

# Democracy

## Syllabus

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### Overview

In this seminar, we will take a look at some contemporary philosophical work that has been done in the theory of democracy. Questions we will focus on, among others:

1. Who should be allowed to vote? Every citizen? Everyone who lives on the territory of the state? Everyone who is affected by the decision being made?
2. Should we value democracy for its own sake, or only because it leads to good results? More generally, why choose democracy as a form of government?
3. In particular, does democracy have certain epistemic advantages – that is, is democracy especially good in finding out about the truth?
4. Are certain results from social choice -- such as the Judgment Aggregation Paradox -- relevant to democratic theory? Do they spell doom for certain conceptions of democracy?
5. Is there a general duty to vote? Is high participation in elections very important?

I am more than open to suggestions for changes and other topics.

Please note that this seminar does not aim to give an introduction or a comprehensive overview on democratic theory – the field is just too large. Rather, the aim is to focus on certain sets of questions and problems that have arisen in contemporary analytic political philosophy. In particular, we will not be able to focus (much) on critics of democracy; political, sociological and economic theories of democracy; the history of democracy, and what historically important authors had to say about democracy; and generally, many applied and empirical questions surrounding the theory of democracy. However, if you decide to write a Hausarbeit, I am open to discuss topics that go beyond the questions tackled in the seminar.

#### Registration

If you're interested in the seminar, please use the form provided on the P&E website. If you have any problems with it, write me an email at [ich@matthiasbrinkmann.de](mailto:ich@matthiasbrinkmann.de).

Seminar places will not be distributed on a first-come-first-served basis. Some priority will be given to students wanting to write a *Hausarbeit*, and students who focus on (political) philosophy and/or have already taken several courses in that area. Other places are distributed by lot.

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## Requirements

You have to fulfill the following requirements:

### Read the literature

In the Topic List, you will find a number of readings marked with two asterisks (\*\*). These readings are the basis for the whole seminar, and I expect you to read *all* of them fully and carefully.

### Write a literature review

From my own experience as a student I know that “read the literature!” was never quite enough to motivate me to read (all of) it. For this reason, I expect you to write a *literature review* of all \*\*-marked readings. In your literature review, you should summarise the main claims of each of the papers. You should also add some comments, questions or critique of the paper in question. There are also questions for each topic section – you can take these as a guide for your literature review.

There is no maximum or minimum word length, but from reading your reviews I must get the impression that you have read (all) the papers, grasped their central points, and given critical attention to them.

Literature reviews are graded on a pass/fail basis.

Deadline: December 6, please send per email. If you send your review earlier, I also have a chance to take them into account when preparing for the seminar: for example, if you have questions or critical remarks.

### Give a presentation

I expect you to present on one of the topics on the reading list, either alone, or with a partner. Presentations should be about 20-25 minutes. I also expect you to be a “discussion leader” for the section you organise.

Please note that there is “special” literature for each presentation topic, marked with a “\*”, in addition to the general literature, marked with “\*\*\*”.

Presentations should **not** be simply a summary of the literature, or a repetition of the arguments in the literature.

Instead, I expect you to

- shortly present the *argument* of the paper. Presenting an argument is *more than a summary*: it means presenting what you think the premises of the author(s) are, what the structure of the argument is, which steps are relevant and which are unimportant etc.
- discussing the weaknesses and strengths of that argument, and
- most importantly, I want you to *try to answer the question(s) I give in each section* (see Topic List). Your presentation should contain some of your own arguments for how these questions

should be answered, and your presentation should be structured around that question.

Deadline: November 29, please send per email. I expect your presentation by this date (slides plus notes on the slides, if necessary). I will then send you replies and commentary on your presentation, and you should change your presentation accordingly before the seminar. If you don't use slides, please send me notes on your presentation.

Presentations are graded on a pass/fail basis.

Optional: essay

We have more participants (23) than presentations spots (14). If you want to, you can write an essay instead of presenting – though not everyone can do that.

Essays should be 2,000-3,000 words long, and the deadline for them is December 6.

Like the presentations, essays should be on one of the topics and one of the questions on the list, and they shouldn't be a mere summary or review of the literature; instead, I expect you to try to make your own arguments and points. You also should answer one of the questions on the Topic List, or a question we agree on together.

Even if you present and go for 2cp, I recommend that you write an essay. While I can not require this of you, writing essays is the best way to improve your academic performance, especially in philosophy. Thus, I would strongly recommend that you write down your presentation in essay form, which I am then happy to comment upon as well.

All essays will receive written comments. Essays are graded on a pass/fail basis.

Write a Hausarbeit (for 6/8cp)

If you want to write a *Hausarbeit*, we will decide together on a topic and the particular shape of the project you want to undertake. The topic must be roughly democracy-related, but does not have to be from the topics on the seminar list. It is best that you have a rough idea of what you want before the seminar, so that we can talk about it while I'm in Bayreuth.

We'll also discuss formal requirements, deadlines etc. together.

If your Hausarbeit is relevant to one of the topics of the seminar sections, you should present at the seminar. When distributing presentation slots, I'll always give priority to students wishing to write a Hausarbeit.

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## Schedule

Friday, 7. December

13.00-13.15 Welcome, Organisational Matters

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**PART 1: The value of democracy**


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- 13.15-13.30 Introduction  
 13.30-14.20 Intrinsic Value of Democracy  
 14.30-15.20 Instrumental Value of Democracy  
 15.30-16.20 Lottery Voting  
 16.30-17.30 Democracy and Truth  
 17.30-18.00 Open discussion

Saturday, 8. December

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**PART 2: Boundaries**


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- 10.00-10.15 Introduction  
 10.15-11.15 Who is part of the demos?  
 11.30-12.30 Democracy and Borders  
 LUNCH BREAK
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**PART 3: Social Choice Theory and Democracy**


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- 14.00-14.15 Introduction  
 14.15-15.05 Arrow's Theorem  
 15.15-16.05 Condorcet Jury Theorem  
 16.15-17.05 Judgment Aggregation  
 17.05-17.30 Open discussion

Sunday, 9. December

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**PART 4: Voting**


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- 10.00-10.15 Introduction  
 10.15-11.05 Is it rational to vote?  
 11.15-12.05 Is there a duty to vote?  
 12.15-13.05 Do we have a right to vote?  
 LUNCH BREAK
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**PART 5: Other topics**


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- 14.00-14.50 Deliberative Democracy  
 15.00-15.50 Judicial Review  
 16.00-17.00 Open discussion  
 17.00-17.30 Seminar evaluation
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## Readings

**Readings marked with two asterisks (\*\*)** are *required reading for all students*. I expect you to have read them all by the time of the semi-

nar, and have some idea of their main points. Your literature survey must include commentary on all \*\*\*-marked readings.

**Readings marked with one asterisk (\*)** are required reading for students who prepare the presentation of that topic. E.g., if you prepare topic 5, you have to read both Estlund and Anderson. Equally for students writing an essay on a topic.

**The questions** are supposed to help you with your literature surveys – if you don't know what to write, just try to answer one of the relevant questions. If you prepare a presentation on a given topic, I expect you to focus on the questions relevant to the topic.

#### Overview: Required Literature

Topic 2: Christiano, "The Authority of Democracy."

Topic 3: Arneson, "Democracy Is Not Inherently Just."

Topic 5: Estlund, "Truth and Despotism."

Topic 6: Whelan, "Democratic Theory and the Boundary Problem."

Topic 7: Abizadeh, "Democratic Theory and Border Coercion."

Topic 9: Grofman/Feld, "Rousseau's General Will: A Condorcetian Perspective."

Topic 10: List, "The Logical Space of Democracy."

Topic 12: Lomasky/Brennan, "Is There A Duty To Vote?"

Topic 13: Brennan, "The Right to a Competent Electorate."

Topic 14: Gutmann/Thompson, "What Deliberative Democracy Means."

#### General Readings

If you want to have a general introduction into the philosophy of democracy, any of the following are a good starting point. None of this literature is required for the seminar, however.

Christiano, Thomas. "Democracy", *Stanford Encyclopedia of Philosophy*.  
<http://plato.stanford.edu/entries/democracy/>.

Christiano (ed.), *Philosophy and Democracy: An Anthology* (Oxford University Press 2003)

Estlund, *Democracy* (Blackwell 2001).

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## Part 1: The Value of Democracy

### 2 Intrinsic Value of Democracy

What does it mean to say that democracy has "intrinsic" value?

What is the best argument for the claim that democracy has intrinsic value?

\*\*Christiano, Thomas. "The Authority of Democracy." *Journal of Political Philosophy* 12, no. 3 (2004): 266–290.

\*Anderson, Elizabeth. "Democracy: Instrumental Vs Non-Instrumental Value." In *Contemporary debates in political phi-*

*losophy*, edited by Thomas Christiano and John Philip Christman. Malden, MA: Wiley-Blackwell, 2009.

### 3 Instrumental Value of Democracy

What is the best argument for the claim that democracy has only instrumental value?

What implications would it have if it turned out that democracy has only instrumental value?

\*\*Arneson, Richard. "Democracy Is Not Intrinsically Just." In *Justice and democracy: essays for Brian Barry*, edited by Keith Dowding, Robert Goodin, and Carole Pateman. Cambridge: Cambridge University Press, 2004.

\*Sen, Amartya. "Democracy as a Universal Value." *Journal of Democracy* 10, no. 3 (1999): 3–17.

### 4 Lottery Voting

What are the advantages of lottery voting over standard forms of democratic voting?

Why would the "one person, one vote" principle matter so much in democracy, if a randomly selected subset of voters would vote for exactly the same results?

Is lottery voting more fair in distributing power than majority rule?

\*López-Guerra, Claudio. "The Enfranchisement Lottery." *Politics, Philosophy & Economics* 10, no. 2 (2011): 211–233.

\*Saunders, Ben. "Democracy, Political Equality, and Majority Rule." *Ethics* 121, no. 1 (2010): 148–177. [Section 2 and 3 are very difficult. Focus on secs. 1 & 4-5.]

### 5 Democracy and Truth

Why shouldn't the most clever people rule, if we assume that there are some people who are better in making political decisions than others?

Should we choose democracy because it is the best way to find out about the truth?

\*\*Estlund, David. *Democratic Authority: a Philosophical Framework*. Princeton: Princeton University Press, 2008. Chapter 2, "Truth and Despotism".

[You'll find an excellent chapter-by-chapter summary with critical comments on the Public Reason blog, at <http://publicreason.net/2007/12/06/reading-group-on-david-estlunds-democratic-authority-a-philosophical-framework/>]

\*Anderson, Elizabeth. "The Epistemology of Democracy." *Episteme: A Journal of Social Epistemology* 3, no. 1 (2006): 8–22.

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## Part 2: Boundaries

### 6 Who Is Part of the *Demos*?

What is the best criterion for who should have a say in democratic decisions?

Can we defend the claim that *only* Germans should have a say in decisions made by the German government?

\*\*Whelan, F. G. "Democratic Theory and the Boundary Problem." In *Liberal Democracy*, edited by J. R. Pennock and J. W. Chapman. New York: New York University Press, 1983.

[A scanned version can be found online at <http://people.su.se/~guarr/PFPKurs/Whelan%20HQ.pdf>]

\*Miller, David. "Democracy's Domain." *Philosophy & Public Affairs* 37, no. 3 (2009): 201–228.

### 7 Democracy and Borders

Can we defend the idea of national borders if we take the idea of democracy seriously?

Is there an inherent tendency in the idea of democracy to a global state?

\*\*Abizadeh, Arash. "Democratic Theory and Border Coercion: No Right to Unilaterally Control Your Own Borders." *Political Theory* 36, no. 1 (2008): 37–65.

\*Miller, David. "Why Immigration Controls Are Not Coercive: A Reply to Arash Abizadeh." *Political Theory* 38, no. 1 (2010): 111–120.

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## Part 3: Democracy and Social Choice

### 8 Arrow's Theorem

Does Arrow's Theorem show that the aggregation of votes is inherently flawed?

Does it show that democracy is inherently flawed?

Can we overcome the problems of aggregation by turning to a more deliberative conception of democracy?

\*Riker, William. *Liberalism against populism*. San Francisco: W.H. Freeman, 1982. Parts 1.D-1.E, 5, 10.A-10.C.

\*Elster, Jon. "The Market and the Forum: Three Varieties of Political Theory." In *Debates in Contemporary Political Philosophy: An Anthology*, edited by Derek Matravers and Jonathan Pike. Routledge, 2003.

### 9 Condorcet Jury Theorem

What are the assumptions that underlie the Condorcet Jury Theorem (CJT)?

Are these assumptions realistic?

If they're not realistic, can the CJT still tell us something about democracy?

\*\*Grofman, Bernard, and Scott L. Feld. "Rousseau's General Will: A Condorcetian Perspective." *The American Political Science Review* 82, no. 2 (1988): 567–576.

\*List, Christian, and Robert Goodin. "Epistemic Democracy: Generalizing the Condorcet Jury Theorem." *Journal of Political Philosophy* 9, no. 3 (2001): 277–306.

#### 10 Judgment Aggregation

What is the Democratic Trilemma?

Which of the following should we relax in response to that trilemma – robustness to pluralism, basic majoritarianism, or collective rationality?

\*\*List, Christian. "The Logical Space of Democracy." *Philosophy & Public Affairs* 39, no. 3 (2011): 262–297.

(You only have to read sections I-V (up to p. 290).)

\*List, Christian. "The Discursive Dilemma and Public Reason." *Ethics* 116, no. 2 (2006): 362–402.

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## Part 4: Voting

#### 11 Is It Rational To Vote?

Which is the most promising avenue to solve the paradox of voting?

Does the paradox of voting rest on a mistaken conception of what it means to causally bring about a result?

Is the paradox of voting only a problem for economists, or is it a problem for moral philosophers as well?

\*Dowding, Keith. "Is It Rational to Vote? Five Types of Answer and a Suggestion." *British Journal of Politics & International Relations* 7, no. 3 (2005): 442–459.

\*Tuck, Richard. *Free riding*. Cambridge: Harvard University Press, 2008. Chapter 2.

#### 12 Is There A Duty To Vote?

Assuming that the argument from prudential value fails, is there any good argument that we have a duty to vote?

Is there a good consequentialist argument for a duty to vote?

Is there a good Kantian argument for a duty to vote?

If there was no duty to vote, would this be a great problem?

\*\*Lomasky, Loren, and Geoffrey Brennan. "Is There a Duty to Vote?" *Social Philosophy and Policy* 17, no. 1 (2000): 62–86.

\*Brennan, Jason. "Polluting The Polls: When Citizens Should Not Vote." *Australasian Journal of Philosophy* 87, no. 4 (2009): 535–549.



### 13 Do We Have A Right To Vote?

Do you agree with Brennan's argument for moderate epistocracy?

If not, what is the best argument against Brennan's claim that incompetent citizens should have no right to vote?

\*\*Brennan, Jason. "The Right to a Competent Electorate." *The Philosophical Quarterly* 61 (2011): 700–724.

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## Part 5: Particular Positions

### 14 Deliberative Democracy

How does deliberative democracy contrast with non-deliberative forms of democracy?

Is the concept of deliberative democracy too vague to be helpful?

Why should we deliberate?

\*\*Gutmann, Amy, and Dennis Thompson. *Why Deliberative Democracy?* Princeton University Press, 2004. Chapter 1, "What Deliberative Democracy Means". First five subsections, pages 1–29.

\*Freeman, Samuel. "Deliberative Democracy: A Sympathetic Comment." *Philosophy & Public Affairs* 29, no. 4 (2000): 371–418. [only sections 1 and 2, i.e., pages 371–396.]

Ackerman, Bruce, and James S. Fishkin. "Deliberation Day." *Journal of Political Philosophy* 10, no. 2 (2002): 129–152.

### 15 Judicial Review

Does judicial review violate democratic principles?

Is the common fear of a "tyranny of the majority" exaggerated?

\*Waldron, Jeremy. "The Core of the Case Against Judicial Review." *Yale Law Journal* 115 (2006): 1346–1406. [Skip sections IV and VII. Like in most law journals, ignore the footnotes.]

\*Lever, Annabelle. "Democracy and Judicial Review: Are They Really Incompatible?" *Perspectives on Politics* 7, no. 4 (2009): 805–822.