13

Cities, Structural Power, and the All-Affected Principle

Clarissa Rile Hayward

"People should have a hand, and they should have an equal hand, in shaping the collective norms that significantly affect them." This statement of the All-Affected Principle (AAP) is a rough one, and deliberately so. Scholars who work on the AAP disagree about not just the principle's validity, but also the sense in which the relevant affecting might be significant, and the most appropriate way to cash out the multivalent ideal of political equality. In this chapter, although I touch on these issues, my principal focus is the notion of "shaping … collective norms." My central claim is that those who would apply the AAP should articulate it in a way that is attentive to structural power. Doing so requires a focus on not decisions, but power relations. It directs attention to not just the definition of political boundaries and the allocation of votes, but more generally the conditions that enable and constrain multiple forms of political action.

The chapter proceeds in three parts. In the first, I sketch a series of familiar critiques of the AAP (that it threatens freedom of association, political identification, and collective self-determination) and introduce a case (public school desegregation in the contemporary American metropolis) for which these concerns are minimized. Here my aim is to introduce a new critique: to show that the AAP is largely inattentive to structural power. In the second section, I develop that critique. I make the case that people can be significantly affected not only by the decisions that other people make, but also by structural constraints, which are defined by institutionalized and objectified collective norms. In the third section, I suggest that those who would apply the AAP should focus not exclusively on decisions, but more broadly on relations of power, because people can be significantly affected by nondecisions, by doxic norms, and by positioning in systemic relations of domination. My argument recommends a reformulation of the AAP, one that broadens it, even if at the cost of rendering it less realizable: *People should have an adequate and equal social capacity to shape the power relations that delimit their fields of possible action.*

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 23:48:37, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009453981.018

THE AAP AND LOCAL POLITICAL BOUNDARIES

In its standard formulation, the All-Affected Principle identifies those agents who should be included in democratic processes; it is a normative principle that explains how to draw political boundaries, and how to allocate votes.[1] The AAP is often interpreted as supporting forms of transnational democratization that are radically at odds with the geopolitical status quo.[2] In addition, some proponents of the principle recommend applying it to domains where democratic rights typically are not protected, such as workplaces, civic associations, families, and other economic and social institutions.[3] That the AAP pushes us to interrogate settled beliefs about democracy's confines is among its strengths. The world we inhabit is characterized by profound cross-national interdependencies. Relations of power – by which I mean relations among social actors who have the capacity to shape one another's fields of possible action[4] – do not stop at the political boundaries that define nation-states. Instead, actions taken in one political society often significantly affect people who live outside its borders, as well as nonmembers who reside within. Hence putatively democratic institutions and practices that base political rights on citizenship-as-membership can have anti-democratic implications.

The AAP decenters membership. It pushes against the logic of citizenship as the basis for rights, especially rights of political participation, challenging what Linda Bosniak calls the "normative nationalism" that often informs (and often only *implicitly* informs) democratic theory – the assumption, that is, that "the territorial nation-state is the rightful, if not the total world of … normative concern."[5] The inclusion of all affected can require unbundling the rights and privileges attached to membership in a territorially based political society and linking them to multiple, overlapping regimes of governance – regimes that traverse the boundaries that delimit political communities. What is more, because power relations not only cross political borders, but also exceed formal institutions of governance, they are not contained by the boundaries that divide public from private, and state from society and economy. If people should have a hand in shaping the collective norms that affect them – rather than only the laws and the policies to which governments subject them – then democrats must think creatively about procedural and institutional mechanisms that give significantly affected persons political voice at home, at work, and in other social and economic realms that are not administered by states.

Its intuitive appeal notwithstanding, the AAP has been challenged by critics who find it problematic for at least three analytically distinct reasons. First, some worry that if the principle recommends democratization across political boundaries and within nonpolitical associations, then it conflicts with the right to freedom of association.[6] Just as no one but me should help decide whether I marry and, if so, whom (the argument goes), so no one but "us" – the members of our political society, or our association – should help decide where we draw our boundaries and what we do within them. Much like the institution

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 23:48:37, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009453981.018

of arranged marriage, these critics charge, the AAP violates the right *not* to associate with particular others, including others (like the potential partners I choose not to marry, or the would-be members our association does not admit) who are significantly affected by the exercise of that right.

Critics worry, second, that applying the AAP might undermine people's capacities to identify with a political society or with another cooperative association. Within this group of critics, some see identification as instrumentally valuable. David Miller, for example, claims it is critical for motivating people to participate in cooperative schemes that involve self-sacrifice.[7] Others view it as intrinsically valuable – a process that enriches people's lives by defining what Michael Walzer calls "communities of character," that is, "historically stable, ongoing associations of men and women with some special commitment to one another and some special sense of their common life."[8] Political identification need not be rooted in ethically thick understandings of who "we" are; instead, it can be rooted in constitutional principles, including principles of constitutional democracy.[9] In any case, the concern is that if others outside our collectivity have a say in what we decide and how we act, they can alter the very practices, values, and principles according to which we define our shared identity. They can change *who we are*, jeopardizing our capacity to identify with our political society, or with the other associations through which we "[pursue] in common the objects of common desires."[10]

The third concern derives from the first and second. Some worry that the AAP extends democracy's reach at the cost of undermining what is arguably *the* core democratic value: collective autonomy. For people to author the laws and the other norms with which they govern themselves, they need boundaries within which they can decide those norms, absent outside interference. In addition, they need to identify politically – to experience themselves as part of a "we" for the sake of which they are willing to "moderate their [self-interested] claims in the hope of finding common ground on which to base political decisions."[11] Absent such identification, the worry is, "rule by the people" may devolve into the coercion of the minority by the majority – a form of government under which citizens do not experience themselves as having authored any collective decisions except those they explicitly endorsed.

For these (as well as for other, more pragmatic) reasons, some critics of the AAP suggest that affectedness should trigger not the right to *participate* in political decision making, but merely the right to have decision makers afford one's interests consideration. People may have duties to those whom their decisions affect, the idea is, but they can discharge those duties without granting votes to outsiders, and without opening the borders that delimit their communities and define their associations. Thus, Kit Wellman writes that he is "inclined to agree that the emerging global infrastructure entails that virtually all of us have increasingly substantial relationships with people all over the world," but emphasizes that people can discharge their "duties to those

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 23:48:37, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009453981.018

outside of [their] borders … without necessarily allowing those to whom [they] are duty bound entry to [their] country" or political voice.[12]

I return to these critiques near the end of this chapter. But for the greater part of it, I bracket them, because my principal aim is to introduce a separate concern about the AAP: its inattention to structural power. As a first step toward explicating this problem, I want to introduce a case for which worries about threats to freedom of association, communal identification, and collective autonomy are minimal, because the power relations involved are subnational, rather than transnational, and situated within not a private association, but a nearly universally agreed-upon sphere of democratic governance. The case is that of school desegregation in the post-Civil Rights era United States.

Perhaps the best place to start is with the famous 1974 US Supreme Court case, *Milliken v. Bradley*, which addressed a proposed interdistrict school desegregation plan in metropolitan Detroit. The key point to note with respect to this case is that, had the desegregation program at issue been implemented, it would have crossed political – in this case, school district – boundaries. The Detroit Board of Education had proposed the plan two years prior, in response to an order by the US District Court for the Eastern District of Michigan, which had argued that, by that point in the city's history, only plans that included suburban districts could be effective in desegregating Detroit's schools. The District Court had ruled, and the Sixth Circuit Court of Appeals had affirmed, that desegregation plans need not respect local school district boundaries, since those jurisdictions are no more than "instrumentalities of the state created for administrative convenience."[13] In other words, school districts are quite unlike Walzer's "communities of character." It seems uncontroversial to claim they are not crucial sites of either political identification or collective self-determination. Although Americans identify politically, and they practice collective self-government, in local communities like townships and municipalities, as well as at the level of the nation-state, this is significantly less the case in single-function administrative units like school districts.

Nevertheless, the US Supreme Court disagreed with the lower courts. Writing for the majority, Chief Justice Warren Burger expressed concerns that interdistrict desegregation would undermine collective autonomy by entitling citizens who live in one district to vote in school board elections in another. In a lengthy series of rhetorical questions, he asked, in part:

> [Were the inter-district plan to be adopted, w]hat would be the status and authority of the present popularly elected school boards? Would the children of Detroit be within the jurisdiction and operating control of a school board elected by the parents and residents of other districts? … Who would construct attendance zones, purchase school equipment, locate and construct new schools, and indeed attend to all the myriad day-to-day decisions that are necessary to school operations affecting potentially more than three-quarters of a million pupils?[14]

Local control over the educational process" the Chief Justice underscored, "affords citizens an opportunity to participate in decision-making.[15]

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 23:48:37, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009453981.018

I quote this passage at length because the anxieties to which Chief Justice Burger gives voice – not only his practical worries about implementing cross-jurisdictional governance, but also his normative concern about detaching democratic rights from extant political jurisdictions – mirror those of many critics of the AAP. However, in the context of American urban politics, these anxieties are curious. Surely the state of Michigan could centralize to the metropolitan level, or to some intermediate unit of government between the local school district and metropolitan Detroit, both electoral control over public school officials and collective decision making about attendance zones, educational equipment, infrastructure, and the like. People can and do form bounded political communities, they can and do identify politically, and they can and do exercise collective autonomy at levels of government considerably more centralized than local public school districts. The normative claim that an interdistrict desegregation plan would undermine collective autonomy is dubious.

Yet it is also revealing. The parallel between Burger's worries and those of many critics of the AAP suggests that part of what some find jarring about the principle may be simply that it problematizes jurisdictional boundaries that are taken for granted, because they are relatively long-standing, because they are attached to physical spaces that are the sites of differential patterns of investment and disinvestment, and because (to borrow Charles Mill's language) they are "normed" to populations that are constructed as socially or culturally different.[16]

THE AAP AND STRUCTURAL POWER

Milliken v. Bradley reinscribed the jurisdictional boundaries at issue. In a decision that would hamstring efforts to desegregate American schools for decades to come, the Supreme Court reversed the lower court's judgment. It ruled that federally imposed desegregation plans cannot cross school district lines, except in those cases in which decisions made in one district are shown to have caused segregation in another, or in which it is proven that the district boundaries themselves were drawn with the intent to promote segregation. There is an obvious sense in which the ruling pushed against the logic of the All-Affected Principle. It reified extant political boundaries, asserting that democratic processes (here, the popular control of school boards through local elections) must be tied to territorially based political jurisdictions. At the same time, it implied, implausibly, that the status quo delineation of school district boundaries mapped onto and contained the effects of the "myriad day-to-day decisions" that regulate access to educational opportunity in metropolitan Detroit.

That said, there is a sense in which the majority decision was *not* at odds with the AAP, or at least with many influential formulations of that principle. The court emphasized not only limits to cross-jurisdictional responsibility for racial segregation and racial inequality in Detroit's schools, but also limits to responsibility for racial inequalities that are structurally induced. The majority

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 23:48:37, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009453981.018

underscored that "[t]he boundaries of the Detroit School District, which are coterminous with the boundaries of the city of Detroit, were established over a century ago by neutral legislation when the city was incorporated."[17] Justice Stewart, in a concurring opinion, stressed that Detroit and its public school system had become "predominantly Negro" due not to decisions that had been made by identifiable individual or collective agents, but instead to "unknown and perhaps unknowable factors such as in-migration, birth rates, economic changes, or cumulative acts of private racial fears."[18] On the majority's view, the focus of efforts to desegregate Detroit's schools should be the effects of clearly identifiable decisions. It should *not* be the effects of uncoordinated, large-scale social processes that interact in ways that are "unknown and perhaps unknowable."

Of course, the Court's aim in *Milliken* was not to apply the All-Affected Principle, it was to interpret and apply the principles of the US Constitution. Yet there is a slippage in the majority's reasoning that I want to suggest can be instructive for those who aim to specify the AAP in a way that enables its application: a mismatch between, on one hand, the goal of tying "significant affecting" to democratic control, and on the other, an exclusive focus on the explicit decisions that individual and collective agents make. In Detroit in the 1970s, "significant affecting" not only traversed the jurisdictional boundaries that defined local public school districts, it also exceeded the control of agents who were positioned to make decisions informed by the intent to discriminate. Racial segregation in late twentieth-century Detroit was produced and reproduced, in significant part, through the uncoordinated actions of multiple actors pursuing reasonable ends (parents seeking the best education possible for their children, for example, or elected officials acting to advance their constituents' interests) in a context of structural racial inequality.

As the Detroit case illustrates, people can be significantly affected by the interaction of large-scale structural processes, and yet it can be exceedingly difficult – at the limit, it may be impossible – to isolate the decisions that constitute those processes. If the ethic informing the AAP is a deeply democratic one, if the AAP urges that people should have a hand in shaping *all* the collective norms that significantly affect them, then the principle requires attention to structural power.

Let us define structural power as a network of collective norms that are, to varying degrees (1) institutionalized, (2) objectified, (3) internalized as motivational systems, and (4) embodied as what Pierre Bourdieu calls relatively enduring dispositions (*habitus*).

In order to clarify how structural power is relevant to the All-Affected Principle, I will expound briefly on each of these four ideas.[19]

1. When norms are *institutionalized*, they are built into rules, laws, and other institutional forms, which distribute rewards and sanctions that reinforce them. An example relevant to the case of twentieth-century

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 23:48:37, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009453981.018

Detroit is the underwriting standards that were created by the US Federal Housing Administration (FHA) beginning in the mid-1930s. From that time, and for three decades after – a period during which the agency not only insured mortgages for a third of new housing in the nation, but also profoundly shaped the private mortgage insurance market – the FHA required that the estimate of a property's value reflect the presence in the surrounding area of what it called "Adverse Influences," which it defined to include "incompatible racial and social groups."[20]

2. When norms are *objectified*, they are built into material forms (or object forms) that people experience corporeally as they engage in practical activity. A case in point is racialized urban and suburban space in postwar Detroit. Consider, for instance, the suburb of Grosse Pointe, which borders the city and is headquarters to one of the fifty-three school districts involved in the proposed desegregation plan at issue in *Milliken*. As of the 2010 census, Grosse Pointe was 93 percent white, and just 3 percent black.[21] According to the nonprofit Edbuild, in 2016, the border between the Grosse Pointe and Detroit public school districts marked the single largest socioeconomic disparity between any two public school systems in the United States.[22] Grosse Pointe touts its public schools on its homepage, where it announces, in bold letters, "Excellence is our proud tradition!" It elaborates:

> The City of Grosse Pointe is a community nestled along the shores of Lake St. Clair … a place where lovely homes grace tree-lined streets. Residents are afforded a scenic waterfront park with two outdoor swimming pools and a private marina. Our community takes pride in its excellent private and public schools. The City strives to offer an environment that is safe for both young and old.[23]

   But *why* is Grosse Pointe "lovely," "scenic," and "safe"? Why is it home to "excellent" schools, while neighboring Detroit, with a poverty rate close to 50 percent, has a public school system that has been in a state of financial emergency since 2009? Because political decisions – like local decisions to zone to require large lots or to limit the construction of multi-family housing, as well as state and federal decisions to channel public investment toward suburban exclaves, and away from older cities – produce norms that become objectified in material form.

   Think of the detached, single-family house or the "tree-lined street." Objectification depoliticizes. It makes "loveliness," "safety," and "excellence" appear to be qualities that emanate from physical forms, obscuring the collective decisions that produce political effects like the creation of the stark disparities between Grosse Pointe and neighboring Detroit.

3. When social norms are institutionalized, they define incentive structures that agents *internalize as motivational systems*. Imagine a white homebuyer who wanted a government-backed mortgage for a house in Detroit in the postwar years. To qualify, they would have had to buy in a racially

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 23:48:37, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009453981.018

exclusive white enclave. In Detroit, as in other American cities, white buyers responded to this incentive by moving en masse to the housing developments that were built with generous federal subsidies in the new postwar suburbs. It is deeply misleading to depoliticize this phenomenon by psychologizing it: by characterizing it as "cumulative acts of private racial *fears*." It is equally misleading to privatize it: to characterize it as "cumulative acts of *private* racial fears." No doubt it is true that racist attitudes informed the decisions many individual whites made to exit from cities like Detroit. Yet, at the same time, "white flight" was the predictable result of the public subsidy of suburban home ownership in a dual housing market.

4. When social norms are objectified, they form the material context of people's practical activity. Hence, competent social actors master them implicitly. That is to say, they learn to conform to them, not just through conscious decisions, but also through a kind of practical know-how that powerfully supplements judgment and choice. Bourdieu characterizes such know-how as "a feel for the game." "Action guided by a 'feel for the game,'" he writes, "has all the appearance of the rational action that an impartial observer, endowed with all the necessary information and capable of mastering it rationally, would deduce." He continues:

> And yet, it is not based on reason. You need only think of the impulsive decision made by the tennis player who runs up to the net to understand that it has nothing in common with the learned construction that the coach, after analysis, draws up in order to explain it and deduce communicable lessons from it.[24]

Much like Bourdieu's tennis player, the contemporary resident of Grosse Pointe, Michigan can master the common sense of racial practice even if they do not endorse, even if they are never consciously aware of, the collective decisions that helped to create it.

TRACK POWER, NOT DECISIONS

A decision that is "neutral" in the sense in which Chief Justice Burger says the definition of school district boundaries was in nineteenth-century Detroit, when institutionalized and/or objectified, can interact with other social structures to shape large-scale processes (like the migration processes and the urban economic restructuring that Justice Stewart calls "unknown and perhaps unknowable"): processes that significantly affect what people can do and be. Those who are committed to the democratic principle that people should have a hand in shaping the collective norms that significantly affect them must subject institutionalized and objectified norms, along with social processes that produce systematic inequalities, to the same scrutiny to which we subject decisions. What would that entail? I want to suggest that articulating the AAP in a way that is attentive to structural power requires attending to not only decisions, but also (1) nondecisions, (2) doxic norms, and (3) systemic relations of domination.

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 23:48:37, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009453981.018

Let me say something more about each of these ideas.

1. I borrow the term "nondecision" from the postwar literature on power's so-called "second face."[25] E. E. Schattschneider famously argued that "[s]ome issues are organized into politics while others are organized out."[26] However, what Schattschneider called the "mobilization of bias" is not simply a matter of agenda-control; it is not only in effect when agents make decisions that intentionally delimit the terms of political conflict. It is also a matter of the inertial force of institutionalized collective norms, and of the political interests that institutionalized norms construct.

   Think of the definition of public school district boundaries to coincide with the definition of municipal boundaries in mid-nineteenth-century Detroit. Over the course of the following century and a half, this institutional arrangement would interact with interregional migration and urban economic restructuring to incentivize "white flight" to Detroit's racially exclusive suburbs. Multiply that incentive by the fifty-three suburban districts that would have participated in the proposed school desegregation plan, and by the thousands of residents of each of those fifty-three districts, and you have a wide-ranging set of socially constructed racial interests, centered on home ownership, property values, and restricted access to well-funded, high-performing schools. Now it is not just decisions, but also nondecisions – *not* deciding to intervene to countervail the flight of jobs and capital from city to suburb, for example, or for that matter, *not* deciding to desegregate across school district boundaries – that significantly affects the residents of contemporary Detroit.
2. I borrow the term "doxa" from Bourdieu, who uses it to signify collective norms that function as background assumptions: taken-for-granted expectations about aspects of the social world that many people experience as natural or otherwise inevitable.[27] The idea is closely related to his notion of *habitus* (discussed above), since agents internalize doxic norms in the form of intersubjectively shared cognitive, perceptual, and affective dispositions, or what William Sewell calls "schemas."[28] Sally Haslanger writes that schemas "are embodied in individuals as a shared cluster of open-ended dispositions to see things a certain way or to respond habitually in particular circumstances." She elaborates: "Schemas encode knowledge and also provide scripts for interaction with each other and with our environment."[29]

   For an example of a doxic norm that people internalize as an intersubjectively shared schema, recall the jurisdictional boundary that divides Detroit from neighboring Grosse Pointe. The discussion in the previous section suggests that some people experience that boundary not as a socially produced norm that helps create and maintain inequality, but as a physical frontier that merely *reflects* (pre-political) differences between what is "lovely," "safe," and "excellent," and what is not.

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 23:48:37, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009453981.018

3. Social structures that create patterned inequalities can position people in relations of systemic domination. They can do so, I want to underscore, even if no agent directs or controls them, and even if none intends the relevant outcomes. I use the word "systemic" to contrast my view with that of many contemporary neo-republicans, who understand nondomination as "resilient noninterference" – that is, as one agent's capacity to act without being subjected to the will of another.[30] On this view, although domination need not involve actual interference (it entails only the *possibility* of interference within some specified range of action), it is, necessarily, an agent-centered phenomenon – that is, it consists in a direct relation between an agent who dominates and one who is dominated. To quote Philip Pettit, domination "cannot be the product of 'a system or network or whatever'."[31] In this respect, neo-republicans echo theorists of power's "third face," for whom power ends where structure begins.[32]

I disagree. Structural forms of constraint, like the school district boundaries at issue in *Milliken*, are social in origin, and they can limit people's fields of action no less so than can decisions made by other people. Steven Lukes famously worried that attention to structural power can make it difficult to theorize *responsibility* for unjust power relations.[33] My own view is consonant with that of Iris Marion Young, who argues that people can be subject to systemic forms of domination for which no identifiable agent is *causally* responsible, but emphasizes that attention to structural power highlights what she calls the "forward-looking" *political* responsibility to act with others to change unjust structures.[34]

In sum, attention to social structure directs democrats to re-specify the All-Affected Principle. It directs us to track not decisions, but power. Granted, one aspect of having "an adequate and equal social capacity to shape the power relations that delimit one's field of action" is having adequate and equal decision-making power. The view I recommend is one that supplements, rather than supplants, those that emphasize decision making. For this reason, the implications of the All-Affected Principle that have been sketched by some scholars of local government law remain apposite. Consider Gerald Frug's proposal that people be legally empowered to cross jurisdictional boundaries and to cast votes in the elections of any local government in the metropolitan areas in which they live.[35] Frug makes the case for granting each voter multiple votes, which they can cast in the local election(s) of their choice. Thus, a resident of the city of Detroit who wanted to influence the zoning regulations that prevent them from moving to Grosse Pointe and sending their children to its "excellent" schools might cast some, or even all, of their votes in Grosse Pointe's local elections. Of course, a voting system like the one Frug proposes could have perverse effects. It might further empower the already-privileged, by enabling affluent suburban voters to coordinate to vote in Detroit's elections, influencing city politics in ways that exacerbate existing inequalities.

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 23:48:37, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009453981.018

The practical challenge for those who focus on decision making is to develop governance regimes that grant all affected persons – especially those who are marginalized by the status quo – an adequate and equal capacity to help shape collective decisions.

As I have argued throughout this chapter, an additional challenge for those who would apply the All-Affected Principle is that "shaping" power relations is not reducible to participating in formal decision making. If people are significantly affected by nondecisions, by doxic norms, and by systemic relations of domination, then democrats must think creatively not only about how to reform voting laws and other institutions, but also about how to promote people's capacities to reshape political agendas and to problematize the taken-for-granted. For this reason, the AAP can recommend political changes that have nothing to do with voting. These might include, for example, providing aid to the relatively powerless to help them bring claims in court; protecting and enhancing people's capacities to organize collectively, to protest, and to engage in a wide range of direct actions, including strikes; and devoting collective resources to supporting forms of public expression, such as public art, that problematize the dominant terms of discourse and unsettle doxic beliefs.

Although interventions like these have not been the principal focus of most theorizing about the AAP, they can play a critically important role in giving people an adequate and equal hand in shaping the norms that significantly affect them. How would an approach that moves away from an exclusive focus on voting and boundary drawing fare in light of the three objections to the AAP cited at the start of this chapter? The first, recall, was the worry that applying the AAP would undermine the right to freedom of association. The fact that the principle need not dictate how to define membership in political societies alleviates this concern. To return to the marriage analogy, in my own case, I did decide to marry a person who (happily) decided to marry me. No other people can compel us to admit them to our union. That does not mean, however, that no one does or should have the capacity to help shape other-regarding facets of our relationship. To cite one obvious example, the US government taxes my income today at a different rate than it did before I married. It seems entirely unobjectionable, from a concern about freedom of association, that my spouse and I do not independently decide the tax bracket to which we are assigned.

Second, if the AAP does not require forcing people to allow others to join their associations, but instead recommends giving them the capacity to shape the power relations that affect them, regardless of the definition of associational boundaries, then applying the principle need not undermine people's capacities to identify with "communities of character." If there is something about identifying as an American that is instrumentally and/or intrinsically valuable – or for that matter, if there is something valuable about identifying as a resident of Grosse Pointe, Michigan – then the challenge for democrats is to find ways to support and enable identification, while at the same time

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 23:48:37, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009453981.018

institutionalizing members' responsiveness to outsiders' legitimate claims. Suppose what is distinctive about "us" as residents of Grosse Pointe is that we value excellence in public education. If that means no more than that we devote a substantial percentage of our fair share of public resources to building schools and paying to staff them, all well and good. Perhaps a neighboring community, comprised entirely of elderly residents without school-aged children, will channel its fair share of resources toward some other end. But the fact that we value excellence in public schooling does not license us to pursue said excellence on the backs of our neighbors. If "pursuing in common the object of [our] common desires" affects the significant interests of people outside our association, then democratic norms demand that those others have a say in how we pursue our ends. One way to support communal identification in a case like the one at hand would be to detach some rights and/or benefits from communal membership. For example, perhaps Grosse Pointe should not have the right to collect property taxes and use them to fund local public services. If what is at stake is truly a communal valuation of education over other public goods, then a tax-revenue sharing system might preserve local decision making about priorities, while at the same time reducing the extent to which Grosse Pointe residents' decisions affect people in neighboring Detroit.

Third, although the concern that applying the AAP might undermine collective self-determination is valid, it is worth underscoring that collectivities' rights to self-determination, much like the self-determination rights of autonomous individuals, are not absolute. As I type these words, part of the lawn in the front of my house has been torn up by the local water utility, which has scheduled a water main replacement project in my neighborhood. Because I write from home, and because the noise distracts me as I write, I would prefer for them not to dig on my property at this time. Were I to realize that preference, however, it would delay the project, affecting my neighbors' significant interests. My property rights are abridged in this instance, and rightly so, because I live in a community with other people who would be significantly affected were that not the case. In a similar vein, collectivities' rights to self-determination can and should be abridged when the decisions they make are not purely self-regarding. In the case of school desegregation in the contemporary metropolis, Chief Justice Burger may be right that "[l]ocal control over the educational process affords citizens an opportunity to participate in decision-making." That said, funding can be centralized without undermining people's capacities to shape many local decisions about curriculum, pedagogy, and other educational concerns.

CONCLUSION

By way of conclusion, I want to say something about what I see as the principal strength, and the principal drawback, of the approach to theorizing the AAP sketched in this chapter. I am reminded of the advice that my son's chess

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 23:48:37, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009453981.018

coach gave him many years ago, when he used to play competitive chess. The coach would emphasize that, to grow as a player, he needed to think imaginatively, sometimes even in ways that seemed counter-intuitive. The coach advised that, while considering his next move, my son should think not only about what he might do, and what his opponent's likely response would be to each possible move, but also about what he might do were he to find himself in a different tactical situation than the one he currently faced. "Ask yourself fanciful questions," he would prompt, "like: 'What if that rook weren't there?'"

My central aim in this chapter has been to draw attention to the significance of structural power for specifying and applying the All-Affected Principle. In the case of US school desegregation post-*Milliken*, realizing that principle would require nontrivial changes not only to how Americans organize school districts and other subnational governments, but also to how they understand their rights (as students, as parents, as property owners), their interests, and their identities. It would require changes that would challenge longstanding hierarchies and threaten the privilege of those who benefit from the status quo. If it is difficult to imagine building the political will among the American citizenry to enact such change, that difficulty highlights an unfortunate ramification of my argument. Rather than rendering the AAP more attainable, I have suggested a reformulation that makes it more elusive. My argument pushes not toward neat, or even obviously feasible policy applications, but instead toward "big think" about structural change.

I am of two minds about this outcome. On the one hand, I appreciate the need for a realistic specification of the AAP, if the goal is to move closer to actualizing it. The more expansively the principle is defined, the more challenging it becomes to apply and to realize. At the same time, however, I want to make a plea that political theorists not become so hemmed in by concerns about feasibility that we fail to consider applications that might work only were we to find ourselves in a different tactical situation than the one we currently face (only "if that rook weren't there"). Politics, like chess, requires not just strategy, but also imagination.

NOTES

1 See, for example, Robert A. Dahl, *After the Revolution? Authority in a Good Society* (New Haven: Yale University Press, 1970); Robert E. Goodin, "Enfranchising All Affected Interests, and Its Alternatives," *Philosophy and Public Affairs* 35 (2007): 40–68.

2 David Held, *Democracy and the Global Order* (Cambridge: Polity Press, 1995); Iris Marion Young, *Inclusion and Democracy* (New York: Oxford University Press, 2000); Goodin, "Enfranchising All Affected Interests."

3 For example, Young, *Inclusion and Democracy*; Archon Fung, "The Principle of Affected Interests: An Interpretation and Defense," in *Representation: Elections*

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 23:48:37, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009453981.018

and Beyond, ed. Rogers M. Smith and Jack H. Nagel (Philadelphia: University of Pennsylvania Press, 2013); Carol C. Gould, *Interactive Democracy: The Social Roots of Global Justice* (New York: Cambridge University Press, 2014).

4 See Clarissa Hayward, *De-facing Power* (New York: Cambridge University Press, 2000).

5 Linda Bosniak, *The Citizen and the Alien: Dilemmas of Contemporary Membership* (Princeton, NJ: Princeton University Press, 2006), p. 134.

6 See, for example, Christopher Wellman, "Immigration and Freedom of Association," *Ethics* 119, no. 1 (2008): 109–41.

7 See David Miller, *On Nationality* (New York: Oxford University Press, 1995) and *Citizenship and National Identity* (London: Polity Press, 2000).

8 Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality* (New York: Basic Books, 1983), p. 62.

9 See, for example, Jürgen Habermas, "The Postnational Constellation and the Future of Democracy," in *The Postnational Constellation: Political Essays*, trans. and ed. Max Pensky (Cambridge, MA: MIT Press, 2001) pp. 58–112.

10 Alexis de Tocqueville, *Democracy in America*, ed. J. P. Mayer, trans. George Lawrence (New York: Harper and Row, 2006 [1840]), p. 514.

11 Sarah Song, "The Boundary Problem in Democratic Theory: Why the Demos Should Be Bounded by the State," *International Theory* 4, no. 1 (2012): 39–68, at 47.

12 Wellman, "Immigration and Freedom of Association," pp. 124–5.

13 *Bradley v. Milliken* (1973) 484 F.2d at 246.

14 *Milliken v. Bradley* (1974) 418 US at 743.

15 418 US at 742.

16 Charles Mills, *The Racial Contract* (Ithaca, NY: Cornell University Press, 1997), p. 42.

17 418 US at 748.

18 418 US at 756, n. 2.

19 For a more detailed explication, see Clarissa Hayward, "On Structural Power," *Journal of Political Power* 11, no. 1 (2018): 56–67, on which this discussion draws.

20 Federal Housing Administration, *Underwriting Manual: Underwriting and Valuation Procedure under Title II of the National Housing Act* (Washington, DC: US Government Printing Office), 1938, par. 937; see also, Clarissa Hayward. *How Americans Make Race: Stories, Institutions, Spaces* (New York: Cambridge University Press, 2013).

21 https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF, accessed February 27, 2018.

22 http://viz.edbuild.org/maps/2016/fault-lines/, accessed February 27, 2018.

23 www.grossepointecity.org, accessed February 27, 2018.

24 Pierre Bourdieu, "Fieldwork in Philosophy," in *In Other Words: Essays Toward a Reflexive Sociology*, trans. Matthew Adamson (Stanford, CA: Stanford University Press, 1990), p. 11.

25 Peter Bachrach and Morton Baratz, "Two Faces of Power," *American Political Science Review* 56, no. 4 (1962): 947–52; "Decisions and Non-decisions: An Analytical Framework," *American Political Science Review* 57, no. 3 (1963): 632–42.

26 Elmer E. Schattschneider, *The Semisovereign People: A Realist's View of Democracy in America* (Chicago: Holt, Rinehart, and Winston, 1960), p. 69.

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 23:48:37, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009453981.018

27 Pierre Bourdieu, *Outline of a Theory of Practice*, trans. Richard Nice (New York: Cambridge University Press, 1977).
28 William Sewell, "A Theory of Structure: Duality, Agency, and Transformation," *American Journal of Sociology* 98, no. 1 (1992): 1–29.
29 Sally Haslanger, *Resisting Reality: Social Construction and Social Critique* (New York: Oxford University Press, 2012), p. 415.
30 For example, Philip Pettit, *Republicanism: A Theory of Freedom and Government* (New York: Oxford University Press, 1997) and *On The People's Terms: A Republican Theory and Model of Democracy* (New York: Cambridge University Press, 2012); see also, Frank Lovett, *A General Theory of Domination and Justice* (New York: Oxford University Press, 2010).
31 Pettit, *Republicanism*, p. 52; see, however, Philip Pettit, *Just Freedom: A Moral Compass for a Complex World* (New York: Norton, 2014), which moves away from this view.
32 Steven Lukes, *Power: A Radical View*, 2nd ed. (New York: Palgrave, 2005); see, however, Clarissa Hayward and Steven Lukes, "'Nobody to Shoot?' Power, Structure, and Agency: A Dialogue," *Journal of Power* 1, no. 1 (2008): 5–20.
33 Lukes, *Power*; Lukes and Hayward, "'Nobody to Shoot?'"
34 Iris Marion Young, "Responsibility and Global Labor Justice," *Journal of Political Philosophy* 12, no. 4 (2004): 365–88; Iris Marion Young, "Responsibility and Global Justice: A Social Connection Model," *Social Philosophy and Policy* 23, no. 1 (2006): 102–30; Iris Marion Young, *Responsibility for Justice* (New York: Oxford University Press, 2011); see also, Clarissa Hayward, "Responsibility and Ignorance: On Dismantling Structural Injustice," *Journal of Politics* 79, no. 2 (2017): 396–408.
35 Gerald Frug, "Voting and Justice," in Clarissa Hayward and Todd Swanstrom, eds., *Justice and the American Metropolis* (Minneapolis: University of Minnesota Press, 2011).

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 23:48:37, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009453981.018