

Introduction

SEARCH FOR THE MOMENT you came to believe that your state was committing a crime. You suspected this for some time. At some point your suspicion hardened into a belief. Then it dawned on you that you live in and have some modicum of control over a democratic, unjust state. Your state tortured individuals. Or it engaged in an unjustified war. Or it failed to insure individuals against severe deprivation. When you arrived at this belief, there is a sense that you hardly learned anything new. You have long known that the world contained an alarming number of instances of injustice. But now the phenomenology is different. Where you stand seems to make an important difference.

There is a special horror that you experience when state-sponsored injustices are committed in your name. The self-directed attitudes seem real: shame and even guilt. So do the other-directed attitudes: indignation and resentment. You do not respond in this way when you learn of similar injustices carried out by other states. It is difficult to make sense of precisely *whom* or *what* these participant attitudes that you experience as authentic are targeting. After all, you have never engaged in the conduct we usually associate with accessories to a crime. There was no getaway car—none of the familiar aiding or abetting. You never checked a box on a referendum authorizing a particular unjust action or wrote a supportive op-ed on its behalf. Is our idea of citizenship strong enough to implicate you?

All of us were born into a political structure that we did not preselect. Our involuntariness as citizens is the oldest preoccupation of political philosophy. How can you consent to state coercion, even tacitly, if you were baptized as a citizen at the moment of birth? Socrates had the first and, to many peoples' ear, still the best answer to the problem of forced citizenship. Over time we come to own the office of citizenship. This process happens imperceptibly. Its conclusion can seem inevitable. Our discrete interactions with political institutions voluntarily tie us to its largesse. Socrates' focus was on the benefits that we accept as inhabitants of the state.¹ He argued that the transactional relationship—"deeds not words"—could justify the state's coercion of the individual citizen. He followed the argument where it led him, and it sealed his fate.

If you are a citizen in a democratic regime, you face an even more troubling involuntariness. You may experience a sense of distress for participating in political institutions that could not be justified to other citizens—who themselves are living here by the accident of birth. Or,

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looking outside your state, you may feel personal responsibility for relying upon political institutions that operate by exploiting people far away. Socrates put the problem as one of self-regard. Should you accept the setting back of your own interests out of political obligation? But for many of us, the more disturbing problem is other-regarding. I believe this updated form of the problem of involuntariness is even more resistant to solutions.

Not only are you coerced without your consent, but you participate in the coercion of others through a position that you did not seek. You insist that you never set out to wrong other citizens or noncitizens abroad. Still, your self-reactive attitudes of shame and indignation persist. They can bring on the feeling that you are trapped in an institution in which you retain an authority position. No matter how much you dwell on the tinniness of your allocated power, your distress seems to speak to your moral liability. It doesn't help to fall back on the shoulder-shrugging line, "I'm not in charge here." In this book I argue that there are responsibilities of the democratic citizen that are nondelegable. For a knife-edge case, think of the pivotal voter. In the musical *1776*, a heavily fictionalized James Wilson realizes that his ballot will carry the day on the Declaration of Independence. If he votes the document up, he will be "one among dozens." His name will be washed out in a sea of other votes. If he votes against the Declaration, he will be remembered as "the man who prevented American Independence." He rejects this option with a summary judgment: "I just don't want the responsibility."²

I take complicity to be the professional hazard of democratic citizenship. Public officials claim to govern, act, and speak in our name. Because our primary mode of political agency is mediated, we are vulnerable to the charge of participating in the wrongdoing of another. Ordinary political morality holds that the denizens of a representative democracy—the electors and the elected—can bear responsibility for their shared terms of interaction. Just political institutions are not self-sustaining, and unjust ones hardly repair themselves. They are parasitic upon the decision making of living, breathing persons. How do we distribute responsibility for injustice among these democratic actors? Does the fact that we are "named" make us responsible for the wrongs of our state?

THE PROBLEM

Our convictions about the liabilities of citizenship are in flux. When our political institutions manifest injustice, we tend to direct our gaze not to the side but upward. We blame those who hold official positions of power. This tendency is so reflexive that we are capable of holding

representatives responsible for natural events—for shark attacks and regional droughts.³ If citizenship is a political office of sorts, it is a peculiar one. For its occupants can come to feel insignificant. They come to see the activity of voting as an exercise in the absurd. Why vote when one feels like a tiny speck in a vast political universe?⁴ Investing in serious reasoning about politics, let alone journeying to the polls, can resist justification. Seen from this perspective, the bare idea that we all rule as equals doesn't capture our lived experience of democracy. When your state acts unjustly, surely you have standing to insist that *you* didn't wrong anyone. On this no-liability view, citizens have very limited moral exposure. Just like stakeholder in a risky company, their liability is constrained.

Why would you see yourself as sharing in the responsibility for a political decision? If we are all deemed “causally impotent,” as some observers have urged,⁵ state-generated injustice can seem uncaused—untraceable to any agent. The conclusion that none of us is liable is implausible. This may nudge you to move toward the other pole. Why not think of yourself as strictly liable for your state's injustice? Surely you and I must bear some degree of responsibility when the democratic state acts unjustly. We testify to our individual liability when we experience the participant attitude of shame. Or when we are embarrassed to confess our political ignorance. A surprisingly large percentage of citizens feel compelled to forge a judgment about a make-believe bill pending in the legislature.⁶ If each of us is a coruler, responsibility attaches to all. Perhaps this chagrin is fully warranted. “The society makes us responsible for its acts,” Thomas Nagel claims, “which are taken in our name and on which, in a democracy, we may even have some influence.”⁷ That society “makes me” responsible has a mysterious ring. Two hypotheses are at work. Your responsibility may flow from your causal contribution, however modest your influence may be. Or it may follow from the fact that your representatives “name” you. They claim to be an agent of a collection of citizens. They treat you as their *principal*.

We can reject both ways of distributing responsibility. The zero- and strict-liability views model the two implausible end points. If you rely on a simple model of democracy as collective decision making, the problem can seem intractable. To avoid these poles, let us work from the idea of a representative democracy as a complex agency relationship. Your lingering sense of responsibility may speak to the concern of secondary injustice. “When such things are done or funded through the political system,” Robert Nozick claims, “everyone is willy-nilly an accomplice.”⁸ He is right to stress the menace of complicity, but his blanket conclusion is strained. The ordinary idea of an accomplice is familiar. You support the wrongs of another person. How can you be an accomplice to a political system? This may be shorthand for a more complex relation. If a policy

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can coherently have a personified will behind it, then as constituent parts, we can be subject to moral blame. It is hard to see how this differs from the old model of guilt-by-association. Political officials can assure me that they are taking actions in my name, but that doesn't seem to make it so. In this book I resist treating complicity as an umbrella concept while accepting the hazard of serving as accessories to—or even coprincipals with—our political representatives.

We lack a compelling story about how coercive institutions can implicate us in injustice. On my telling, our moral link lies in the contribution that we make, as citizens, to our political institutions. The special agency relationship between citizens and representatives will play a starring role in my story. It will serve dual purposes, clarifying the conditions under which injustice is performed in our name and pointing to ways for us to void that relationship. Our tethering to political institutions has diverse sources. We support a candidate who commits moral crimes in office. We occasionally bypass this agency relationship, voting up or down a referendum. We fail to resist a policy injustice with sufficient force. Complicity's democratic mode is more often expressed in inattention—the failure to take notice. It is more often a product of irresponsibility of the mind than a willful act of participation. Barbara Herman characterizes this species of injustice well:

If we do not live in morally transparent times, if our institutions mask forms of wrongful activity, then we will need to be wary of unintended complicity with wrongdoing. And if, as I believe, we can be responsible even in these situations for getting things right, then . . . our duties to be and become effective moral agents, may turn out to be ones that are genuinely demanding.⁹

Large-scale injustices can be especially difficult to perceive. Political institutions can conceal their defects, disarming the intuitions of unease that pull us to reconsider our convictions. To compound the opacity of unjust institutions, we can participate in our own nearsightedness. The philosopher Charles Sanders Peirce was careful to avoid arguments that threatened his beliefs about free trade. He so badly wanted to hold them that he stopped reading the newspaper. Whatever you think about his political conviction, you should worry about his attempt at epistemic protectionism—or, in the phrase favored by political commentators today, “epistemic cloture.”¹⁰

False political beliefs can be sustained by omission. Our chronic failure to manage them ensures longevity. Some of the most stable findings in modern opinion polling reflect inattention. Americans consistently report that 25 percent of the federal budget goes to foreign aid. Other convictions are so pernicious that they demand considerable effort to survive.

In the face of powerful evidence to the contrary, individuals who wish to sustain them seek out closed epistemic communities. Each year the Heartland Institute's Climate Conference brings together ordinary citizens and political operatives. The gathering is organized around denying the scientific reality of global warming. This collection of skeptics has been credited with playing a nontrivial role in stalling all major environmental legislation.¹¹ The conference isn't entirely cloistered. Some of the attendees presented themselves as "lukewarmers," whose rejection of the evidence is more limited than the all-out deniers. When citizens fail to remove lawmakers from office out of willful ignorance or support their reelection on the basis of curated beliefs, they provide accessorial support for injustice. Putative experts are positioned to exploit the epistemic vulnerabilities that make denialism possible. The academics who helped popularize the specious idea of "global cooling" were not themselves warming skeptics, but their contrarian labeling lent credence to a view that some citizens wish to believe. In providing resources to engage in belief mismanagement—self-deception, wishful thinking, and related failings—experts serve as accessories to willful ignorance and its policy consequences.¹²

Until now we have held the roles of democracy's agency relationship constant. Citizens functioned as principals, and representatives served as their agents. But in a democracy this relationship is reversible. If our representatives and state institutions are answerable to the larger electorate, then we can act as the primary agents of injustice, while our political agents serve to aid and abet our actions. How we construe primary and secondary injustice will depend upon the character of the relationship between citizens and lawmakers. In this book I construct a version of this agency relationship. If citizens passively sit by while legislators vote—with little or no supervision—we can be responsible for giving up authority that we are not permitted to hand off. The Lorax, with its imperial mustache, "speaks for the trees" only because the trees cannot speak for themselves.¹³ On my view, we cannot absolve ourselves of responsibility, outsourcing representatives who act as our Loraxes. The *liabilities* of citizenship systematically depend on the *demands* of citizenship, so let us consider these two pieces in turn.

THE DEMANDS OF CITIZENSHIP

As a popular and philosophical ideal, citizenship has become intensely demanding. The "informed citizen" is depicted as possessing an encyclopedic knowledge of politics and policy. This omnivorous ideal was a comic target of Joseph Schumpeter. His straw citizen "hold[s] a definite

and rational opinion about every individual question and that they give effect to this opinion by choosing representatives who will see to it that that opinion is carried out.”¹⁴ None of us is capable of honoring such rigoristic demands. Forming a responsible judgment about every decision of the modern democratic state would take many lifetimes. The figure that he is targeting bears a family resemblance to the high scorers on the political information tests of political science. This form of assessment has a place in our understanding of democratic life. But it is hardly a measure of a citizen’s all-out competence. The individual we met earlier, who makes an annual trip to a denialist conference, could receive a perfect score on the stock metrics of political information. This suggests the ideal of citizens as simple gatherers of empirical facts—even political buffs—is seriously incomplete.

Unsurprisingly, philosophers have stressed practical reasoning rather than empirical knowledge as the touchstone of citizenship. For John Rawls, citizens should “think of themselves *as if* they were legislators and ask themselves what statutes...would be reasonable to enact.”¹⁵ We may praise a citizen for taking on a second job if it preserved their other commitments. This as-if ideal sets an implausibly lofty standard. The number of decisions that a modern democracy faces in any legislative session is vast. They are becoming more computationally intense as the social sciences mature. I find it difficult to square this conception of the citizen with Rawls’s claim that “only a small fraction of persons may devote much of their time to politics”?¹⁶ There is a mismatch between the account’s demands and its allegedly lightweight footprint in time and energy.

We are looking for a Goldilocks solution to this atomic office of democracy—one that is neither too strong nor too weak. To get a grip on our decision-making responsibilities, I propose that we take up the first-personal perspective of the citizen operating in an imperfectly run democracy. This is a very different perch from the institutional designer or, in Henry Sidgwick’s pointed phrase, “the point of view of the universe.”¹⁷ The participant stance has prospective and retrospective dimensions. The *ex post* view reveals subtleties in our obligations that we are prone to glance over. It can help us see how the responsibilities of citizenship bear a systematic connection to the justifiability of our state structures. We come to see which of the state’s actions that we “own” by reflecting on our liability to blame, shame, and other reactive attitudes. In this sense the project is backward-looking, spelling out how we should distribute moral responsibility for injustice with a democratic pedigree. The approach is also forward-looking, generating obligations of participation and belief. These aims are mutually supporting. Pursuing them together can help us understand what we owe each other in virtue of sitting in

most elemental political office of all. From the participant's viewpoint, a theory of democratic citizenship owes us direction on three interlocking problems:

The Ethics of Participation: Why should I participate in a democracy?

What is the root moral idea behind our participatory responsibilities? How does the valence of participation change under unjust political institutions? Am I blameworthy for failing to participate?

The Ethics of Belief: How should I manage my political beliefs? How

can I guard against the well-known biases in reasoning—wishful thinking, self-deception, and confirmation bias? When, in short, am I permitted to be *ignorant* about politics and policy?

The Ethics of Delegation: When can I contract out my obligations to a

trusted representative? Can I offload all or nearly all of my political reasoning to representative agents? What are the limits of political representation?

This book attempts to solve these three problems simultaneously. They are so tightly wound together, if you pull at a string of one problem, a knot in another will inevitably budge. Unless you find voting by darts to be palatable, you cannot address the obligations of participation without an understanding of what counts for responsible belief. Nor can you explain when citizens are permissibly ignorant without an account of their division of decision-making labor with lawmakers. If citizens and representatives stand in an agency relationship, treating these pieces of a set diagram in isolation has theoretical costs.¹⁸ The ordinary morality of citizenship and representation bears the weight of this separate attention. Consider three tropes.

Citizenship is a voracious ideal. Try to derive the responsibilities of citizens independently from a working theory of representation. You will be tempted to view citizens as trained theorists or athletic deliberators—to conflate the obligations of citizens and lawmakers, just as Rawls did earlier. I argue that a theory of democratic citizenship should be responsive to our institutional setting and limited cognitive load. It should preserve ample space for our nonpublic strivings and projects by articulating principles that help us handle the cognitive overload in modern political life. Democratic theory needs an update—one that is sensitive to our bounded rationality and our morally bounded institutions.

*Direct democracy is impossible or at least impracticable.*¹⁹ This line has taken on a nearly scriptural place in work on democracy. If considerations of size and complexity take assembly democracy off the table altogether, our jobs are no doubt simpler. But theorists should handle the axiom—“ought implies can”—with care. It is too easy to foreclose options without good reason. In a ubiquitously networked society, there

is nothing technically prohibitive about direct rule by the people.²⁰ Every citizen could carry an always-connected device with a secure platform for real-time voting. The impossibility assumption is false. Why not appeal to the relaxed assumption of infeasibility? This packs considerable normative content into the idea of feasibility. It conceals a technologically available but unappealing alternative. The danger is that we pass off a value judgment as an empirical claim. If we view representative democracy as a second-best system—as a stand-in for direct democracy—our approach to the ethics of delegation will look rather different from a view that defends representative democracy as the most plausible institutional form—or perhaps the least implausible form of self-government.²¹

Elected representatives have wide moral latitude in choosing how they respond to their constituents. Lawmakers who exhibit “profiles of courage” rebuff their constituents. The counternormative model of the panderer carries considerable weight in day-to-day politics. Theorists of representation, as well, have tended to conclude that there is no determinate way of resolving a representatives’ correct role. This flows from their inattention to the epistemic division of labor between citizens and representatives. When citizens responsibly arrive at conclusions about grave moral choices facing the polity, it is far from obvious that lawmakers can give this consideration no weight at all. I deny the view that little to no guidance can be offered to democratic lawmakers—beyond the theories of justice, equality, and fairness on offer from the canon of political philosophy. On my view, citizens stand in a relation of practical authority over the decision making of their representatives. This authority relationship is limited. But it serves as an important constraint on acceptable modes of representation. Unlike leading approaches, my view of principle-based representation is marked by much less indeterminacy.

THE LIABILITIES OF CITIZENSHIP

If you build a piece of furniture yourself, you will probably value it more than an identical piece that comes preassembled. We are interested in the democratic version of the IKEA Effect.²² When we play a role in sustaining a shared coercive institution, how can we explain the special moral concern that we have for its actions? The idea that citizens have a distinctive responsibility for what their state does can seem obviously correct. But without an argument, this intuitive judgment may be no more rational than our higher valuation of the minimalist desk that we put together ourselves. “Citizens have a special responsibility for unjust wars fought by their own state,” Jeff McMahan argues, “for the simple reason that it is *their* institutions that are then malfunctioning.”²³ Although I accept

the claim's truth, we need to unpack the special reason that the pronoun marks out. When my state engages in an unjust war, how do I relate to its action? Suppose I cast a ballot for the elected officials who launched the war. Was this injustice reasonably foreseeable? Or suppose I have neither voted nor engaged in any kind of protest. Does my bystander stance make me an accessory?

When political theory delivers uniformly unsurprising verdicts, you should be suspicious. Our favorite intuition is that our home institutions are more or less justifiable. A put-up theory can facilitate our own complicity in the institutions and practices that it blesses. The risk is heightened when the theory's subject is as fraught with oughts as citizenship.²⁴ Approaches to citizenship run the gamut from self-regarding voting to impartial deliberation about the common good. Disagreement this stark is probative evidence of a philosophical topic in its early stages. We can make progress by sticking our necks out, proposing principles that are revisionary of ordinary practice. The theory of citizenship that I describe and defend here is not likely to induce comfort in readers. You can see this by jumping ahead to some of the verdicts that can be drawn from my approach.

Citizens can be morally liable for the votes of their representatives. We can accrue responsibility for placing into office representatives who pursue unjust policies. This can hold even when the lawmaker's policies were not easily or even reasonably foreseeable at the time of the election. On the other hand, those who vote against a candidate serve to cancel their causal connection. While they may still have reason to undo an injustice by a representative that they opposed, this is not a function of their moral liability. Electing not to vote, or to vote for a marginal candidate as an expressive act, is generally not a fruitful method of complicity avoidance. Citizens, then, can rightly face the charge of liability for state injustices over which they had no direct control. This may seem to run up against the limiter of "ought implies can." My view avoids this objection by registering the diversity of ways it is possible to *void* our complicitous relation. We can, for instance, engage in directed protest and pursue available means of breaking our causal contribution to an institution. There is a limit to our voiding capacity. Through their voting and other political activities, citizens can place themselves in moral blind alleys. Here any of their available actions will be morally unacceptable. Citizens can place themselves in this position through avoidable political activities. Those who support a seriously unjust state policy are not "off the hook" even if they were subjected to propaganda by state officials. If other citizens,

epistemically positioned as they are, are able to see through this dissembling injustice, we have strong evidence that there was a reasonable opportunity to arrive at the correct view. Exposure to illicit epistemic means can serve as an excusing condition, but it doesn't break the liability relationship.

In a representative democracy, citizens have reason to reduce their "complicity footprint" through more active participation. This sounds jarring. You may be assuming that inaction is a principal means of avoiding relationships of this kind. But the valence of complicity changes in circumstances where we already stand in relationships with individuals and institutions. Our vertical link to our state and our horizontal tie to other citizens are relationships that most of us didn't choose. But given that these come prefabricated, the usual devices for countering complicity are of little use. If a few people walk up to you on the street and invite you to be their getaway driver, you would do well to walk away. It is mistaken to argue by analogy for political quiescence. Given the sheer number of morally momentous issues that we resolve politically and the persistent disagreement about the justification of any seriously contested public policy, it is extremely likely that most readers hold some unjustifiable convictions about public policy, and it is plausible to conclude that many readers have themselves mistreated their fellow citizens in the support of policies that are morally unacceptable. These wrongs trigger greater participatory obligations in a democracy. Individuals who realize that they have supported an unjust policy—whether through negligent reasoning or no reasoning at all—accrue obligations that can be satisfied only through further participation in the office of citizenship.

Voting is not a form of gambling. Our obligation to participate cannot be explained by the vanishingly small chance that we will personally swing the election. The voting citizen doesn't conceive her action in the same terms as a lottery player. Henry David Thoreau was mistaken if he thought he was describing how voters should act rather than how we often do act: "Voting is sort of gaming, like checkers or back gammon, with a slight moral tinge to it, a playing with right and wrong, with moral questions; and betting naturally accompanies it. The character of the voters is not staked. I cast my vote, perchance, as I think right; but I am not vitally concerned that that right should prevail."²⁵ If ordinary thought treats voting as an action without a strongly moral valence, it is profoundly mistaken. I will argue that our beliefs about voting are distorted by assumptions about the character of our individual action. The tempting error is to rely on our village-level

intuitions about causation. Only with revision can they scale to humongous settings. When we reflect on the point of contributing to a collective aim, we see how individual votes entail a certain kind of joint ambition. Our votes can function as partial causes in an election.

Citizens can typically satisfy their obligations without applying a theory of justice or participating in deliberative forums. The citizen depicted in political theory and occasionally political science is either deliberating from a working theory or ensconced in trivia about politics and policy. I object to this picture of the citizen as implausibly demanding. While citizens should bring some order to their political convictions through moral principles, they are under no obligation to hold a political *theory*. Nor are they generally obligated to participate in deliberative meetings. Some citizens would do well to attend town meetings and other deliberative fora. These settings can be instrumentally useful for some citizens, offering them the best means of improving their political convictions. For others, such settings are not well suited for epistemic improvement. Contrary to leading approaches in democratic theory, regular public deliberation is optional for most citizens.

Inequalities in political power alter our liability for democratically sponsored unjust. In a seriously imperfect democracy, where power is distributed in a way that tracks income or wealth, the moral liability of citizenship can track these inequalities. If a tiered state acts unjustly toward its own citizens or the global community, the responsibility of individuals with disproportionate wealth will be significantly greater than that of individuals of lesser means. Individuals whose share of political power has been seriously diluted—by a system where material wealth tracks political power—retain a prerogative to refrain from voting. There is a real sense in which they lack access to the vote—at least on the idea of democracy as shared liability that I defend. My account can explain why their moral reason to vote is radically different from that of an individual whose power share is average or disproportionately high.

I air these conclusions with the luxury of postponing their arguments. No doubt you will not accept all of them, even if you accept the premises that I rely on to piece together a shared-liability conception of democracy. Our long haul through democratic theories of participation, belief, and delegation is necessary to arrive at these conclusions. Treating citizenship and representation as isomorphic tests patience, but the payoffs are considerable. At the heart of my view is that our individual responsibility for democratically generated wrongs depends on the kind of relation

that we bear to our elected officials and our state institutions. This view upsets the many theories of participation that hold our obligation to vote constant across democratic polities. It undermines assumptions by deliberative and epistemic democrats, who imagine decision-making responsibilities that are insufficiently sensitive to structures of representation. And it challenges the assumption, found in work in global justice and moral responsibility, that complicity is a perfectly generic problem.

We need a concept of complicity designed for a democratic habitat. If citizens possess the authority to order representatives on any given floor vote, our liability for quotidian injustice may be high. If, on the other hand, our authority is limited to periodically depriving them of power, this may alter the kind of responsibility that we bear for unjust laws. These sketches of conclusions are designed to show how attention to the interpersonal ethics of democracy is capable of generating surprising—and *prima facie* disagreeable—conclusions. To upend our ordinary beliefs about democratic responsibility, we can turn to settings that are, so to speak, in the wild.

JIM AND THE CITIZENS

Try to remove yourself from modern democratic life, leaving behind the usual assumptions about how responsibility and blame get distributed in a representative democracy. We have reason to be suspicious of our intuitive responses to objects of scrutiny so close to our political home. Just as “everyone’s favorite intuition” in debates about distributive justice is that the world is not seriously unjust, it is appealing to respond in ways that insulate us from moral liability. But this won’t do. Our reactions are too prone to distortion. The suspects include our preconceived notions of principal-agent relationships, drawn from law and business. Even more saliently, we may be subject to self-serving attitudes about our liability for state-sponsored injustices. My proposal is to examine our reactions to simpler relationships. We can get our intuitive responses straight in a context that falls far outside of the normal agency structures of democratic theory. Then we can patiently amend the case. Overlaying democratic elements can reveal complexities of secondary wrongdoing that vary across institutional backdrops. Along the way, nothing should be assumed about how well these responses in small, village-sized cases scale to representative structures.

Jim is on a botanical expedition.²⁶ As he steps out of the jungle he finds himself in a town square. A man called Captain points a firearm at twenty villagers. They are lined up, bound, gagged, and terrified. The Captain welcomes Jim as the town’s honored guest. He clarifies that the

villagers have been randomly chosen from the population, vouching that he will execute all twenty unless Jim himself kills one of the twenty. Jim cannot take control of the situation. He has strictly two choices. Either he kills one villager or the Captain or one of his proxies will kill all twenty. This venerable case has served many purposes. Most discussion of it has consisted in first-order reflection on Jim's decision. Under what circumstances may we collaborate with evil? Does fiddling with the numbers affect our considered judgment? If Jim refrains, is he acting in a morally self-indulgent manner? The story is deliberately stripped-down. My retelling is meant to accentuate the structures of agency in play.

Jim as a Delegated Agent

My analysis will revolve around two principal-agent relationships: the Captain's relation to Jim and to the villagers. Nearly all of the literature has focused on the former pair. Perhaps Jim's choice is between two modes of complicity. He can, on the one hand, take on the bad of being a *principal* who kills an innocent human being to save nineteen. On the other, he can absorb the bad of being an *accessory* to the killing of twenty human beings.²⁷ This way of describing the case may find support in some legal thought, but as a moral explanation I find it strained. For even in the case where Jim shoots, he is serving as an instrument of the Captain's will. We can put this in principal-agent terms. Suppose we treat the Captain as a diabolical principal. Jim is made an offer—one that is irresistible to consequentialists and tempting to a range of nonconsequentialists—to function as a kind of agent. If this description is right, Jim may not find the choice particularly difficult. He may think of himself as a pure proxy. When he shoots, he performs the Captain's action. How should we distribute responsibility in delegated cases?

The *insulation view* holds that all moral responsibility for Jim's action shifts back to the Captain. As a delegated actor, Jim may lack moral responsibility for his actions. On this view a moral responsibility is fully transferable. Frances Kamm endorses a strong version of this view.²⁸ She concludes that the agent who acts on behalf of a principal can permissibly act in ways that would be morally forbidden if performed by the agent. In defense of this view, she repairs to an argument by analogy. Suppose that I own an apartment complex and wish to evict a poor client. A sudden eviction would be morally impermissible for me to carry out. Kamm thinks that when I send my lawyer to carry out the eviction, the lawyer is shielded from the charge of wrongdoing.

We can resist this argument on two grounds. A first response accepts the analogy but denies the lawyer-client relationship that it endorses. Her claim is stronger than a "right to do wrong" approach. It is not that

the agent acts impermissibly but blamelessly, since she occupies a certain role. It is the claim that an agent—if she stands in a certain kind of relation to a principal—has a moral permission to act impermissibly.²⁹ I think we should try to avoid accepting a paradoxical view unless there are overwhelming reasons. Even if we take seriously the idea of a morality for professional roles, it is not obvious that there is nothing morally objectionable about the lawyer's actions.³⁰ What drives this intuition, I think, is the desire not to insulate the client. But it is unnecessary to deny the lawyer's responsibility in order to accomplish this. Moral responsibility and blame need not be conceived as fixed sums. I argue for this in chapter 2, offering positive reasons to deny a zero-sum approach. This position is subject to the dilution effect when groups of individuals come together to commit a wrong. But this, I claim, is a *reductio* of a view that treats moral responsibility as having a set amount.

The second rejoinder holds that the analogy is false. Jim and the Captain are, of course, strangers. There is no agreement between them to engage in the joint actions that characterize professional relationships. A further disanalogy is then drawn between Jim and democratically elected officials. Kamm compares Jim's position to "the position occupied by those citizens who . . . want to vote and work for politicians who will bear the responsibility for the nasty acts the citizens want done for the great good, but not by themselves."³¹ The motivation behind this thought is appealing. Kamm is eager to avoid exculpating citizens who install unjust regimes, just as she thinks that the client is fully responsible. One can reject that idea of a blameless agent, however, without insisting upon a blameless principal. The client who asks his lawyer to evict a client is offering explicit instructions. This level of preprogramming is generally unavailable to political representatives.

Even less plausible than the insulation view is *full exposure*. On this view, principals—whether the Captain or democratic citizens—can contract out moral responsibility. Suppose a constituency elects a democratic representative to perform tasks that it knows to be unjust. Surely it cannot claim to be shielded from judgments of responsibility. We can preserve this thought while rejecting the claim that the agent lacks responsibility. Principals who contract out others to perform tasks may be no less blameworthy than if they were themselves committing those wrongs. But it does not follow that their agents are insulated. If distributing moral responsibility is not a zero-sum activity, neither the insulation nor the full exposure view gets the correct picture. Liability to responsibility comes in degrees. In a principal-agent pairing, affixing responsibility to one individual need not subtract from the other. When we attempt to determine how blameworthy a principal is, we need not worry about diminishing the responsibility of an agent, and vice versa. This point applies in both

directions. Principals cannot insulate themselves by delegating out a wrong. Nor can agents avoid exposure by pointing to their instructions.

To register the responsibility of each party, we need to know more than we are told. There is nothing wrong with distilling a case to its essential parts. Eliminating noise is the point of thought experiments. We knowingly produce “bad literature,” as Williams himself warned, for good philosophical reasons.³² I think that this story’s silence on the relevant authority structures presents special difficulties that have not been acknowledged in the critical literature. It is tempting to infer that the Captain is a self-appointed dictator. Is he acting on behalf of a colonizing power? Is he freelancing as a local tyrant? Most commentators have assumed that his appointment comes from some power lacking a democratic source. It is credible to think of this situation as one where there is no law.³³ The Captain’s offer to Jim betrays an environment where rules are made on the fly.

The Villagers as Principals

Suppose these assumptions are mistaken. The ill-named Captain is a democratically elected provincial authority. He is acting upon an explicit law, freshly minted by a representative legislature. It calls for the executive to stave off future protests and was prescient enough to include a caveat for honored guests like Jim. The Captain is not a preprogrammed agent, but he is following a reasonably determinate law. Suppose further that the twenty villagers are democratic citizens. Some of them opposed the Captain and the legislation that grants him the discretionary power to execute civilians. Others played an active role in installing him into power. If Jim concludes that he has reason to shoot one of the twenty villagers, are these pieces of information relevant to his choice?

The full-exposure view denies this. It is insensitive to the democratic heritage of the Captain’s power and his subsequent offer. But it seems mistaken for the reasons we entertained earlier. Moral responsibility for grave decisions is not the kind of thing that can be outsourced to agents—even if they evince a willingness to take full responsibility. Take the villager in this line of twenty who campaigned for the Captain and his objectionable policies. If Jim’s choice is between rolling a twenty-sided die or targeting the Captain’s strongest supporter, the liability of the individual citizen may well serve as a plausible tiebreaker. Of course, at this very moment the supporter does not want to be the victim of the policy of targeting innocents. But he has a track record of supporting any candidate that will take this policy seriously. Or consider the less active villager. Say he voted for the Captain, and did so on the grounds that he supported this ruthless brand of imposing civil order. Can the mere fact

of his recorded vote also serve as a tiebreaker for Jim? We can imagine a villager standing next to this voter pointing out that she voted against the Captain on principled grounds. She might claim that this position gives her a kind of immunity compared to the voter and active supporter.

There is value in overlaying a representative political structure onto the story. If one is already inclined to accept Jim's offer—and most commentators have leaned in this tragic direction—adding information about grades of liable engagement can test our reactions to the many ways of being an accomplice. I want to distinguish several modes of complicitous agency that are characteristic of a representative system. The most active supporter of the Captain is a candidate for this role. His intentions co-meshed with the Captain's in the election. By investing his resources and time in the election, he shared in the project of electing an official prepared to carry out gravely unjust policies. It is very likely that his active support was not difference making, but this factor need not be—in itself—morally relevant. The more difficult case, I think, is the villager voter. Suppose her only contribution was registering her preferences on a paper ballot. This action was deliberate and informed. It was performed with a reasonably foreseeable picture of how the candidate would perform in office. Can this act suffice to make one morally liable and, by extension, to serve as a tiebreaker in Jim's decision of who may be permissibly targeted? Once we admit robust support as a ground for liability, it is difficult to resist extending this thought to the more passive. I don't want to pretend that our responses to this dilemma are conclusive.

The Captain as a Collective Agent

Our story has a twist. We assumed all along that the Captain was a flesh-and-blood agent. But say Jim didn't look closely enough. Further inspection reveals that the Captain is a collective agent, composed of a set of democratic procedures that instantiate laws and policies. When we refer to states, corporations, and other collectives as making decisions, we are accepting the presence of an entity that may be an independent evaluative location. What, if anything, changes when Jim's offer is made by a democratic collective? A metaphysically humble notion of collective agency is this. A set of people relies on a set of procedures through which it makes institutional decisions. Through regular elections, these villagers have voted for a system of rules that produces a set of actions that we were attributing to the Captain. Now there may be living, breathing agents speaking on behalf of this collective agent. But they are mere mouthpieces. Imagine that the enacted law is a highly elaborate set of conditionals. If Jim asks the Captain a particular question, the collective's

agents are following these rules to the letter. When Jim makes a counteroffer, the answer is preprogrammed in this if-then legal system.

You might worry that the presence of a collective agent makes the insulation problem more difficult to resolve. It is analytically possible for collectives to act in ways that none of their members wish.³⁴ Imagine each citizen in a democratic decision voting against a particular course of action. Yet their combined votes produce a collective whose action was rejected by each of them. It can seem paradoxical to think that the collective can act unjustly without any individual acting wrongly. Perhaps the Captain's plan to execute an innocent person was not approved by any of the villagers, but given the choice set available to them at the time of the election, this course of action was committed to through the election procedures in place. There is, I think, an accomplice-oriented argument that is available even in a case this difficult. If individuals knowingly participated in a decision procedure where they were aware this was a live option, they may be charged with a kind of reckless endangerment. The point of this section is not to resolve our conflicted intuitive judgments, but to prime them outside of the familiar elements of democratic politics. Before we develop the theory of citizenship from the participant viewpoint, we need to take a methodological pit stop.

MICRODEMOCRATIC THEORY

All political philosophy is local. Its audience is the situated individual—citizens and those aspiring to some power-conferring office.³⁵ There is a truistic version of this refrain. Contemporary political philosophers conceive of their audience as motivated citizens, who serve as the ultimate authority in democracy. They may insist: “Of course my theory is addressed to democratic citizens. After reading my work, they will find my arguments cogent and vote for the reforms that my principles support. QED.” Even the most abstracted theory of justice or democracy needs *someone* to implement it. Take the theorist gently mocked as writing in this tradition: “I-expect-you’d-all-like-to-know-what-I-would-do-if-I-ruled-the-world.”³⁶ However apolitical, this approach is addressed to persons, not some justice-implementing machine. You can think of it as second-person plural theory: “Here’s what you all should do once you have found my arguments compelling.” But there is a nontrivial reading of this slogan.

Political philosophers have been more concerned with the cosmic than the local. They have invested more energy in developing principles for the moral evaluations of states of affairs than for individual actors. It is all too easy to abstract from the point of view of the citizens in the context

of modern democratic politics—with all the constraints that come along with this perspective. John Stuart Mill urged that we give special treatment to “the ethics of representative government.” He described this area of inquiry “not so much concerning institutions as the temper of mind which electors ought to bring to the discharge of their function.”³⁷ An agent-centered approach aims at principles for individuals in political office. We should not assume that first-personal questions—“What should I do as a citizen or elected representative?”—can be given a satisfactory answer by turning to the resources of institutional theories of justice and democracy. My starting point, then, is that political theorists have not yet met their goal of providing guidance where guidance is due.

Since Rawls asked us to think of justice as the first virtue of social institutions—“changing the subject”³⁸—theorizing about politics has taken on an institutional bent. This shift of focus has been welcomed as the coming of age of liberal political philosophy, and its impact cannot be overstated.³⁹ Political philosophers largely take it for granted that they are in the business of proposing and criticizing principles to guide social structures. The most philosophically modest reason offered for this focus—“we must begin somewhere”⁴⁰—is clearly inadequate, but instructive. It has come to seem obvious that the ground rules of society, which shape our life choices and belief patterns, are a central concern of any credible theory of political morality. There is little need to rehearse the ways in which institutions matter from the perspective of individual participants in society—from birth through death.

Let us call this focus on system design and redesign *macrodemocratic theory*, for its site is principles for social structures. Macrodemocratic theorists consider the nature and scope of justice as a virtue of political institutions. A government is just, on their view, if and only if the arrangement that makes up its basic structure is just. A parallel focus animates democratic theory. Theorists in this vein have examined rival forms of government, and the comparative advantages of plausible candidates. How, they ask, should our political institutions be redesigned in a way that is authentically democratic? This approach does not exhaust the universe of political philosophy.

If we understand our roles exclusively as institutional designers, we are apt to ignore a set of *microdemocratic* problems that are as philosophically puzzling as they are morally urgent. Let me characterize this approach in two ways: by the kind of problem that it takes itself to be answering, and by the kind of solution that it provides.⁴¹ Rousseau famously put the problem as taking individuals as they are and institutions as they might be.⁴² Taken too literally, Rousseau’s advice is problematic. If we intend to construct a theory with normative force that speaks to individuals, we must assume that at least some citizens are motivated by

moral reasons—who care about satisfying their civic duties, but who are uncertain about the demands of public life.

My approach reverses Rousseau's thought. A microdemocratic approach takes institutional arrangements as pretheoretically given and asks how the individual should act within them.⁴³ The idea is to provide decision guidance for how individual agents should act, not directly how institutions should be designed. There is heuristic value in taking up questions of this ilk—which raise problems of political theory from a first-personal perspective of the democratic participant—that have not received the same systematic treatment as those with an institutional bent. It would be a mistake to conclude that this approach has no implications for institutional design and reform. Indeed, I devote chapter 10 to explicating macrodemocratic implications from our first-personal investigation.

This distinction is not novel. Identifying the moral responsibilities of individuals, embedded in institutions, is as old as political theory itself. But only recently has microdemocratic theory developed a distinctive and unified character. Two recent exceptions lend support to the rule. Susan Moller Okin asked whether and how principles of justice bear directly upon members of the family unit. Her powerful conclusion—that justice applies no less to the family than to the voting booth—was the first serious attempt to understand the relationship between our individual and institutional thinking about justice.⁴⁴ Her challenge paved the way for the thesis that justice provides guidance to citizens as participants in markets. G. A. Cohen insisted that theories of distributive justice must speak to our lives far outside the voting booth. His argument made it hard to resist the thought that principles of justice should penetrate our life roles beyond the office of the citizen.⁴⁵

The “personal is political” campaign was—in a sense—too successful. Political philosophers found themselves asking what principles of justice demanded when they asked for a raise, considered a divorce, or even ordered a biscuit at a café. Their attention was directed at justice's reach into the outer limits of our moral lives—to look beyond “merely the ballot box but as [we] go about [our] daily business.”⁴⁶ The adverb “merely” has the potential to mislead. I believe that this approach had an unintended effect. It invited a false complacency about justice's direction on the most timeworn questions of democratic theory. Our daily life as citizens can be as difficult to discern as our life in market and family structures.

My project follows this tradition. We can draw a more general lesson from our inherited critiques of justice in the family and the market. Theories of justice and democracy are excellent at helping us determine whether a structure confirms to the moral point of view. When we attempt to act upon them as individuals, they can be silent or—worse—misleading. Their mistake is to treat individuals like “Kant at the court

of King Arthur”—to take Bernard Williams’s felicitous way of putting it.⁴⁷ They have difficulty providing useful guidance to situated individuals who are concerned with relating to their shared institutions—and by extension other citizens—acceptably. It is unclear what principles of justice imply for the individual citizen carrying out the most direct functions of her office. One might expect leading theories of justice and democracy to offer clear direction to these questions: What moral reason do I have to participate in democratic institutions? What prerequisite epistemic obligations must be discharged before engaging in political action? And, if I am in a direct law-making position, what moral constraints apply to my decision-making process? Answering this class of first-personal questions is no less important than questions of institutional design.

Let me anticipate an objection. Perhaps microdemocratic questions are reducible to and explainable by macrodemocratic ones. If one holds that the correct theory of justice—whatever that theory may be—bears solely upon state institutions, then its principles issue no instructions to individual agents. They are fundamentally about institutional design and redesign. Citizens and elected officials may have a standing obligation to support just institutions. But that obligation is not generated, nor is its content specified, by a theory of justice. It is tempting to think that principles of justice provide individual citizens and public officials as much guidance as they could possibly want. They describe a set of constraints to pick out morally acceptable terms. It is enough for individuals to support just institutions, where they can find them, and to work to remedy injustices, when they cannot. What is crucial, on this picture, is that institutions mediate the moral responsibilities of individuals. The enduring project of citizens—elected and unelected—is to coauthor institutions with certain just-making features.

I take this analysis to be correct but underspecified. We can acknowledge that the canons of social justice allow us to assess the political and economic institutions of the modern state. It overstates the individual guidance issued by principles designed to govern institutions. A comprehensive theory of political justice, on my view, should do more than issue principles of institutional design. It should provide plausible direction to democratic actors who are charged with the obligation to reform injustices in a political environment.

It is assumed more than argued that citizens face obligations in their beliefs as much as their participation. Political philosophers have invested comparatively little energy in articulating the obligations that attach to the individual’s decision making and judgment. If framing effects, confirmation bias, and wishful thinking are pervasive, why don’t we have a democratic ethics of belief that speaks to these aspects of our reasoning? Deliberative democrats introduce interpersonal norms that

direct citizens as they discuss public policy. They recognize the potential of political discussion to serve an educative, even transformative, role. Their arguments have changed the subject of democratic theory—from an unappealingly narrow conception of the citizen to a vision of what public discussion among codeliberators might be like.⁴⁸ Political liberalism, too, urges citizens to think about justice in a way that is not partisan to their own comprehensive conceptions. The call for a public debate that is formatted in this way has implications for how citizens are to think about justice. Its counsel is negative. Political liberalism rules out a form of reasoning about justice in decision-making forums. What we lack is a theory of citizenship that positively addresses individuals operating under the imperfect—even boring—setting of democratic politics. This project can hardly ignore our vulnerability to systematic errors and our need to reduce the cognitive load that contemporary political life places on us.

So, too, the attention of work at the interstices of epistemology and democratic theory has been selective. It has fixed its lens on the epistemic properties of decision-making institutions. This focus has allowed epistemic democratic to make progress on a debate as old as political theory. Still, it occupies a narrow section of the bandwidth shared by these two literatures. If epistemic democracy is a search for a wide reflective equilibrium, its exercise in cross-pollination is in its early stages. A next natural step is to take seriously the thought that epistemology is no less normative than moral and political theory.

Epistemology is about what we should believe. So it has the potential to speak as much to the conduct of citizens and elected officials as believers as to our institutions' conduciveness to truth. We have as much to learn from its bearing on the informal space of democratic theory as its institutional level. The problem of articulating the epistemic responsibilities of democratic agents is no less urgent than picking out the epistemic properties of rival collective procedures. It would be surprising if these two lines of research didn't produce mutually supportive work. The epistemic predicament of political actors and their shared institutions are fruitfully considered together. We can take seriously the "user experience" of the citizen, who faces demands that are as epistemic as they are participatory.

PREVIEW

This book is an attempt to address the three problems of the ethics of democracy simultaneously. The first is the ethics of participation. Chapter 1 lays out a view of democracy as a system of shared liability. It locates the

value of democratic institutions not in their impact on our well-being or in the distributive pattern of equal political power. The usual appeals to the instrumental and intrinsic value of democratic procedures do not exhaust the available reasons. The most basic reason to value democracy, I argue, is the valuable relationships that it makes possible among citizens. This becomes clear when we reflect on nonideal cases, where democratic processes license a diversity of injustice. So we inspect the citizen's dual roles as cosubject and coauthor under less than ideal conditions. It is not morally obvious that we should participate in collective reforms of unjust institutions when we know that our chances of altering the election are rapidly approaching nil.

Chapter 2 proposes an ethics of democratic participation for unjust political environments. None of the usual rationales is capable of underwriting a moral reason for citizens to participate in collective reforms of unjust institutions. I develop the idea of democracy as shared liability to finesse the problem of marginality and redundancy in electoral settings. It is a mistake to conceive of the citizen as aiming to swing an election with her votes alone. This relies on unnecessarily contentious theories of causation, action, and intention. Once we expose the metaphysical commitments, we are in the position to defend instances of participation in which citizens do make a difference by their individual votes and through the joint action they perform with those who share their political convictions. I run an argument from complicity, which is premised on the actual institutional role of the citizen: we have a defeasible moral reason to participate in elections where citizens can make a causal contribution against injustice.

The second problem is what I call democracy's ethics of belief. I challenge an account of citizenship that treats us as political philosophers or perennial deliberators. Chapters 3 and 4 sketch the idea of the citizen implicit in the two most active areas of political theory—distributive justice and deliberative democracy. These models are insufficiently empirical and implausibly demanding—at times inhumanely so. They fail to take seriously our severely bounded cognitive resources to invest in political decision making. We can take the young John Rawls's advice: "Democratic theory and practice... [should] consider the process of reasoning as one of the very crucial points of its whole program."⁴⁹ With an updated picture of our limited cognitive "hardware," chapter 5 sets out to defend a theory of citizenship that recognizes our need to make online decisions under electoral pressures, given our foibles as decision makers.⁵⁰ I draw upon the extensive literature on decision and judgment to understand how fragile we are as decision makers. This work has disrupted whole branches of social-scientific inquiry. But it has not been brought to bear on normative democratic theory.⁵¹ This research upends the old

assumption that widespread ignorance is a motivational problem. If our cognitive limitations are more or less fixed, it is plausible to think that we have little choice but to rely on heuristics in reasoning about politics. I argue that the available heuristics depend on a deeply unsatisfying account of citizenship.

Chapter 6 identifies the virtues of decision making of citizens by reflecting on instances of reckless or inattentive reasoning about politics. It begins from the recognition that it is not possible for us to be well informed about the component parts of the modern democratic state. A theory of citizenship owes us an account of permissible ignorance about political life. This would identify conditions under which we can shift our reasoning responsibilities to others. The difficulty is that there are not moral experts among us. On my view, each of us retains responsibility for holding political convictions. They needn't be as complete or as economical as a philosopher would like. It is enough for them to speak to the actual choices that we face under less than ideal conditions. An ethics of belief will do more than clarify the decision-making virtues.

Chapter 7 proposes strategies for efficiently reasoning together about our shared coercive structures. This can guard against the tendency in political philosophy to treat citizens as singular reasoners. For an instance of this, take G. A. Cohen's assumption about our epistemic constraints: "There's no reason to think that citizens will be able to know that the government is pursuing the policies that benefit the worst off the most."⁵² He defends this claim on the grounds that this kind of knowledge unrealistically demands information about the economy and the internal structure of government. But the implicit ethics of belief that Cohen is relying on is implausibly Cartesian. A reasonable theory of citizenship will show how ordinary citizens can form credible beliefs about their government's distribution of goods without holding graduate degrees in economics. What is needed is an account of how individual citizens can come to rely on credentialed experts to form and act upon empirical beliefs that bear upon their judgments of distributive justice. My approach responds to this need by proposing cost-saving cognitive strategies for citizens to exhibit the decision-making virtues economically.

The third problem is the ethics of delegation. Chapter 8 recasts the problem of representation by taking up the citizen's perspective. This brings into focus the authority that democratic principals hold over their political agents. What kind of moral demands can we make on elected officials? When is it acceptable to offload decision making to them? And what are the moral limits of this division of political labor? It is by no means clear that citizens are morally permitted to allow proxy agents to reason about moral and political questions on their behalf without some kind of constraint. Outside of politics it would be intuitively worrisome if

you hired an epistemic guardian to save yourself the moral labor of thinking through interpersonal dilemmas you encounter. If delegation of moral decision making is troubling in the latter case, this worry may apply to political life. We can jettison the textbook debate by again shifting points of view. Neither the delegate nor trustee view is satisfying. Each treats citizens as *beneficiaries*, whose actual or counterfactual preferences are tracked, rather than as *moral claimants*. My positive account is built on the idea that individual citizens stand as equals to their agents on questions of moral principle. It confers the authority to have one's principles of justice weighted in the process of lawmaking.

Chapter 9 is the culmination of viewing democracy as a system of shared liability. How should responsibility be distributed for democratically sponsored injustice? It draws upon the raw materials from our considered judgments and intuitive reactions in democratic settings. By privileging the participant attitudes of citizens, it arrives at verdicts that both revise and extend the worry that citizens hold a position of moral exposure. I examine two leading views of complicity, which produce either false positives or false negatives. The democratic approach aims to register both the moral significance of the roles that citizens occupy when they impose coercive terms and their causal contribution to those terms. Chapter 10 is an exercise in macrodemocratic theory. It develops mechanisms of democracy designed to protect citizens against complicitous relations with the state. We imagine a series of institutional levers—including opt-outs, actionable petitions, and tracking systems—that give us avenues for separating our agency from the state's actions. This approach to citizenship is then brought to bear on debates over popular constitutionalism and judicial review.

We conclude by inspecting the slogan that the state acts in our name. There is a downside of this “naming.” Whether the state can name you and me will depend on our individual moral liability for its actions, not upon any speech-act of an elected official. Then we look to the upside of living under a democratic state that credibly acts on our behalf. I sketch the preliminary ingredients for an account of democratic patriotism. The positive participant attitudes can be just as probative as their negative counterparts. Our experience of pride can be mustered as evidence for the conception of democracy as a system of liability. In the end, the upside and the downside of our agency relationship come packaged together. The same theoretical resources that explain the citizen's shame in malfunctioning institutions are capable of licensing the experience of pride in coarchitecting institutions that can be justified to all.