The All-Affected Principle

A Pathway to Democracy for the Twenty-First Century?

Archon Fung and Sean W. D. Gray

In Neal Stephenson's 2021 novel *Termination Shock*, a billionaire using the pseudonym T. R. McHooligan takes it upon himself to single-handedly address global climate change by launching projectiles from a base in Texas using "the biggest gun in the world."[1] His high-tech cannonballs spread a layer of sulfur into the atmosphere that cools the earth by reflecting the sun's radiation back into space. This general approach, called solar geo-engineering, is actually an active area of research that is promoted by, among others, Harvard scientist David Keith.[2] In the novel, McHooligan's geo-engineering project creates winners and losers all over the world, as actual geo-engineering would. Some people live in places where the climate becomes milder and more conducive to their economic and social activities. Others are spared the destruction from sea level rise. But still other places suffer more frequent and severe storms and the climate becomes less hospitable.

Who, other than T. R. McHooligan, should have a say over whether his geo-engineering project goes forward? As a citizen and a person operating in the United States, he should be subject to that country's laws. In Stephenson's speculative fiction, the state of Texas is too libertarian to care. For its part, the United States government is too dysfunctional to notice, much less regulate, McHooligan. But suppose that the United States was well governed, and that its people judged that the United States would be a net beneficiary of geo-engineering, and so fully supported McHooligan. Should people in other countries – those who are net losers from geo-engineering – have any say?

In *Termination Shock*, governments and other organizations from far-off places send covert spies to Texas to protect their interests. One country goes so far as to send soldiers in the name of "climate peacekeeping." In other words, they invade the United States to stop McHooligan. They feel that they should have a say because their interests are profoundly affected, but the state-based, territorial structure of this democracy provides no democratic avenue for them to exercise influence to protect their interests.

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Many theories of democracy presume that democratic authority governs a fixed set of people – citizens – who reside in a fixed territory, usually a sovereign state. The authors of this volume explore a different starting point for democracy: the All-Affected Principle (AAP).[3] That principle states that *everyone who is affected by a decision should be able to influence that decision*. According to the AAP, everyone in the world – not just the citizens of Texas or the United States – should have a say over T. R. McHooligan's geo-engineering project because his decisions affect everyone in the world.

Turning to actual events rather than speculative fiction, politics in the streets and in parliaments over the last decade evince widespread disappointment and anger at the reality of the territorially organized liberal democracies that reigned hegemonic at the beginning of the twenty-first century. The Indignados in Spain and #Occupy movements in major cities like New York, London, Paris, and Toronto highlighted the failure of liberal democracies to advance distributive justice after the Great Recession of 2007–2009. Extinction Rebellion, Sunrise, and other movements press societies to face up to the existential threat of climate change. Populist leaders and movements – marked by the victories of Brexit in the United Kingdom and then of Donald Trump in the 2016 United States presidential contest – rode waves of disaffection with liberal democracy. In the COVID-19 pandemic, this disaffection transmogrified into the dysfunctions that come from institutional distrust and illegitimacy, leading to violent conflicts about social distancing and massive vaccine skepticism in many parts of the world.

Perhaps these challenges to the existing political order in the democratic precincts of the world need not trigger deeper normative reconsideration. It may be that this turbulence is a failure of politics, not of democratic theory. Perhaps we should strive more vigorously in light of these failures to achieve what many normative political views already recommend: liberal democracies of free and equal citizens governing themselves through the powers of territorially bounded nation-states that hierarchically rule over not just the citizens, but the corporations and civic organizations, in those territories (see Macdonald, this volume).

The authors of this volume take a different path. We explore a whether the very different normative starting point of the AAP can provide a useful guide to assessing our practices of governance, designing institutions, and justifying democracy. As Melissa Lane (Chapter 12) describes, the AAP has ancient origins in Western thought, tracing back to the Codex of Justinian in the fifth century: "*quod omnes similiter tangit, ab omnibus comprobetur*" ("What touches all similarly must be approved by all"). Many attribute contemporary usage of the principle to Robert Dahl. Dahl offered this formulation:

> Everyone who is affected by the decisions of a government should have the right to participate in that government.[4]

Dahl insisted that this is "very likely best general principle of inclusion that you are likely to find" for democracy. He saw it driving democratic slogans and

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intuitions like "No taxation without representation."[5] Almost in the very next breath, however, Dahl noted that the principle may have absurd, or at least troubling, implications. In the very same city, three people might be affected in one way by decisions around education, and in a very different ways by zoning decisions; should two be enfranchised in one set of decisions but disenfranchised on the other one? Moreover, the AAP suggests proportionality rather than equality; should those who pay greater taxes be afforded more voice because they are *more* affected? And then, Dahl observed that the principle

> forces us to ask whether there is not after all some wisdom in the half-serious comment of a friend in Latin America who said that his people should be allowed to participate in our [U.S.] elections, for what happens in the politics of the United States is bound to have profound consequences for his country.[6]

In the face of some of the serious twenty-first-century challenges to democracy, however, some of the drawbacks of the AAP may be points of departure that better address difficulties that arise from more conventional, nation-state-centric conceptions of democracy. Some of these difficulties include the treatment and standing of immigrants; cross-border problems such as trade, pollution, and climate; the inability of national governments to effectively regulate economic and civic organizations; and, importantly, the unequal power of individuals and organizations within states. In other words, what Dahl took to be the "absurd" aspects of the AAP may in fact turn out to be positive features.

VARIETIES OF THE ALL-AFFECTED PRINCIPLE

The All-Affected Principle can be interpreted in many different ways. The authors of this volume explore alternative formulations of the principle and they offer various reasons to support and reject the principle itself. In particular, formulations of the principle that *everyone who is affected by a decision should have influence on that decision* can vary according to:

1. The organization making the decision
2. What type of decision
3. Ways having influence
4. Allocation of influence
5. Conceptions of affectedness
6. Weak and strong normative uses of the AAP

In Dahl's formulation above (and also Robert Goodin's formulation in Chapter 1 of this volume), the organizational scope of the All-Affected Principle is limited to *governments*. But most of the other authors expand the AAP to include decisions by other entities such as companies, philanthropic organizations, civic organizations, voluntary associations, and even individuals themselves. One straightforward interpretation of the AAP is that it should regulate explicit decisions such as the policies made by legislators or public and private

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leaders. But decisions always occur in a broader context of agendas that prescribe options, institutions, and resources that make some options more and less available. Thus, several authors in this volume argue that the AAP should track "power not [only explicit] decisions" (e.g. Gray, Hayward) and so be attentive to the background conditions that shape decision making. Other authors (e.g. Lane, Christiano) highlight how the AAP ought to be attentive to resources – for instance, time, money, or information – because resources often dictate available choices.

Formulations of the AAP specify different ways of having influence. In the democratic context, the most common method of exercising influence is voting. From that point of departure, the question of influence is who should be given a vote over some decision. So, in an influential contemporary argument for the AAP, Goodin answers that everyone in the world should be enfranchised by having a vote – through representatives – on every decision that possibly affects them.[7] But the vote is not the only way to confer influence. Standing to speak in a public deliberation or council – such as a city council meeting or at the United Nations – also constitutes influence, as does participating in a protest march or writing an opinion piece. A worker who is represented by a labor union is likely to have more influence over his employer's decisions about compensation and workplace conditions than one who does not have a union (Christiano, this volume). All of these are active forms of influence, but there may be passive forms of influence available as well. For example, decision makers can be obliged to review the effects of their decisions on the interests of those who are affected, because of background laws and regulations. Though a "weaker" empowerment than (say) voting, such requirements may nevertheless ensure that the interests of those affected are considered.

The allocation of influence is another variation within the AAP. In democratic political setting, the moral equality of citizens is often translated into an equal opportunity for influence through enfranchisement: one person, one vote. The AAP could be similarly formulated: so long as a person's interests are affected above some threshold, that person is given a vote equal to the vote of others who are affected in the same way. A more natural, if less easily implemented, interpretation of the AAP is for influence to be allocated in proportion to affectedness.[8] On this account, influence proportional to affectedness flows from the moral equality of individuals in a democracy. It requires treating each as a free equal, rather than just treating each equally. Even if morally attractive, allocating influence proportionally might seem institutionally unworkable compared to the simplicity of a general election. But it turns out that many actual practices of governance already approximate, and indeed are motivated by, the intuition that influence over decisions be weighted. Membership in a school's Parent–Teacher Association, for example, is normally open to parents (and teachers) at that school, who are presumably more affected than others in the neighborhood or elsewhere in the nation (see Warren's chapter). In his

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1970 exploration, Dahl wrote that "this tendency helps explain why there were 1,467 distinct political entities in the New York Metropolitan Region and why the citizens of Fridley, Minnesota, labored beneath eleven different layers of government."[9]

Another key question is what counts as being "affected" according to the AAP. At one inclusive end of the spectrum, one should have influence over decisions that possibly affect any interests that one may have. In more limited formulations, influence accompanies decisions that affect particularly important, fundamental, or justice-based interests. Patterns of repeated interaction, decision making, and effect – as with coresidents or cooperators in firms and other associations – may indicate the kind of relationship that ought to confer influence over decisions. And nondecisions and hidden structures of power can produce effects on people's interests that trigger the democratic concern for voice and control that motivate the AAP.

Beyond these conceptual challenges, there are also a range of normative applications – or levels of ambition – for which the AAP might be employed. Modestly, the AAP might be deployed as a democratic tripwire – a kind of early warning system that triggers cause for normative concern and investigation. When we notice that someone's (important) interests are being adversely affected, and that they have no influence to redress this concern, this might alert us to the existence of a democratic deficit. Upon further investigation, it may turn out that the problem is better accounted for by some other theory of democracy or justice (Carens, this volume). A problem that appears to be a violation of the AAP might, for example, turn out to be better understood, and redressed, as a denial of fundamental rights (Stilz, this volume) or equal citizenship in a national democracy. More strongly, the AAP could be deployed as a middle-level principle, a normative yardstick to judge and design processes of governance and decision making. In Chapter 9 of this volume, Carol Gould writes that "the main function of the All-Affected Principle is to address just these sorts of exogenous impacts of decisions. It demarcates the affected others, and argues for the need to give them democratic input to these decisions, if not fully equal participation rights."[10] Christiano, Rubenstein, and Lane use the AAP in this middle-level fashion in their respective chapters. Most ambitiously from a normative perspective, the contributions of Goodin, Warren, and Gray explore the AAP as a fundamental principle to justify democratic arrangements, while the chapters by Stilz, Valentini, and Williams present various arguments against grounding the AAP at this deeper level.

Even if one rejects the AAP as a justification of ideal political institutions, it might nevertheless be a useful guide to democratic action, responsibility, and reform in the face of structural injustice, pervasive inequality, and technocratic and authoritarian governments. On this view, the AAP provides a means of coping with what are essentially nonideal conditions. If you are a democrat, for example, but the world is such that kings will rule for a long time, what do you have to say about the accountability, rights, and obligations of kings to

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their subjects? More immediately, if you don't think billionaires should exist at all, but there are a lot of billionaires, and they will be around for some time, what are their obligations? The contributions to this volume by Macdonald, Hayward, Saunders-Hastings and Reich, and Rubenstein explore the AAP as a response to the many injustices of our imperfect world as it currently exists, rather than dealing in abstractions.

In sum, whether it is justified as an early warning system, a normative yardstick, or a foundational tenet, examining how organizational decisions affect people and the extent to which they can influence those decisions can help to advance four frontiers of democratic theory. First, what features of our social relationships should democratic arrangements ***track***? Should democrats be principally concerned with power, domination, protection of fundamental interests, density of individual interactions, or some other characteristic? Second, how should democratic standards apply to decisions and actions that governments, corporations, and individuals take, when these have problematic ***cross-border effects***? The AAP might help to account for the democratic inclusion and influence that migrants and other noncitizens ought to have, how border disputes can be settled democratically, and the influence that those who suffer the effects of decisions made in far-off places are entitled to have. Third, ***economic power and concentration*** of corporate wealth has swelled to mammoth proportions. Those corporations and their activities crisscross national boundaries and step footloose across the entire world. Governments often prove unwilling or unable to curb them. Can the AAP provide firmer ground to render such power accountable? Fourth, within and across the über-associations of nation-states are ***many secondary associations***, including civic groups and ethnic and cultural communities, in addition to neighborhoods, towns, and cities, or private clubs or philanthropies. The operations and decisions of these associations not only affect one another but may also sometimes have consequences for those who are very distant – as happens, for example, when an international aid organization enlists wealthy donors to deliver services in another country. Can the AAP illuminate the obligations of these secondary associations or the rights of those whom they affect? To make progress, the chapters in this volume are organized along these four democratic frontiers.

TRACKING WHAT? SUBJECTION, INTERACTION, POWER, AND DOMINATION

Since Locke and Rousseau, legitimating the distinctive authority of government to coercively command its subjects has been a central justification for citizens' political rights.[11] This line of reasoning leads to the principle that all who are *subjected* to a government's authority should have influence over that government's decisions. And because national governments sit astride the

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apex of political hierarchies, citizens' political influence ought to track national governments' special power to make coercive decisions. The authors in the first part of this volume begin to explore the *All-Affected* Principle (in contrast to the *All-Subjected* Principle) by reconsidering this basic justification. In an increasingly globalized world, when so many of our vital interests depend upon decisions and actions outside of the governmental domain, why should democratic participation and influence be limited to tracking the exercise of government authority by territorial states?

In the first chapter of this volume, Robert Goodin continues the inquiry he began in his influential 2007 article "Enfranchising All-Affected Interests."[12] Goodin argues that both political authority and the franchise should track the thickness of the web of human interactions rather than geographic proximity or territorial boundaries. Once upon a time, the frequency, range, depth, and certainty of interactions between people may have correlated with territory and proximity. Under those circumstances, political authority could be plausibly organized geographically to regulate the densest interactions between people. In that old world, there was a convenient fit between democratic theories that prescribe political participation in national governments and patterns of human interaction. But in our contemporary world, webs of human interaction crisscross territories and localities in complex ways. It is time, Goodin argues, to bid the proximity principle "adieu," by reconfiguring political authority so that it tracks current densities of interaction and enfranchises individuals in those updated complexes of government.

Mark Warren (Chapter 2) and Sean Gray (Chapter 3) agree with Goodin and some other contributors to this volume that individuals should have influence and voice over decisions and collectivities well beyond territorial governments. But while Goodin focuses on the density of human interactions, Warren and Gray argue that influence and voice should track interests and interactions that are especially morally significant. Warren argues that two interests – self-development and self-determination – are especially important. When these interests are threatened decisions and actions beyond the reach of territorial states – as they are for many people with respect to climate change or global trade; or when they are jeopardized by decisions within territories – as with unresponsive or incompetent health and education authorities – Warren argues that the All-Affected Principle calls for the creation or empowerment of constituencies in ways that anticipate new demands for democratization.

Gray argues more generally that influence conferred by the AAP should track power in ways that enable people to defend vital interests in nondomination and against the usurpation of their own judgments. Instead of focusing on decisions or their effects, Gray argues that we should focus on the prior relationships that make problematic decisions (and effects) possible: "To call a decision-making process "undemocratic" is to signal that something is wrong with the relationships it presupposes."[13] The AAP can be deployed to confer influence to correct power imbalances in relationships that threaten

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domination or usurpation, while avoiding many of the charges of incoherency levelled by skeptics.

Melissa Williams (Chapter 4) is concerned with collective self-determination in a globalized age as well, but she argues that the AAP can only address part of the challenge. The AAP should be understood as a criterion of legitimate democracy: when people are importantly affected by decisions but lack influence, then democratic legitimacy is at stake. But, she argues, the AAP does not offer guidance on the prior problem of constructing a legitimate democratic order. Williams writes that:

> democracy requires more than constraints on the exercise of political power [for which the AAP offers useful guidance]; it also requires the capacity to generate political power, that is, the capacity to produce binding (i.e. coercive) collective decisions aimed at advancing common interests [on which the AAP does not guide].[14]

On that second, prior, and perhaps more fundamental question, Williams argues that we should utilize a conception of constituent power that transcends territorial boundaries. Constituent power is constructed by people who "freely associate with the purpose of instituting an institutional order that is capable of generating binding collective decisions aimed at advancing common interests."[15] In the twenty-first century, this might be done by people living in many different countries who are, for example, vulnerable to the effects of climate change or members of communities that transcend state boundaries, as is the case with many Indigenous communities.

Anna Stilz provides an important counterpoint in Chapter 5 by developing several potent criticisms of the APP. Stilz acknowledges that those people affected by a decision may sometimes be entitled to a voice. But she argues that "affectedness" is not a strong basis for protecting important, justice-related interests. First, inclusive democratic procedures can be problematically fickle. In some cases, minorities (e.g. Indigenous Navaho people in the larger American polity) might simply lack the votes to defend their interests, while in other cases, especially those at the larger scale of including everyone at a continental or even global level, people might lack the information and media infrastructure necessary to know how to use their voice to defend their interests. Second, Stilz responds to some of the authors in this volume – Gray, Warren, and Gould – who claim that the AAP is important to achieving democratic *self-determination*. Against this claim, Stilz argues that AAP could jeopardize self-determination. Genuine self-determination begins with a group of people who share values and priorities – who share a "political will" – and govern themselves accordingly. The All-Affected Principle can undermine such a group's self-determination by granting those outside the group – who are affected but do not share their political will – influence over the self-determining group's decisions. Third and finally, Stilz questions the relationship between self-determination and influence within a community or group. Influence in the form of equal voting is not necessary for a group to be

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legitimately self-determining, Stilz argues. Many associations – churches, universities, corporations, and schools – are legitimately self-determining but not directly democratic, and this is perfectly compatible with the dictates of justice, even if it rubs some democrats the wrong way.

MEMBERSHIP WITHIN AND BEYOND BORDERS

Robert Dahl's quip that perhaps people in Latin America should be able to participate in elections in the United States remains resonant because it is paradoxical. On one hand, the proposal is absurd because, among other things, such expansion would add billions of people to the US electorate and severely dilute the franchise of US citizens. On the other hand, it seems undeniable that US military, economic, environmental, and immigration policy has affected adversely many people outside of US territorial borders and that those people have good cause for complaint. The authors in the second part of this collection explore the extent to which the All-Affected Principle can help to address some of the challenges that borders create for democratic theory. In different ways, each of the chapters illustrates how the AAP can contribute to – and in ways complicate – our understanding of membership and boundaries.

Revisiting his seminal work on immigration through the lens of affectedness, Joseph H. Carens (Chapter 6) argues that "the most important questions are not about who should participate in decisions but about what those decisions should be." When it comes to regulating migration and freedom of movement, there are "moral constraints on the acceptable range of decisions about immigration policies and immigration regimes" that have little to do with democratic inclusion.[16] Instead, Carens reasons that the primary issues in immigration policy concern human rights and justice rather than participation in decision making. If the AAP plays any role as a principle of democracy, it is as a limited trigger, supplement, or reinforcement of more fundamental principles of justice. For example, Carens believes that settled immigrants should be able to participate in the political decisions of the jurisdictions where they have migrated and now live. Not being able to do so would clearly violate the AAP. But Carens views that participation as a component of the citizenship to which long-term immigrants should have access. Similarly, Carens agrees with scholars like Arash Abidzadeh[17] that the AAP could be used to support the claims of *potential* migrants to having a voice in the border controls of receiving countries: "states are not morally entitled to decide unilaterally on immigration matters because border controls greatly affect the excluded."[18]

Analogously, Laura Valentini argues in Chapter 7 that while "'affected interests" should be taken into account in political decision making pretty much across the board," the AAP does not provide a general principle for boundary drawing. It can neither guide reasoning about what is most important in cross-boundary governance disputes nor ground the allocation of decision-making entitlements.[19] Rather than treating democracy – in the AAP or some other

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variant – as the ultimate value to be realized in devising governance institutions, we should instead ask what the most important values are in a particular context of governance. Drawing on her own personal experiences with the Brexit referendum in the United Kingdom in 2015, Valentini notes that she was greatly affected by this decision but as a noncitizen could not participate. Should she have been able to do so? Valentini concludes that she was entitled to some influence in the Brexit case, not because she was affected per se, but because she was a contributor (along with others in her position) to broader cooperative arrangements that sustain the UK, and participants to cooperative arrangements should have a right to determine changes to those arrangements. So, while Valentini should have been entitled to a voice, morally speaking, it wasn't because of her "affectedness" alone.

In Chapter 8, Tomer Perry deploys the AAP as a principle that calls for the periodic revision of boundary questions. The history of nations is replete with struggles to establish, abandon, or adjust boundaries. In the early twenty-first century, for example, such struggles appear in countries in the Middle East, regions of the UK, and Catalonia. Perry argues that contestation over borders should be normalized so that boundary adjustments are more regular, less turbulent, and governed by democratic considerations and perhaps even procedures. In this context, the AAP can provide a triggering standard for a boundary reconsideration. When a group of people cannot gain the influence necessary to defend their interests in the face of governmental decisions, it may be time for them – and their current compatriots – to consider whether they live in a democratically appropriate geography.

TAMING ECONOMIC POWER

One of the great insults to democracy in the late twentieth and early twenty-first centuries is the power of large economic organizations that escape meaningful control by territorial democracies and so, by extension, the citizens of those governments. J. K. Galbraith's early twentieth-century vision of government as a countervailing power that could discipline the concentrated economic might of corporations is, at best, a frustrated project.[20] That reality lies at enormous variance with a common ideal in democratic theory: that citizens operating through their constituted government make laws that regulate their interactions, including the complex nexus of economic and social interactions that produce multinational corporations. Instead, a decision taken in a boardroom in one country can reverberate across the globe. And some companies whose operations span many countries cannot be easily regulated by any government. As Elizabeth Anderson[21] and others have argued, companies can also exercise dictatorial powers over their employees that contravene democratic standards in the workplace. Within countries and across the boundaries that separate them, the AAP offers points of departure to examine how power stemming from economic conglomeration and interaction ought to be subjected to democratic control.

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In Chapter 9, Carol Gould writes that "the main function of the All-Affected Principle is to address just these sorts of exogenous impacts of [corporate] decisions."[22] Specifically, the AAP justifies what Gould regards as a more ideal economic ordering: worker management of firms. Though in previous work, Gould favors a different grounding – her own shared activities principle – she argues that the AAP similarly supports economic democracy. When individuals are engaged in densely cooperative activities such as making things or providing services in firms, countless decisions about workplace organization, the division of labor, strategy, the distribution of gains and losses, and many other issues affect the interests of those working there. The logic of the AAP indicates that workers ought to be able to exercise influence over such decisions. Worker management is a direct way to confer such influence, but arguably workers might also exercise influence indirectly by advocating for protective laws and regulations. This use of the AAP does not merely indicate fundamental violations, but also points the way to an ambitious reconstruction of economic arrangements in a more democratic direction.

Like Gould, Terry Macdonald (Chapter 10) also argues that democratic voice and influence should track (among other vectors of power and interest) economic activities. However, Macdonald's realism requires democratic arrangements that are even more demanding than worker management of firms. The companies involved in global supply chains – think, for example, of extractive industries – take actions with profound consequences for people living in communities where they operate. Often, local and national governments are more beholden to those companies than they are to their own citizens. So, residents of affected communities are entitled to bypass their governments and should be directly included in corporate regulation. But on Macdonald's account, the locus of decision making around economic activities is broader than firms. Governance of multinational supply chains involves a complex of organizations that encompasses not just firms, but also governments, international multi-stakeholder nongovernmental organizations (INGOs), and an array of advocacy and community-based organizations. While there is no specific democratic blueprint for achieving appropriate voice and inclusion for such highly varied and complicated configurations of governance, Macdonald nevertheless suggests that a standard of democratic legitimacy ought to apply. The central question should be whether these arrangements "empower the exercise of collective political agency on terms that are inclusive of affected individuals."[23]

As evidenced by the discussion above, the AAP is usually applied to questions of collective decision making: who should be included in the decisions of a government or corporation, for example. Thomas Christiano and Melissa Lane depart from this path-more-travelled to generate normative insights about standards that ought to apply when individuals' important interests are affected in other ways.

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In the marketplace, for example, most our vital interests are affected by the bargains and agreements that we strike with other individuals in decentralized transactions or with the bosses who hire us. In Chapter 11, Christiano explores the proposition that these bargains ought to be regulated by the AAP. An attractive standard is that an individual's bargaining power is proportionate to the extent to which their interests are affected in a particular bargain. The sad irony is that, as Karl Marx observed, in such transactions the party with more at stake typically has less bargaining power. This is *because*, often part of what it means to have more at stake is that one's alternatives to a negotiated outcome are worse than those of the counterparty. So, a low-income worker probably has much more at stake (putting food on the table, making rent) in getting hired than the restaurant franchiser has in hiring them. In part because of that vulnerability, the franchiser has more power (and influence) over the bargain and their interests are less affected (they typically have the option of hiring other workers, and even being down one worker is less important than missing meals or being evicted). Christiano surveys several ways to remedy this failure, including redistributing resources to increase the bargaining power of those who are economically disadvantaged, regulating employers directly, regulating bargaining process through (for example) laws governing collective bargaining, and collectivizing workplaces through the kinds of worker management initiatives that Gould recommends.

Many applications of the All-Affected Principle trace specific decisions, or the actions of decision-making bodies, to affected individuals. Melissa Lane offers climate change as a problem setting in which such causal attribution is inappropriate because the interactions are complicated, numerous, and stretch through centuries. With greenhouse gas (GHG) emissions, everyone in the world is both affecting (because we all conduct ourselves in ways that cause GHG emissions) and affected (because we're all subject to the effects of climate change). Nevertheless, Lane argues that the AAP demands that those who are most affected by climate change (and the GHG emissions that cause it) have a right to greater consideration and influence. One innovation in Lane's chapter is to present two distinct ways of reckoning climate change "affectedness." The first is to suppose that every individual on earth (and perhaps those in future generations) has a property right to an equal per-capita share of the common global carbon budget. Through this lens, the property rights of the peoples of poor countries in the global carbon budget have been violated – and so their interests have been importantly affected – by those living in wealthy countries through centuries of complex uneven economic development and current economic dynamics. Climate change also affects important interests by causing harm and creating risks of harm through severe weather, flooding, temperature rise, and other changes. Lane develops harm, and risk of harm, as a second way of determining who is most affected by climate change and greenhouse gas emissions. Following the logic of the AAP, those who are affected by having

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their property rights in the global carbon budget violated and those affected by suffering the harms of climate change (one tragedy of climate change is that these two groups overlap heavily) ought to be able to exercise influence to defend their interests by securing "compensation as well as mitigation and support for adaptation."[24]

AUTONOMY, AFFECTEDNESS, AND ASSOCIATIONS

In the final part of the volume, our authors consider the role of civil society organizations and their role as potential sites of governance and thus of democratization. Should private philanthropies, charities, and other civic groups be governed democratically? If so, why, and what are the appropriate standards and arrangements for democratic governance? One long line of thought stretching back to Alexis de Tocqueville emphasizes the benefits of democratic associations for democracy broadly.[25] But others have argued that democracy flourishes with associations that choose how to govern themselves in many different ways – including nondemocratically – so long as they do not violate duties of justice to their members.[26] The three chapters in this section investigate the application of the AAP to the problems of associative governance in the twenty-first century.

The contributions by Clarissa Hayward, Emma Saunders-Hastings and Rob Reich, and Jennifer Rubenstein operate squarely in the domain of nonideal theory. These three chapters are highly attentive to the ways in which associations operating against a background of unjust distribution of power and resources can reinforce or amplify injustice. Indeed, the existence of some associations – such as philanthropies dedicated to relieving deprivation in developing, often postcolonial, societies or antiracist social movement associations – practically presumes the existence of substantial background injustice (e.g. global economic injustice or structural racism). While the application of the AAP to associations might be superfluous or counterproductive under more just global or national conditions, it might be that the AAP can provide important ways to vindicate those who are negatively affected by associational activity under nonideal circumstances.

In Chapter 13, Clarissa Hayward takes on this challenge in the face of racial and economic injustice in public education in the United States. Local self-determination is a common justification for local control and financing of education in the United States. But against a backdrop in which some communities are very wealthy and others poor, and in which many school districts are de facto segregated by race, treating school districts as largely autonomous self-governing associations reinforces racial and economic injustice. This amplification of injustice occurs not through intentional and deliberate decisions of school boards and local communities, but rather through a complex nexus of some decisions, but also many nondecisions, taken by school boards, zoning commissions, transit authorities, real estate agents, banks, companies,

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and many others. While the AAP is most commonly deployed to analyze exclusion in decision making, Hayward argues that the "affecting" that results from this nexus of nondecisions, norms, and ongoing relations of domination is often far more important. So, like Gray earlier, Hayward argues that the AAP should track power – especially structural power – rather than decisions in order to accurately determine patterns of affectedness. Doing so in the case of educational inequality, Hayward suggests a range of reforms that would allow residents of disadvantaged school districts to exercise more influence over regional educational decisions such as regional governance and more fairly distributing resources to fund public education.

The contributions from Saunders-Hastings and Reich (Chapter 14) and from Jennifer Rubenstein (Chapter 15) examine the application of the AAP to altruistic associations that are intended to benefit others such as philanthropies and social justice groups that are led by advantaged people. One critical and novel observation, developed especially by Saunders-Hastings and Reich, is that the rationale for many such groups would disappear if ideal conditions of justice were somehow achieved, because many of these groups aim primarily to rectify injustice and its consequences. In the international development domain, aid organizations and philanthropies seek to address health, education, and other welfare challenges that result from global inequality and injustice. Within countries, many social justice organizations aim – as the category suggests – to rectify injustice. So, even if one thinks that the AAP should be limited to political institutions or that the AAP is superfluous once the ideal requirements of justice have been satisfied, the principle may nevertheless be important in establishing the standards and obligations of philanthropies and social justice organizations, which often presume quite nonideal conditions. Put another way, a philanthropy operating under circumstances of justice *might* be able to respond to a disadvantaged beneficiary that they need not exercise influence over the philanthropy's decisions because they have had the opportunity to exercise that influence by regulating how philanthropies operate, to whom they are held accountable, and how they protect beneficiaries' interests through the democratic political process. But many actually existing philanthropies – in both domestic and international contexts – operate to benefit people who cannot exercise such influence because unjust circumstances exclude them from political processes. Thus, neither philanthropists nor analysts of philanthropy can rely on the luxury of the political opportunities that would be provided under more circumstances to rebut the claims of affected beneficiaries that they should be able to exercise greater influence over their decisions. These claims are rooted in the AAP operating under nonideal conditions.

In their contribution, Saunders-Hastings and Reich argue that global philanthropies working in international development should subject themselves to the AAP by empowering affected beneficiaries to influence philanthropic decisions and policies. That voice would enable affected "beneficiaries" to defend themselves against harms wrought by wealthy and distant philanthropists. The

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chapter offers the striking example of giving by the Bill and Melinda Gates Foundation to address AIDS/HIV in Botswana. As a result of some $100 million to support treatment and care, deaths from AIDS fell significantly. But, at the same time, infant mortality grew and maternal mortality spiked. Some argue that Gates Foundation beneficence drew doctors and other healthcare workers away from primary care and towards AIDS/HIV treatment (AIDS work funded by the foundation paid far more than prevailing rates). Worse, the technocratic approach of the Gates Foundation afforded little opportunity for those in Botswana who suffered the consequences of these decisions to exercise influence.

Even if the decisions of the Gates Foundation and other philanthropists caused no harm and only increased welfare (which is clearly not the case), Saunders-Hastings and Reich argue that the Gates Foundation should still adhere to the AAP by affording influence to beneficiaries. Their *intrinsic* case for the AAP in the domain of philanthropy relies on the principle of anti-paternalism. When philanthropists make grants in order to advance the interests of beneficiaries, they disrespect those beneficiaries when they fail to include them in the determination of which interests should be advanced and how to do so. This sort of AAP disregarding philanthropy is a "failure to show respect for autonomous agents and a threat to relations of equality" and so "philanthropy is something that should be *done with* rather than *done to* the people who benefit from it," they write.[27]

Sharing this concern about paternalism and ways in which the AAP might respond, Jennifer Rubenstein explores the inverse of the AAP: those unaffected by a decision or action should not have influence over it. Rubenstein dubs this inverse the "exclusive face" of the AAP and argues that it has special bite in the case of altruistic organizations – those that seek to advance the interests of others – such as philanthropies and elite-led social justice organizations. Whereas most reflection on the AAP examines its "inclusive face," how individuals, such as philanthropy's beneficiaries, should have voice in organizational decisions, the "exclusive face has much more radical implications."[28] In some cases, it suggests that INGOs should simply not exist, at least not in anything like their current form. Insofar as they serve important functions, those should be taken over by local organizations, run by people who are significantly affected by the issues that INGOs address.

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The circumstances of human association and the challenges we face in the early twenty-first century are far different from those of the eighteenth, nineteenth, and even mid-twentieth centuries. Many of the threats we face, such as pandemic viruses and climate destruction, are truly global in scope. They are global in part due to intensified economic, social, and political interconnectedness and interdependence. At the same time, it is clear that the hierarchical model of democratic governance – with states exercising supreme

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power to regulate the conduct, not only of individuals, but also corporations and nongovernmental associations – does not reflect a reality that is moving further from the image of nation-state supremacy. Instead, our present circumstances seem closer to a version of Robert Dahl's polyarchy. Power is exercised not just by states, but also irreducibly by firms, other organizations, and by governments of territories both larger and smaller than those of nations.

The authors of the chapters in this volume bring renewed attention to a principle of democratic governance that has been present since the dawn of democracy, but largely in the background of democratic theory and political philosophy. Rather than offering a single account or formulation of the AAP that displaces other conceptions or principles of democracy, the collective aim of the authors is more modest. These contributions develop several different variations of the AAP, explore whether the AAP can advance our democratic understandings and commitments across a wide range of social, economic, and political governance challenges, and seek to understand the AAP's limitations. We hope that these insights aid others in their efforts to understand and improve the theory and practice of democracy in many corners of public and private life. Only then will we be able to adequately respond to the many McHooligans of this world.

NOTES

1 Neal Stephenson, *Termination Shock: A Novel* (New York: Harper Collins, 2021). The billionaire's real name in the novel is T. R. Schmidt.
2 David Keith, "What's the Least Bad Way to Cool the Planet?" *New York Times*, October 1, 2021 (accessed March 3, 2022). www.nytimes.com/2021/10/01/opinion/climate-change-geoengineering.html.
3 This principle is elsewhere referred to as the "All Affected Interests Principle" or the "Principle of Affected Interests." In this book, we prefer the more compact "All-Affected Principle," since it doesn't smuggle in any controversial or contested claims that stand in need of argument (such as that having one's "interests" affected is the best formulation of the All-Affected Principle).
4 Robert A. Dahl, *After the Revolution? Authority in a Good Society* (New Haven: Yale University Press, 1970), p. 49.
5 Dahl, *After the Revolution?*, pp. 49–51.
6 Dahl, *After the Revolution?*, p. 51.
7 Robert E. Goodin, "Enfranchising All Affected Interests, and Its Alternatives," *Philosophy and Public Affairs* 35, no. 1 (2007): 40–68.
8 See, for example, Harry Brighouse and Marc Fleurbaey, "Democracy and Proportionality," *The Journal of Political Philosophy* 18, no. 2 (2010): 137–55.
9 Dahl, *After the Revolution?*, p. 50.
10 Gould, Chapter 9, p. 165.
11 John Locke, *Two Treatises of Government*, ed. Peter Laslett (New York: Cambridge University Press [1689] 2003); Jean-Jacques Rousseau, "The Social Contract," in

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The Social Contract and Other Later Political Writings, ed. Victor Gourevitch (New York: Cambridge University Press, [1762] 2012).

12 Goodin, "Enfranchising All Affected Interests, and Its Alternatives."
13 Gray, Chapter 3, p. 61.
14 Williams, Chapter 4, p. 77.
15 Williams, Chapter 4, p. 85.
16 Carens, Chapter 6, p. 111.
17 See Arash Abizadeh, "Democratic Theory and Border Coercion: No Right to Unilaterally Control Your Own Borders," *Political Theory* 36, no. 1 (2008): 37–65.
18 Carens, Chapter 6, p. 123.
19 Valentini, Chapter 7, p. 136.
20 John Kenneth Galbraith, *American Capitalism: The Concept of Countervailing Power* (New York: Routledge, [1952] 2017).
21 See Elizabeth Anderson, *Private Government: How Employers Rule Our Lives (and Why We Don't Talk about It)* (Princeton, NJ: Princeton University Press, 2017).
22 Gould, Chapter 9, p. 165.
23 Macdonald, Chapter 10, p. 191.
24 Lane, Chapter 12, p. 216.
25 See, among others, Joshua Cohen and Joel Rogers, "Secondary Associations and Democratic Governance," in *Associations and Democracy*, ed. Eric Olin Wright (London: Verso, 1995); Robert Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York: Simone and Schuster, 2000); and Mark E. Warren, *Democracy and Association* (Princeton, NJ: Princeton University Press, 2001).
26 See, for example, Nancy Rosenblum, *Membership and Morals: The Personal Uses of Pluralism in America* (Princeton, NJ: Princeton University Press, 1998).
27 Saunders-Hastings and Reich, Chapter 14, p. 259.
28 Rubenstein, Chapter 15, p. 266.

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