

Plan of lectures

1. The populace rules: an electoral model.
2. The people rules: a corporate model.
3. The public rules: a civic model.
4. Implementing public rule.

The group agent

The three conditions for a group agent.

1. Common purposes are endorsed
2. Common judgments are endorsed
3. Reason-sensitivity is ensured

Majoritarian line

- 'And if the representative consist of many men, the voice of the greater number must be considered as the voice of them all...' Hobbes [Leviathan](#) Ch.16
- 'one law... needs unanimous consent... the social compact... A part from this primitive contract, the vote of the majority always binds all the rest.' Rousseau S.C. Bk 4, c2

The discursive dilemma

The impossibility illustrated in outline:

	p?	q?	r?	p&q&r?
A	Yes	No	Yes	No
B	No	Yes	Yes	No
C	Yes	Yes	No	No
ABC	Yes	Yes	Yes	!

The first lesson

First lesson:

Hobbes, Rousseau wrong on majority.

No voting works. List-Pettit 2002

Second lesson:

No representation without construction.

Thus A-B-C will have to judge....

No voting works 1

- Let a group confront a set of logically connected propositions: 'p', 'q', 'p & q';
- let members each have a complete, consistent and closed set of views; and
- let the group be required to generate a collective set of views that has similar rationality properties.

No voting works 2

No procedure can secure this result and

1. work for all input views.
2. treat members as equals: no one has special weight as dictator, chair, etc.
3. treat issues as equals: the group view on each issue is determined by the member views on that issue.

List and Pettit, *Econ and Philosophy*, 2002.

The second lesson

- The discursive dilemma

First lesson:

Hobbes, Rousseau wrong on majority.

No voting works. List-Pettit 2002

Second lesson:

No representation without construction.

Thus A-B-C will have to judge....

Solutions to the dilemma

A participatory solution:
use e.g. straw-vote method.

Other, less appealing solutions:

Don't treat each issue the same:
the union steward.

Don't treat each person the same:
the chair of the board.

A Medieval Problem

Bartolus of Sasseferato.

Baldus de Ubaldis.

Imperator est dominus mundi

Rex in suo regno est imperator sui regni

The problem for city republics

There is no shielding rex or princeps

The Medieval Solution

The corporatio, illustrated in guilds, etc

The corporatio as bearer of rights, duties

The persona, represented in concilium

The populus as corporatio;
as persona; as princeps.

Civitas sibi princeps.

Is this Democracy?

The corporate model articulates
a compellingly democratic model.

The demos rules like an agent,
and yet is constituted by the many.

It is truly the many-as-one.

The classical model

This model is the 'classical model' ascribed to Rousseau by Schumpeter.
The people self-represent in assembly and cannot be represented by another.
The people are a sovereign, as a rex.
But they are confined to legislating for the common good, rule of law.

Is this Feasible?

Hobbes allows that under representation a multitudo becomes a populus.
He wants sovereign, single representers but allows for popular sovereignty.
The people in a committee-of-the-whole might rule itself. Pace R, unconstrained.
But he already sees this as unrealistic.

Is it Desirable?

Assume anti-majoritarian constraints.
The model is normatively appealing.
The group may go against members, even against a majority or unanimity.
But if it does so, that will be because reason requires the discontinuity.
Right, public reason requires it.

The Source of the Appeal?

Not Constant's liberty of the ancients: the fact of sharing in collective self-rule.
Rather the fact that in this model a uniquely suitable party rules and will rule by right reason.
This, assuming equal status for all and the admission of shared reasons.

From Le Peuple to La Nation

Sieyes replaced Rousseau's people with the idea of the nation
The difference of conceptualization is: representatives can't get nation wrong.
This served him against Robespierre.
The idea got taken up in romanticism and in theory of national self-determination.

From Sieyes

National Assembly:
' the sole authorized interpreter of the general will... this will that descends once again with all the weight of an irresistible force on the very will that have concurred to form it'
Question du Veto Royal