitment is a matter of being guided, in our deliberation and actions, by norms that sustain and protect equal power among us—norms that bar us from relying in our dealings with one another on advantages that are in fact distributed unequally among us, or that we know are quite likely to be so distributed’ (the Requirement of Non-Subjection).
Friends take the demands made by their friends’ interests to be symmetrical to those that their own interests make on their friends. More specifically, [Viehoff cites Scheffler (2015: 25),] they each accept in principle that “the other person’s equally important interests…should play an equally significant role in influencing decisions made within the context of the relationship” and they each have “a normally effective disposition to treat the other's interests accordingly” in their deliberation, “constraining [their] decisions and influencing what [they] will do.”

While Viehoff’s remarks above highlight the equal-concern element of an egalitarian friendship, an egalitarian friendship also has an equal-rights component. For example, Viehoff (2014: 354) says, ‘if I have a prerogative to pursue my child’s interests even at my friend’s expense, then she must in turn be permitted to pursue her child’s interests at mine’.

Viehoff (2014: 356) also draws a connection between friendship and non-subjection. Suppose X is Y’s friend. X is charismatic, socially attractive and has many friends. Y, however, is much less charismatic, and X is one of Y’s very few friends. X has the capacity to force Y to accommodate X’s preferences of what to do about their relationship, such as where they hang out, what food they eat, and so on. Why? If Y disregards X’s preferences, X has an easy choice of abandoning her friendship with Y, since X has many other friends. But Y cannot as easily quit her friendship with X because Y only has a few friends. The relationship between X and Y is inegalitarian, on Viehoff’s view, because one party is significantly under the control of another party within that relationship.

To fulfil the Non-Subjection Condition, a rough equality of X’s and Y’s control over their relationship does not suffice. The consideration that each party has in sustaining their equal control over the relationship also matters. Suppose X does not, even if she has the capacity to, force Y to follow her preferences of what to do about their relationship. In most scenarios X acts in a way that accommodates Y’s preferences. Since X always refrains from exercising her capacity to manipulate Y, X and Y have rough equal control over their relationship. However, suppose also that X does not abuse her social advantages over Y within their relationship, not because X thinks that Y is owed equal power over the relationship from the standpoint of relational equality, but because X finds it necessary to act as if she honours equal power over friendship, to maintain Y’s attachment to her. Even in
this case, the relationship between X and Y does not fully fulfil the Non-Subjection Condition, because X’s reason for deliberation and actions leading to her egalitarian treatment of Y within their relationship is *not* based on a sincere *commitment* to relational equality.

Alternatively, suppose X is sincerely committed to equal power within her relationship with Y: X’s efforts to make Y no less influential over their relationship are driven by her genuine commitment to egalitarian friendship. Y also does her part in upholding the relational equality between X and her, for instance, by being no more or less active than X in deciding the interactions making up their friendship. Yet, if Y does that mainly because she is afraid of disappointing X’s expectations and losing a friend, not because Y finds relating to X on an equal standing intrinsically valuable, then, on Viehoff’s reasoning, the relationship between X and Y will still fall short of the Non-Subjection Requirement.

Having outlined Viehoff’s discussions of friendship vis-à-vis relational equality, it is clearer what considerations for him should be excluded from egalitarian relationships: that is, considerations that are not driven by the *intrinsic* significance of (the conditions on) relational equality. The main reason why the two cases presented above offend Viehoff’s Non-Subjection Requirement is that one party within the relationship, as she acts, is not primarily driven by an interest in equal control, which is a component of egalitarian relationships. We can imagine how a similar view extends to the Requirements of Equal Concern and Equal Rights. Suppose that X and Y act as if they see the interests of each other as equally important. They also act as if they celebrate equal rights and duties among both parties. But if they, for example, do so mainly because they foresee the likely negative social consequences (e.g. disrespect from others) of failing to act as if they value equal concern and equal rights within friendship, they are acting on considerations that should be excluded from egalitarian relationships. In short, an egalitarian relationship does not just require that equal concern, equal rights and equal control obtain. Considerations that are not driven by a concern for relational equality per se should also *not* intervene in the interactions between the parties within a relationship, for that relationship to be properly egalitarian.

Finally, how does Viehoff establish the thought that we can avoid acting on the considerations to be excluded from egalitarian relationships, if we obey democratic procedures? Suppose we live under a political procedure that distributes political power unequally; some have more or less say over what political decision-making or representative-choosing outcomes should be produced. Those with more political power can rely on their
power advantages to subject others to their greater control over political outcomes. However, unequal political power does not just give some citizens this capacity, which is objectionable according to the Requirement of Non-Subjection. Also problematic is the fact that power asymmetry itself is a consideration upon which individuals can act. If I know, for instance, that I have more (or less) political power than my fellow citizens, then I am likely to take that power asymmetry into account when deciding how I use my share of political power. Such consideration, for Viehoff, is detrimental to the egalitarian character of the political relationship between citizens, because individuals can relate to each other as equals only if, as they interact, exclude considerations that are not centred on a concern for relational equality.50 A democratic procedure has authority when and because it addresses our interest in settling ‘on common rules in spite of disagreement without letting asymmetrical power play an important role in determining the settlement’ (Viehoff, 2014: 368).

It requires more space than is available to present all the relevant components of Viehoff’s view. Nevertheless, what has been said so far suffices to form the basis for my worries about his view. First of all, questions might be asked about Viehoff’s strategy of justification. Viehoff first describes a paradigmatic example of egalitarian relation, that is, friendship. He identifies three norms, the Requirements of Equal Concern, Equal Rights and Non-Subjection, that we intuitively think would sustain an egalitarian friendship. He then supposes that these norms are applicable to egalitarian political relations as well. Yet this raises two problems. First, for a friendship to be egalitarian, are those three requirements together necessary? Second, even if an egalitarian friendship should in fact be regulated by those three requirements, does it mean that the egalitarian norms applicable to friendship also apply to political relations? Viehoff’s response to the first question is ‘yes’, but not everyone might say the same with much certainty. Consider a relationship between two individuals: R and P. R is very rich, and his father is the owner of a famous football club. Both R and P are talented players who play under the club of R’s father. But P came from an extremely poor family, and P is not reputable enough yet to move easily to another club that can treat P as well as

50 This reading of Viehoff (2014: 367-368) is derived from here: ‘we have reason to ensure that considerations of unequal power that would threaten the valuable egalitarian character of our relationship not play a central role in determining what coordination solution [to political problems] we adopt. If we are committed to nonsubjection, we must avoid relying on power that is clearly distributed unequally, for instance, on the kind of economic or physical power that enables us to bribe or threaten others to converge on our preferred solution. Nor must we rely on power advantages…the distribution of which is very likely unequal’.
the club of R’s father. P, therefore, is dependent on the club. Even so, R and P show much
concern for each other, they take the interests and rights of each other very seriously, they
generously support each other, they make fun of each other all the time in a respectful way,
and so on. Meanwhile, R clearly has greater power over P. Because R’s father is the owner of
the club, R in fact has greater capacity to ask or influence P to take R’s interests more seriously.

It is unclear why the relationship between R and P is inegalitarian. There are many
cases in which we make friends with those who have greater power over us, due to their
charisma, wealth, strengths and so on, yet we do not necessarily regard our relationship with
these people as inegalitarian. But by Viehoff’s standards, the relationship between R and P
(and between individuals whose relationships are characterised by power asymmetry) is
inegalitarian, simply because power asymmetry exists among them. But this implication of
Viehoff’s view does not seem obviously true: many of us might hesitate to regard our
relationship with those more powerful than us as inegalitarian, just because they are more
powerful. Rather, we tend to regard power asymmetry as a threat to relational inequality, if
those with whom we have a relationship take advantage of that asymmetry in influencing how
we act within that relationship. Consider two scenarios. In the first scenario, R tries at all
times to interact with P in a way that avoids considerations of his identity as the son of the
club owner. Power asymmetry exists, but R does not take that power asymmetry into account
when he acts within his relationship with P. The relationship between R and P in this scenario
does not look clearly inegalitarian. In the second scenario, R tries to manipulate P to take R’s
interests and preferences more seriously, by acting in ways that remind P of R’s identity as
the club owner’s son. For example, R might indicate to P that R often talks privately to his
father about other players within the club, and how the club ought to be run. The relationship
between R and P in the second scenario is more obviously inegalitarian. The reason is that,
in this scenario, R takes advantage of his greater power over P, by signalling to P that R has
much influence over the club, to drive P to take better care of R’s interests and preferences.
The lesson we learn from this example is this: although the Equal Rights and Equal Concern
Requirements are some sensible norms of egalitarian friendships, the Non-Subjection
Requirement might not plausibly be such a norm. Non-Subjection requires that there be no
power asymmetry within friendships. But we can easily think of some examples of friendships
in which power asymmetry exists, but they do not seem inegalitarian.
To avoid this counter-intuitive implication, one can revise the Non-Subjection Requirement in this way: power asymmetry among friends is *conditionally* objectionable from the standpoint of relational equality, if (a) some individuals benefit from their power superiority to manipulate the interests and choices of their friends, and if (b) some individuals within the friendship take into account their power (dis)advantages in comparison to others, when they consider how to act within the relationship. The mere existence of power asymmetry, in short, does not threaten relational equality (among friends). But it threatens relational equality when some parties take advantage of and have their actions driven by that asymmetry. I call this revised version *Weak Non-Subjection*.

Suppose Viehoff is right about the norms (i.e. the Requirements of Equal Concern, Equal Rights and Non-Subjection) that apply to egalitarian friendships. Do those norms apply to egalitarian political relations as well? The Requirements of Equal Concern and Equal Rights fail to provide a strong case against unequal political power. For one thing, Equal Concern merely reminds us that there should be favourable conditions for citizens to see the interests of each other as equally significant. But this need not be done exclusively by giving all citizens an equal share of political power. Consider a society in which political power is mostly given to egalitarian experts. These experts see the interests of their fellow citizens as no less important than theirs. They are also competent at making policies that encourage citizens to interact with others in a way that treats the interests of everyone seriously. This society does not seem to fall short of Equal Concern. One might reply, though, that equal political power better incentivises citizens to honour Equal Concern. Why? Because many of our contemporaries share the belief that the interests of nobody are more important than others. Equal political power is an institutional manifestation of this intuition. Living in a society in which political power is equal among all, citizens can be reminded of that belief more often, and it becomes easier for that belief to shape how they interact with others in everyday lives. This is not a strong case for equal political power, however, since equal political power is not the *distinctive* political arrangement to that end. The imagined society ruled by egalitarian experts I just mentioned, for instance, can arguably be no less effective in fostering this belief among citizens. Suppose the egalitarian experts are very competent at making educational policies cultivating citizens’ concern for relational equality. Every citizen is brought up to share the thought that the interests of everyone matter equally. In this case, citizens are still able to value relational equality, without living under equal political power.
For another, unequal political power is consistent with Equal Rights among citizens. This requirement, as applied to the relationship between citizens, demands merely that (a) their rights and duties as citizens be equal, and that (b) citizens see each other as having equal rights and duties. However, condition (a) does not say anything further about what rights and duties citizens should have. Consider the proposal that political power should be distributed by means of competitive examination rather than democratic elections. This proposal can be found in Bai’s (2013a; 2020), Bell’s (2015) and Jiang’s (2013) accounts of meritocracy. The best scorers in competitive examination of one’s moral and political knowledge can occupy the political decision-making body. This proposal gives all citizens an equal right to participate in the examinations, and only the best achievers can become the core public officials. Citizens also share equally other rights and duties. It is not obvious how this proposal offends condition (a) of the Requirement of Equal Rights. One might think that under this proposal, the rights and duties are in fact unequal among the better and worse scorers in the political examination, since the better scorers have some distinctive rights and duties as public officials. But this is a mistaken interpretation of condition (a). If we take the mere fact that those occupying public roles have rights and duties different from those of ordinary citizens, then most contemporary democracies in which core members in the government are given special privileges and duties would offend the Requirement of Equal Rights. Condition (a) does not antecedently rule out that individuals can have differential rights and duties depending on their roles, so long as the right to compete for those roles is equal. In that sense, a regime that distributes political power based on equal examination does not offend condition (a). As for (b), consider again the imagined society ruled exclusively by egalitarian experts. Suppose they see their duties and rights, from a citizen’s standpoint, as equal to all other citizens. They also make good policies that encourage citizens to endorse this standpoint. This society does not distribute political power equally, but it looks compatible with (b).

For these reasons, Viehoff’s first two requirements of egalitarian relations are not too troubling for unequal political power. Now I shall turn to Non-Subjection. First, consider again the two senses in which power asymmetry is problematic from the standpoint of Non-Subjection. On the first sense, if some members of a particular relationship have greater say over how that relationship should be organised, other members of the same relationship are subject to the preferences and will of the more powerful members, when it comes to deciding
the matters within the relationship. On the second sense, power asymmetry itself is a consideration for actions that undermines one’s commitment to relational equality. How does unequal political power offend Non-Subjection? First, unequal political power gives the more politically powerful individuals the capacity to subject the less powerful to their will and preferences. Second, power asymmetry under unequal political power would be a consideration for which citizens act, which diminishes the egalitarian character of their relationships. If I know that I have more political power than you, this could be a consideration when I think about how to interact with you. This, for Viehoff, is an obstacle to relational equality among citizens.

It is puzzling, however, how a political world in which individuals are not subject to the preferences and will of their more powerful fellow citizens can ever be realised. One reason is that individuals can form coalitions in influencing the political procedure. An individual might not be powerful enough to subject her fellow citizens to her political preferences. But if there are an adequate number of citizens who converge on their interests, they, as a group, can overpower other citizens, and therefore subject other citizens to the preferences and will of the group. In fact, this looks like how democratic politics works: the power of individuals over the political processes are rarely significant, but once coalitions are formed groups can exercise tremendous power over the processes.\(^51\) If this is correct, then it seems that no citizens can ever relate to each other as equals.

To be sure, Viehoff might acknowledge that political coalitions make it highly likely that political power is unequal among groups, and that this could threaten the relational equality among citizens. However, his account of relational equality exactly explains why this phenomenon is objectionable and should be mitigated; the fact that inequality of political power permanently persists does not imply that such inequality need not call for redress.\(^52\) This response is fair. But the fact of political coalitions does not merely ground the non-ideal claim that Viehoff’s demands on relational equality are hardly realisable because asymmetries in political power must persist. It also shows that Viehoff’s view has a very strong implication of the objectionability of political relations per se. Here is the thought:

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\(^{51}\) See Simpson (2017) for relevant discussions over a similar view, although his interest is primarily in the republican conception of freedom.

\(^{52}\) I am grateful to an anonymous reviewer of the Oxford Graduate Conference in Philosophy for making this point.
(1) According to Viehoff, the norms (i.e. Equal Concern, Equal Rights and Non-Subjection) that sustain egalitarian friendships also apply to egalitarian political relations. In particular, Non-Subjection requires the absence of power asymmetry.

(2) If the political relationship among some agents involves power asymmetry, that relationship is inegalitarian and thus objectionable.

(3) Because it is a permanent fact of our world that people can form political coalitions, political relations inevitably involve power asymmetry, under whatever political arrangements.

(4) Therefore, all political relations are inevitably deficient from the relational-egalitarian standpoint, because they must involve power asymmetry due to the fact of political coalitions, and for this reason, offend Non-Subjection.

The upshot is that on Viehoff's account, we cannot even think of any ideal political relation that is fully egalitarian. Even if we find this implication acceptable, there is a problem that remains unresolved: why should inequality of political power among individuals be avoided? Viehoff's answer seems to be that it should be avoided because it threatens relational equality. But why does unequal political power offend relational equality? Viehoff's answer is that relational equality among citizens requires equal political power. Yet this is tautologous. We need some independent justifications of the thought that equal political power constitutes egalitarian political relations.

There is also reason to think that Weak Non-Subjection, as I discussed earlier, is a more appropriate norm sustaining egalitarian political relations. If asymmetries in political power inevitably persist, then what seems more important and viable is to keep the politically powerful under control, such that they are unable to unreasonably or illegally benefit their power superiority to submit the less powerful to their will and preferences. Also, even if asymmetries in political power persist, relational equality is preserved if individuals interact with their fellow citizens in ways that avoid taking asymmetries in political power into
consideration. But to satisfy Weak Non-Subjection, equalising political power does not seem necessary and feasible. Rather we should establish institutions and social conditions such that the more politically powerful are kept under control, and power asymmetry is as much as possible absent from citizens’ consideration of how they interact with others.

Even if Weak Non-Subjection is more promising than Viehoff’s version of Non-Subjection, there are several other difficulties with developing a case, centred around the concept of ‘consideration’, against unequal political power. Recall Viehoff’s second objection to unequal political power according to his version of Non-Subjection. That objection says that, power asymmetry under unequal political power would be a consideration for citizens’ actions. If citizens’ actions are informed by that consideration, the egalitarian character of their relationship with other citizens will diminish.

But there are at least two problems with this view. First, Viehoff does not take seriously the fact that the objectionability of power asymmetry, as a consideration, could depend on what that consideration is for. Suppose Mun is a powerful political leader in an authoritarian country. Mun is fully convinced by Viehoff’s ideal of relational equality. He is keen to enforce a range of political reforms to bring his country closer to the ideal. He knows that this involves reforming the political relations among citizens, for instance, by granting each person equal and effective political liberties, and abolishing the existing unequal way of distributing political rights. Mun considers the fact that he has power advantages over many of his fellow citizens; he then decides to utilise those advantages to produce the reforms necessary for his country to be relationally egalitarian. Yet, no decisive reason seems available to think that Mun does not relate to his citizens as equals by considering the power asymmetry between him and his fellow citizens: Mun has that consideration precisely because he wants more relational equality. In fact, Viehoff’s remarks on relational equality leave us a puzzle over Mun’s case: does he fail to relate to his citizens as equals, if power asymmetry informs his use of power purported to establish political infrastructures for relational equality? If the answer is ‘no’, then it seems whether power asymmetry is a problematic consideration from the standpoint of relational equality depends on the reason for taking power asymmetry into account. For example, it might be said, power asymmetry becomes a permissible consideration for one’s actions, if her actions are driven by a concern for relational equality. If the answer is ‘yes’, then many historical moves from undemocratic to democratic practices would be considered a violation of relational equality in certain ways, but democratic practices
are precisely what relational equality requires for Viehoff. Put differently, Viehoff's account at least does not cover cases in which there is a transition from an authoritarian regime to a democratic one. His view of relational equality is self-effacing in such cases. One might reply, of course, that democratic revolutions are different from the normal functioning of democratic politics. But this reply is incompatible with Viehoff's view for a simple reason: as I discussed earlier, Viehoff thinks that some egalitarian norms apply to all social relationships. If this is the case, then it is unclear why the relational-egalitarian norms that apply to cases of democratic revolutions differ from the norms that apply to the normal functioning of democratic politics.

Second, even under equal rather than unequal political power, individuals do not necessarily better avoid acting on objectionable considerations from the standpoint of relational equality. This depends very much on what individuals take to be the right justification of political processes, for instance. Suppose there is a democracy, in which most individuals share the Hobbesian view that the point of political institutions and decisions is to secure the conditions of self-preservation for all, and that democratic procedure, compared to its alternatives, meets this Hobbesian standard best. They follow democratically made decisions because this is essential to fulfilling their weighty interest in self-preservation, but such a consideration would be objectionable for Viehoff and blemish the egalitarian character of the relationships between citizens. Consider another example. Suppose there is an epistocracy in which political power is positively proportional to citizens’ political competence. The citizens within the epistocracy are generally willing to obey the epistocratically made laws. Yet they obey them mainly because such laws, on their view, are necessary to realise relational equality; maybe this is because the governors are experts at designing relational-equality-sensitive policies, and the epistocratic citizens think that the experts’ directives, if followed, will create better conditions of relational equality. Can we say plausibly that these epistocratic citizens act on considerations objectionable from the relational-egalitarian perspective, even if the reason for them to obey the law essentially derives from a concern for relational equality? In reply, Viehoff might appeal to his first objection to unequal political power again, that this epistocratic society I have in mind subjects some citizens to the preferences and will of the more politically powerful (i.e. the egalitarian experts); thus that society is unjust in at least one way. But I have already described
why the first objection is mistaken. It is thus questionable whether this reply can rescue his
second objection from this example.

I shall summarise briefly my worries about Viehoff’s view on relational equality and
equal political power. Viehoff argues that there are three norms that apply to egalitarian
relationships in general: the Requirements of Equal Concern, Equal Rights and Non-
Subjection. These three norms apply to both friendships and political relations. I argued
against Viehoff by showing that (a) Non-Subjection, as Viehoff understands it, does not
plausibly apply to egalitarian friendships, unless it is revised and treats power asymmetry
conditionally objectionable instead, and that (b) those three requirements do not plausibly
justify equal political power. I also raised some concerns over Viehoff’s attempt to treat
‘consideration’, understood as reason(s) for actions, as an essential concept in justifying equal
political power.

§4.1.2. Kolodny’s Argument

Another paradigmatic relational-egalitarian argument for democracy is offered by Kolodny.
According to Kolodny (2014a: 196),

democracy is one constituent, and a particularly important constituent, of a
society in which people are related to one another as social equals, as opposed
to social inferiors or superiors… The concern for democracy is rooted in a
concern not to have anyone else “above”—or, for that matter, “below”—us:
in the aspiration for a society in which none rules over any other.

In other words, for Kolodny social equality is only possible within a democracy. This view is
underpinned by three theses:

(1) An adequate justification of any political procedure P must explain why
P is both legitimate, authoritative and valuable. Other things being equal,
whether P is legitimate, authoritative, and valuable, depends importantly
on how well P fulfils the requirements of social equality.
(2) A crucial condition of social equality is *equal opportunity for informed and autonomous influence over political decisions,* which is a defining ideal of democracy.

(3) Other things being equal, it follows from (1) and (2), since democracy gives, or at least purports to give citizens equal opportunity for informed and autonomous influence over its decisions, it fulfils, or at least purports to fulfil a crucial criterion for social equality, which constitutes the legitimacy, authority and value of political procedures.

My sole aim is to challenge thesis (2). This alone suffices to show that Kolodny’s argument is unsound. In what follows, I will explain why the conditions Kolodny places on social equality do not plausibly commit us to equal political power, before contesting his specific case for thesis (2).

In line with what is said in §1.2.3, Kolodny (2014a: 197) understands legitimacy roughly as the moral permissibility to rule by means of force or coercion, and authority as the capacity to create moral obligations among citizens.\(^{53}\) He also maintains that a justification of democracy should show that democracy is *valuable,* in the sense that there is reason to establish or maintain democracy, which can, but need not be because democracy is legitimate or authoritative.\(^{54}\) For example, democracy can be considered valuable because it satisfies our interests in some substantive goods (e.g. peace, civic solidarity), but this value of democracy, in principle, can have nothing to do with its legitimacy and authority. Kolodny seeks to show that the legitimacy, authority and value of democracy can be jointly explained by our fundamental interest in *social equality,* an interest in having ongoing egalitarian social relations with others.

\(^{53}\) For Kolodny (2014a: 197), legitimacy is concerned with the following questions: ‘Why does the fact that a political decision was made democratically contribute, *pro tanto,* to its being permissible to implement it, even despite its treating me, as a citizen of the relevant polity, in distinctively “political” ways that, at least in other contexts, are objectionable, such as using force against me, threatening to use force against me, or coercing me?’ Authority, instead, is concerned with the following question: ‘Why does the fact that a political decision was made democratically contribute, *pro tanto,* to my being morally required, as an official or a citizen of the relevant polity, to implement or comply with it’ (2014a: 197)?

\(^{54}\) Kolodny (2014a: 197) does not use the word ‘valuable’ exactly, but he expresses something very close to it, since he states that an answer to the following questions constitutes a justification of democracy: ‘Why should we want, or establish, or maintain democratic institutions? Why do we, in general, have reason to try, over the long run, to make political decisions democratically?’
What, then, does social equality require? Instead of saying exactly what makes up social equality, Kolodny (2014b: 295-296) centres his analysis on several conditions of social inequality that, intuitively, we have reason to avoid:

*Asymmetric Power*: Some have ‘greater relative power (whether formal or legal, or otherwise) over others, while not being resolutely disposed to refrain from exercising that greater power as something to which others are entitled’.

*Asymmetric Authority*: Some have ‘greater relative de facto authority (whether formal or legal, or otherwise) over others, in the sense that their commands or requests are generally, if not exceptionally, complied with (although not necessarily for any moral reasons), while not being resolutely disposed to refrain from exercising that greater authority as something to which those others are entitled’.

*Asymmetric Consideration*: Some have ‘attributes (for example, race, lineage, wealth, perceived divine favor) that generally attract greater consideration than the corresponding attributes of others’.

To illustrate what asymmetric power and authority amount to, Kolodny (2014b: 296) provides the following example:

[Suppose Beefy is physically stronger than Reedy.] The brute fact that the stronger Beefy could physically subdue Reedy need not imply his social superiority over Reedy, if Beefy is resolutely disposed to refrain from exercising this greater power over Reedy, not as an optional gift, but as something to which Reedy is independently entitled. In other words, social equality does not require equality of “raw” or “natural” power: power, such as strength, speed, cunning, or knowledge, viewed in abstraction from human dispositions…What social equality requires is that “natural” power be regulated by the right dispositions.
Kolodny’s words seem to imply the following: asymmetric power and (de facto) authority is problematic from the standpoint of social equality, only under some circumstances. Suppose there are asymmetries of power and/or authority among X and Y, because, for instance, X is Y’s boss. X has the power and/or authority to determine Y’s actions and obligations, but X is not disposed to exercise this power or authority over Y, because X sees that Y is entitled not to have this power or authority exercised over her. The asymmetric power and/or authority between X and Y, then, would not be objectionable from the standpoint of social equality, since X refrains from using her superior power and/or authority over Y for the right reasons. But if, say, X refrains from exercising that power and/or authority merely because she sees this as a matter of charity or mercy, then this would be a wrong disposition and render the relationship between X and Y inegalitarian. In other words, even if X has greater power and/or authority over Y, such power and/or authority asymmetry would threaten the relational equality between them, only if one of the following conditions obtain: (a) X exercises her superior power and/or authority over Y, or (b) X avoids exercising her superior power and/or authority over Y, without grounding this action on the thought that Y is entitled to this treatment.

To be sure, one might hesitate to regard a relationship between two agents with power and/or authority asymmetries as inegalitarian, merely because the more powerful and/or authoritative agent meets one of the conditions above. There are many social relationships involving power and/or authority asymmetries, in which the more powerful and/or authoritative parties do not refrain from exercising their greater relative power and/or authority; even when they do, they might not see this treatment as an independent entitlement of the less powerful and/or authoritative parties. Consider the cases of parent-child and teacher-student relationships, for instance. Parents in general have greater power and/or authority over children. Many parents also exercise their superior power and/or authority a lot on children. Some parents might avoid exercising their greater power and/or authority over children. But not all of them do this because they think that this is an entitlement of their children. One typical reason why parents refrain from exercising their power and/or authority over children is that they want to communicate better with their children as they grow up. Similarly, teachers often exercise greater power and/or authority over students. For those teachers who refrain from doing so, the underpinning thought of their action might not be that they see students are entitled not to be exercised greater power and/or authority.
over. Rather, teachers could do so due to pedagogical needs: they might want to develop a less hierarchical relationship with students such that they could teach more effectively. But we rarely regard these sorts of parent-child or teacher-student relationships as inegalitarian. Why?

There are two possible explanations. The first explanation is that different egalitarian norms might apply to different social relations. For some social relations to be egalitarian, the relations in question must be so structured such that the more powerful and/or authoritative side of the relations refrain from using their greater power and/or authority according to the right disposition, as Kolodny understands it. But this norm might not apply to such social relations as parent-child and teacher-student relationships. Kolodny, however, does not address this possibility. Similar to Viehoff, Kolodny appears to assume that all social relations are subject to the same set of egalitarian norms. But again, this assumption is controversial.

The second possible explanation is that the social equality between X and Y is threatened, normally when (a) X has greater power and/or authority over Y, and does not refrain from using that power and/or authority, or (b) X has greater power and/or authority over Y, and X refrains from using that power and/or authority with the wrong disposition. But these conditions are less threatening to the social equality between X and Y when some other conditions are met. For example, it might be said that asymmetric power and/or authority does not seem particularly problematic for teacher-student and parent-child relationships, if the relevant students and children lack certain capacities entitling them not to be subject to the power of their parents or teachers. Because children and students are not in a position where they are entitled not to be exercised greater power and/or authority over by their parents and/or teachers, the mere fact that (i) parents and/or teachers do not avoid using their greater power and/or authority over children and/or students, or that (ii) parents and/or teachers avoid using greater power and/or authority according to the wrong disposition(s), does not undermine the social equality between parents and children, and between teachers and students. Another possible condition that can arguably moderate the relational-egalitarian objectionability of power and/or authority asymmetry is voluntariness. Suppose I voluntarily subject myself to the power and/or authority of a private tutor. The tutor has greater power and/or authority over me, but the relationship between me and the tutor is not inegalitarian, because I freely authorise the tutor to have such power and/
authority. In short, power and/or authority asymmetry is threatening to social equality. But it is less threatening in some cases.

Kolodny (2014a: 226) appears to have the second explanation in mind, and he made the deeper point that some facts about political relationships render inequality of political power and/or authority even more problematic for social equality, ‘because of three features of political decisions: that subjection to them is not voluntary, that they are treated as having final authority, and that they involve the use of force’. Not many of us can choose which government we live under freely. Perhaps for most people, we can only involuntarily accept the decisions the government imposes on us, because the government has the capacity to coerce us whenever we refuse to obey its decisions. Moreover, political decisions have final authority over us, as they ‘issue commands that are claimed to be and are generally (if not exceptionlessly) treated as overriding or nullifying any other decision’ (Kolodny, 2014b: 306). When it comes to parent-child or teacher-student relationships, however, the more powerful sides rarely have as much capacity to coerce. The less powerful sides in these relationships have greater room to quit the relationships. Also the more powerful sides within these relationships tend to have only the capacity to make decisions applicable to some limited spheres of life. The involuntary, final-authoritative and coercive features of political decisions make inequalities of political power and/or authority particularly problematic from the relational-egalitarian standpoint. One question that is not addressed much by Kolodny, though, is why those features are objectionable from the relational-egalitarian point of view. Many theories of justice and legitimacy assume that the involuntary, final-authoritative and coercive nature of political decisions is objectionable, and hence claims to have power require justifications. But Kolodny’s claim is more specific: he thinks that those features are objectionable when and because we take social equality seriously. Kolodny, however, did not clearly establish the connection between those features and social inequality.

What about asymmetric consideration? Kolodny (2014b: 296) maintains that it obtains when some have ‘attributes (for example, race, lineage, wealth, perceived divine favor) that generally attract greater consideration than the corresponding attributes of others’. Here consideration is understood as a kind of social responses. But what exactly is the kind of social responses that consideration amounts to? In reply, Kolodny (2014b: 298) notes the following features of consideration:
First...the responses constitutive of consideration are focused on the person and his or her interests, claims, or imperatives as a whole. Thus, because Herr Geldsack has high net worth, one is particularly courteous to him and solicitous of his wishes...Second, these responses are practical matters of how someone deals with the person and claims of the target. They are not simply judgments of the kind that an uninvolved spectator would make. By contrast, acknowledging that Genghis Khan was a fine horseman is not itself a practical judgment, but instead an observation open to twenty-first-century students of military history to make. Finally, the responses constitutive of consideration are “agent-neutral” in character. If the fact that X is higher born than Y calls on Z to give greater consideration to X than to Y (perhaps where Z is Y), then it calls on everyone else to do the same. By contrast, friendship and love are agent-relative in character. The fact that X is my friend calls for me to give greater weight to X's interests than Y does not mean that it calls for others, such as Y’s friends, to do the same.

In short, according to the condition of asymmetric consideration, X’s social superiority over Y is marked by the following facts. First, Y takes the interests, claims or imperatives of X as more important than those of her fellow social members. Second, the interests, claims or imperatives of X make a practical difference to how Y deals with her social relationship with X. Third, (a) the characteristics of X call on all those with which X has social relations, including Y, to take the interests, claims or imperatives of X as more important than those of their fellow social members, and (b) the interests, claims or imperatives of X make a practical difference to how all those socially related to X deal with their relationship with X. To clarify, the first two facts are about Y’s attitude towards and the practical way in which she interacts with X. They are primarily facts about Y’s attributes. The third fact, however, is about the capacity of X to call for all her socially related individuals to have an attitude to, or deal with X, in a way that is similar to Y. It is essentially a fact about X’s attributes. Kolodny’s point is
that, objectionable asymmetric consideration obtains within the social relationship between X and Y, only if all these three facts hold.\textsuperscript{55}

One relevant question, then, would be whether asymmetric political power and/or authority fosters this kind of objectionable asymmetric consideration. If it does, we have a ground for opposing unequal political power. But we can easily imagine a case in which the answer to this question is ‘no’, or at least indecisive. Suppose X, due to her merit, has more political power and/or authority than Y. In fact, Y can or cannot take X’s interests, claims or imperatives as more important than those of her fellow social members, or depend her actions on X’s interests, claims or imperatives. This happens, for example, when Y treats X’s merit or superior political power or authority as a relevant basis to take X more seriously. But this does not happen, for instance, when Y treats X’s merit or superior political power and/or authority as an irrelevant basis for her differential treatment of X. It is thus a contingent question whether asymmetric political power and/or authority must come together with asymmetric consideration. Even in a society in which political power or authority is unequal because of differential merit, there is no reason to suppose that the members of that society must take the interests, claims or imperatives of the more meritorious people, who have greater relative political power and/or authority, more seriously than those of the less meritorious. Intuitively, more positive social responses to the meritorious individuals tend to be likelier under a public culture that celebrates the higher social standing of the meritorious. However, unequal political power due to differential merit need not be attached to such a culture. For example, a meritocrat can take asymmetric consideration seriously, by saying the following: among the political procedures that distribute political power unequally due to differential merit, other things being equal, we should seek to establish and maintain the one that better avoids this kind of culture. But then asymmetric consideration would be reduced to a desideratum on the design of meritocratic institutions, rather than a ground for rejecting meritocracy.

One might reply in this way: the mere fact that political power and/or authority is unequal due to differential merit promotes the thinking that the politically meritorious individuals are worthier achievers that deserve the applause, higher regard and respect from

\textsuperscript{55} Kolodny (2014b: 297) explicitly notes that these three facts are not sufficient to explain the social superiority of one over another from the standpoint of asymmetric consideration. Rather, they are just necessary conditions for objectionable asymmetric consideration.
their fellow social members, because those individuals have some special talents, attributes, virtues or skills that distinguish themselves from the less meritorious people. This is, I believe, a likely concern driven by Sandel’s (2020) recent critique of distributing social positions on the basis of merit, that a society classifying people according to their merit fosters a public culture in which the more meritorious are looked upon favourably or with deference. This is a legitimate challenge, but I will show that the democratic-sortitional model of meritocracy is able to meet it in §4.1.3.

We have seen that the three conditions Kolodny places on the argument that social equality could plausibly ground equal political power have a range of problems. How, then, does Kolodny justify thesis (2), that equal opportunity for informed and autonomous influence over political decisions is crucial for social equality? To answer that question, we must understand what Kolodny means by ‘equal opportunity for informed and autonomous influence over political decisions’. First, one’s opportunity for influencing the political decision-making or representative-choosing outcomes is equal to another, when both individuals share the same degree of influence over those outcomes. Under a voting system, for example, this will be violated by assigning greater weight to the choices of some voters. ‘Equal opportunity for influence over political decisions’, therefore, requires equal political power: if someone has $n$ share of power over her political decision-making or representative-choosing procedure, all those subject to the same procedure should have $n$ share of power over the procedure as well. Second, the requirement of informed influence demands that, citizens’ equal opportunity for influencing the political decision-making or representative-choosing procedure should not be diminished by their differential knowledge. This requirement will be violated, for example, when some citizens do not know how to vote, or do not know the voting system well enough, compared to others, to maximise the impact of their votes on the electoral outcomes. Third, the requirement of autonomous influence demands that one’s political influence be ‘in accord with judgments that are themselves reached by free reflection on what one takes to be relevant reasons’ (Kolodny, 2014b: 310). This requirement will be violated, for example, if someone is forced (by others or her disadvantaged circumstances) to exercise her political influence in a particular way, against her sincere judgments of how that influence should be used.

I do not disagree with Kolodny that one’s influence over the political procedure ought to be informed and autonomous. But I disagree with his view that equal opportunity
for political influence is a ‘particularly important component’ of social equality. For Kolodny (2014b: 308-309), equal opportunity for influence (which is equal political power essentially) is a ‘particularly important component’ in the sense,

first, that it is necessary for full or ideal social equality...where equal opportunity to influence political decisions is absent, there is at least some failure to achieve that ideal. Second, in a wide range of (although not necessarily all) nonideal circumstances—in which the addition of equal opportunity to influence political decisions cannot realize full social equality, because of other asymmetries in power, authority, and consideration—the addition of equal opportunity to influence political decisions nevertheless brings us close to full social equality. And finally...equal opportunity to influence political decisions plays an important structural role in moderating the threat that other asymmetries would otherwise present to social equality, insofar as it ensures that whatever hierarchy there is is regulated from the standpoint of equality.

The first and second senses hardly give us any reason to believe in thesis (2). They just tell us what it means for equal political power to be important, not why it is important. Thus, I shall concentrate on the third sense, which is more substantive.

What ‘structural’ role does equal political power play in mitigating the threats that other asymmetries pose to social equality? At first glance, this looks like an epistemic claim about equal political power: when political power is distributed equally, it is likelier that political decisions or representatives with the capacity to moderate the threats to social equality can be produced. The epistemic case, as it is understood here, for equal political power is instrumental by nature. It treats equal political power as a reliable means to

56 Not all epistemic cases for equal political power are instrumental in this sense. Some epistemic approaches to democracy, for instance, attach epistemic value to equal political power, not necessarily because by distributing equal political power equally, a political procedure can more reliably produce outcomes realising some substantive moral goods, but because such a procedure aggregates the epistemic input (e.g. experience, wisdom, knowledge) of citizens. Hence, at least on some accounts of democracy, equal political power can be said to have epistemic value, although it might not enhance the capacity of a political procedure to realise some substantive moral goods in its outcomes. See Estlund (1997; 2008) and Peter (2009; 2016) for these alternative epistemic cases for equal political power, for instance.
produce decisions or representatives leading to some substantive moral goods, which include social equality. But such epistemic and instrumental justification of equal political power is precisely one that Kolodny wants to avoid. What Kolodny (2014b: 291) wants to defend is an *Equality Constraint*: ‘if a procedure gives anyone a say, it should give everyone an equal say…[and] what the Equality Constraint is supposed to constrain is what unfettered pursuit of the substantive good would recommend’. If equal political power has value for social equality only in the sense that, when a political procedure distributes political power equally, it is instrumentally more reliable to produce the right outcomes facilitating the conditions for social equality, then we might, on a similar ground, prefer political arrangements that distribute political power *unequally*, when they are more successful in bringing about the conditions for social equality. Imagine we are deciding if we ought to establish an Egalitarian Test for all citizens. The test examines citizens’ knowledge of the indicators and causes of social inequality; only the top 50% scorers can have the right to vote. If the establishment of such a test *does* lead to better decision-making on policy areas in relation to social equality, and all we care about is getting the right policies mitigating social inequality, why should we keep political power equal? Clearly, the Equality Constraint, as Kolodny understands it, can hardly be justified by the instrumental worth of equal political power for social equality.

There is perhaps an alternative reading of his point. Kolodny (2014b: 306) says elsewhere that

if we do have equal influence over political decisions, and those decisions have final authority over nonpolitical decisions, then that itself contributes to moderating the threat of social inequality posed by unequal influence over nonpolitical decisions. Thus, the fact that we do not see those decisions as striking against our social equality is not surprising. The threat to social equality that hierarchy would otherwise pose…is moderated by the fact that whatever hierarchy there may be is ultimately regulated or authorized from a standpoint of equality…The common status as “equal citizens” that equal basic liberties provide makes the other inequalities, not simply in income and wealth, but also in positions of authority and responsibility, more tolerable than they would otherwise be.
I call this the *Tolerableness Argument*: equal political power is a crucial condition for social equality, because it makes other non-political conditions for social inequality, such as disparities in income, wealth and so on, more tolerable for us. But Kolodny rarely gives any justification of the Tolerableness Argument. One might simply imagine another version of the Tolerableness Argument that underpins unequal political power: some non-political conditions for social equality, such as wealth equality, make unequal political power more tolerable. Consider, for example, Tongdong Bai’s (2020: 102) *political difference principle*: the principle says that inequality of political power is permissible when it maximises socioeconomic equality. Could someone provide a similar Tolerableness Argument for Bai’s political difference principle, which is clearly at odds with Kolodny’s defence of democracy? After all, social equality is a broad ideal that encompasses more than political power—it also concerns how citizens relate to each other in the economic, social, occupational and other public spheres. If we can provide a case for equal political power just when it moderates other threats to social equality, it is not obvious why we cannot provide a similar case for unequal political power when it moderates other threats to social equality.

Another relevant case Kolodny (2014b: 307) makes for equal political power appeals to the fact that political power *coerces* and is thus more threatening to social equality than other forms of power:

[The power to use force] is the power that usually determines the distribution of other powers. In the normal run of human affairs, one cannot reliably have superior powers of other kinds over others where they have superior powers to subject one to force. For example, one cannot have the power to withhold certain goods from them, since, if need be, they will take those goods by force…If asymmetries in the capacity to use force are distinctively important for social equality, then asymmetries in influence over political decisions will be important to social equality in a way that asymmetries in influence over nonpolitical decisions are not. For whereas nonpolitical decisions do involve certain kinds of power, political decisions characteristically involve force, for example, through commands ultimately backed by threats of force.
I call this the Coercion Argument. The main idea of this argument seems to be that, asymmetries in political power are more threatening to social equality compared to asymmetries in other forms of power (e.g. economic power), because one’s having greater political power implies that one has a greater capacity to coerce others. Someone with the opportunity to coerce, moreover, tends to attract greater consideration of her interests and directives from others, because she can threaten those who refuse to do so. However, if we distribute political power—which entails the opportunity to coerce—through a procedure on which everyone has an equal say, then it can at least be ensured that the opportunity to coerce, a potential threat to social equality, is controlled by all equally.

But the Coercion Argument is unconvincing. It makes sense to say that someone with the opportunity to coerce tends to attract greater consideration from others. It makes little sense, however, to think that distributing political power equally helps mitigate that problem. On the one hand, even if we distribute political power equally among individuals, they can nevertheless be politically powerful as groups. If that is the case, then those belonging to the politically powerful groups can be said to have greater opportunity to coerce others into following their interests and directives. On the other hand, if the politically powerful figures, as in democracies, are authorised by a procedure into which everyone has an equal input, it seems their attempts to coerce citizens through political means could be given even more legitimacy. The upshot is that their interests and directives are likely to be given greater care by the general public, since such interests and directives have greater popular endorsement.

In short, there are two major problems of Kolodny’s defence of equal political power. First, he did not plausibly explain when and why asymmetric power and/or authority threatens social equality. Not only did he, as Viehoff, overlook the possibility that different egalitarian norms might apply to different social relations, but Kolodny also failed to tell us clearly why the involuntary, final-authoritative and coercive features of political decisions make unequal political power problematic from the relational-egalitarian standpoint. Second, the several arguments he gave for equal opportunity for informed and autonomous influence over political decisions (which entails equal political power) did not succeed.

§4.1.3. Relational Equality and the Democratic-Sortitional Model
Although I have shown that Viehoff’s and Kolodny’s conceptions of relational equality do not plausibly ground equal political power, some aspects of their views on relational equality need not be denied. On the one hand, we can accept with Viehoff that equal political relations between citizens require that citizens be given equal rights (quasi citizens), and that citizens show equal concern for each other. We can even step back further and accept a weak version of his Non-Subjection Requirement of relational equality: we ought to have political institutions such that the politically powerful are less able to dominate the less powerful within their civic relationships. On the other hand, we can accept with Kolodny that if some social groups characteristically attract greater consideration due to their superior political power, this might threaten the social equality among citizens. In this section, my aim is to explain how my proposed democratic-sortitional model takes these relational-egalitarian considerations seriously.

The democratic-sortitional model of meritocracy envisions a legislature composed of two chambers, the first elected, and the second meritocratically selected. Members of the second chamber are selected in the following ways. First, citizens are regularly assembled, through random sampling, to participate in deliberative forums to discuss what interests, experience, skills, expertise and so on merit representation by the second chamber. After citizens’ meetings, a report will be produced. Second, those in the elected first chamber are required to respond to the report of the deliberative forums and produce a set of eligibility criteria for the meritocratic second chamber. But there are two constraints on how the elected officials decide those criteria. For one thing, it should be publicly clear which citizens in the populace meet those criteria. The eligibility criteria for the meritocratic chamber, in other words, cannot be too ambiguous or unclear such that citizens are unable to tell who meet those criteria. For another, there should be no ‘assessors’ involved in deciding who in the populace meet the eligibility criteria for the meritocratic chamber. Third, those fulfilling the criteria for the meritocratic chamber can register their interest in becoming a potential representative of the chamber. The meritocratic representatives will be chosen, by means of sortition, from the pool of interested and qualified citizens.

Under this democratic-sortitional model, citizens are given equal rights. In particular, citizens are given an equal right to participate in the processes through which one’s merit for positions of authority is decided (i.e. the deliberative forums and the elections for the first chamber). Also, the fact that citizens can participate equally in such processes exhibits the
The model’s commitment to taking everyone’s perspectives on merit seriously. The meritocratically selected officials are also expected to show an equal concern for citizens, because the way in which they are chosen conveys the public message that these officials cannot be meritorious unless the public endorse their attributes as morally relevant for political decision-making. Meanwhile, the meritocratic chamber is limited by the elected chamber in at least two ways: first, the elected chamber has much authority over the formation of the meritocratic chamber; second, the meritocratic chamber is subject to the checks and balances from the elected chamber. The democratic-sortitional model does not allow the meritocratically selected officials to have uncontrolled power. It is so designed to minimise the possibility for the meritocratically selected officials to dominate the political procedure.

Would the meritocratically elected officials, or those eligible for the meritocratic chamber, characteristically attract greater consideration because of their greater political power? If we allocate political power on the basis of merit, as I said earlier, this might encourage the thinking that the politically meritorious individuals are worthier people who deserve the applause, higher regard and respect from their fellow social members, because those individuals have some special talents, attributes, virtues or skills that distinguish themselves from the less meritorious people. Bai’s (2020) and Chan’s (2014), for example, propose meritocratic institutions aiming to accommodate morally exemplary officials who can be the political and ethical role models for citizens. One worry about such models, however, is this: when citizens see their public officials as some worthier individuals, citizens are likely to treat those officials as socially superior in certain ways. The democratic-sortitional model is committed to addressing this issue. The way in which the democratic-sortitional model is designed conveys the message to the public that an individual can merit political power only if the relevance of her attributes for political decision-making is endorsed by the public. First, the eligibility criteria for the meritocratic chamber are determined by the first chamber elected by the public. In other words, an individual cannot merit a position in the second chamber unless she meets the criteria set up by the representatives chosen by the people. Second, the elected officials in the first chamber are required to base their decisions on the eligibility criteria for the meritocratic chamber on the outcomes of deliberative forums, in which citizens can participate freely and equally. All these institutional arrangements, which celebrate public participation, provide an important signal: one can merit political power only if one’s attributes are deemed useful and relevant for political decision-making roles by the
public. Finally, even if an individual is able to meet the eligibility criteria for the meritocratic chamber, she must be lucky enough to win the lottery and occupy a seat in the chamber. This conveys another crucial message: one reason why someone can occupy the meritocratic chamber is that she is lucky. For these reasons, on the democratic-sortitional model, those within the meritocratic chamber are not to be seen as worthier people. They just happen to possess the attributes that people think should merit representation, and they just happen to be fortunate enough to have been selected through the sortition process.

Moreover, the democratic-sortitional model maximises its worth for relational equality, when and because it upholds fair equality of political opportunity (FEPO). I will explain in §6.2.4 the senses in which the model is committed to FEPO. Here I shall explain why a political system, when it upholds FEPO, will create favourable conditions for relational equality. FEPO, as I have shown in §3.3, calls for the mitigation of various obstacles to political participation. Removing the constraints on citizens’ opportunity to participate in politics can reduce the extent to which certain social groups dominate the political processes, due to unequal allocation of wealth, knowledge, natural abilities, social opportunities and so on. This addresses at least two relational-equality-relevant concerns highlighted by Viehoff and Kolodny: nobody should have dominant power over their political relationships with other citizens, and citizens should have the opportunity to exercise informed and autonomous influence over the political procedure. To be fair, this is merely an argument about the relational-egalitarian value attached to FEPO. But it nevertheless shows that the democratic-sortitional model can have greater relational-egalitarian value when it operates under strong conditions of FEPO.

§4.2. Public Equality

Another typical egalitarian defence of equal political power is driven by a concern for public equality. Public equality requires that, for a political system to be just, legitimate or authoritative, (a) the system should treat individuals as equals, and that (b) individuals should be able to see that they are treated as equals by the system. There are thus two tests of public equality. First, the institution test: the political system in question must exhibit some institutional features, required by equal treatment of citizens. Second, the publicity test: it should be publicly clear that the relevant political system treats citizens as equals.
The reason why the institution test is important seems relatively uncontroversial. After all, at least in principle, very few of us would deny that we ought to establish, maintain and live under political institutions that treat us as equals. However, why should we care about the publicity test? Why do we have reason to assess a political system based on its capacity to allow citizens to see that they are treated as equals? Public egalitarians, many of whom are inspired by Rawls (1999; 2001a; 2005), have given a number of answers. Some hold that individuals have a fundamental interest in being able to verify if they are in fact treated as equals by their common socio-political arrangements; some hold that we have an interest in ‘feeling at home’, to be in a position to see that our socio-political arrangements comply with the egalitarian principles we endorse; some hold that being able to see that our socio-political arrangements are regulated by the right egalitarian principles of justice is an expression of our political autonomy; some hold that when citizens see that their socio-political arrangements are regulated by their shared egalitarian principles of justice, this could be a basis for their solidarity; some hold that citizens tend to show greater support of institutions that they perceive to be just from the egalitarian standpoint; and so on. Arguments along these lines are offered by writers such as Christiano (2008; 2004), Gosseries and Parr (2018), Kelly (2013), Lippert-Rasmussen (2008), Williams (1998).

Public-egalitarian arguments for equal political power, therefore, often take the following shape: they seek to show that (1) to treat citizens as equals, political power should be distributed equally, and that (2) equal political power makes it transparent to the public that they are treated as equals. Such arguments have been developed by Anderson (2009), Brighouse (1996), Christiano (2004; 2008; 2015), and Ottonelli (2012). In what follows, I discuss why those arguments would not threaten meritocracy, and show that the democratic-sortitational model takes public equality seriously.

§4.2.1. Publicity and Equal Power

One type of public-egalitarian argument for democracy focuses on the relationship between equal political power and equal respect of interests. Brighouse (1996: 123), for instance, asks us to consider why unequal power amounts to unequal respect of interests, using friendship as an example:
Consider the ways in which equal respect is expressed within some affective associations, for example, in a group of friends. We express equal respect in such contexts by consulting all who wish to assert their preferences in making decisions about where to go for dinner or which movie to see. If we fail to consult one member of the group, or, having consulted her, fail to take her preferences into account when making the decision, that is usually a sign of relative disrespect. Systematically giving one friend's input more or less weight than the others, or giving them more or less opportunity to get themselves heard, would similarly count as expressing unequal respect.

Unlike Viehoff, though, Brighouse does not make the relational-egalitarian claim that friendship is an egalitarian relation that political relations ought to mirror. Brighouse merely says that within such affective associations as a group of friends, if anyone’s interest is taken less seriously, that person is not given equal respect. Whereas citizenship can be seen as a form of affective association, giving greater weight to the interests of some individuals within the citizenry is also an instance of unequal respect.

We can relate Brighouse’s claim to the institution test. For a political procedure to treat citizens as equals, it must be the case that it treats the interests of every citizen equally seriously. To distribute political power unequally is to treat the interests of every citizen unequally seriously. Since a meritocracy permits differential political power based on merit, the interests of the more meritorious are taken more seriously than those of the less meritorious, by whatever standards of merit. A meritocracy, therefore, shows unequal respect for citizens’ interests.

However, this argument only forbids systematic exclusion or relative disrespect of interests. Some meritocratic political arrangements do not clearly offend this requirement. Consider Bai’s (2020), Bell’s (2015) and Jiang’s (2013) proposal that some if not all major positions of authority should be allocated on the basis of examination. The better scorers in the examination will be able to get those positions. However, suppose also that all citizens have fair and equal chances to do well in such examinations: everyone has adequate educational opportunities to be well-placed for the examination, advantages are given to those who are unfairly disadvantaged in the examination due to their demographic background, and so on. Suppose also that their institutional models operate under strong
conditions of FEPO. Do such arrangements systematically exclude the interests of some citizens? The answer is not obvious, since the relevant examination is designed in an inclusive way; obstacles to political participation are also minimal. One might also argue that inclusive examinations for political power can be *grounded on* a concern for equal respect of interests: because the interests of citizens matter equally, they should have a fair and equal opportunity to acquire positions of authority to address their interests. Also important is the fact that a meritocracy can accommodate a range of political liberties and activities of political participation, through which citizens exercise some informal influence over the political processes such that their interests can be heard. Given the institutional varieties of meritocracy, it is a mistake to claim that a meritocracy will systematically exclude and disrespect some interests just because they could distribute political power unequally.

Meanwhile, Christiano (2008: 89-90) offers a slightly different argument:

virtually everyone in a society that fails to accord an equal voice to a group of people when matters of public law and policy are at stake knows that the interests of those people are going to be neglected in important if not entirely predictable ways. What this implies is that a society that withholds the vote from some groups of people, or diminishes their political power in some clear way, is publicly expressing a lack of concern for those people. And, given this knowledge, it is clear that the public withholding will be done for the sake of advancing the interests of those who do hold power. From an egalitarian standpoint, a society that fails to give all of its sane adult members the vote or that significantly diminishes the power of some group is publicly treating some of its members as inferiors because the ruling group is setting back the interests of those members for the sake of advancing its own interests.

How does Christiano’s claim threaten meritocratic allocation of political power? Suppose in our society, people have differential merit for political power. If we allocate political power meritocratically, the more meritorious will get more, and the less meritorious will get less. The interests of the more meritorious (by whatever standards) will inevitably be weightier in the political decision-making procedure. This is a public expression of the thought that the interests of the less meritorious are less important and inferior. Christiano’s argument, though,
is slightly different from that of Brighouse. While Brighouse does not say that unequal political power fails the publicity test, for Christiano unequal political power fails both the institution and publicity tests. It fails the institution test because equal political power is an important way of showing equal concern for the interests of people. It fails the publicity test because citizens will see that they are not treated as equals, when their interests are not given equal consideration by the political procedure: this unequal treatment of interests is manifested by unequal allocation of political power.

Clearly, Christiano’s argument makes some assumptions about the way in which citizens perceive unequal political power. To establish his claim, he must assume that citizens do see unequal political power as an instance of their interests not being treated equally by the political procedure. This is a reasonable assumption I would not deny: after all, for example, if I belong to a marginalised group that has little power over the political processes, it is legitimate for me to think that the processes are more sensitive to the interests of other social groups in society, not mine. But it seems fair and equal opportunities for political participation, instead of equal political power, are adequate to address Christiano’s concern. The reason is that equal political power does not imply equal consideration of interests. When the more influential groups aggregate their political power, the less influential groups will likewise be in a fragile position to secure their political interests. What is necessary is that, when this happens, the less powerful groups always retain effective opportunities to protect their interests. This requires at least political institutions effective in protecting citizens’ liberties for political participation. In fact, in Christiano’s (2004; 2008) view of democratic authority, he acknowledges that a range of liberal rights are necessary for a political procedure to meet the publicity test. My criticism of him is that it is not obvious why equal political power plays a particularly important role for a procedure to satisfy publicity. In sum, constitutional guarantees of (equal) rights are not a monopoly of democracy. This form of constitutionalism can equally apply to other forms of polity, not least meritocracy.

Can Christiano reply that fair and equal opportunities for political participation as well as equal political power are both necessary for the publicity test to be met? I doubt that he can reply in this way plausibly. A meritocrat can simply say something along the following line in response: whether individuals see that their common political procedure treats them as equals depends on a range of factors. Whether they have equal formal power over the procedure is one factor. But there are also other factors, such as whether the procedure is
able to produce egalitarian outcomes in education, allocation of wealth, and so on. If there is a meritocratic procedure, despite its unequal allocation of power, produces these egalitarian outcomes in other spheres of life more efficiently, and if what we care is people’s overall assessment of their political procedure’s ability to treat them as equals, the meritocratic procedure in question does not obviously fail the publicity test. A meritocrat, like Bai (2020), can even step further and say that what justifies unequal allocation of political power is when the meritorious people are able to produce more egalitarian decisions. 57 Christiano’s argument, therefore, does not decisively threaten meritocracy.

The final public-egalitarian argument I consider is given by Ottonelli (2012), who argues that distributing political power equally is a way of showing respect for citizens as if they are equally competent political rulers:

Representing each citizen as equally worthy of respect as a political actor is a fundamental goal in democratic societies because political power has traditionally been one of the most visible and entrenched sites of the hierarchical organization and self-representation of society along gender, race and class lines. If we understand the democratic ideal as the ideal of a society in which people treat each other as equals, and in which entrenched social hierarchies are publicly disavowed, then treating people as equally worthy of respect as rulers is an important part of the project.

Ottonelli’s argument can threaten meritocracy in this way. Individuals might not in fact be equally meritorious of political power. However, we should not distribute political power meritocratically for this reason, because political power has traditionally been a mark of social status. If an individual has more political power, this normally represents her higher social status—at least most people living within the democratic political culture see it that way. If we allocate political power, for instance, based on differential merit, individuals tend to take this as a sign of the higher social status of the more meritorious. For a political procedure to disavow its commitment to differential social status, it should seek to treat citizens as if they are equally meritorious or competent. By distributing political power equally, a political

57 Consider Bai’s political difference principle, which I discussed in §3.3 and §4.2.1.
procedure treats citizens as if they are equally meritorious or competent. This allows citizens to see that they are equal participants in the political processes, despite their actual differential attributes.

My main worry about Ottonelli’s view is similar to that of Christiano’s. It is true that political power is a crucial sign of social status. Also one might not want our society to be marked by differential social status among citizens. But political power is not the only mark of social status. We judge one’s social status based on various factors, such as wealth, education and occupation. A meritocrat can easily circumvent Ottonelli’s concern by saying that meritocratic institutions are partly justified by their superior capacity to produce egalitarian political decisions, thereby mitigating a range of threats to the equal social status of citizens. If some inequality of political power among the more or less meritorious can better achieve the aim of removing the many obstacles to citizens’ equal status, then arguably there is nothing objectionable per se in having meritocratic allocation of political power. To be fair, Ottonelli’s view ties status to history. She might reply that at least in certain societies, political power is vastly more important than these other items for social status. However, even if this is true, Ottonelli’s view hardly applies to the democratic-sortitational model of meritocracy, because the model only permits slightly unequal political power among citizens.

In short, public-egalitarian arguments for democracy rightly point out the significance of political institutions being able to treat citizens as equals, and of citizens being able to see that they are treated as equals. But among the public-egalitarian arguments I considered, they did not give us any decisive reason to think that public equality must require equal political power. Meritocratic institutions are compatible with public equality. In the section immediately below, I shall provide more specific discussion of the ways in which my proposed democratic-sortitational model of meritocracy is committed to public equality.

§4.2.2. Public Equality and the Democratic-Sortitational Model

In §4.2.1 I have explored why public equality does not threaten meritocracy in general. In this section, I focus more specifically on the public-egalitarian value of the democratic-sortitational model of meritocracy. Public equality demands that political institutions treat citizens as equals, and that citizens be able to see that they are treated as equals. The first way for the democratic-sortitational model to be committed to this ideal is that it gives every citizen
equal formal opportunity to participate in both legislative chambers of the model. Citizens participate equally in the first elected chamber, by having equal voting power over whom to occupy the chamber. Citizens participate equally in the second meritocratic chamber, in the sense that they are equal participants in the deliberative forums on what attributes or voices merit representation. Finally, the democratic-sortitional model is committed to FEPO: I will explain this claim in §6.2.4. These are the main areas on which the model treats citizens as equals.

How does the democratic-sortitional model allow citizens to see that they are treated as equals? First, the elected chamber in this model retains much authority over the making of political decisions, and the eligibility criteria for the meritocratic chamber. Citizens also share equal power over whom to occupy the elected first chamber. If we accept with public egalitarians the assumption that equal political power is a sign of equal respect of interests, then the elected chamber of the democratic-sortitional model will be well-placed to accommodate this commitment. The meritocratic second chamber also has a good potential to address citizens’ interest in seeing that they are treated as equals. For example, when the meritocratic representatives are sufficiently diverse, representing a variety of experience and voices within society, the meritocratic chamber can be seen as an institution aiming to represent more equally the interests of citizens from different backgrounds, whereas the diversity of political representation, it is usually thought, is not adequately addressed in our current democratic politics. In short, citizens can see the meritocratic chamber as an institution that enhances the equality of political representation.

§4.3. Conclusion

In this chapter, I considered two major arguments for equal political power: the relational-egalitarian arguments and the public-egalitarian arguments. Relational-egalitarian arguments seek to show that equal political power is an important component of a society in which citizens relate to each other as equals, whereas public-egalitarian arguments are committed to the view that to treat citizens as equals, and for citizens to see that they are treated as equals, our political procedure must allocate political power equally. With an emphasis on Viehoff’s and Kolodny’s relational-egalitarian arguments, I have shown that a sound conception of relational equality does not lead us to equal political power. I also considered a few
paradigmatic public-egalitarian arguments for equal power by Brighouse, Christiano and Ottonelli. My main response to all of them is that although their concerns for public equality are powerful, they mistakenly think that such concerns require equal political power. Finally, I discussed how meritocracy is compatible with some sound conditions on relational and public equality, and in what ways the democratic-sortitional of meritocracy is committed to both senses of equality.

It is important to assess the idea of meritocracy in light of such egalitarian accounts of equal political power. One reason is that the ways in which meritocracy is egalitarian are not adequately addressed by the current literature: at least the egalitarians I selected for discussion in this chapter have not invited much contemplation from the political meritocrats. Another reason is that meritocracy is sometimes misunderstood as an inegalitarian idea, because much literature on equality tends to treat democracy as the default form of rule that is distinctively egalitarian. By discussing the relationship between meritocracy and some influential accounts of equality underpinning democratic arrangements, I hope to alert to readers that meritocracy is not inegalitarian—at the very least, much more should be said to establish the thought that it is an inegalitarian political system, since, as we have seen, there are a variety of meritocratic institutions that can avoid the more common egalitarian objections to unequal political power.
5. Stability, Acceptability and Equal Political Power

There are two other familiar arguments for democracy. The Stability View holds that democracy is the best political system available to create conditions for social and political peace. The Acceptability View maintains that a legitimate or authoritative political system should be acceptable to all reasonable or qualified points of view, whereas non-democratic arrangements must offend this standard. However, whereas equal political power is a defining feature of democracy, one might wonder if the stability and acceptability of democracy is owed partly to this feature. In this chapter, I aim to explain why stability and acceptability do not require equal political power. Throughout my discussions, I will also consider how meritocracy, especially the democratic-sortitional model of meritocracy, can take stability and acceptability seriously.

I begin, in §5.1, by discussing the relationship between equal political power, meritocracy and several conditions of stability: (a) peaceful transition of governments, (b) international peace, (c) regime endurance and legitimacy, (d) development, (e) solidarity and (f) citizens’ sense of justice. I devote §5.2 to the acceptability-based defence of equal political power, with a focus on David Estlund’s paradigmatic view along this line. I argue that the acceptability-based defence is mistaken, at least when we have Estlund’s conception of acceptability in mind. I also highlight the acceptability-related virtues of the democratic-sortitional model of meritocracy. I conclude the chapter in §5.3.

§5.1. Stability

Stability here refers to the de facto peace and duration of a political system. The stability of a political system often depends on the following factors:

*The Absence of Violence:* This refers to the absence of (a) domestic civil violence, for instance, caused by people’s discontent at the government or conflicts between citizens, and (b) international violence, for example, caused by the system’s tendency to resolve inter-state conflicts by violent means.
Regime Endurance: This refers to the life span of a political system. The endurance of a political system is measured by its survival duration, or its ability to prevent and cope with any contingency that threatens its survival.

De Facto Legitimacy: This refers to the legitimacy of the political system and the policy-making decisions in the eyes of those within that system—that is, people’s tendency to regard that system and its directives as right or authoritative.

Development: This refers to the social and economic development of the political system in various aspects, such as wealth equality, political transparency, financial prosperity, and so on.

Solidarity: This refers to the bonding of citizens within the system.

The Sense of Justice: This refers to the system’s ability to cultivate one’s capacity and desire to understand, accept as well as act from and according to some shared principles of justice that morally underpin the political system.

I call these the stability-related goods. I will not discuss which of these goods, if any, is the best measure of stability. Also I will not discuss the extent to which stability affects the justice, legitimacy and authority (in the normative sense) of a political system. Nor will I address the question of whether such stability-related goods are instrumental to or constitutive of some more fundamental moral ideals. People also disagree about whether the ability of a political system to be stable matters at all for its moral justifiability. But this is not my concern. For present purposes, I grant that stability matters. My interest is in whether a concern for the stability-related goods would commit us to equal political power.

Do political procedures that distribute political power equally produce stability-related goods better than procedures that distribute political power unequally? Much

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58 Such stability-related goods were expressed by Hobbes, Legalists in the Chinese tradition, Machiavelli, as well as Ake (1975), Ceva (2012; 2016), Dowding and Kimber (1983), Feng (1997), Galston (2017), Hurwitz (1973), Margolis (2010) and so on more recently.
empirical research suggests that established democracies tend to deliver these goods better than non-democratic regimes. For example, democracies tend to be less involved in domestic or international violence (Babst, 1972; Christiano, 2011; Levy, 1998); they tend to be more enduring (Tusalem, 2015); they tend to avoid such major crises as famine (Sen, 1999a); the economic growth of democratic countries tends to be stable rather than fluctuate (Dutt and Mobarak, 2016; Rodrik, 1999); and so on. But do democracies deliver the relevant stability-related goods better because they distribute political power equally? The answer is much less obvious. There are many factors affecting the stability of a society, such as its legal and economic systems, people’s tendency to resist, the transparency of governmental processes, whether it has good diplomatic relationships with other countries, and so on. It is therefore hard to see equal political power as a sufficient condition for stability. Meanwhile, such East Asian societies as China distribute political power relatively unequally, but they still perform fairly well in maintaining stability (Bell, 1993; 2015). The way in which these regimes achieved stability, of course, might be controversial from a moral standpoint. For instance, they are often accused of sustaining social stability mainly through coercing dissidents and limiting citizens’ opportunity for political participation, usually for the sake of safeguarding the interests of the ruling party. Yet these countries are nonetheless counterexamples to the view that equal political power is a necessary condition for a regime to be peaceful and durable. To establish the causal relationship between equal political power and stability, we cannot just focus on the overall performance of democracies in stability. We need to examine more specifically the stability-related benefits that equal political power distinctively delivers, or at least delivers better than unequal political power. Now I shall consider some arguments about the stability-related benefits that equal political power can provide.

§5.1.1. Peaceful Transition

I shall start with the *Peaceful Transition Argument*. According to this argument, giving every citizen an equal share of political power helps to reduce violence provoked by governmental transitions. As Raz says (2018: 17), ‘in the last 200 years or so, more or less democratic governments in various countries…were more successful in providing reliable processes for

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59 For the case of China, see Dickson (2021), Griffiths (2019), Wasserstrom and Cunningham (2018) and so on.
transfer of power than most contemporary alternatives’. Democracy, in other words, foster peaceful transitions of governments. This argument is also expressed by Acemoglu and Robinson (2012), Bobbio (2005), Keane (2004), Przeworski (1999), Saffon and Urbinati (2013: 455-456), and so on.

But how should we explain the ability of democracy to peacefully transfer powers? One answer is given by Saffon and Urbinati (2013: 455-456): they say that equal democratic elections ‘avoid violence by enabling opposing groups to alternate in power, while giving losers incentives to wait until the next election instead of opposing the winner through violence’. But the success of this view depends on certain background conditions. For instance, it seems that citizens must perceive there to be adequate chances to win elections, such that even if they lose for one time, they will wait peacefully for the next election; they must consider violent means to acquire political power less viable than participating in elections; and so on. These conditions, however, do not always obtain. For social minorities, for example, the mere fact that they have voting power equal to that of social majorities might not suffice to incline them to alternate in power by peaceful means. This might be the case when they do not find themselves powerful enough to change the electoral outcomes, because of the social and economic structures that disadvantage them. Equal political power per se does not provide enough incentives for people not to resort to violence when it comes to governmental transitions—whether it provides such incentives depends on a wider range of factors. Arguably, democracies, which distribute political power equally, have some other characteristics fostering peaceful governmental transitions.⁶⁰

What I just said, one might reply, merely shows that equal political power is not sufficient for peaceful transitions of government. But I have not shown that it is not necessary for peaceful transitions. Here is one reason why equal political power should be considered necessary in this regard. One feature of elections that allocate voting power equally is that their formal entry requirement tends to be very low. In most established democracies, so long as an individual is an adult citizen, she is eligible to run for elections. For this reason, any politically ambitious individual has some constitutionally protected chances to occupy the core political decision-making body. This could significantly reduce individuals’ temptations to acquire positions of authority through violent means, because they already have some

⁶⁰ DeRouen Jr and Goldfinch (2012) made a similar point.
constitutionally guaranteed opportunity to acquire political power or to hold the powerful to account electorally. But this still does not show that a meritocracy that distributes political power unequally must be incompatible with peaceful transitions, for the following reason: a meritocracy is compatible with giving citizens constitutionally protected opportunity to acquire positions of authority. Suppose we allocate positions of authority by means of competitive examinations—this a key feature of Bell’s and Bai’s models of meritocracy, as we will see in Chapter 6. Every citizen, it might be said, can be given constitutionally protected opportunity to participate in the relevant examinations. If citizens at least have some chances to occupy the core political decision-making body by standing out in the examination, then this could likewise incentivise citizens not to acquire political power by violent means. In addition, most political meritocrats think that in a meritocracy, there should be adequate opportunities for citizens to participate in politics and exercise some influence over the political procedure. When citizens have a variety of constitutionally protected ways to exercise political influence, this could reduce their temptations to achieve their political ambitions by violent means.

There is also reason to think that my proposed democratic-sortitional model of meritocracy has a good capacity for peaceful transition of powers. The core legislature of this model has two chambers, one democratically elected, one meritocratically selected by means of sortition. The meritocratic chamber in fact gives citizens greater opportunity to acquire political power, because on the democratic-sortitional model, winning democratic elections is not the only way for citizens to occupy positions of authority. They can also acquire political power by fulfilling the eligibility criteria for the meritocratic chamber. In other words, the democratic-sortitional model gives citizens an extra means to acquire political power. If adequate chances to occupy public office are key to peaceful transitions of government, then the model would fulfil this condition very well.

§5.1.2. International Peace

According to the *International Peace Argument*, equal political power within democracies is an engine for their relatively rare armed conflicts with other polities. As Doyle (2005: 464) argues,
representative democratic governments tend to create an accountable relationship between the state and the voters, particularly median voters. They preclude monarchs or dictators turning their potentially aggressive interests into public policy while assuming that the costs will be borne by a subordinate public...This encourages a reversal of disastrous policies as electorates punish the party in power with electoral defeat.

Similar arguments were also expressed by Bayer (2010), Tomz and Weeks (2013), and so on. There are two difficulties with taking the International Peace Argument as a challenge to meritocracy, however. First, remember one criticism the political meritocrats make of democratic politics: democratic elections are a populist device for selecting public officials, in the sense that voters’ subjective preferences determine the electoral outcomes entirely (§1.1.2). If voters in democracies generally have non-aggressive interests, then politicians must put forth non-aggressive policy agenda to stand a decent chance of winning elections. In contrast, if voters have aggressive interests, then politicians must likewise put aggressive policies on their agenda in order to acquire or maintain their political authority. In other words, the appeal of the International Peace Argument depends substantially on the contingent preferences of voters. Second, one problem with the International Peace Argument is that many democratic peace studies, as Doorenspleet (2019: 76-77) observes, have taken into account ‘many possible alternative causes of the peace, such as economic development and growth, geographic distance and contiguity, power status, alliance ties, militarization’ and so on. Since the peaceful relationship between democracies (and non-democracies) could possibly be driven by other factors, we should be cautious about treating equal political power as an engine for international peace. Further empirical studies are required to establish the International Peace Argument.

However, if the International Peace Argument fails partly because of the populist nature of democratic elections, one might wonder if the democratic-sortitational model fails for a similar reason. Although the core legislature of this model includes a standing meritocratic chamber, citizens’ subjective preferences still play a major role in deciding the eligibility criteria for that chamber. The democratically elected chamber of the model also raises questions about the chamber’s ability to resist populism. To fit this problem into the International Peace Argument, imagine most citizens are extremely nationalistic. They think
that territorial expansion is the only way to save their country. Under the democratic-sortitional model, these aggressive tendency of citizens will turn on to their perspectives on what makes up a good public official or policy. If so, the worries that I raise for the International Peace Argument will be readily applicable to the democratic-sortitional model, because many of its institutional devices are populist by nature.

My response to this worry is that the meritocratic chamber can serve to moderate the populist tendency of the elected chamber. Although the eligibility criteria for the meritocratic chamber are ultimately decided by the elected chamber, the meritocratic chamber is supposed to accommodate people whose interests, experience, skills and so on can enhance the political decision-making processes and hence merit political representation. Also, the elected chamber has control of which strata of the populace are eligible for the meritocratic chamber, but it cannot guarantee that those selected for the meritocratic chamber will converge on the interests of the elected officials. For this reason, the meritocratic chamber can potentially balance the populist tendency of the elected chamber to a degree.

§5.1.3. Regime Endurance and Legitimacy

The Endurance Argument says that democratic political systems tend to be more enduring. On one view, democratic procedure does not establish its authority primarily by producing outcomes that are good or correct from citizens’ point of view. Rather, it has the power to call for citizens’ allegiance because its procedural features are acceptable. Even though democratic procedures sometimes produce unsatisfying political outcomes, citizens do not yet have reason to resist, because they tend to accept the procedural features of democracy and perceive them to be the main source of its legitimacy. Hence, even when public office is occupied by those regarded by citizens as unqualified, or when political decisions that citizens find deeply mistaken are made, those living within democracies are less incentivised to drastically change their common political arrangements. However, under non-democratic regimes, the de facto legitimacy of the government is tied much more closely to the charisma, virtues or performance of the governors. When the governors cease to be charismatic, virtuous or perform well, people would easily lose faith in the government. Political systems which maintain authority this way are likely to be less stable, because they cannot survive easily even in circumstances where the governors lack the qualities desired by the governed.
As Pettit (2013: 155-156) argues, ‘it is important that legitimacy should not be tied in this way to performance, because it is required to motivate popular acceptance of those in office, regardless of how well or badly they actually perform’.

This argument has two hidden assumptions. First, it assumes that political procedures ought to have some procedural features such that, even when these procedures (or the officials occupying those procedures) have performance failures, citizens still find those procedures legitimate. Second, it assumes that equal political power is an engine for fostering citizens’ faith in their common political procedure. The problem with the first assumption is that we need to clarify in the first place whether the procedures in question should be maintained at all. If those procedures are not worthy of maintenance, why should we seek to maintain their de facto legitimacy in circumstances where they have performance failures? Moreover, in assessing the legitimacy of their common political procedure, citizens do not necessarily attach greater weight to the procedural features of the procedure than the quality of its outcomes. At least for citizens who take political outcomes more seriously, for instance, it is not obvious why they would be happy to regard a procedure producing low-quality outcomes from their perspectives as legitimate.

The problem with the second assumption is this: on what basis can we say that equal political power motivates citizens to regard their common political procedure as legitimate, even in cases where that procedure produces unsatisfying political outcomes? One answer is that citizens tend to perceive equal political power as a requirement of justice or legitimacy. But this depends very much on the public culture of different societies, since it is implausible to think that all societies have roughly homogenous perspectives on what matters more or less for political justice and legitimacy. Another answer is that citizens tend to perceive democracy, which distributes political power equally, as the best political system available. Recall Winston Churchill’s famous saying that ‘democracy is the worst form of government, except for all the others that have been tried’. Since democracy is often conceived as the best political system, citizens rarely lose faith in it even when it does not yield satisfying political outcomes, because non-democratic systems are even worse. Whereas equal political power is an essential procedural feature of democracy, citizens might perceive equal political power as a major component of the best political system. But arguments for equal political power based on the thought that people tend to share an interest in equal power seem tautologous;
they are also unhelpful when we attempt to justify equal political power to those who do not share that interest.

In addition, if what makes democracy valuable at all is that citizens tend to value political procedures that allocate political power equally, then a political meritocrat can likewise make the similar move that differential power based on merit is what citizens can willingly accept. For example, one argument Bell (2015) offers for his model of meritocracy is precisely that in the Chinese culture, rule by merit is a widely accepted idea among people and the major intellectual traditions of China. To defend Bell on his behalf, someone can simply offer an Endurance Argument for meritocracy: if a political system has procedural features aiming to allocate political power on the basis of merit, it is likely to endure, especially when the people within that system celebrates merit-based allocation of political power. Clearly, this justification of meritocracy would look inadequate, since it merely cites the cultural fact that people (in the Chinese context) tend to value rule by merit. If we find this kind of reasoning problematic, however, we should likewise find the like reasoning for democracy problematic. We cannot plausibly say that meritocratic political arrangements are just, legitimate or authoritative, simply because people in fact take politicians’ merit more seriously; likewise, we cannot plausibly say that equal political power is what is required by justice, legitimacy or authority, simply because people in fact takes equal political power seriously.

Even if the Endurance Argument is sound, it hardly poses a serious challenge to the democratic-sortitional model of meritocracy. The model has considerable features that make it highly likely that the model be acceptable to those living within democratic cultures. For example, it has a standing democratically elected body, which exercises much control over the meritocratic body; the eligibility criteria for the meritocratic body are decided by citizens indirectly in deliberative forums; the inequality of political power produced by the model is extremely modest; and so on. I do not say that the democratic-sortitional model would in fact be accepted by people within democratic societies. However, since the model invokes institutions that will typically be found in established democracies, those institutions could be expected to depart less from citizens’ shared standards of just and legitimate institutions, due to their experience in the democratic culture.

§5.1.4. Development
The Development Argument holds that democracy produces a range of developmental goods, such as economic growth, wealth equality, greater political transparency and so. Sen (1999a), for example, famously claims that there are no major famines at all in established democracies. Sometimes democracy is also thought to facilitate conditions for economic prosperity, such as higher levels of economic freedom, lower inflation, higher human capital, and so on (Doucouliagos and Ulubašoğlu, 2008). Sometimes it is held that democracy tends to produce governments with more transparent policymaking (Hollyer et al., 2011; 2018; Shapiro, 2003). Similar arguments for the positive effects of equal power on development were also made by Bhagwati (2002), Olson (1993), Przeworski et al. (2000), and so on.

One version of the Development Argument is given by Halperin et al. (2010: 51), which focuses on democracy’s capacity for self-correction:

Periodic elections allow for the peaceful replacement of ineffectual leaders, limiting the damage they can do, mitigating the disastrous effects of their unchallenged policy assumptions, and preventing the institutional sclerosis endemic to governments that remain in power for prolonged periods or are beholden to special interests.

If equal elections are a key to political self-correction, then that might explain why democracies rarely produce developmental bads, because any policy mistakes over development cannot be prolonged. I doubt, however, only democratic elections exhibit this capacity for political self-correction. One reason why democratic elections can be thought to have such capacity is that they are periodic and open, such that no politicians can remain permanently in power. But in a meritocracy, the meritocratic route to political power can likewise be periodic and open. So long as the meritocratically selected officials are prohibited from occupying public roles for some prolonged periods, and every citizen is allowed to participate equally in meritocratic competitions for political roles, the current incompetent governors might not easily sustain their mistaken policies. In particular, even if democratic elections do have value for political self-correction, this does not threaten the democratic-sortitional model of meritocracy, because it contains democratically and periodically elected leaders who are supposed to hold the meritocratically selected officials accountable to their
mistakes. The meritocratic chamber of the model, moreover, is also supposed to be periodic and open, to prevent itself from making prolonged policy mistakes.

Another Development Argument for equal political power is that it makes the political processes more transparent. One usual view is that, through institutions of checks and balances and various political liberties (e.g. freedom of speech, press, assembly), democracy tends to perform better than non-democracies in making its policy processes transparent to the public. However, this view merely points to how checks and balances as well as political liberties enhance transparency. But they do not show that equal political power is what drives transparency. In fact, as we shall see in Chapter 6, various political meritocrats advocate political institutions and liberties that might foster a more transparent political environment. The democratic-sortitional model also shares the same commitment.

Recently, though, some have attempted to draw a more intimate connection between equal political power and political transparency. Hollyer et al. (2018: 248) found that countries in which the key offices within the core executive and/or legislature are chosen by equal elections tend to be more willing to release policy-relevant information to the public, for the following reason:

[Democratic] governments prefer to make information available to their citizens about the aggregate outcomes of policy. This information allows citizens to make informed decisions—particularly economic decisions—raising social-material welfare. In electoral systems where the survival of the government depends more strongly on the overall welfare of its citizens—that is, in democracies, where the votes of citizens determine the fate of the government—the ruling elite prove more willing to disclose data.

Here is the thought. If citizens make informed life decisions, especially the economic ones, they are likelier to have better social-material welfare. If citizens have better social-material welfare, they are likelier to support the ruling elite. The availability of policy information helps citizens to make informed life decisions. To win election, therefore, the ruling elite are happy to release more policy information, which serves to improve citizens’ social-material welfare.

This argument assumes that politicians in democracy have incentives to release policy information to the public, because such information can help citizens to make informed
economic decisions. When citizens make better economic decisions, and when they are better off materially, they will show greater support of the government. But we can also imagine some cases in which when elected officials lack incentives to release policy information. Policy information helps citizens to evaluate the performance of politicians, such as whether they have made policies according to their pre-election promises, whether they have made policies that address citizens’ interests, whether they have made better or worse decisions compared to other candidates for public office. Politicians, it might be said, might release policy information selectively and provide only the information that has a positive impact on their public image. To be fair, without more social-scientific data, my conclusion over the political transparency of democratic and undemocratic countries here remains inconclusive. But the economic argument that political transparency is tied closely to equal democratic elections is far from convincing, unless it takes into account many other factors affecting politicians’ incentives to release policy information.

The various Development Arguments I have considered so far fail to undermine meritocracy. There are, in fact, several ways in which the democratic-sortitional model takes development seriously. First, because the democratic-sortitional model accommodates an elected chamber within the legislature, the developmental goods that democratic elections could bring can in principle be compatible with the model. Second, when the meritocratic chamber within the model is able to represent a wide range of interests, expertise and perspectives, it can bring a variety of perspectives, which enable the policymakers to make informed policies on social development, into the political processes.

§5.1.5. Solidarity

The Solidarity Argument holds that democracy, at least under certain conditions, fosters civic friendship and mutual understanding among citizens, thereby enhancing their solidarity. I said ‘under certain conditions’, because among the democratic theorists who celebrate this argument, many of them think that equal political power in elections alone is inadequate to promote solidarity. Rather, they think that democratic elections can foster civic solidarity, only if they are supplemented by some deliberative institutions, through which citizens exchange their political experience and opinions to improve their mutual trust and understanding. When politics is adequately deliberative, it will not merely be ‘a contest for political power
between groups of citizens’, in Dworkin’s (1998: 453) terms. In a like manner, Miller (1992: 62) notes that ‘discussion has the effect of turning a collection of separate individuals into a group who see one another as co-operators…Talking to one another appears to be a fairly effective way of simulating friendship’. When citizens perceive each other as friends, political conflicts seem less likely to occur. The Civic Friendship Argument is also expressed by Cohen (2002), Curato et al. (2017) and so on.

But the Solidarity Argument is hardly convincing in the first place. One reason is that we should not run together the regulative ideal and distinctive benefits of deliberation. Civic solidarity can be what we hope deliberation to foster, but it is not a distinctive benefit of deliberation. In fact, deliberation does not necessarily make us civic friends. Sometimes political deliberation might produce outcomes undermining civic solidarity. This can be seen from Thompson’s (2008: 499) reference to

[Mendelberg and Oleske’s (2000)] study of discussions about race in five town meetings in New Jersey. [They] found that in the integrated meetings (which had the diversity that deliberative democrats seek) the deliberation failed to lessen conflict, increase mutual understanding and tolerance, or reduce the use of group-interested arguments. The meetings with all white participants produced consensus, but consensus against school integration—not the result that deliberative democrats presumably favor.61

I do not say that deliberative institutions must undermine civic solidarity, but at least they can exacerbate civic antagonism in some cases. Can the Civic Friendship Argument be rescued if we idealise the relevant agents? For example, it seems deliberation would be more likely to foster civic friendship among agents with certain features, such as reasonableness, altruism and so on. The problem with this reply is that it attaches value to deliberation for some particular agents, rather than deliberation as such. There is no reason to suppose that, in any occasion of political deliberation, all citizens would exhibit the relevant ideal qualities for deliberating in a way that promotes civic friendship.

61 See Schkade et al. (2010), Sunstein (2000) and so on for some similar thoughts of the detrimental effects of political deliberation.
In short, there are questions about the value of political deliberation for civic solidarity. However, even if we grant such value to political deliberation, the Solidarity Argument still fails to challenge meritocracy at large, and the democratic-sortitional more specifically. First, the institutions that are supposed to enhance democracy’s capacity to foster civic solidarity are compatible with meritocracy. For instance, such political meritocrats as Bai (2020) and Bell (2015) defend models of meritocracy that provide a variety of opportunities for citizens to deliberate on political issues. The fact that their models of meritocracy distribute political power unequally does not imply that those models oppose institutions of political deliberation. If institutions of political deliberation have value for civic solidarity at all, therefore, the political meritocrats have little trouble incorporating those institutions into their models of meritocracy. Second, the democratic-sortitional model is highly deliberative. One important institution of that model is the deliberative forums on what skills, interests, experience, groups and so on merit political representation, in which citizens can participate equally. These deliberative forums, although their primary aim is to aggregate citizens’ perspectives on what interests and attributes merit representation, can also be a means for which citizens improve their civic relationships, when such forums are suitably organised to foster peaceful conversation between citizens.

§5.1.6. Citizens’ Sense of Justice

The final stability-driven argument I consider for equal political power is the Sense of Justice Argument, inspired by Rawls’s political philosophy. This argument sees equal political power as an important condition for developing citizens’ sense of justice. For Rawls (1999: 6), a political arrangement is stable when it is ‘more or less regularly complied with and its basic rules willingly acted upon; and when infractions occur, stabilizing forces should exist that prevent further violations and tend to restore the arrangement’. One stabilising force is citizens’ sense of justice, namely one’s capacity and desire to understand, accept as well as act from and according to some shared principles of justice (Rawls, 2005: 19). As Hussain (2012: 186) argues,

If a just social arrangement tends to generate a strong sense of justice in citizens, and this sense of justice is widespread among the various groups in society, then (other things being equal) it is more likely that political forces will emerge in society to sustain the just character of its basic institutions whenever this is threatened.

In other words, citizens’ sense of justice is valuable because this helps to maintain their common political order that is already just.

Equal political power, it might be said, helps to develop this sense of justice among citizens. One example is the Millian view that democracy tends to educate citizens to be more informed and concerned about justice and public affairs (Follesdal, 2017; Mill, 1861 [2015]-a). But this supposed educational value of democracy has been contested. First, even if democracy does cultivate citizens’ sense of justice better than alternative political systems, to what extent is this because it distributes political power equally? Political decision-making or representative-choosing activities, to be sure, can enable citizens to cultivate their interest in and knowledge of justice. But it does not follow that citizens’ power over the outcomes of those activities should be equal. It looks no less reasonable to say that citizens should be given an adequate share of political power, such that the educational value of political decision-making or representative-choosing activities can be secured. Moreover, one can use Mill against this view, since he holds that the developmental benefits of democracy are conditional upon some citizens having particular capacities and attitudes. In Considerations on Representative Government, for example, Mill (1861 [2015]-a) argues that one condition for democracy to have educational value is when the government is filled with competent and committed individuals able to guide the less competent citizens to maximally benefit from participating in the political processes. If the government is not filled with such individuals, however, democracy can fall short of the capacity to raise citizens’ interest in and understanding of justice and public affairs. In fact, this is precisely one ground for the political meritocrats to justify their institutional models. As will be elaborated in Chapter 6, for instance, Chan (2014) advocates a meritocratic second chamber, which he expects to be filled with competent and

63 See Brennan (2016) and Cooke (2000), for example.
64 See Chapters 2, 3 and 18 of Considerations on Representative Government.
virtuous politicians, in the legislature. Chan also intends this chamber to educate citizens. If democracy can educate, meritocracy can likewise educate.

Finally, some political activities do not involve political decision-making or representative-choosing, but they nevertheless serve to cultivate citizens’ interest in and understanding of justice. It is hard to see, for instance, why engaging in social movements or public discussions cannot cultivate citizens’ sense of justice. It could be said, though, that unequal political power cannot cultivate in citizens a sense of justice, because citizens tend to regard unequal political power as unjust. But what about those who do not regard unequal political power as unjust? It seems that their sense of justice would not be diminished, even if they live under a political procedure that distributes political power unequally. Clearly, we cannot justify equal political power merely by citing some widely shared beliefs about justice among citizens.

Meanwhile, many deliberative democrats attach educational value to political deliberation. For example, Cohen (2002: 89) maintains that ‘democratic politics should be ordered in ways that provide a basis for self-respect, that encourage the development of a sense of political competence, and that contribute to the formation of a sense of justice’. For Cohen and other like-minded deliberative democrats, political deliberation helps to foster this kind of politics. However, again, education appears to be a regulative ideal rather than a characteristic advantage of political deliberation. Even if political deliberation has some educational worth, it does not follow that every citizen should have an equal influence over the political decision-making or representative-choosing outcomes. For one thing, political deliberation does not take place only in collective decision-making or representative-choosing situations. It can, for instance, take the form of such mini-publics as citizens’ jury, citizens’ assembly and so on, the deliberative outcomes of which can be a non-binding point of reference for policymakers (Setälä and Smith, 2018). It is possible to have a core political decision-making or representative-choosing procedure that is meritocratic and supplemented by these deliberative mini-publics, thereby utilising the educational benefits of public deliberation. For another, it is not obvious what educational benefits are distinctive of political deliberation. As Cooke (2000: 948) argues, one might wonder how

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65 See Christiano (1997) and Freeman (2000), for example.
66 To be sure, mini-publics vary a great deal in terms of policymaker obligations in response to deliberative outcomes. Some are involved in deciding outcomes, others are advisory.
participation in public deliberation produces benefits for the moral, practical or intellectual qualities of the participants that are distinct from and superior to the benefits resulting from nondeliberative participation in public affairs or, indeed, from non-participatory political action.

The educational value of political deliberation, therefore, does not seem strong enough to establish the connection between equal political power and citizens’ sense of justice. In addition, even if political deliberation does have educational value, the fact that my proposed democratic-sortitional model makes use of deliberative institutions are well-placed to have that sort of value.

Perhaps it is safer to say that democracy educates because it often provides citizens with more opportunity to participate in politics than non-democratic regimes. After all, we learn about and cultivate our concern for justice usually through political participation. In regimes that we less hesitantly call ‘democracies’, the opportunity to participate in politics is usually more equal (in the formal sense), fairer and affordable: citizens’ basic political liberties are at least formally protected, there are certain regulations on electoral campaign financing, and so on. Although equal political power is a defining feature of democracy, arguably the educational value of democracy is tied more closely to its performance in widening political participation more generally. However, when we reason in this way, we create a pathway to meritocracy, since what matters more seems to be to provide people with fair, equal and affordable opportunity to participate in politics—which is compatible with if not valued by meritocracy—instead of giving people equal political power as such.

Could it be replied that equal political power better incentivises citizens to take part in political decision-making or representative-choosing activities? For instance, one might say that by giving citizens an equal share of political power, citizens’ input into the political procedure is recognised as equally important. One important way to get someone motivated to participate in a particular activity, one might argue, is for her to have the sense that her input into that activity is no less important than other participants. Arguably, it is helpful for the cultivation of everyone’s sense of justice for our relative position with respect to political power to be small rather than great. If I believe that my political power is less than yours, it is pointless for me to participate, because your view will prevail, and participation is good for the development of a sense of justice. In addition, citizens’ sense of being no less important
is likely to be eroded further under unequal political power, because unequal political power is more formal and legal—some people get more formal political power, while some people get less. This might make the political procedure more evidently inegalitarian from the perspectives of citizens, and hence erode their desires to participate.

This reply incorporates two claims, however. First, it claims that unequal political power disincentivises citizens to participate in political decision-making or representative-choosing activities because of unequal political power. Second, it presumes that there is decisive reason to avoid whatever political arrangements that disincentivise citizens to participate in political decision-making or representative-choosing activities. Both claims are problematic. The first claim has limited force, because there are various factors affecting citizens’ incentives, in relation to their share of political power, to participate in political decision-making or representative-choosing activities. One of them is their expected impact by taking part in those activities. Suppose three people are deciding whether they should build a clubhouse in their community. Each of them has equal decision-making power. In this case, it is likely that they would be interested in participating in the decision-making procedure, because their preference is sufficiently weighty to make a difference. But what if we increase the population size of this example to 10,000? If we distribute decision-making power equally among all members of the community, then some members can likewise be disincentivised to participate in the decision-making process because they find their preference to be too trivial to make a meaningful difference to the outcome. In fact, many political theorists and economists have observed that in representative democracies where citizens’ votes on their preferred representatives are weighted equally, they can hardly alter the electoral outcomes because the weight of each person’s vote is far from decisive (Brennan and Lomasky, 2003; Brennan, 2016; Gelman et al., 2012). Hence giving citizens equal power alone does not suffice to incentivise them to take part in political decision-making activities. Such incentives, for example, depend in part on how sizable the populations are.

The second claim is problematic because it is too strong. Given the value of political participation I identified in §3.1.1, it makes sense to say that political arrangements incentivising citizens to participate in political decision-making or representative-choosing activities have pro tanto value, but that value should not be exaggerated. We should also think about the potential costs of incentivising citizens to engage in political decision-making or representative-choosing activities. On one view, for example, those activities can fuel rather
than mitigate political disagreements among citizens.\textsuperscript{67} This, again, corresponds to one criticism of democratic politics made by the political meritocrats: participation in elections can exacerbate civic antagonism. Perhaps greater participation in political decision-making or representation-choosing activities does make it easier for citizens to exercise their sense of justice, but arguably this could come with some potential cost.

So far I have been focusing on the ‘exercise’ aspect of the sense of justice. But the Rawlsian sense of justice, on certain views, also includes an idea of \textit{reciprocity}—the belief that all citizens should benefit from their common social and political arrangements along with others. For instance, some might say that unequal political power tends to erode citizens’ interest in achieving outcomes that are reciprocal in that sense. The reason is that under unequal political power, citizens might not see themselves as the equal \textit{beneficiaries} of the political decision-making or representative-choosing process, or the less politically powerful might be less committed to their polity because unequal political power symbolises them as political inferiors. The interests of those with more political power are given greater weight in the process. Over time, one’s desire to press for policies that benefit everyone reciprocally or fairly is likely to diminish, because the political arrangements under which one lives is not reciprocal. But there are two problems with this kind of view. First, even for countries where at least formal political power is relatively equal, we cannot safely say that most people would think that they benefit equally from their common political arrangements. Sometimes people cannot benefit from those arrangements, for example, because they tend to produce economic policies favourable for the rich, not the poor. Hence equal political power is not sufficient for citizens to see that they are equal beneficiaries of the political processes. Second, equal political power is not necessary for citizens to see that they are equal beneficiaries. Imagine we are comparing two political procedures. P\textsubscript{1} distributes political power unequally, and P\textsubscript{2} distributes political power equally. However, P\textsubscript{1} overall tends to benefit citizens, in light of their interests, more equally than P\textsubscript{2}. It is not obvious what reason there is to say that under P\textsubscript{2}, it is more likely that citizens would see themselves as equal beneficiaries.

\textsuperscript{67} Brennan(2016), for instance, argues that political participation could make citizens even more politically divided.
At this point, I have examined some stability-driven attempts to defend equal political power. None of them, however, is strong enough to justify equal political power. I shall now turn to another value underpinning equal political power: acceptability.

§5.2. Acceptability

Contemporary discussions of the idea of acceptability in political justification are largely inspired by Rawls (2005) and Scanlon (1998). These claims are particularly evident in the public reason approaches to legitimate authority, which require that ‘the moral or political rules that regulate our common life be, in some sense, justifiable or acceptable to all those persons over whom the rules purport to have authority’ (Quong, 2013).\(^{68}\) Theorists of acceptability often hold that, when citizens are reasonable or ‘qualified’ by some standards, they are owed justifications of what political arrangements they are to live under, whatever virtues (e.g. efficiency) those arrangements exhibit; those justifications, moreover, should be agreeable to them or not appeal to values and/or arguments they reject. An acceptability-based argument for equal political power, therefore, is usually committed to showing the acceptability of equal political power to reasonable or qualified citizens, or the unacceptability of unequal political power to those citizens.

In recent years, Estlund’s (1997; 2008) account of democratic legitimacy is one of the most discussed and elaborate acceptability-based defence of equal political power. Examining his view enables us to see the problems of justifying equal political power in terms of acceptability. I shall present my critique of Estlund’s view in §5.2.1, and then offer some general discussions over the relationship between acceptability and the democratic-sortitional model of meritocracy in §5.2.2.

§5.2.1. Estlund’s Argument

My aim in this section is to contest Estlund’s account. I make two objections to Estlund’s view. First, according to the \textit{Underspecification Objection}, Estlund’s acceptability requirement on legitimacy is underspecified: he does not adequately explain \textit{why} some viewpoints are qualified

\(^{68}\)See Gaus (2010), Quong (2011), Weithman (2010) and so on for further discussions along these lines.
to make a difference to the acceptability of political procedure, while some are not. Second, according to the Stringency Objection, Estlund’s acceptability requirement on legitimacy is too stringent and effectively renders all political arrangements illegitimate, including those that distribute political power equally. To provide the best possible case for both objections, I will not just consider Estlund’s (2008) view in Democratic Authority, the book in which he most fully elaborated his view on the relationship between democracy, justice, legitimacy and authority. I will also look at Estlund’s reply to critics in his subsequent publications. I shall start by summarising his account of democratic authority and the status of acceptability within it. I will then explain why his acceptability requirement of legitimacy is implausibly underspecified and stringent, despite the efforts he has made in reply to critics.

Estlund is interested in showing how democratic decision-making procedure can have both legitimacy and authority. By legitimacy, Estlund (2008: 2) means ‘the moral permissibility of the state’s issuing and enforcing its commands owing to the process by which they were produced’, even if the issue and enforcement of those commands involve coercion; by authority, he means ‘the moral power of one agent (emphasizing especially the state) to morally require or forbid actions by others through commands’. Put differently, if a political decision-making procedure is legitimate, it would be at least pro tanto morally permissible for the decisions produced by that procedure to be issued and enforced. If a political decision-making procedure is authoritative, the decisions produced by that procedure will have pro tanto power to create moral obligations of compliance, among the subjects to whom the decisions apply. These understandings of legitimacy and authority correspond to what was said in §1.2.3. I stress the term ‘pro tanto’, because for Estlund, the fact that a political procedure is legitimate only has some force to render its outcomes morally permissible to be issued and enforced; likewise the fact that a political procedure is authoritative only has some force to morally require compliance among its subjects. There could, Estlund does not deny, be other morally relevant reasons to think that, all things considered, a legitimate and authoritative procedure might produce decisions that should not be issued or enforced, or that would lack the moral power to require compliance.

On what basis, then, does Estlund ground the legitimacy and authority of democratic procedure? Two ideas are key: epistemic proceduralism and the qualified acceptability requirement (QAR). I shall first focus on epistemic proceduralism, the thought that the legitimacy and authority of a political procedure are ‘owed partly to the fact that the procedure has epistemic
value that is publicly recognizable’ (Estlund, 2008: 2). The phrase ‘partly’ is important because this implies that epistemic proceduralism points merely to one source of political legitimacy and authority.

For Estlund, when a democratic procedure (or any other political decision-making procedure) has publicly recognisable epistemic value, it has at least some legitimacy and authority. But what does it mean for a political procedure to have epistemic value, and when is that value publicly recognisable? In response to the first question, we can distinguish between the procedural and substantive senses of epistemic value. The procedural epistemic value of a decision-making process refers to the epistemic virtues the process itself exhibits. These virtues, in Estlund’s (2008: 8) words, include the ‘elaborate process of evidence, testimony, cross-examination, adversarial equality, and collective deliberation’. In contrast, the substantive epistemic value of a decision-making process refers to the chances of that process to make correct decisions. Compare, for example, two political decision-making procedures: P₁ and P₂. If P₁ is likelier than P₂ to produce laws or policies that are correct by some independent standards, then the substantive epistemic value of P₁ is greater than that of P₂. Both senses of epistemic value, moreover, are conceptually independent. A political procedure that has excellent substantive epistemic value can fall short of procedural epistemic value. Suppose the political decision-making process is dominated by a single person who always makes arbitrary guesses of what decisions ought to be made, although her guesses are close to fully accurate. This process clearly has much substantial epistemic value, but it has little procedural epistemic value by Estlund’s standards. Similarly, a political process with great procedural epistemic value might only have modest, if not little substantive epistemic value. We can imagine a political decision-making procedure in which every deliberator is ignorant of some necessary information to make the correct decisions on most cases. Whatever epistemic virtues the deliberative process displays, their common lack of that information makes it highly likely that they will make the wrong decisions. This process, then, will have little substantive epistemic value.

But how much epistemic value should a political procedure have, for that value to make a positive difference to the procedure’s legitimacy and authority? With respect to substantive epistemic value, Estlund places two expectations on a legitimate and authoritative political procedure: (a) the chances of that procedure to produce correct political outcomes
should be better than random,\(^69\) (b) that procedure, compared to all other procedures with better-than-random substantive epistemic value, must have the greatest chances of producing the right decisions. This point is clearly stated by Estlund (2008: 116): ‘Epistemic proceduralism prefers a democratic political system insofar as it performs better than the alternatives, so long as it is better than random’. To illustrate, compare P\(_1\) and P\(_2\) again. If both P\(_1\) and P\(_2\) have worse-than-random chances to produce correct decisions, then both of their substantive epistemic value is inadequate to enhance their legitimacy and authority at any degree. Yet, if both P\(_1\) and P\(_2\) have better-than-random chances to produce correct decisions, and if P\(_1\) has better chances than P\(_2\) in that regard, then the substantive epistemic value of P\(_1\) will contribute to the legitimacy and authority of P\(_1\), whereas that of P\(_2\) will not.

When it comes to the procedural epistemic virtues Estlund (2008: 8) expects of a legitimate and authoritative political procedure, he uses the example of the jury trial. He maintains that one basis for which we tend to find the jury trial authoritative to convict people is that the jury has the procedural epistemic value he suggests. Estlund employs this intuition to account for the legitimacy and authority of democratic procedure: for him, if a democratic procedure is legitimate and authoritative, this owes at least partly to its jury-like procedural and substantive epistemic virtues.

Even if a political procedure has the kind of epistemic value that meets what Estlund expects, this is not yet enough to be a source of the legitimacy and authoritativeness of that procedure. The epistemic value of political procedure must also be publicly recognisable. In Democratic Authority, Estlund emphasises this public recognisability requirement many times. But surprisingly, what that requirement specifically requires is not elaborated in detail by Estlund.\(^70\) One interpretation, though, is that for Estlund, the epistemic value of a political

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\(^69\) This idea of ‘better than random’ can be expressed in probabilistic terms. Suppose a political procedure is to choose between \(n\) outcomes, one of which is correct (or the best) by some independent standards. A worse than random political procedure would have less than \(1/n\) probability, a random procedure would have exactly \(1/n\) probability, a better than random procedure would have more than \(1/n\) probability, of producing the correct or the best outcome.

\(^70\) In Estlund’s Democratic Authority, the idea of public recognisability appears in the following: ‘the law is legitimate and binding on me even though it is unjust, and this is owed partly to the fact that the procedure has epistemic value that is publicly recognizable’ (2008: 8); ‘This is the element of the account that will be most important when we eventually apply the approach to the authority of democratically produced laws—the publicly recognizable epistemic value of the procedure’ (2008: 146-147); ‘According to epistemic proceduralism, under the right conditions, democratic decisions have their legitimacy and authority partly because of a publicly recognizable tendency to make good decisions, at least better than a random procedure’ (2008: 232-233). But none of these explains what public recognisability requires.
procedure is publicly recognisable if the value faces no qualified objections. This is a reasonable interpretation, I assume, since Estlund does associate the idea of public recognisability with qualified acceptability when he addresses the question of which democratic rights are essential for democratic procedure to be legitimate and authoritative.\footnote{For example, Estlund (2008: 166) says that ‘Other rights might be put outside of democratic authority altogether if this provides the most effective overall system for promoting justice in a way that is recognizable by all qualified points of view…Epistemic proceduralism says that this depends on which overall system would (in a publicly recognizable way) best promote justice’.
}

The limits of Estlund’s epistemic proceduralism are closely connected to the objections I will press to the second element of Estlund’s account of democratic legitimacy: the qualified acceptability requirement (QAR). I shall outline the content and problems of the QAR, before explaining why those problems matter for epistemic proceduralism more broadly. According to the QAR, ‘there is only legitimacy if there is no possible qualified objection’ (Estlund, 2008: 47). Read literally, Estlund’s view is that if there is at least one qualified objection to a political procedure, that procedure cannot be legitimate. The QAR differs from epistemic proceduralism at least in two crucial ways. First, the QAR is a set of conditions of legitimacy, while epistemic proceduralism is a set of conditions of both legitimacy and authority. Second, epistemic proceduralism describes one source of legitimacy and authority; in other words, the fact that a political procedure satisfies what epistemic proceduralism requires contributes to the procedure’s legitimacy and authority. But one component of epistemic proceduralism, the QAR, is also a necessary condition of legitimacy: if a political procedure fails to meet the QAR, it must be illegitimate. As Estlund (2008: 41) says, the QAR is a ‘necessary condition on the legitimate exercise of political power: that it be justifiable in terms acceptable to all qualified points of view’. In other words, a political procedure must be illegitimate if it does not fulfil the QAR, even if that procedure has much epistemic value in both the procedural and substantive senses. The QAR trumps the epistemic value of political procedure.

It is important, however, to distinguish between actual and possible qualified objections. For Estlund, people need not actually press qualified objections to their common political procedure for that procedure to be illegitimate. For a political procedure to offend the QAR, it suffices that some qualified objections could possibly be made to that procedure. Suppose Tom and Amy are ruled under the same political procedure P, and the procedure rules only
over them. Suppose further that Tom’s and Amy’s viewpoints are, by Estlund’s standards, unqualified, but both Tom and Amy find it objectionable to be ruled under that procedure anyway. Estlund’s view is that the viewpoints of Tom and Amy are morally weightless to defeat the legitimacy of P. However, if P can be rejected by a possible qualified viewpoint, then P would offend the QAR and hence be illegitimate, even if that viewpoint is not in fact made by any subject of P.\footnote{Estlund (2008) offers a detailed argument for this in Chapter 3 of Democratic Authority.}

The QAR is the basis for Estlund’s argument against the \textit{expert/boss fallacy}. This fallacy, Estlund (2008: 40) holds, mistakenly runs expertise and legitimacy together: ‘from the fact, even granting that it is a fact, that you know better than the rest of us what should be done, it certainly does not follow in any obvious way that you may rule’. But what is essentially wrong with this fallacy? Estlund (2008: 210) argues that ‘privileging the wise would require not only their being so wise as to be better rulers, but also, and more demandingly, that their wisdom be something that can be agreed to by all qualified points of view’. On Estlund’s account, if, as many epistocrats propose, we distribute political power unequally on the basis of expertise, this would create \textit{invidious comparisons} of political expertise that provoke qualified controversy, thus offending the QAR: people inevitably have qualified controversy over who the political experts are, and whether experts should rule. Even if there is no qualified controversy over who the experts are, or over whether experts should rule, there might still be qualified controversy over how those experts ought to be identified.

Estlund does not provide a direct argument against merit-based distribution of political power. But his critique of epistocracy is readily applicable to meritocracy. In a meritocracy, political power is distributed on the basis of merit. We can imagine that a \textit{merit/boss fallacy} could be pressed to advocates of meritocracy as well: the fact that A merits political power more than B does not follow that A should rule over B. In addition, meritocracy seems to involve invidious comparisons: people can have qualified controversy over who merits more or less political power. They can disagree, in a qualified way, about how to identify the meritorious. They can also have qualified disagreement over why the meritorious should rule.

Whether this argument against meritocracy is successful can only be seen after I have clarified the QAR further. Thus far I have not yet explained a crucial component of the QAR:
the qualified or disqualified distinction. For Estlund, a legitimate political procedure is one that is acceptable to all qualified viewpoints. If that procedure is merely unacceptable to some disqualified viewpoints, this would not, according to the QAR, render the procedure illegitimate. Clearly, this view rests on the premise that some objections to political rule are disqualified. But which viewpoints are qualified or disqualified? To do charity to Estlund’s (2008: 4) view, I shall refer directly to the paragraphs where he replies to this question:

Rather than say that a justification [of political procedure] must be acceptable to everyone, we might try saying that it must be acceptable to everyone except the crazy, the vicious…People who believe that their own race has a right to rule other races, or who simply desire to subordinate other people to their power, will not accept certain principles about moral and political equality. But objections stemming from those unreasonable points of view are morally weightless.

In his later replies to critics, Estlund (2011: 363) says the following:

I propose to count a person as disqualified if he does not accept the correct acceptance criterion [i.e. the QAR]. This is a morally significant fact about this person’s view. Granted, we do not count someone as disqualified just because his comprehensive doctrine is false, but we do count people as disqualified for failing to hold certain views, such as, perhaps, that all people are morally free and equal, that even reasonable people can disagree, and so on. Here is one more thing they must accept: a certain view of who counts as reasonable or qualified.

Elsewhere Estlund (2011: 364-365) says:

There are two different ways a person’s point of view might count as disqualified. One (call it first order) is if, for example, the person does not conceive of people as equal in certain ways. Another…is if the person does not accept that even views that are mistaken about some things can be
qualified…For example, suppose that Mary, despite having other substantively qualified views, did not accept that there was anyone who was mistaken about anything who was, even so, owed acceptable political justifications. It is intuitively plausible…to take the position that Mary’s point of view is disqualified…Her failure is not simply an error but an error about matters at the very core of the theory of justification: who is owed an acceptable one and who is not…just as in the case of the first order element, in the case of matters that are especially central to the conception of justification, qualification requires having the correct view. It doesn’t, of course, require having the correct view about everything, such as whether there is a god, or whether the mind is physical, but it does require having the correct view about the equality of the races and sexes, for example…Mary is disqualified because she has an incorrect view about which points of view are qualified and which not. The result of this reasoning is that justifications must be acceptable to all qualified points of view, and only points of view that accept this principle itself are qualified.

From these remarks, we can conclude that a viewpoint is qualified only if it meets the following demands:

**The Equality Demand:** The viewpoint accepts some principles of moral, political and racial equality.

**The Right-Criterion-for-Legitimacy Demand:** The viewpoint accepts the QAR as the correct criterion for legitimacy.

**The Correctness Demand:** The viewpoint holds correct views about which viewpoints are qualified, and which are not.

Here is the first objection I press to Estlund: the *Underspecification Objection*. The QAR is underspecified in substance. For present purposes, I grant that *some* viewpoints are disqualified and morally weightless: a political procedure, to be legitimate, need not be
acceptable to those viewpoints. I also grant that Estlund’s criteria for viewpoint qualification are correct. The details of those criteria remain underexplained, however. Consider the Equality Demand on qualification: a qualified viewpoint is said to be one that accepts some principles of moral, political and racial equality. But which particular principles does Estlund have in mind? It is important to be specific about what those principles are, as they determine, at least partly, which viewpoints should be qualified. It might not be possible, of course, to draw a full list of different principles of equality, and then explain individually which of those should be endorsed by the qualified viewpoints. But we need at least certain somewhat concrete requirements to start with. The concreteness of Estlund’s Equality Demand, as it currently is, is inadequate to help us identify the qualification of viewpoints in a range of cases. Suppose someone holds the view that the political rule that realises equality best is to have all citizens fully subject to the absolute domination of some ‘wise’ revolutionaries who know better than others how human equality should be achieved. Intuitively, there should be little controversy that these views are deeply inegalitarian. Does the viewpoint of this person, who obviously has an interest in equality, offend the Equality Demand on qualification? It is unclear how this question could be answered unless this demand specifies further the particular conceptions of equality it invokes. The Equality Demand is likely to be void if it does not even appeal to some widely held intuitions about equality. There is a similar problem with the Correctness Demand, according to which a viewpoint is qualified only if it holds correct views about which viewpoints are qualified. How can we tell whether someone holds correct views in that regard, if we do not have an idea of whose viewpoints are (dis)qualified in the first place?

In addition, a deeper worry about the lack of concreteness in Estlund’s criteria for qualification is that they fail to provide clear justifications to those whose viewpoints are disqualified. Even if we grant that political arrangements need not be justifiable to the disqualified individuals, it does not follow that those individuals are not owed justifications of why their viewpoints are disqualified. A citizen, no matter how unreasonable, vicious, immature or crazy, is normally thought to be owed justifications of why her views or interests are morally unimportant. It is not obvious how Estlund’s three demands on qualifications are adequate to justify to the disqualified why their views are morally weightless. Suppose an individual whose viewpoint is disqualified asks: why does the fact that I reject some principles of equality, that I take the QAR to be an incorrect criterion for legitimacy, or that I hold
mistaken views about whose viewpoints are qualified, lead to the disqualification of my view? The question of this individual seems hardly answerable based on Estlund’s sketchy criteria for viewpoint qualification.

To be sure, Estlund might reply this way: true, an exhaustive account of disqualification is unavailable. But it is not important to provide such an account, because to establish the illegitimacy of undemocratic arrangements, all he needs is that there are several qualified viewpoints, and political institutions must be acceptable at least to those viewpoints. When epistocracy or other political arrangements (e.g. meritocracy) cannot be acceptable to those viewpoints, it suffices to establish the illegitimacy of those arrangements. As Estlund (2009: 77) says,

I do not offer a general account of the boundaries of reasonableness or what I call qualification. This is undeniably a limitation on what I claim to accomplish...I do think that there must be some such general principle or set of principles that serve as the moral basis for the particular instances. I also think that it would be a nice philosophical accomplishment if I could provide that account. I doubt, though, that it is a serious deficiency if I do not.

But this reply is unsatisfactory. My criticism here is not that the QAR cannot establish the illegitimacy of undemocratic arrangements. Rather, the thought is that the disqualified individuals seem to be owed justifications of why they are disqualified. In everyday political life, when we exclude individuals from some particular activities of political participation, for example, due to their age, criminal wrongdoings and so on, some justifications of such political exclusion are often thought to be necessary. It is indeed a serious deficiency, at least intuitively, for any kind of political exclusion to fall short of justifications. The QAR does injustice to the disqualified individuals, when it lacks justifications of why their viewpoints are morally weightless to make a difference to the legitimacy of the political arrangements under which those individuals live.

Estlund’s QAR also faces what I call the Stringency Objection. This objection holds that the QAR is an implausibly strict requirement and effectively renders all political procedures illegitimate. The upshot is that the QAR justifies neither democratic, epistocratic nor
meritocratic political procedures. Here is the basic structure of Estlund’s argument against epistocracy (and meritocracy) based on the QAR:

1. The QAR requires that legitimate political procedure be subject to no possible qualified objections.

2. Any procedure that involves invidious comparisons of citizens is subject to possible qualified objections.

3. A political procedure that distributes political power on the basis of expertise or merit involves invidious comparisons.

4. If (3) is true, then a meritocratic or epistocratic political procedure would be subject to some possible qualified objections.

5. Therefore, an epistocratic or meritocratic procedure must be illegitimate.

Premise (1) is important: it says that for a political procedure to be legitimate, it should invite no qualified objections. The question is: how do we tell which political procedure meets this constraint? In response to this, one sensible first step is to clarify what counts as qualified viewpoints. If objections to a particular procedure can be drawn from those viewpoints, then it follows that the procedure offends the QAR and is thus illegitimate. However, as the Underspecification Objection has shown, it is not clear enough from Estlund’s criteria for qualification which viewpoints should be qualified. There is not a solid basis for us to say that any particular political procedure is subject to no possible qualified objections, since from Estlund’s criteria for viewpoint qualification we can hardly identify what qualified objections really include or exclude.

Premises (2) and (3) deserve closer examination. First, does meritocracy provoke invidious comparisons? If meritocracy provokes invidious comparisons merely because people might have qualified disagreement over who merits political power, how to identify the meritorious, and whether the meritorious have a legitimate right to rule, then a similar challenge can be pressed for democracy as well. Consider the disenfranchisement of children in many democracies. Standard arguments about disenfranchising children often rest on their
lack of maturity or adequate epistemic capacity; arguments along these lines, moreover, are sometimes publicly invoked by the state as their basis for disenfranchising children. Would the disenfranchisement of children not provoke invidious comparisons as well? On the one hand, people might have qualified controversy over what maturity or adequate epistemic capacity amounts to. On the other hand, people might have qualified controversy over whether children belong to the ‘immature’ group. Finally, people might have qualified controversy over whether maturity should determine one’s access to political authority. It is entirely possible to imagine some sort of invidious comparisons in a democracy that exhibits a similar structure to those in an epistocracy or meritocracy. To be consistent, therefore, there is at least one kind of democracy that Estlund cannot accept—that is, democracies that disenfranchise children.73 But the consequence of this is that it will effectively render numerous democracies illegitimate, for the sole reason that they disenfranchise children. One might reply to my children disenfranchisement example by pointing out that age-based requirements of voting might not be invidious, since no one has less access to voting than anyone else across a normal lifetime. But my point that child disenfranchisement could be an aspect of democracy that provokes qualified controversy. If some possible qualified objections can be made to child disenfranchisement within democracy, then by Estlund’s logic we have reason to count democracy illegitimate.

The second question is whether a political procedure is subject to qualified controversy only when it involves invidious comparisons. Estlund explicitly addresses two perspectives from which a qualified subject could object to a political procedure: (a) the epistemic value of that procedure, and (b) whether that procedure involves invidious comparisons. However, even if we grant that a political procedure has epistemic value beyond qualified controversy, and that the procedure does not involve invidious comparisons, it does not follow that there is no qualified controversy over other aspects of that procedure. Suppose someone objects to equal political power on the ground that citizens are likely to end up with a share of power that does not genuinely correspond to their merit claims to political power. Someone might have a complaint about equal political power because it does not give citizens a share of political power that is proportional to their merit. That person also has the desire

73 See Hinze (2019) for a similar argument for the thought that there could be qualified controversy over the disfranchisement of children in democracy.
to have that complaint to be acceptable to all qualified points of view. Her objection to democratic procedure has nothing to do with the epistemic value of or the invidious comparisons triggered by the procedure. It might be replied, of course, that this ground for rejecting democracy is disqualified, because a complaint about equal political power by appeal to merit claims is itself not acceptable to all qualified points of view. Yet, given the underspecification of Estlund’s criteria for qualification, there is no decisive reason to think so. In short, the QAR-based argument against meritocracy presented above is valid, but the argument remains easily valid even if we substitute democracy (or any other political system) for meritocracy. The upshot is that no political procedure can be legitimate.

To be fair, Estlund (2008: 37) has anticipated this kind of objection:

I don’t mean that democratic arrangements involving universal suffrage are free of the qualified acceptability requirement… [My argument], taken as a whole, is that democracy can meet the burdens of justification incurred by proposals to subject some to the rule of others. However, there is something additional present in the case of invidious comparisons used to justify epistocratic arrangements. Here, not only is each minority voter in each decision subject to rule by the majority in that single case. Under unequal suffrage, some people are formally and permanently subjected to the rule of certain others. This is a ruling relationship that is not present under majority rule, even though majority rule is also a ruling relationship of a kind. As such, this additional element is itself subject to an extra burden of justification that universal suffrage does not incur, and if it can’t meet it, the default is the absence of that particular ruling relation.

Estlund’s point is that epistocracy, or other political decision-making systems like meritocracy propose an extra ruling relationship—that is, the experts or meritorious should rule or be given greater ruling authority. This ruling relationship is subject to an additional burden of justification that must pass the test of the QAR. As that ruling relationship cannot pass the test, the default position is to have democracy, which does not propose that additional ruling relationship.
But this reply is hardly helpful: Estlund’s claim that epistocracy (or meritocracy) proposes an additional ruling relationship is awkwardly *quantitative*. Rather than say that epistocracy or meritocracy proposes an additional ruling relationship, why not say that the characteristic ruling relationships of epistocracy, meritocracy and democracy are just different? It might be said, for instance, that the ruling relationship democracy proposes is one in which nobody has more authority than anyone else;\(^{74}\) that the ruling relationship epistocracy proposes is one in which the experts have more authority than non-experts; or that the ruling relationship meritocracy proposes is one in which more authority is given to those with greater merit. It is difficult to see what is the ‘additional’ element of the ruling relationship characterising epistocracy and meritocracy—what we can see, instead, is that democracy, epistocracy and meritocracy involve different ruling relationships which cannot be compared in quantitative terms. Even if we grant that the ruling relationships characterising the three decision-making systems can be compared in quantitative terms—that is, epistocracy or meritocracy proposes an additional ruling relationship in comparison to democracy—it does not follow that democratic procedure itself meets what the QAR requires. The ruling relationship of democracy itself might still be subject to some qualified controversy. The point of the Stringency Objection is not that epistocracy or meritocracy does in fact meet what the QAR requires; rather it seeks to show that even democracy does not meet what the QAR requires. This objection cannot be addressed simply by explaining why epistocracy or meritocracy fails to meet the QAR. Perhaps the greatest error of Estlund’s reply is that he seems to take democracy as a default position. He does not really explain how democracy meets the QAR; rather much of his attention is put to show that non-democratic forms of rule offend the QAR. However, even if Estlund’s attempt to establish the incompatibility between epistocracy or meritocracy and the QAR is successful, this does not mean that democracy satisfies what the QAR requires, nor that democracy should be the default position forbidding any deviations from it. For example, why should we not, as Mulligan (2015: 472) argues, ‘regard prepolitical anarchy as the default’ instead? This seems to be the only arrangement that involves no ruling relationship among individuals and is thus a

\(^{74}\) Kolodny (2014a; 2014b), for example, conceptualises the characterising ruling relationship of democracy this way.
reasonable starting point, at least more reasonable than taking democracy as the default position.

What lessons for epistemic proceduralism, then, can we learn from these objections? As I said, according to epistemic proceduralism, one source of political legitimacy and authority of political procedure is its publicly recognisable epistemic value. A political procedure has publicly recognisable epistemic value, when there is no possible qualified objection to that epistemic value. However, to see if a political procedure has epistemic value beyond qualified controversy, we must first clarify what viewpoints should be counted as ‘qualified’. This possibility has already been blocked by the Underspecification Objection. Even if we know what viewpoints should be regarded as ‘qualified’, there are still questions of whether any political procedure can have the kind of epistemic value Estlund has in mind, on the condition that the value is invulnerable to qualified objections. In existing scholarship on democratic theory, many attempts have been made to contest the epistemic value of democracy. Even if we suppose that those attempts are wrong, and Estlund is right about the epistemic value of democracy, it is hard to unhesitatingly regard those attempts as ‘disqualified’. They are often made by political theorists with due considerations on opposing opinions and empirical evidence. If the viewpoints of these political theorists are qualified, then the best available position we can hope for, given Estlund’s framework of democratic authority, is that democracy has epistemic value, but that value is \textit{not} beyond qualified controversy. The upshot is that democracy does not have the legitimacy and authority that epistemic proceduralism expects.

§5.2.2. Acceptability and the Democratic-Sortitional Model

Despite the limits of Estlund’s epistemic proceduralism, some aspects of the acceptability view do not seem particularly controversial. For example, we can grant that individuals are owed justifications of the political arrangements under which they live. We can also grant, as Estlund does, that political procedures should be so arranged to avoid invidious comparisons between citizens. In this section, I briefly discuss the ways in which the democratic-sortitional model takes both considerations seriously.

\textsuperscript{75} See Brennan (2011b; 2016), Caplan (2012) and so on.
The democratic-sortitional model proposes that our legislature be composed of two bodies: the democratically elected body and the meritocratically selected body. The elected body is responsible for producing the eligibility criteria for the meritocratic body, in accordance with citizens’ deliberative results over what experience, skills, competence or sectors merit representation by the legislature. Public justification cuts through the operation of the model. At the first level, citizens must justify publicly, not just to the participants in the deliberative forums, but also citizens who have access to observe the forums, their perspectives over what experience, skills, competence or sectors merit representation. Once a post-deliberation report is produced, the current democratically elected officials must respond publicly to that report, and then design the eligibility criteria for the meritocratic body. The elected officials must also justify to the public why they design those eligibility criteria as they are. The democratic-sortitional cannot guarantee that the eligibility criteria for the meritocratic body could be acceptable to all points of view, but the model is so designed to ensure that any merit-based criterion invoked to select public officials is justified to the public as much as possible.

Such features of the democratic-sortitional model also gives it a good capacity to avoid invidious comparisons. The merit-based criteria invoked for the meritocratic chamber of the model are ultimately determined by citizens themselves in deliberative forums. In these occasions, they can be expected to justify to each other their conceptions of merit, trying to reach a consensus over what merits representation by the legislature. In addition, the making of the meritocratic chamber within the democratic-sortitional model is fundamentally supervised and controlled by the elected body. The selection criteria for the meritocratic body are less likely to provoke invidious comparisons, because those criteria are determined by a body (i.e. the elected body) that is typically regarded as an important component of a just and legitimate political system in democratic societies.

§5.3. Conclusion

In this chapter, I have considered some major stability- and acceptability-based arguments for equal political power. I selected six stability-related goods for discussion: peaceful transition, international peace, regime endurance and legitimacy, development, solidarity and the sense of justice. Empirical studies on democracy often draw a connection between these
goods and democratic arrangements. However, there is no clear evidence that the capacity of democracy to deliver these goods well lies in the fact that it allocates political power equally. I also assessed the relationship between acceptability and equal political power, with an emphasis on Estlund’s view. He, I argued, mistakenly claims that a normatively legitimate political procedure must be acceptable to all qualified points of view. Not only did Estlund fail to provide some sound criteria for (dis)qualifying certain viewpoints, but the acceptability requirement he proposes is also too stringent and renders every political procedure illegitimate, including democratic procedures that distribute political power equally. Hence, there is little reason to think that Estlund’s conception of acceptability grounds the appeal of equal political power. Finally, I explained how the democratic-sortitional model of meritocracy takes stability and some moderate acceptability-related considerations seriously.

The main achievement of this chapter is to explore how criticisms of meritocracy based on the ideas of stability and acceptability could be made, and how such criticisms could be met. While most theorists of stability and acceptability I selected for discussion in this chapter have not invited much discussion from the political meritocrats, this chapter can be seen as an attempt to defend meritocracy against the criticisms driven by considerations and goods (i.e. stability and acceptability) that typically ground equal political power in the literature on democratic theory. I also addressed in what ways the democratic-sortitional model is designed with an eye on those considerations and goods. This chapter, thus, is not just a defence of meritocracy per se. It also sheds light on how an alternative model of meritocracy can be compatible with some underpinning values of democratic arrangements.
6. **Towards a Democratic-Sortitional Meritocracy**

I have explained what it means for one to merit political power. I have explained what fair equality of political opportunity (FEPO) means, and what it demands on meritocracy. I have also explained why, at least when we look at some familiar conceptions of fairness, equality, stability and acceptability underpinning democratic arrangements, justice, legitimacy and authority do not require that political power be distributed equally rather than meritocratically. In this chapter, I ask a practical question about designing a meritocracy: if we were to distribute political power, or positions of authority exercising political power according to merit at all, what kind of core political decision-making body would be morally preferable, whereas in most political systems, I assume, this decision-making body would be the core legislature?

This chapter seeks to provide a deeper case for the _democratic-sortitional_ model of meritocracy, and explain its advantages over the models of meritocracy developed by Daniel A. Bell, Joseph Chan and Tongdong Bai. While Bell’s, Chan’s and Bai’s models have many merits, I argue that they share two concerning features: (a) they are _non-participatory_ in the sense that they give citizens little formal binding power over the institutional standards of merit that determine the prospects of candidates for positions of authority, and (b) they rely heavily on _rational_ mechanisms to measure the merit of the candidates for public office. The democratic-sortitional model of meritocracy, in contrast, exhibits no such features and hence mitigates the problems of Bell’s, Chan’s and Bai’s models. On this democratic-sortitional model, citizens play a major role in deliberating what or who counts as a meritorious political representative. The model envisions a bicameral legislature composed of two chambers, the first democratically elected, the second meritocratically selected. Members of the elected chamber are responsible for transforming the deliberative conclusions of citizens, over what skills, expertise, experience and so on merit political representation, into _publicly clear_ standards of merit for positions of authority, the application of which is free from human judgments. Citizens who meet those standards would be randomly chosen to occupy the meritocratic chamber. The success of any institutional proposal, though, is likely to depend on a number of factors, and it is beyond the scope of this chapter to offer a comprehensive defence of the democratic-sortitional model. However, if it could be shown that this model addresses the...
concerns driven by certain shared features of the existing models, this model can at least provide some inspiration for future attempts to develop new models of meritocracy.

Here is the structure of this chapter. In §6.1, I provide an overview of the proposed models of meritocracy by Bell, Chan and Bai. Then, in §6.2, I address the common features of these models, explain why these features would be concerning when we bring together the many moral considerations that I have explored in this thesis so far, and discuss how the democratic-sortitional model avoids the concerns of Bell’s, Chan’s and Bai’s models. Having considered several objections to the democratic-sortitional model in §6.3, I conclude the chapter in §6.4.

§6.1. Three Models of Meritocracy

This section outlines Daniel A. Bell’s, Joseph Chan’s and Tongdong Bai’s models of meritocracy. Before I begin, it is worth noting several points. First, I will focus on outlining the core political decision-making bodies of their models. I put more emphasis on this aspect of their models, because this is a key area on which they diverge from a usual democratic view on political institutions: that is, those occupying the core executive and/or legislature should be elected by citizens directly, or at least selected by representatives who went through some popular elections. The relevant elections, moreover, must formally assign equal weight to each (adult) citizen’s vote, and every (adult) citizen should be free to run for them and to choose whichever candidates they favour. Bell’s, Chan’s and Bai’s models both deviate from this usual view, mainly because in the political decision-making bodies they envision, some if not all members of the core executive and/or legislature must meet some formal merit-based assessments (e.g. examinations, performance reviews, peer recommendations) to acquire or retain their positions. Their models allow that some officials within the core legislature, or at lower levels of government to be democratically elected, but the capacity of the elected officials to influence the political decision-making outcomes is (often greatly) limited by the officials chosen by meritocratic means.

Second, while Bell’s, Chan’s and Bai’s models limit the capacity of democratically elected officials to influence the political decision-making process, they are by no means against all elements of a democratic society. They welcome many other important institutions or political liberties that are usually thought to be important components of democratic
societies, such as the rule of law, judicial independence, freedom of speech and assembly, basic human rights and so on. Bell (2015: 152), for example, maintains that ‘sustainable political meritocracy requires features typical of democratic societies: the rule of law to check corruption and abuses of power, and freedom of speech’; Chan (2014) argues that civil liberties and human rights can be instrumentally valuable for the Confucian vision, which he embraces, of the good life; Bai (2020: 68) explicitly says that ‘the rule of law and human rights are endorsed and firmly established’ in his proposed regime. It would be a mistake to think that they are all-the-way-down anti-democratic, denying the value of every institution and freedom constituting a democratic society. For the political meritocrats, some rules and rights that are characteristic of democracy would be required as much by meritocracy, except that meritocracy permits differential political power as a result of differential merit among citizens.

Third, in §1.1, I mentioned two other crucial political meritocrats: Qing Jiang (2013: 41) and Ruiping Fan (2013). Jiang and Fan advocate some similar meritocratic institutions, and they are very influential political meritocrats in East Asia. But I will leave their institutional proposals aside in my following discussions. The first reason is that some elements of their proposals would look highly controversial even to those who find some initial appeal in the idea that political power should be meritocratically distributed. For example, with China’s context in mind, Jiang (2013: 41) holds that a major house (i.e. ‘the House of Nation’, as he calls it) in the core legislature should be chaired by a ‘direct descendant of Confucius’, and the chair should appoint members of the house from

the descendants of great sages of the past, descendants of the rulers, descendants of famous people, of patriots, university professors of Chinese history, retired top officials, judges, and diplomats, worthy people from society, as well as representatives of Daoism, Buddhism, Islam, Tibetan Buddhism, and Christianity.

This proposal is controversial in many respects. One might wonder, for instance, why an individual should be given such an important institutional capacity to appoint legislators and influence the political decision-making process, just because she is a descendant of a respectable thinker (i.e. Confucius) in the past. While we should not dismiss an idea merely because it appears controversial, here is the second reason why I will not examine Jiang’s and
Fan’s proposals here: their proposals are deeply immersed into some particular interpretations of Confucianism. Although Bell’s, Chan’s and Bai’s proposals do make considerable reference to Confucian political thought, it is still possible to summarise their institutional proposals without drilling into their understandings of Confucianism in great detail. Yet this, in my view, is not the case for Jiang’s and Fan’s proposals. In order not to be distracted by the interpretative controversies over Confucianism, and to provide the most faithful reading of Jiang’s and Fan’s proposals, I shall discuss them only on other occasions.

§6.1.1. Daniel A. Bell’s China Model

I shall start with Bell’s model of meritocracy. Focusing on China’s political context, Bell’s (2015: 2) aim is to develop a model of government that ‘is seen as legitimate by the people and avoids the abuses of authoritarian rule’, and to ‘identify the ways of selecting the best possible leaders capable of making intelligent, morally informed political judgments on a wide range of issues’. In other words, Bell looks for a system of government that is de facto legitimate, non-authoritarian and competent at political decision-making. He does not deny that a political system in which top leadership roles are chosen by democratic elections can be de facto legitimate and non-authoritarian under favourable circumstances. However, Bell (2015: 23-24) thinks that the capacity of such a political system to make competent political decisions is limited by the fact that many voters are misinformed and short-termist, diminishing their capacity to choose competent political decisionmakers, a criticism of democratic politics shared by various political meritocrats I noted in §1.1.2. The short-termist tendency of elected public officials due to short electoral cycles also undermines Bell’s (2015: 34) confidence in electoral democracy’s ability to produce far-sighted leaders and policies, because talented leaders would be rarely motivated to engage in long-term planning, if they are ‘worried about losing power every four or five years’.

Bell’s (2015: 168) alternative to democracy at the top level of government, in his terms, is best summed up as ‘Democracy at the Bottom, Meritocracy at the Top’. With China’s

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76 See Elstein’s (2015) comments on Jiang, for example.
77 For more comprehensive reviews on Jiang’s proposal, see Angle (2014), Bai (2013b), Chan (2013a), Elstein (2015), Li (2013), Wang (2013), Zhang (2014) and so on.
political context in mind, he argues that (a) the public officials within the top political decision-making body (i.e. the core executive and/or legislature), should all be chosen on the basis of merit-based criteria, and that (b) public officials at the lowest levels of government should be chosen by means of democratic elections. Here is the general principle underpinning this arrangement: at higher levels of government, there is greater reason to select public officials by meritocratic means, whereas at lower levels of government, there is greater reason to select public officials by democratic elections.

The first question about this model is what determines one’s merit for political roles at higher levels of government. Drawing on empirical research into management and political leadership, Bell (2015) points out three important indicators of one’s merit for core political positions, each of which is to be measured by different methods:

*Intellectual Ability:* This refers to the ability ‘to understand complex arguments and make decisions based on knowledge of the latest developments in a number of interconnected disciplines that bear on the policy-making process: economics, science, international relations, psychology, and so on’ (79-80). The best mechanism to measure one’s intellectual ability is examination, because it ‘can at least filter out candidates who lack basic analytical abilities and knowledge of the world required for informed and morally justified political decision making at the highest levels of government’ (89).

*Social Skills:* They refer to the ability ‘to communicate, cooperate, and compromise with colleagues, but also inspire and persuade diverse sectors of society and (to a lesser extent) members of the international community’ (92). For Bell, social skills can be proxied by one’s age, gender, polls, performance evaluations at lower levels of government and so on.

*Virtues:* This refers to an individual’s motivation to ‘seek the good of the people’ (102), rather than to act for her private interests. One’s virtues can be assessed by one’s success in peer recommendations, absence from criminal records and so on.
A competent political leader, Bell (2015: 108) argues, need not excel at all these domains, but she should have better-than-average performance in all of them. Only those exhibiting above-average intellectual ability, social skills and virtues should have the opportunity to occupy the core political decision-making bodies.

The second question is why officials at the local level of government should be chosen by democratic elections rather than meritocratic mechanisms. In reply, Bell (2015: 168) says that democracy works best in small communities…In small communities, people have more knowledge of the ability and virtue of the leaders they choose. The issues at the local level are usually relatively straightforward and easy to understand: do we need to upgrade the local school or the hospital? People often have more of a stake in local affairs, and what they do is more likely to affect outcomes. Finally, mistakes are less costly at the local level: it is not the end of the world if local citizens decide to spend more funds on a new road that turns out to be unnecessary; but it might be the end of the world if big countries launch nuclear war or ignore the perils of global warming…In the Chinese context, there is [also] widespread support for the idea of democracy at the local level [rather than the higher levels of government].

In short, on Bell’s view, it is more appropriate to allow people to elect the public officials at lower levels of government in China, because (1) people have greater motivation and the necessary knowledge to choose competent leaders at those levels, (2) even when those officials turn out to be incompetent, the policy mistakes they make are likely to be less serious than the mistakes made by higher-level public officials, and (3) there is enough popular support of this institutional arrangement in the Chinese context.

Why does Bell think that his model of meritocracy can be both de facto legitimate, non-authoritarian and competent at political decision-making? The reason why the model is competent at political decision-making seems self-explanatory: it is so designed to assign political leadership roles only to those with above-average moral and intellectual qualities. Bell also defends the potential of this model to have good de facto legitimacy on two grounds. First, the intellectual traditions and public opinions in China tend to place much emphasis
on the competence and virtue of political leaders. Not only is it likelier that political
institutions explicitly aiming to select political leaders based on their competence and virtue
be more acceptable to the public, but justifications of such institutions that appeal to values
familiar rather than foreign to Chinese people are also available.\textsuperscript{79} Second, Bell argues that
the structure of the Chinese government is already similar to his proposed model. The
Chinese Communist Party (CCP), according to Bell, allows democratic elections at local levels
of government, and it also has various formal mechanisms to select and promote outstanding
local officials to higher levels of government. For Bell, although there are imperfections of
China’s existing meritocratic system of appointing public officials, the fact that China has
been practising a political system similar to Bell’s model nevertheless shows that his model is
feasible in the Chinese political context.\textsuperscript{80}

But questions still remain about the authoritarian potential of Bell’s model. On the
one hand, in his model it seems easier for the social groups that are particularly successful in
the meritocratic assessments for top political roles to make use of their institutional capacity
to diminish the opportunities of other citizens to enter the ruling body of the government,
thereby ossifying the political hierarchies. For example, if the current meritocratically selected
leaders could determine the contents of the assessments affecting one’s career prospect in
the government, this would mean that the meritocratically selected leaders can decide who
to exclude from the core political decision-making body. Although in many established
democracies the major political roles tend to be dominated by individuals with similar
demographic backgrounds, this problem is at least moderated by the fact that citizens have
formal opportunities to change their ruling political elites by means of elections. While this
opportunity does not obtain under Bell’s model, the upshot is that citizens’ mobility on the
political ladder is greatly controlled by the current governors. Another related worry is that if
the power of the meritocratically selected officials at the top were not constrained by at least
some democratically elected officials, the former could easily abuse their power to get
involved in such misconduct as corruption and power abuse.

\textsuperscript{79} See Chapter 2 of Bell’s (2015) \textit{China Model}.
\textsuperscript{80} See Chapter 2 of Bell’s (2015) \textit{China Model}. 
Bell is aware of these concerns and provides the following solutions. First, Bell (2015: 117) thinks that political power should be monitored with various mechanisms, and he uses Hong Kong as an example:

Nondemocratic Hong Kong relies on a powerful and independent anticorruption agency, the rule of law, and a relatively free press. Less-than-democratic Singapore relies on high salaries and an independent anticorruption agency. For that matter, democratic countries also rely on extensive monitoring systems to curb the power of their elected leaders, [Bell cites John Keane (2009: xxvii),] such as “public integrity commissions, judicial activism, local courts, workplace tribunals, consensus conferences, parliaments for minorities, public interest litigation, citizens’ juries, citizens’ assemblies, independent public inquiries, think-tanks, experts’ reports, participatory budgeting, vigils, ‘blogging’ and other novel forms of media scrutiny.”

These suggestions imply that for Bell, (a) there should be legal and financial incentives for public officials not to abuse their power, and (b) institutions and liberties for citizens to monitor the government’s performance should be set up, even if they are widely practised in democracies. Second, for the problem that some social groups might dominate the supply of public officials in a meritocracy, Bell (2015: 134) has two recommendations. The first recommendation is to leave adequate room for citizens to express what and who is important for the political decision-making process, such that no interests or groups could continuously dominate the process. Free speech, for example, would be crucial to this goal. The second recommendation is to introduce diversity measures to the meritocratic selection process of public officials. Not only should the core political decision-making body of the government include officials from a wide range of backgrounds, but efforts should also be made to diversify the assessment methods of citizens’ merit for political roles, such that more citizens would have access to positions of authority.

§6.1.2. Joseph Chan’s Bicameral Legislature
The second model is Joseph Chan’s bicameral legislature.81 Chan’s institutional proposal is inspired by the Confucian thought that the major task of governors is to serve the moral well-being of their people. According to Chan (2014: 100), democratic institutions can have governors who perform this task well, but this depends on our circumstances:

in the Confucian political ideal, the virtuous and competent are selected to serve the people. In an ideal situation, democratic elections can serve this function well as long as there are virtuous and competent people running for office and voters are competent enough (or have enough information) to identify and elect them. In a nonideal situation, however, not all candidates or voters possess virtues and competence. Furthermore, if the elected officials in a democratic regime lack virtues or competence, the public governance of that regime will be poor.

To the fact that we are in a nonideal situation where some candidates for elections or voters lack virtues and competence, Chan recommends two responses. The first response is to cultivate a virtuous and competent citizenry, through moral and civic education aiming to ‘improve citizens’ cognitive competence, including knowledge of public affairs and critical-thinking abilities, in such a way that citizens are able to appreciate the force of competing arguments and to differentiate good ones from bad’ (Chan, 2014: 100-101). The second response is to increase the availability of ‘virtuous and competent politicians among the elite and to utilize their talents to improve public governance’ (Chan, 2014: 101).

The bicameral legislature Chan proposes belongs to the second solution. Chan holds that in addition to the democratically elected chamber, the core legislature should include a non-democratically elected second chamber filled with high-quality politicians. According to Chan (2014: 101), this second chamber has two values: first, it enhances the quality of governance ‘through discussing and passing bills and government budget and spending, balancing the views of the democratically elected chamber…and monitoring the government’; second, the politicians within the second chamber, when they are virtuous and competent, can be ‘role models for other politicians and the entire citizenry, as the manner in which they

81 See Bell (2017), Jiang (2018), Jin (2020) Kim (2017) and so on for further reviews on Chan’s institutional model.
debate on public affairs, the viewpoints they bring into public discussion, and the judgments and decisions they make can have an educational influence on other people’. The second chamber, in short, has both governance-improving and educational values.

But the second chamber exhibits these values only if it is indeed filled with high-quality representatives. How, then, can we supply virtuous and competent politicians to this second chamber? In response, Chan relies on a colleague-based or peer-recommendation approach: an individual can be a candidate for the second chamber, if she has considerable experience in public service. Chan (2014: 107) says that seasoned participants in public service, who ‘have had a long and rich experience of public service in the legislature, courts, civil service, government advisory bodies, statutory bodies, and diplomatic services’, are likely to have the kind of virtue and competence suitable for the second chamber. Chan (2014: 107-108) continues,

The general principle would be that senior public servants who meet the qualification requirements would have the opportunity to select each other to serve in the second chamber… Any qualified senior public servants would be able to stand as candidates—and might volunteer themselves or be nominated by others.

A group of committees, moreover, would be responsible for selecting those who occupy the second chamber from the pool of eligible candidates. When an individual becomes a candidate for the second chamber, she will also be eligible to assess other candidates for the chamber. But the selectors would not be confined to experienced individuals in public service. Chan (2014: 107-108) maintains that

Those who have worked with some of these senior public servants for an extended period of time in one capacity or another could also be included [in the pool of selectors], for they would presumably possess a more reliable knowledge and assessment of those public servants than would other people in society. The selectors might include senior secretariat staff serving in any of the public institutions mentioned above [i.e. the legislature, courts, civil service, government advisory bodies, statutory bodies, and diplomatic
services] or experienced political affairs journalists who interact with senior public servants on a regular basis... Once a list of candidates has been drawn up, eligible selectors... would be asked to evaluate the candidates’ virtue (most notably in terms of public-spiritedness, sense of responsibility, fairness, integrity, and civility) and competence (in terms of the ability to understand complex arguments from diverse points of view, open-mindedness, knowledge of some fields of public service, etc.) by giving each candidate an overall mark for each of these two dimensions... those candidates whose overall marks are above a set threshold would be selected to serve in the second chamber.

There are some constraints on (the assessors of) the candidates for the second chamber, however. For instance, the direct employees of the candidates will be excluded as selectors to avoid conflicts of interest. Candidates for the second chamber must also be ‘near the ex-post of their public service life’ to reduce their ‘temptations of corruption or power abuse’ (Chan, 2014: 109).

What about the power of the meritocratic second chamber in relation to the first chamber? According to Chan (2014: 108), the second chamber can play a strong role when it serves ‘as a guardian of public interest with overriding powers over the democratically elected first chamber’; it can play an equal role when it serves ‘as a partner having the same powers as the first chamber’; it can play a weak role when it serves ‘as an adviser and role model for society as a whole, having the power only to delay and return bills to the first chamber for another round of discussion’. What role the second chamber should play, however, depends on the virtue and competence of the citizenry: ‘The lower the level of virtue and competence the citizenry reaches, the stronger the role the second chamber should take’ (Chan, 2014: 108).

How should the power of the meritocratic second chamber be checked? While ‘the standard corruption prevention measures that apply to the first chamber would also apply to the second chamber’ (Chan, 2014: 109), the members of the second chamber would also be near the ex-post of their public service. Chan (2014: 109) holds that the latter would reduce the tendency of the meritocratically selected officials to commit corruption and power abuse, because ‘Their incentives would not come from a strong desire for more power or fame, for presumably they would have satisfied their taste for these things through long years of public
service’. Also, at least when the meritocratic chamber plays a weak role in comparison to the
democratic chamber, the former ‘would be less likely to attract ambitious politicians still
hungry for power’ (Chan, 2014: 109).

§6.1.3. Tongdong Bai’s Confucian Hybrid Regime

The third model is Tongdong Bai’s Confucian hybrid regime.\(^{82}\) This regime is Confucian in
the sense that it is informed by the ideals of governance and demands on political legitimacy
of two crucial Confucian thinkers, Confucius and Mencius. In a Confucian fashion, Bai (2020:
34) argues that ‘the legitimacy of the government resided in service to the people[’s material
and moral well-being], that members of the ruling class should be selected on this basis, and
that the government should be held accountable to the service offered’. An individual’s merit
for positions of political leadership, therefore, depends importantly on her capacity to rule in
a way that makes people materially and morally better off. People with such a capacity, for
Bai (2020: 68), are those who are (1) morally virtuous, ‘in the sense that they are willing to
extend their care to all the people who are within their power to help’, and (2) intellectually
superior, in the sense that they have the knowledge and intellectual skills enabling them to
make decisions beneficial for citizens’ material and moral well-being.

The legislative system of Bai’s proposed regime has four crucial institutions: (a) a
meritocratic upper house, the members of which are chosen by (those who meet) certain
merit-based criteria, (b) an elected lower house, the members of which are elected by the
general public, (c) a citizenry able to participate in the meritocratic house because they pass
some relevant examinations and practical political training, and (d) a citizenry able to
participate in the meritocratic house because they meet certain merit proxies. I use the term
‘participate’, because there are various ways in which (c) and (d) can affect the formation and
operation of (a), as we shall see soon.

The legislative system Bai envisions has multiple levels. The lowest level makes
political decisions concerning local affairs within small communities, whereas the top level is
responsible for making decisions that have nationwide impact. While Bai does not specify
exactly how many levels of government his proposed regime has, he maintains that the

\(^{82}\) For comprehensive reviews over Bai’s model, see Fox (2021), Kim (2016; 2021), Kreutz (2021), Loy (2021),
Patten (2021), Zhuoyao (2021) and so on.
highest and all intermediate levels of legislature should be composed of a meritocratic upper house and electoral lower house which make decisions together. The lowest level of legislature, in contrast, only includes an electoral house. For Bai, the main reason why the lowest level of legislature does not require a meritocratic house is competence-based. As said earlier, he thinks that political institutions are legitimate only if they serve the material and moral well-being of people. To select those who serve this goal well for the lowest level of legislature, it suffices that these individuals be elected by citizens within the relevant small communities, because citizens are generally competent enough to make sound judgments on the political issues that immediately affect their communal lives, and they are thus much likelier to elect reasonably competent political leaders for their local communities. However, higher levels of government must deal with increasingly complex political issues, and most citizens tend not to know these issues as well as the issues they face in their everyday communal lives. Therefore, at higher levels of government, there should be meritocratic upper houses that moderate the possible inability of the elected lower house to make decisions beneficial for citizens’ well-being.

What, then, are the functions of the meritocratic house(s)? In reply, Bai (2020: 78-79) says that

In the case of a referendum...[the meritocratic house] can be entrusted with formulating propositions for people to vote on...The upper house and the lower house can be entrusted with the usual legislative matters, as well as with matters such as the selection and confirmation of Supreme Court justices, the prime minister, officeholders of various levels, and so on...[Also] the votes of...the upper house should be given more weight with regard to issues that are concerned with nonvoters and long-term consideration, since...these issues are what the voting public tends not to be able to handle adequately[.]

Bai does not tell us whether these functions apply to the meritocratic houses at various levels of government, or to the meritocratic house at the top level of legislature alone. No matter what Bai has in mind, however, it is relatively clear that from his perspective, at least the meritocratic house at the top level of legislature has greater decision-making power than the elected house over issues that voters often fail to handle competently.
How does one become a member of the meritocratic house? Bai suggests various possible paths. First, public officials at whichever levels of legislature could be ‘eligible for selecting or being selected for the upper house of the legislature one level higher’ (Bai, 2020: 73). In other words, current public officials can be the candidates for the meritocratic house of their one-level-higher legislature. They are also eligible to vote for the candidates for the one-level-higher meritocratic house. Second, ordinary citizens can earn ‘an eligibility qualification for voting for the [meritocratic] upper house or being a candidate of the upper house’ (Bai, 2020: 74), by passing some relevant exams and professional political training. If a citizen becomes a candidate for the meritocratic house on this path, she ‘can then be selected on the basis of popular votes [among those eligible to vote for the meritocratic house] or votes by members of houses of one level lower’ (Bai, 2020: 75). Third, citizens can determine the formation, or become a member of the meritocratic house, if they meet some relevant occupational proxies. These individuals can be ‘local officials (county, municipality, state, etc.), industry leaders, scientists, retired military officers, organizers of local NGOs…and so on, whose competence, experience and morality have been tested in their services’ (Bai, 2020: 77). Bai (2020: 78) also says that

We could designate a certain number of seats in the upper house for these people, and they could then be selected through elections by legislators one level lower, or by people of their organization or group in the corresponding district of the legislature; or they could be directly given a seat in the upper house.

Finally, as Bai (2020: 78) says, ‘these three ways of selecting members of the upper houses of various levels are not mutually exclusive and can be combined’.

How would the power of the meritocratic house(s) be checked? Bai’s (2020: 89-90) response is that

[to prevent the elite class from power abuse], we hope that the moral education of the elite may play some role. More importantly, some institutional arrangements should be made. Foremost, we must establish a respectable and stable rule of law that regulates the elite branch and use the
house of the people to check the former branch, so as not to let the elite establish laws at their own will to benefit themselves or their associates. Another mechanism to prevent the elite from serving their own interests is that each branch has to have a significant number of members, so that it is hard for the elite to form a unified interest group.

It is a shame that it requires more space than is available to present all the particulars of Bell’s, Chan’s and Bai’s models. Nevertheless, hopefully I have covered the most relevant components of their models, which suffice for my following arguments. Figure 1 below is a summary of Bell’s, Chan’s and Bai’s proposals:

<table>
<thead>
<tr>
<th>The Institutional Proposal</th>
<th>Daniel A. Bell</th>
<th>Joseph Chan</th>
<th>Tongdong Bai</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Meritocracy at the top, democracy at the bottom</td>
<td>A bicameral core legislature with a democratically elected chamber and a meritocratically selected chamber</td>
<td>Multiple-level bicameral legislatures</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Except the lowest level, every level of the legislature is bicameral (i.e. a meritocratic upper house and an elected lower house)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Power and role(s) of the relevant meritocratic institution(s)</th>
<th>Daniel A. Bell</th>
<th>Joseph Chan</th>
<th>Tongdong Bai</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meritocratically selected officials at the top make the most important decisions that usually have nationwide impact</td>
<td>The more virtuous and competent the citizenry, the more powerful the meritocratic chamber, and vice versa</td>
<td>Possess greater decision-making weight than the democratic house(s) on matters that the public tend not to handle competently</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Set propositions for referenda</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Merit indicators for the relevant meritocratic institution(s)</th>
<th>Daniel A. Bell</th>
<th>Joseph Chan</th>
<th>Tongdong Bai</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intellectual abilities</td>
<td>Social skills</td>
<td>Virtue</td>
<td>Experience in public service recognised by colleagues</td>
</tr>
<tr>
<td>Intellectual skills</td>
<td>Moral character</td>
<td></td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Means to assess citizens’ merit</th>
<th>Daniel A. Bell</th>
<th>Joseph Chan</th>
<th>Tongdong Bai</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exams</td>
<td>Performance checks at lower levels of government</td>
<td>Colleague recommendation</td>
<td>Exams and professional political training</td>
</tr>
<tr>
<td>Polls</td>
<td>Proxies (e.g. age, gender, socioeconomic background)</td>
<td></td>
<td>Performance checks at lower levels of government</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Proxies (e.g. occupational experience)</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Controlling measures for the relevant</th>
<th>Daniel A. Bell</th>
<th>Joseph Chan</th>
<th>Tongdong Bai</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal and financial incentives against</td>
<td>Candidates for the meritocratic chamber</td>
<td>Moral education for the ruling elite</td>
<td>Rule of law</td>
</tr>
</tbody>
</table>
§6.2. Reasoning Leading to the Democratic-Sortitional Model

I have four aims in this section. First, I clarify two common features of Bell’s, Chan’s and Bai’s models: (a) they are non-participatory in the sense that they give citizens little formal and decisive binding power over the institutional standards of merit that determine the prospects of candidates for positions of authority, and (b) they rely heavily on rational mechanisms to measure the merit of the candidates for public office. Second, I outline a framework for assessing their models of meritocracy, based on the moral considerations I have covered so far. Third, on the basis of such considerations, I explain the limits of Bell’s, Chan’s and Bai’s models due to their common features. Fourth, I explain how my proposed democratic-sortitional model of meritocracy can address those limits.

§6.2.1. Bell’s, Chan’s and Bai’s Models: Two Common Features

The first common feature of Bell’s, Chan’s and Bai’s models of meritocracy is that they are non-participatory. This is not to say that they leave citizens little room for political participation in general, but that in their models, citizens cannot formally participate in and affect the outcomes of the decision-making process over the relevant institutional standards of merit for public roles. For example, Bell’s vertical model takes intellectual abilities, social skills and virtue as important indicators of citizens’ merit, whereas individuals with above-average performance in these areas could rise to the top level of political leadership. But Bell’s

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**Table: Figure 1: Bell's, Chan's and Bai's Models Summarised**

<table>
<thead>
<tr>
<th>meritocratic institution(s)</th>
<th>power abuse for public officials</th>
<th>must be near ex-post of their public service</th>
<th>• Accountability to the democratically elected house</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Diversify the routes to public office</td>
<td>• Standard corruption prevention measures jointly applicable to the democratic and meritocratic chambers</td>
<td>• Diversify the pool of governors</td>
</tr>
<tr>
<td></td>
<td>• Diversify the pool of governors</td>
<td>• Limited constitutional power when the meritocratic chamber plays a weak role</td>
<td>• Liberties for political participation</td>
</tr>
<tr>
<td></td>
<td>• Rule of law</td>
<td>• Human rights and liberties for political participation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Liberties for political participation</td>
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</tr>
</tbody>
</table>

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proposal does not seem to include a formal mechanism through which, for example, were citizens to think that attributes other than intellectual abilities, social skills and virtue better indicate one’s merit for public office, they could exercise some formal influence over the list of attributes determining one’s political prospects. On Bell’s model, the government is not constitutionally required to reform the meritocratic selection criteria for public roles based on public opinions. It depends entirely on the good will of the current governors to design the requirements of entry to the government in a way that responds to the public views.

The same goes for Chan’s and Bai’s models. They take certain occupational, intellectual or moral qualities that are helpful for realising the Confucian ideals of political leadership as indicators of merit for political roles. On Chan’s model, the meritocratic chamber of the core legislature accommodates representatives who have considerable experience in public service, and whose ability and virtue are recognised by colleagues. The meritocratic house(s) of Bai’s model accommodate(s) representatives who meet some relevant exams and professional political training, performance checks at lower levels of government as well as proxies. But both models fall short of formal and decisive mechanisms through which, were citizens to think that the merit indicators which these models are designed to assess are flawed and should be changed, they could compel the government to endorse alternative indicators of one’s merit for political roles.

One might wonder if Bell’s, Chan’s and Bai’s models already include mechanisms for citizens to call for reforms of the meritocratic selection process of public officials. For example, all these models advocate effective protection of citizens’ freedom to participate in politics. Citizens could, it might be said, make use of their freedom in the public sphere to express their discontent at the list of merit indicators that determine one’s political success, and exercise at least a sort of informal pressure on the government. On Bai’s model, for instance, the meritocratic house of the core legislature also has the capacity to initiate referenda. If the meritocratically selected chambers dictate that reforms of the meritocratic selection process be necessary, they could use that capacity to aggregate popular support of their calls for reforms. Still, in these scenarios the ability of citizens to make a difference to what merit indicators determine one’s political prospects is indecisive. Here is the thought. Suppose citizens in general think that the current institutionalised indicators of one’s merit for political roles are flawed. Is it the case that, if (a) citizens in general show an interest in reforms of the meritocratic selection process, and if (b) reforms of the process were to be
actualised, the officials responsible for designing or monitoring the meritocratic appointment process of political roles must share that interest? If the answer were ‘yes’, then citizens’ role in calling for reforming the meritocratic process would be indecisive, because once the relevant officials do not have an interest in reforms, the reforms would not be actualised. The will of public officials is still dominant. This ‘yes’ applies to both Bell’s, Chan’s and Bai’s models, under which the governors are not formally required to change the criteria for assessing citizens’ merit even when a large number of citizens think that this should be done.

The second common feature of Bell’s, Chan’s and Bai’s models is that they rely heavily on rational decision-making processes to determine who meet the merit-based criteria for public office. As Dowlen (2008: 12) says, a decision-making process is rational when its production of outcomes involves ‘the application of human reason and…the judging, or weighing, of options against each other to decide which is viable or preferable’. In other words, a decision-making process is rational if it produces its outcomes by means involving some agent(s) comparing different options, and the agent(s) possess(es) final authority over which option(s) should be chosen. Many meritocratic selection mechanisms of public officials on Bell’s, Chan’s and Bai’s models are rational in this sense. Consider Bell’s and Bai’s proposals, for instance. They both argue that citizens’ merit for public office can be assessed by some forms of examination. However, exams are rational mechanisms for assessment, because they often involve some assessors exercising their rational judgments of the quality of the responses to exam questions. Similarly, their models both involve performance checks of officials at lower levels of government, and officials with satisfactory performance would (be eligible to) be promoted to higher levels of government. But these checks inevitably involve some assessors exercising their rational judgments of the performance of the relevant officials. The only non-rational mechanism for measuring one’s merit Bell and Bai embrace is proxy, since citizens fulfilling the relevant proxies will automatically be rendered eligible for an opportunity to be selected or promoted to higher levels of government. The selection mechanism for Chan’s proposed second meritocratic chamber is also rational, whereas it involves a group of selectors (i.e. those who have worked in, or with those in senior public service) exercising their judgments of which candidates for the meritocratic second chamber are the best. A preliminary concern over a meritocratic process based on rational selection methods is that the assessors of citizens’ merit have a dominant say over who is more or less meritorious. If the relevant assessors make mistakes, or if they are unfair judges of the merit
of candidates for positions of authority, this could lead to a range of issues, as we shall see in §6.2.3.

§6.2.2. Framework of Comparison: Eight Considerations

Why would these features of Bell’s, Chan’s and Bai’s models be a problem? We can outline a framework for answering this question based on my discussions in the previous chapters. In §1.2.4, I noted four important interests we normally have:

(a) an interest in living within a just political system;

(b) an interest in having the right or at least relevant merit-based criteria for the allocation of goods (including political power), when justice requires that those goods be meritocratically allocated;

(c) an interest in seeing that, when certain goods are distributed according to some merit-based criteria, the goods are in fact given to those who meet those criteria; and

(d) an interest in being ruled by public officials motivated by and exhibiting appropriate moral standards (e.g. not engaging in corrupt activities).

The first and foremost criterion for comparing different models of meritocracy, therefore, is to see which of them is more just overall. But what are the elements of a just political system? I cannot provide an exhaustive list, but we can nevertheless address this question partially by reference to the moral considerations I have covered so far. In §1.2.3, for example, I distinguished between procedural demands (i.e. the moral requirements that apply to the procedural features of political institutions) and non-procedural demands (i.e. whatever moral requirements that do not apply to the procedural features of political institutions) of justice. The capacity of a political system to produce political outcomes that fulfil non-procedural demands of justice, for instance, can be one criterion for which we assess it.

What about procedural demands of justice? I have discussed various values (i.e. fairness, equality, stability and acceptability) that matter morally for the structure of our
political procedures. These values are often invoked to justify equal political power, and I have shown that many attempts to do so were unsuccessful. Still, these values remind us of certain crucial considerations for which we make moral assessments of political procedures. In fact, I have only rejected Estlund’s conception of acceptability (§5.2.1) as a viable moral demand on political procedures. I granted that many other considerations on fairness, equality, stability and acceptability should affect the justice or legitimacy of political systems; what I did was merely to show that they do not commit us to equal political power. However, since these conceptions do matter morally, they should as well affect our judgements of the comparative strengths and limits of different models of meritocracy.

In short, we have at least eight criteria for assessing a model of meritocracy:

(1) \textit{FEPO}: Does the model include formal or quasi-formal barriers to political participation? Does the model (a) permit formal or quasi-formal obstacles to political participation, and (b) offer individuals, who are equally meritorious of some political opportunities, roughly equal chances of acquiring those opportunities (Chapter 3)?

(2) \textit{Equality}: Does the model give citizens equal rights? Does the model enable citizens (including those in positions of authority) show equal concern for each other? Does the model constrain the ability of the politically powerful to dominate the less powerful within their civic relationships? Is it the case that, under that model, the meritocratically selected officials would characteristically attract greater consideration due to their superior political power? These are some relational-egalitarian considerations (§4.1.3). Does the model treat citizens as equals? Does the model allow citizens to see that they are treated as equals? These are some public-egalitarian considerations (§4.2.2).

(3) \textit{Stability}: Does the model carry with it the goods beneficial for stability, such as peaceful transition, international peace, regime endurance, development, solidarity, citizens’ enhanced sense of justice (§5.1)?
(4) **Acceptability**: Does the model have some features rendering it more justifiable to citizens (§5.2.2)?

(5) **Decision Correctness**: How accurate is the model in producing political outcomes that satisfy non-procedural demands of justice?

Meanwhile, we also have interests in a political system that invokes the right merit-based criteria for political power, in seeing that political power is given to those who in fact fulfil such criteria best, and in being ruled by public officials motivated by and exhibiting appropriate moral standards. We then have three further considerations when assessing a model of meritocracy:

(6) **Criteria Correctness**: Does the model invoke merit-based criteria that best fulfil the characteristic purpose of political power, that is, to realise justice (§2.2)? In other words, is it true that, if individuals fulfilling those criteria are given a corresponding share of political power, or positions of political authority, justice will be realised better?

(7) **Conformity**: How effective is the model in assigning political power, or positions of authority, to those who in fact fulfil the merit-based criteria that the system invokes? If, for instance, the criteria dictate that some major policymaking roles be given to individuals with features X, how likely is it that those exhibiting X will be assigned the roles?

(8) **Control**: How effective is the system in rendering as moral the behaviour of public officials?

Here are three related points. First, I cannot explain which of these considerations matter more when we compare different political systems. I put aside the question of when some of these considerations should take priority over another, if at all. Second, they are certainly not the only considerations for which we make comparative analysis of political systems. Some alternative sophisticated frameworks for comparing political systems have been developed
by others. But with these criteria we can at least provide a *preliminary* analysis of the limits and strengths of the models of meritocracy under discussion. Third, some of these considerations can be a basis for which the democratic-sortitional model can be criticised, although I will show that those objections tend to be unsuccessful in §6.3. Fourth, in the previous chapters I have already explained the senses in which the democratic-sortitional model takes seriously some of the considerations (i.e. FEPO, equality, stability and acceptability) I just listed. In order not to duplicate what was said earlier, in what follows I will mainly use the eight considerations above to explain how the democratic-sortitional model avoids the problems of Bell’s, Chan’s and Bai’s models, due to their participatory and rational features.

§6.2.3. Non-Participation and Rational Selection: The Worries

Now I shall explain why meritocratic institutions proposed by Bell, Chan and Bai, which (a) are *non-participatory* and give citizens no formal binding power on what merit-based criteria are invoked to select public officials occupying the relevant meritocratic political bodies, and (b) rely heavily on *rational* decision-making processes to determine who meet those criteria, would be concerning if we take the considerations in §6.2.2 seriously. I shall first explain the concerns associated with feature (a). First, the fact that citizens under Bell’s, Chan’s and Bai’s models lack a formal capacity to call for reforms of the merit-based criteria determining the prospects of (candidates for) public officials is a formal constraint on their opportunity to participate in politics. This is objectionable from the standpoint of part (a) of FEPO, according to which there should be no formal constraints on the opportunity to participate in politics. To be fair, as I said in Chapter 2, FEPO does not trump all other moral considerations. It is reasonable to think that some opportunities for political participation can be limited *if* other more important considerations deem this necessary. In fact, one view that seems inherent in various political meritocrats’ arguments is that one’s opportunity to participate in politics can be limited if this helps to enhance the quality of governance. But it is not obvious why, in a meritocracy, citizens should not have an opportunity to influence

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83 For some good discussions of the general principles that apply to the design of political institutions, see González-Ricoy and Gosseries (2016), MacKenzie (2016b), Rehfeld (2005), Saward (2021), Shapiro and Macedo (2000), Smith (2009), Sørensen and Torfing (2019), Waldron (2016) and so on.
politics by having a formal say over the criteria by which to measure one's merit for positions of authority. After all, it is unclear why allowing citizens to have a formal say over who merits positions of authority would have unbearable moral costs. Also, if I were right that citizens merit the opportunity to participate in politics (not political professions) equally (§3.3), then they should likewise merit the opportunity to shape the way in which their core public officials are selected. The non-participatory feature of Bell’s, Chan’s and Bai’s models, blocks the opportunity of citizens in this respect. One might object, though, that citizens in general lack the competence to make informed or correct judgments over what measuring rods of politicians’ merit should be, and that if citizens are given a formal say over the standards distinguishing between the more or less meritorious candidates for positions of authority, political decision-making quality is likely to be significantly diminished. I will consider this kind of objection in §6.3.1.

Second, it could be particularly worrying from the standpoint of Equality for Bell’s, Chan’s and Bai’s models to limit citizens’ control of the merit-based criteria for selecting and promoting public official. For one thing, the officials who acquire their political power through meritocratic mechanisms on their models might perceive themselves to be superior to citizens in certain ways, since they have gone through some very competitive assessments of their merit for public office that others fail to meet. The point is not that the meritocratically selected officials on the three models necessarily prioritise their own interests over those of their fellow citizens, but that they, because of their success in the meritocratic assessments, see their fellow citizens as less competent or qualified individuals whose perspectives on political issues are less reliable than those of themselves. However, if citizens get to formally decide what makes up a meritorious public official, this can convey the message publicly that a person cannot succeed in meritocratic assessments for political roles, unless the rules and selection criteria governing those assessments are endorsed by the public. This is, in fact, one important consideration underpinning the design of the democratic-sortalional model. When citizens can formally decide the merit-based criteria for positions of authority, this could be a reminder for the winners in the meritocratic competitions that their political success depends importantly on the people they serve, and that any sense of superiority should be avoided. This could also reduce the extent to which ordinary citizens perceive the meritocratically selected officials to be socially superior, because those officials
cannot have power without citizens affirming that their skills and experience render them meritorious of powerful government positions.

For another, competitions generally produce a sense of inferiority among the losers: the losers might perceive themselves to be less competent, able or intelligent than the winners. The same applies for meritocratic competitions. For citizens who work particularly hard towards positions of authority in meritocratic assessments, but nevertheless fail, their failure could have an even more detrimental effect on their self-confidence. This could also be a domain for which they find themselves unable to relate as equals to the winners in the meritocratic competitions for political roles. However, this problem of competitions can be moderated, if the contestants themselves have an effective voice over what determines one's success in those competitions. The reason is not that this can cancel the resentment that the losers in the meritocratic competitions might have, but that equal participation in the procedure determining the rules governing meritocratic competitions is an occasion on which all citizens, no matter their chances of success in the competitions, can stand on an equal footing. In addition, questions might be raised whether a non-participatory model of meritocracy treats citizens as moral equals, since there is at least one area on which the model does not take citizens’ interests equally seriously: that is, their perspectives on what makes up a meritorious public official. For the same reason, some citizens could feel that they are not treated as equals by the government. It might also be asked whether the non-participatory models would allow those who decide and execute the merit-based criteria for political roles to exercise undue influence over policy outcomes, which turn on to their capacity to dominate other citizens in their civic relationships.

Third, non-participatory models of meritocracy can be unstable in two different ways. On the one hand, we can distinguish two different sources of de facto authority. The first source, performance-based authority, refers to citizens’ faith in a political procedure due to the procedure’s capacity to produce decisions responsive to citizens’ interests. The second source, participation-based authority, refers to citizens’ faith in a political procedure due to their opportunity to participate in, as well as affect the design or outcomes of the procedure. The authority of the meritocratic institutions on Bell’s, Chan’s and Bai’s models is very much performance-based. They are so designed to be filled with competent and virtuous officials, and it is expected that these officials would enhance political decision-making quality. However, once these institutions fail to perform their supposed function to improve political
decision-making, for example, when the officials occupying them make serious mistakes, one might worry about how to sustain the authority of those institutions. One way is to give those institutions another source of authority—that is, citizens should be left more room to affect the design and outcomes of those institutions.

On the other hand, it would be difficult to establish models of meritocracy in political societies that place much value on opportunities for political participation with adequate public support. Although Bell, Chan and Bai are more interested in the Chinese political context as they develop their arguments, one might wonder how widely their proposals can apply to non-Chinese cultures. In most established democracies, it seems safe to say that any attempt to narrow rather than widen citizens’ opportunities to influence the political decision-making process is likely to be unacceptable. To feasibly practise meritocracy, at least in these countries, it requires that opportunities for political participation be taken very seriously. This factor also corresponds to my earlier discussion of Ottonelli in §4.2.1: in democratic societies, citizens tend to tie political status very closely to political power. Equal political power, in democratic cultures, is an important mark of equal political status in the eyes of citizens. To make citizens see that they are treated as equals, therefore, institutions that explicitly limit citizens’ opportunity to participate in the political procedure or political power should be avoided. The strength of the democratic-sortitional model in this respect is that it explicitly widens citizens’ opportunity to influence the political decision-making processes, thereby minimising the chances that citizens perceive the model to be failing to treat them as equals.

The non-participatory nature of Bell’s, Chan’s and Bai’s models can also be concerning for Acceptability. To be fair, there is not a single set of political arrangements that can be acceptable or justifiable to all points of view. But there is reason to have political institutions that are generally more acceptable or justifiable to citizens, not just because citizens are owed some justifications of the political arrangements under which they live, but because institutions with greater acceptability and justifiability in the eyes of citizens are usually more stable. One area on which Bell’s, Chan’s and Bai’s models might provoke disagreement is that they define some groups within society as more meritorious of political power. Such disagreement, however, could be moderated if citizens have some effective opportunity to decide who should merit political power and what the criteria for merit ought to be. Participation can have value for resolving disagreements, and this applies to meritocracy as well.
What problems, then, would feature (b) of Bell’s, Chan’s and Bai’s models produce? In response, we should note the fact of human fallibility: whatever decisions an individual makes could be wrong. This fact, in conjunction with feature (b) of the three models, could be concerning from the standpoint of Conformity. Conformity says that, if some positions of authority are assigned according to merit-based criteria, it should be the case that those who in fact fulfil the criteria (best) are given the positions. Suppose, for example, candidates A and B are in fact roughly equally meritorious of a seat in Bell’s, Chan’s and Bai’s proposed meritocratic legislative bodies. However, the assessors of the candidates for the bodies can be mistaken about the merit of A and B. The majority of the assessors might, for instance, mistakenly believe that A is more meritorious than B. If so, then A and B would hardly stand a similar chance of acquiring a seat in the meritocratic chamber, because of the mistaken judgments of some assessors. When human fallibility intervenes in meritocratic selection processes, the processes are inevitably deficient in satisfying Conformity.

Finally, the non-participatory and rational features of Bell’s, Chan’s and Bai’s models will undermine their capacity for Control. After all, if some agents, be they the ruling elite or any other social groups, have dominant influence over the merit-based criteria for positions of authority, then they would likewise have dominant influence over which social groups have better chances of acquiring political power. In ideal circumstances where the agents responsible for designing and executing the meritocratic processes are not corrupt, of course, they might design and apply the eligibility criteria for political roles in a way that is driven by the public rather than their narrow interests. But in cases where the relevant agents are corrupt, or make mistakes about what makes up one’s merit, they can easily dismiss public opinions on what makes up a meritorious official. This is why we need institutional mechanisms such that, even in non-ideal circumstances where the agents supervising the meritocratic processes are corrupt and mistaken, they cannot arbitrarily manipulate the entry to government in a way that diminishes the opportunity of any citizens to participate in the meritocratic body of the government. My view is that none of these problems, when standing alone, could decisively threaten Bell’s, Chan’s and Bai’s models. However, if we consider these problems in conjunction, they could be serious enough to discount the supposed promise of their models.
§6.2.4. Blending Democracy, Meritocracy and Sortition

The purpose of this section is to explain how the democratic-sortitional model of meritocracy can, at least under some appropriate conditions, avoid the above problems of Bell’s, Chan’s and Bai’s models. Similar to Bai’s and Chan’s models, the democratic-sortitional model introduces a meritocratically selected second chamber to the core legislature. However, the democratic-sortitional model is sustained by these additional institutions:

1. **Citizens’ Assemblies**: Citizens are assembled, on a regular basis and by random sampling, to participate in deliberative forums to exchange their views over what interests, experience, skills or expertise merit representation in the core legislature. A report will be produced after each meeting.

2. **Post-Deliberation Official Response**: Current elected members of the legislature are required to respond officially to the report in (1) and produce a set of eligibility criteria for the meritocratic chamber. Moreover, those criteria must meet two requirements: (a) it should be clearly public which groups in the populace meet those criteria, and (b) no assessors should be involved in deciding who meet those criteria.

3. **Sortitional Merit-Based Selection**: Those fulfilling the criteria in (2) can register their interest in becoming a representative in the meritocratic second chamber. The meritocratic representatives will be chosen, by means of sortition, from the pool of qualified and interested citizens.

The meritocratic representatives will be expected to share roughly the same responsibilities as the democratically elected representatives. These responsibilities include making, debating and passing law or policy proposals, questioning the performance of other legislators, holding the government to account, and so on.

Some strengths of the democratic-sortitional model have already been discussed in the previous chapters. I shall only focus on how those strengths are owed to the participatory
and irrational features of the model. First, on the democratic-sortitional model, citizens can participate, in two different ways, in the processes through which the merit-based criteria for the officials occupying the meritocratic chamber are to be decided. On the one hand, by participating in citizens’ assemblies, citizens’ views on what makes up a meritorious public official will be gathered in a report. Since current representatives within the core legislature are required to publicly address the report, and produce a set of eligibility criteria for the meritocratic chamber on that basis, citizens have an indirect but formal influence over the formation of the meritocratic chamber. On the other hand, citizens have direct control of the people (i.e. the democratically elected representatives) who translate their perspectives into actual eligibility criteria for the meritocratic chamber. With these participatory characteristics, the democratic-sortitional model, compared to Bell’s, Chan’s and Bai’s models, does not only provide greater opportunities for citizens to participate in the political process, but it can also make it less likely that those occupying the meritocratic chamber conceive themselves, or are conceived as social superiors to their fellow citizens. This is due to the participatory nature of the democratic-sortitional model: it expresses the thought that, whether or not an individual has skills or attributes helpful for enhancing political decision-making quality, she would not be given a political role unless those skills or attributes are affirmed by citizens, and by the officials elected by citizens. This reminds the governors that the source of their authority is not just their superior talents or skills, but the public endorsement of their superior talents or skills. The losers in the meritocratic competitions, moreover, can also relate to the winners as equals, at least at the stage where they decide together the rules and criteria regulating the competitions.

Meanwhile, the democratic-sortitional model takes seriously public equality in two ways: (a) it takes equally seriously citizens’ perspectives on what skills, interests, expertise and so on merit representation by the legislature, and (b) it allows citizens to see that their interests are given equal consideration, by letting citizens influence the political process through electing officials for one standing chamber of the government, or to participate in the deliberative forums that have formal impact over what entry requirements should be there for the meritocratic chamber. Greater opportunities for political participation, warranted by this model, can also signal the model’s commitment to citizens’ political freedom and autonomy. Another public-egalitarian advantage of the democratic-sortitional model is that it widens rather than limits citizens’ opportunity to participate in the political process,
allowing citizens to see that they are treated as equal, given the fact of democratic societies that people generally take equal opportunity to influence the political process as an important mark of equal political status. Finally, because the democratic-sortitional model places no limits on citizens’ formal opportunity for political participation, it has two other advantages: it does not have the potential to threaten FEPO that otherwise obtains in the non-participatory models, and the opportunity for participation itself can be a source of authority of the model, giving the model an extra source of stability.

The second feature of the model is that it is _arational_ at the stage of measuring citizens’ merit for political roles. The reason is that sortition itself is a decision-making device that exhibits, in Dowlen’s (2009: 305) terms, ‘neutral absence of reason’: it does not involve some agent(s) rationally weighing up different options. Under the democratic-sortitional model, citizens who meet the merit-based criteria jointly decided by citizens and elected officials are randomly chosen to occupy the meritocratic chamber. This can at least moderate the problem of human fallibility at the stage of measuring citizens’ merit, because the opportunities of citizens, when they share similar features, to occupy positions of authority will not be distorted by fallible human judgments. This is a merit of the model from the standpoint of Conformity.

Here are several other strengths of the democratic-sortitional model. First, this model, compared to Bell’s, Chan’s and Bai’s models, is likelier to be acceptable to those accustomed to democratic political culture. Instead of limiting citizens’ opportunity to influence politics, the model gives citizens an additional way to affect who occupy positions of authority. Proposals of institutional reforms, it is reasonable to suppose, that widen rather than limit opportunities for political participation tend to receive a greater degree of support, especially in our societies where greater opportunity for political participation is normally valued. Second, the model is more acceptable and stabler than Bell’s, Chan’s and Bai’s model, because it does not controversially give some individuals decisive power over what makes candidates for public office meritorious. Although the elected officials within this model have the final say over the suitable eligibility criteria for the meritocratic chamber, the authority of these officials is determined by elections, a relatively uncontroversial way of selecting major public officials. In short, the democratic-sortitional model mitigates two kinds of social disagreement that might obtain in a meritocracy: (a) the disagreement over the suitable measuring rods of citizens’ merit for political roles, and (b) the disagreement over who should
assess citizens’ merit. Moreover, the democratic-sortitional model possesses a good capacity for Control, because no particular agents can dominate the design and execution of the meritocratic processes of selecting public officials.

§6.3. Objections to the Democratic-Sortitional Model

It requires much more space to fully sketch the potential of the democratic-sortitional model. In any case, I hope to at least defuse some typical concerns over the model, especially those raised by the political meritocrats. I shall begin by considering their worries.

§6.3.1. Objections from the Political Meritocrats

The democratic-sortitional model differs from Bell’s, Chan’s and Bai’s models in at least two crucial ways: (a) the meritocratic body within the democratic-sortitional model is chosen by sortition, and (b) the eligibility criteria for that body is subject to the control of a democratically elected body. In Bell’s, Chan’s and Bai’s existing works on meritocracy, they do not have direct comments on models of meritocracy with these two features. Having said that, to see how they might comment on the democratic-sortitional model, one way is to discuss how far the democratic-sortitional model addresses the problems of democratic politics, which I discussed in detail in §1.1.2. As a brief reminder, those problems include the following:

1. Democratic elections are populist by nature. If voters have morally uninformed or objectionable preferences, the quality of electoral outcomes will likewise diminish.

2. Voters lack the capacity to form non-arbitrary and morally informed preferences.

3. Under democratic elections, voters and politicians tend to be short-termist.

4. Elections tend to foster civic antagonism.
(5) Minority groups often get silenced or suppressed.

In fact, these are some longstanding criticisms of any political system that allocates major positions of authority by means of elections. Since the democratic-sortitional body makes use of elections to allocate some of those positions, I do not claim that the model can avoid all these problems of elections. However, it is feasible to think that these problems could be effectively addressed, if we introduce some additional elements to the democratic-sortitional model.

There are two ways in which citizens can participate in the legislature on the democratic-sortitional model. On the one hand, the democratic-sortitional model includes a democratically elected body within the legislature. Citizens can determine who occupy the elected body by means of elections. On the other hand, citizens can partake in deliberative forums on what skills, experience, issues and so on merit representation, and the democratically elected officials are required to produce the eligibility criteria for the meritocratic body according to citizens’ deliberative results. With these features, the following problems might apply to the democratic-sortitional model. First, citizens’ preferences play a major role in deciding who occupy positions of authority. The democratic-sortitional model, one might say, is subject to the worry that citizens might have morally uninformed or objectionable perspectives on what merits representation by the legislature. When citizens are uninformed in general, the democratically elected officials of the model are also likely to be of low quality.

Second, in §6.2.2 I mentioned two considerations for assessing a model of meritocracy: Decision Correctness and Criteria Correctness. If both considerations matter, the fact that the democratic-sortitional model is populist to a degree could be concerning. For instance, citizens can make mistakes about what should be represented by the meritocratic body, thereby discounting the Criteria Correctness of the democratic-sortitional model. They can also make mistakes about the competence of the candidates for the democratically elected body. The democratically elected officials, when they are incompetent, can make mistakes about the suitable eligibility criteria for the meritocratic body, and policies more generally. This upsets both Criteria and Decision Correctness of the democratic-sortitional model. Finally, it does not address the tendency of electoral systems to be short-termist, antagonistic and unfriendly to minorities.
But the democratic-sortitional model can mitigate such problems without changing its core institutions. It is possible to supplement the model with some other institutions aiming to address the above problems of democratic politics. For example, the current governors can appoint some suitably qualified individuals to perform two tasks: (a) facilitating the deliberative forums for citizen and (b) providing policy advice to the government, especially on issues concerned with the long-term. Such arrangements have several values. First, since those individuals are suitably qualified, they might be able to enhance the quality of citizens’ deliberation as they facilitate the deliberative processes. Second, they can provide advice to the government on what ought to be done to address long-term issues of political concern. Third, they can play the role of moderating the disagreement among citizens in the deliberative forums, helping the participating citizens to develop a sort of mutual understanding. To be fair, this is just a preliminary suggestion that could be explored further. Yet it is at least possible to imagine ways to moderate the detrimental effects of populism and voters’ incompetence on the worth of the meritocratic chamber within the democratic-sortitional model. One might wonder why we should not just let those exemplary individuals occupy the core political decision-making body, as Bell’s, Chan’s or Bai’s model does. I doubt, however, this option can avoid the five problems of democratic politics without producing other problems. In §6.2.3, I already explained in detail the costs of not allowing citizens to participate in the processes through which the eligibility criteria for the meritocratic body are decided. I shall not restate them.

It is therefore possible for the democratic-sortitional model to mitigate the problems that the political meritocrats associate with democratic politics, without adding further problems which may cast doubt on the worth of meritocracy. Some political meritocrats, though, have still raised concerns over some institutional arrangements within the democratic-sortitional model. For example, Bell and Wang (2020: 75-76) are worried about having some core public officials chosen by elections within a meritocracy:

Political meritocracy can and should be complemented by such democratic practices as sortition, referenda and elections, consultation and deliberation, as well as the freedom of speech…Political meritocracy[, however,) is not compatible with competitive elections at the top because electoral democracy for top leaders would undermine the advantages of a system that aims to
select and promote leaders with experience, ability, and virtue: An elected leader without any political experience (such as Donald Trump) could rise to the top and make many beginner’s mistakes, an elected leader would have to spend valuable time raising funds and giving the same speech over and over again instead of thinking about policy, and an elected leader would be more constrained by short-term electoral considerations at the cost of long-term planning for the good of the political community and the rest of the world.

But these concerns over choosing top political leaders by means of elections are hardly legitimate. It is true that electoral democracy might produce political leaders who make serious mistakes, but it is likewise too optimistic to think that any non-electoral procedure of selecting political leaders can be immune to this problem. Even if public officials are chosen by some very solid meritocratic processes, which have an outstanding capacity for Criteria Correctness, Conformity, Control and so on, the candidates who stand out in the processes are still fallible and can make mistakes. Even the meritocratic chamber I propose within the democratic-sortitional model has some chances of accommodating incompetent representatives. It might be said, of course, such chances are relatively slimmer in a legislature within which officials are chosen by meritocratic and non-electoral means. Given the historical fact that many non-electoral regimes did make concerning and disastrous policy mistakes, however, there is no decisive reason to think that a procedure must be non-electoral to have a high degree of Decision Correctness. In addition, the claim that candidates for elections can lack incentives to think seriously about policies because they are constrained by various electoral considerations is not entirely accurate. For instance, if candidates for elections do not think carefully about policies, or at least act as if they do so, their opponents are likely to criticise them on this basis, thus undermining their prospects of electoral success. Electoral candidates should normally exhibit a minimal degree of policy understandings to avoid such deficits. The extent to which democratically elected officials dismiss policymaking quality should not be exaggerated. In short, the democratic-sortitational model of meritocracy may not be worse or at least not much worse with respect to realising justice in legislation, just because it accommodates a democratically elected chamber. Also, good outcomes with respect to legislation are not the only thing that matters. In designing a meritocracy, we should be prepared to accept some reasonable loss of political decision-making quality, since there
are a range of sensible procedural requirements of justice, legitimacy or authority (e.g. FEPO, relational equality, public equality, acceptability) that come into the picture, and these requirements might call for a preparedness to accept some suitably constrained electoral institutions.

Finally, even when elected officials tend to be short-termist, this is not unresolvable if there are institutions aiming to mitigate their short-termist tendency. There are considerable institutional innovations countering democratic short-termism, which do not require abandoning the elected body of the government. MacKenzie (2016a), for example, argues that a sortitional second chamber in the legislature, in addition to the elected first chamber, can render the legislature more long-termist. The reason is that this chamber can be so arranged to represent both short- and long-term perspectives on various issues, to facilitate a deliberative environment within the legislature that is conducive to long-termist thinking. If MacKenzie is right, the democratic-sortitional model would have considerable potential to counter political short-termism, especially when the meritocratic chamber is able to represent both short-term and long-term perspectives. In addition, on the democratic-sortitional model, participants in the deliberative forums are chosen by means of random sampling. In principle, it is possible to endorse a method of random sampling such that both short-term and long-term interests can be heard in the forums. These interests, when they are publicly heard, can be expected to have an impact on how the elected officials design the eligibility criteria for the meritocratic chamber. For example, the elected officials, in response to the results of the deliberative forums which accommodate both short-term and long-term interests, must ensure that the eligibility criteria for the meritocratic chamber do not over- or under-represent short-term or long-term perspectives and interests.

Bell (2015: 166-167) also raises the worry that if some officials are democratically elected, any non-democratic legislative body will lack legitimacy:

once some political leaders are chosen on the basis of one person, one vote, it is almost inevitable that those leaders will be seen as the legitimate political leaders by the people who elect them and any proposal to subordinate their power to institutions with meritocratically chosen leaders is likely to be rejected by the people themselves…Just like the House of Lords, any sort of
meritocratic chamber is almost certain to be progressively weakened once some political leaders are chosen on the basis of one person, one vote.

It is difficult to see why this should be a reason for not selecting some public officials by elections, however. We do not value the legitimacy of meritocratically chosen leaders for its own sake. Instead, their legitimacy is valuable only if they, with greater popular support, can fully exhibit their supposed worth, that is, to enhance political decision-making quality. But a key question is whether a political decision-making body in which all officials are meritocratically chosen is necessarily better, in terms of decision-making quality, than one that allocates some positions of authority by means of elections. I doubt it, however, since it is important that the major core public officials be selected by a variety of methods, to enhance the diversity of experience and expertise residing in the political decision-making processes.

Another worry is raised by Bai (2020: 79):

If [members of the legislature] are subjected to frequent elections by the people…[they] may not be free from special interests, especially the immediate and narrow interests of their constituencies. This is what often happens in the US Congress, an obvious example being the various infamous earmarks or pork barrel projects in which congressmen or congresswomen allocate federal money to pet projects in their own districts. Oftentimes, these projects use federal money in the districts from which their legislators are best at bargaining with and manipulating other legislators through material interests and threats and not in districts that desperately need it.

A similar argument can be raised against the democratic-sortitational model: would the democratically elected officials abuse their right to design the eligibility criteria for the meritocratic body for their private electoral interests? For instance, we might imagine that under the democratic-sortitional model, the elected officials could produce some eligibility criteria for the meritocratic body that favour certain demographic groups. Because of the elected officials’ commitment to allowing those groups to enter the legislature, voters belonging to those groups might in return support the officials or political parties who design
those criteria in the next elections. Such problems, however, can be mitigated by the fact that the democratically elected officials must design the eligibility criteria for the meritocratic body based on citizens’ deliberative outcomes. The elected officials must also justify publicly whatever criteria they propose. If citizens find out that the elected officials propose some criteria that do not faithfully respond to citizens’ deliberative outcomes, this could be an electoral deficit for the elected officials. This incentivises the elected officials not to deviate too much from citizens’ interests as they design the eligibility criteria for the meritocratic chamber.

§6.3.2. Objections to Sortition

Others have raised concerns over sortition as a method of selecting major public officials. Pevnick and Landa (2021), for instance, have recently raised some powerful objections in this regard. The first objection holds that those who are lucky enough to be randomly chosen to occupy the political decision-making body are in a position to abuse their power for their private interests. As Pevnick and Landa (2021: 12) argue,

> those selected by lot are in a position to use their special status to advance the preferences of minority special interests, in expectation of future rewards. Indeed, they will have strong incentive to do so, given that their position of power is a one-off opportunity untethered to the kinds of accountability mechanisms that encourage elected officials to pursue policies at least broadly acceptable to a majority of their constituents.

A similar view was also expressed by Fishkin (2018). This is not a particularly pressing challenge for the sortistical aspect of the democratic-sortitional model, however. First, the standard anti-corruption measures that apply to the democratically elected officials can be extended to the randomly selected officials in the meritocratic body. In other words, there could be legal costs for the meritocratically selected officials who attempt to abuse their power for their post-political-career benefits. Second, on the democratic-sortistical model, the conduct of any meritocratically selected official is monitored by other members within
the core legislature. Any attempt to abuse political power for private gains can be exposed by others. These can incentivise the meritocratically selected officials not to abuse their power.

The second objection is that those who are randomly selected to occupy the legislature might pass bills or legislation primarily for the sake of their private interests. As Pevnick and Landa (2021: 12) say,

> those selected by lot will—qua representatives—be importantly different from those whom they represent. Without an electoral check, that difference creates obvious incentives to pass generous bills related to representatives’ own salaries, pensions, terms in office, and benefits that do not track the interests of the broader population.

Such a problem might apply to the democratic-sortitional model. Imagine someone gets randomly selected to the meritocratic body because she is a woman. That person is eligible to be selected *because* she is a woman, and she is expected to represent the interests of women. However, when she occupies her position in the legislature, she can simply disregard her duty to defend the interests of women. In response, while it is possible that a randomly selected official might not track the interests of the group to which she belongs, she nevertheless represents that group in an important way: she at least brings her *experience*, as a member of that group, to the legislative process. A female representative, for instance, does not necessarily pass bills in the interests of women, but at the very least she can contribute her life experience, as a woman, in the process of political discussions.84 This is the point of random selection of public officials: it does not demand that the randomly selected officials safeguard the interests of the groups they are supposed to represent, but that they contribute their perspectives and experience, *as members of those groups*, to the political processes.

§6.4. Conclusion

In this chapter, I have compared Bell’s, Chan’s and Bai’s models of meritocracy to the democratic-sortitional model. Bell’s, Chan’s and Bai’s models are non-participatory, in the

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84 See Celis and Childs (2020) for relevant feminist perspectives on this issue.
sense that they provide citizens with little formal opportunity to participate in the processes through which the merit-based criteria for positions of authority are decided. Their models also rely on rational mechanisms to assess citizens’ merit for political roles. However, these features of Bell’s, Chan’s and Bai’s models are likely to produce a range of problems that upset the many moral considerations I have covered so far. The democratic-sortitional model, I argue, does not exhibit those features and can hence circumvent the problems that apply to their models. I have also considered some major criticisms of the democratic-sortitional model, which focus on (a) the model’s capacity to address the political meritocrats’ charges of democratic politics, and (b) the sortition component of the model. These criticisms, I argued, do not succeed. To be sure, the democratic-sortitional model I developed is far from complete, and there could be problems of this model that I have not yet identified. However, as long as my discussions of the model can inspire alternative ways to design a meritocracy, this chapter has achieved an important goal.
7. Conclusion

Meritocracy is the political system that is designed to allocate political power on the basis of merit. The main reason why the political meritocrats, including Daniel A. Bell, Tongdong Bai, Joseph Chan, Ruiping Fan and Qing Jiang, think that meritocracy is a better political system than democracy is that they are aware of various problems of democratic politics, including (a) the populist tendency of democracy, (b) the fact that voters often make uninformed political choices, (c) the short-termist tendency of electoral politics, (d) civic antagonism, as well as (e) the suppression and silencing of minority groups. The political meritocrats believe that, when our democratically elected officials are significantly constrained if not replaced by officials chosen by meritocratic means (e.g. examinations, professional assessments of bureaucratic performance), such problems could be addressed more efficiently. This thesis is centred upon this democracy-meritocracy debate.

Are the political meritocrats mistaken? Yes, and no. I disagree with the political meritocrats as to the way in which they conceptualise the idea of merit. In Chapter 2, I defended the Macro-Aristotelian View of merit, according to which an individual merits political power, if and only if her having political power best realises justice overall. The structure of this Macro-View, however, implies that even when someone exhibits a set of individual qualities that we typically associate with competent voters or politicians, she might not merit political power more than others, if her having political power cannot in fact optimally realise the demands of justice. The political meritocrats might disagree with the Macro-View because they tend to see individual qualities (e.g. political competence, moral virtues) as the grounding for one’s merit for political power. But I have shown that this kind of thinking will exhibit a sort of irrationality, that it is insensitive to the history of one’s individual qualities, and that it leads to tensions between the ideas of merit and equality. One’s merit for positions of authority, in short, should be conceptualised differently.

But I agree with the political meritocrats that a political system need not distribute political power equally to be just, legitimate or authoritative. I explained why this is the case, at least when we focus on some familiar conceptions of fairness, equality, stability and acceptability underpinning equal political power in Chapters 3 to 5. Chapter 3, though, has multiple purposes. It shows not only that a concern for fairness does not commit us to equal political power. The chapter also provides an interpretation of what it means and requires for
our opportunities to participate in politics to be fair and equal. It does this by mapping different obstacles to political participation, as well as discussing and revising Rawls’s view in this area. Most importantly, the chapter explains what fair and equal political participation demands in a meritocracy.

I agree with the political meritocrats that justice, legitimacy and authority do not require equal political power. But unfortunately, they have not defended in depth their envisioned meritocratic political systems in light of the influential justifications of democracy covered by this thesis. This is not to say, of course, that the political meritocrats did not anticipate any challenge to their political systems from friends of democracy. What I am saying is just that the political meritocrats could have said more. The political meritocrats, for instance, might have anticipated some objections to their view from theorists of equality, stability and acceptability that are covered by this thesis, but the particular objections driven by fairness, equality, stability and acceptability that were covered here, to the best of my knowledge, were not discussed at length by the political meritocrats in their major works. I hope to develop a deeper conversation between the political meritocrats and some of the more influential theorists of fairness, equality, stability and acceptability who favour equal political power. Therefore, in Chapter 4, I considered two conceptions of equality underpinning democratic arrangements: relational equality and public equality. Relational equality demands that we live under socio-political arrangements in which we can relate to each other as equals. Public equality demands that political institutions treat citizens as equals, and that citizens be able to see that they are treated as equals. I selected two relational egalitarians, Daniel Viehoff and Niko Kolodny, for my discussion. I showed that their conceptions of relational equality are problematic and could not plausibly commit us to equal political power and to rejecting meritocratic political systems. Then I turned to the concept of public equality: public egalitarians (e.g. Brighouse, Christiano and Ottonelli), likewise, fail to show that a concern for public equality would lead us to reject unequal political power due to differential merit among citizens.

In Chapter 6, I defended political meritocracy against some major objections motivated by a concern for stability and acceptability. When it comes to stability, democratic theorists often associate democratic arrangements with such stability-related goods as peaceful transition, international peace, regime endurance, social development, solidarity, and citizens’ sense of justice. But do democratic arrangements produce these goods because they
distribute political power equally? My answer is ‘no’. Political meritocracy, in fact, can be so arranged to have a good capacity to produce those goods, even when it allocates political power unequally. In the chapter, I also looked at Estlund’s famous account of democratic authority that appeals to the idea of acceptability. He argues that only democratic procedure that distributes political power equally can be acceptable to all qualified points of view and hence be legitimate. I showed that his view of acceptability does not plausibly defeat political meritocracy, because (1) he did not offer a solid basis on which to distinguish qualified and unqualified viewpoints, and (2) his conception of acceptability would effectively render every political procedure illegitimate. The upshot is that his view of acceptability gives us little reason to reject political meritocracy.

Meanwhile, one theme that cuts through Chapters 3, 4 and 5 is how my proposed democratic-sortitional model of meritocracy takes seriously some concerns, driven by the ideas of fairness, equality, stability and acceptability, that typically ground democratic arrangements. I wrote about this theme for two reasons. First, although democracy and meritocracy depart from each other when it comes to the allocation of political power, they do not necessarily reject the characteristic institutions of each other. A meritocracy is compatible with a range of institutional arrangements that are thought to sustain democracies, such as the basic liberties for political participation, as well as institutions of sortition, deliberation, and so on. The democratic-sortitional model is a hybrid model of meritocracy. The model does not just retain a governing body—that is, an elected first legislative chamber—that is often seen in democratic countries. Its proposed meritocratic second chamber is also consistent with a range of sound conditions on fairness, equality, stability and acceptability. Second, a common but mistaken charge of meritocratic political systems is that they upset the values I just mentioned. These three chapters, I believe, can serve to clear this misconception.

I closed the thesis in Chapter 6 by comparing the democratic-sortitional model of meritocracy to Daniel A. Bell’s China Model, Joseph Chan’s Bicameral Legislature and Tongdong Bai’s Confucian Hybrid Regime. The main claim I made there is that (a) Bell’s, Chan’s and Bai’s models of meritocracy are non-participatory, in the sense that they give citizens little formal binding power over the institutional standards of merit that determine the prospects of candidates for public office, and (b) they rely heavily on rational mechanisms to measure the merit of the candidates for positions of authority. I also outlined a framework
for comparing different models of meritocracy, based on the considerations I developed in the previous chapter. My conclusion was that the democratic-sortitonal model is more defensible than the three other models, taking into account all criteria within that framework. I then assessed two types of criticism of the model. The first type is concerned with the ability of the model to avoid the deficiencies of modern democratic politics, which the political meritocrats have in mind and were discussed in §1.1.2. I explained why the democratic-sortitonal model has strong potential to circumvent those deficiencies. The second type of criticism is concerned with the promise and defects of sortition as a way of selecting public officials. I have shown that those criticisms can mostly be allayed.

To be sure, there are many other interesting themes within the democracy-meritocracy debate that were not explored here. To fully defend meritocracy in general, and the democratic-sortitonal model more specifically, would require further work. But I do not aim to provide a complete theory of meritocracy. Rather, this thesis should be seen as an attempt to systematically bring together and evaluate some major types and criticisms of meritocracy, and to bring the idea of merit to a higher level of abstraction. The most original aspect of this thesis, I believe, lies in the fact that it approaches the idea of meritocracy in ways that are dissimilar to other meritocrats and democrats. As long as the framework and perspectives outlined by this thesis can stimulate future discussion of the seemingly radical idea of political meritocracy, the thesis will have made a valuable contribution to the democracy-meritocracy debates.
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