

## SOCIAL EQUALITY AND THE STATELESS SOCIETY

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**Abstract:** Social egalitarians should rethink their support for democratic political institutions. The ideal social egalitarian institutional arrangement would be a stateless society. If it were feasible to live without a state, then citizens' subservience to a state could not be justified on the grounds that people were able to influence what the state did. Unfortunately, a stateless society is infeasible. As a matter of non-ideal theory, social egalitarians generally support democratic institutions. But there are four reasons that social egalitarians should not support democracy. First, many of the arguments that social egalitarians cite in favor of democracy appeal to an ideal of democracy, but if ideal institutional arrangements were feasible, then a stateless society would be better. Second, social egalitarians would not support the use of democratic procedures to make collective decisions within the context of private relationships if people could instead decide separately. Third, democratic societies entrench status inequalities between citizens and non-citizens and, at times, between majority groups and minority groups. Though democracy people one kind of equal status, it institutionalizes and intensifies other forms of oppression. Fourth, relative to the status quo, relational egalitarians ought to support less governmental control over people's lives, and that means less democracy.

Keywords: Democracy, Social Equality, Model Building, Anarchism

Resumo: Os igualitários sociais devem repensar o seu apoio às instituições políticas democráticas. O arranjo institucional ideal do ponto de vista do igualitarismo social seria uma sociedade sem estado. Se fosse viável viver sem um estado, a subserviência dos cidadãos a um estado não poderia ser justificada com o argumento de que as pessoas são capazes de influenciar o que o estado faz. Infelizmente, uma sociedade sem Estado é inviável. Em terms de teoria não-ideal, os igualitários sociais geralmente apoiam instituições democráticas. Mas há quatro razões pelas quais os igualitários sociais não devem apoiar a democracia. Primeiro, muitos dos argumentos que os igualitários sociais citam em favor da democracia apelam para um ideal de democracia, mas se os arranjos institucionais ideais fossem viáveis, então uma sociedade sem estado seria melhor. Em segundo lugar, os igualitários sociais não apoiariam o uso de procedimentos democráticos para tomar decisões coletivas dentro do contexto das relações privadas se as pessoas pudessem decidir separadamente. Em terceiro lugar, as sociedades democráticas reforçam as desigualdades de status entre cidadãos e não cidadãos e, por vezes, entre grupos maioritários e grupos minoritários. Embora a democracia seja um tipo de status igual, ela institucionaliza e intensifica outras formas de opressão. Em quarto lugar,

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em relação ao status quo, os igualitários relacionais devem apoiar menos controle governamental sobre a vida das pessoas, e isso significa

menos democracia.

Palavras-chave: Democracia, Igualdade Social, Construção de Modelos, Anarquismo.

Introduction

Social egalitarians should rethink their support for democratic political institutions. The ideal social egalitarian

institutional arrangement would be a stateless society. If it were feasible to live without a state, then citizens'

subservience to a state could not be justified on the grounds that people were able to influence what the state did.

Unfortunately, a stateless society is infeasible.

As a matter of non-ideal theory, social egalitarians generally support democratic institutions. But there are four

reasons that social egalitarians should not maintain their principled support for democracy as a non-ideal means of

fostering social equality. First, many of the arguments that social egalitarians cite in favor of democracy appeal to an

ideal of democracy, but if ideal institutional arrangements were feasible, then a stateless society would be better.

Second, social egalitarians would not support the use of democratic procedures to make collective decisions within

the context of private relationships, such as a family or marriage, if people could instead decide separately in these

contexts. Third, democratic societies entrench status inequalities between citizens and non-citizens and, at times,

between majority groups and minority groups, including racial and religious minorities. So, while allowing all citizens

a vote gives people one kind of equal status, democracy also institutionalizes and intensifies other forms of

oppression. Fourth, relative to the status quo, relational egalitarians ought to support less governmental control over

people's lives, and that means less democracy to the extent that democracy expands voters' capacity to exercise

control over their compatriots.

1. What is Social Equality?

Almost all moral and political philosophers affirm the view that each autonomous person has equal moral

status. Social egalitarians focus on people's actual relationships and argue that they should be structured in ways that

recognize our moral equality (Kolodny, 2014; Miller, 1997; Pettit, 2012; Scheffler, 2015). And people should be

disposed to treat people they are in relationships with as equals as well (Scheffler, 2015). Because social egalitarians

are focused on relationships, they support egalitarian economic policies or allocative decisions only instrumentally,

to the extent that unequal allocations of resources would undermine people's equal status (O'Neill, 2008).

Commitments to equal concern, equal rights, or equal opportunity are more central to the social egalitarian ideal

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because an equal distribution of material outcomes is only instrumentally valuable, to the extent that it promotes equal status.

Social egalitarians are united by what they oppose. They are against relationships that are hierarchical, dominating, oppressive, and subservient.<sup>2</sup> Because social egalitarians focus on relationships between people and not distributions of resources or well-being, social egalitarianism is sometimes presented in contrast to distributive egalitarianism (Anderson, 1999). Others conceive of social egalitarianism as a version of distributive egalitarianism where status, esteem, respect, and power are distributed equally within relationships (Lippert-Rasmussen, 2018).

Social egalitarians are clear that the ideal of social equality applies both to private, personal relationships and to public, political, and economic associations. In both contexts, relational egalitarians cite the unique wrongfulness of identity-based hierarchies. These include racism, religious rule, sexism, cis-sexism, heterosexism, and classism.

Many social egalitarians motivate the social egalitarian intuition by first appealing to the idea that it is better if people relate to each other as equals in their personal relationships, such as marriage or friendship. In these contexts, it is morally better if people's equal moral status translates to equal status within their relationship, meaning that they collaborate on joint projects and no one is the 'boss' of the relationship. For example, Elizabeth Anderson describes companionate marriages, which are voluntary, mutually agreeable partnerships, as potential exemplars of relational equality (Anderson, 2012; Lippert-Rasmussen, 2018). Samuel Scheffler appeals to the ideal of an egalitarian marriage to motivate the claim that, on a standing disposition, people ought to treat each other's strong interests as playing as significant a role as their own in constraining joint decisions. In contrast, if one spouse has more authority than the other in a domain, and he doesn't have greater authority in other, equally important domains, then such an asymmetry would compromise the egalitarian character of a marriage (Viehoff, 2014). In contrast, nineteenth-century patriarchal marriage norms and institutions, such as coverture, which denied married women the right to own property, flout social egalitarian ideals (Anderson, 2015, p. 48). Philip Pettit describes the marriage of Nora and Torvald from Ibsen's A Doll's House as an example of an unequal relationship, which is morally deficient because "Nora lives under Torvald's thumb" (Pettit, 2014, p. xiv).

Social egalitarians then draw an analogy from marriages and friendships to the general relationships of equal status between all people. The fact that we value equal status in our personal relationships is meant to illustrate the more general appeal of egalitarian relationships.<sup>4</sup> Social egalitarians argue that it is morally important for people in

<sup>&</sup>lt;sup>2</sup> In addition to the aforementioned social egalitarians, see also Anderson (1999), Wolff (2015), Viehoff (2014).

<sup>&</sup>lt;sup>3</sup> See also Anderson (2012, p. 43).

 $<sup>^4</sup>$  Other relational egalitarians, following JS Mill, draw on an ideal of equal citizenship to argue in favor of egalitarian marriages. See, for example, Macedo (2015), Okin (1991).

the workplace to relate to each other as equals (Anderson, 2017). And, most importantly for our purposes, many social egalitarians also emphasize the importance of citizens relating to each other as equals in political contexts. The imperative to relate as equals applies with equal force in public and private spheres.<sup>5</sup>

Because the egalitarian quality of a relationship is compromised whenever one person lives under another's thumb, the hierarchy between private citizens and public officials is, therefore, *pro tanto* objectionable from a social egalitarian standpoint. By this, I mean that the hierarchy between citizens and officials is wrong to the extent that justifications for citizens' subordination fail or the conditions that would justify subordination do not apply. This assertion follows from social egalitarians' claim that the values of social equality are appropriate, not only in private contexts but also in society, the economy, and politics more generally.<sup>6</sup>

People's relationships with public officials always involve a kind of hierarchy. 7 So, the burden of proof lies with social egalitarians to show that their preferred political systems are compatible with the social egalitarian ideal. As a matter of ideal theory, it is hard to see why it would be. Analogies to personal relationships are instructive on this point. Imagine three adult siblings who jointly manage the family estate that they inherited from their father. The siblings ought to relate to each other as equals, meaning that their relationship would be morally worse to the extent that one sibling ruled over the others. But their relationship would also be objectionably inegalitarian if a third party intervened in their affairs and forced the siblings to relate as equals as they managed the estate and to do a better job at managing it, even if intervention did establish a more egalitarian system for managing the estate *on balance*.

In an egalitarian society, people would neither form non-consensual inegalitarian personal relationships nor would they be subordinate to public officials who govern citizens without their explicit, knowing and valid consent. Ideal social egalitarian institutions are those in which no one is ruled and no one is a ruler, either in society or government. Due to non-ideal constraints, such as people's failure to relate as equals in private contexts, it may be the case that some government is necessary to promote social equality on balance; but this is only because people's egalitarian dispositions were insufficiently influential on their behavior.

The social egalitarian ideal does not require that people live under a government—it requires that they don't live under any person's rule. And this is true whether a person is able to rule due to greater physical strength, wealth, social advantages, or government role. For this reason, social egalitarians do not dispute that a stateless society is, in

<sup>&</sup>lt;sup>5</sup> Viehoff and Scheffler, for example, are explicit that the ideals from our private relations translate to politics (Viehoff, 2014; Scheffler, 2015).

<sup>&</sup>lt;sup>6</sup> This echoes Cohen's argument in *Why Not Socialism* (2009, p. 50) that the ideals for friendship (e.g., goodwill and unselfish cooperation) are also ideals that ought to inform political and economic relationships.

<sup>&</sup>lt;sup>7</sup> For example, Viehoff (2014, p. 363) acknowledges that public officials have relationships with people who are ruled by the law but do not make it, which suggests a hierarchical relationship.

principle, compatible with social egalitarianism. They dispute whether it is feasible. For example, Niko Kolodny writes,

One possibility [for establishing equal relations between people], in principle, would be anarchism: that no political decisions are made at all. .... So there is no argument, here, that social equality requires the state, only, as we will see, that it is compatible with the state. (Kolodny, 2014, p. 310).

Yet Kolodny rejects anarchism due to "the entirely safe, factual assumption that more substantial political decisions will be made." (Kolodny, 2014, p. 311). Elizabeth Anderson acknowledges that "egalitarians divide into anarchist and democratic camps," but that "anarchists never managed to win a wide following because they repudiated parliamentary politics, favoring revolution by violent insurrection without consulting the people" (Anderson, 2012).

Of course, the social egalitarian ideal of a stateless society of equals is infeasible—it is a utopian ideal. But it is an ideal that social egalitarians should endorse as a matter of principle, even if it is out of reach as a matter of practice. Since hierarchy and oppression are intrinsically bad, a society that minimized all types of hierarchical relationships between people would be best.

Some people wonder if utopian ideals are useful. They are useful for three reasons. First, social egalitarians can learn more about the moral principle they support by understanding what that principle would support if institutions were not constrained by people's non-compliance (O'Neill, 2008). If the 'best-case scenario' implementation of an ideal is unappealing, then that may count as a reason to reconsider the ideal. Second, people's actual institutional priorities and values can be informed by knowing the utopian ideal that a particular moral principle would support, even if they can never achieve the ideal. In this way, a totally infeasible institutional ideal can still be practically useful, even if the ideal itself is practically useless. Finally, it is intrinsically good to know the truth about justice. As David Estlund writes, the true standards of justice do not bend to be easier to comply with just because people are robustly unwilling to comply with them (Estlund, 2011, p. 237). It is important to know that social egalitarianism supports an ideal of social anarchism because if social egalitarianism is a true principle of justice, then knowledge about utopia is one aspect of the truth about justice, even if it is out of reach.

### 2. Non-Ideal Theory

A stateless egalitarian society is infeasible, but this does not mean that social egalitarian values do not have institutional implications in our current circumstances. Rather, it means that social egalitarians must engage in non-ideal theory, which involves describing and defending whatever institutions most closely approximate the social egalitarian ideal. Though all feasible institutions fall short of the stateless egalitarian ideal, some institutions promote social equality better than others. And non-ideal theorists can model the range of feasible social egalitarian institutions and describe how closely they approximate or approach that ideal. In this section, I will further describe this model-based approach to non-ideal theorizing.

Philosophers have been skeptical about the usefulness of ideal theory (Mills, 2005; Valentini, 2009). But the fact that it would be unwise to try to implement a principle of justice in its entirety, in our existing world, is not a reason to reject the principle. After all, ideal theories can inform non-ideal models of what justice requires (Cohen, 2003). And a non-ideal model of social egalitarian institutions and the trade-offs involved in promoting social egalitarianism is useful because it can inform assessments of existing institutions, specify priorities for institutional reform, and shape people's understanding about which feasible institutions would be best.

This is not to suggest that non-ideal theory is fully constrained by today's political institutions. In contrast to opinion writers, lobbyists, and policy analysts, non-ideal theorists do not primarily address their analysis to legislators and executives who are open to persuasion, and the changes they propose are less incremental than the changes that any politician would realistically implement. Yet non-ideal theory stops short of utopian thinking. Non-ideal theorists aren't describing a utopian vision or defending broad, underspecified institutional values. As a middle ground, non-ideal theory accounts for certain predictable factors that constrain our institutional possibilities and makes a principled case for particular institutions within the feasible set.

Non-ideal theorizing in political philosophy is analogous to economic modeling. Ideally, firms and communities would not face scarcity. But they do, and economic models illustrate the range of productive possibilities in light of that scarcity. In fact, most economic models do not perfectly describe or inform people's decisions about spending and consumption. People fall far short of optimizing profits or production or growth. There are counterexamples to all economic models. Still, these models are useful sources of knowledge about people's economic choices (Williamson, 2007). A model-building approach is especially useful in economics (compared to an approach that sought general statements of necessity and sufficiency) because the economy is a complex system that involves lots of people (Williamson, 2007). Political communities are complex in this way too, so a model-building approach is a helpful way to understand justice in cases where the ideal is out of reach.

A non-ideal theorist can model principles of justice under the constraints of human psychology and institutional inefficiency in this way. Non-ideal theory is distinctive because it accounts for pervasive natural, psychological, historical, and other empirical considerations that make ideal institutional arrangements reliably infeasible or impossible (Valentini, 2012). For example, factors such as deeply embedded cultural norms, scarce resources, a history of oppression, foreign threats, or cognitive biases may make it infeasible for any society to achieve the social egalitarian ideal of a stateless society. In accounting for psychological factors that limit the set of feasible political institutions, non-ideal theories also account for people's likely non-compliance with principles of justice, including the principle that all people should relate as equals. People may fail to relate to others as equal out of self-interest because they disagree about the value of social equality or because it is emotionally difficult for them to cede their privileged status.

In other words, the range of feasible social egalitarian institutional reforms is limited by robust empirical conditions that currently constrain people's ability to relate as equals. G.A. Cohen's characterization of non-ideal theorizing points to a way forward:

The facts help to decide the balance of due deference to competing principles: the facts constitute the feasible set that determines the optimal point(s) on a set of fact-independent indifference curves whose axes display packages of different extents to which competing principles are implemented. (Cohen, 2003, p. 244).

Cohen's image of fact-independent indifference curves of competing principles, which are constrained by the facts, echoes the analogy between economics and non-ideal theorizing about justice. Just as facts about scarcity require that firms and communities make trade-offs when producing goods, facts about existing people's psychologies require that political communities make trade-offs between competing principles when advocating for particular institutions.

# 3. Non-Ideal Social Egalitarianism

Non-ideal theorizing can account for trade-offs that necessarily cause political communities to fall short of an ideal of justice. For example, since people are not robustly disposed to relate to other people as equals, social egalitarians may need to choose between a system of political subordination that otherwise promotes equal relations between people or a system of political equality that fails to prevent unequal social relations beyond the political

realm. This trade-off is a serious barrier to forming institutions that promote relational egalitarian ideals. In this section, I will explain how these trade-offs can inform relational egalitarian non-ideal theorizing.

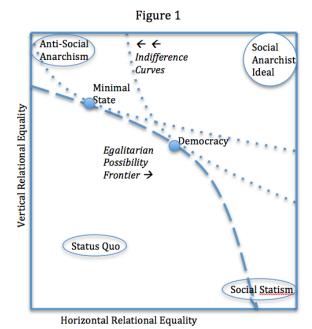
Recall that in an ideal social egalitarian political community, no one would be a ruler or a subordinate. But as social egalitarians point out, this is infeasible because citizens lack the egalitarian disposition that would enable them to live together as social equals in a stateless society. For now, at least, hierarchical states are necessary if political communities are going to avoid the emergence of private hierarchies. On the other hand, few social egalitarians would support a totalitarian state that interfered with every private human interaction in order to ensure that people related to each other as equals.

In other words, social egalitarians face trade-offs regarding the extent to which the competing principles of political equality and private relational equality are implemented:

*Trade-off Assumption*: Political hierarchy and subordination are empirically necessary to reduce non-political inequality between citizens. In the absence of political hierarchy, citizens form hierarchical and subordinating private relationships.

The two elements of the social egalitarian ideal are reliably in tension with each other. This tension limits the extent to which a political community can simultaneously promote egalitarian relationships between citizens and between citizens and public officials.

By continuing with the economic analogy, we can model the trade-off between subordination to public officials and subordination to one's fellow citizens. Under conditions of scarcity, economists model the range of trade-offs a firm or community can make in producing two goods (e.g., guns and butter) as production-possibility frontiers (PPF). Similarly, when a community faces a trade-off between reducing subordinating personal relationships and reducing subordination to the government, non-ideal theorists can model this trade-off as an Egalitarian Possibility Frontier (EPF):



The vertical axis represents hierarchy between people and government officials. The horizontal axis represents relations of hierarchy between citizens. Each point of the EPF is a feasible trade-off. The EPF illustrates the assumption that reducing private relationships of subordination and oppression requires political interventions and that reducing citizens' subordination to public officials requires a greater degree of toleration for hierarchical and subordinating private relationships. Each end of the EPF represents the endpoint of a different feasible trade-off between different kinds of unequal relationships that maximally promotes one aspect of the social egalitarian ideal at the expense of the other.

The shape of the EPF's curve is not relevant to the point I am making here about trade-offs and non-ideal theory; the EPF could take any shape depending on empirical considerations related to the relative feasibility of minimizing public and private oppression. For example, if there were increasing opportunity costs in terms of non-domination to government interference—meaning that promoting egalitarian private relationships increasingly required empowering officials to subordinate citizens—then the curve would be convex. But if officials benefited from economies of scale in their efforts to prevent people from privately forming unequal relationships, then the EPF would be concave. The EPF could be skewed if achieving full equality on either dimension were particularly difficult relative to the other or if promoting one form of social equality were more feasible than achieving the other. Each end of the EPF represents institutional arrangements that minimize one form of subordination or the other. The anti-

<sup>8</sup> This claim is the inverse of Viehoff's (2014, p. 363) claim that political inequality may reinforce private inequalities.

social anarchist end of the curve may fall short of full anarchism, reflecting that a stateless society free of any oppressive public institutions could be robustly infeasible in light of facts about human psychology. Similarly, a community may trade a high degree of official subordination in order to minimize the prevalence of unequal private relationships.

In a sense, modeling social egalitarianism in this way does seem to present social egalitarianism as a distributive doctrine in which the thing distributed is status, freedom from subordination, or the prevalence of a standing disposition to treat others as equals. But this model of social egalitarianism is not distributive in the way that relational egalitarians generally object to because it does not involve a focus on distributions that is overly sensitive to people's responsibility or that neglects the importance of recognizing people's equal moral status (Miller, 1997). Nor does this approach distract from people's disposition to comply with egalitarian moral obligations (Scheffler, 2015). For these reasons, the concerns that social egalitarians raise about distributive approaches do not apply to the idea of an EPF (Lippert-Rasmussen, 2018). 10

The EPF is a useful model for social egalitarian theorists because it demonstrates the Tolstoyan point that all ideal social egalitarian institutions are alike, and all non-ideal social egalitarian institutions fall short of the ideal in their own way.<sup>11</sup> It is not the case that any particular balance of subordination to the state and subordination to one another along the EPF is better by social egalitarian standards than any other. This insight explains why social egalitarians sometimes disagree about whether it is better to have a more powerful state that prevents private oppression or a more limited state that allows lots of private hierarchy.<sup>12</sup> Since these arguments are pitched at the level of non-ideal theory, both sides can retain their social egalitarian credentials.

Thus, there is a range of institutional arrangements among the feasible set that social egalitarians can support as a matter of principle. In light of this, social egalitarians can ask three questions. First, they might ask about reforming the status quo. The answer to this question is straightforward—social egalitarians should favor the least costly path to the frontier of social egalitarianism. That is, they ought to favor whichever institutional reforms to the status quo that will minimize subordination and oppression on balance, in expectation.

<sup>&</sup>lt;sup>9</sup> Some egalitarians reject a focus on distributions on the grounds that it distracts from the more fundamental importance of equal status (e.g., Anderson, 1999), an egalitarian disposition (e.g., Scheffler, 2003), or respect for persons in a non-promotional sense (e.g., Darwall, 1977)

<sup>&</sup>lt;sup>10</sup> See also Schemmel (2011), McTernan et al. (2016).

<sup>11</sup> In Anna Karenina, Tolstoy (2004) writes, "All happy families are alike, but every unhappy family is unhappy in its own way."

<sup>&</sup>lt;sup>12</sup> Ed Glaeser (2019), for example, seems to favor a small state that allows lots of private hierarchy, whereas McTernan et al. (2016) argue it is better to have a big state that prevents private oppression.

Yet, it could be that a range of institutional reforms are equally feasible and equidistant to the frontier of social egalitarianism. So, second, social egalitarians may ask which feasible non-ideal institutional arrangements along the EPF are best in light of other values. Most social egalitarians say that democratic institutions are the best, but this claim does not straightforwardly follow from relational egalitarian values. Moreover, democratic decision procedures are, in principle, compatible with a range of institutional arrangements that involve more or less political subordination—from the minimal state to social statism.

In the rest of this essay, I argue that social egalitarian arguments for democracy do not establish that democracy is morally better than alternative institutions. In particular, social egalitarians should be fairly indifferent about whether a society is democratic, and they should focus more on the trade-offs between governmental and interpersonal subordination. Many social egalitarian arguments for democracy implicitly deny the Trade-off Assumption when making the case for democratic institutions but affirm the Trade-off Assumption in rejecting a stateless society or limited government. And if social egalitarian arguments for democratic institutions were extended to the private sphere, few would accept democratic decision-making in those contexts. To the extent that social egalitarians support democracy on the grounds that it is the most feasible way to make trade-offs that promote equal status, they lack evidence for this claim. And if social egalitarians support democracy as an intermediate step on the road to social equality, they must contend with the deeply inegalitarian treatment of foreigners by the citizens of most advanced democracies.

Third, social egalitarians may wonder if it is possible to expand the range of feasible institutions so that people can approach the ideal of a stateless non-hierarchical society. For example, investment in new technology or other interventions that change people's dispositions can expand the boundary of the set of feasible relational egalitarian institutions. I address this question in the conclusion.

### 4. A Principled Case for A Non-Ideal Solution

Social egalitarians mostly support democratic institutions. And at first glance, it seems to make sense that the best feasible political institutions would be those that gave everyone equal political status. But political status is a status that entitles some people to make rules for other people. It may be a necessary injustice, but as I noted in the first section, ideally, there would be no political status to be had at all. However, when turning to non-ideal theory, social egalitarians do not lend their support to democracy as a way of making a few urgent collective choices, and support democratic institutions that would allocate whatever range of political power the demos chose to allocate.

Social egalitarians who favor democracy do not identify as libertarians or anarchists. But in this and the next few sections, I hope to show that they should.

Social egalitarian arguments for democratic institutions generally rely on the idea that hierarchy between citizens and public officials is not objectionably inegalitarian as long as people had a democratic say in choosing their oppressors and an equal chance at becoming an oppressor themselves. They do not call these unequal relationships oppression because they distinguish subordination to a person, which is oppression, from subordination to an office, which they conceive of as freedom or self-rule.

In a discussion of government bureaucracy, Anderson describes the distinction in the following way:

Subordinates owe obedience to their superiors in virtue of relations of office ... When a particular person resigns his office, he gives up entirely any authority he may have had over subordinate officeholders. When he acts outside the color of his office, he also has no authority over subordinates. (Anderson, 2008).

Elsewhere, Anderson applies this distinction to elected officials as well; she writes, "authority—the power to issue legitimate orders to others—attaches to offices, not persons" (Gutting & Anderson, 2015).

This distinction alone doesn't justify democratic institutions. An authoritarian communist state or an aristocratically governed minimal state could, in principle, have equal egalitarian credentials on this score as long both consisted in subordinating people only to offices. But social egalitarians generally support democratic political institutions on the grounds that democratic procedures for selecting people for office better promote the ideal of social equality.

Arguments often begin with the premise that some kind of public hierarchy is either conceptually or empirically necessary to prevent subordination in private contexts. On the other hand, excessive subordination to the government potentially prompts a moral cascade to authoritarianism. So, democratic social egalitarians advance a more institutionally determinate conception of the person-office distinction in which the selection of officials must meet certain procedural conditions that are compatible with people relating to each other as equals, even if they are subordinate to public officials.

Consider three versions of a social egalitarian argument for democratic procedures. First, Thomas Sinclair argues that some form of government is necessary to ensure that all people have equal status (Sinclair, 2018). For this reason, it is not objectionable if people are subordinate to public officials because people cannot enjoy equal status in

the absence of a state. Given that someone must occupy an official role, in order to respect each person's equal moral status, the procedures for selecting public officials must also require that particular people are not treated as intrinsically special when they are selected. Democracy is one of the ways to achieve this, though Sinclair notes that lottocracy is also compatible with this ideal.

Niko Kolodny develops a similar argument. As his previously noted dismissal of anarchism suggests, Kolodny's case for democracy begins with the empirical premise that some form of government is necessary for the promotion of social equality because a stateless society would entail much more oppression on balance. And since some kinds of inequality between people and public officials are necessary for the promotion of social equality on balance, public officials should at least be selected in ways that do not themselves create relations of social hierarchy. Kolodny argues that democratic procedures for selecting people do not establish relations of social inferiority as long as all people have an equal opportunity to influence who becomes an official and thereby influence officials' decisions. Therefore, given that all societies must include some hierarchy between people and public officials, Kolodny concludes that officials ought to be selected democratically.

Daniel Viehoff also begins with the premise that people must coordinate about collective decisions, especially because people will often disagree about questions where no one has a right that her judgment carries the day. And if people must coordinate in the face of collective decisions, then they should coordinate in ways that "realize the ideal of relational equality." Like Kolodny and Sinclair, Viehoff then argues that democratic procedures best realize the ideal of social equality because they give everyone equal political power. In this way, Viehoff suggests that a group's decision does not violate a commitment to non-subjugation as long as all group members had equal power over the outcome (Viehoff, 2014, p. 364).

These social egalitarians not only support the use of democratic procedures, they argue further that democratically elected public officials have the authority to rule a community and that, therefore, while it may look like citizens are subordinate to public officials acting on behalf of the state, citizens are not actually subordinated to anyone. Kolodny writes,

At least in principle, we can imagine democratic arrangements in which each person has equal opportunity to influence the state's decisions or the delegation of making them. In that case, it could be argued, merely in virtue of being subjected to the state's decisions, we would not be subordinated to any other individual. (Kolodny, 2016, p. 35).

This step in the democratic argument explains why social egalitarian proponents of democracy do not necessarily favor a minimal state. After all, if subordination to a democratically elected public official is not subordination to any individual, and if democratically elected officials are capable of enforcing laws that minimize private instances of subordination, such as redistributive economic policies or anti-discrimination laws, without introducing further subordination, then public officials may as well expand the scope of government because doing so is not objectionably oppressive under these conditions.

In other words, if this social egalitarian argument for democracy were successful, then the EPF wouldn't have a northern boundary in non-ideal theory because subordination to public officials who were democratically chosen wouldn't be subordination to any particular individual and, therefore, wouldn't offend against the social-egalitarian ideal. Implicitly, democratic egalitarians are also committed to the view that political action is *pro tanto* a form of subordination. But they claim that stateless societies aren't the only institutional arrangements that can satisfy the social egalitarian ideal; states can too, as long as people have equal power or equal chances to influence the outcome.

If the presence of an equal opportunity to influence collective outcomes turns subordination into mere subjection, then any sized state would be compatible with social egalitarianism. The social egalitarian argument for democracy began with the premise that some government is necessary and proceeded to show that any sized government, under the right conditions, could treat citizens as equals and avoid subordination. If that premise were false and a stateless society were feasible, would social egalitarians still support democracy? It is unclear why they should. Imagine two worlds. The first is a stateless society where all people relate as equals in their personal lives, and subordination to public officials is absent because government is unnecessary. The second is a coercive democratic state where all people relate as equals in their personal lives, and collective decisions are made by public officials who force everyone to comply with them. Whatever the merits of the foregoing arguments for democracy, giving citizens an opportunity to influence the outcome does not fully erase all elements of oppression that citizens' forcible subjection to public officials entails.

Furthermore, social egalitarian proponents of democracy begin with the observation that collective decision-making is unavoidable in order to establish that the ideal of a stateless society is infeasible. Yet their subsequent arguments appeal to an ideal of democratic decision-making. Proponents of democracy acknowledge that there are no existing democracies where each person is given equal opportunity to influence collective decisions or equal power. For example, Viehoff writes that "all actually existing democratic states fall quite short of the requirement of equalizing political control over their citizens' common life" (Viehoff, 2014).

Social egalitarians, therefore, advocate for democracy on the grounds that the ideal of a stateless society is infeasible. But they abandon all commitment to the ideal of a stateless society when they suggest that democratic institutions authorize citizens' subordination to states of all sizes, as if taking a vote abolished the *pro tanto* injustice of governmental oppression, given that citizens do not consent to be subject to government.

Moreover, in making the case that democratic procedures justify the use of state power, they appeal to an ideal of democracy, democracy at its best, not democracy as it actually functions. If we are evaluating various institutional solutions, we should compare them at the same levels of idealization. If we evaluate institutions by the ways they would ideally function, then a stateless society would be preferable to democracy. If we are evaluating institutional solutions knowing that they will fall short of their ideal forms, which is why a state is necessary, then we should evaluate democracy in light of the fact that ideal democracy is infeasible as well.

The social egalitarian justification for the use of democratic procedures in authorizing state interference appeals to democracy at its best: a democracy where all members of a political community have equal formal power or equal opportunity to influence collective outcomes, and no one is treated as if they are intrinsically special on the basis of arbitrary characteristics like race, birthright, or wealth. This conception of democracy is an ideal; it is infeasible.

Anarchists can provide the same responses in favor of a more limited state or a stateless society and against social egalitarian arguments for democracy that social egalitarian proponents of democracy pose against a minimal state. It is not clear that any state is conceptually compatible with social equality because all states entail a degree of subordination. But even if democratic egalitarians could show that democratic procedures could, in principle, make public instances of subordination satisfy a social egalitarian ideal, democratic procedures will be insufficient to prevent citizens' subordination in practice. In all existing political communities, citizens' actual informed and meaningful participation with equal opportunity to influence the outcome is lacking due to a scarcity of acceptable options, dysfunctional institutions, and disenfranchisement.

Furthermore, when social egalitarian proponents of democracy claim that some form of hierarchy between citizens and officials is necessary to promote social equality between people and that, to the extent that there is hierarchy, it ought to be democratic, they do not justify any particular level of political hierarchy or address the trade-off assumption. Imagine a workplace democracy with a management team that is elected by the union. If the management has the capacity to arbitrarily interfere with its workers' affairs without tracking their interests, the management's domination of its employees is unjust, even if some management was necessary and this management

was elected.<sup>13</sup> There are still social egalitarian reasons against being an overbearing and demeaning employer, even if some forms of hierarchy are necessary.

Similarly, when social egalitarians object to subordinating relationships between citizens and officials in democracies, those social egalitarians who favor democracy do not address these concerns by saying that some subordination is necessary and people can, in principle, have equal influence in choosing their oppressors. Say governmental hierarchy is necessary for political communities to make collective decisions due to non-ideal facts about human psychology, especially if a group aims to deliver other kinds of equality. And say their procedures for selecting leaders approximate an ideal of equal power, status, and influence. Democracy at its best would not ameliorate the injustice of hierarchy between people and public officials, and democratic procedures as they actually function surely do not.

### 5. Voting and Necessary Hierarchy

Another reason that social egalitarians should reconsider their endorsement of democratic procedures and governmental institutions is that few would accept the use of democratic procedures to make collective decisions in other contexts, at least not if collective decision-making could otherwise be avoided. In cases where people needn't make a collective decision or cede their rights to a public official, officials are not authorized to violate people's rights so merely because the people took a vote. In these circumstances, voting may actually provide evidence of subordination because it demonstrates that at least some people would not have consented to be subject to the will of the majority even if they were given an opportunity to consent.

To illustrate this point, return to the analogy of friendship. Following Cohen, imagine friends on a camping trip. The friends may be different in all sorts of ways that confer advantages and disadvantages, but if they are social egalitarians, then these differences will not translate into unequal status within the group (Viehoff, 2014, p. 359). And ideally, they would make decisions by consensus, and no one would ever need to take a vote or designate a 'camp leader.' At the point that people are voting, something has gone wrong. People's egalitarian dispositions fall short and coordination is impossible. At this point, is there any reason to think that a democratic procedure is the answer?

When faced with a collective decision, such as where to hike for the day, the group of friends has two options. First, they could take a vote and collectively hike together wherever the majority advises. This kind of friendship is like the companionate marriages that so many egalitarians endorse. Or they could go their separate ways and meet

<sup>&</sup>lt;sup>13</sup> This is Philip Pettit's (1997) definition of domination.

back at the camp at dusk. The first option involves subordinating all campers to the will of the majority. In the second scenario, this form of subordination is absent.

Or imagine that you and your friends disagree about how to divide the bill at a bar. The group takes a vote to settle the tab. You vote, but the majority elects you to be the person who pays for everyone's drinks.<sup>14</sup> The mere presence of a vote also doesn't render your subordination to the group any more justifiable than if the group simply turned on you like a gang of bullies and made you pay up. If anything, the act of taking a vote makes the situation even worse because it provides a vivid illustration of the fact that your friends have so little regard for you that they are willing to leave you holding the bill.

Since social egalitarians rely on the claim that the ideals that govern personal relationships between spouses and friends also govern relationships between compatriots, the procedures they claim authorize hierarchy in public life should also authorize hierarchy in personal relationships. But democratic procedures do not authorize social inequality in private contexts, just as they do not authorize citizens' subordination to public officials. Robert Nozick's "Tale of the Slave" can illustrate this point. In the political context, a slave is still a slave as long as he does not consent to his enslavement. That is, he remains a slave even if he is gradually given the opportunity to choose his occupation (as long as the master can keep some of his wages), then to voice an opinion about the conditions of his labor, and later, to vote on the conditions of his labor alongside thousands of other slaves.

If a person is in a position of subordination, giving him an equal opportunity to influence the terms of his subordination or equal power in choosing his master does not amount to treating him as an equal; the ritual of participation makes no difference to the conditions of his subordination. If anything, it makes it more insulting to those who are subordinated when their performance of this ritual is taken as authorization for their oppression.

Similarly, if people formally endorsed white supremacy or legal patriarchy through a democratic procedure, social egalitarians would still find such institutions objectionably unequal on social egalitarian grounds. In response to these concerns about the tyranny of the majority, some social egalitarians pivot and reply that democratic procedures lack authority when the people voting are not motivated by an egalitarian concern for their fellow citizens but use the mechanisms of power to advance their own interests instead (Viehoff, 2014, p. 374). But we might imagine that white supremacy and patriarchy are, in fact, motivated by a concern for the common good based on a

<sup>&</sup>lt;sup>14</sup> This example is from Michael Huemer (2013), whose point is to show that the mere procedure of voting does not authorize the group to use your money to buy the drinks, even if you were included in the vote.

<sup>&</sup>lt;sup>15</sup> Nozick's (2013) point is to show that without the slave's consent to labor for the master, the fact that he is able to cast an inconsequential vote regarding the conditions of his enslavement does not authorize his master's actions or give the master the authority to rule him.

misguided form of paternalism or misplaced fears about social change. Even in these cases, though, social egalitarians should still reject the use of democratic procedures in these cases.

These examples show that even if democratic procedures give everyone an equal opportunity to influence an outcome, they are insufficient to establish relationships of equality in private or public relationships. This insight casts doubt on the claim that democratic procedures are sufficient to render the relationship between public officials and citizens permissible. Also, democratic procedures are unnecessary in most cases. After all, in most circumstances, the option to refrain from making any collective decisions at all remains. Even if some form of government is necessary, social egalitarians should not mistake the necessity of political hierarchy for a justification of it.

So, when is political hierarchy necessary? The model of the EPF is helpful here. Any trade-off between public and private hierarchy on the EPF would optimally reduce oppression and promote social equality. Big states would subordinate people to the government in order to minimize oppressive private relationships, whereas a more limited state would favor institutions that minimized governmental oppression even if they tolerated private hierarchy. I have argued that political communities can use democratic procedures (or not) to authorize a range of trade-offs between forms of subordination. For this reason, even social egalitarians who favor democratic procedures face a further normative question about how much subordination by public officials is acceptable.

Since the value of social equality does not specify an optimal level of political inequality as a matter of principle, social egalitarians must consider other values to answer questions about the extent to which political hierarchy is necessary. Returning to the idea of an EPF, social egalitarians must defend a further value judgment, similar to a community or firm's value judgment about the utility of various bundles of goods, to determine which optimal institutional point on the EPF they ought to prefer. A social egalitarian's indifference curve represents the balance of public and private subordination that a social egalitarian regards as being of roughly equal value.

Social egalitarians' indifference curves may balance public and private inequalities in three distinctive ways:

- (i) The moral value of minimizing oppression between people and public officials strictly dominates the moral value of minimizing oppression between people.
- (ii) The moral value of minimizing oppression between people and public officials weighs against the moral value of minimizing oppression between people and some balance between the two is best.
- (iii) The moral value of minimizing oppression between people strictly dominates the moral value of minimizing oppression between people and public officials.

Proponents of democracy who support more than a minimal state imply that a balance more like (ii) is preferable, but social egalitarians' invocation of analogies to private relationships tells in favor of institutions closer to (i).

This is not to say that the case for a minimal state follows from social egalitarianism alone. But social egalitarians have compelling reasons to favor a more minimal state and they should not rule out the normative desirability of limited governmental institutions, especially given the normative significance of voluntariness in arguments for social egalitarianism. When social egalitarians draw an analogy between interpersonal ideals and political ideals, they not only cite the ideal of social equality but the ideal of voluntariness as well, at least at times. For example, Kolodny suggests that if people really do voluntarily opt to form hierarchical relationships and can leave them at any time, then they are not so objectionably unequal after all. He writes, "the freer one is to exit what would otherwise be a relation of social inferiority, the less it seems a relation of social inferiority in the first place." (Kolodny, 2014). Other social egalitarians reject the claim that voluntariness authorizes or mitigates the badness of hierarchy but still agree that it is important. For example, Elizabeth Anderson suggests that even voluntary unequal relationships are unacceptably inegalitarian but that there may be other reasons to respect some voluntary inegalitarian decisions nevertheless (Anderson, 2012, 2015).

Others are suspicious about whether seemingly voluntary relationships of inequality really are voluntary when people only choose an inegalitarian relationship because of social pressure. There are three reasons for this view. First, some social egalitarians are skeptical that people ever truly choose to participate in subordinating or hierarchical relationships, and they attribute people's seeming decisions to participate to maladaptive preferences (Terlazzo, 2016). Second, others argue that even if people's preference for hierarchy is genuine, voluntary, and not formed in response to injustice, there is nevertheless something intrinsically wrong with controlling or hierarchical relationships between people (Anderson, 1999; O'Neill, 2008). Third, consensual relationships of subordination may fall short of our moral ideals because they nevertheless reflect poor character or inegalitarian dispositions. These considerations against the value of voluntariness strike with equal force against voluntary subordination to public officials or private citizens.

<sup>&</sup>lt;sup>16</sup> Serena Olsaretti (1998), for example, argues that social pressure can undermine voluntariness.

<sup>&</sup>lt;sup>17</sup> This point relates to the more general point that justice requires an egalitarian ethos that governs voluntary relationships. See e.g. Cohen (2009, p. 119), Wolff (1998).

<sup>&</sup>lt;sup>18</sup> If people in subservient private roles only seemingly consent to their subordination due to maladaptive preferences, similarly, citizens only seemingly consent to their subordination to public officials. If it is intrinsically bad for oppressors to be disposed to subordinate others or victims to be disposed to subservience, then it is intrinsically bad that some citizens claim to be called to public service or law enforcement and other citizens are disposed to obey even the most egregiously oppressive laws that are enforced against them.

Nevertheless, though egalitarian relationships are conceptually distinct from voluntary relationships, most social egalitarians agree that, all else equal, it is better if a person in a relationship consents to participate in it. A patriarchal marriage may be bad, but it is worse if neither person in the marriage consented to the patriarchal arrangement and it is backed by threats of force. As it happens, many people do not consent to assume positions of subordination. In private contexts, social subordination between citizens is often a result of widespread attitudes or a social ethos that shapes citizens' relationships in ways they do not consent to. For example, marginalized people do not voluntarily choose to place themselves in socially subordinate relationships, and their lack of complicity in their inferior status is an additional moral reason to condemn these inequalities.

To the extent that voluntariness is an additional value that either mitigates or exacerbates the injustice of status inequalities in private relationships, it is also a value that can mitigate or exacerbate the injustice of citizens' subordination to public officials. Since people do not generally consent to be ruled by public officials, and since public officials use threats of violence to control people's behavior, these additional considerations tell in favor of minimizing the reach of the state. While some social egalitarians are untroubled by hierarchies between citizens and elected public officials and therefore favor states with a greater capacity to intervene in private life, since the presence of democratic procedures does not justify or mitigate subordination in private contexts, such procedures do not justify or mitigate subordination in public contexts either.

On the other hand, if citizens do not consent to occupy an inferior or subordinate role in private or public contexts, then an unequal relationship is objectionable for reasons other than its lacking egalitarian character. For this reason, contrary to recent claims that social egalitarians should favor more interventionist democratic states that promote egalitarian relationships between people, social egalitarians should also acknowledge that more limited states can have equally as solid egalitarian credentials, if not stronger egalitarian support because people's relationships with public officials are less voluntary than relationships between people.

#### 6. Instrumentalism and the Scope of Equal Status

Say we accept that social egalitarians ought to prefer institutions that trade-off the values of equality between people and political equality in ways that minimize political inequalities, on the grounds that people are less likely to consent to political rule than unequal private relationships. In a minimal state, there may still be public officials, and

<sup>19</sup> These arguments establish a presumptive defense of more limited state capacity, but as left-libertarians have long acknowledged, even states that only uphold protections for bodily rights and property rules can nevertheless create patterns of economic and social subordination through the enforcement of property rules. If it were the case that a more limited state nevertheless perpetuated non-consensual economic and social subordination to a greater extent than a more interventionist state, then social egalitarians should not support a more limited state under these circumstances.

they may still make some decisions that affect everyone. Could democratic procedures be justified within a minimal state, such as a state that only protected people's natural enforceable rights and provided presumptively beneficial public goods? (Klosko, 1987). I am skeptical that social egalitarians can justify democratic procedures on non-instrumental grounds, even in these contexts, for two reasons.<sup>20</sup>

First, social egalitarian proponents of democratic procedures must establish that giving people equal political status, equal power, or equal opportunity to influence the character of their subordination is, in principle, a benefit rather than a burden. Perhaps democratic procedures are in some sense more egalitarian, such that if hierarchy is necessary, it is better if all people have a hand in it. But social egalitarians may just as credibly argue that if hierarchy is necessary, then it should be allocated to the person who will minimize the extent that people experience oppression or domination. While democratic procedures may, in one sense, treat all people as equals, they may not reliably select officials who treat all people as equals in another sense.

Of all the political procedures for allocating dominant and subservient political roles, it is not clear that social egalitarians are best served by democratic ones, in contrast to a lottery or even a fair, meritocratic procedure (Brennan, 2016). After all, like markets, democratic procedures also advantage the rich, good-looking, and charismatic leaders in electoral politics, even though every citizen is able to vote for their leaders (Freiman, 2017). Is it that much more unfair if citizens' options are constrained by meritocratic criteria that make a leader more likely to promote social equality on balance, in addition to the arbitrary criteria that they privilege when selecting leaders themselves?

Second, even if political communities necessarily require a degree of subordination to public officials, such as a minimal state, it is not clear that in virtue of this unfortunate fact that social egalitarians should support procedures that make all citizens complicit in their and their fellow citizens' oppression. Eric Beerbohm, who supports the use of democratic procedures, offers the apt comparison between participation in a democracy and participation in an unjust firing squad. Beerbohm writes,

When citizens participate in electoral life, they aim for a certain kind of basic structure. That discrete act alone stands in need of justification for the same reason that a member of the firing line, however large, cannot hide behind the fact that he will make no difference. (Beerbohm, 2015, p. 239).

<sup>&</sup>lt;sup>20</sup> For an example of an instrumentalist argument, see Arneson (2004).

If democratic procedures make all people complicit in the unjust subordination of their compatriots and increase the number of complicit oppressors that each citizen is subordinate to, then, even in a minimal state, if there is a way of governing that does not involve widespread participation in political hierarchy, then that institutional alternative ought to be preferred on social egalitarian grounds.

Continuing with Beerbohm's analogy, if it is necessary for some reason that someone in the political community is unjustly executed, a procedure that did not rope all members of the community into participating (or having to decide not to participate) in the execution is preferable to communal involvement in injustice. Especially to the extent that social egalitarianism is primarily a dispositional ideal, it is better if fewer people are disposed to be involved in governmental hierarchy, just as it is better to limit the prevalence of dispositions to dominate or oppress people in private contexts as well.

Some social egalitarian democrats may not reject instrumentalist arguments but argue instead that democratic political procedures reduce public and private hierarchy on balance because, as an empirical matter, inclusive democratic institutions provide checks against workplace domination, racial hierarchy, and oppressive gender norms (Anderson, 2015; Schuppert, 2015). Still, to the extent that social egalitarians support democratic procedures not in principle but as an intermediate step toward a more egalitarian society, it is not clear that existing democracies achieve this goal.

Say we grant the empirical claim that when citizens act in their public capacity as voters, they are able to collectively impose limits on private hierarchies, even though the historical record of electoral politics challenges this assumption. Existing democratic institutions do not extend political status to non-citizen residents, children, foreigners, or future generations. So, even if social egalitarians support democratic institutions on the grounds that they give all people who are affected by a policy an equal opportunity to influence policy or equal power over political outcomes, existing democratic institutions operate within nation-states and thereby entrench the hierarchy between people in powerful states and those in developing states.<sup>21</sup>

Social egalitarians who advocate for the use of democratic procedures on the grounds that these procedures promote social equality in public and private contexts overlook the equal moral status of non-citizen residents, children, foreigners, or future generations, at least to the extent that they support procedures that grant equal political status to adult citizens but not to these groups. Social egalitarians cannot credibly claim that institutions that distribute political status to a select group and empower them to use their political power in ways that systematically

<sup>&</sup>lt;sup>21</sup> For example, voters often support the state enforcement of immigration restrictions, but these policies not only limit their fellow citizens' capacity to associate with foreigners, they also subject non-citizens to the coercive authority of border authorities.

disadvantage and marginalize people who are politically disenfranchised are the most feasible political systems for promoting social equality on balance.

#### 7. Conclusion

I have argued that the institutional ideal of social egalitarianism calls for a stateless, classless, non-hierarchical society. In non-ideal theory, a range of feasible institutions that trade-off statelessness and classlessness may optimally promote social equality, and all would be better by social egalitarian standards than the status quo. This raises the question of whether social egalitarians should prioritize statelessness or classlessness in non-ideal contexts.

Some social egalitarian proponents of democracy suggest that political hierarchy is not objectionable if public officials are selected through democratic procedures. If this were true, then social egalitarians would have reason to prioritize institutions that empowered public officials to intervene in people's lives for the sake of reducing status inequalities in personal relationships. But democratic procedures do not authorize citizens' subordination to public officials, just as the use of democratic procedures would not authorize subordination in private contexts. Social egalitarian trade-offs, therefore, remain inescapable, and social egalitarians must appeal to other values to justify their preferred trade-offs. Moreover, to the extent that voluntariness is desirable in relationships, egalitarians have reason to consider the merits of a minimal state, all else equal, if they are to maintain their stated opposition to subordination.

Throughout, I have assumed that political communities are limited in their capacity to foster egalitarian relationships between people without introducing inequalities between people and public officials. This Trade-off Assumption assumes that there are psychological limits to the kinds of relationships existing people would actually form in the absence of political intervention. As an empirical matter, people form relationships that are unequal, hierarchical, and subordinating, either because they lack an egalitarian ethos or because they have other values that compete with their commitment to equality. So, while in principle, egalitarians may advocate for the voluntary cultivation of an egalitarian ethos that shifts the egalitarian possibility frontier toward an ideal, it would require new psychological technology, such as human enhancements that could make people more cooperative, cosmopolitan, or less inclined to form in-groups (Hidalgo, 2017; Buchanan, 2009). Enhancements like these could extend the boundaries of social egalitarian institutional possibilities and reduce the necessary trade-offs that social egalitarians currently accept in order to approximate a society as equals.

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