

Symposium on Rainer Bauböck's *Democratic Inclusion*

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**The principle of All Citizens
Stakeholders: who gets
excluded?**

I. INTRODUCTION

Commenting on Rainer Bauböck's *Democratic Inclusion*¹ is a very challenging task. It means dealing with the results of decades of engaging, enlightening and methodologically superlative work on citizenship, which have made Bauböck, in this field, as close to a theoretical authority as one can get. It is difficult not to be overwhelmed by the complexity and authoritativeness of his work.

In my comments I will necessarily put aside many elements of the highly sophisticated and rich account of democratic inclusion that Bauböck has presented in his essay, in order to focus my attention on one single, but central issue: the principle of inclusion in the *demos*, i.e. the body of active citizens who are entitled to participate in the ruling of the polity through the exercise of their democratic political rights. The problem of the inclusion in the *demos* must be distinguished both from the issue of determining which foreigners and permanent residents should have access to social and welfare rights and protections in the host community, and from the problem of which rights pertain to citizens. In fact, foreigners and residents may have social rights without having political rights, and some members

¹ The text by Rainer Bauböck *Democratic Inclusion. Rainer Bauböck in Dialogue* is cited in original (2018, Manchester University Press), but the page references pertain to the Italian translation ("L'inclusione democratica. Una visione pluralista della cittadinanza", *Biblioteca della libertà*, vol. LII, n. 220, pp. 7-101).

of a polity may enjoy rights that only pertain to citizens, such as the right to diplomatic assistance and representation, without enjoying full political rights, for example because they have been residing abroad for a long time and have lost their right to vote.

Although democratic political rights are not the only defining rights of citizenship, they are nevertheless crucial in isolating a class of permanent residents who have a privileged and essential relationship with the democratic political community in its law-making capacity; the debate over the boundaries of the *demos*, accordingly, should be considered an integral and fundamental part of any theory of democracy. This is the specific angle from which I will address the theory presented in *Democratic Inclusion*.

As a preliminary step to my comments, let me first try to sum up the way in which Bauböck builds his diagnosis of the core structure of the boundary problem and its possible solutions. At the beginning of his essay, Bauböck points out that an impasse has been holding in check the debate on the democratic *demos* for decades. In fact, those who have addressed the problem seem to be divided in two equally problematic camps. The first is the camp of those who believe that the problem of the boundaries of the *demos* cannot receive any principled solution. According to this view, each democratic polity needs to be bounded, but where the boundaries of any specific polity fall is simply a matter of historical contingency. They depend on the capricious and unprincipled circumstances that have shaped the constitution of each specific polity, and on the laws of membership that each polity has adopted or inherited from the past. Bauböck rejects this unprincipled solution, because it makes any claim or right to inclusion (or to exclusion) unintelligible, arbitrary and fundamentally weak (2).

The opposite camp is populated by those who believe that the boundaries problem needs to be solved by reference to a principled criterion, but then resort to criteria that are essentially incompatible with the existence of any fixed political boundaries. The two most important champions of this camp are the principle according to which all those who are subject to the coercive laws of a political community should be included in the *demos* (All Subject to Coercion, Asc),² and the principle according to which the *demos* should comprise all those whose interests are affected by the laws of a political community (All Affected Interests, Aai).³

² This position is best exemplified by Goodin 2007.

³ See for example Abizadeh 2008, 2010; López-Guerra 2005.

Bauböck's solution, as far as I understand it, takes a different path, which consists in drawing the principle of inclusion in the *demios* from the very point and essence of democracy, that is self-government. Acs (All Citizens Stakeholders), the principle of inclusion thus developed, "derives inclusion claims from a correspondence between individuals' interests in autonomy and well-being and the collective interests of all citizens in their polity's self-government and flourishing" (38). The other proposed principles, and specifically Aai and Asc, do play a role in this theory, but only as specifications of the legitimacy claims of a democratic polity in the exercise of its jurisdictional powers and in relation to decisions that affect the members of other polities (44ff). This results in a very elegant theory, which not only provides a principled, not contingent, way of establishing the boundaries of the *demios*, but also derives those boundaries from the very essence of democracy, that is the principle of self-government. Bauböck's solution to the boundary problem, in fact, attributes a central place to the classical ideal of collective self-rule, which is often unduly neglected and downplayed in the current debate on democratic government.⁴ To my eyes, this is a major element of appeal and novelty in his theory of democratic inclusion.

Still, I have two concerns about the assumptions and implications of Bauböck's argument. The first one is methodological and conceptual. It relates to Bauböck's diagnosis of the problem of the *demios* and of the reasons why the two main competing answers to such problem, that is the principle of all affected interests (Aai) and the principle of all coerced subjects (Acs), are bound to fail. I suspect, in fact, that the brilliant solution to the boundary problem devised by Bauböck also appears to be the only principled and reasonable one because of the way in which the problem is framed. My discussion of this issue (Sections 2 and 3) will be preliminary to the discussion of my second, more substantive, concern, which relates to the implications of the criterion that Bauböck advocates for drawing the boundaries of the *demios* (Acs). In fact, I believe that such a criterion may lead to unduly exclusionary implications. In

⁴ One important reason why Bauböck takes issue with Asc and Aai is exactly that they endorse a merely protective view of democracy that sees political rights just as tools to defend individual liberty, rather than a full political view that recognizes self-government as an independent value (p. 36). For the same reason, he distances his version of republicanism from Pettit's (p. 45 fn) and other approaches that see democracy as a mere tool to prevent domination.

other words, I am afraid that Acs is under-inclusive, leaving outside the *dem-
os* people who do not match the criteria set by the principle but who in fact
should be included. I will introduce and discuss this concern in Section 4.

2. OVERCOMING CIRCULARITY AND ARBITRARINESS

What is the logical structure of the problem of establishing who belongs to a democratic *dem-
os*? I suggest that the crux of this problem lies in the fact that any principled way to solve it by appealing to the fundamental principle of democracy ends up dealing with something close to a circular and uninformative tautology. In fact, the democratic principle answers the question ‘who should rule?’ by simply replying ‘those who are ruled’. The distinctive trait of democracy is the identity of the rulers and the ruled. Democracy is self-government because the rulers and the ruled are the same people. Those who are subjected to the laws of the country on a permanent basis (those who are ruled) should also be those who make the laws.

It is important to notice that this principle defines the concept of democratic government, but it allows for a wide variation in the conceptions of democracy. One possible way to conceptualize these variations is to say that they point to different reasons to believe that the rulers and the ruled should be the same people. According to some conceptions, this is because it provides the best way to produce substantive justice. Other conceptions argue that democracy fulfils a procedural principle of legitimacy according to which we can only be subject to the rule we have consented to. And so on. But all these conceptions provide a reason for believing that the principle of the identity of the rulers and the ruled holds.

What is most important for our purposes, is that the democratic principle (of the identity of rules and ruled) does not provide an answer to the question of *who* should belong to the *dem-
os*, that is who the rulers should be. It only says that those who rule should be the same people as those who are ruled. But this amounts to what we might call the ‘democratic equation’:

$$\text{rulers (x) = ruled (y)}$$

This equation cannot be solved, or gets us into circular reasoning, unless we first determine who either the rulers or the ruled are. Aai and Asc provide an answer that focuses on the right end of the equation: first we should look

at who is actually ruled, and then from there we derive who the rulers should be. This seems to be a reasonable, or at least acceptable, solution. However, it involves two important mistakes.

The first mistake – which surprisingly enough is implied, but not explicitly thematised by Bauböck’s analysis – is that by focusing on interests and coercion Aai and Asc tend to adopt an over-stretched notion of what it means being ‘ruled’. Being occasionally coerced is not being ruled, nor is it being occasionally affected by someone’s decisions. Political rule is a stable, institutionalised relation of political subjection.⁵ It is different from mere jurisdiction, because tourists, for example, fall under the jurisdiction of the states where they go on vacation, but are not *ruled* by the government of those states. This overstretching of the notion of political rule would suffice by itself to make Aai and Asc out of focus in relation to the issue of how to draw the boundaries of the democratic *demos*.

However, even leaving this aside, there is a second, fundamental flaw in most current formulations of Asc and Aai, which Bauböck fully exposes in his analysis. In fact, even if the principle of coercion or the principle of affected interests were rightly interpreted as coextensive with political rule, they would still leave the boundary problem unsolved. If by ‘the ruled’ (or the coerced, or the affected) we understand those who are *actually* ruled (or coerced, or affected) at a given moment, then we make the principle completely exposed to historical contingency. Bauböck rightly remarks that using this criterion implies validating whatever boundaries are *de facto* established between different political communities (27). On the other hand, if we understand ‘the ruled’ as those who are *potentially* ruled, or coerced, or affected by the decisions of a democratic community, then the principle becomes void, unstable and overinclusive, because potentially anybody could be affected by the decisions of a given community, especially if we have not determined first who the rulers are (19).

This may give the impression that looking at the end of the ruled in solving the democratic equation is a non-starter, because it generates a solution that is

⁵ This undue conflation of coercion and political rule is fully evident in Abizadeh’s treatment of the issue (Abizadeh 2008, 2010). In his 2005 essay on the disenfranchisements of emigrants López-Guerra seems to focus on political subjection rather than mere coercion. However, he still conflates the notion of being ruled with the notion of being subject to the laws that can be coercively enforced on the state’s territory.

either unduly conservative and arbitrary, or essentially indeterminate and potentially open to the inclusion of the whole humankind. Accordingly, this appears to make it inevitable to look at the other end of the democratic equation, that is the end of the rulers. This is in fact how I understand the strategy that Bauböck follows in arguing for his principle Acs. The ingenious intuition behind Acs is that the democratic principle does not simply state a formal identity between the rulers and the ruled, but also establishes a substantive and distinctively democratic criterion for identifying who the rulers should be. Bauböck argues that in order to see this we need to ask what is the specific *purpose* of democracy (17). Rulers and ruled are the same people, in a democracy, because the purpose of democracy, which distinguishes it from other forms of association, is self-government. Therefore, if we want to know who belongs to a specific *demos*, we should ask who the 'stakeholders' are, i.e. who are those who have a distinctive and objective interest or stake in participating in the self-ruling of the polity. This criterion also implies that there must be a perfect match between the features that make an individual a good candidate to be among the rulers and the features that characterise the same individual on the end of the ruled. In Bauböck's words,

the relation between individual and collective self-government is bidirectional. Individuals have a claim to inclusion if their autonomy depends on the collective freedom of the polity. But the polity can also reject the inclusion of non-stakeholders on grounds that it would undermine the capacity of citizens to govern themselves (38).

This bi-directionality makes the identity established by the democratic principle much less tautological and circular than it would appear at first sight. In fact, it points to a substantive, principled and distinctively political criterion for selecting the co-rulers who belong to one and the same *demos*: these are all those who share the same stakes in self-government. Such stakes consist in the fact that the autonomy of those so selected depends on the collective freedom of the polity; conversely, the capacity of the polity to govern itself is furthered by the inclusion of the relevant stakeholders.

3. LOOKING AT THE SIDE OF THE RULED: WHAT'S WRONG WITH IT?

As mentioned, my main substantive concern with Asc is that solving the *demos* problem by looking at the side of the rulers may imply some relevant

exclusions. I will consider this in detail in the next section. For the moment, let me first make a few remarks about the apparent inescapability of this move. In fact, the failure of Aai and Asc as good solutions to the problem of drawing the boundaries of the *demos* should not make us believe that any principle that starts from the side of the ruled in solving the democratic equation must be undetermined, contingent or arbitrary. Notably, there are principles that unlike Aai and Asc provide a criterion for identifying who *should be* under the same government, rather than merely registering the status quo about who *is* actually ruled by the same government, or might *possibly* be subject to it. One such principle is, for example, that those who share the same social space and whose lives are deeply interconnected on an everyday basis should share common rules and be bound by the same government, because this is the only way to make their relations stable, secure and fair. If we adopt this principle, we will be able to draw presumptive boundaries around different political communities. True, some of these boundaries will have been determined by contingent historical circumstances. For example, the fact that those living in Marseille and those living in Paris are interconnected by common cultural, social and economic structures and institutions depends on the history of commercial relations, conquest wars, ethnic epurations, cultural conflicts and massive migrations that have determined the shape of contemporary France. Nevertheless, now those interconnections exist, and the people who share such a social space are dependent on each other, and vulnerable to each other, at a much higher level than those leaving far apart in different regions of the globe. Such interconnectedness – the fact of living in the same social space – creates the need for common rules and a common government. In other words, although the facts on which the principle operates are contingent, the principle itself points to a normatively and politically relevant reason for having a uniform and common rule. This also offers a principled solution to the democratic boundary problem; in fact, if we endorse the democratic principle, once we know who *should be* subject to a common government, that is who the *ruled* should be, then we also know who should belong to the *demos*, that is who the *rulers* should be; given the identity between the ruled and the rulers, the rulers must be all those who are subject to the same government (once they reach the appropriate age to rule).

An important consideration in favour of this approach is that this seems to be the way much classical theory of democracy – including a champion

of republicanism like Rousseau⁶ – understands the relation between the people and the *demos*. According to this way of seeing things, there is no independent, primary, interest in democratic self-rule. This interest arises only after the need emerges for a common rule and a common government; we have an interest in democracy simply because it is the best (or, according to some, the only) way to ensure the legitimacy of the political obligations established by a political government.

It is also important to note that this way of solving the problem of establishing the boundaries of the *demos* addresses the important concerns raised by Bauböck about the arbitrariness of existing boundaries. As Bauböck rightly points out, if the democratic principle could be fulfilled by simply making the rulers coincide with the ruled, no matter how the boundaries around the ruled are drawn, then we would find perfectly legitimate, for example, for a colonial power to permanently annex a foreign territory, provided that its inhabitants were given political rights in the political community thus constituted (16). This is in fact one of the most important reasons Bauböck provides for considering claims to collective self-government as the essential basis for drawing the legitimate boundaries of political communities: “A democratic principle of membership must link individual inclusion claims to collective self-government claims in order to avoid a status quo bias in favour of unjust territorial borders” (27). However, the problem of arbitrariness only emerges if we accept as legitimate any *de facto* boundaries, no matter how they have been established. It does not arise if we rely on a principled way to draw boundaries, such as the principle that political boundaries and a common rule should be established wherever people share a common and interconnected social space. This principle recognises the arbitrariness of drawing boundaries where no pre-existing relations of interconnectedness were in place.

Indeed, this criterion provides a better and more straightforward account of the arbitrariness of colonial borders than the claims to democratic self-government. In fact, the wrong of colonialism and foreign invasion is largely independent of the claim to democratic self-rule of the people annexed, as can be seen if we consider our readiness to accept that colonies and violently annexed territories have the right to secede even if they are going to establish a less than democratic form of government. We do not believe, for example, that Lybia

⁶ J.-J. Rousseau, *Social Contract*, Book I, Chapter VI.

should still be part of the Italian ‘empire’, even if we can regret the fact that no fully democratic government was ever achieved in the country after de-colonisation. The claim to independence of Lybia, as well as those of many former colonies, is best explained by the will to undo exploitative ties and interconnections that were artificially created and imposed against the interest of the people affected.⁷ In many cases, the most distinctive task of decolonization consists in fighting and undoing economic and cultural dependence from the colonial powers, rather than in achieving democratic self-rule.

The above considerations are meant to challenge the assumption that there is no principled way to solve the democratic equation by looking first at the side of the ruled. This clarification is preliminary to addressing the core issues that arise in relation Acs, the solution proposed by Bauböck. Once we can see that it is not the only principled solution to the boundary problem, then we are also in a better position to assess its costs and drawbacks. I will consider these in next section.

4. THE EXCLUSIONARY EFFECTS OF ACS

As mentioned, the main problem I see with Acs consists in its potential exclusionary effects. The stakeholder principle, as I have stressed in the first part of this discussion, changes the usual way in which the problem of drawing the boundaries of the *demos* is addressed, by looking at the side of the rulers rather than just at the side of the ruled in solving the democratic equation. Among its consequences, this move is also explicitly and intentionally meant to imply the exclusion of those who do not have a proper ‘fit’ with the required interest in self-government and flourishing of the political community.

There is nothing bad *per se* with this, since all solutions to the boundary problem must imply some sort of exclusion. However, we need to take a

⁷ In line with this reasoning, it should also be considered that the interconnections created by colonial rule can become so tight and important that it is no longer obvious that the best option for the colonised is to separate themselves from the colonial power, rather than asking for full inclusion and full political rights. An example of this dilemmatic circumstance might be Puerto Rico; according to some, the best option for its inhabitants, at this point, is full inclusion as a state of the Usa and full enfranchisement of Puerto Ricans in the federal elections, rather than independence (Torruella 2018).

closer look at what this ‘fit’ entails and what kind of exclusions it adds to those implied by conceptions of the *demos* that primarily look at the side of the ruled. As a useful comparison, consider again the notion that all those who permanently live in the same social space, and therefore are entangled and interdependent at the cultural, institutional, economic and social level, should live under a common rule that can ensure that their relations are safe, stable and fair.

In order to fully appreciate the implications of this principle, it is important to note that interconnectedness and the sharing of a common social space do not necessarily entail affinity, congruence of interests or equality. In fact, one might be entangled in the relations within a given society just by permanently residing in its midst as a propertyless, marginalised, discriminated and destitute member. The everyday relations, the fate and the conditions of such a person, as bad as they can be, still directly depend on and are shaped by the interactions with the surrounding social space. In fact, those who are marginalised and disadvantaged cannot be said to have no relations, or no relevant relations, to the surrounding society; rather, what should be said is that they entertain a despicable relation with it, one by which they are mistreated and their needs neglected.

As already mentioned, if we take this kind of interconnectedness as the proper ground of political boundaries, then we recognise that all those living in such interconnected space should be subject to the same political rule; by applying the democratic principle of legitimacy, we also derive the conclusion that all those thus subject to the same rule should have a say in the government of the polity, and therefore be part of the *demos*.

Let’s consider now how the stakeholder principle defended by Bauböck differs from this conclusion and this principled way to solve the *demos* problem by looking at the side of the ruled. As already stressed, the Acs principle adds an important qualification to the requirements based on the relations people have *qua* ruled, because it looks at people not simply as subjects (ruled) but also as participants in the law-making process (rulers). Accordingly, living in an interconnected social space is not enough to be recognised as members of the relevant *demos*; it must also be true that one has a stake in the “collective interests of all citizens in their polity’s self-government and flourishing” (38).

We need to unpack this criterion, and more specifically ask in which ways someone who is living permanently in a given social space might fail to fulfil it.

In fact, Acs successfully rules out obvious cases of overinclusion that Bauböck is rightly concerned about, like for example third or fourth generation emigrants whose links to the country of origin of their ancestors have faded almost completely (39); however, these are not relevant cases here, because they are also ruled out by the principle of interconnectedness. Usually third generation emigrants are not connected in any significant way to the society of their ancestors' country of origin, and therefore there is no reason to include them in its *demos*. Here we are looking instead for people who according to Bauböck's analysis do not qualify for inclusion in the *demos* for the specific reason that they do not have a stake in the flourishing and self-rule of the polity.

Who are these people? Bauböck says that having a stake in the flourishing and self-government of the polity implies that one's "autonomy depends on the collective freedom of the polity" and one's inclusion "does not undermine the capacity of citizens to govern themselves". This excludes – and I guess it was meant to especially exclude– from the *demos* foreign invaders and colonists, who prevent a people from governing itself according to the democratic rule and have no real stakes in the flourishing of the colonized people. However, my concern is that it also excludes marginalised and disadvantaged individuals or groups who have strong interconnections with the polity because they have been born and live in its midst, but cannot be said to have a stake in the flourishing and autonomy of the polity exactly because they hold a marginal and disadvantaged position within the polity.

In fact, although many marginalised social groups have an interest in exercising political rights in order to improve their position within their society or simply to make their voice heard, and to this extent their autonomy and well-being depend on the exercise of their political rights, it cannot be said that their autonomy depends on the *collective freedom* of the polity. Nor is it true that their participation in democratic rule does not "undermine the capacity of the other citizens to govern themselves", which is an important qualification of Bauböck's understanding of one's having a stake in a polity's self-rule. In fact, sometimes the participation of oppressed and disadvantaged minorities in democratic rule – their inclusion in the *demos* – can be disruptive of the existing order, produce divisiveness and be harmful to the current economic social arrangements.

Here is another way to state the same concern. The notion that those who belong to the *demos* should have an interest and stake in the flourishing, autonomy and self-government of the polity sounds intuitively reasonable. However, serious puzzles arise once we ask what the flourishing and autonomy of the

polity is, and how we identify it. Is it the will of the democratic majority? Is it the common good as it has been understood so far, given the specific social, economic and cultural institutions that exist at a given time within a polity? The implications of answering these questions in the affirmative are obviously problematic. Consider for example what the flourishing and self-rule of a predominantly Catholic and conservative country like Italy could be according to these standards, and what the stakes of gay couples would be in such flourishing and self-rule. In fact, it would be extremely difficult to square the interests and autonomy of these subjects with those of the majority of the country. As another clear instance of the possible mismatch between the stakes of disadvantaged minorities and the flourishing of the polity, consider the second-generation migrants who live in the degraded peripheries of many European countries, whose youth suffers much higher levels of unemployment, crime rate and poor education than the rest of the population (Heath *et al.* 2008; Silberman 2011; Borgna 2016). Or, for an even more dramatic example, consider the process of enfranchisement of African-Americans in the Southern states of the US after the Civil War. It would be difficult to claim that – at least in the short run – their autonomy and interest depended on the flourishing of the states where they were born and lived. Of course, they had a strong interest in participating in the government of those states. However, such interest was not directly linked, and in fact was running against, the flourishing and self-determination of such states as their majorities presumably would conceive it.

It might be objected that this conclusion depends on the wrong assumption that the flourishing and self-rule of a polity must coincide with those of its majority, or of its most advantaged social groups. However, the main point of this discussion holds independently of such an assumption. In fact, the point is that the smooth working of self-government and the flourishing of the polity are disrupted and hindered by the mere fact that there are clashing and opposed interests within it, as it is often the case when social justice is not achieved and there are minorities whose fundamental needs and goals are neglected. When this happens, the participation of such groups in the ruling of the polity cannot be said to contribute to its flourishing and autonomy. Moreover, propertyless and socially disadvantaged minorities cannot have a stake in the flourishing and self-rule of the polity because given their social position they are not going to gain much from the dividend of such flourishing and self-direction. If they have stakes, it is not in the flourishing of the polity, but in a dramatic change of its internal constitution.

A possible response to this concern might be that when within a polity there is such a deep clash of interests and goals, then this might be a clear sign that the boundaries were drawn in the wrong place and the conflicting groups should separate and form their own *demoi*, so that each one will be finally capable of self-rule. However, although this is sometimes possible in the case of communities and groups that are already separated geographically, because they reside in different areas of the state territory, things become much more difficult in the case of social groups that are sparse throughout society and in fact are deeply entangled with its main economic and social institutions. Moreover, there are cases in which this solution, even when technically possible, would still be deeply wrong. Think again of the case of the freed slaves of African descent in the US at the end of the Civil War. The fact that they did not have the same stakes in the flourishing of the country and in its self-rule than the rest of its population was evident and deeply felt at the time; even such a convinced advocate of the abolitionist cause as Lincoln had no doubts about the fundamental incompatibility between the interests and stakes of the former slaves and those of the Americans of European descent.⁸

In fact, as we know a solution to this “problem” had been sought since the beginning of the Century by the American Colonization Society (Dyer 1943; Streifford 1979; Seeley 2016) and other enthusiasts of the project to found a new state, outside the US borders, where the former American slaves could finally find their autonomy and self-rule. This was not an impossible path to follow, and in fact the project was carried out with the creation of the state of Liberia. However, many now believe that this was the wrong solution, which was in fact strongly opposed by the leaders of the African American emancipationist movement.⁹ Although the former slaves did not have any interests and stakes in the flourishing of the American polity in its existing make up, they were deeply interconnected with the American society; their past and future life inextricably depended on their relations with the social space where they were born. In fact, it was exactly such interconnectedness that was perceived as a potential threat and a troubling social issue, now that slaves were free, by many supporters of the American Colonization Society.

⁸ Wesley 1919; for a reappraisal, see Magness 2008; Sinha 2015.

⁹ See Power-Greene 2014. For some qualifications, see Masur 2010.

However, a different solution to the mismatch between the interests, autonomy and goals of the freed slaves and the flourishing and self-rule of the American polity was conceivable and possible. If the problem was that the freed slaves had no stakes in the wealth and autonomy of the polity, what could be done was to make them acquire such stakes by endowing them with the material and social position that would make them have an interest in the wealth and rule of the polity. The famous promise to endow each freed slave with “forty acres and a mule” made during the Civil War¹⁰ was in line with this project. As we know, it was an unfulfilled promise. Nevertheless, its rationale still survives and any path to a less conflictual and divided society must comprise some similar measures to make marginal social groups part of those who have an actual stake in the flourishing of the polity.

This example helps me clarify that I am not denying that when all the members of the *demos* have an actual stake in the autonomy and flourishing of the polity the important democratic good of self-rule and the very content and meaning of individual political rights are better achieved. In this, I am fully sympathetic to Bauböck’s approach, which duly acknowledges the collective dimension of self-rule as a fundamental element of the democratic ideal and stresses that democratic citizens should have an interest in such a collective self-rule. In fact, when collective self-rule is hampered from the outside, or made incoherent and contradictory by internal conflict and instability, the political autonomy and rights of citizens are diminished, because they cannot produce authoritative and effective decisions (Richardson 2002, 62ff).

What I am taking issue with, then, is not the recognition of the importance of collective self-rule, but the claim that having a stake in collective self-rule should be made a criterion for the inclusion in the *demos*. When some individuals or groups who live in the midst of a society and are deeply interconnected to its major institutions do not have an interest and stake in its flourishing and collective autonomy, the right path to take is to make them acquire such interest by changing their material and social stakes, rather than by excluding them from the *demos*. The right solution is 40 acres and

¹⁰ See Lindsey 2007. For an early (an unsympathetic) reconstruction of the story of this iterated promise during the years of the Civil War, see Fleming 1906. For a full endorsement of the project from a republican perspective, see Amar 1990.

a mule, rather than Liberia. However, in order to justify the first solution rather than the second we need to understand the constitutive principle of the democratic *demos* as the emancipatory project to bring about equality and voice within a community whose boundaries are fixed by existing relations of interconnectedness. If instead we draw the boundaries of the *demos* by looking at those who already have a stake in collective self-rule and the capacity to contribute to the flourishing and self-government of the polity, then we might not be in the position to explain why Liberia should not be a good idea after all.

REFERENCES

- Abizadeh A. (2008), "Democratic theory and border coercion: No right to unilaterally control your own borders", *Political Theory*, vol. 36, n. 1, pp. 37-65
- (2010), "Democratic legitimacy and state coercion: A reply to David Miller", *Political Theory*, vol. 38, n. 1, pp. 121-130
- Amar A.R. (1990), "Forty acres and a mule. A republican theory of minimal entitlements", *Harvard Journal of Law & Public Policy*, vol. 13, pp. 37-43
- Bauböck R. (2018), *Democratic Inclusion. Rainer Bauböck in Dialogue*, Manchester, Manchester University Press, Italian trans. by G. Ferraresi, "L'inclusione democratica. Una teoria pluralista della cittadinanza", *Biblioteca della libertà*, vol. 7, n. 220, pp. 7-101.
- Borgna C. (2016), "Multiple paths to inequality. How institutional contexts shape the educational opportunities of second-generation immigrants in Europe", *European Societies*, vol. 18, n. 2, pp. 180-199
- Dyer B. (1943), "The persistence of the idea of negro colonization", *Pacific Historical Review*, vol. 12, n. 1, pp. 53-65
- Fleming W.L. (1906), "Forty acres and a mule", *The North American Review*, vol. 182, n. 594, pp. 721-737
- Goodin R. (2007), "Enfranchising all affected interests, and its alternatives", *Philosophy and Public Affairs*, vol. 35, n. 1, pp. 40-68
- Heath A.F., Rothon C. and Kilpi E. (2008), "The second generation in Western Europe: Education, unemployment, and occupational attainment", *Annual Review of Sociology*, vol. 34, pp. 211-235
- Lindsey F. (2007), "Forty acres and a mule", in J.P. Rodriguez (ed.), *Encyclopedia of Emancipation and Abolition in the Transatlantic World*, Abingdon, Routledge, pp. 211-212

- López-Guerra C. (2005), "Should expatriates vote?", *Journal of Political Philosophy*, vol. 13, n. 2, pp. 216-234
- Magness P.W. (2008), "Benjamin Butler's colonization testimony reevaluated", *Journal of the Abraham Lincoln Association*, vol. 29, n. 1, pp. 1-28
- Masur K. (2010), "The African American delegation to Abraham Lincoln: A reappraisal", *Civil War History*, vol. 56, n. 2, 2010, pp. 117-144
- Power-Greene O.K. (2014), *Against Wind and Tide. The African American Struggle against the Colonization Movement*, New York - London, New York University Press
- Richardson H.S. (2002), *Democratic Autonomy*, Oxford, Oxford University Press
- Seeley S. (2016), "Beyond the American colonization society", *History Compass*, vol. 14, n. 3, pp. 93-104
- Silberman R. (2011), "The employment of second generations in France", in R. Alba and M.C. Waters (eds), *Next Generation*, New York - London, New York University Press, pp. 283-315
- Sinha M. (2015), "Did he die an abolitionist? The evolution of Abraham Lincoln's antislavery", *American Political Thought*, vol. 4, n. 3, pp. 439-454
- Streifford D.M. (1979), "The American Colonization Society: An Application of republican ideology to early antebellum reform", *The Journal of Southern History*, vol. 45, n. 2, pp. 201-220.
- Torruella J.R. (2018), "Why Puerto Rico does not need further experimentation with its future: A reply to the notion of territorial federalism", *Harvard Law Review*, vol. 131, pp. 65-104
- Wesley C.H. (1919), "Lincoln's plan for colonizing the emancipated negroes", *The Journal of Negro History*, vol. 4, n. 1, pp. 7-21