Reflective Realism: Does Unwillingness to Participate Legitimize Non-Participatory Democracy?

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Abstract: In this article, we argue that reflective realism offers a plausible methodology that takes non-participatory attitudes and beliefs seriously as candidates for legitimacy while simultaneously offering tools through which a critical distance on these attitudes and beliefs can be obtained. Against unmediated realism, according to which non-participatory attitudes warrant the conclusion that democracy ought to be non-participatory, we emphasize that they cannot serve as inputs for bottom-up legitimacy reconstructions when they are conditional upon detrimental features of the political system. In this context, we distinguish between two types of conditionality, unknown and known, and show how they necessitate two forms of critical engagement: ideology critique and a method of elicitation. Finally, we argue that Landemore's open democracy paradigm, with some important modifications, offers a solution to the ambiguity (some citizens want to participate, some will be reluctant) that realists may encounter in their bottom-up legitimacy reconstructions since it accommodates participatory and non-participatory attitudes alike.

Abstract: Der Artikel stellt die Methodologie des reflexiven Realismus vor. Sie erlaubt es, nicht-partizipatorische Präferenzen und Glaubenssätze als Kandidaten für Legitimitätsrekonstruktionen ernst zu nehmen und bietet zugleich Instrumente, durch welche eine kritische Distanz zu diesen erreicht werden kann. Dabei grenzt sich der reflexive Realismus von einem nicht-reflexiven Realismus ab. Nicht-reflexive Realisten sehen die faktische Zurückhaltung der Bevölkerung in demokratischen Entscheidungsprozessen als Grund dafür an, dass Demokratien das Erfordernis zur Bürgerpartizipation reduzieren sollten. Dagegen betont der reflexive Realismus, dass nicht-partizipative Präferenzen keine Grundlage für internalistische Legitimierungsrekonstruktionen bieten können, wenn deren Genese von problematischen Merkmalen des infrage stehenden politischen Systems abhängig ist. In diesem Kontext wird zwischen verdeckter und unverdeckter Abhängigkeit unterschieden. Als jeweils passendes Werkzeug zur kritischen Reflexion diskutiert der Artikel Ideologiekritik und die Methode der Elizitation. Abschließend wird aufgezeigt, dass eine modifizierte Version von Landemores Open Democracy Paradigma eine Lösung für die normative Ambiguität (differierende Bereitschaft der Bürger zur Partizipation) in internalistischen Legitimitätsrekonstruktionen darstellen kann, da sie gleichermaßen Raum für partizipative und nicht-partizipative Präferenzen bietet.

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1. Introduction

On the Danish broadcast *Deadline*, host Niels Krause Kjær tellingly delivered the following opening remarks on the recent regional elections in France: "The winner was, once again, the sofa" (our translation, 27.06.2021: 00:01:10). This sentiment was echoed in an opinion piece by James McAuley (2021) in *The Washington Post*: "There were no real winners in France's regional elections, only losers. If anything, the main force that prevailed in the vote, which concluded its second round on Sunday, was apathy." The elections saw a first round with a 39 percent turnout followed by a second one where turnout was a staggeringly low 33 percent. Generally, political apathy is on the rise in many democracies. Citizens *en masse* express a disinterest towards politics, and many do not even bother to cast their votes. In response to this reality, democratic theorizing appears stuck between two opposing theoretical impulses that we refer to as participatory approaches and unmediated realism. On the one hand, some democratic theorists continue to posit public mass participation as a requirement for legitimate governance without paying due regard to the fact that many citizens seemingly would prefer to not participate. On the other hand, some political scientists argue that widespread non-participatory attitudes warrant the conclusion that legitimacy is to be realized in a non-participatory (so-called 'stealth') form of democracy without incorporating intermediate reflection on the potentially problematic reasons upon which these attitudes are based.[1]

In this article, we argue that reflective realism offers a different and more plausible methodological path that takes non-participatory attitudes and beliefs seriously as *potential* candidates for legitimacy while simultaneously offering tools through which a critical distance on these beliefs and attitudes can be obtained.[2] Whereas the former pillar (taking non-participatory attitudes seriously) derives from a commitment to a bottom-up conception of legitimacy, the latter (offering tools) points to the critical impetus that informs the reflective realism we propose. Specifically, we single out two scenarios in which non-participatory attitudes and their associated beliefs should be questioned as reliable indicators of legitimacy – namely when they are conditional on either a lack of participatory avenues or corruption in the political system. In this context, we distinguish between cases in which this conditionality is known to subjects and cases in which it is unknown and show how they call for two distinct types of critical engagement, both of which underpin the reflective realist methodology as defining features. Whereas the latter scenario (unknown conditionality) calls for a form of ideology critique that has received much attention in the literature on political realism, the former (known conditionality) necessitates a more modest and less theorized reflective approach that we refer to as a method of elicitation.

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2 We are thankful to Peter Niesen and Ilaria Cozzaglio for valuable feedback on earlier versions of this article. We also want to thank our colleagues at the „Collective Decision-Making" program at Hamburg University and the participants of the „Third Annual Amsterdam Graduate Conference in Political Theory" for inspiring discussions about our project.

In light of these methodological considerations, we introduce two empirical studies concerned with demonstrating the prevalence of this conditionality of non-participatory attitudes to illustrate how reflective realists should confront citizens' expressed preferences and beliefs in their bottom-up reconstructions of legitimacy. These studies also buttress our suspicion that the unmediated realist conclusion (that widespread disinterest in politics implies the legitimacy of a non-participatory form of democracy) is unfounded under current circumstances. We concede, however, that there could be scenarios in which a sizeable number of citizens could have non-participatory attitudes for reasons that are unobjectionable from a reflective realist standpoint. In proportion to their prevalence within a given society, these attitudes and their associated beliefs would have to be incorporated in bottom-up legitimacy reconstructions. When such normative ambiguity obtains (some will want to participate, others will be reluctant), we argue that Landemore's open democracy offers a promising basis for reflective realists concerned with drawing institutional recommendations insofar as it can accommodate participatory and non-participatory attitudes alike. Under Landemore's new model, participation is *optional* rather than *required* in the sense that legitimacy is decoupled from mass participation. However, to remain faithful to the core realist commitment to stability and order, we suggest that the participatory devices Landemore incorporates into her model should connect the broader public to an electoral parliament rather than a lottocratic assembly.

Our article is structured as follows. We begin by providing evidence of the current participatory crisis (section 2). We then introduce two opposing approaches to participation that we refer to as participatory approaches and unmediated realism and criticize some of their shortcomings (section 3). Against this backdrop, we flesh out reflective realism, focusing on the commitment to bottom-up legitimacy and the reflective moments on account of which reflective realism can obtain critical distance on citizens' expressed preferences and beliefs. We also demonstrate how these defining commitments relate to non-participatory attitudes and the questions they raise concerning legitimate governance (section 4). In the final part, we draw out institutional implications of our analysis, arguing that Landemore's new model of open democracy provides a basis for solving the ambiguity that theorists may encounter when trying to situate the value of participation in their bottom-up legitimacy reconstructions (section 5).

2. A Participatory Crisis

The French case mentioned above is consistent with a trend of declining voter turnout in many democracies around the world (Solijonov 2016; Kopf 2017; Landemore 2020: 26 f.) – a tendency that is particularly pronounced among younger generations (Pilkington/Pollock 2015; Parvin 2018). Beyond electoral participation, there are further reasons to be concerned. Numerous empirical studies report a sense of political apathy gaining ground in democratic societies around the world (Mutz 2012; Wike/Acastillo 2018). A significant number of citizens appear indifferent to the complexities and subtleties

of important political issues, even when their solutions (or absence thereof) can have far-reaching implications for the citizens under consideration (Posner 2005: 107). Such evidence concerning citizens' reluctance to participate is particularly worrisome for deliberative theories of democracy according to which voting is just one of the many participatory processes that citizens are expected to take part in. Indeed, such findings could be read as an empirical antidote to deliberative democracy. As John Hibbing and Elisabeth Theiss-Morse write in their seminal work *Stealth Democracy* (2002: 129):

> "[The American People] make it clear that they would prefer not to be much involved in political decision making. When it comes to politics, many people want, as one focus group participant put it, 'to be left alone.' […] Americans do not even want to be placed in a position where they feel obligated to provide input to those who are making political decisions."

While Hibbing and Theiss-Morse's findings apply exclusively to the United States, there are reasons to believe that similar attitudes can be found among a significant number of democratic citizens outside the United States. The desire for non-participation in political life that Hibbing and Theiss-Morse attribute to the American people would appear to flow naturally from the above-mentioned political apathy that can be observed in several democratic countries across the globe.

The presented evidence adds up to what can be labeled a participatory crisis. What might a reasonable theoretical response look like? In the following two sections, we distinguish three possible responses. In section 3, we present two opposing approaches for addressing non-participatory attitudes and identify some of their shortcomings. In section 4, against this background, we introduce and defend a form of reflective or critical realism characterized by a distinctive commitment to a bottom-up conception of legitimacy.

3. Participatory Approaches and Unmediated Realism

3.1 Participation as an Indispensable Ideal

The ideal of participation has a central role in the history of political philosophy. It can be found in the writings of John Stuart Mill (1993) who emphasized how political participation contributes to the formation of good character. On a similar note, Hannah Arendt (1958: 37; 1973: 119) defended the ideal of political participation, arguing that it uniquely offers citizens opportunities for individual and collective self-disclosure.[3] Moving ahead to the heyday of participatory democracy in the late 1960s, Carole Pateman (1970) wrote a book that has since become a classic in democratic theory in which she delivered a passionate defense of political participation as a form of education that should extend to the workplace and the economy. In more recent years, Christian

3 For a criticism of this non-instrumental justification of participation, see Elster (1986: 124 ff.; 2016: 98 ff.).

Rostbøll (2008), taking inspiration from some of the abovementioned authors, argues that political participation is tied to a particular dimension of freedom (freedom as status) that cannot be dispensed with in a deliberative democratic framework.

Positions like these appear committed to a conception of legitimacy according to which non-participation (which will, of course, always be a matter of degree) detracts from the legitimacy of a political system and the decisions generated within it. Importantly, this relation between participation and legitimacy concerns more than electoral participation insofar as voter turnout is seen as only one among several indicators of legitimacy. Typically, the legitimacy of a given political system will also hinge on factors such as a mobilized civil society, a vivid public sphere (Habermas 1996), venues that enable citizens to exert influence upon the political system, and, importantly, the extent to which citizens make use of these opportunities.[4]

The question is what these and similar stances on participation offer in light of the evidence that many citizens do not share this enthusiasm for political participation. Certainly, they provide an ideal of participation against which current states of affairs, including non-participatory attitudes, can be critically assessed. Given that the ideal is so far from reality, however, they risk losing action-guiding relevance, especially as these positions assert the normative desirability of participation independently of citizens' wills and beliefs about participation.

These positions are therefore vulnerable to the charge of adopting a *partially* normativistic (Jaeggi 2009: 73; see also Rossi 2016) approach to non-participatory citizen attitudes, relying on principles (the ideal of public participation) that are external to the normative orientations and expectations of the citizens under consideration. We emphasize *partially* in this context because in some (perhaps most) democratic societies there will also be a significant group of citizens for whom political participation remains a meaningful undertaking and whose expectations concerning legitimate governance, by extension, will be tied to political participation. In other words, there are countervailing normative forces in societies that theorists can tap to *internally* ground the ideal of participation. Yet, by positing public participation as an indispensable ideal that applies to all citizens, they take an external stance towards those citizens with non-participatory attitudes and tend to see the latter as a threat. In this sense, they fail to take non-participatory attitudes seriously as potential candidates for legitimacy.

A different approach on how to accommodate non-participatory attitudes is defended by Hibbing and Theiss-Morse. Directly based on these attitudes, they come to the normative conclusion that democracy ought to be non-participatory. Although this form of unmediated realism treats these attitudes seriously as candidates of legitimacy, it does not, as we argue below, leave us with a plausible account of bottom-up legitimacy.

4 For an argument that deliberative democracy not only requires participatory avenues but also that citizens make use of them, see Phil Parvin (2015).

3.2 Unmediated Realism and Participation

In their book *Stealth Democracy: Americans' Beliefs About How Government Should Work* (2002) Hibbing and Theiss-Morse muster impressive empirical evidence to support the thesis that most Americans would prefer not to participate in political life. Here, we will not be concerned with the reliability and presentation of the evidence but with the normative conclusions that Hibbing and Theiss-Morse draw from it.

Their argument proceeds as follows. Given the well-evidenced desire for non-participation among Americans, the extension of which is an equally widely shared belief in the legitimacy of a non-participatory form of governance, it follows that we should *endorse* a minimalist (so-called 'stealth') conception of democracy. In a stealth democracy, mainly experts would shape policy and citizens, in turn, would only occasionally and *reluctantly* participate when corrupt or badly behaved politicians render it necessary: "People often view their political involvement as medicine they must take in order to keep the disease of greedy politicians and special interests from getting further out of hand" (Hibbing/Theiss-Morse 2002: 131; see also Peterson et al. 2022). Could Americans, so the argument goes, just receive assurance that politicians would stay on the right track, we should expect them to withdraw to their private affairs, leaving the arduous activity of policymaking to a small group of properly motivated experts. Since it is difficult, however, to envisage how any political system could provide such assurance (recall the proverb 'power tends to corrupt and absolute power corrupts absolutely'), Hibbing and Theiss-Morse prescribe a form of stealth democracy where active citizen participation would be kept at a minimum. This is the form of democracy that most adequately conforms to citizens' desire for non-participation and their associated belief in the legitimacy of a non-participatory form of governance.[5]

These arguments share characteristics with the realism advocated by Christopher Achen and Larry Bartels in their widely-discussed book *Democracy for Realists* (2016). Achen and Bartels present empirical evidence that paints a daunting picture of citizens' political behavior characterized by ignorance, irrationality, and identity considerations. These findings lead them to conclude that unrealistic, so-called 'folk theories' of democracy must be rejected. Such theories – be they deliberative or participatory – are at "odds with demonstrable, centrally important facts of political life" and fail to "portray human beings realistically" (ibid.: 306). A realist theory of democracy, in contrast, would presumably be a theory where such "centrally important facts of political life" would feed directly into its normative prescriptions and according to which citizens would not be under expectations (such as participatory willingness, capacity for political judgment, et

5 Importantly, the point is not simply that non-participatory democracy is acceptable (say as a second-best option) but that it is normatively desirable, given citizens' non-participatory attitudes and associated beliefs. This is the core of the argument. Yet, Hibbing and Theiss-Morse provide additional reasons for being skeptical about participation. Not only is political disinterest a fact to be reckoned with, but it may well be one to be celebrated because participation "has a negative effect on decisions, the political system, and people" (Hibbing / Theiss-Morse 2002: 5).

cetera) they cannot plausibly be expected to discharge. Under this description, the Hibbing and Theiss-Morse stealth conception of democracy qualifies as a realist one insofar as it is based on one endemic fact of political life, namely citizens' disinterest in politics and public engagement. As several authors have pointed out, however, this kind of argumentative strategy is riddled with serious flaws.

Cristina Lafont (2020: 6) has argued that the problem with using empirical evidence in this way is that it underdetermines the kind of normative conclusions that can be drawn from it, even if the above-mentioned authors seem to think otherwise. Similar arguments could have been advanced some hundred years ago to keep *de facto* apathetic groups in society (women, minorities, et cetera) from participating in political life. In a similar vein, Landemore (2013: 34; 2020: 45) has pointed out how the realist strategy smacks of the naturalistic fallacy. For the issue under consideration, the problem is that the realist fallaciously derives the desirability of a minimalist and non-participatory form of democracy from the observed empirical fact that citizens do not want to participate. What is more, Landemore continues, realists tend to naturalize the behaviors and attitudes of citizens (non-participatory ones in this case) fixing them as stable variables, thereby failing to appreciate that citizens respond to incentives.[6] Thus, a question arises – conspicuously left unaddressed by unmediated realists – about the origin of non-participatory attitudes. What if the widespread apathy that can be observed across several democratic countries is a response to political systems that fail to deliver on the preferred outcomes of citizens? Could it be that we would observe a shift towards more participatory attitudes in the presence of effective avenues for citizen participation? Such questions receive little or no attention.

The problem that plagues the realist paradigm consists not so much in the evidence it musters concerning non-participatory attitudes but in the way it is utilized to ground normative recommendations without any critical engagement with, and differential treatment of, the reasons for citizens' desires for non-participation. If the widespread apathy that can be observed across democracies can be traced in part back to dissatisfaction with the current system and its failure to facilitate meaningful and effective participation, then it seems problematic to draw on that factual basis to defend a conception of democracy that would deprive citizens of participatory opportunities. Against the backdrop of these shortcomings, we define this form of realism as 'unmediated', due to its lack of critical scrutiny of the origin of the non-participatory attitudes that inform Hibbing and Theiss-Morse's rejection of deliberative and participatory conceptions of democracy and their recommendation of a much less demanding one. As we will go on to show in the next section, however, realism need not imply such a defeatist and uncritical stance.

6 For a comprehensive critique of Achen and Bartels' realism, see Roberto Frega (2018).

4. Reflective Realism

In this section, we will introduce reflective realism[7] as a method that takes inspiration from the theoretical stream of political realism in the tradition of Bernard Williams (2005) and Raymond Geuss (2008) (see Rossi/Sleat 2014). We will show that this tradition offers methodological insights that can be brought to bear on the issue of non-participatory attitudes and their implications concerning legitimacy.[8]

Similar to the unmediated realist approach, reflective realism, as we construe it, starts with a commitment to a bottom-up, internalist conception of legitimacy according to which citizens' beliefs and preferences (including preferences and beliefs about participation) must be the starting point for questions concerning legitimacy (Williams 2005; Horton 2010, 2012; Rossi/Sleat 2014; Sleat 2014; Cozzaglio 2020a). Yet, in contrast to unmediated realism, reflective realism requires critical scrutiny of citizens' expressed beliefs and attitudes before normative conclusions about legitimacy are drawn. We will show that a convincing bottom-up approach to normative theory demands reflections on material conditions as well as power asymmetries and, importantly, on the extent to which citizens' beliefs and preferences concerning legitimacy can be traced back to such conditions. Such reflections can be carried out in conjunction with a method of elicitation that attempts to dig beneath the surface of expressed preferences and beliefs. In addition, reflective realism can obtain critical distance on expressed beliefs and preferences by exercising a form of ideology critique. With these tools, we will demonstrate that reflective realism can confront non-participatory attitudes in a way that takes them seriously as potential sources of legitimacy without, however, accepting them *prima facie* in doing so.

4.1 Taking Citizens Seriously

The internalist commitment of reflective realism can be traced back to Bernard Williams' theory of political legitimacy. He begins by identifying the first (or fundamental) political question as one that concerns securing "order, protection, safety, trust and the conditions of cooperation." It is the "first" question because answering it is the condition for raising and solving any others (Williams 2005: 3). Given that there are numerous ways in which order can be created, Williams introduces the concept of the basic legitimation demand to discriminate between acceptable and unacceptable solutions. It is a demand that arises out of the relationship between rulers and subjects and helps to differentiate between political authority and pure coercion. Williams argues that the "state has to

7 The label 'reflective realism' was introduced by Signe Blaabjerg Christoffersen and Ditte Brasso Sørensen in an unpublished manuscript that can be accessed online: https://bit.ly/3u2BVfF, 30.09.2021. Since the manuscript appears to be in an early stage, we will not address their argument going forward. Our discussion does not depend on any of their original considerations.

8 We acknowledge that some of our criticisms of Hibbing and Theiss-Morse's thesis could have been made from other theoretical points of view, such as, for instance, Marxist ideology critique. Nonetheless, we find recent considerations in political realism particularly useful to tackle our concern with conditional non-participatory attitudes because they explicitly address the connection between political legitimacy and ideology.

offer a justification of its power to each subject" (ibid.: 4) to successfully claim a right to rule. Williams' evaluation of the state's legitimacy depends on whether this justification is acceptable to the population. This is the case if the structure of authority that is being justified "makes sense" to the subjects in light of their "historical and cultural circumstances" (ibid.: 11). In a similar vein, John Horton (2012: 141) proposes that theorists should "restore the connection between political legitimacy and the beliefs and attitudes of those subject to it". As the standard for legitimacy derives, in the first instance, from the beliefs and attitudes of the subjects themselves, the former must be considered "bottom-up standards" (Cozzaglio 2020a: 2). Reflective realism in our sense incorporates this commitment and can therefore be considered a form of internalism (see Sagar 2018: 135).

It follows from this internalist commitment that the expectation of widespread citizen-participation is compatible with a realist framework only if it can be shown that such an expectation is ingrained in the relevant citizens' beliefs and attitudes concerning legitimate authority (see Horton 2012; Sagar 2018; Cozzaglio 2020b). This does not imply, however, that widespread non-participatory attitudes must lead to the normative endorsement of minimally participatory democracy. As we go on to show in the next section, reflective realism offers a more complex criterion of bottom-up legitimacy according to which citizens' beliefs and attitudes must be critically scrutinized before they can serve as inputs for bottom-up legitimacy reconstructions.

4.2 Critical Reflection

Given their commitment to internalism and bottom-up legitimacy, realist approaches have unsurprisingly been confronted with the charge of being conservative, failing to offer normative recommendations beyond the status-quo (Markell 2010; Philp 2012; Finlayson 2017). Much of the recent writings in political realism have revolved around resolving this tension by showing how realism can be genuinely critical while remaining faithful to the commitments of internalism and bottom-up legitimacy that underpins the realist tradition (Prinz/Rossi 2017; Raekstad 2018; Rossi 2019; Cozzaglio 2020b). Concerning the issue under consideration – non-participatory attitudes – the pivotal question is whether realism of the kind we are concerned with here will inevitably lead to the same conclusion as the unmediated realism we encountered in section 3.2.

Recall the gist of that argument. Certain facts about citizens under the current system (i.e., the desire for non-participation) are used to support claims about what more legitimate governance would imply according to the citizens themselves, namely a minimally participatory form of stealth democracy. Within a reflective realist approach, however, brute expressions of preferences and beliefs are not treated as *conclusive* indicators of legitimacy. Whether they reliably indicate legitimacy depends, among other things, on the extent to which citizens would be able to endorse them upon reflection considering contextual variables such as the social conditions/limitations under which the desires and beliefs are expressed and formed. Accordingly, reflective realism begins by foreground-

ing the material conditions and power asymmetries that obtain in the society under consideration and then, in a second step, raises the question about the extent to which citizens' beliefs and preferences can be traced back to these conditions and asymmetries.

For the issue we are concerned with, non-participatory attitudes and their associated legitimacy beliefs, we will focus on the two scenarios alluded to in section 3.2 and argue that attitudes and beliefs formed and expressed in response to such conditions ought to be questioned as reliable indicators of legitimacy. In the first scenario, citizens' non-participatory attitudes and beliefs would be conditional upon the lack of effective participatory avenues. In the second, they would be conditional upon certain detrimental features (e.g., corruption) of the political system. In this respect, we distinguish between two forms of conditionality and demonstrate how they call for two different types of critical or reflective moments, both of which we consider to be defining features of reflective realism. In one scenario, citizens would hold what we refer to as knowingly and transparently conditional desires – as in 'I prefer x under y, but not under z'. In the other scenario, citizens are deceptively led from 'I prefer x under y, but not under z' to 'I prefer x *tout court*'. They would have what we refer to as unknowingly and non-transparently conditional desires. Whereas the latter scenario (unknown conditionality) calls for a form of ideology critique that has already received much attention in the literature on political realism, the former (known conditionality) necessitates a more modest and much less theorized critical approach that we refer to as a method of elicitation. Unmediated realism fails to employ both intermediate reflective moments and, in this sense, fails to give a plausible account of bottom-up legitimacy. We will now unpack these two reflective approaches in more detail, beginning with Williams' use of ideology critique.

The need for ideology critique arises, according to Williams (2005: 6), from the observation that "people can be drilled by coercive power itself into accepting its exercise". A relationship in which one group of people accepts the reasons that justify the power of another group of people only because they were drilled to do so cannot meet the basic legitimation demand. For Williams, it is a violation of the political axiom that "might does not imply right, [and] power itself does not justify" (ibid.: 5). Thus, belief in the justifiability of coercive power cannot be a reliable indicator of legitimacy if it is conditional on that same power. To determine whether this is the case, Williams offers the critical theory principle to unmask such instances. The principle states that the acceptance of a justification for power does not generate legitimacy if it "is produced by the coercive power which is supposedly being justified" (ibid.). In *Truth and Truthfulness* (2002) he elaborates on this idea by suggesting that, when assessing a belief, the theorist has to evaluate whether citizens would stick to their belief if they knew about its genesis (Williams 2002: 227). He predicts that citizens would give up their belief if it could be shown that they held it because those in power were responsible for producing it (ibid.: 227 ff.). This reflective procedure, Williams admits, is an "artificial rationalization" that the theorist initially carries out on behalf of citizens. However, Williams and several other political realists add that "something like it does actually happen on a social scale" (ibid.: 227). Some realists have specified the social dimension of ideology critique by highlight-

ing how people may become aware of their ideologically distorted beliefs and attitudes when confronted with claims from outsiders or theorists (Sagar 2018; Cozzaglio 2020b).

For our case, these considerations have the following implications: If a plausible case can be made that citizens' expressed preferences for non-participation are conditional on detrimental features of the political system, then Williams' critical theory principle can be applied, provided we have reasons to believe that citizens would give up their non-participatory attitudes once they became aware of this conditionality. In a reflective realist framework, such conditionality disqualifies these non-participatory attitudes as candidates for bottom-up reconstructions of legitimacy. Importantly, however, this method of ideology critique only applies insofar as the citizens initially fail to trace back their non-participatory desires to these detrimental features of the system, that is, if they have unknowingly or non-transparently conditional preferences and beliefs.

A different reflective method is called for in instances where citizens knowingly or transparently hold conditional preferences, as in 'I prefer non-participation under regime x, but not under regime y'. This applies in cases in which citizens are tacitly aware that their preference is a consequence of detrimental features of the system. In this context, it is relevant to point to Paul Sagar's (2018) observation that ideology critique is not applicable in situations in which citizens call the legitimacy of the regime into question. By leaning on Lisa Wedeen's (2015) study of Syria under Hafiz al-Assad, Sagar demonstrates that subjects in repressive regimes are commonly expected to voice their support in public and participate in legitimation rituals. From the fact that citizens often can be seen to partake in such rituals, however, it does not follow that they approve of the regime under consideration. "Human beings tend to know pretty well," Sagar (2018: 126) continues, "when they are being dominated and tend not to approve of that domination (even if they cannot actively or openly enact resistance)". A bottom-up approach to legitimacy under such circumstances requires that we "look carefully, beneath the surface" (ibid.: 127) to elicit those preferences and beliefs that point beyond the *status quo*. For our explicit concern with transparently conditional preferences and associated beliefs, these important reflections translate as follows: even if this conditionality is known to subjects, it will not always come across if one considers only brute expressions of desires and beliefs. To judge the extent to which expressed desires and beliefs reliably indicate legitimacy, the theorist should adopt what we refer to as a method of elicitation, the exercise of which implies asking questions whereby he or she can get a clearer, more complete picture of citizens' preference and belief structure.

In the next section, we demonstrate how a reflective realist can work with empirical evidence about citizens' preferences and beliefs. We introduce three cases, one of which is fictional, the other two of which are drawn from studies concerned with non-participatory attitudes and their potential conditionality. Concerning the assessment of these studies, we will not be able to judge whether the non-participatory desires and beliefs should be considered ideologically induced (as in non-transparent conditionality) or not (as in transparent conditionality). This would require some form of introspection whereby we would come to know of the cognitive and non-cognitive processes in the formation of

these desires and beliefs. This is not something that we can achieve in what follows. The aim has been to make a methodological point, namely that reflective realists must entertain both possibilities when evaluating when citizens' beliefs and attitudes can be treated as plausible candidates for bottom-up legitimacy reconstructions.

4.3 A Reflective Realist Confrontation with Citizens' Desires and Beliefs

In this section, we introduce three cases that illustrate the problem of invoking expressed but conditional preferences and beliefs for the sake of justifying or recommending a certain course of action or a particular set of social and political institutions. Two cautionary remarks are in order. First, we do not suggest that all conditional beliefs and preferences are problematic per se and, therefore, should be omitted from bottom-up legitimacy reconstructions. Our claim only applies to cases where preferences and beliefs are conditional upon *detrimental features* of the social and political system and where we have strong reasons to believe that subjects would reject them upon reflection. Second, even if it follows from our considerations that beliefs and attitudes conditional in this sense would detract from the legitimacy of a given system, course of action, or conception of democracy, no final judgment on the latter's overall illegitimacy can be made merely on this basis. They could gain legitimacy through some other feature(s) that citizens would be able to reflectively endorse. Our main claim is that beliefs and preferences conditional upon detrimental features cannot serve as *justifying* a particular system, course of action, or conception of democracy. This is our main objection against the unmediated realism of Hibbing and Theiss-Morse, namely that they invoke citizens' desires not to participate – desires potentially conditional upon detrimental features of their political system – to justify a conception of democracy according to which citizen participation should be kept at a minimum. Consider the following fictive case to see what goes wrong in the unmediated realist framework.

Imagine a music-loving boy, Mason, who desires to play the mandolin – much to the frustration of his father who harbors the ambition that Mason should become a world-renowned cellist like himself. The father does not want to use sheer coercion and tries to maintain some illusion of freedom of choice between the two instruments. Yet, when Mason is given the chance to try the mandolin, the father makes sure that the teacher is authoritarian and aggressive in his tutoring style. As this pattern repeats itself, Mason comes to associate playing the mandolin with humiliation and failure. One day, the much more caring mother asks Mason whether he has made up his mind. Mason responds that he would prefer cello over mandolin, proceeding (either consciously or subconsciously) on the assumption that playing the mandolin means playing it under the deleterious conditions he has become accustomed to. Unaware of her husband's manipulative strategy, the mother now feels assured that Mason has chosen the instrument he truly desires.

Why should we be critical of the mother's inference? She uncritically interprets the desire for cello-over-mandolin expressed under the above-mentioned conditions to imply a desire for cello-over-mandolin *tout court*. She should know her husband well enough

(his ambitions on behalf of the son, et cetera) to ask questions before jumping to conclusions. Her son could have developed what Jon Elster (2016: 25) called an "adaptive preference" given that he no longer believed in the feasibility of the alternative. Likewise, political scientists should take the features of political systems and the citizens living under them into consideration before jumping to conclusions concerning legitimacy. The problem with Hibbing and Theiss-Morse is that they simply assume that the desire for non-participation *expressed under and in relation to a particular system* implies a desire for non-participation *tout court*, thereby failing to consider that the desire for non-participation could be *conditional* upon features of that system. According to reflective realism, in contrast, citizens' beliefs and attitudes must be subjected to critical scrutiny before they can serve as inputs for bottom-up legitimacy reconstructions. We have mentioned two scenarios under which non-participatory attitudes ought to be questioned as reliable indicators of legitimacy, namely when they are conditional upon a corrupt system or the absence of meaningful participatory opportunities.

Concerning the first of these scenarios – conditionality upon corruption – recent empirical studies support the suspicion that the unwillingness to participate often can be traced to dissatisfaction with the political system, in both electoral and non-electoral forms of participation. Starting with the former, someone taking an unmediated realist position could use declining voter turn-out to buttress a minimally participatory form of democracy with an argument along the following lines: If a large portion of citizens does not bother to participate in periodic elections, then it seems implausible to impose additional participatory burdens upon them as some conceptions of democracy seem to do. Consider, however, the evidence presented in a recent article *'Don't play if you can't win': does economic inequality undermine political equality?* (2019) by Armin Schäfer and Hannah Schwander. According to their empirical study, growing levels of economic inequality in democratic societies negatively affect electoral participation, especially among the poor and underprivileged. The logic behind these findings is that elites will be able to shape legislation to their liking by non-electoral means, rendering the votes of the underprivileged superfluous ('Don't play if you can't win'). These results suggest that the widespread abstention from electoral participation among the underprivileged at most reveals something *about their participatory proclivities under a political system that is biased against them (conditionality)*. If this is the case, hardly any conclusions concerning citizens' general willingness to participate can be derived from declining voter turnouts and, *a fortiori*, the conclusion concerning the normative desirability of a non-participatory form of democracy is unfounded.

When it comes to non-electoral forms of participation, a similar picture seems to emerge. In his book, *Deliberative Democracy between Theory and Practice* (2015) Michael Neblo subjects the empirical findings of Hibbing and Theiss-Morse to critical scrutiny. Recall that according to the stealth democracy thesis citizens only reluctantly participate in politics when corrupt and self-serving politicians render it necessary. Thus, under a system with properly motivated politicians, the thesis predicts that citizens would want to participate less or not at all. This, as Neblo (ibid.: 123) suggests, runs counter

to the suspicion shared among deliberative democrats that the high levels of apathy and reluctance to political engagement "is actually a *consequence* of frustration with and disempowerment in the current political system. […] If the political process could be rendered more rational and responsive in their eyes, they would be more inclined to engage in it robustly" (ibid.: 123, author's emphasis). Unlike most deliberative democrats, however, Neblo finds evidence in public opinion research to support this claim concerning the alleged conditionality of the desire for non-participation. Respondents were asked to state their participatory (un)willingness under two hypothetical scenarios, one in which the political system would be less corrupt and one in which it would be more corrupt. 30 percent of the respondents displayed separable preferences, suggesting their desire for participation to be independent of the degree of corruption in the political system. Only 8 percent expressed decreased willingness to participate under the conditions of a less corrupt political system, as predicted by the stealth democracy thesis. As many as 62 percent claimed they would participate more under a less corrupt system, supporting the suspicion shared among deliberative democrats that the observed desires for non-participation are conditional upon detrimental features (corruption) of the political system (ibid.: 127). Although these findings provide some grounds for optimism among deliberative democrats, important questions remain about the degree and robustness of citizens' willingness to participate, as Neblo is keen to stress. What seems to be the case, however, is that the unwillingness to participate for many citizens is conditional, in which case it can hardly serve as justifying the form of stealth democracy that Hibbing and Theiss-Morse advocate.

The methodologies employed by Schäfer and Schwander as well as Neblo square well with the internalist commitments of reflective realism. They echo the critical impetus of reflective realism of being skeptical towards those beliefs and attitudes that are the result of asymmetrical power relations. What is more, the findings and results cited by Neblo fall in line with an internalist methodology in that they provide a more complete picture of citizens' preference structures, without, however, assuming *a priori* the authenticity of participatory desires. This is exactly how a reflective realist should proceed.

5. Some institutional considerations

We now turn towards the institutional implications of our analysis. Although reflective realism offers a useful method for subjecting non-participatory attitudes to criticism, it is not unreasonable to expect – and certainly cannot be ruled out – that we might come across societies in which a sizeable number of citizens will have non-participatory attitudes for reasons that are unobjectionable from a reflective realist standpoint. In proportion to their prevalence within a given society, these attitudes and their associated beliefs concerning legitimate governance would have to be incorporated in realist bottom-up legitimacy reconstructions. Yet, because citizens may split on this issue – some will be eager to participate while others will be reluctant – we are left with ambiguity in terms

of identifying the normative recommendations that flow from taking citizens' beliefs and preferences as the starting point. The pressing question, therefore, is whether reflective realism offers normative guidance in such cases.

To the extent that realists are concerned with drawing institutional recommendations, solving this tension may imply endorsing a conception of democracy according to which participation would be optional rather than required – in the sense that legitimacy would be decoupled from participation. Such a proposal is provided by Hélène Landemore in her new book *Open Democracy* (2020). She envisages that the center of the political system would be permanently open to inputs from the larger public. This openness would be facilitated through various institutional mechanisms, ranging from crowdsourcing and participatory budgeting to direct democracy mechanisms such as right of referral and citizen initiatives (Landemore 2020: 93–97; 134–138). Yet, what is striking is that the legitimacy of an open democracy, as envisaged by Landemore, does not require that citizens *en masse* make use of these participatory channels. As she puts it:

> "[Mass] participation is not an actual requirement of the model. Instead, the model leaves it up to citizens to determine how much and how often they are *willing to participate*. […] The vast majority of citizens would be free to pursue their private lives unburdened by the tasks of attending meetings and making decisions." (our emphasis, Landemore 2020: 14 f.)

The system accrues a significant part of its legitimacy from the presence of open participatory channels. Whether citizens actually opt to utilize these channels is not vital for the model. Thus, it can productively accommodate the normative ambiguity (resulting from citizens' different degrees of (un)willingness to participate) that reflective realists are likely to encounter when issuing bottom-up normative recommendations concerning the role of participation in legitimate governance. In this sense, open democracy has a realist flair to it insofar as it does not impose participatory burdens upon citizens that they may not be willing to discharge. The above-mentioned participatory mechanisms further appear to offer a solution to one of the scenarios discussed above: given the participatory avenues in an open democracy, it seems much less likely that non-participatory preferences would be adaptive in the sense of being conditional on the lack of meaningful participatory devices.

However, Landemore's proposal to replace electoral parliaments with lottocratic mini-publics does not square well with the realist tradition. Recall the realist desiderata of stability and order. In this context, realists have repeatedly praised elections for their capacity to settle political conflict in a non-violent manner. They provide a fairly clear picture of the relative strength of various political groups in society, allowing them to flex their muscles, "without any shots being fired" (Müller 2021: 51; see Przeworski 2010). It is questionable whether random sortition has the same conflict mediating credentials. First, as Jan-Werner Müller (2021: 51) points out, lotteries "show nothing about the balance of political strength among different groups". Second, electoral systems, in contrast to lottocratic alternatives, are conducive to generating losers' consent because they offer losers the prospect of remobilizing and winning the next electoral contest (ibid.).

Both mechanisms significantly contribute to a non-violent solution of political conflict. Thus, while we can wholeheartedly endorse Landemore's proposal for introducing various meaningful participatory channels, we suggest that they should connect the broader public to an electoral parliament rather than a lottocratic assembly.

By rejecting Landemore's lottocratic model, however, we risk losing the anti-corruption effect that she attributes to random sortition. A lottocratic assembly, so the argument goes, would be relatively insulated from corruption because special interest groups will not be able to identify targets for bribery as they cannot know who will be chosen for the assembly. What is more, given episodic and frequent rotation, lottocratic assemblies avoid creating a class of career politicians and the potentially detrimental effects (such as corruption) that come with them (Landemore 2020: 98–104).

It is possible, however, as several realists have shown, to exploit random sortition devices for anti-corruption purposes (see McCormick 2011; Arlen/Rossi 2021), without renouncing or relinquishing the conflict-mediating effects of elections. Samuel Bagg (2022), for instance, suggests implementing citizen oversight juries, tasked with controlling self-serving and corrupt political elites. In a similar vein, Gordon Arlen and Enzo Rossi (2021), drawing on the work of John McCormick (2011), propose to implement multiple random sortition bodies, each of which would be given discretion to annually overturn one piece of ostensibly corrupt legislation in a particular policy area. Such mechanisms could offer an antidote to the corrupting effects of electoral politics, serving as a corrective to – rather than a replacement of – the latter. Notice also how citizens, as a result of these anti-corruption devices (provided they work as intended), would be less vulnerable to the second scenario we discussed: the formation of non-participatory attitudes conditional upon corruption.

In sum, our institutional considerations indicate that Landemore's open democracy, with an important realist modification (the decision to stick with elections), offers a promising institutional solution to the problem of conditional non-participatory attitudes. Equally salient, by leaving it to the citizens to decide whether they want to make use of the various participatory avenues, the model conforms with the realist commitment to ground political legitimacy internally in citizens' beliefs and preferences.

6. Conclusion

We set out to explore the capacity of a reflective realist method to address non-participatory attitudes and the questions they raise concerning legitimate governance. We have demonstrated how reflective realism can maintain a commitment to bottom-up legitimacy while combining it with the methodological tools through which critical distance to the relevant beliefs and attitudes can be obtained. In contrast to unmediated realism, which directly draws normative conclusions from expressed beliefs and preferences, we have outlined an internalist approach that encompasses intermediary reflective moments. Specifically, we fleshed out two methods by which a reflective, bottom-up approach to

legitimacy can filter out those beliefs and preferences that are conditional on detrimental features of the social and political system.

First, we discussed how a reflective realist can adopt a form of ideology critique to filter out unknowingly conditional non-participatory attitudes and beliefs. Second, we demonstrated the importance of adopting a method of elicitation applicable to transparently conditional preferences and beliefs. We highlighted two conditions under which non-participatory attitudes should be questioned as reliable indicators of legitimacy – when they are conditional upon the absence of effective participatory avenues, and when they are conditional upon detrimental features (corruption) of the political system. Against this background, we introduced two empirical studies that demonstrate potentially problematic origins and detrimental forms of conditionality to show how reflective realists should confront citizens' preferences and beliefs. To the extent that such instances of problematic conditionality obtain, we argued that the unmediated realist prescription of stealth democracy is unwarranted. We conceded, however, that there could be (and maybe are) societies in which a sizable number of citizens would have non-participatory attitudes that fall outside the critical reach of reflective realism. Scenarios in which citizens divide on their participatory proclivities would leave us with normative ambiguity concerning the role of participation in bottom-up legitimacy reconstructions. In this context we argued that Landemore's open democracy, according to which participation is optional, offers a promising basis for reflective realists concerned with drawing institutional recommendations. It can accommodate participatory and non-participatory attitudes alike. However, to remain faithful to core realist commitment to stability and order, we suggested that the participatory devices Landemore incorporates into her model should connect the broader public to an electoral parliament rather than a lottocratic assembly. Overall, we hope to have shown that reflective realism offers compelling resources for engagement with citizens' beliefs and preferences which can be utilized by political theorists starting with an internalist commitment.

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