

An Egalitarian Case for Class-Specific Political Institutions

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Abstract

Political theorists concerned with ways to counteract the oligarchic tendencies of representative government have recently paid more attention to the employment of “class-specific institutions” (CSIs)—that is, political institutions that formally exclude wealthy elites from decision-making power. This article disputes a general objection levelled against the justifiability of CSIs, according to which their democratic credentials are outweighed by their explicit transgression of formal political equality—what I call the political equality objection. I claim that, although CSIs do not satisfy political equality fully, their exclusionary thrust is *inter alia* justified in virtue of the fact that they unfold against the background of badly ordered, class-divided societies. Parallel to recent arguments in nonideal theory arguing for the priority of the right to resist economic oppression over the protection of private property rights, access to the empowering properties of CSIs should take priority over the full satisfaction of formal political equality. Yet, I also claim that the justification of CSIs depends on their orientation toward overcoming class divisions because, otherwise, we might end up wrongly *naturalizing* those divisions—a conclusion that needs to be avoided to reply to the *political equality objection*. The result is, I believe, a convincing egalitarian case for the democratic justifiability of CSIs.

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Introduction

Egalitarian democratic theorists usually maintain that a well-ordered society must satisfy a principle of *substantive political equality*: votes on relevant public matters should be equally distributed, deliberation among citizens widespread, and money-determined politics absent (Christiano 2010, 199). Yet even the most robust existing welfare state is typically far from satisfying this requirement at a systemic level. A growing body of both empirical and normative literature illustrates how economic elites increasingly exercise undue influence over democratic processes and outcomes,¹ revealing a widespread vulnerability of contemporary liberal democracies to *oligarchic capture* (White 2020).² By comparison, contributions to the normative justifiability and design of *alternative* institutions explicitly aimed at fighting oligarchization are rather scarce. Instead, most theorists tend to optimistically insist that we should just improve standard liberal-democratic institutions and practices (e.g., Pettit 2012), neglecting the relative systemic failure of these institutions in delivering their egalitarian promises (Vergara 2020a). Contrary to such optimism, other scholars react in an anti-institutionalist vein, arguing that formal political institutions are inherently undemocratic and that the struggle against elite domination should rather focus on forms of grassroots mobilization and popular resistance (e.g., Negri 2009; Rancière 1999). But this approach is limited too because, without the enforcement capacity and prospects of stability for such measures, their likelihood of success in countervailing trenchant oligarchization can be put into question (Hamilton 2018, 485; Muldoon 2021, 2; Popp-Madsen 2020, 17). A demand for theorizing alternative anti-oligarchic institutions is well-founded and much-needed.

1. Important studies showing the intensity of this phenomenon in the United States are Bartels (2017), Domhoff (2013), Hacker and Pierson (2010), Winters (2011), and Gilens and Page (2014). See Hopkin and Lynch (2016) for a discussion on Europe. See also Elkjær and Klitgaard (2021) for a systematic review of the recent literature.
2. Perhaps the paradigmatic example in this context is Rawls's (2001, 135ff) discussion of welfare-state capitalism as transgressing basic demands of egalitarian justice in the sense that such a system is liable to produce monopolies and concentrations of economic power that, in turn, would damage the fair value of political liberties and substantive political equality.

This paper meets this need by defending one specific anti-oligarchic proposal: constitutionalising *class-specific political institutions* (henceforth CSIs). Mostly championed by so-called plebeian republicans (e.g., Arlen 2019, 2022; Arlen and Rossi 2021; Hamilton 2018; Jörke 2016; McCormick 2011; Mulvad and Stahl 2019; Mulvad and Popp-Madsen 2022), CSIs seek to politically empower the economically dispossessed by excluding wealthy agents from some forms of political decision-making—what I call the *exclusion condition*. But many egalitarians reject CSIs on the grounds that the *exclusion condition* is incompatible with some of their central normative commitments—in particular, with the value of formal political equality (Urbinati 2011, 168, 2021, 160; Vergara 2020a, 228). I call this the *political equality objection*, and I want to question the force of this objection, particularly through two broad argumentative steps. First, siding with plebeian republicans, I claim that CSIs' exclusionary thrust can be justified when considering that they unfold in the context of *badly ordered, class-divided societies*. Parallel to recent arguments in nonideal theory prioritising the right to resist economic oppression over the protection of individual property rights (e.g., Gourevitch 2018), I argue that the construction of CSIs should take priority over the full satisfaction of formal political equality in our actual, plutocratic world. Second, against the core theoretical premises of plebeian republicanism, I claim that a better egalitarian justification must orient CSIs toward eroding the social conditions generating class conflict and political oligarchization and not only regulating it. Otherwise, these institutions might entrench historically specific, wrongful class divisions that are, in principle, avoidable—what I call the *class divisions entrenchment objection*. I thus suggest that champions of CSIs should advance an explicitly *transitional* justification for these institutions, one that understands their desirability to depend on their ability to progressively remove class barriers and produce more inclusionary institutional settings—what I shall call the *transitional rationale* for CSIs.

The paper is organized as follows. The first section offers a reconstruction of what I take to be the general rationale for constitutionalizing CSIs, the democratic virtues that they are supposed to enshrine, and some institutional proposals advanced in the recent literature. The next section presents the *political equality objection*, which I proceed to reply to in the following section. There, I start by highlighting the analytical importance of the nonideal character of the justification for CSIs, their purported egalitarian effects, and the priority of resisting oligarchic domination over a full commitment to formal political equality. I then explain the *plebeian republican rationale*, and why, I think, it is vulnerable to the *class divisions entrenchment objection*. After doing to, I consider a potential plebeian republican

reply to this objection, which I reject. Building on these arguments, I then outline my *transitional rationale* and explore some of its consequences for institutional design. The final section concludes.

Class-Specific Political Institutions: Refurnishing the Anti-Oligarchic Toolbox

The general rationale for constitutionalizing CSIs (mostly advanced by plebeian republicans) is a response to the strong tendencies of liberal democracies to degenerate into oligarchic plutocracies—that is, political systems in which the interests of economic elites are overly represented and/or unfairly shape liberal democratic procedures and outcomes (e.g., Leipold, Nabulsi, and White 2020, 11). The basic idea is that these measures would help resolve such conflicts by empowering ordinary citizens “to participate in politics on a relatively equal par with wealthy and prominent citizens” (McCormick 2011, 13), therefore directly helping to countervail the oligarchic capture of representative governments. Drawing on Machiavellian insights, authors claim that we should reject the liberal constitutionalist idea according to which the “‘sovereign people’ is a monolithic and socioeconomically anonymous collection of individual citizens—including elites—all of whom enjoy formal equality under the law” (ibid., 12). Instead, they argue, we ought to recognize that our societies are fundamentally biased to prioritise the interests of wealthy minorities (the “few”) to the detriment of a large group of nonwealthy, politically disempowered citizens (the “many”), who are akin to de facto second-class citizens in conflict with the former.³ Such a state of affairs, therefore, calls for creating institutions explicitly aimed at politically empowering the economically dispossessed, recognizing the class divisions upon which our societies are based, and effectively allowing for more meaningful democratic relations (Hamilton 2018, 478). These reasons ground what I call the *exclusion condition*.

The exclusion condition. Wealthy members of society and political elites (the few) should be excluded from participating in some authoritative political

3. It is in virtue of this second-class citizenship status that these citizens are, in this literature, labelled *plebeians*. The use of the term *plebeian* is a result of the impact of Machiavelli’s thought over this strand of democratic constitutional theorizing—see especially McCormick’s (2011) interpretation. McCormick emphasises Machiavelli’s (2003 [1531]) praise for plebeian tribunes as the main institutions responsible for Rome’s prosperity in the *Discourses on Livy*—Book I, chapter 5 (pp. 31–32)—suggesting that ordinary people, and not elites, are the proper guardians of liberty in a free republic.

institutions. This would allow nonwealthy citizens (the many) to regain control over distinctive political structures, enabling them to advance their interests and increase substantive political equality.

Plebeian republicans provide three sets of interrelated reasons that explain why anti-oligarchic institutional design is desirable. The first (a) is that CSIs would help to *stabilize* the political power of the many and redistribute it in their favour, against the backdrop of institutional settings that *already* offer unfair opportunities to elites to dominate political processes and outcomes. Adding this layer of institutionalized collective power to formal representative schemes would henceforth make them less rigged to the interests of economically privileged minorities and more responsive to the welfare of the majority of nonwealthy citizens.⁴ Second, (b) CSIs are thought to enhance the *negative* democratic power of the many to effectively control political elites and hold them into account. That is to say, CSIs would provide a relevant check and counterpower to the standard institutions of representative government, helping avoid plutocratic deviations and producing more egalitarian policy outcomes (Green 2011, 185; McCormick 2011; Vergara 2022a). Third, (c) plebeian republicans argue that endorsing the *exclusion condition* would reasonably enhance several *positive* dimensions of plebeians' democratic agency, for example, by increasing their participation in the political system (McCormick 2007, 117; Vergara 2022b, 26) or enhancing their class consciousness and solidarity (McCormick 2012, 92; Mulvad and Stahl 2019, 598). Relatedly, it could improve the *epistemic-deliberative capacities* of ordinary citizens participating in them, because the wealthy would not be able to directly influence decisions and/or set the agenda, for example, by using skills acquired through a privileged background. Experimenting with CSIs could therefore offer a way to figure out what "the public *would* think, had it better opportunity to consider the question at issue *without the adverse influence of the wealthy*" (Smith and Owen 2011, 210).⁵ And this is particularly interesting if we share a "favourable assessment of the common people's abilities, especially their capacity for political judgment" (McCormick 2011, 65)—a disposition that is reasonable to demand from egalitarian democrats.

Plebeian republicans have advanced different models of CSIs that could satisfy these desiderata. McCormick (2011), for example, has proposed to

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4. Put differently, the point is that, to get a more effective expression of popular power and resistance, we should endorse state-led forms of affirmative action to the benefit of the many (McCormick 2007, 125, 2011, 187).
 5. On how wealthy elites co-opt participatory instances of democratic deliberation, see Cooke and Kothari (2011).

constitutionalize what he calls the “People’s Tribune” in the context of the US Constitution, defending a CSI with randomly selected members that are rotated every year. Such a body would exclude the wealthiest 10% of the population from eligibility and hold constitutional powers such as vetoing one piece of congressional legislation, one executive office, and one Supreme Court decision, as well as calling referenda and initiating impeachment proceedings, every year. In a similar vein, Arlen and Rossi (2021) have proposed to expand McCormick’s model and create what they call a “Tribunate System,” which is a set of multiple and interconnected authoritative, sortition-based plebeian assemblies excluding wealthy agents from participation, each focused on overseeing a particular policy area perceived to be especially vulnerable to oligarchic influence and all holding similar constitutional powers. On a different note, Hamilton (2018) has proposed to replace sortition for elections as a selection method and suggested that “the least powerful groups or classes in society [should] have exclusive rights to elect at least one-quarter of representatives for the national assembly or parliament, alongside the normal, open-party dominated processes of electing representatives” (p. 489).⁶ Though different, all these proposals share the aims of guaranteeing the ability of nonwealthy citizens to resist elite domination, maximizing their control over political institutions and enhancing their opportunities for exercising meaningful democratic agency.

Before proceeding to discuss why these proposals might be morally problematic on egalitarian grounds, two clarifications might be in order. The first is that I do not claim that constitutionalizing CSIs is feasible in the short run or call for particular agents who could (or should) demand as much.⁷ Nor do I suggest that CSIs would *necessarily* deliver their promises.⁸ This is not only

6. Other examples are Smith and Owen’s (2011) application of the *exclusion condition* to democratic innovations, such as mini-publics, direct legislation and participatory budgeting, Jörke’s (2016) class-specific referenda, or Arlen’s (2022) “citizen tax juries.”

7. See Mulvad and Popp-Madsen (2021, esp. 87–89) for an excellent, recent discussion on these strategic questions.

8. Among other things, it is obvious that excluding the wealthy from participation does not completely disable them from exercising influence over CSIs—for example, they could bribe representatives, etc. (Shapiro 2016, 258–59, n. 11). Reducing such likelihood requires more discussion on institutional design. Furthermore, although there are reasons to believe that nonwealthy representatives are, on average, more likely to pursue plebeian ends than wealthy citizens (inter alia because they are objectively disadvantaged by political oligarchization, share that experience, and have direct incentives to oppose it [Elsässer and Schäfer 2022; Laurence 2020; Western 1999]), this might sometimes not be true. All of these are issues that must be dealt with on a more concrete level of analysis than the one I provide in this paper, and I take them as motivations for further inquiry.

because radical institutional reform always involves uncertainties but also because there has been barely any experimentation with authoritative CSIs in contemporary politics—and so their consequences are hard to predict (Harris 2019; Mulvad and Popp-Madsen 2021). Of course, this does not mean that more empirical analysis and precise institutional design are not possible or desirable. Yet the purpose of this paper is to assess the general conditions for the normative justifiability of CSIs; reflecting on how exactly they should be brought about is something that I hope to develop in a different paper. Secondly, it is not my argument that we should completely replace standard representative institutions with a specific, or a set of, CSIs, nor do I claim that CSIs are *sufficient* for realizing substantive political equality.⁹ The argument is more modest—namely, that CSIs *would reasonably increase* the political power of nonwealthy citizens, would better realize democratic demands in our imperfect world, and would contribute to achieving a more egalitarian institutional order. With these elements in mind, let me now introduce the *political equality objection*.

The Political Equality Objection

The *political equality objection* goes as follows. Egalitarian democrats are committed to a principle of substantive political equality. Yet they are *also* usually committed to a principle of *formal* political equality—that is, that all citizens should have equal political rights and liberties, regardless of their fair value. Thus, egalitarians argue that a truly democratic state that treats moral agents with equal concern and respect must involve “near-universal suffrage, free-speech and the rest” (Dworkin 2002, 186) and be

9. For example, there are good studies showing that radical democratic innovations need to be supported by progressive social movement to be effective (Felicetti and Della Porta 2019). Others – plausibly republicans of a more socialist sort (e.g., O’Shea 2020a, 2022; Vrousalis 2019) – might argue that, if practices of democracy redistributing power in the economic sphere are not *already* in place, CSIs might be toothless against fighting oligarchization. While I do see the appeal of these points, I also believe that they run the risk of engaging in a chicken-and-egg mode of thinking that is problematic in the context of discussing egalitarian social change. For democratic innovations like CSIs are *also* reasonably required both to stabilize the political resistance of social movements, and/or materialize forms of economic democracy in the first place. In turn, my position is that we should strive for positive feedback loops between these different institutions and practices (Klein 2022), mutually reinforcing each other and increasing the likelihood of enacting progressive social change. I thank a reviewer of this journal for pushing me to think about these issues.

grounded on the “universalistic and individualistic foundation of political liberty – one head/one vote” (Urbinati 2011, 168). Consequently, they argue that a genuinely egalitarian conception of democracy must be “radically based on individual equality and opposed to [. . .] communitarian and class-based approaches” (ibid., 163). And this is, of course, incompatible with exclusionary institutions like CSIs. For, although exclusion from participation is surely permissible (with restrictions) in the context of voluntary associations, introducing this at the level of political institutions would “violate the fundamental right to equal liberty all citizens should enjoy under a [constitutional] republic” (Vergara 2020a, 227). Therefore, for some egalitarian democrats, CSIs should be rejected *even if* they could have positive effects in countervailing oligarchic power. Put differently, even granting that CSIs could “prove beneficial to the cause [of nonwealthy citizens]” (ibid., 224), many egalitarian democrats deem them “unnecessarily contentious” (idem) and unjustifiable.¹⁰ All these points lead to the following formulation of the *political equality objection*:

The political equality objection. An appropriate egalitarian conception of democracy is committed to upholding formal political equality in all circumstances. This is incompatible with imposing group-specific qualities on the exercise of political rights, that is, with the *exclusion condition*. But CSIs entail the *exclusion condition*. Constitutionalizing CSIs is therefore ruled out, regardless of their potential positive outcomes.

I think that this objection is unsatisfactory as it stands. It not only exaggerates the constraints that formal political equality should impose on available strategies for egalitarian social change, but it also neglects the nonideal thrust of the justification of CSIs in a way that distorts their value and purpose. The next section aims to illustrate this argument and offer a compelling way for theorizing the egalitarian justifiability of CSIs.

10. In this context, it is worth noting that Camila Vergara is, herself, a central figure in the plebeian republican literature, meaning that it is not the case that only “proceduralist” authors advance this objection. In fact, liberal socialists (e.g., Bobbio 1990; Sypnowich 1992) and some socialist republicans also seem to share these views, claiming that unlike “some forms of socialism, [their normative commitments nullify the legitimacy of] temporary forms of class rule in which non-workers [or wealthy citizens] would be excluded from political decision-making” (Muldoon 2022, 59; also, Thompson 2018). And they reject these forms of class-specific rule, again, *notwithstanding doing so could effectively countervail oligarchic power*.

The Egalitarian Case for Class-Specific Political Institutions

Nonideal Backgrounds, Egalitarian Outcomes, and the Priority of Resisting Oppression

One of the weaknesses of the *political equality objection*, as I see it, is the fact that it neglects the overtly *nonideal* character of CSIs—namely, that these are institutions that make sense *only* in the context of class-divided societies where wealthy minorities can dominate the political system. Therefore, although the full satisfaction of formal political equality is reasonably part of what an egalitarian democracy ideally requires, it is not convincing to impose it as a definitive constraint over institutional innovations in the context of *badly ordered societies* (Edmundson 2017, 190)—that is, societies “regulated by principles favouring narrow class interests” (Rawls 1999, 310) and that lack just constitutions (Ypi 2019). Egalitarians are right to believe that a just system of institutions showing equal concern and respect over moral agents should give them equal rights of participation. However, *if* a particular institutional structure attempting to equally assign formal rights to participate in *all* institutions is such that most citizens are, nevertheless, *de facto* significantly underrepresented in political decision-making, *then* we should avoid the “temptation to fetishize formal equality” (McCormick 2012, 106) and rather prioritize the achievement of “substantive political outcomes” (ibid., 109). Put differently, the idea here is that the *political equality objection* mistakenly applies liberal political rights “as limiting conditions to severely non-ideal political and social relations” (Gourevitch 2018, 910) and that such constraints should be relaxed to produce more egalitarian outcomes.

I find this argument appealing. But I also believe that it requires more philosophical elaboration; after all, merely pressing the importance of achieving egalitarian outcomes against a background of injustice is unlikely to convince champions of the *political equality objection*. A more persuasive argument can be achieved, I think, by reference to recent accounts in nonideal theory that reflect on the justification of practices of resistance against oppression (e.g., Gourevitch 2018; Shelby 2018). With this in mind, I aim to conceptualize CSIs as a necessary form of *institutionalized political resistance to oligarchization*.¹¹ Specifically, because of its direct relation to

11. Another way to conceptualize this aspect of CSIs could be along the lines of what Roberts (2022) has recently called institutional strategies of *counter-domination*, defined as coercive weapons of the weak through which they can fight elite domination (p. 47).

class-based forms of political resistance and emancipation, I find it useful to draw a parallel between Gourevitch's (2018) so-called radical argument for the right to strike and the general justification for CSIs. The rest of this subsection is destined to develop such an analogy.

In short, Gourevitch (2018) argues that for workers to have a reasonable chance to succeed in exercising their right to strike in the context of legally supported, systemic class oppression, they might well need to resort to coercive tactics—such as rioting or occupying their workplaces—“which both violate the law and infringe upon what are widely held to be basic liberal rights [especially property rights]” (p. 905). However, all liberal democracies are, in principle, committed to protecting both the right to strike *and* the property rights of employers. This gives rise to the following dilemma: either the right to strike is protected and made effective by allowing for property rights to be transgressed in certain cases, or the right to strike is nullified by claiming that individual property rights cannot ever be transgressed. Gourevitch sides with the former claim. By showing that the legal enshrinement of private property rights helps to generate circumstances of systemic class oppression instead of producing collective liberation, he argues that the use of coercive tactics while striking should take priority over protecting those private property rights. For those tactics do help workers to resist and reduce their oppression—and doing otherwise either deepens or reproduces their oppression (*idem*).

Gourevitch's radical view on the right to strike can inform the egalitarian justification of CSIs. Just like the normative priority of using coercive tactics as a form of resistance against systemic class oppression (at the expense of protecting private property rights), CSIs can be understood as necessary means of political resistance aimed at fighting oligarchization (at the expense of full formal political equality). Put differently, if we accept, on the one hand, that standard liberal political institutions are unable to countervail oligarchic capture and, on the other, that pretending to abide by full universalist standards reproduces the same state of affairs, we obtain a similar dilemma to the one diagnosed by Gourevitch. Either we secure universal formal equality and allow for *de facto* political oppression or partially transgress the former to fight the latter. Consequently, if we agree with the intuitive appeal of the priority of the right to strike over the unrestricted protection of private property rights, I suggest that the same logic must support the priority of securing access to effectively anti-oligarchic institutions for the many over the unrestricted satisfaction of formal political equality. Constitutionalizing CSIs not only would avoid

oligarchic domination but might be *necessary* for nonwealthy citizens to succeed in achieving greater control over representative government, a requirement of meaningful democracy. This completes the first part of my egalitarian argument. I submit that the *exclusion condition* can be vindicated on nonideal grounds and that egalitarians have good reasons to hold it. Yet, the next section explores one further, important problem that the usual plebeian republican interpretation entails and suggests how to overcome it.

The Class Divisions Entrenchment Objection

If my arguments thus far are convincing, CSIs should now seem like attractive forms of egalitarian institutional design. So far, I have made the case by drawing, and expanding on, the standard plebeian republican interpretation of the *exclusion condition*. But I believe that such an interpretation is, unfortunately, not fully consistent with a successful egalitarian case for CSIs and that more steps are required. Let me explain.

Plebeian republicans argue that, because of their allegiance to a “realist” vision of politics, we should conceive the conflict between the few and the many to be of a *socio-ontological* kind (Vergara 2020a, 242)—to wit, a conflict that is said to be *factual*, *inescapable*, and *unavoidable* (e.g., Arlen 2022, 2; Green 2016, 84; Vergara 2020b, 236).¹² Such an idea has substantial theoretical and practical implications. First, it entails that the role of CSIs must be limited to *regulating* oligarchic domination by maximizing the values explained in the previous section. Second, CSIs should not aim to overcome the conditions that generate states of oligarchic capture—because achieving this is, *ex hypothesi*, ruled out. Third, it follows that CSIs must be conceived as *permanent* features of desirable political systems because class conflict will just not go away and remain in need of regulation to the benefit of the many. Call this the *plebeian republican rationale* for CSIs.

The trouble with the *plebeian republican rationale* is that it clashes with core egalitarian insights. For one, if we are convinced by the argument that CSIs are an attractive form of state-led affirmative action against oligarchization, it is unclear *why* these institutions should not aim at helping to *overcome*

12. This view can be traced back to Machiavelli (2003 [1531]) who, as already outlined, is a central influence for contemporary plebeian republicans.

the conditions of unjustified social privilege, much like any other form of affirmative action.¹³ In contrast, because the erosion of the *causes* of oligarchic domination is neither a practical priority of plebeian political institutions nor a condition for their normative justifiability, this version of the *exclusion condition* is at risk of problematically entrenching historically specific, wrongful class relations. For example, by constitutionally recognizing the unavoidable reality of oligarchic conflict and its categories (e.g., the very existence of “wealthy” and “nonwealthy” people), it could unduly reinforce the public belief that our political systems necessarily involve the existence of substantively wealthy and powerful social groups made by a few.¹⁴ It would also mean that egalitarians should surrender the hope of fully realizing the democratic demands of universal formal political equality, and so abandon principles that, to many, *are* central to our political ideals. All these reasons generate what I call *the class divisions entrenchment objection*:

The class divisions entrenchment objection. Although there are substantive egalitarian reasons to accept the *exclusion condition*, the idea of constitutionalizing CSIs as a permanent feature of our political systems is vulnerable to essentializing and/or entrenching objectionable, historically specific class divisions—those very divisions that triggered the need for CSIs in the first place. It would also preclude the full realization of formal political equality under better conditions. These conclusions are undesirable from an egalitarian point of view and outweigh the benefits of the egalitarian argument for CSIs.

As it should be obvious at this point, I think that a fully satisfactory egalitarian case for CSIs should not downplay the force of the *class divisions entrenchment objection*. I also think that it is possible to avoid it. My argument is that their goal can be achieved by conceiving the role of CSIs in terms

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13. Put differently, if we can identify the causes of conflicts leading to oligarchic harm and arbitrary rule (in this case, the fact that some agents are able to amass a certain amount of wealth sufficient to manipulate, as a coalition, the political system in a variety of ways), it is unclear why “we should settle for channelling and dealing with such conflicts legitimately [. . .] rather than being more radical in seeking to eliminate such conflicts from the roots” (Ypi 2015, 222). If champions of the *political equality objection* were too *optimistic* regarding the prospects of class-neutral political systems to materialize an egalitarian democratic order, plebeian republicans seem too *pessimistic* regarding what we can achieve in a more desirable, future political system. My own position steers a middle ground between these two poles.
 14. See Landemore (2020, 50; 2022, 1063) for similar observations regarding the egalitarian deficits of plebeian republicanism.

of helping to erode, on a *transitional basis*, the unjust conditions that trigger the need for them in the first place, thereby creating space for more inclusionary institutions to emerge. But, before explaining the content of this alternative view, I want to consider how plebeian republicans could reply to the *class divisions entrenchment objection*.

A Plebeian Republican Reply

Champions of the *plebeian republican rationale* could reply to the *class divisions entrenchment objection* along the following lines. Essentially, they could claim that, although a socioeconomically oligarchy-free world would certainly be the best or most desirable goal, it is just politically infeasible to achieve it. Put differently, the claim is that the conflict between the few and the many should be considered a *hard* feasibility constraint over what is politically obtainable, meaning that oligarchization belongs to the domain of “facts about what is logically, conceptually, metaphysically, and ontologically impossible, [which] limit the option sets available to agents” (Lawford-Smith 2013, 252). Now, because the aforementioned best-case scenario is not feasible, egalitarian democrats should aim for a *second-best* state of affairs, where some class divisions will be entrenched and formal political equality not fully materialized, rather than one in which CSIs are absent yet oligarchy reigns. This is furthermore not particularly problematic, because there are good reasons to insist on the priority of resisting oligarchic oppression over securing formal political equality. And, if CSIs correctly fulfil their function, conceding that society will always be stratified along class lines is normatively acceptable. It follows that we should downplay the force of the *class divisions entrenchment objection*.¹⁵

To assess this reply, we must first ask why we should believe that intense, perpetual oligarchic threats are “unavoidable.” Second, we must also ask what it means for such societies to remain stratified and whether it is true that this state of affairs is not “highly problematic.” To my knowledge, plebeian republicans have not provided systematic answers to either of these questions. But they have given some resources that can help us to reconstruct what their answers to these questions might look like. Regarding the first point, they usually resort to general ideas such as Michels’s (1962 [1911]) “iron law of oligarchy” (Vergara 2020a), or the claim that in every “reasonably complex society, some people will always have significantly more power than others” (Bagg 2022, 7). Alternatively, plebeian republicans have drawn on generalizations of past historical experiences to suggest

15. I thank two reviewers of this journal for pressing me to elaborate on these ideas.

that societies have always been stratified and thus that they may always be stratified in the future (McCormick 2011). Now, although these are empirical claims that may apply to our world, I want to highlight the following two points: first, such claims have been questioned by social scientists. Second, extrapolating them as socially necessary features of all feasible complex social settings is, in fact, very controversial. For example, several organizational sociologists reject Michels's iron law (e.g., Diefenbach 2019; Leach 2005), showing that complex organizations *can* avoid oligarchic tendencies if there are substantive participatory institutional resources and practices in place. Historical experience is also clearly flexible, and, in any case, we cannot prophesize about what the future will look like without allowing for great possibilities of variation. So, although political oligarchization and class conflict are pervasive social conditions severely entrenched in our contemporary world, it seems more reasonable to argue that they are *contingent*, not *necessary*, social conditions of all feasible complex social worlds.

This entails that the socioeconomic conflict between the few and the many should be considered a *soft* feasibility constraint on what is politically achievable—that is, a fact that reduces the *likelihood* of achieving a desirable outcome but that does not decisively limit the option sets available to agents (Lawford-Smith 2013, 254). Thus, the *best-case* scenario depicted previously seems, *contra* plebeian republicans, politically possible, notwithstanding the difficulties of achieving it here and now. Given this uncertainty, and *if* we share broad egalitarian normative commitments, the rational prescription must be to dynamically realize *that* state of affairs—that is, a political system where the *sources* of oligarchic plutocracy, namely, significant economic power differentials, are absent. This also means that we should be very careful in endorsing institutional strategies that might decrease the likelihood of realizing the best-case scenario—such as employing CSIs in a way that might entrench wrongful class divisions.¹⁶ I conclude that a successful egalitarian case for CSIs must go beyond the *plebeian republican rationale*.

16. Someone could argue that these claims are incompatible with the “realism” animating plebeian republicanism, a realism we should retain. Yet I think that this argument is not completely accurate, especially considering the views of many contemporary realists that explicitly oppose a “politically defeatist” (McQueen 2018, 97) stand on what is socially possible. On the one hand, this brand of political realism claims that a focus on feasibility constraints should not have a central relevance (Rossi 2019)—*inter alia*, because “the feasibility of political outcomes can never be fully known” (Cozzaglio and Favara 2022, 425). Because these realists are committed to epistemic humility (McQueen 2018, 97), they should not identify overly specific feasibility constraints on what is politically possible. On the other hand, they claim that, *if* political realists should reject normative

To make this case more robust, let me take a step back and consider the second point—that is, the argument that renders normatively acceptable the persistent stratification of society, concluding that the *class divisions entrenchment objection* unduly dramatizes the potential negative effects of conceiving CSIs as permanent arrangements of a democratic society. On the one hand, plebeian republicans claim that a desirable democratic order, where CSIs are in place and successfully regulate class conflict, is one in which, although some agents are wealthier than others, everyone enjoys an important degree of *material independence*. To that end, plebeian republicans frequently propose policies such as a substantive universal basic income, wealth ceilings, and guaranteed employment, among others (Mulvad and Stahl 2019, 596). These are, I take it, desirable distributive conditions from an egalitarian standpoint, whose purpose is to render the idea that a stratified society is acceptable, all things considered. On the other hand, however, these distributive conditions are not only severely underspecified, but one wonders why CSIs are at all needed given that state of affairs. The *exclusion condition* works under a highly nonideal presumption of *wealth-generated political privilege*—namely, that some agents have an *unacceptable degree* of political power as a result of how society produces, distributes, and allocates its wealth. Yet this presumption is not likely to be obtained in the more optimistic, ideal situation depicted previously, where citizens’ material independence is widespread, significant, and stable. To be sure, I do not want to commit to the claim that such a society is free from any form of class conflict. My point is rather that it does not appropriately capture the *kind* of stratified society that CSIs are reasonably aimed to fight and the class divisions that they should not entrench. *That* type of stratified society *is* normatively objectionable on egalitarian grounds, and people committed to egalitarianism are right to oppose politically defeatist policies that take its reality at face value and risk perpetuating it. The role of CSIs should be to eliminate the existence of wealth-related political privilege, not only to “regulate” the conflict between those who hold such privilege and the rest of nonwealthy citizens. If we want to retain

standards based on feasibility considerations, these are related to the impossibility of overcoming political conflict and strong disagreements in general (Cozzaglio and Favara 2022, 420; McQueen 2018, 10–12), not oligarchic conflict stemming from class divisions *in particular*. This point, of course, ties political realists to the demand of finding institutions to channel political conflict in a way that is conducive to desirable social goals, but it ties them neither to the claim that CSIs are always required to achieve those goals, nor to the idea that oligarchic conflict is unavoidable.

a commitment to egalitarian fundamental intuitions, we should think about the normative justifiability of CSIs differently.¹⁷

Beyond Plebeian Republicanism: The Transitional Rationale for Class-Specific Political Institutions

So, how can we achieve an egalitarian interpretation of the *exclusion condition* capable of downplaying the force of the *political equality objection* while also avoiding the *class divisions entrenchment objection*? As I already explained previously, my view is that this desideratum can be fulfilled by establishing the following broad conditions. The first is that, in contrast to the *plebeian republican rationale*, the legitimacy of CSIs should be understood not *only* in terms of their ability to regulate the effects of class divisions on the political system but *also* regarding their explicit end to *dynamically change* the nonideal circumstances that trigger the need for them: a class-divided society where the few enjoy wealth-generated forms of political privilege. This entails that CSIs should be conceived as a type of nonideal solution to an unjust state of affairs, incompatible with a well-ordered democracy. Second, in analogy to how some Marxists have theorized the legitimacy of class-based forms of political rule (e.g., Levine 1987; Ypi 2020), the egalitarian justifiability of CSIs requires them to be transitional and temporary, instead of end-state and definitive institutions. In other words, having accomplished their purpose, CSIs should wither away and make space for a political system that overcomes the need for socioeconomic, exclusionary criteria for participation in it—that is, to progressively realize a system that satisfies *both* principles of substantive and formal political equality. Thus, the thought is that an appropriate egalitarian case for CSIs should be connected to the theorization of the conditions for overcoming their necessity and explicitly orient their role to the fulfilment of that end. Call this the *transitional rationale* for CSIs.

This description of the *transitional rationale* provided so far is still too abstract, and the remainder of this subsection is aimed at developing its content and some of its implications for class-specific institutional design.

17. I want to clarify that this conclusion is, by no means, an argument in favour of a potential comparative attractiveness of class-neutral oligarchic plutocracies vis-à-vis the potential of CSIs to fail avoiding the negative effects depicted by the *class divisions entrenchment objection*. If CSIs proved, in experimentation, to be inextricably connected to producing those effects, the demand for exploring further anti-oligarchic measures is still fundamental, and the condemnation of systems that perpetuate oligarchic rule remains untouched.

To exemplify this, I will use McCormick's people's tribunate proposal as a template and amend it according to the demands of my alternative egalitarian case. I will not defend a specific institutional proposal that satisfies all its requirements, however. My focus is rather on how the *transitional rationale* affects the general ways in which the *role* and *constitutional powers*, as well as the *temporality* of CSIs, should be theorized—which are the dimensions where, I think, its distinctive character is better expressed. Part of the reason for this move is that I am concerned with the *general egalitarian* justifiability of CSIs, not with any of their specific features such as a particular class-specific composition criterion, the exact selection method for defining representatives, and/or a given set of constitutional powers. The *transitional rationale* is compatible with a wide variety of class-specific institutional models. More particular institutional decisions need to be made based on context and remain subject to the demands of democratic politics.¹⁸ Consequently, although the rest of this section is aimed at clarifying some of the features of the *transitional rationale* concerning one specific institutional proposal, this does not exhaust all the alternatives available and is more by way of illustration.

Let me thus consider what the *transitional rationale* requires regarding CSIs' *role*. Recall how CSIs are tied to the explicit aim of progressively realizing a democratic system without wealth-related political privilege, and in a way that removes the conditions of the possibility of such wealth and power differentials. So, for example, a version of McCormick's people's tribunate tailored along the lines of my egalitarian argument would tie its success to its ability to show, in time, that it is contributing to eliminating wealth-related

18. These concerns with context dependency and democratic politics are a distinctively attractive feature of McCormick's account. In his discussion of the people's tribunate he does fix several relevant criteria, such as setting this CSI in the context of the United States, stipulating that it would exclude the wealthiest 10% from eligibility, and defining a series of the constitutional powers. But McCormick also claims that other contexts surely require different institutional specifics, and that the very definition of these conditions must be flexible and malleable upon the satisfaction of some set of democratic procedures. For example, he claims that its members should be granted the authority to make the tribunate's threshold more exclusionary, or expand its constitutional powers, if they would agree on a two-third favourable vote that would then have to be approved in a national referendum (McCormick 2011, 185; 2012, 99). Of course, this is not intended to suggest that we should follow McCormick's own democratic procedure for changing the constitution of *all* CSIs. The point is to emphasize that we should be sensitive to the need for flexibility in designing CSIs because deciding on the desirability of specific models must also be a matter of context, as well as allowing agents a degree of democratic experimentation.

political privilege. This also makes a case for officially recognizing the need for institutions fulfilling this role, for example, in constitutional preambles (Khaitan 2019)—meaning that its legal framing would be more explicitly connected to substantive considerations of economic justice. Now, it is worth noting that, at least in this level of abstraction, several systems could plausibly satisfy this requirement, varying from demanding forms of social democracy in which economic power is radically redistributed (von Platz 2020) to a property-owning democracy (Thomas 2017) or a socialist democracy characterized by public ownership over productive assets (Vrousalis 2019). Whether these systems will stably realize formal and substantive political equality is a matter of debate, and my argument here is ecumenical with regard to which one should be favoured. But the point is that, regardless of what is the best option, the role of CSIs must be to achieve a system that makes these very CSIs functionally redundant and that can satisfy both principles of formal and substantive political equality.

Second, fixing the role of CSIs along these lines affects how we should think about their constitutional powers. In particular, provided that their role is more demanding than in the case of the *plebeian republican rationale*, my account justifies a *pro tanto* case for conferring them greater powers and/or directing those powers to specific domains responsible for generating wealth-related political privilege. An example is to expand their activity into the control of different aspects of the economy.¹⁹ One way of doing this would be to give members of the people's tribunate the power of, subject to reasonable constraints like a super-majoritarian vote, calling referenda regarding the potential expropriation (with or without compensation) of strategically important property, if that would convincingly promote substantive political equality in the long run.²⁰ Likewise, special veto powers regarding tax policy

19. I add this *pro tanto* clause because many egalitarians might be sceptical about the efficiency costs of institutional solutions changing the constitutional scheme (Elster 1993) or the property regime in a too radical fashion (Frye 2020; cf. O'Shea 2020b). Others could, perhaps, be sceptical about bestowing them with great constitutional powers unless there are appropriate checks and balances constraining them. Although my own position is that the intensity of oligarchization requires bold institutional experimentation and less risk-averse attitudes regarding authoritative CSIs, I am willing to grant that there might be reasonable disagreement concerning the details of the proposal. I thank a reviewer of this journal for pressing me to clarify this point.

20. I stipulate super-majoritarian requirements and ratification via referendum in virtue of how controversial these decisions might be. See Vergara (2020b, 245) for a plebeian republican argument supporting expropriation without compensation.

perceived to be against the demand for greater economic redistribution could be granted. These ideas can take many policy-specific forms, and more discussion is needed to make a convincing case about how extensive the powers of CSIs' institutions should be in this domain. My point is that champions of the *transitional rationale*, and egalitarians more generally, should be sympathetic to these possibilities. A more plausible egalitarian case for CSIs should integrate them.

One final concern regarding the institutional implications of the *transitional rationale* relates to how we should interpret its "temporal" dimension. Because this conception is explicitly aimed at avoiding the *class divisions entrenchment objection*, the first question is how to ensure that CSIs will not naturalize class divisions, thereby acting as a barrier to egalitarian social change, and the second question is how to ensure that CSIs will eventually wither away and not remain as perpetual features of our institutional landscape. This is particularly pressing because the process of eroding the social basis of oligarchization is likely to be long, indeed impossible to precisely calculate in advance. It is also crucial because, *contra* to some authors' suggestions, CSIs could *fail* to achieve their ends and therefore never "wither away" spontaneously.²¹ My view, therefore, is that the *transitional rationale* suggests that we should formally evaluate, periodically, whether CSIs actually help to eliminate wealth-related political privilege and whether the conditions for materializing full political equality can be met. Therefore, if it can be shown that CSIs do not achieve these effects, then it follows that they should be abolished, as the rationale for their creation no longer holds. So, going back to our amended people's tribunal, I would suggest complementing it with institutions such as a periodic convention (say, every 10 years), whereby members, and/or an independent, democratically appointed body of citizens, evaluate whether this institution has helped eliminate wealth-generated political privilege, report the results, and give the broader public the option to dissolve, retain,

21. For an interesting transitional example of CSIs that is nevertheless insufficiently attentive to the possibility of this failure, see Adler's (2018 [1919]) proposal of constitutionalizing a working-class senate alongside a traditional parliament. Adler's optimism was based on his personal certainty that socialist parties would win office in parliament, whose decisions would then be supported by this senate and allow for a gradual process of democratization of the economy and withering away of CSIs. Although these conditions could be desirable for the egalitarian democrat, it is far from obvious that we should share Adler's optimism.

or modify the institution via a national referendum.²² Measures like this would provide authoritative CSIs with a necessary layer of legitimacy against the backdrop of their potential failure or harmful effects, as well as stress their required transitory nature. I cannot discuss here all the details of the proposal, which would need to be further explored, both in theory and in particular political contexts. But it is along these lines that, I think, egalitarian democrats should conceive the place of CSIs in enacting progressive ends.

Conclusion

This paper argued that CSIs can be justified in the context of broad egalitarian normative commitments. Although their exclusionary thrust clashes with some of our considered judgments about the requirements of an egalitarian conception of democracy, I suggested that such exclusions can be justified if they lead to dynamically eroding the social bases of oligarchization and, as a result, allow for more inclusionary arrangements to emerge. I thus claimed that a full allegiance to formal political equality in the course of egalitarian social transformation should be relaxed—weakening the force of the *political equality objection*. Then, agreeing with plebeian republicans, I suggested that the maintenance of CSIs to fight oligarchic domination should take priority over the full satisfaction of equal political rights in our nonideal, plutocratic world. But, against the *plebeian republican rationale*, I added the requirement that these institutions be explicitly transitional—giving rise to the *transitional rationale*. For CSIs should be able to show, in practice, their ability to contribute to eroding the unjust conditions that triggered the need for them, as well as avoid naturalizing conditions that could make egalitarian social change less likely. Satisfying both criteria enables the egalitarian case for CSIs to avoid the *class divisions entrenchment objection* and should make this kind of democratic innovation more compelling for egalitarians. Class divisions are reasonably not natural nor socially necessary, and CSIs are therefore not likely to be required forever. The latter should be conceived as an attractive tool in the contingent struggle to tackle the former. It is when we recognize the transitory nature of CSIs that they can be vindicated as a distinctively egalitarian strategy for reform.

In conclusion, I would like to emphasise that my purpose in this paper has been admittedly general—namely, to provide an account of CSIs that can

22. See Leipold, Nabulsi, and White (2020, 8) for an argument regarding the importance of periodically revising the constitutional structure in an egalitarian constitutional scheme. See also White (2017) for discussion and normative analysis on different models of constitutional conventions.

tackle the most important moral objections that egalitarians have levelled against them, therefore improving on their normative justification. A great deal of empirical analysis, context evaluation, and political experimentation, as well as an assessment of the role of agents responsible for their institutionalisation, are required to test their practical appeal and egalitarian transformative power. I hope that the theoretical reflection provided here will leave us in a better moral standing to pursue such tasks.

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