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CHAPTER 11

The Principle of Affected Interests: An Interpretation and Defense

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Many chapters in this book focus on the proper relationship between citizens and their government: problems of inclusion, equality, political opportunity, political expression, representation, and responsiveness. But even if we managed to perfect the processes connecting citizens to their state, democratic ambitions would remain unsatisfied in light of the circumstances of twenty-first-century governance. The actions of many organizations—private corporations, nongovernmental organizations, and other states would still rebound on citizens, and those citizens would have little influence over the actions of those organizations. For this reason, democratic theorists should expand their sights beyond the state to encompass those other organizations that affect citizens and the ordering of social life more broadly. This chapter develops the principle of affected interests as a normative democratic foundation to guide that expansion.

The question of inclusion in democratic theory has focused largely upon the relationship of citizens to their state. Theorists have sought to provide an account of the political rights of individuals living under the legitimate authority of a democratic government. These accounts seek to ground the judgment that adult citizens living under such authority should be treated as equals who have, among other liberties, rights to participate in the decisions of that state. Two starting points lead to this end of equal citizenship in a state that is legitimate because it is democratic.

The first is the principle of popular sovereignty. This principle frequently emerges from contractarian and constitutionalist reasoning. Historically and philosophically, a democracy of equal citizens is the answer to the question of how a collection of individuals who expect to live with one another in a society should organize their common affairs. Effective organization requires authority. Authority resides in the territorial state and takes the form of laws that impose obligations of obedience upon citizens. To be acceptable to the citizens whom they obligate, laws must be made democratically: by citizens themselves as political equals. From the principle of popular sovereignty, a legitimate order is a “self-legislating demos, of citizens ruling and being ruled in turn, consisting of all and only those who are full citizens and thus both authors and subjects of the law” (Bohman 2007, emphasis original).¹

A second starting point begins with the principle of affected interests (see Mill 1991 (1861); Dahl 1989: 93–95, 119–31; Goodin 2007). That principle, perhaps the most basic of democratic intuitions, is that individuals should be able to influence decisions that affect them. Absent such influence, decisions may be taken in ways that do not properly regard the interests of those they affect. Furthermore, exercising such influence is a critical aspect of individual autonomy.

This chapter aims to articulate a plausible formulation of the principle of affected interests that has three main features. First, we should interpret the principle as applying not only to legislatures but also to administrative agencies, private corporations, civic organizations, and governments of other societies. Second, we should interpret the principle in a continuing, regulative way. That is, the principle of affected interests does not establish a boundary of inclusion once and for all. It guides the adjustment of boundaries of inclusion and standing as the effects of the decisions of various organizations ebb and flow. Finally, we should understand the term “influence” in the principle to include not just direct influence of a participatory democratic kind, but also indirect (e.g., delegated) and passive (e.g., structural or cultural) kinds of influence. This formulation addresses some important objections to the principle of affected interests such as incoherence, regress, and impracticality.

Those who begin from each of these different starting points—popular sovereignty and affected interests—have for the most part converged upon the state as their main focus in democratic theory. From the principle of

popular sovereignty, individuals have a special relationship to their state because it alone commands them. Citizens come together as equals and rule themselves through their state. Within any territory, the state makes the binding decisions for the territory as a whole that are backed by coercive power. Constitutional democracy is the answer to the question of why citizens should regard such binding decisions as legitimate and authoritative. From the perspective of the principle of affected interest, the actions of states usually have the most potent effects on individuals' most important interests. At the extreme, states send their citizens to war, imprison them, and even execute them. More commonly, government actions and public policies affect the security, prosperity, and overall well-being of individuals. Territorially organized representative government in which citizens are political equals provides the normative ideal that justifies an ongoing structure through which citizens can shape laws to protect their interests.²

For all of these reasons, states and their laws have been and will properly remain an important object of political philosophy. However, scholars in many areas of social investigation and practice—in political science, sociology, and public policy—point out that contemporary conditions have constrained the reach and capability of formal state structures (Nye and Keohane 2000; Bohman 2007). Sites of power and influence have proliferated, even as the state's ability to bridle them has diminished. Either the state is less capable today of ordering the affairs of its citizens, or we have expected too much of the state in organizing our complex interdependencies. In either case, the actions and consequences of other states, corporations, nongovernmental organizations, public agencies, and even individual citizens now escape, perhaps inevitably and irrevocably, the regulatory control of democratically directed governments.

A broad ebb of the state as the principal actor in organizing common affairs and accomplishing public objectives is now widely called the shift from government to governance. The term governance denotes activities that, like projects of government, aim to achieve common purposes. However, the new term is meant to mark changes in both who acts to achieve those purposes and how they are achieved. With regard to means, public leaders and policy makers now frequently rely less on state commands and more on efforts to "steer" the behavior of actors in society. They also rely on collaborations that include actors outside of government. With regard to who acts, governance activities are undertaken by entities not only in the

state sector but also in the private sector and civil society (Nye and Keohane 2000). In global climate change, economic development, human rights protection, basic education, disaster relief, and many other issues, the most promising strategies consist not of states making binding laws but rather of complex governance activities that involve collaborations between government and nongovernmental actors.

Whether or not this shift from government to governance is truly novel, it suggests that states acting through laws can fulfill neither the aim of popular sovereignty—to direct supreme authority according to the will of the people—nor the aim of the principle of affected interests. Rules of inclusion that provide equal opportunities for the participation of citizens in decisions of their state then become insufficient for either understanding of democracy. From the perspective of popular sovereignty, enfranchisement in state decision-making is insufficient for self-rule, when many important decisions that order the common affairs of citizens are made by non-state actors or at levels above or below that of the nation. For the proponent of the affected-interests principle, individuals should be able to exercise influence over a range of decisions broader than those made by the state when such decisions affect their important interests.

From both perspectives, the shift from government to governance demands an expanded account of democratic inclusion in which individuals influence not just state decisions, but the decisions of other organizations as well. In this chapter, I develop the principle of affected interests to offer an account of inclusion appropriate for the contemporary circumstance of governance. The principle of affected interests strikes me as the most promising for grappling with the challenges of contemporary governance. Popular sovereignty, especially in its common contractarian and constitutional forms, begins by delineating a group of individuals—the demos—who form a persistent political community.³ But one feature of governance is that different problems encircle quite different groups of individuals. From the perspective of affected interests, very different sets of individuals should exercise influence over decisions concerning global climate change, health care policy, local education, and international labor conditions.

It may in fact be fruitful to think of the principles of affected interests and popular sovereignty as complementary, rather than exclusive and opposed, justifications of democracy.⁴ Both have their place in the political culture of democratic societies and the justification of democratic institutions

and practices, our commitments to representative governments of territorial nation-states through which we rule ourselves as free and equal citizens.⁵ But increasingly, we face situations that arouse democratic concerns in which nation-states fail to govern actions that impact citizens' interests. When we face the local indignities of tyrannical school principals, authoritarian employers, or the harms of powerful global corporations, we have strong democratic impulses. We feel we ought to have a say and often we do not. The principle of affected interests accounts for our democratic sensibilities in these increasingly common areas of social life. More important, it can justify the creation of certain democratic controls that elude the grasp of the account of representative government as popular sovereignty.

The second section of this essay elaborates how and why the principle of affected interests, not that of popular sovereignty, is best suited to help adjust our understandings of democracy to the realities of modern constrained states. The third section offers a formulation of the principle holding that individuals ought to be able to influence the decisions of a large range of organizations, not just territorial states, whose actions regularly or deeply affect their interests. The fourth section elaborates two implications of this formulation of the principle. Unlike the one-to-one relationship of citizen to state, each individual has the warrant, through this principle, to influence many different organizations. I call this warrant membership. In this account, each individual has multiple memberships. Furthermore, these circles of membership change dynamically over time as individuals and organizations evolve. The circumstances of governance indicate that the principle should apply in *medias res*, rather than fixing boundaries of inclusion once and for all.⁶ The fifth section develops a broad notion of "influence" in which individuals ought to affect decisions not just through active and direct means, but also indirectly and passively. The sixth section indicates how disputes about inclusion and influence might be adjudicated. The seventh and final section illustrates the principle with international and domestic applications.

Beyond and Below the Nation-State

My argument begins not from first principles, but from stylized empirical developments. If they are accurately rendered, those developments demand

that we adjust our institutions and that we revise underlying principles that justify those institutions.

Contemporary Governance

If there once was a time when the laws of a nation-state could adequately protect the fundamental interests of its citizens, many argue that time is past. Consider briefly five stylized facts that support this conclusion.

First, globalization makes citizens of one state more vulnerable to financial, environmental, security, and even sociocultural decisions that originate outside that state. It may be that the extent to which global forces constrain sovereignty has increased, or that global factors have limited state power for centuries.⁷ What matters for this portion of the argument is that global forces render the state less capable of social ordering than citizens would like. Second, privatization both increases citizens' dependence upon corporations—especially financial institutions and multinational corporations—and reduces states' capacities to control them.⁸ Third, decentralization and contracting-out of activities that were previously executed by national governments—on issues such as social services, security and policing, education and training, regulation, economic development, and health care—in many states reduces the scope of national laws and policies. Fourth, the rise of the administrative state effaces democratic representation.⁹ For at least a century, the complexity of modern conditions has dictated that state action occur largely through policies formulated through administrative agencies rather than only, or even principally, through laws passed by elected representatives. Scholars have long noted the challenges to democracy posed by administrative delegation.

A fifth development that may well have diminished the role of national laws in ordering social affairs has been, as noted, a shift from government to governance. Governance signals the power of actors other than the nation-state—such as local and regional governments, private firms, voluntary associations, and transnational organizations—and the use of non-binding means—soft power, voluntary standards and protocols,¹⁰ collaboration, and negotiation. Joseph Nye and Robert Keohane (Nye and Keohane 2000: 12–13) write that governance is created by

the processes and institutions that guide and constrain the collective activities of a group. Government is the subset that acts with authority

and creates formal obligations . . . Private firms, associations of firms, non-governmental organizations (NGOs), and associations of NGOs all engage in [these processes and institutions], often in association with governmental bodies, to create governance; sometimes without governmental authority . . . [M]ore governance activities will occur outside the box represented by national capitals of nation states.

This shift away from the national state in public ordering and public action has resulted from practical necessity rather than merely a political ideology of state retrenchment. Circumstances in the world have made states less capable of protecting the interests of their citizens through binding laws.

In response, individuals increasingly organize their common affairs not just through their state and its laws but also through a host of other organizations and measures. For example, nongovernmental organizations such as charitable foundations and advocacy groups increasingly provide financial resources, expertise, and staff to address problems such as health and education. This phenomenon is most visible in the large-scale activities of organizations such as the Bill and Melinda Gates Foundation in developing countries, but it is also common in the U.S. and other developed nations.¹¹ Responding in part to the limitations of governmental standard setting, efforts to protect the environment increasingly involve joint efforts between government agencies, nonprofit organizations, and private sector firms.¹² Actions to address concerns that cross national boundaries, such as transnational migration, trade, security, human rights, natural resource exploitation, and global labor standards, frequently involve not just a single national government but multiple states, as well as international organizations, private sector groups, and nongovernmental organizations whose activities occur inside state boundaries as well as across them (Nye and Keohane 2000).

This essay supposes that the account of these stylized developments is largely true. If it is not, then I offer no reason for those who now accept the popular sovereignty justification of representative democracy organized through nation-states to revise their view. Those who accept these developments as true enough might nevertheless attempt to defend limiting the focus of democratic theory to cover just the binding laws of the nation-state. Consider two such defenses.

FREEDOM IS THE ONLY CRITICAL INTEREST (NECESSITY)

The first reason for limiting democracy to nation-states begins with the notion that claims to inclusion in decision-making are warranted only when

important interests are at stake. Binding decisions—those that are backed by the coercive, potentially violent, force of the state—affect individuals' critical interest in freedom. The binding decisions of governments are the most obvious—and perhaps most important—way individuals' choices can be deliberately constrained. Unless an individual can influence such decisions, these restrictions are objectionably arbitrary. The individual becomes merely a subject and not a citizen, ruled without in turn ruling. Thus, many democratic theorists have addressed the question of how the coercive authority of the state can be legitimate. In a strongly limiting formulation of the scope of democracy, citizens have rights to political participation in collective decision-making only if those decisions determine binding laws that are backed by the coercive authority of the state.

But the arbitrary binding decisions of government are only one source of interference with individual choice. Nonbinding decisions made by nongovernmental actors—the power of employers over workers—may threaten an individual's freedom just as much.¹³ This understanding of freedom thus seems to support inclusion in other decisions—those that do not involve coercive power and those made by non-nation state actors—as well.

BINDING LAWS CAN SECURE ALL IMPORTANT INTERESTS (SUFFICIENCY)

A quite different reason for limiting democracy to a state's binding decisions supposes that such decisions can secure all of the important interests of that state's citizens. Binding workplace standards and discrimination laws might, for example, protect workers from the arbitrary power of employers. In this way, individuals' influence over binding state decisions might be sufficient to protect all of their important interests from a broad range of threats from all other quarters.

The claim that state action through binding laws and policies is sufficient to protect important interests seems obvious to many. If not the state, then who? Yet there are many reasons to doubt that states have the reach—despite their authority, monopoly on violence, financial resources, and bureaucratic capacities—adequately to protect individuals' interests in this era of globalization and “wicked” social problems.¹⁴ The question of whether individuals' important interests can better be secured by extending their influence to other organizations such as workplaces and nonprofit enterprises, and to decisions other than binding laws, is an empirical one. The reasons to answer this question affirmatively are contained in the five stylized developments above.

Those who see these developments as comprising an inevitable and perhaps even desirable shift away from national governments as the paramount agents of social ordering must also reject the claim that the binding laws of states are sufficient to protect the important interests of individuals. Governance means that many social decisions—some that do not involve binding laws and some that are made by organizations outside of the state—affect individuals' interests.

WHEN THE SOCIAL CONTRACT RUNS OUT

This reasoning—admittedly dependent on plausible but controversial empirical claims—opens the door to normative arguments for expanding the scope of citizen participation and influence beyond national governments to a much wider range of organizations. The principle of affected interests is a more promising point of departure for those arguments. Contractarian justifications begin by (i) delineating a fixed group—the parties to a social contract—and then (ii) identifying the first-order terms of their sociopolitical order (the “basic structure” in John Rawls’s formulation). The democratic components of contractarian justifications usually involve the translation of citizen’s moral equality into political equality in determining the laws of a central state.

Consider first domestic governance. Suppose a contractarian democrat agrees that the modern developments discussed above reduce the ability of citizens to regulate their affairs adequately and protect their interests through national laws even against decisions and actions that occur within a country’s borders. That democrat might acknowledge that contemporary democracy requires that individuals be able to participate in many other kinds of decision-making—administrative rule-making, choices of service bureaucracies and planning agencies, in local governments and authorities, in civic associations, and even in the management of economic enterprises.¹⁵ Such measures would certainly be consistent with democracy understood as a social contract among moral equals. There is no inconsistency between contractarian justifications of democracy and these extensions of democracy beyond the nation-state.

Yet it seems difficult to wring more specific normative guidance from the bare idea of a social contract, because that idea is focused on the basic, enduring features of government, and because its moral emphasis is on the equal political status of citizens. Participation in the countless decisions that occur throughout any complex society requires a more highly differentiated and dynamic account than is natural for contractarian reasoning. We

do not think, for example, of each state or province within a nation, much less each public school or workplace, as having its own social contract embedded within the larger national one.

To justify extensions of democracy, a contractarian might rely upon other principles that parties to the social contract could endorse. The principle of subsidiarity and the principle of affected interests come to mind as likely candidates for such an account. However, the success of that justification would then depend upon a compelling articulation of those principles. I aim to do part of that work by developing a plausible interpretation of the principle of affected interest.

The contractarian approach seems even more limited for threats to self-government that stem from decisions and actions occurring outside territorial borders, such as pollution, trade, multinational corporate decisions, and transnational advocacy. Contractarians have two natural responses. The first is to insist upon a global, cosmopolitan democratic social contract that creates participation rights in a world government.¹⁶ Although there is much that is appealing in such a proposal, it would also lose some of what makes contractarian justifications attractive—realism and compatibility with many traditions and political cultures.

The second route is to insist that the constitution of nation-states should remain the principal subject of the democratic social contract, and that efforts to regulate actions emanating from outside territorial boundaries should occur through international bodies in which citizens are represented by their national governments. This path leaves too much on the table, democratically speaking. In many urgent areas such as disease and public health, labor conditions, environment, economic development, and food and product safety, individuals can potentially regulate actions affecting their lives through routes of participation and influence that bypass national states. Individuals from one country can connect directly with foreign governments, transnational organizations, or firms. Many of these forms of engagement have been regularized and institutionalized. They are valuable for democracy, but they find little justification from nation-state-oriented social contract traditions.

The Principle of Affected Interests—Formulation

The principle of affected interests may offer a more promising point of departure. Though it captures an enduring impulse in democratic thought, it

has not received as much sustained attention in political theory.¹⁷ Several of those who have considered the principle have rejected it as undesirable (Nozick 1975), incoherent, or impractical.¹⁸ This section addresses some of these difficulties by offering a specific formulation and interpretation of the principle.

Rudimentary Formulation

The most common statement of the principle of affected interests runs like this:

(1) Individuals should be able to influence decisions that affect their interests.

This rudimentary formulation is underspecified in at least three ways. What kinds of decisions and decision-making entities are regulated by the principle? What kinds of interests grant individuals a warrant for influence? And, what sort of influence does the principle require?

Robert Nozick, for example, raises the following example as a *reductio* against the principle:

If four men propose marriage to a woman, her decision about whom . . . to marry importantly affects each of the lives of those four persons, her own life, and the lives of any other person wishing to marry one of these four men, and so on. Would anyone propose, even limiting the group to include only the primary parties, that all five persons vote to decide whom she shall marry? (1975: 268–71)

Of course not. Nozick's example illustrates how formulation (1) of the principle is underspecified on the first dimension of domain.¹⁹ Most of those who have written about the principle have considered its application not to the decisions of individuals, but rather to the territorial states, the only entities that make binding and coercively backed law:

(2) Individuals should be able to be able to exercise voice [voting] to influence decisions that affect their interests through binding and coercively backed law.

Drawing on the discussion of the limits of nation-states above, this specification is unduly restrictive in at least four ways. Entities other than legislatures make decisions that affect individuals (underinclusion of entities).

Individuals' important interests are affected by many kinds of decisions, not just binding laws backed by coercive power (underinclusion of decisions and interests). Legislatures make decisions that affect those who do not live within their territorial boundaries (underinclusion of individuals). Finally, voice through voting is just one way to influence a decision. Sometimes, both more direct and less direct modes of influence are appropriate (underinclusion of modes of influence).

I will defend a third formulation of the principle that is more specific but also more expansive:

(3) An individual should be able to influence an organization if and only if that organization makes decisions that regularly or deeply affect that individual's important interests.²⁰

Regularly or Deeply Affected Interests

In his illuminating essay on affected interests, Robert Goodin (2007) holds fixed both kind of entity and mode of influence. He presumes that the principle governs public legislative bodies and, at least implicitly, that individuals will exercise influence through voting and representation. He focuses upon the question of whose interests ought to be included. In particular, should those whose interests are *possibly* affected by a decision exercise influence, or only those whose interests are *actually* affected? He rejects the "actually affected" formulation on grounds of incoherence:

Notice first that whose interests are "affected" by any actual decision depends upon what the decision actually turns out to be. Notice second that what the decision actually turns out to be depends, in turn, upon who actually makes the decision. Hence the "all actually affected interests" principle suffers the same incoherence as discussed at the outset: it is unable to tell us who is entitled to vote on a decision until after that very decision has been decided. (Goodin 2007: 52, emphasis mine)²¹

There are two related but distinct potential difficulties here: endogeneity and indeterminacy. The "actually affected" formulation has the endogenous characteristic that the delineation of who is entitled to influence a decision depends on the substance of the choice itself. That formulation is also

subject to indeterminacy in that a different substantive choice might be made if a different set of people had been entitled to influence that decision. These technical observations are interesting, but the conclusion of incoherence is too quick. Goodin is correct that the “actually affected” formulation cannot uniquely determine the set of individuals who ought to be included. But neither endogeneity nor indeterminacy provide compelling reasons for rejecting a political arrangement as incoherent.

To see why, suppose that two towns, A and B, have a common boundary. Only the residents of each town make decisions for that town, and they are made in a democratic way. Over a certain period of time, the residents of each town make decisions that have no spillover consequences onto the other town and produce no injustice between them. It is certainly true that if the border between A and B were to shift by a few blocks and some residents of B became new residents of the expanded town A', we would expect the decisions of A' to affect a slightly wider set of individuals, and the choices made would be different from the choices made by A. But those observations by themselves do not provide a reason to reject A's boundaries. Indeed, both political arrangements—A/B and A'/B'—satisfy the principle of including all and only actually (not possibly) affected interests.

Suppose now that residents of B are possibly affected by the decisions of A. Residents of A could decide to build power plants that emit toxins into B or to construct buildings that are an eyesore to B's townsfolk. If the people of A begin to make such decisions, then the people of B have a claim to be included in influencing A's decisions under the principle of affected interests, and the circle of inclusion should change.

Goodin's formulation of possibly affected interests is motivated by his desire for the principle to yield the delineation of a single demos that persists through time.²² In order to ensure against decisions that are impermissible because they affect the unincluded, such as B's residents in A's toxin-emitting period, the circle of inclusion in decision-making must be very wide indeed. But the principle of affected interests can also be understood in a way that makes this tradeoff more tractable by making it more fluid. It can be understood as a regulative principle for continuously adjusting the boundaries of inclusion. A/B, A'/B', and a metro government of A+B might all be justified by the principle of affected interests under various circumstances. If the capacities of these towns, the problems they face, and the priorities of residents are such that the decisions made in A do not affect those in B, then residents might well prefer separate towns to a metropolitan

government that fuses A and B, in order to be able to exercise more meaningful influence over the harms or goods that might affect them. If however, environmental, economic, or other conditions create substantial interdependencies between A and B, then the importance of influencing decisions that address those encompassing concerns weighs in favor of larger political units.

Organizations as Decision-Makers and Objects of Democratization

Formulation (3) above also specifies that the domain over which the principle operates consists of organizations such as governments, international organizations, administrative agencies, private corporations, and civic organizations. This specification is broader than a domain that includes just nation-states, but far narrower than formulation (1), which could be interpreted to include individuals making intimate decisions about their lives. Formulation (3) directs us to look to the organizational entities that make decisions. This shift is necessary to make sense of the term “regularly,” which describes not a single decision but rather multiple related decisions. It is natural to understand those decisions as being made by organizations, because organizations are entities of sufficient coherence to enfranchise or exclude individuals. This shift also renders the principle in a way that fits with the sociological reality of organizations and the everyday ways in which the notion of affected interests is used.²³

I define organizations as entities that collectively control resources, advance purposes, and make decisions whose effects are moderately consistent over time. To a first approximation, it is usually sensible to say whether or not the interests of a particular individual are “regularly affected” by the decisions of a particular organization. The decisions of a territorial state regularly affect all those living within its boundaries and often those living outside it. The decisions of a multinational corporation regularly affect its managers, workers, shareholders, customers, and some of the residents of communities where it, its subsidiaries, and its suppliers operate. The decisions of a school board in Sacramento, California, do not regularly affect residents of Massachusetts.

Such organizations are sufficiently coherent that they typically possess durable procedures of decision-making that specify boundaries of inclusion and exclusion. Democratic states have rules of citizenship, suffrage, parties

and elections, administrative and executive consultations, judicial and administrative standing. Public corporations have directors, shareholders, and sometimes works councils and stakeholder boards. Organizations—rather than free-floating decisions—are typically the object of demands for inclusion. Those demands frequently arise from the claim that the organization acts in ways that affect individuals who have no influence on them (“no taxation without representation”). Demands for inclusion can be rejected or satisfied by modifying the existing decision-making procedures of the target organization.

Consider a real example. Today most nongovernmental international development organizations may be operating in acknowledged noncompliance with the principle of affected interests. In a fascinating study, Hans Peter Schmitz, Paloma Raggo, and Tosca M. Bruno-van Vijfeljken (2011) at Syracuse University asked leaders of international NGOs two questions. First, to whom ought their organizations be accountable? Second, to whom are their organizations actually accountable? Responses to the first question were consistent with the principle of affected interests. NGO leaders felt that they should be accountable to donors, board members, program beneficiaries, host governments, staff, and then the general public. When asked whom they were actually accountable to, however, these NGO leaders responded that they were primarily accountable to donors and board members through mechanisms such as financial audits and program evaluations, but that they were largely unaccountable to the other entities—especially beneficiaries—affected by their activities. Some of the NGOs, however, are developing mechanisms such as consultations and expanded representation to bring their accountability practices in line with their aspirations for democratic governance.

Finally, the set of individuals whose interests are regularly affected by any organization’s decisions typically changes over time. Corporations abandon some communities and move into others. Individuals leave and join firms, local communities, and even national states. The environmental consequences of production and regulation expand, contract, and shift over land and sea. Societies engage and disengage from various trading and security relationships. Organizations take on new priorities and missions even as they shed and gain capacities (the United States engages in a War on Terror; General Electric shifts from industrial production to financial services). These shifts favor a dynamic understanding of the principle of affected interests, in which the definition of those who ought be included in

influencing any particular organization's decisions changes over time as the consequences of that organization's actions fall on different individuals.

Multiple Membership and Dynamic Inclusion

This interpretation of the principle of affected interests entails a much more complicated structure of political "membership" than an account of democratic inclusion that maps individuals onto states in many-to-one way. This view envisions many overlapping circles of inclusion. Associated with every organization—government or other—is a set of individuals whose important interests are regularly (or deeply) touched by the decisions of that organization. Under the principle of affected interests, all individuals in that set should have some capacity to influence the decisions of that organization. Each individual is a member of many such sets, because he or she is touched by the decisions of many organizations. Furthermore, these circles of inclusion around organizations and individuals must change over time as those organizations and individuals evolve.

Frederick Whelan has raised this dynamic feature as an objection to the principle of affected interests:

An obvious practical difficulty with the all-affected principle is that it would require a different constituency of voters or participants for every decision: the status of fellow citizens would not be permanent, as is the case in territorial states with which we ordinarily associate the concept of citizenship, but would shift in relation to the issue proposed. (1983: 19)

Guilty as charged.

There are two responses to this objection from impracticality. First, the proposal is not altogether impractical, because many organizations and individuals are already accustomed to operating in a world with many circles of inclusion and membership. Multinational corporations, international governance organizations, administrative agencies, social service groups, and local governments all regularly sponsor various forms of stakeholder and public engagement. Many individuals are accustomed to exercising influence in ways that include not just voting in national elections but also participating in school councils, labor unions, employee groups, local authorities

and boards, and so on. The principle of affected interests provides a way of justifying the circles of inclusion and participation in such venues.

The next section addresses concerns about the excessive demands of multiple membership by developing a more capacious understanding of “influence” that economizes on the cognitive capacities and time that individuals spend influencing organizational decisions. Although existing circles of inclusion are far from satisfying the principle of affected interest, the basic organizational and individual practices of multiple membership are neither novel nor alien. Indeed, it is Whelan’s political philosophic ideal of one person, one state, one vote that lies at some remove from contemporary reality.

Second, the two obvious alternatives to this account of multiple memberships are unappealing. The discussion above explains why the account of individual influence operating through single membership in the nation-state unduly constrains the scope of popular control. Consider now why an account of single membership in a world government is less appealing than the multiple membership account favored here.

Problems with World Government

One way to work out the principle of affected interests is to derive its implications for durable boundaries of citizenship. How big (or small) should a *demos* be? Decades ago, Robert Dahl began to address this question in his reflections on the question of scale and democracy:

That larger political systems often possess relatively greater capacity to accomplish tasks beyond the capacity of smaller systems leads sometimes to a paradox. In very small political systems a citizen may be able to participate extensively in decisions that do not matter much but cannot participate much in decisions that matter a great deal; whereas very large systems may be able to cope with problems that matter more to a citizen, the opportunities for the citizen to participate in and greatly influence decisions are vastly reduced.²⁴

Concern for the scope of influence—assuring that one can influence the maximal number of decisions that might affect one’s interests—weighs in favor of larger political units. Conversely, concern for depth of influence—assuring

that one's voice will be meaningfully considered—weighs in favor of smaller political units.

A similar concern for scope leads Goodin to favor an interpretation of the affected-interests principle in which all who could “possibly” be affected by a decision are included in influencing it. Since it is conceivable that just about any government could make decisions that would affect just about anyone in the world, this expansive formulation leads to the conclusion that only a government that is global in scale conforms to the principle of affected interests. Any smaller unit is unstable with respect to the principle of affected interests, because the individuals in that smaller unit might make decisions that affect individuals outside of it.²⁵ Properly understood, the principle of (all possibly) affected interests requires “giving virtually everyone everywhere a vote on virtually everything decided anywhere” (Goodin 2007: 68)

Above, I argued that institutions of world government do not necessarily follow from accepting the principle of affected interests. The “regularly or deeply affected interests” formulation of the principle is compatible with institutions of multiple memberships. Compared with multiple memberships, a world government is unattractive for two reasons. First, its institutions would sacrifice almost completely the value of meaningful influence for the sake of expanding the scope of influence over many decisions that have minor or only potential effects on an individual's interests (Dahl 1967). The tradeoff between a very large *demos* that includes all possibly affected interests and smaller ones that afford more consequential individual influence is intractable if, as both Goodin and Robert Dahl before him supposed, the aim of an account of inclusion is to delineate the boundaries of a *demos* permanently. The multiple, dynamic membership account solves that problem by discarding the premise that the delineation of inclusion must be permanent. Second, the possibility of constructing political institutions on such a global scale seems remote.

Dynamic Adjustment, Not Durable Citizenship

The multiple membership account accepts that organizations' decisions, the interests they affect, and the individuals who influence those decisions will all shift over time. Goodin's proposal accommodates those shifts by positing a world government whose jurisdiction is large enough to encompass all such possible shifts. The multiple membership model seeks to accommodate these shifts by adjusting the boundaries of membership over time.

In this way, the principle of affected interests becomes a critical and regulative principle. At any particular moment, organizations may make decisions affecting individuals who have little influence on those organizations. At such moments, it is democratically imperative to expand inclusion of decision-making in those organizations in order to satisfy the principle of affected interests. If such democratic reform efforts were successful, they would usher in moments in which the principle of affected interests in its third formulation was fully satisfied. Every individual would be able to influence in some way any organization whose decisions regularly affected that individual's interests.

The approach is also necessarily dynamic. It does not imagine that all organizations will be fully compliant at every point in time. In reality, many, if not all, organizations would make some decisions affecting individuals who had no influence over those decisions. Organizations change in their relation to their contexts. Firms seek new markets, states embark on new adventures, civic organizations drop old agendas in favor of new ones. Periods of noncompliance or lesser compliance will emerge. During such periods, the principle of affected interests again demands institutional reform efforts that alter the boundaries of organization to include those who are affected but lack influence.²⁶

If noncompliant periods of adjustment were sufficiently brief, the realization of this dynamic account of the principle of affected interests would be more appealing than the realization of a full-compliance account that requires a world demos. The multiple, dynamic approach envisions many overlapping circles of inclusion, one per organization. Because each circle is determined by the regular impacts of decisions made by a particular organization, the size of each circle (the number of individuals in it) strikes a more sensible balance between the scope of influence and its meaningfulness than a circle that includes the whole world. Furthermore, the individuals in any particular circle are all connected by the fact that they are all commonly affected by an organization's actions. While that consequential tie may be less thick than the ties of a community united by blood-and-soil or avowed membership, it is more substantial than ephemeral bonds between individuals in far corners of the earth who might possibly be affected by the decisions of a global political entity.

Varieties of Influence

One immediate objection to this understanding of the principle of affected interests is that it would place excessive demands on individuals, overloading

their cognitive and political capacities. Every individual is affected by the decisions of countless organizations. Few people could even list all of the organizations that make decisions affecting them, much less muster the capacity to try to influence decisions that they all make. The limits of attention and understanding seem more manageable if citizens need only worry about influencing the decisions of a single organization, their state.

It is common to think of exercising political “influence” in a participatory democratic way—as individuals exercising influence deliberately and directly. But this understanding of the notion of “influence” is too narrow.²⁷ Drawing upon standard discussions of power, we say that individuals influence a decision made by an organization when their avowed interests or preferences have some causal effect on that organization’s decision.

Even when the target of individual influence is the state, much of this influence occurs indirectly. In their use of the affected-interests principle to justify representative government, authors such as Robert Dahl and Robert Goodin understandably think of individuals exercising “influence” by casting a vote for a politician or party, rather than directly deciding upon policies through referenda or other directly democratic mechanisms. Political representation is a familiar method of deliberate and active influence—but it is indirect, in the sense that citizens’ influence is mediated through their political agents. Politicians, however, are just the first level of indirection. Influence over the actions of the state also flows through the bewildering network of committees, agencies, and authorities that constitutes the administrative state.

Individuals can *actively* influence—in the sense that they deliberately seek to press their avowed preference—in both direct and indirect ways: ranging from casting a ballot to campaigning to making an argument in the public sphere. But individuals can also exert *passive* influence over organizations’ decisions. In passive forms of influence, individuals need not act at all to sway organizational decisions in ways that favor their interests. For example, investors in many capitalist countries benefit from laws and norms of fiduciary responsibility, backed by a regulatory apparatus, that induces executives in those firms to make decisions that advance “shareholder interests,” even when those shareholders do not voice their preferences.²⁸

In his 2010 State of the Union address, President Obama justified the U.S. bank bailout by saying, “It was not easy to do. And if there’s one thing that has unified Democrats and Republicans, and everybody in between, it’s that we all hated the bank bailout. I hated it. [applause] I hated it. You hated it. It was about as popular as a root canal.” If it is true that the bank bailout

was liked by bankers but disliked by just about everyone else—by most Americans and by Democrats and Republicans alike, how did it become policy? One cause of the U.S. Government's decision to aid the financial industry in the way that it did in 2008 and 2009 may be what some political scientists and social theorists have called "structural power." On this theory, politicians and policy-makers have incentives to act according to the preferences of those who control capital above other interests in society (such as those of consumers or workers). As Charles Lindblom put it, investors and businessmen must be enticed by policy-makers to create the conditions upon which the rest of society depends ("invest, hire workers, curb industrial pollution"). Whereas other actors in society must organize to assert their interests, those who control capital (while they certainly organize as well) can exert this additional form of political influence simply by virtue of their position in the structure of a market society.²⁹

Structural power is one kind of influence over an organization that is exercised passively but directly, in the sense that those who make decisions in an organization (such as politicians and policymakers) respond without intermediation to the interests of particular affected individuals (in this case capitalists). The general notion of this kind of passive direct influence applies to many other instances, such as the power that husbands exert over wives in marriage in societies where divorced women face highly diminished life chances. Concepts of structural power have been used to explain how dominant interests exert influence that subordinates the interests of the weak. But this basic insight might also be used to explain and indeed design institutional mechanisms that create more egalitarian opportunities for influence over significant decisions. In a society with generous social welfare provisions, including a basic income (van Parijs 1991) and other protections, employers are less likely to exploit and degrade their employees, because the well-being and self-respect of the employees is less dependent on labor market success. While such measures would certainly enhance the bargaining position of employees, they would also enable employees to protect their interests through passive direct structural influence over workplace decisions.

Finally, individuals can also influence the decisions of organizations in ways that are passive and indirect. Those who make decisions in organizations are subject to countless norms of appropriateness, moral standards, cultural perspectives, and habits of thought that we acquire through numerous channels of socialization. These forces affect how they assess choices before them and ultimately act. Very different scholars have explored how

Table 11.1. Modes of Influence, Applied to Firm Wage Decisions

	<i>Active</i>	<i>Passive</i>
Direct	I Worker bargains with employer.	III Worker less hostage to labor market due to social welfare provisions.
Indirect (mediated)	II Worker votes for politician who enacts minimum wage laws.	IV Worker lives in community with potent pro-labor norms.

such forces systematically influence decisions in favor of some interests against others: the American pragmatists with their accounts of habit (e.g., William James (1887: 446–47); Antonio Gramsci with hegemony; and the related “third face of power” explored by Steven Lukes, John Gaventa, and other power theorists.³⁰

Table 11.1 shows the four modes of influence discussed above and their application to the issue of employee wages. In formulation (3) above, the principle of affected interests requires workers at a firm to have influence over its wage policies. The principle of affected interests requires some sort of workplace democracy, as workers are deeply affected by workplace decisions (I in Table 11.1). The participatory democratic approach of giving workers active and direct influence is one way to satisfy the principle, but not the only one. Workers might also vote for political representatives who legislate minimum wage laws (II, active and indirect). Workers might live in communities that offer generous social welfare safety nets and perhaps even a basic income. These de-commodification measures give them structural power in their interactions with employers by decoupling their prospects from labor market success (III, passive and direct). Or, workers might work for employers who are subject to broader social norms of solidarity, care, and respect for producers (passive and indirect).

It may seem odd to count what I have called the passive modes as influence at all. Our use of the term usually refers to agents who are deliberate in the ways that they seek to advance their interests. Those who are drawn to the principle of affected interests primarily from the values of autonomy and self-mastery may resist this broader formulation of influence, and any institutional account of the principle of affected interests must make substantial

room for active modes of influence. But there are ample reasons to include passive modes of influence as well.

First, it is much more plausible to see how the principle of affected interests could be satisfied when one understands that decisions are affected by factors that include not just formal provisions for voice, but also indirect laws and regulatory mechanisms, social structures of power, and the collective creation and reproduction of culture and habit. Second, this enlarged view of influence has practical implications. For any particular organization, there are many routes through which to satisfy the principle of affected interests. If one particular route of influence is blocked by force or circumstance, politicians, activists, and other reformers might seek others.

Third, this broader understanding offers a more social, less individualistic conception of influence, one in which organizations can be embedded in webs of incentive and control that pressure their decisions to protect individual interests. The most obvious include the mediated influences of representative government and regulatory systems, but there are many others. The long-term construction and maintenance of such webs of influence is not less important for democratic social control or protection of individual interests than establishing routes through which individuals can participate directly and deliberately in collective decision-making.

Finally, this broader notion of influence is congruent with contemporary psychological understandings of decision-making. Even at the individual level, the psychology of decisions tells us that we accomplish most of our ends through a-rational, non-deliberate processes. Many psychologists distinguish between “central” and “peripheral” routes of cognition.³¹ In the central route, individuals employ the tools of deliberate choice in full consciousness, weighing the costs and benefits, gauging the likelihood of various scenarios, and the like. In the peripheral route, decisions result from habits or affective factors that do not rely upon deliberate appraisal of options. Think of the many decisions that enabled you to get yourself from your home to work this morning, or those that culminated in the last box of breakfast cereal you purchased. Most decisions employ the peripheral rather than the central route of cognition. Passive routes of influence at the level of democratic society are analogous to peripheral routes of cognition at the level of individual decision-making. They can both operate to advance our interests, and they are both necessary because of our limited time and cognitive capacity.

The principle of affected interests may be satisfied through any of these modes of influence. Popular control over any particular organization will usually depend on a mix of all four. For a society, the principle requires that every individual be able to influence all of the organizations that make decisions regularly or deeply affecting his important interests through at least one of the modes shown in Table 11.1. A corollary is that the principle also requires that every organization offer at least one mode of influence to every individual whose interests are regularly or deeply affected by its decisions.³² It is far more plausible that the principle could be satisfied with this broader notion of influence than through just active (or worse, active and direct) modes of influence.

Working out the factors that determine the optimal mix of different kinds of influence lies beyond the scope of this chapter. Any such effort must include at least two important factors: the extent to which the mix of modes allows individuals to protect their important interests and the extent to which such modes allow individuals to economize on the attention and energy that they devote to influencing organizational decisions. A fuller theory incorporating the principle of affected interests would specify how to assess the degree to which various governance procedures and social practices satisfy the principle and whether the principle requires alternative arrangements. How, for example, ought the balance between protecting important interests and economizing on time and attention be struck? Short of offering such an account, the next section illustrates how the principle of affected interests guides the evaluation of democratic control mechanisms.

Two Illustrative Applications

Decisions with International Effects

Perhaps more than ever, states make decisions that affect those who live outside their borders and have no formal voice in the decision-making processes of those states. Many people from all over the world follow U.S. presidential elections closely as much from self-interest as from voyeuristic fascination. Powerful nations make decisions about security, economy, environment, property, and technology, among other issues, that touch the interests of billions outside their borders. Decades ago, Robert Dahl mused

that the principle of affected interests may require people in Latin America to be able to vote in U.S. elections, for no one doubts that U.S. decisions have profound consequences for them. He cautions us not to dismiss this thought as absurd, for “the real absurdity is the absence of any system of government in which that joint interest is effectively represented” (1990: 51). He writes that if a first transformation gave birth to the democratic city-state, and the second was the shift from local to nation-state democracy, we now face a third transformation in which “the boundaries of a country, even a large country such as the United States, are now much smaller than the boundaries of decisions that significantly affect the fundamental interests of its citizens . . . the governments of countries are becoming local governments” (319).

As discussed above, Robert Goodin suggests that the principle of affected interests requires a world government to address this challenge to democracy. But, as Steven Macedo (2008) points out, there are many other ways to satisfy the principle of affected interests in the face of decisions with trans-boundary effects. Suppose state A makes decisions that affect individuals living in the territory of state B. If both A and B are members of multilateral institutions such as the WTO, EU, and UN, those institutions sometimes allow those in B to have more influence on A’s decisions than they would otherwise have. The mode of this influence is active when individuals vote for political officials in B and is mediated through those officials, multilateral institutions, and the response of State A.

For some kinds of decisions, influence might be exercised directly as well as actively. When decisions made by a corporation of State A affect those living in B, those in B sometimes circumvent the mediation of state organizations in favor of negotiating directly with that corporation to secure decisions that will protect their interests.³³ Influence over transnational decisions can also operate in passive ways. The advocacy of Bono Vox may be said to give Africans who suffer from AIDS some influence (perhaps only a little, but more than they would otherwise have) over the decisions about foreign aid of national governments, transnational international property rights regimes, and global pharmaceutical corporations.³⁴ Similarly, efforts of nongovernmental organizations such as Oxfam and Care can be said to give the world’s poor some influence over the formulation of the rules of international trade. There is in political theory a lively discussion about whether such organizations “represent” the poor or Africans suffering from AIDS. But it is easier to see how these international advocates afford their intended beneficiaries some influence over international decisions. Whether

or not they can be said properly to represent, one of the central aims of these advocacy groups is to shift the decisions of powerful organizations in ways that protect the interests of highly disadvantaged individuals like the poor or AIDS sufferers in Africa. If those disadvantaged individuals did not exist, or if they had interests very different from what they presently are, those advocacy groups would likely embrace very different goals.³⁵

None of this is to say that the operations of multilateral institutions, stakeholder negotiations, or international norms currently confer actual influence over transnational decisions, much less that they confer sufficient influence to satisfy a democratically demanding interpretation of the principle of affected interests. Rather, this discussion simply lays out a number of alternative institutionalizations through which that principle could be satisfied.

Second-Generation Gender and Race Discrimination

A claim of the fact of governance is not just that states lack reach over decisions that originate outside their borders, but that they also lack the capacity to protect the important interests of individuals even for decisions inside their territory. To illustrate the plausibility of this claim, consider the problem of racial and gender discrimination at workplaces in the United States.

Susan Sturm describes the difference between what she calls first- and second-generation discrimination. First-generation employment discrimination is intentional and explicit: “workplace segregation was maintained through overt exclusion, segregation of job opportunity, and conscious stereotyping. Dominant individuals and groups deliberately excluded or subordinated woman and people of color” (2001: 465). During the civil-rights movement and afterward, legislators and advocates passed laws that made this form of discrimination illegal by prohibiting the use of race or gender as a factor in hiring decisions, requiring the same standards and processes for recruitment, hiring, training, promotion, and so on (467).

Though this first generation of discrimination persists, Sturm shows that it is now compounded by a second generation of discrimination that is more subtle and complex. Second-generation discrimination consists of patterns of exclusion that result from personal interactions over time that may not involve intentional exclusion or bias. Second-generation harassment may, for example, “consist of undermining women’s perceived competence, freezing them out of crucial social interactions.” The “glass ceiling” that blocks the

advancement of women and people of color remains “largely because of patterns of interaction, informal norms, networking, training, mentoring, and evaluation” (2001: 469). These more subtle patterns of discrimination have proven resistant to the antidiscrimination laws that successfully addressed much first-generation discrimination, because practices that produce second-generation discrimination vary across workplaces and frequently elude explicit understanding by either perpetrators or victims of discrimination. The force of binding law is insufficient to secure equality of economic opportunity against the challenges of second-generation discrimination.

But these problems have been addressed successfully in many workplaces. Successful strategies often result from groups of employees and managers who engage in workplace problem-solving to identify the behavioral patterns, norms, and policies that constitute second-generation discrimination. To mitigate discrimination, these findings must then be incorporated in the human resource practices and culture of the organization (Sturm 2001: 479). Firms who engage in this sort of introspection and internal reform are frequently prodded, and then assisted, by external groups who advocate on behalf of female or minority professionals.

Women and people of color have an important interest in nondiscrimination. During the civil rights and women’s movements, many of them actively exercised influence over employment decisions through the power of antidiscrimination laws to protect these interests. These tools of active/indirect influence have shown themselves to be much less effective against a second generation of workplace discrimination. But other forms of influence, in particular the active-direct mode of employee participation (I in Table 11.1) in the formation of human resource and promotion policies, have proven more effective. These efforts may in the medium term help to alter norms and habits of organizational management in ways that promote equal opportunity (IV in Table 11.1). When representative government does not enable individuals to influence decisions affecting their important interests, the principle of affected interests demands other avenues of influence be created.

Conflicts of Authority and Membership

In a world of multiple and dynamic memberships, conflicts over who ought to have influence, how much they should have, and over which organizations

are bound to arise.³⁶ Adjudicating these conflicts requires both appropriate principles and adequate institutions. Adjudication principles would specify what kinds of interests are sufficient to warrant participation in an organization's decisions, the priority of different interests, and the kinds of influence that ought to be conferred. In a conflict between, for example, the "affected interest" of a homosexual couple who would benefit from laws permitting same-sex marriage and a third party who is offended by the notion of same-sex marriage, one might argue that the interest in successful long-term partnership is more fundamental than the interest in non-offense.

Principles of adjudication would also specify how influence should be distributed. A natural interpretation of the principle of affected interests would be to distribute influence in proportion to the degree that interests are affected, rather than affording all who are affected an equal opportunity to influence a decision.³⁷ Working out these principles of adjudication must, however, be left for another occasion.

As an institutional matter, who would apply these principles of adjudication to assure that organizational enfranchisement satisfies the principle of affected interests? A complex world requires complex institutions to protect participation rights. Despite many flaws, the nexus of laws, courts, and administrative practices such as notice-and-comment, administrative hearings, and regulatory negotiation in the United States offers some insight into how participation rights might be adjudicated. That experience covers only administrative agencies in a single country, and the principle of affected interests would regulate a much larger array of organizations in many other areas. In a future imagined to be more democratic than the present, there might be many juridical bodies (perhaps both courts and citizens' juries) charged with enforcing the principle of affected interests and its associated rights to participation in different territories (Kenya, the U.S., New York State), across sectors (different courts for businesses, administrative agencies, civil society, and government), or issue areas (environment, education, infrastructure projects funded by international development assistance). If the principle of affected interests were widely accepted, it is not difficult to imagine how institutions would enforce it.³⁸

As a practical reality, however, a full-fledged structure of juridical institutions that enforces the principle of affected interests is as fanciful as a cosmopolitan democratic government. Today, the principle of affected interests is vindicated incrementally and haphazardly through the court of public opinion. When obviously important interests—human rights, health,

economic livelihood, children's education, and so on—are adversely affected by the decisions of governments, international financial and trade organizations, corporations, and even nongovernmental organizations, those who are affected sometimes rise up to demand influence. When investors and community residents demand more voice in the decisions of corporations, neighborhood groups ask for participatory planning, and governments of developing countries want greater say in UN Security Council or world trade decisions, they appeal to the principle of affected interests. Because organizations and their constituencies are not immune from the appeal of this norm and the pressures that it generates, targeted organizations sometimes enfranchise their critics. Such spontaneous compulsion, however, enforces the principle in a highly uneven way. Perhaps in the fullness of time, this democratic norm will spread from the world of impulsive political movement to institutionalized law and regulation.

Conclusion

The principle of affected interests remains one of the most firm and widespread democratic intuitions. The sensibility that people should be able to influence decisions that affect them grounds not only commitments to representative government, but complaints about the democratic deficits of organizations like the European Union, World Trade Organization, and Royal Dutch Shell corporation. It drives demands for participation not just upward from the nation-state, but also outward—into corporations and nongovernmental organizations—as well as downward—into local governments, administrative agencies, communities, and neighborhoods. In the pages above, I have tried to formulate that principle in a way that is plausible and attractive.

This discussion is incomplete. I have not specified which individual interests are sufficiently important to warrant having influence. I have not specified the values—economy of time and attention, extent of influence, deliberateness of control—that guide choices among alternative ways to satisfy the principle of affected interests. Furthermore, individual influence is not the same thing as democratic control. Influence must be rise above a threshold and be distributed fairly to count as democratic. Authoritarian leaders know that they can go so far that they will be overthrown, and so avoid that precipice. Though these countries are far from democratic, people in them have some weak influence over their political leaders.

Nevertheless, I have tried to develop the principle of affected interests in several ways that render it coherent, feasible, compatible with the complexity of contemporary governance, and yet still responsive to these radical democratic intuitions in two main ways. First, this conception urges citizens to focus their democratic ambitions beyond the state. Standing at the beginning of the twenty-first century, we need a democratic theory that accounts for the bewildering range of nonstate actors that profoundly affect our fundamental interests and the ordering of our collective lives together. What range of decisions and actions of those “private” actors should be subject to democratic control? Who has warrant to exercise that control? The principle of affected interests provides answers to both these questions.

Second, my rendering of the principle of affected interests sketches four pathways to influence. Private, civic, or extraterritorial power may be brought to heel, democratically speaking, not just through the regulatory machinery of states (active, indirect control), but through mechanisms of direct, citizen to non-state actor, influence (e.g., governing board representation or consultation), as well through passive mechanisms. This more capacious conception of democratic influence provides a normative lens to make sense of the plethora of consultative and representative mechanisms created by non-state actors such as international organizations, NGOs, and even private corporations. The principle of affected interests articulates a standard for judging the democratic sufficiency of such mechanisms. Finally, it provides a justification for mechanisms that control forms of private power that elude the modern state’s grasp.

According to the principle of affected interests, an individual should have influence over many different organizations because many affect his or her important interests. If we imagine every organization as having a circle of inclusion around it with all of those in the circle having some influence, every individual would be a member of many circles—some above the level of the nation-state and many below it. In some of those circles, individuals might exercise their influence directly through committee democracy, and in others indirectly through votes for representatives. In many, perhaps most, circles, however, individuals would exercise a passive influence that causes organizations to make decisions that are responsive to their interests and preferences through structural inducements, norms, or regulatory provisions. As the effects of organizations shifted, constricted, or expanded, political leaders, citizens, and advocates would press them to adjust their boundaries of inclusion according to a broadly accepted principle of affected

interests. Such a world would better realize the democratic ambition to subject fate and arbitrary power to popular control.

References

- Archibugi, Daniele, and David Held. 1995. *Cosmopolitan Democracy: An Agenda for a New World Order*. London: Polity Press.
- Arrhenius, Gustaf. 2005. "The Boundary Problem in Democratic Theory." In *Democracy Unbound: Basic Explorations*, ed. F. Tersman. Stockholm Studies in Democratic Theory 1. Stockholm: Stockholm University. 14–29.
- Beitz, Charles. 1989. *Political Equality: An Essay in Democratic Theory*. Princeton, N.J.: Princeton University Press.
- Benkler, Yochai. 2006. *The Wealth of Networks: How Social Production Transforms Markets and Freedom*. New Haven, Conn.: Yale University Press.
- Blake, Michael. 2001. "Distributive Justice, State Coercion, and Autonomy." *Philosophy and Public Affairs* 30 (3): 257–96.
- Block, Fred. 1977. "The Ruling Class Does Not Rule: Notes on the Marxist Theory of the State." Reprinted in Fred Block, *Revising State Theory: Essay in Politics and Postindustrialism*. Philadelphia: Temple University Press, 1987.
- Bohman, James. 2007. *Democracy Across Borders: From Dêmos to Dêmoi*. Studies in Contemporary German Social Thought. Cambridge, Mass.: MIT Press.
- Cohen, Joshua. 1997. "Deliberation and Democratic Legitimacy." In *Deliberative Democracy: Essays on Reason and Politics*, ed. James Bohman and William Rehg. Cambridge, Mass.: MIT Press. 67–92.
- Cohen, Joshua, and Joel Rogers. *On Democracy*. New York: Penguin, 1983.
- Dahl, Robert. 1967. "The City in the Future of Democracy." *American Political Science Review* 61 (4): 953–70.
- . *Democracy and Its Critics*. 1990. New Haven, Conn.: Yale University Press, 1989.
- . *After the Revolution?: Authority in a Good Society*. Rev. ed. Yale Fastback Series. New Haven, Conn.: Yale University Press.
- . 1994. "A Democratic Dilemma: System Effectiveness Versus Citizen Participation." *Political Science Quarterly* 109 (1): 23–34.
- Dahl, Robert A., and Edward R. Tufte. 1973. *Size and Democracy*. Stanford, Calif.: Stanford University Press.
- Dewey, John. 1927. *The Public and Its Problems*. Athens: Ohio University Press.
- Fair Labor Association. 2002. "First Public Report: Towards Improving Workers' Lives." Washington, D.C., July 31, 2002.
- Goodin, Robert. 2007. "Enfranchising All Affected Interests, and Its Alternatives." *Philosophy and Public Affairs* 35 (1): 40–68.

- Grewal, David Singh. 2009. *Network Power: The Social Dynamics of Globalization*. New Haven, Conn.: Yale University Press.
- James, William. 1887. "The Laws of Habit." *Popular Science Monthly* 30 (February): 433–51.
- Kahneman, Daniel. 2011. *Thinking, Fast and Slow*. New York: Farrar, Straus and Giroux.
- Lessig, Lawrence. 2006. *Code: And Other Laws of Cyberspace*, Version 2.0. New York: Basic Books.
- Lindblom, Charles E. 1977. *Politics and Markets*. New York: Basic Books.
- . 1982. "The Market as Prison." *Journal of Politics* 44 (2): 324–36.
- Lukes, Steven. 2005. *Power: A Radical View*. 2nd ed. London: Palgrave Macmillan.
- Macedo, Steven. 2008. "Representation-Reinforcing Multilateralism: How International Institutions Can Promote Fairer Representation and (Non-Electoral) Democracy." Presented at Representation Workshop, University Center for Human Values, Princeton University, December 5–6.
- Mansbridge, Jane. 2003. "Rethinking Representation." *American Political Science Review* 97 (4): 515–28.
- . 2008. "The Place of Self-Interest in Deliberative Democracy." Manuscript.
- Mansbridge, Jane, James Bohman, Simone Chambers, David Estlund, Andreas Føllesdal, Archon Fung, Cristina Lafont, Bernard Manin, and José Luis Martí. 2010. "The Place of Self-Interest and the Role of Power in Deliberative Democracy." *Journal of Political Philosophy* 18 (1): 64–100.
- Mill, John Stuart. 1991 (1861). *Considerations on Representative Government*. New York: Prometheus.
- Montenaro, Laura. 2008. "Self-Authorized Representation." Presented at Representation Workshop, University Center for Human Values, Princeton University, December 5–6.
- Nozick, Robert. 1974. *Anarchy, State and Utopia*. New York: Basic Books.
- Nye, Joseph and Robert Keohane. 2000. "Introduction." In *Governance in a Globalizing World*, ed. Joseph Nye and John D. Donahue. Washington, D.C.: Brookings Institution Press. 12–13.
- Obama, Barack. 2010. Address before a joint session of the Congress on the state of the union, January 27. <http://www.whitehouse.gov/the-press-office/remarks-president-state-union-address>
- Ogden, Timothy. 2011. "How Much Difference Is It Making (Living with the Gates Foundation)." *Alliance Magazine*.
- Parijs, Philippe van. 1991. "Why Surfers Should be Fed: The Liberal Case for an Unconditional Basic Income." *Philosophy and Public Affairs* 20 (2): 101–31.
- Pettit, Philip. 2000. *Republicanism: A Theory of Freedom and Government*. Oxford Political Theory. New York: Oxford University Press.
- Pratkanis, Anthony and Eliot Aronson. 2001. *Age of Propaganda: The Everyday Use and Abuse of Persuasion*. Rev. ed. New York: Owl Books.
- Rawls, John. 1971. *A Theory of Justice*. Cambridge, Mass.: Harvard University Press.

- Reich, Rob. 2012. "A Failure of Philanthropy: American Charity Shortchanges the Poor, and Public Policy Is Partly to Blame." *Voices in Urban Education* 32: 42–48.
- Rittel, Horst, and Melvin Webber. 1973. "Dilemmas in a General Theory of Planning." *Policy Sciences* 4: 155–69.
- Rubenstein, Jennifer. 2007. "Accountability in an Unequal World." *Journal of Politics* 69 (3): 616–32.
- Saward, Michael. 2008. "Citizens in the Grey Zone: Democratic Credibility and Non-elective Representation." Presented at Representation Workshop, University Center for Human Values, Princeton University, December 5–6.
- Schmitz, Hans Peter, Paloma Raggo, and Tosca Bruno-van Vijfeijken. 2011. "Accountability of Transnational NGOs: Aspirations vs. Practice." *Non-Profit and Voluntary Sector Quarterly* 20 (10): 1–20.
- Sen, Amartya. 2009. *The Idea of Justice*. Cambridge, Mass.: Belknap Press of Harvard University Press.
- Smith, Mark A. 1999. "Public Opinion, Elections, and Representation Within a Market Economy: Does the Structural Power of Business Undermine Popular Sovereignty?" *American Journal of Political Science* 43 (3): 842–63.
- Stewart, Richard B. 1975. "The Reform of American Administrative Law." *Harvard Law Review* 88 (8): 1667–813.
- Sturm, Susan. 2001. "Second Generation Employment Discrimination: A Structural Approach." *Columbia Law Review* 101 (458): 1–121.
- Sunstein, Cass. 1990. *After the Rights Revolution: Reconceiving the Regulatory State*. Cambridge, Mass.: Harvard University Press.
- Weber, Edward P. 2003. *Bringing Society Back In: Grassroots Ecosystem Management, Accountability, and Sustainable Communities*. American and Comparative Environmental Policy. Cambridge, Mass.: MIT Press.
- Whelan, Frederick G. 1983. "Prologue: Democratic Theory and the Boundary Problem." In *Liberal Democracy*, ed. J. Roland Pennock, and John W. Chapman. *Nomos* 25. New York: New York University Press, 13–47.