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Democratic Participation, Engagement, and Freedom

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Abstract:

It is commonly supposed that democracies should encourage greater political participation and civic engagement. This article identifies two distinct perspectives on political participation and civic engagement: a 'freedom-centred' model and an 'ethical' model. The 'freedom-centred' model defended here draws on the republican concept of freedom as non-domination, together with the political liberal notion of fair deliberative proceduralism, while the ethical model draws on Aristotelian, perfectionist, sources. It is argued that 'ethical' model is overly concerned with the 'moral renewal' of modern social life, and is insensitive to problems of domination posed by its account of civic reciprocity and trust. By contrast, the 'freedom-centred' model developed offers a systematic account of personal and political freedom, which provides qualified support for deliberative modes of participation and engagement.

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Concerns about rising voter apathy and increasing civic disengagement have become commonplace in contemporary British politics. Marshall's heroic narrative of the embedding of the ideal of citizenship in our institutions presented the practice of citizenship as moving inevitably on an upward trajectory. Now, however, the practice of citizenship appears to be in disarray, not only in Britain, but across the liberal democracies of the developed world. On some views, the modern citizenry consists of little more than bored and unconcerned youth and a mass of ill-informed couch potatoes interspersed with angry cranks. While this may seem to be a gross caricature to all but the most jaded observer, it is not hard to discern these concerns in official discourse about citizenship in the UK in recent decades, whether in John Major's 'citizens' charters', New Labour's reliance to the guru of 'social capital' Robert Putnam, or in David Cameron's 'Big Society' with its now familiar theme of the active, engaged, independent citizens (Rose 2000; Mycock and Tonge 2011). Critics have not been slow to detect a more mundane agenda behind this paeans to civic engagement – that of reducing public spending by shifting functions now performed by the state onto 'communities' (Kisby 2010). My focus here, however, will be on the nature of our ideas of active citizenship and civic engagement. In our haste to repair 'broken Britain' and reaffirm the bonds of community has something been lost in the discourse of citizenship? Has contemporary discourse about the active, engaged, citizen crowded out more fundamental concerns with democratic citizenship, and replaced them instead with a different set of worries about the quality of modern life in general?

In his celebrated essay, Constant not only contrasted the liberties of the ancients with those of moderns, but also warned against attempts to simply revive that ancient liberty in modern conditions for fear that it would undermine the civil liberties then beginning to flourish under representative institutions (Constant 1988, 318). Rather, we should elaborate an appropriately modern form of political freedom encompassing both civil and political liberties. I want to take up Constant's challenge, and suggest that we need to rethink some of our ideas about political participation and civic engagement with a view to avoiding some of the pitfalls associated with the

broadly Aristotelian, 'participatory' tradition of democratic thought. Instead, I will outline a freedom-centred account drawing on liberal, republican, and deliberative democratic, sources. We should be more critical of some common assumptions about the value of increasing direct political participation, and about the specifically *democratic* value of enhancing informal civic engagement. The freedom-centred account outlined here prompts us to value most highly those forms of political participation that strengthen the deliberative practice of reason-giving as these are the forms best suited to increasing accountability and securing citizens against domination.

This 'freedom-centred' model is inspired by the notions of freedom as non-domination and collective political autonomy. It will be defended against negative liberty and *some* 'comprehensive' interpretations of freedom as autonomy (Pettit 1996). It will be argued that, on closer inspection, the dominant strand in the participatory tradition of thought about democracy and citizenship is not in fact centrally concerned with freedom but is dominated instead by essentially *ethical* concerns with the realisation of the good life. This neo-Athenian tradition has, at best, an inadequate understanding of both personal and political freedom, and, consequently, while it continues to inspire concerns with active citizenship and political participation, it should be rejected.

Freedom and Democracy:

While Constant argues that the modern era needs an account of freedom which embraces both the personal *and* political liberties, it is often supposed that there has simply been a sort of paradigm shift between these worlds and that classical, participatory and republican notions of collective political freedom have simply been eclipsed by more modern notions of negative liberty (Maynor 2003, 13-15). The modern world requires us to adopt an instrumental view of politics which entails a simple trade-off between liberty and the benefits of government. This view underwrites the

'minimalist' interpretation of liberal democracy – in which elites, periodically elected by voter-consumers, rule within a constitutional order which protects individual liberties from invasion (Schumpeter 1965; Christiano 1996; Przeworski 1999). Non-participation can be explained as the result of a rational calculation that the costs of participation outweigh the benefits: the personal has trumped the political. This view, typically associated with liberalism by 'participatory' democrats, is too sanguine about non-participation and too quick to surrender the ideal of collective political autonomy.

Why suppose that we must choose between a disengaged, privatised liberalism and a participatory politics of active citizenship and the common good? Firstly, this picture of liberal politics is, at best, a crude caricature. Secondly, the 'participatory' tradition is itself internally complex. Liberal concerns with ethical pluralism and public reason have decisively shaped the deliberative democratic challenge to minimalist conceptions of democracy (Rawls 1993; Cohen 1997; Elster 1997) and it is vital to distinguish between two distinct currents with a claim on the 'participatory' label: neo-Roman classical republicanism, in which individual liberty and the rule of law plays a central role; and the neo-Athenian, civic humanist tradition, which is dominated by an ethical vision of active citizenship as the good life (Maynor 2003, 12). The former is continuous with liberal, impartialist, politics which respects reasonable pluralism, while the latter, in virtue of its perfectionist core, is not.¹ We are faced, then, with three options: an instrumental, minimalist, account of democracy; a liberal-republican deliberative politics; and a perfectionist neo-Athenian participatory politics. Rather than focus on the more familiar arguments about shortcomings of the minimalist model (Dryzek 1990; Elster 1998) I aim to explore the difficulties posed by the 'ethical' neo Athenian view for a republican/liberal view which views democracy as centrally concerned with the defence and practice of freedom.

Freedom as Non-Domination:

Pettit argues that we should adopt the understanding of freedom embodied in the neo-Roman republican tradition, an understanding of freedom which he calls 'non-domination' (Pettit 1996; Pettit 1997; Skinner 1998; Skinner 2008). Freedom as non-domination, he argues, constitutes a third conception of freedom, one not captured by Berlin's contrast between negative and positive conceptions.² Negative liberty is a matter of freedom from deliberate interference in one's affairs. This view underlies the minimalist, instrumental view of democracy to the extent that all law must entail a diminution of one's liberty. As Hobbes insists, liberty depends on the 'silence of the law' (Hobbes 1996, 152). One may have good reasons to agree to legal regulation, but this entails a trade off between freedom and the other benefits which a legal order can provide. Positive freedom, or 'autonomy', by contrast, entails a complex relationship to oneself. I am free on this account when I can direct my life according to rules which I give myself. This is a much richer model of freedom than the former, insofar as it identifies a much wider range of potentially freedom-inhibiting conditions, which may include my own desires and dispositions. I may enjoy negative liberty, but still fail to enjoy autonomy.

Freedom as non-domination is more demanding than the former, but also thinner than the latter. Where negative liberty regards us as free unless we are being deliberately interfered with by another, Pettit argues that this is insensitive to the phenomenon of 'domination' which is a matter of being exposed to the *possibility of the arbitrary interference* in one's life (Pettit 1997, 52). On this view we can be dominated even though we are not currently being interfered with and therefore we should take care not to mistake the apparent absence of overt coercion for freedom. Although we may currently enjoy non-interference with our plans, we are not genuinely free if we are vulnerable to the *possibility* that others could interfere with our lives if they chose to do so. In the republican tradition this threat is captured by the image of the favoured slave in the Roman household – despite the fact that he is not currently in chains, he is not free because he enjoys his relative freedom only at his master's pleasure. This idea, while originating with republicanism was also influential within early liberal thought, shaping the idea of the rule of law and of constitutional

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government (Skinner 2008). Locke, for example, specifically complains of the threat of *arbitrary* power wielded by governments which are not themselves restrained by law (Locke 1988, 284).

A key strength of Pettit's account of freedom as non-domination is that it captures a wider spectrum of unfreedom than negative liberty view, which will count the absence of actual interference as sufficient to establish freedom and will ignore the phenomenon of domination, with all of the deference, and uncertainty that accompany it (Pettit 1997, 89). Secondly, it entails a more sophisticated understanding of law and regulation in its insistence that the rule of law can sustain freedom on account of the way it structures social relationships. The law does not simply secure our welfare it also secures *freedom* to the extent that it protects citizens from arbitrary treatment both by the state and by their fellow citizens. Secondly, it is argued that, while the rule of law may entail limits upon one's actions, it need not do so arbitrarily – i.e. without good reason (of which more below). As such, a legal regime which genuinely tracks the interests of its citizens, does not necessarily entail a loss of freedom as it does on the negative liberty conception (Pettit 1997, 55).

Non-domination also differs from autonomy, however, in that it is less demanding. Non-domination is a social state, concerned primarily with the regulation of social relations, whereas personal autonomy is primarily a matter of one's relationship to oneself – giving rise to the Stoic idea that one could be in chains, and yet, in some sense free. The subsequent development of this idea in the hands of Rousseau, Kant, and contemporary liberalism has of, course, extended the ideal of autonomy rather to the idea of a legal and political order which respects the freedom and equality of all citizens and which therefore rejects the perfectionist imposition of particular ethical visions on citizens as incompatible with their autonomy. Pettit's concerns about personal autonomy as a political ideal clearly overlap with those of Rawls who argues that the ideal of personal autonomy amounts to a 'comprehensive doctrine' akin to a religious outlook and as such it is one that can be reasonably rejected by liberal citizens as a basis for politics (Rawls 1993). While personal autonomy can certainly be reconfigured to avoid some of the problems entailed by Kant's specific conception

of it (Dworkin 1988), the 'thinness' of freedom as non-domination must be a strength from the perspective of a 'political' liberalism, concerned to respect reasonable pluralism and build a political order on an overlapping consensus. Freedom as non-domination is 'non-sectarian' in the sense that it can be reasonably endorsed from within a wider range of ethical perspectives than Kantian autonomy.³ This is a distinguishing feature of our modern freedom-centred account of democracy: respect for reasonable ethical pluralism (Larmore 1987).

Critics may suspect that in foregrounding the rule of law as central to maintaining the state of non-domination, this account becomes indistinguishable from elitist minimal democracy – with little genuine commitment to collective political freedom and an overreliance on constitutional protections of individual liberty. Against, this, however, it is clear that freedom as non-domination cannot be satisfied by elitist forms of rule: even the most benevolent despotism would be *by definition* dominating others. While historical republicanism was often satisfied with constitutional restraints on monarchical and aristocratic forms of rule, it is clear that, as conceived here, such arrangements are ruled out. Not only does freedom as non-domination require democratic rule, it requires a particular configuration of it, as Pettit emphasises in his rejection of populist interpretations of democracy (Pettit 1999). In rejecting simple majoritarian accounts of democracy, Pettit's republicanism is in harmony with political liberalism's insistence that the ideal of public reason provides the appropriate standard of legitimacy for ethically plural modern polities. Collective decisions must respect reasonable pluralism, and therefore they must be made in ways that screen out attempts to impose particular ethical visions on the citizenry, but must aim at outcomes that can in principle be endorsed from within a range of ethical outlooks – they must be backed by public, i.e. shared, reasons (Rawls 1993; Cohen 1997).

In this way, it becomes clear that while freedom as non-domination is a clear rival to personal autonomy, its relationship to collective autonomy is more complex. Non-domination requires not only the rule of law, but a particular way of producing laws, one which requires citizens to exercise

collective autonomy through an appropriate set of democratic procedures, designed to shut out the possibility of arbitrary interference in others lives.⁴ These procedures will, I suggest, have a deliberative character. The idea of a deliberative democratic procedure is a normative ideal and as such is compatible with a wide range of institutional devices, but ideally, such a procedure, however, instituted, should permit all citizens to identify with political outcomes as in some sense their own⁵. Where these outcomes simply reflect the efforts of unreasonable majorities to impose their will on their fellow citizens these outcomes will amount to arbitrary, alien, impositions. This is not simply a matter the tyranny of the majority invading individual liberty, but also a matter of denying citizens an equal share in the exercise of collective political freedom, for where the conditions permitting identification with collective decisions are absent, citizens cannot regard themselves as participating in making the laws to which they are subject (Pettit 1999). This is obviously an idealisation – often we may have reason to believe that our procedures are not fair and we will be unable to identify with the outcomes in this way. When this happens, we may have reason to believe that we are not participating equally in the exercise of collective agency but are being dominated by others. This may be true even when they claim, sincerely, to be tracking our interests and not only in those cases where they clearly are not. Despite the suspicion that actually existing democracies must often fall short of this ideal, the ideal is valuable precisely as a tool for assessing our practices and directing our attention to their failings.

In stressing that is the right sort of deliberative, reason-centred, procedures that permit such identification and allow a body of citizens to become a sort of collective agent, it must be emphasized that populist and nationalist accounts of collective agency are to be rejected – a shared identity may prompt powerful collective identifications but without public reasoning these do not offer sufficiently robust *reasons* for individual citizens to identify with collective actions, and these may well turn out to run counter to citizens' fundamental interests (Habermas 1998). We may identify with decisions and with institutions for a wide variety of reasons which could not serve as sound justifications and it is in the interest of elites to encourage such identification. This is a key

threat to freedom from domination and one which the ethical concerns of 'participatory' democrats are, it will be suggested, ill-equipped to address.

The right sort of identification, i.e. a reasoned identification, is made possible by the right sort of deliberative procedure, i.e. one in which reasons are offered and assessed by the participants – one that includes a contestatory dimension and which stresses accountability in the sense that the machinery of government must be structured in such a way as to incentivise reasoned decision-making (Pettit 1997). On the one hand, this process is non-paternalistic insofar as citizens must have the opportunity to challenge the public understandings of what counts as 'tracking one's interests' while on the other hand, it need not entail *direct* participation in decision making to the extent that decisions are backed by reasons. This is because supporting reasons can in principle be endorsed by citizens who have not directly articulated these arguments themselves. Is this sufficient to permit the sort of identification necessary to constitute collective political autonomy, or must this be supplemented by a firmer commitment to direct popular participation?

The Promise of Participation:

Does direct participation help to contribute to the sort of identification and legitimation we have been discussing? Rousseau argued that representative democracy was essentially a form of aristocratic rule although the people do periodically choose their masters. For Rousseau there was no political freedom without direct participation. That said, it is a necessary, but not sufficient, condition for him – there are formal conditions that the collective will must meet, notably generality and as such Rousseau turns out to be offering a forerunner of contemporary notions of public reason as a standard of legitimacy (Cohen 2010). While the image of ancient Athenian citizens participating directly in self-government continues to dominate our thinking about democracy, it is difficult to see how direct participation is sufficient to make identification with collective decisions

possible. Certainly, if the outcomes are in line with my private judgement then complying with them poses no threat to my freedom but when they are not my direct participation itself does not do anything to strengthen my *reasons* for identifying with the decision. As Fishkin observes, we have no reason to suppose that direct democracy will be any more deliberative than representative, and, if anything, it is easier for tyrannical majorities to form in the small city states idealised by participatory democrats (Fishkin 1991). Our picture of 'authentic' democracy in fact appears to rely implicitly on two elements which are unrelated to the issue of direct participation: firstly, that of participating in a fair decision-making procedure as a source of reasons to comply with decisions one substantively dissents from (Wollheim 1962); and secondly, the idea that this procedure will not simply be aggregative, but also deliberative. There is nothing to be gained, then, from insisting that direct participation is the touchstone of authentic collective self-rule. Indeed, where the centrality of fair, deliberative, procedures is occluded by populist rhetoric, majoritarian direct democracy may not only threaten individual liberty, but also the democratic ideal of citizens having an equal share in collective self-rule.

The core of the ethical conception of democracy, with its ideal of the active citizen, is provided by Aristotle's perfectionism.⁶ On this view the life of the active citizen is the best life because it is the life that enables us to realise our essential nature as political animals (Aristotle 1946, 1252b27-1253a25). The polis, therefore, has an ethical purpose: that of enabling its citizens to lead the sort of lives that will realise their nature and consequently allow them to flourish. While Rousseau argued that representative government robbed citizens of their freedom, on the Aristotelian view of citizenship they are effectively denied the opportunity of living a fully human life. This perfectionism, together with the apparent acceptance of simple majoritarianism, renders the direct participatory ideal not merely impractical, as is commonly supposed, but positively undesirable on account of its inconsistency with respect for individual freedom to direct one's life according to one's own lights.

This ethical account of politics drives much contemporary concern with political participation and civic engagement, although, that said, there are relatively few defenders of the institutional side of this ideal, i.e. direct democracy (Barber 1984, 145). Even here, the focus is typically on voting rather than on the business of actually taking turns in ruling, as in Aristotle's account. Rather, the focus is on the ideal of active citizenship, where this activity is channelled into the informal public sphere in the form of loosely 'civic' engagement. This ethical ideal, of the active, engaged citizen, willing to set aside private interests and devote himself to the public good animates the work of a number of influential critics of liberal democracy (Arendt 1958; Sandel 1982; Barber 1984; Putnam 2001). They decry the 'proceduralism' of liberal politics which has 'hollowed out' our public life, and the atomistic individualism with which it has undermined modern social life more generally.⁷ In this vein, Putnam inveighs against the effect of increased television watching, growing suburbanisation, and declining rates of religiosity, all of which lead us in the direction of a corrosive individualism (Putnam, 2000). Political participation can draw us out of the sphere of narrow self-interest and encourage us to become more altruistic and civic minded, promising us a better quality of life in which we can be members of communities characterised by honesty, trust, and reliability (Putnam, 2000). What matters in this ethical vision is not so much formal political participation and political *freedom* as any form of civic engagement that will transform the *quality* of social relations.

Trust and Reciprocity:

This critique typically focuses on the absence of trust in modern societies, the importance of reciprocity in maintaining social relations between citizens, and the importance of a sense of belonging or membership for encouraging individuals to accept the burdens of citizenship. These are presented as mutually reinforcing: the presence of trusting attitudes encourages citizens to engage in reciprocal interactions; trust may be bolstered by a sense of shared identity and common purpose; and reciprocity may engender trust and shared identity, and so on (Mouritsen 2003, 659).

Allegedly, these elements form the virtuous circle necessary to sustaining a vibrant sense of shared citizenship. In Putnam's influential account many of the ills of contemporary societies can be traced to declining norms of civic engagement, a loss of 'social capital' which corrodes relations of reciprocity and diminishes social trust (Putnam 2001, 20). Where norms of reciprocity are strong, citizens will be willing to sacrifice time and effort for the public good and as a consequence, this will be reflected in a vibrant associational life. There is a participatory spectrum here: from formal political engagement on one side all the way to leisure pursuits on the other. All of it is valuable however, to the extent that this 'civic' engagement reflects and sustains the norm of reciprocity on which the life of the democratic community depends.

While no one likes a free rider, we should we wary of endorsing the idea of reciprocity unconditionally, for the demands of reciprocity may actually serve to undermine democratic citizenship by exposing citizens to domination if they are not qualified by additional egalitarian considerations. Consider the role of reciprocity in patron client relations for example. The patron controls access to some valuable resource – and dispenses it to his clients in the expectation that they will reciprocate in some way – perhaps by casting their vote in return for favours received.

While reciprocity is embedded in social life, where it is not constrained by egalitarian norms it can also render us vulnerable to the demands of others and in so doing cement social hierarchy.

Powerful actors can exploit their position to compel us to enter into reciprocal relations with them in the first place and can then exact a high price for their cooperation. While both parties gain something from this exchange, they do not benefit equally and to this extent simple reciprocity falls well short of egalitarian understandings of fairness (Barry 1995, 46-51). To encourage reciprocity without imposing conditions on the *terms* of these reciprocal relations with a view to a more equal distribution of the benefits and burdens of cooperation is, then, to invite citizens to make themselves vulnerable to domination.

At best, a focus on reciprocity as the engine of civic engagement is incomplete, while at worst, it may actively work against democratic citizenship, especially when reciprocity and solidarity are explicitly opposed to the impartiality (Miller 1988) which restrains us from automatically prioritising our own interests. But unless the role of citizen is to wholly displace the rich tapestry of roles and obligations that come with the associational life of contemporary democracies, we cannot dispense with the norm of impartiality, for otherwise our associations may work as much against the public good as for it. This is because civic engagement in associations only serves as a school of civic virtue to the extent that members recognise the demands of equal citizenship over and above the demands of their partial associations. Where citizenship demands that all be respected as free and equal members of the democratic community, the partial association may, by contrast, demand that its members close ranks against outsiders and deny the claims of women, of homosexuals, of members of ethnic minorities, etc. (Scheffler 2003). When such conflicts arise, we expect our fellow citizens to exhibit impartiality and not to automatically prioritise their particular association or interest group. Impartiality does not corrode reciprocity and civic engagement - it serves to make it possible by setting the terms of legitimate reciprocity and adjudicating the conflicts between equal citizenship and partial membership. It is a mistake, then, to suppose that we can rely on reciprocity and partiality *instead* of justice and impartiality, as some suppose (Sandel 1996, 333), or by downplaying the roles of impartiality and equality within their theory of justice (Miller 1988; Miller 1995).

To the extent that participatory democrats imagine reciprocity working as a support of citizenship they rely implicitly on the norms they ostensibly reject. This is evident in the presentation of reciprocity as 'generalised'. The idea here is to try to detach reciprocity from particular individuals, in the sense that one would only recognise a reciprocal obligation to that particular person from whom one has received some benefit, rather than to society at large. This would, apparently, work against clientelist ties which are particularist in this way, but not against partiality towards *classes* of person: members of an ethnic group for example. The bigot may recognise a generalised norm of reciprocity towards members of his own religious denomination or ethnic group, in the sense that he can

discharge his reciprocal obligations towards any member of this group, not just those from whom he has received a benefit.⁸ Generalised reciprocity is not enough, it seems, to prevent a society of partial associations from undermining equal citizenship.

Trust is an essential element of this picture on account of the way that relationship of generalised reciprocity is to be extended over time and to the community at large, making reciprocation uncertain. Without trust one cannot get 'generalised reciprocity' off the ground, for in its absence one would not risk such uncertain rewards. Where citizens are trusting, they will be more willing to enter into cooperative relations with one another. Whether one focuses on relations between citizens, or between citizens and government, the argument is the same: trust lowers the costs of social interaction and encourages voluntary cooperation with one's fellow citizens and with the authorities. Where distrust is common, it is argued, we should fear for our democracy (Lenard 2008, 320). Where distrust and cynicism take hold we may expect more free-riding and non-compliance whenever it is in the interests of individuals to defect from their commitments, effectively constituting a vicious circle of cynicism and disengagement.

Certainly, social relations characterised by suspicion and cynicism are problematic but there are also problems with foregrounding trust. Firstly, it appears to put the cart before the horse in the sense that trust should ideally be conditional upon the more fundamental belief in the *trustworthiness* of the other (Hardin 2002, 29). Where persons and institutions exhibit trustworthy patterns of behaviour, then we are warranted in holding trusting attitudes towards them, i.e. our *trustingness* should be contingent on our judging them to be genuinely *trustworthy* otherwise our trusting attitude would be ill-founded and possibly hazardous. Hardin observes that this more fundamental role of trustworthiness is typically overlooked in discussions of trust which often treat trust as an attitude to be cultivated as if it were a virtue one ought to possess, floating free from any objective considerations (Hardin 1999, 23). Trust, on Hardin's account is a cognitive attitude, i.e. it is warranted, or not, depending on the accuracy of one's information about the other's interests

including their interest in maintaining this relationship.⁹ It follows then that we should not be so quick to scorn the attitude of distrust, nor to identify it too closely with that of cynicism, for if one *accurately* assesses that others cannot be relied upon to behave appropriately, then one is justified in distrusting them and it would be irrational to persist in trusting them.¹⁰ A trusting citizenry which has false beliefs about the trustworthiness of those they trust, and/or which may not have the means to make accurate judgements in these matters, is one which is vulnerable to domination.

To trust another is to place oneself in a relationship of vulnerability (Warren 1999, 311): trust is a risky business and this is why the idea of a 'vigilant' citizenry has always been prominent in the republican tradition (Pettit 1997, 263). The wise citizen is not cynical, but neither is s/he simply trusting. Political authority may be, as Locke had it, held *in trust* from the people, but this is not meant to imply that the people should be more trusting towards their government – indeed, signalling distrust in these vertical relations may be an effective way of ensuring that the government discharges its duties more effectively and is more responsive to the interests of the people than it might otherwise be. Equally, as Hardin points out, the average citizen may simply not know enough about their governors to form accurate beliefs about them, such that neither trust nor distrust is warranted (Hardin 1999, 39) .

On the freedom-centred view there are good reasons to resist simple appeals to citizens to become more trusting. Rather, the focus must be elsewhere – on the overarching institutional contexts of social interaction. Here the goal must be to design institutions in such a way as to incentivise trustworthy behaviour. This need not, of course, be simply a matter of applying penalties to those who fail to discharge their duties, for we may also take note of phenomena such as the concern for reputation, and self-esteem in order to positively encourage trustworthiness.¹¹ However, among those who bemoan that apparent decline of trust in our social institutions and in our fellow citizens, there is a distinct resistance to acknowledging the central role that legal and political institutions play in regulating social life in ways that incentivise trustworthy behaviour amongst strangers (Cohen

1999, 219) While norms of reciprocity, sustained on the basis of face to face interaction and the existence of a sufficiently small community within which one's behaviour can be effectively monitored may indeed help to regulate citizen's actions in the desired manner, citizens of modern societies are not in this situation for much of their lives, having to rely to an great degree on strangers and bureaucracies. While this may give rise to a certain degree of 'anomie', the remarkable fact is rather than modern societies do effectively display extensive cooperation both within and across their borders in the absence of the sort of close-knit community typically associated with trust, reciprocity, and civic engagement (Warren 1999, 314). It is not shared ethnic or national identities with their corresponding stock of social capital that make social cooperation possible, but the formal mechanisms of accountability which we know to form a context for our dealings with strangers, and that enable us to rationally enter into complex forms of social cooperation with one another.¹²

To hope for a civil society of 'generalised reciprocity' built on dense networks of face to face interaction, may seem at best harmlessly utopian but to pursue this vision without attention to the institutions which serve to hold others to account and which incentivise trustworthy behaviour is to risk exchanging sensible civic vigilance for civic gullibility, and accountability for domination. In sum, then, the social relations believed to sustain active citizenship on the ethical view of democracy seem especially insensitive to the problem of domination.

Moralism and Domination:

The vision of the active, engaged, citizen offered by the ethical account of democratic participation is clearly problematic. Reciprocity unconstrained by egalitarian norms can become an engine of dependency and domination, as can trust if it is allowed to become detached from formal mechanisms of accountability. While there are certainly different currents present within the wider

'ethical' approach to democracy and citizenship, in the hands of self-identified critics of liberalism the ideal of active citizenship risks degenerating into a conservative moralism in which those who do not exhibit the desired forms of civic and political activity are to be condemned as apathetic and irresponsible.¹³ One way in which this attitude is expressed is in the curiously Burkean argument sometimes expressed by pundits that we have a *duty* to participate in elections on the grounds that we owe a debt to previous generations who have fought for our democratic freedoms – an argument which makes no reference to the idea that citizens have an equal right to participate in self-government, or that voting may indeed entail duties, but to those whose interests may yet be affected by the outcomes of the contest.

Worse still, the discourse of active citizenship may itself function as a device for excluding certain groups and delegitimizing the claims of the marginalized. Feminist critics have long pointed to the distinctly gendered assumptions inscribed in standard presentations of the ideal of active citizenship. We can see the privileging of 'public' over 'private' concerns and the way in which the active citizen's freedom to devote himself to public affairs is in practice sustained by the labour of others. There is also the masculinist element of historical civic discourse which focuses on the martial dimension of citizenship and the willingness of the good citizen to bear arms and to give their life for their city. In all of these ways the ideal of active citizenship is shaped to reflect the privileged position of certain social groups, with the additional twist that not only is the normative bar biased, but it can also be used to condemn those who are in no position to live up to its demands as lacking the appropriate civic spirit. Furthermore, the 'ethical' emphasis on self-sacrifice and opposition to 'atomistic' individualism associated with ideals of active citizenship can be turned against those who seek justice in the public sphere to the extent that these claims can be represented as assertions of 'sectional' interest, and therefore as evidence of an insufficiently 'civic' outlook on the part of those making them (Young 1997, 110).

A particular strength of the freedom-centred account, by contrast, is that it avoids lapsing into moralistic condemnation because its point of departure is not some selfless commitment to unconditionally sacrifice one's interests for the common good, but instead a common interest in securing our freedom from domination and builds upon this to argue that this interest may be furthered through certain forms of participation in democratic politics, together with the establishment of other, nor directly participatory institutional mechanisms. At the same time, this account does not entail a simple contrast between self-interest and duty, for we can build an account of civic duty around the assumption that we have a basic interest in freedom from domination - an interest which must be respected in others. To present this in familiar contractualist terms, on the assumption that everyone has an interest in being secure from domination, an obligation to avoid dominating others would be the subject of an agreement that none could reasonably reject.¹⁴ This duty would include not only a duty to refrain from actively seeking to place others in a position of vulnerability to one's will, but also, plausibly, a duty not to participate in institutions which do so (Pogge 2007, 24). To this extent, this account presents political participation as complex, entailing rights and duties, although duties can only come into play where one's right to participate is secure.

As Rawls suggests the central duty is that of 'civility', i.e. the duty to accept the constraints of public reason in advancing one's own political projects, and in assessing those of others (Rawls 1993). The duty of civility not only constrains how we may pursue our projects, but also commits us to considering how others pursue their projects – we cannot be indifferent to others' attempts to dominate our fellow citizens and there is a duty to seek to block such efforts. Often this may be achieved through participation in existing institutional channels of participation, e.g. by turning out to vote in order to hinder a far-right candidate's chance of electoral success. Equally, however, it provides a moral justification for withdrawing from certain forms of political engagement – when one's participation in elections, or, less dramatically, in a 'consultation' exercise the outcome of which is predetermined, may only serve to legitimate the dominance of elites. By contrast, the

'ethical' model of citizenship adheres to a fundamentally undifferentiated account of civic activity - one which can seem sometimes to favour almost *any* form of activity, as long as it prevents citizens from sinking into the mire of selfish individualism and which, consequently, is predisposed to read any such withdrawal as evidence of apathy rather than addressing the larger political context.

This points to another weakness of the ethical model: the same ethical focus that predisposes it to moralism also diverts it away from the assessment of the institutional opportunities afforded citizens to participate politically and to hold the various arms of the state to account. The focus on the quality of social relations and the dispositions of citizens towards the common good may itself may result in the discounting of key contextual factors in the explanation of political behaviour.¹⁵ Clearly, political participation and civic engagement more generally do not take place in a vacuum, we must take into account not only cultural influences, but also questions about access to resources, and the structure of the institutions themselves. Where these afford few opportunities for participation, or opportunities for relatively insignificant forms of participation then rational, reasonable citizens may choose not to participate, or indeed, to find alternative ways in which to participate. Where the ethical model may prompt us to view citizens who do not participate in traditional forms of formal political participation as simply apathetic, we should rather take a more nuanced view, which differentiates between the simply uninterested, the genuinely alienated, the excluded, and those who do not participate as they are happy to endorse the actions of their representatives for the time being. This latter group of 'stand-by' citizens, who may choose to become more directly involved in political life should the need or occasion arise, may be more or less well informed about politics and may well participate periodically in less traditional forms of political action (some may have better reasons than others to support their position)(Amna 2010). The freedom centred view invites us to take a more nuanced view of 'non-participants' – they may be serial participants for example who are often content to adopt monitoring stance towards political events – not directly engaged, but 'vigilant' and informed.¹⁶ On the view outlined above, this group may well have reason to identify with the outcomes of collective decision-making, and have reason to view these institutions as non-

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dominating, despite their apparent lack of direct involvement. Equally, there will be others whose non-participation reflects the opposite judgement – that those opportunities for participation they are afforded, are insufficient to justify viewing institutions as non-dominating. Rather than spinning narratives of cultural decline and bemoaning the apparent absence of civic virtue in modern citizens, we should perhaps focus our attention on the quality of our *institutions* and ask whether they are adequate to the task of securing us from domination and for enhancing our collective agency?

Conclusion:

How are we to think about political participation and civic engagement then? Are we to conclude that greater participation is simply undesirable and that trust, reciprocity and civic solidarity are no more than ruses employed by manipulative elites? That would be an extreme and unwarranted reaction to the problems identified here. Instead, we should in the first instance be mindful of the very different thrusts of the freedom-based account, and that of the ethical, 'moral-renewal' accounts of democratic citizenship, and of the limitations of this latter account, not least, its overconcentration on the quality of social life and the *characters* of citizens rather than on the *opportunities* afforded by our institutions. While some of these accounts are more sensitive to the need to connect their accounts of citizenship and civic engagement with the question of political autonomy, e.g. Barber, or Miller, others are unhelpfully silent, or, like Sandel, even hostile to the sort of proceduralism required to underwrite genuine political autonomy. Consequently there are great risks attached to the idea that civic renewal can replace a concern with formal political institutions and procedures. While the freedom-centred view is non-populist, and rejects the claim that the life of the active citizen is the best life, it is not fundamentally hostile to attempts to

enhance political participation and to stimulate greater civic engagement (Pettit 1997, 242). When constrained in the ways indicated above, these can serve the ends of non-domination and political autonomy, although the freedom-centred view may be more discriminating in with reference to the forms of participation valued, and the modes of civic engagement favoured. Clearly, with respect to the first, deliberative forms of participation are to be favoured over simply direct modes of participation, in the form for example of greater reliance on referendums. Secondly, this account can follow Mill in recognising the educative, capacity-building aspect of participation in civil associations: while these may be distinct from exercises of political autonomy, they can be valued to the extent that they provide citizens with skills that facilitate their participation in formal and informal political activity. Where the moral-renewal account of citizenship and participation often amounts to a nostalgia for an imperfectly conceived authentic democratic community, the freedom-centred account advanced here is appropriate to the demands of modern democratic politics, in the sense that it alone offers a coherent and robust account of the systematic relationship between individual and collective freedoms.

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¹ See Rawls, J. (1993) Political Liberalism. New York, Columbia University Press.. Pettit, while keen to claim a distinctive position for his version of republicanism is happy to concede that it may be continuous with the 'left of centre' liberalism of Rawls: Pettit, P. (1997) Republicanism. Oxford, Oxford University Press.. See also Laborde's suggested rapprochement between republicanism and liberalism and her distinctive 'left' republicanism in Laborde and Maynor (2008). Republicanism and Political Theory. Oxford, Blackwell. And Laborde, C. (2008) Critical Republicanism. Oxford, Oxford University Press.

²² Ian Carter argues that a revised understanding of negative liberty *can* capture the problem of domination identified by republicans: Carter, I., 'How Are Power and Unfreedom Related?' in C. Laborde and J. Maynor (eds) (2008) Republicanism and Political Theory: 58-82, Oxford, Blackwell. Note that Berlin's contrast does not map directly onto Constant's: Berlin rejects both individual and collective conceptions of autonomy Berlin, I., 'Two Concepts of Liberty' in (1969) Four Essays on Liberty: 118-172, Oxford, Oxford University Press..

³ Pettit argues that it constitutes a 'primary good' in Rawls' sense, i.e. a good that everyone has reason to want, whatever else they want and the distribution of which is a matter of justice Pettit, P. (1997) Republicanism. Oxford, Oxford University Press..

⁴ As presented in Republicanism (1997) the relationship between non-domination and collective autonomy is not immediately apparent, although it can be discerned already in Pettit, P. (1993) The Common Mind. Oxford, Oxford University Press. and has been made explicit in Pettit, P. and C. List (2011) Group Agency. Oxford, Oxford University Press.

⁵ Bellamy, for example, supposes that deliberative democracy entails a consensual decision-making mechanisms, excluding majority voting, an impression which may be strengthened by deliberative criticism of 'aggregative' devices. Rawls indicates, however, that the ideal of public reason does not render voting redundant Rawls, J. (1993) Political Liberalism. New York, Columbia University Press, Bellamy, R. (2007) Political Constitutionalism. Cambridge, Cambridge University Press..

⁶ This is not to say that *Aristotle* would necessarily endorse the politics his perfectionism has inspired. Rather as communitarians glossed over Hegel's emphasis on reason and self-determination, so too the rationalist, deliberative dimensions of Aristotle's thought are typically downplayed in 'ethical' accounts of citizenship and democracy.

⁷ Sandel: 'For despite its appeal, the liberal vision of freedom lacks the civic resources to sustain self-government. This defect ill-equips it to address the sense of disempowerment that afflicts our public life. The public philosophy by which we live cannot secure the liberty it promises, because it cannot inspire the sense of community and civic engagement that liberty requires.' Sandel, M. (1996) Democracy's Discontent. Cambridge MA, Belknap Press. and Barber says 'Liberal democracy is thus a 'thin theory of democracy, one whose democratic values are prudential and thus provisional, optional and conditional – means to exclusively individualistic and private ends. From this precarious foundation, no firm theory of citizenship, participation, public goods, or civic virtue can be expected to arise.' Barber, B. (1984) Strong Democracy. Berkeley, University of California Press.

⁸ Orlando Patterson argues that such reciprocity and trust sustained racial divisions within the US – to the extent that it was only generalised within racial groups Patterson, O., 'Liberty Against the Democratic State: On the Historical and Contemporary Sources of American Distrust' in M. Warren (ed.) (1999) Democracy and Trust: 151-207, Cambridge, Cambridge University Press..

⁹ Hardin calls this the 'encapsulated interest' account which differs then from the idea of a mere coincidence of interests. Hardin, R. (2002) Trust and Trustworthiness. New York, Russell Sage Foundation. Hollis contrasts 'predictive' and 'normative' accounts of trust, it is not clear that the cognitive account of trust is at odds with the idea that social life is constituted by dense, complex, networks of normative expectations. I can reasonably have the normative expectation that X should respond in a particular way, while at the same time having sufficient information to predict that he will fail to fulfil my normative expectations. I may resent his inappropriate behaviour without being in the least surprised that he has acted in this way. A cognitive account of trust need not, then, be the sole preserve of a Humean account of agency. Hollis, M. (1998) Trust Within Reason. Cambridge, Cambridge University Press.

¹⁰ Lenard rejects 'distrust' but endorses 'mistrust' although the distinction is unclear. What really matters, it seems, is whether mistrust/distrust is *warranted* by the evidence available. Unlike mistrust/distrust, cynicism seems genuinely insensitive to evidence. Lenard, P. T. (2008) 'Trust your Compatriots, But Count Your Change', Political Studies **56**(2): 312-332..

¹¹ Pettit suggests that sometimes signalling trust, where it is absent, may help to elicit trustworthiness from another, if they are motivated by the desire to live up to the image others appear to have of them Pettit, P. (1995) 'The Cunning of Trust', Philosophy & Public Affairs **24**(3): 202-225..

¹² See Miller for the putative link between nationality and trust Miller, D. (1995) On Nationality. Oxford, Oxford University Press.. It is hard to see how identity can reliably serve as a proxy for information about trustworthiness in most contexts.

¹³ While Putnam is not expressly anti-liberal as are Barber and Sandel, Jean Cohen argues that his emphasis on the importance of reinvigorating the family is 'linked to a clear, socially authoritarian project of retraditionalization and uniformity.' Cohen, J., 'Trust, Voluntary Association and Workable Democracy: the Contemporary American Discourse of Civil Society' in M. Warren (ed.) (1999) Democracy and Trust: 208-248, Cambridge, Cambridge University Press.

¹⁴ This contractualist approach clearly differs from Pettit's favoured strategy of presenting freedom from domination in consequentialist terms, as an end to be promoted. While his consequentialism obviously does not commit him to any particular view of the good life, and is not 'sectarian' in that sense, it does have the effect of rendering equality of only instrumental value to the promotion of freedom. While I have chosen to foreground the value of freedom in the account defended here, the contractualist approach I favour, clearly handles freedom and equality as of equal importance Scanlon, T., 'Contractualism and Utilitarianism' in T. Scanlon, A. Sen and B. Williams (eds) (1982) Utilitarianism and Beyond: 103-128, Cambridge, Cambridge University Press..

¹⁵ Elster suggests that tendency to overestimate dispositional factors in explaining others' behaviour may be subject to cultural variation Elster, J. (2007) Explaining Social Behaviour. Cambridge, Cambridge University Press.

¹⁶ This view has some affinities with Ackerman's notion of the 'private citizen' who occupies a position between the fully engaged active citizen who has no private concerns, and, at the opposite end of the spectrum, the privatised individual who is wholly divorced from politics. Ackerman, B. (1991) We the People. Cambridge MA, Harvard University Press.