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*Thomas
Christiano's
political theory:
an exchange*

HOW THE PRINCIPLE OF PUBLIC EQUALITY INTRODUCES SUBSTANCE IN DEMOCRATIC PROCEDURALISM

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Abstract In discussions on democratic legitimacy, Christiano's position is often characterized as a monistic position, i.e. a strong and persuasive version of fair deliberative proceduralism. Democracy is thus seen as a realization of public equality in collective decision-making. The presented case for democracy is non-instrumental, and the quality of outcomes produced by a democratic decision-making process does not constitute or in any way influence the legitimacy – generating features of that decision-making process. I argue that the quality of political decisions produced by a democratic decision-making process should play an important (though not decisive) role in Christiano's argument.

Consequently, I claim that his case for democracy should be (at least somewhat) instrumental. I consider four cases from Christiano's *The Constitution of Equality* that show how outcomes of democratic procedures are very important to Christiano. Furthermore, I argue that these outcomes are so important that, when deciding between two or more fair decision-making procedures, one that produces the best outcomes should be considered legitimate.

Keywords deliberative democracy, Thomas Christiano, proceduralism, legitimacy

Introduction

What makes a collective decision (i.e. a decision that affects and is binding on all members of a political community) legitimate? We usually try to answer this question by referring to the certain

qualities a decision has. Some claim that substantive qualities of a decision constitute its legitimacy (Arneson 2003a, 2003b, Wall 2007). According to this instrumentalist position, if a decision is true, correct or just (or represents a realization of a true, correct or just ideal), it

is legitimate. Even more so, such a decision is legitimate because it is true, correct or just. A more compelling version of this position might introduce procedure as a legitimizing element, but the procedure itself will be justified solely on its ability to produce true or just decisions, or to bring about a desired end state (one that is perceived as good or just). Faced with conditions of reasonable pluralism where people can, acting in good faith and employing their epistemic capabilities to the best of their abilities, reasonably hold different decisions to be correct or just, and different end states to be good or desirable, many scholars have rejected the idea that the substantive qualities of a decision can constitute its legitimacy. They decided to focus on procedural (and not substantive) qualities of the decision in question – we can say whether a decision is legitimate or not by examining the process by which it was made (proceduralism). They do not evaluate a decision-making procedure by its ability to produce some desired (just or true) end state, but instead by it being run in a certain desired (fair or epistemically favourable) state. It is no longer what the procedure will produce as an outcome, but how will this outcome be produced. Consequently, a substantively untrue, incorrect or unjust decision can be legitimate if it is produced by a legitimacy-generating decision-making process, one that focuses on the fairness (or some other intrinsic quality) of the procedure, and not on the substantive qualities of the outcomes it produces.

Many will see this move as a retreat from substance – by disregarding the substantive qualities of a collective decision, we neglect the outcomes of a political process and focus only on its intrinsic value. According to pure proceduralism,

there are no procedure-independent criteria for evaluating the legitimacy of collective decisions or the legitimacy-generating potential of procedures creating them. David Estlund rejected this idea by claiming that we can have a form of non-pure proceduralism that takes into consideration both the fairness of the procedure and the quality of the decisions produced by a decision-making process when assessing its legitimacy-generating potential. He named this position epistemic proceduralism (Estlund 1997: 174), and distinguished it from other purely procedural (monistic) positions, including fair proceduralism and fair deliberative proceduralism¹.

In discussions on democratic legitimacy, Christiano's position is often characterized as monistic one, i.e. a strong and persuasive version of fair deliberative proceduralism (Estlund 1997, 2009, Peter 2005, 2010). Developing a very complex but nonetheless well-structured argument, Christiano finds both the authority of democracy and its limits in the principle of public equality. This princi-

¹ A further distinction between rational and pure epistemic proceduralism is introduced by Fabienne Peter. She calls Estlund's position Rational Epistemic Proceduralism, and describes it as a non-monistic position that relies on both the fairness of the procedure and the procedure-independent quality of outcomes when establishing political legitimacy. Peter calls her own position Pure Epistemic Proceduralism – she claims that a procedure can have epistemic qualities that are not procedure-independent and outcome-oriented (e.g. epistemic fairness), and that these qualities are sufficient for establishing procedure's legitimacy-generating feature. Though this is a form of epistemic democracy, it is claimed to be purely procedural (monistic) since no procedure-independent standards have been introduced (Peter 2009).

		When assessing the legitimacy-generating potential of a procedure, we focus on:	
		State in which a decision-making procedure takes place	State that is the result of a decision-making procedure
MONISTIC POSITIONS	Instrumentalism	No	Yes
	Pure (Fair) Proceduralism	Yes	No
NON-MONISTIC POSITIONS	Rational Proceduralism	Yes	Yes

ple, together with demands of social justice, requires a collective decision-making process for the whole society, one in which each person has by right an equal say in the collective decision-making (Christiano 2008). Democracy is thus seen as a realization of public equality in collective decision-making. The presented case for democracy is non-instrumental, and the quality of outcomes produced by a democratic decision-making process does not constitute or in any way influence the legitimacy-generating features of that decision-making process.

I have some doubts regarding the above mentioned characterization of Christiano's position. Namely, I argue that the quality of political decisions produced by a democratic decision-making process should play an important (though not decisive) role in Christiano's argument. Consequently, it seems to me that his case for democracy should be (at least somewhat) instrumental. In order to elaborate this claim, in the first part of this paper I present some of the important parts of Christiano's argument. I also relate the original text with notable interpretations by Estlund and Peter, pointing out the parts that indicate that Christiano's position is a form of fair deliberative proceduralism. In the second part, I consider four cases from

Christiano's *The Constitution of Equality* that show how outcomes of democratic procedures are very important to Christiano. Furthermore, I argue that these outcomes are so important that, when deciding between two or more fair decision-making procedures, the one that produces the best outcomes should be considered legitimate. This is closely related to Christiano's idea of the fundamental value of well-being, as well as to the principle of public equality. I end by asking whether Christiano thinks that (representative deliberative) democracy can be instrumentally justified from the principle of public equality.

Christiano's Argument for Democracy

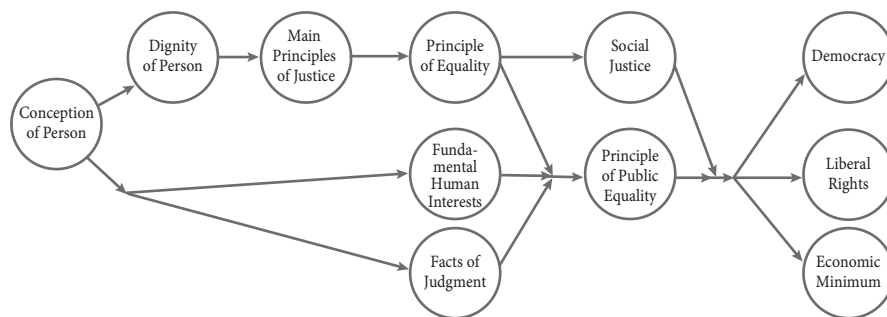
Christiano offers very detailed argumentation and any attempt to summarize it unavoidably risks omitting some of the important parts of the argument. I will nonetheless try to summarize some key concepts relevant for the further discussion, emphasizing once more that many important ideas will unfortunately be omitted.

Christiano starts his argument by defining human beings as authorities in the realm of value, and well-being as a happy exercise of this distinctive authority. We honor this authority by promoting the well-being of human beings, and

since every person represents an authority in the realm of value, well-being is due each person. Christiano then introduces two basic ideas about justice: the principle of propriety (each person should receive his or her due) and the generic principle of justice (relevantly alike cases should be treated alike, and relatively unlike cases unlike). Since human beings all have essentially the same basic capabilities to be authorities in the realm of value (there is no morally relevant difference), well-being should be distributed and promoted equally by the institutions of society (the principle of equality). Furthermore, since well-being should be cherished and promoted, we should favor those states of equality with more well-being, and even states of inequality where everyone's well-being is promoted better than in some other state of equality (though this does not imply that such a state of inequality is just).

The principle of equality, furthermore, grounds the idea that equality should be publicly recognized by all human beings – everyone must be able to see that he or she is treated as equal. However, there are certain facts about citizens and society that make this very difficult. We have diverse interests and often cannot perceive or understand the interests of others, we are often cognitively biased and more sensitive to our

own interests than those of others, and finally, we even tend to interpret the idea or the demands of equality differently. We thus cannot agree whether some political decision substantively respects the demands of the principle of equality, i.e., whether it equally promotes the well-being of all persons. If someone still tries to impose the conception of equality that he believes to be the correct one, he or she will, because of the above mentioned facts about citizens and society, set back the interests and well-being of those who are imposed upon. From this Christiano concludes that it is impossible to achieve equality without equal participation of all citizens in a public decision-making process. Democracy is seen as an essential component of public realization of equality (other essential components are liberal rights and decent economic minimum), and is therefore intrinsically just. They are public realization of equality because we can (despite the abovementioned facts about citizens and society) reach agreement on democracy, liberal rights and decent economic minimum from the egalitarian standpoint, and we cannot do the same for justice of the outcomes of the democratic decision-making or the goodness of the exercise of our liberal rights (Christiano 2008). We thus have public substantive reasons for accepting democracy, liberal rights and economic mini-



mum, and we have public procedural reasons for accepting the authority of a particular democratic decision and particular exercise of liberal rights. Since substantive reasons for democratic procedures do not regard some ideal end state (ideal equality cannot be a desired end state since we cannot agree upon what ideal equality is) or the quality of the outcomes of a decision-making process (we cannot agree on the quality of the outcomes either), democracy is non-instrumentally justified.

This line of argumentation has led many scholars to interpret Christiano's position as a form of Fair Deliberative Proceduralism. Estlund classifies Christiano's position this way on more than one occasion (Estlund 1997: 200, 2009: 244), sometimes referring to it as Publicly Equal Proceduralism. Peter supports this classification, further stressing that, according to Christiano, the substantive, quality outcomes of political decisions do not play any role in legitimizing the decision-making procedure or the decisions themselves.

According to Pure Deliberative Proceduralism, legitimacy is ensured as long as the demands of procedural fairness are satisfied. In analogy to Pure Aggregative Proceduralism, outcomes do not matter for political legitimacy under the regime of Pure Deliberative Proceduralism. All that matters for democratic legitimacy in such a regime is that collective decision-making proceeds through public deliberation among all those affected under conditions of political equality. This view is defended by Thomas Christiano [...] (Peter 2007: 340-341)

Some scholars disagree with the presented classification: Marti argues that Christiano's view is an easy case of a

mixed position that combines intrinsic with instrumental values (Marti 2006: 37), and Rostbøll points out that, by relying on a kind of instrumentalism in democratic institutions, Christiano's argument for democracy cannot avoid invoking procedure-independent epistemic standards (Rostbøll 2015: 272-274). I fully agree with Marti and Rostbøll, and in the rest of the paper I provide further support for this interpretation of Christiano's work. His position, I believe, should give at least some weight to the substantive quality of decisions produced by a collective decision-making process when discussing the legitimacy of political decisions and legitimacy-generating features of collective decision-making procedures.

Why should outcomes be important for Christiano's position?

Though the importance of the quality of outcomes of political decisions can partly be assumed from the first parts of Christiano's argument, it is later in the argument that we can more clearly see how outcomes can be important for the legitimacy of political decisions. In this part of the paper I discuss four separate cases taken from Christiano's argument that, when properly understood, point out why the outcomes of a collective decision-making procedure are important for its legitimacy-generating potential. Before that, however, we should focus on the reason why Christiano, in the first part of his argument, claims that democracy is (solely) non-instrumentally justified, and consequently, why outcomes and end states should not play any role in its justification (Christiano 1996, 2008).

Democracy, as a public realization of equality, is intrinsically just. It is important to note, however, that this does not

exclude that democracy can be instrumentally justified as well. Estlund's view is a clear example of such a position; democracy is intrinsically justified because it is a fair procedure, and it is instrumentally justified because of its epistemic qualities (to be more precise, its truth-tracking potential) (Estlund 2008). Christiano's position rests to a great extent on the intrinsic justification of democracy – however, claiming that Christiano should include the instrumental justification of democracy does not, in any way, undermine its intrinsic justification.

Christiano is, however, not willing to include the instrumental qualities of democracy in its justification. Namely, by introducing instrumental qualities in the process of justification, the justification will no longer be public because some of the reasonable citizens will not be able to recognize or approve these instrumental qualities. To say that a decision-making procedure is instrumentally justified implies that there is some intrinsically valuable end state that the use of this procedure helps bring about (Christiano 2008). Consequently, when we say that a decision-making procedure is instrumentally justified, we are implying that we know what this intrinsically valuable end state (one that the procedures helps us achieve) is. However, because of facts of judgment, we do not agree and cannot agree on what this intrinsically valuable end state is. The instrumental justification of democracy (one that rests on the certain end state that democracy helps achieve) cannot therefore be public since there is no public agreement on such a valuable end state. Instrumentalist accounts of Richard Arneson and Steven Wall are what Christiano has in mind when he rejects the instrumental justification of democ-

racy. Both Arneson and Wall refer to some ideal egalitarian distribution as a desirable (intrinsically valuable) end state. The legitimacy-generating potential of decision-making procedures and the legitimacy of decisions made by them depend on how closely these decisions approximate the ideal egalitarian distribution (Arneson 2003a, 2003b, Wall 2007). Since there is no public agreement on this ideal egalitarian distribution (not everyone can see that he or she is treated as equal), by imposing this conception of equality we will set back the interests and well-being of those who are imposed upon. We cannot have a public instrumental justification of democracy when we do not have a public agreement on the intrinsic value of the desired end state that democracy is supposed to achieve (Christiano 2008).

I think Christiano is right when he rejects instrumentalist positions of Arneson and Wall. However, I claim that there can be public agreement on the value of some end states, and furthermore, that Christiano's argument presupposes this agreement at several important points. In the rest of this section I discuss four such examples.

a) Leveling-down objection

Equality is, as we have seen, very important for Christiano. This makes his position (as well as any other egalitarian position) is vulnerable to the famous leveling-down objection. This intuitive objection shows that principle of equality can have extremely implausible implications. The objection invites us to imagine two alternative states: S1 and S2. In S1, everyone is equally well-off, while in S2 everyone is better off than in S1, but some are better-off than others. According to some, the principle of equality

that would favor S1 represents a departure from equality. It would, then, imply that we should make everyone worse-off. Proponents of the leveling-down objection then conclude that there must be something wrong with the principle of equality.

	S1	S2	S3
A	2	3	5
B	2	7	5

Furthermore, if we introduce the alternative state S3, in which everyone is equally well-off, and everyone is better-off than in S1, it might seem that the principle of equality should be indifferent towards S1 and S3. They both represent states of equal distribution of well-being, and from the standpoint of equality there is no relevant difference between them. Christiano disagrees with this conclusion, pointing out that egalitarians should prefer S3 to S1. He rightfully claims that there is internal connection between the rationale for equality and the value of a relevant fundamental good that is equalized. People are indifferent to the quantitative distribution of letters in their names, mostly because a necessary condition for equality to matter is that it is better to have more than less of the thing being equalized (Christiano 2008). The importance of well-being is thus built into the principle of equality, and so egalitarians should differentiate between S1 and S3 (i.e., egalitarians should favor S3). Christiano continues his argumentation by claiming that egalitarians must acknowledge that S2 fails justice, though this does not imply that they should prefer S1 to S2. Namely, S1 also fails justice (even more than S2, though S1 is a state of equality) by failing to address the principle of well-being, an essential

component of the principle of equality. Of course, S3 is superior to both S1 and S2, and if S3 is not feasible, then we must favor a state of inequality in which everyone is better-off than in the state of best feasible equality (Christiano 2008).

Though Christiano introduces very detailed and valuable argumentation for the discussions on equality, the key point for the purpose of this paper is that S3 is better than S1 (and this follows from the principle of equality). We can, at least at this abstract level, say that one state of affairs is better (or more just) than the other.

Consider now two alternative decision-making procedures: P1 and P3 are egalitarian procedures that give every person equal chance to participate in the decision-making process. They are both fair procedures, and it might even seem that they are both intrinsically justified as public realizations of equality (everyone can see that he or she is treated as an equal). However, the well-being produced by P1 is considerably lesser than the well-being produced by P3. This can be for many reasons, but let us say that this is because P3 is better in organizing the existing virtues and good qualities of the people in a way that promotes their well-being.² Since S3, the end state produced by P3, is better in improving the well-being of each citizen, it should be favored by the principle of well-being over S1 (produced by P1), and consequently favored by the principle of equality. It seems that, considering the principle of equality, P3 should be favored over P1, though they are both fair and both give each citizen an equal chance to participate in the decision-

² This is a variation of Mill's second criteria for legitimacy of any form of government (Mill 1977)

making process and influence the final decision. However, P1 and P3 have the same purely procedural qualities³ – what differentiates them is their ability to produce a state that improves the well-being of citizens, i.e., the difference between P1 and P3 is not in the procedural fairness, but in the substantive quality of the outcomes they produce. It seems that the outcomes of political decisions should play a certain role in constituting the legitimacy-generating potential of the procedures that have produced them, and it also seems that this claim is supported by the principle of equality.

³ This does not imply that all qualities the two procedures have are the same. If that were the case, it would not be possible to explain why the results they have produced are different. The two procedures have the same relevant purely procedural qualities (e.g. they give everyone an equal chance to participate in the decision-making process). We refer to these qualities as purely procedural since they are intrinsically justified. The difference can be in other qualities (e.g. whether the procedure incorporates the division of labor, whether decisions are made by pre-deliberation or post-deliberation voting), but these qualities are not intrinsically, but rather instrumentally justified. There is nothing 'good in itself' in the division of labor or public deliberation – these qualities are considered good because of the good outcomes they produce. The problem with fair proceduralism is that it must remain indifferent towards these qualities, since it attributes legitimacy-generating potential only to intrinsically justified qualities. So the problem is that it focuses only on intrinsic qualities of a procedure (e.g. those in the square on the sketch below), and not on other relevant (instrumentally justified) qualities of a procedure (e.g. those outside of the square on the sketch below). For fair proceduralists there is no relevant difference between procedures P1 and P3 because fair proceduralists characterize only certain intrinsic qualities as 'relevant'.

One way of answering this objection is claiming that S1 and S3 are very abstract states: society is not divided in two well-distinguished groups and the well-being of individuals is not possible to measure that easily. If we try to put these states in political practice, specifying them by various laws, policies and distributed resources, the idea that S3 is better than S1 would fail the publicity test. Because of the facts of judgment, not everyone would think of S3 as better in improving the well-being than S1, and referring to end states S1 and S3 could not be a public justification of P1 or P3. Christiano's answer to leveling-down objection should then be seen as a theoretical project without any direct consequences on real-life laws and policies.⁴

⁴ Though I agree that, because of facts of judgment, we cannot have public agreement on some important moral issues and issues regarding our well-being, I believe there can be important difference between S1 and S3 that everyone should (despite facts of judgment) be able to perceive. In order to elaborate this difference, we can use results gathered by Democracy Ranking Association which produces an annual global ranking of democracies. According to the ranking, democracy consists of six dimensions (one political, five non-political), with different weights for the overall quality of democracy. Their weights are distributed accordingly: politics (or the political system) 50%; gender (gender equality in socioeconomic and educational terms) 10%; economy (or the economic system) 10%; knowledge (knowledge society, research and education) 10%; health (or the health system and health status) 10%; and environment (environmental sustainability) 10% (Campbell and Sükösd, 2002). The first dimension (politics) focuses on procedural fairness of a democratic system (whether everyone has a right to participate in decision-making process, whether there are discriminated individuals or groups of people), while other five focus on results or outcomes of the political process

It seems to me, however, that that would not be a correct interpretation. When Christiano discusses the quality of decisions produced by equal lotteries or coin-flipping, or when he argues in favor of deliberative and representative democracy, he seems to be endorsing the idea that these practices are somehow better in increasing the well-being of citizens, and this seems to follow from the public principle of equality. Let us then discuss the remaining three cases to support this claim.

b) Christiano rejects equal lotteries

If procedural fairness is the only criterion for the legitimacy-generating potential of a decision-making procedure (i.e. if the only relevant state is one in which a decision-making process takes place, and not the one that is an outcome of such a decision-making process), there is more than one procedure that can satisfy it. Coin-flipping can be one such procedure: if we flip a coin every time we have to make a political decision, we seem to be using a fair decision-making procedure, since everyone has an equal chance to influence the final

(these results, like economy, knowledge, health and environment, are very important for the well-being of persons). We can imagine situations when two countries have the same score for politics, but differ significantly regarding other five dimensions. This is exactly the situation with S1 and S3: they both respect procedural fairness and give every citizen equal chance to participate in decision-making, but the results that affect the well-being of people (economy, health, education, environment) are different because of some other qualities of decision-making procedures (e.g. whether they implement division of labor and encourage public deliberation). I believe Christiano acknowledges this when he discusses and rejects direct and aggregative democracy.

decision, i.e., no chance at all (Nelson 1980, Estlund 2008). We can also randomly select one person who will make a political decision that will be binding on all of us, or we can have a voting system where a single vote is randomly selected to be decisive. In all of these cases, everyone has an equal chance to influence the final decision (an equal chance to be selected as a 'queen for a day,' or an equal chance that his or her vote will be selected as decisive) (Estlund 2008). It seems that all these procedures stand in accordance with the principle of public equality; everyone is treated as an equal, and everyone can see and accept that.

Democracy is a fair decision-making procedure as well – but why should we favor democracy over coin-flipping, queen for a day or equal lotteries? Christiano is convinced there is a relevant difference between these procedures: fair, but non-democratic decision-making procedures represent a very thin form of equality that does not go beyond initial distribution. They all fail to realize equality adequately (Christiano 2008). Christiano introduces an analogous case of substituting equal distribution of chance for material resources for equal distribution of resources (Christiano 2008: 108-112). This is a very useful analogy that points out that, when we can publicly determine what an equal distribution is (as we can with wages), results and end states are very important. Furthermore, the principle of public equality directs us to use a distributing mechanism that will produce a desired outcome or end state, and it directs us to use a decision-making procedure that will produce the same desired outcome or end state. Democracy will be better in achieving this desired end state (equality of well-being) than equal lotteries or coin-flipping, just like the equal

distribution of resources will be better in achieving the same end state than equal chance for material resources. In democracy, Christiano claims, equality does reach beyond initial distribution because people have capacities to negotiate, deliberate and exchange political power, 'and these are activities that are highly advantageous to all the participants' (Christiano 2008: 110). The main problem with lotteries is that they do not enable us to engage in deliberation, negotiation and exchange, i.e., in activities that help us improve our interests and our well-being. One could argue that deliberation, negotiation and exchange are advantageous from the standpoint of procedural equality (Peter 2011, Gutmann and Thompson 1996, 2000), but Christiano rejects this idea, first when he rejects tradable equal chances at wages (Christiano 2008: 109), and then when he argues that public deliberation is instrumentally justified (Christiano 2008: 192). Finally, Christiano admits the importance of outcomes when he rejects equal lotteries:

In an egalitarian system of decision-making one would want the agent a for decision-making to be determined in an egalitarian way as well since this is crucial to the outcome of decision-making. (Christiano 2008: 111, [emphasis added])

It seems that argument against equal lotteries and other fair but non-democratic decision making procedures is (at least partly) outcome based – even if they give every person equal chance to influence the final decision, they do not produce outcomes as good as democracy.

c) Christiano rejects direct democracy

As we have seen in the earlier case, Christiano rejects coin-flipping, equal lotteries and other fair but non-demo-

cratic decision-making procedures. He claims that democracy is the only adequate public realization of equality. However, democracy is not a single, precisely defined decision-making procedure; there are many forms of democracy and many different decision-making procedures can be referred to as democratic. Is there (and can there be) any relevant difference between these democratic decision-making procedures? How are we to decide which democratic decision-making procedure is the one that creates legitimate decisions?

Christiano accepts a form of representative democracy, and argues that direct democracy should be rejected on the grounds of the principle of equality. Some might find this very problematic. If equality is the basis for democracy, then a more equal, but far less effective system of collective decision-making would be superior to an unequal system that was more effective at advancing everyone's interests. Christiano indirectly accepts the idea that direct democracy is more equal than representative democracy, but argues that the latter should be accepted because of its efficiency (Christiano 2008: 104-105). This efficiency is the product of the division of (epistemic) labor in modern states – citizens are thus to define the aims the society is to pursue, while legislators (political representatives and experts) are charged with the task of implementing and devising the means for those aims through legislation. Of course, the requirement of political equality is met if (and only if) the legislative assembly proportionately represents the aims citizens have chosen.

Even if there is some inequality under representative democracy (and more inequality than in direct democracy), it is still preferable on the principle of equality. Because of the division of labor,

representative democracy will constitute a Pareto improvement over direct democracy. Consequently, representative democracy would be more just even if direct democracy would be more equal. The advantages of the division of labor are so clear that this can qualify as a publicly clear improvement (Christiano 2008: 105).

When we evaluate the legitimacy-generating potential of representative and direct democracy, Christiano claims that we should, at least partly, focus on their ability to increase the well-being of citizens (this follows from the principle of well-being, and consequently from the principle of equality). And this implies that we should focus on procedure's ability to produce certain desirable outcomes and end states, and it is this ability that (at least to a certain degree) gives a decision-making procedure legitimacy-generating qualities. Representative democracy is thus (at least partly) instrumentally justified – it is better than direct democracy because of its ability to produce a certain, intrinsically valuable end state⁵.

⁵ This paper tries to demonstrate why Christiano should accept the idea that, from the standpoint of equality, democracy is at least partly instrumentally justified. As I have noted earlier, I do not want to claim that democracy is solely instrumentally justified. However, Christiano's preference towards efficiency in improving the well-being of citizens can even lead some to argue that his view is actually an instrumentalist position. If the procedure's ability to produce a desirable end state is more important than its purely procedural fairness (its ability to treat everyone as an equal and give everyone an equal chance to influence the final decision), then Christiano can give a procedure this legitimacy-generating potential solely on the basis of its ability to produce good outcomes. This might be a view very similar to

d) Christiano rejects aggregative democracy

In the previous case we have seen that, according to Christiano, representative democracy can be publicly justified and preferred from the standpoint of equality over direct democracy. However, we are faced with the same problem once again: there are various forms of representative democracy and, though we have narrowed the list of legitimacy-generating democratic procedures, we still have to choose one among different alternatives. It seems that the interests of every person can be publicly treated equally in both aggregative and deliberative democracy. Do then both the aggregative and deliberative model, as long as they are both representative and democratic, produce legitimate decisions?

Christiano disagrees – though it might seem that both procedures publicly treat everyone's interests equally,

J. S. Mill's instrumentalist position – a form of government is justified only on the basis of its ability to improve the well-being of citizens, and democracy (or scholocracy) is thus better than monarchy (or epistocracy) because it is better in detecting and satisfying interests and the well-being of the people (it is partly better in satisfying the interests of people because it improves moral and intellectual capabilities of people, but this improvement is again instrumentally justified because it helps us to produce better decisions and better improve our well-being). There is no doubt, however, that democracy is instrumentally justified. Furthermore, Mill also introduces the publicity requirement, especially when suggesting the plural voting proposal (Mill 1977). I do not want to press this analogy further in this paper, though I believe that it could be expanded and might even lead us to conclude that Christiano is suggesting an instrumentalist position, something very different from fair deliberative proceduralism, as his position was characterized by Estlund and Peter.

there are strong reasons for rejecting aggregative democracy. However, Christiano explicitly argues that these reasons are instrumental (Christiano 2008: 190-197). Deliberation is instrumentally justified because it improves the understanding of the interests of the members of the community, it enables us to root out policies based on prejudices and it enhances certain desirable qualities in citizens (e.g. autonomy, morality and rationality). Furthermore, it helps us to promote some of our fundamental interests (e.g. correcting for cognitive biases in others and acquiring true and justified beliefs) that are used in the justification of democracy. This implies that we cannot consider these cases separately and argue that democracy is solely, intrinsically justified, and that deliberation solely, instrumentally, justified (as far as I can see, this is exactly what Christiano does) (Christiano 2008: 71, 193), since the same argument is used to justify both of them, and deep down it is an instrumental argument (correcting for cognitive biases in others and acquiring true and justified beliefs are not, as far as I understand Christiano's argument, self-standing epistemic virtues,⁶ but instead good means to achieve a desired end state, one with greatest level of well-being for everyone).

Let us then summarize the second part of this paper. Christiano argues that democracy is solely, intrinsically justified since it is a public realization of equality, and argues that it cannot be in-

strumentally justified since that would include calling some end state intrinsically valuable, and we cannot have a public agreement on how should that end state look like (Christiano 2008: 71 – 74). He defends representative deliberative democracy and claims it is, from the standpoint of equality, superior to other fair decision-making procedures, including coin-flipping, queen for a day, equal lotteries, direct democracy and aggregative democracy. Representative, deliberative democracy is superior because of its ability to produce desirable outcomes and end states, those with more well-being for everyone. Furthermore, Christiano claims that this follows from the principle of public equality, since everyone can see not only that he or she is being treated as an equal, but also that representative deliberative democracy will be better in producing the desired end state (more well-being for everyone) than other fair decision-making procedures. This is clearly a form of instrumental justification. It seems that, from the egalitarian standpoint and the principle of public equality, democracy is (at least partly) instrumentally justified. Consequently, democratic decisions are legitimate because of democracy's legitimacy-generating qualities, and these qualities include both its procedural fairness and its ability to produce good outcomes (to best improve the well-being of all citizens).

Conclusion

This paper tries to show that Christiano's view should not be regarded as a monistic position in discussions on political legitimacy. Though many have described his position as a form of pure (fair) deliberative proceduralism, and though Christiano himself emphasizes that the results or end states of decision-

⁶ Fabienne Peter would probably argue something like this. She calls her position Pure Epistemic Proceduralism since she justifies deliberative democracy on the basis of its self-standing (purely procedural) epistemic values, and not on the basis of consequentialist epistemology (like Estlund and Christiano). (Peter 2011)

making procedures should not play any role in constituting their legitimacy-generating potential, it seems to me that a form of non-monism follows from principle of public equality. Namely, the principle of well-being (which is an important element of the principle of public equality) asks us to evaluate the ability of decision-making procedures to improve the well-being of human beings. If there is more than one procedure that treats everyone as an equal, we should differentiate between them on the basis of their ability to improve our well-being, as well as the well-being of other human beings. I believe this is why Christiano rejects coin-flipping, equal

lotteries, direct and aggregative democracy (though they are all fair decision-making procedures) in favor of representative deliberative democracy. The quality of the outcomes (or end states) of political decisions thus seems to play an important role in constructing the legitimacy-generating potential of a decision-making procedure, and this seems to follow from the principle of public equality. I would like to hear more about why Christiano thinks that democratic legitimacy can be established only on the basis of its intrinsic qualities, and what is then the role of the quality of outcomes (or end states) according to his position?

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Kako načelo javne jednakosti uvodi sadržaj u demokratski proceduralizam

SAŽETAK U raspravama o demokratskoj legitimnosti, Christianova se pozicija često shvaća monistički, kao jaka i uvjerljiva verzija pravičnog deliberativnog proceduralizma. Demokracija je tako shvaćena kao realizacija javne jednakosti u kolektivnom procesu odlučivanja. Njegova pozicija je neinstrumentalna, te kvaliteta odluka koje procedura donošenja odluka proizvodi ni na koji način ne utječe na njezinu legitimnost. U ovom radu tvrdim kako bi kvaliteta demokratskih odluka trebala biti bitan (iako ne odlučujuć) dio Christianove argumentacije. Posljedično, tvrdim da bi njegovo opravdanje demokracije trebalo biti (barem djelomično) instrumentalno. Razmatram četiri slučaja iz njegove knjige *The Constitution of Equality* kako bih pokazao da su ishodi demokratskih procedura zapravo veoma bitni za Christiana. Štoviše, tvrdim da su ishodi toliko bitni da bi, kada odlučujemo između dvije ili više pravičnih procedura odlučivanja, procedura koja proizvodi najbolje ishode trebala biti smatrana legitimnom.

KLJUČNE RIJEČI deliberativna demokracija, Thomas Christiano, proceduralizam, legitimnost

PUBLIC EQUALITY, DEMOCRACY AND JUSTICE

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Summary This paper examines the principle of public equality which, according to the view Thomas Christiano defends in his book *The Constitution of Equality: Democratic Authority and Its Limits*, is of central importance for social justice and democracy. Christiano also holds that the authority of democracy, and its limits, are grounded in this principle. Christiano's democratic theory can be, broadly speaking, divided in two parts. The first part deals with the derivation and justification of the principle of public equality. The second part argues why and how the authority of democracy, and its limits, are based on this principle. This article will deal only with the first part of Christiano's theory. While I believe that the second part is crucially important for Christiano's democratic theory, I think that before examining the role of the principle of public equality, it is necessary to examine its nature. For that reason, this paper deals primarily with the nature of the principle of public equality as the requirement of social justice and the basis for the justification of democracy.*

Keywords public equality, justice, democracy, institutions, interpersonal relations

Introduction

This paper examines the principle of public equality which, according to

Thomas Christiano's view, defended in his book *The Constitution of Equality: Democratic Authority and Its Limits*, is of central importance for social justice and democracy. Christiano also holds that the authority of democracy, and its limits, are grounded in this principle. Christiano's democratic theory can be, broadly speaking, divided in two parts. The first part deals with the derivation and justification of the principle of public equality. The second part argues why and how the authority of democracy,

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and its limits, are based on this principle. This article will deal only with the first part of Christiano's theory. I believe that the second part is crucially important for Christiano's democratic theory. Still, I think that before examining the role of the principle of public equality, it is necessary to examine its nature. For that reason, this paper primarily deals with the nature of the principle of public equality as the requirement of social justice and the basis for the justification of democracy.

The first part of Christiano's theory consists of three steps. The first step is to demonstrate that social justice and its requirement of equality are grounded in the dignity of persons. The second step is grounding democracy in the principle of public equality as the requirement of social justice. The third step shows why democracy is the public realization of equality. Accordingly, the article is structured as follows. In the first section, I present Christiano's view of persons as authorities in the realm of value, as well as the argument that shows how the dignity of persons grounds the requirement that in order to have justice, the well-being of every person must be advanced equally. In the second section, I show how Christiano derives the principle of public equality and how that principle contributes to the intrinsic fairness of democracy. In the third section, I explore Christiano's main argument for the justification of democracy.

From the Dignity of Persons to Social Justice

Christiano maintains that social justice is grounded in the dignity of persons. I will formalize his argument in the following way:

1. Human persons are authorities in the realm of value.
2. Being an authority in the realm of value is valuable.
3. (from 1 and 2) Therefore, human persons are valuable.
4. Everyone holding authority in the realm of value has a special status and is owed dignity.
5. (from 1 and 4) Therefore, human person is owed dignity.
6. Everyone having the capacity of being the authority in the realm of value has equal moral status.
7. Every human person has the capacity to be the authority in the realm of value.
8. (from 6 and 7) Therefore, every human person has equal moral status.
9. The well-being of a person is the happy exercise of the distinctive authority in the realm of value.
10. The requirement of justice is that relevantly like cases should be treated alike and relevantly unlike cases unlike (the generic principle of justice).
11. There are no relevant differences among persons.
12. (from 8, 9, 10, and 11) Therefore, the requirement of justice is that the well-being of every person is advanced equally.

What this complex argument shows is that the dignity of persons implies equality as the requirement of justice. In what follows I briefly examine Christiano's explanation for each of the premises. I first focus on the premises of 1–4, which establish human dignity. I then pay special attention to the premises of 8–11, establishing equality as one of the fundamental principles of justice. Given that I am primarily interested in public equality, which is derived from this prin-

ciple, in this section I do not question any of these premises. But, before focusing on the principle of public equality, we should first examine how the principle was derived.

Premise 1 claims that human persons are authorities in the realm of value. This premise in fact provides the answer to the question what differs humans from other living beings. Contrary to other beings, humans have the capacity to recognize values and organize their lives in keeping with certain values. In addition, humans are capable of creating values. Therefore, we act as authorities in the realm of value whenever we admire a beautiful landscape, or choose to act morally, or when we create a work of art. Christiano argues that a distinctive capacity of humans is that they can appreciate and create not just any, but what he calls the intrinsic values. Given that humans are uniquely capable of being authorities in the realm of a value, it is natural to think of this very capacity as valuable, as is argued in premise 2. Or as Christiano puts it, “there is an intrinsic value in the recognition and appreciation of the intrinsic value as well as in the self-conscious production or creation of value” (Christiano, 2008: 15). From the first two premises it can be concluded that the human persons must be considered as valuable.¹

¹ For Kantian derivation of the same conclusion, see Korsgaard, 1996: 123. Christiano’s relationship to Kant’s doctrine of humanity is twofold. On this, he says as follows: “The notion of humanity I sketch here owes much to Immanuel Kant’s conception of humanity in his *Groundwork of the Metaphysics of Morals*... It is also quite different in that the value of humanity, in my view, connects human beings with the realm of value in the world and is not the ground of all value, as many Kantians would have it” (Christiano, 2008: 14).

Premise 4 says that those who are authorities in the realm of value hold a special status and their dignity must be recognized. Given that premise 1 establishes that persons are beings who can be authorities in the realm of value, this further means that they have a special status, and dignity is due to them. Since every person must be deemed valuable, their dignity means that no person may be sacrificed for the benefit of others. In other words, no person may be used as a mere means to achieve another persons’ values. Although the equal treatment of persons on account of their dignity is a principle characteristic to utilitarianism, Christiano holds that his view of the dignity of persons, stemming from their authority in the realm of value, avoids usual objections to utilitarianism. The initial treatment of all persons as equal, because of the utilitarian calculus of the greatest happiness of the greatest number, might lead to arguing that it is justified to sacrifice some persons for the good of others. Christiano holds that this runs counter to the fact that human persons hold a special status and that dignity is owed to them. His view of human dignity blocks these utilitarian conclusions. The argument so far has demonstrated that premises 1–4 establish the dignity of the persons. We should now look at how equality as the requirement of social justice is derived from the assumption of the dignity of persons.

The argument so far has established that the human persons, as the authorities in the realm of value, hold a special status, and that therefore dignity is due to them. Premise 6 is a general claim that anyone who has the capacity to be the authority in the realm of value must not only hold a special status, but an equal moral status as well. In order to conclude

that all human persons hold the same moral status, it is necessary to accept premise 7, which says that all human persons have the capacity to be authorities in the realm of value. But this claim is far more controversial than all the above claims. Christiano clearly recognizes this and proceeds to offer several responses to the possible objection that the unequal capacity to be the authority in the realm of value entails an inequality of moral status. For example, a person who is an important artist, and whose skills and abilities bring forth valuable works of art, can be considered a higher authority in the realm of value than someone not interested in art, or simply not engaged in it. If the capacities to be the authority in the realm of value differ, does that mean that human persons can be attributed an unequal moral status? Despite the fact that Christiano does not provide a decisive argument to refute this claim, he contends that the value of treating all persons as authorities in the realm of value by far exceeds any value that a person can create. Therefore, any treatment of people which does not assume their equal moral status would not be justified. Given premise 7, we arrive from the special status of human persons to their equal moral status.

Recall that the main objective of Christiano's argument is to demonstrate how equality, as the requirement of justice, is derived from the dignity of persons. Here premise 9 is crucially important since the well-being of every person is something on which the conception of justice operates. This premise is in fact Christiano's definition of well-being, which reads, "the well-being of a person is, broadly speaking, the happy exercise of the distinctive authority of persons" (Christiano, 2008: 18). Why is it essential for well-being that the persons are

not just authorities in the realm of value, but that they happily exercise this authority? Let us imagine a person who acts according to the moral values, but does so under coercion rather than of their own choice. Christiano argues that, despite the fact that this person can be said to be doing what is good, it cannot be claimed that their behavior is conducive to their well-being. Hence, Christiano's concept of well-being contains two components: it must reflect the idea of good as perceived by each person individually, and the exercise of this idea of good must be conducive to the flourishing of that person (Christiano, 2008: 19). Only if these two conditions have been met we say that a person is happily exercising her authority in the realm of value. But for someone to be able to happily exercise their authority in the realm of value it is necessary that they have this capacity. For this reason, the dignity of a person is at the core of Christiano's view of well-being.

Premise 10 introduces the well-known requirement of justice that one ought to treat relevantly like cases alike and relevantly unlike cases unlike. Christiano calls this requirement the generic principle of justice. He explores it against the background of another requirement of justice, that everyone is due what is appropriate to them. Christiano calls this the principle of propriety. Although this principle resembles the conception of justice grounded on the principle of desert, Christiano thinks that the principle of propriety is far more abstract and general in character than the principle of desert. The basic idea behind the principle of propriety and the generic principle of justice is that once we know what it is due to human beings, we can also tell what justice, concerning the treatment of human beings, requires.

Since we already established that dignity is due to every person, the principle of propriety says that this is also the requirement of justice. And the generic principle of justice, which includes the principle of propriety, establishes that justice requires that all persons who are due their dignity must be treated equally. This merely redefines the basic requirements related to the dignity of a person in terms of justice. But the requirements of justice go even further. Persons are due their dignity because they are the authorities in the realm of value. However, they must also happily exercise their authority, and this is at the core of well-being. If that is so, then the principle of propriety requires that persons are due the advancement of their well-being. But given that this principle does not establish how much well-being every person is due, the generic principle of justice may provide the solution.

If any relevant differences between persons existed, then the generic principle of justice would require a differential treatment. For that reason, premise 11 establishes that there is no relevant difference among persons. Yet, recalling the fact that differences between persons may stem from their differing productive talents, Christiano suggests to limit the argument outlined in premise 11 to persons in pre-adult age, when the differences in productive talents are still not evident. However, such understanding of premise 11 appears to be significantly more controversial, since it relies on an arbitrary domain restriction. But even with such a restriction, it is not certain that what is said by premise 11 can be granted. Take for example a gifted violin player, who at the age of five achieves world fame and accumulates wealth. So relevant differences between persons on the grounds of their unique capacities

can arise before their coming of age. Since my main objective in this section is not to criticize but rather to reconstruct Christiano's argument, I will accept the validity of premise 11 as well.

Premises 8–11 establish the conclusion that justice demands the well-being of each person be equally advanced. Given that Premises 8–10 are grounded in the dignity of persons, and that premise 11 only further accentuates the equal moral status of persons, it means that the argument establishes how equality as a requirement of justice is derived from the dignity of persons. To see why that is so, we can assume that the well-being of those who are better off should be advanced to a greater extent than the interests of those who are worse off. This would imply some sort of differential treatment because of the relevant differences. But such a differential treatment is excluded by premise 11. If there are no relevant differences among persons, then their equal moral status as argued in premise 8 is the only thing that counts. This means that the generic principle of justice (premise 10) provides for the equal treatment of all human persons. In addition, well-being is crucially important to both the good of the persons and to their individual flourishing (premise 9). We have seen that the generic principle of justice includes the principle of propriety, which assumes that persons are due the advancement of their well-being. Since only the equal moral status of persons is to be taken into account, the generic principle of justice requires the equal treatment of all persons, which means that justice requires that the well-being of all persons should be advanced equally. So the principle of equality, as a fundamental requirement of social justice, is derived from the dignity of persons.

From Social Justice to Democracy

This section addresses two issues. The first is how social justice grounds democracy. We have seen that justice requires the principle of equality, i.e., that the well-being of every person is advanced equally. The second issue is how to arrive from the abstract principle of equality to public equality and the public realization of equality. In other words, I will examine the transition from the abstract principle of justice to the public realization of equality in decision-making procedures. If it can be demonstrated that the principle of equality is realized in democratic institutions, then it would mean that the democratic procedures themselves are intrinsically just. Are democratic institutions justified because of their intrinsic fairness? Once we answer this question, it is possible to answer the question of what constitutes the basis and the limits of democratic authority. Christiano argues that the answer to all these questions is grounded in the principle of public equality.

Before discussing the principle of public equality, we should first see what Christiano means by social justice. His definition of social justice is as follows: "By 'social justice' I mean the justice of institutions and interactions among persons. Social justice is the attempt to realize the highly impersonal and abstract conception of justice as equality in the institutions and interactions among persons" (Christiano, 2008: 47). In contrast to the theorists who apply the requirements of justice exclusively to institutions and the fundamental structure of society, Christiano holds that they should equally apply to interpersonal relations. In this section I raise an objection to Christiano's view that public equality

can be equally applied in both cases. To be more precise, I will argue that in interpersonal relations, justice can be realized despite the violation of the principle of public equality. It is noteworthy that I will not question the functioning of the principle of public equality in the institutional context. Another remark before we proceed to the principle of public equality. Since Christiano interchangeably uses the terms well-being and interest, in this section I will refer to the abstract principle of equality in the form that is commonly used in contemporary democratic theory – the equal advancement of each person's interests.

The main characteristic of public equality is that it is not enough that justice is done, it must be seen to be done.² Christiano maintains that public equality is a weak public principle (Christiano, 2008: 47). In other words, it is not necessary that each person actually realizes that they are being treated as equals, but that, in principle, they can realize that they are being treated as equals. In addition, it should be noted that public equality does not require that all persons publicly accept the same conception of justice which applies to basic institutions as in Rawls' theory. Christiano suggests that it is very likely that due to background conditions that are typical of democracy (which will be discussed in a moment) disagreement on various principles and conceptions of justice can be expected. However, each person can recognize that in order to equally advance her interests, a public decision-making procedure is needed that treats all persons as equals. Despite their mutual disagreement on the conceptions

² For Christiano's use of this maxim in the context of public equality, see Christiano, 2008: 8, 47, 56.

of justice and its grounding principles, any person can recognize the necessity of the principle of public equality. Therefore, public equality is necessary for social justice. In the previous section we saw that the basic requirement of justice is that the interests of all persons are equally advanced. The principle of public equality suggests that social justice requires that this be done in a public way.

Christiano gives the following example to illustrate the workings of the principle of public equality (Christiano, 2008: 49). Imagine a situation where a person owing money to another person pays this amount directly to the bank account of the creditor on the agreed day, without informing the creditor about it. Say that, due to the numerous financial transactions the creditor had that day, he was not able to see that the debt had been paid. The creditor calls the person who owes the money by telephone to discuss the settlement, but the debtor says that the debt had already been settled. Now imagine an alternative scenario that on the agreed day they meet in person and money is handed over directly. Christiano believes that this example does not question whether justice was done in the first case. However, the first case points to a deficiency in the execution of justice. Although justice was done, there is a certain deficiency in terms of justice because it was not done in a public and obvious way as in the second case. Let us consider another example that illustrates the importance of the principle of publicity for justice. Let us imagine that a verdict is delivered to a person for an offense that the person had committed, but under the circumstances cannot recall. And also that their sentence was passed in a trial which proceeded in secret, in the absence of that

person, which means that the accused did not have access to the evidence employed to pass the verdict. Although this is an imaginary scenario, it sufficiently indicates that the principle of publicity is of critical importance for criminal justice. Just as it was in the first example, despite the fact that justice was done, it had not been effected in an obvious way, which also points to a deficiency in regards to justice. That is precisely why the principle of public equality is important for social justice. The principle of public equality is required so that each person can clearly see that she is treated fairly. Although both examples illustrate the importance of public equality, that it is not enough that justice is done, but it must also be seen to be done, they differ in that the first relates to the justice in interpersonal relations and the other to justice in the workings of institutions. We have seen that Christiano holds that social justice with its requirement of equal treatment applies both to institutions and to interpersonal relations. This means that the principle of public equality which is necessary for social justice equally applies to both cases.

The main argument for public equality is grounded in what Christiano calls the background facts about judgment and on the fundamental interests of persons. Let us first consider the background facts about judgment. Christiano argues that in any complex society operating on a democratic basis, four facts relating to individual judgment can be seen. These are the facts of diversity, disagreement, infallibility and cognitive bias (Christiano, 2008: 4, 56). Since these judgments may relate to very different things, I will focus only on those that relate to interests for the sake of simplicity. Different people tend to have different interests, which means that their

judgments would be geared by such conceptions of justice which guarantee the protection of their interests. In an effort to protect their own interests, people may be in disagreement as to which conception of justice is the most appropriate for their society. In addition, it is easily imaginable that a person can have mistaken judgments about the interests of other people whom they do not know and who are distant to them, but they can also have mistaken judgments in regards to their own interests. And finally, another fact about human beings is that they are biased in favor of their own interests. As a result, in the formulation of a conception of the common good, whether consciously or unconsciously, a personal conception of good may be favored.

Having in mind these four background facts about judgment, Christiano thinks that people have three fundamental interests that should be protected (Christiano, 2008: 4, 56). Although Christiano does not explicitly say so, we could add here that the main point of this part of the argument is that there are actually two kinds of interests, the fundamental and the everyday interests, and also that fundamental interests have priority over everyday interests. In other words, despite the fact that their everyday interests may be different, and often conflicting, all people have certain common fundamental interests that they want to protect. Christiano lists three types of such fundamental interests. First, each person has a fundamental interest in the correcting cognitive biases of others. Protection of this fundamental interest implies that no judgment can be simply imposed on other people, because it is very likely that it would not reflect the conception of justice that they embrace, and could thus ignore their interests. Each person must therefore be able to

present their own judgment on what is in their best interest, and thus be able to correct any erroneous judgment on the part of others. Also, if the person is unable to stand up for themselves it is likely that their interests will simply be overlooked. Second, every person has a fundamental interest in being at home in the world. In other words, it is difficult to say that a person would be able to enjoy any well-being, if she does not see the sense in her environment and is unable to achieve her own well-being and life plans. Third, every person has a fundamental interest to be treated in accordance with the same moral status. If a person is denied the opportunity to express their point of view, then it means that this person is not treated as having equal moral status, which represents a significant loss in terms of their dignity and self-respect.

All three fundamental interests point to the necessity of the principle of public equality in order for persons to be treated in accordance with the requirement of justice which says that the interest of every person must be advanced equally. Christiano makes this point by saying that, “if the facts of cognitive bias, at-homeness, and standing are taken into account by citizens, it should be clear that those adult persons who are denied the right of being able to see that they are being treated as equals are having their interests set back for the sake of the interests of the dominant group. They are being treated as inferiors and being told that their interests are not worthy of equal or perhaps any consideration of justice. This is a disastrous loss of moral standing. Since there is a deep interest in having one’s moral standing among one’s fellows clearly recognized and affirmed, such a denial of the right to publicity must be a serious setback of interests” (Christiano, 2008: 63).

So the main argument for the principle of public equality is based on the principle of justice which requires the equal advancement of the interests of each person, the background facts about judgment and the fundamental interests of persons. If we start from the background facts about judgment, which point to diversity, disagreement, fallibility and cognitive bias, we can see the principle of advancing the interests of each person equally in its full significance (here the principle applies to what I called everyday interests). If social justice was not based on this principle, it would mean that a certain conception of the good could be simply imposed on other people, by overlooking their interests, despite their disagreement, and despite the fact that the conception of the good could be based on erroneous and biased judgments. But as we have seen, this abstract requirement of equality is not sufficient. Therefore, the fundamental interests of correcting cognitive bias, the interest of at-homeness, and of having equal moral status, require that the (everyday) interests of all people are advanced equally in a public way. Each person must be able to see that her judgment is taken into consideration in the process of decision-making, that she is not excluded from the society in which she lives and that she is not denied any right which would prevent this kind of political participation. Therefore, social justice requires that every point of view must be equally taken into account, and that all people should see that this is so. This is why the principle of public equality is necessary for social justice. Christiano points out that, “when we try to implement equality in our social relations and institutions, we must implement public equality” (Christiano, 2008: 73).

However, this conclusion may be questioned, at least when it is related to an interpersonal case. To see why this is so, I will invoke an example formulated by de Lazari-Radek and Singer in order to defend their consequentialist conception of “esoteric morality” (de Lazari-Radek and Singer, 2010: 37-38) My intention in invoking this example is not to defend consequentialism, or “esoteric morality,” but only to point out why implementing public equality is not necessary for implementing equality in interpersonal relations. Let us imagine that a person believes that equality is best realized if each person set aside a part of their income, that is not necessary to satisfy their basic needs, and donated it to Oxfam or a similar organization in order to help the extremely poor people in underdeveloped countries. However, having given it more thought, the person realizes that such a request could be counterproductive and distance people from advancing justice. Therefore, the same person may decide that a more reasonable request would be to publicly encourage people to set aside a smaller portion of their income, say 10%, to help the extremely poor, even if that person had acted in accordance with what she thinks is the best, and had set aside a significantly larger amount. That person could also continue to publicly advocate 10%, while in her private relations with persons who share similar beliefs, she could defend the best conception, which involves donating much more of their income. This example shows that the advancement of equality can be achieved even by violating the principles of public equality in interpersonal relations, but that would mean that the principle of public equality, at least in interpersonal relations, is not necessary for social justice. Therefore Christiano’s thesis that

social justice applies equally in both cases, encounters the following dilemma: either we should reject the view that the principle of public equality applies both to institutions and interpersonal relations, or we should offer another argument which shows that the principle of public equality is necessary in interpersonal relations.

However, this criticism applies only to the interpersonal case, while the realization of the principle of public equality in public institutions is left untouched. Now I will explain how this principle is applied to democratic institutions. So far, the argument has established how the principle of public equality is derived from the abstract principle of equality as the requirement of justice. The example citing the trial held in secret illustrates the importance of publicity in decision-making procedures in the institutional context, and why it is important that each person can see that they are being treated fairly. Given that democratic decision-making procedures take into account the interests of each person equally and given the publicity of the democratic process, we see how democracy is grounded in social justice.³ The principle of public equality grounds democratic decision-making. For that reason, Christiano says that democracy can be seen as the public realization of equality (Christiano, 2008: 71). For the same reason, we can say that democratic decision-making procedures are intrinsically just to the extent that equality is

realized in a public way.⁴ This, however, does not mean that to answer the question about the authority of democracy and the limits of that authority, it would be enough to take into account only the intrinsic fairness of democratic decision-making procedures (it is necessary, for example, to take into account certain liberal rights and freedoms). But the establishment of an intrinsic fairness of decision-making procedures is an important step along the way. Social justice requires that all points of view are equally taken into account in accordance with the principle of public equality, and by realizing that requirement, democracy realizes equality in a public way. That is how social justice grounds democracy.

Democracy and Public Equality

Christiano's justification of democracy relies on the contractualist device of hypothetical consent. When deciding on what justice requires of them and how the fundamental institutions of society should be set up, persons should take what Christiano calls the egalitarian standpoint. The main features of the egalitarian standpoint are the following: each person's interests are taken equally into account, we should realize what equality demands, and we should do so by taking into account the facts of judgment and fundamental interests of individuals (Christiano, 2008: 69–70). Christiano thinks that, from this standpoint, all persons can see that equality requires the principle of public equality, and that the only justified institutions are those that publicly realize equality. Since the democratic decision-making

³ Someone might have noticed that, given the secret ballot, democratic elections are a mixture of publicity and secrecy. For that reason, we consider it important to take into account Elster's point that "the very publicity of the voting process makes the secret vote possible" (Elster, 2013: 8).

⁴ For Christiano's views on the intrinsic fairness and the intrinsic value of democratic procedures, see Christiano, 2008: 3, 71, 75, 76, 87, 88, 96, 102.

procedure can be seen as a public realization of equality, it follows that democracy is justified from the egalitarian standpoint. Still, Christiano's justification of democracy from the egalitarian standpoint is twofold. On the one hand, democracy can be justified instrumentally, as a sort of standard or an end state, which the institutions should seek to advance. Christiano maintains that, in addition to democracy, we can achieve agreement in the egalitarian standpoint on some basic liberal rights and an economic minimum. On the other hand, democracy can be justified intrinsically, because all persons would be able to see, from the egalitarian standpoint, that if justice requires taking into account the interests of all people equally, the best they can do when the facts of judgment and fundamental interests are acknowledged is consent to those institutions which advance the interests of all persons equally in a public way. Given that the realization of public equality is the main characteristic of democratic institutions, they are intrinsically justified from the egalitarian standpoint. We can now move on to Christiano's main argument for democracy.

Here is Christiano's basic argument for democracy in its developed form: "The idea is that we share a common world in which we wish to establish justice and advance the common good. Since we have roughly equal stakes in this common world justice demands that our interests be advanced equally within it. And social justice demands that we realize equality in accordance with a publicly clear measure so that justice may be seen to be done. But we must do this in the context of pervasive disagreement among persons over how to establish justice and the common good and the facts of diversity, cognitive bias,

and fallibility of persons. And each has fundamental interests in advancing his or her judgment in this context. When these facts and interests are acknowledged we see that the only way to advance the interests of persons equally in a way that each can plausibly see to be treating him or her as an equal is to give each an equal say (within a limited scope) over how the common world is to be shaped. So democracy is a realization of public equality in collective decision-making" (Christiano, 2008: 95).

I will explain this complex argument for democracy in two steps. The first step assumes that persons share what Christiano calls the common world. The main feature of the common world is the interdependence of fundamental interests of all persons inhabiting it. Christiano views the common world largely as the interdependence of the fundamental interests within a state. The state forms the backbone of the rule of law and of providing public goods such as an environmental protection, a common system of education, etc. This does not mean that the processes unfolding globally do not affect the fundamental interests of persons, but Christiano thinks that they are not interdependent at the global level in the same way they are within a state. It is only in such a common world that interdependence implies that everyone's interests have equal stake. Since everyone has the equal stake in the common world, we see why justice requires that the interest of each person must be equally advanced. However, taking into account the facts of judgment, disagreements on the interpretation of this requirement of justice can be expected. On the one hand, we have the requirement that the common world should be arranged according to justice, while on the other, there is disagreement as to which

conception of justice is best suited for the common world. Given that the common world is a non-divisible good, from the egalitarian standpoint we can realize that the resources for collective decision-making on how to shape a common world can be distributed equally. So the principle of public equality, adopted from the egalitarian standpoint, requires the equal right to vote and equal opportunity to participate in public deliberation. Christiano also adds to this the equal right to be elected, and the somewhat controversial requirement of the equal distribution of resources for bargaining (Christiano, 2008: 85, 95).

The second step contains the argument for the intrinsic fairness of democracy that was discussed in the previous section. It is now further elaborated by invoking the egalitarian standpoint and some of the basic features of democratic procedures. From the egalitarian standpoint, a person can see that, taking into account the facts about judgment, which include diversity, disagreement, fallibility and cognitive bias, public equality is necessary for the advancement of the interests of all persons equally. From the same perspective, we can see that the fundamental interests of persons (that cognitive biases must be corrected, at-homeness and to have the same moral status) are disturbed if the procedures of political decision-making deprives a person or a group of persons of the possibility of equal participation. Given that fundamental interests would have to be protected and that the egalitarian standpoint requires the principle of public equality, which could be realized by the equal distribution of votes and of the opportunities for deliberation, it follows from the egalitarian standpoint that it is justified for each person to have an equal say in the process of collective deci-

sion-making. Therefore, democracy is the public realization of equality. Thus we arrive at the conclusion of Christiano's main argument for democracy.

In addition, Christiano says that democracy is a unique public realization of equality. The problem is that there is an ambiguity concerning this claim. According to one interpretation, the procedure of democratic decision-making is a unique realization of public equality because it is different from the other types of political decision-making.⁵ According to another interpretation, democracy as the unique realization of public equality means that only democracy is instrumental to realizing the principle of justice, which requires that the interests of each person be advanced equally. The latter interpretation is implied in Christiano's claim, "that the equality involved in democratic decision-making is the uniquely public realization of the equal advancement of interests when the background facts of judgment and the interests in judgment are taken into account" (Christiano, 2008: 78). I think that the bulk of evidence indicates that the first interpretation of the uniqueness thesis is correct. However, there is evidence that suggests a different interpretation. And if the latter interpretation of the uniqueness thesis is correct, it could be opposed with a whole range of counterexamples.

It seems to me that some of Christiano's critics understand his uniqueness thesis according to the second interpretation. Thus Estlund says as follows: "It is not clear to me that a proposal of extra votes for the educated couldn't be made in a way that reflects and conveys equal

⁵ For Christiano's claims that support this interpretation see, Christiano, 2008: 75, 76, 96, 101.

regard for everyone's interests. The proposal is to empower the people who would be best suited to ascertain which laws and policies would treat people's interests equally. The suspicion that this is unlikely to succeed is different from the charge, upon which Christiano's objection to the arrangement would seem to depend, that it is biased against certain people's interests" (Estlund, 2009: 245). Arneson argues in a similar vein: "In the argument from publicity to the claim that democracy is intrinsically just, the fact that society is democratic evidently conveys a message to members of society. Democratic governance procedures are used to signal the commitment of society to the principle of equal consideration. But messages can be communicated in various ways. Why suppose that the only effective way to convey a commitment to justice is through instituting and maintaining democracy? If autocracy is chosen on the ground that it leads to morally superior results, and this surmise is correct, then over time autocracy will produce justice, or at least more justice than would be obtainable under any other type of political regime. What could manifest a commitment to doing justice more obviously and credibly than actually doing justice over time? We are not talking here about private acts performed in people's bedrooms, we are talking about the public policies pursued by a government and the changes over time in its institutions, social norms and practices" (Arneson, 2004: 57). The gist of these arguments is certainly not to defend the conception of plural voting, or any kind of autocratic regime, but to formulate counterexamples for Christiano's thesis that democracy is the unique way for the public realization of equality. Evidently, both authors understand this thesis according

to the second interpretation because they view the principle of justice as requiring an equal consideration of interests as independent from democratic decision-making procedures. I think that, if the second interpretation is correct, it is possible to construe an even stronger counterargument on the grounds of the above criticisms. It is possible to imagine a series of similar examples, which suggests that public equality is multiply realized. If that is so, then it is possible to formulate a wild disjunction of different realizations of public equality. And this wild disjunction undermines the thesis of the unique realization of public equality. This argument holds only if we assume that the second interpretation is correct. But as I already stressed, I maintain a reservation as to the correct interpretation of the uniqueness thesis.

Conclusion

This article dealt with the part of Christiano's democratic theory that points to the fundamental importance of the principle of public equality for the justification of democracy. I have demonstrated how the principle of equality is derived from the conception of the dignity of persons, and how the principle of public equality is derived from the principle of equality. I explained why Christiano thinks public equality is a requirement of social justice. I also accentuated his view that this requirement of social justice applies equally to institutions and to interpersonal relations. Accordingly, I pointed out the problem of applying the principle of public equality in an interpersonal case. This paper also discussed Christiano's grounding of democracy in the principle of public equality. In that regard, I paid particularly attention to

Christiano's main argument which shows that democracy is the public realization of equality. I also examined his addition-

al thesis that democracy is a unique realization of public equality, and expressed some doubts concerning this thesis.

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Javna jednakost, demokracija i pravednost

SAŽETAK Ovaj članak propituje načelo javne jednakosti koje je, prema poziciji koju brani Thomas Christiano u svojoj knjizi *The Constitution of Equality: Democratic Authority and Its Limits*, od središnje važnosti za društvenu pravednost i demokraciju. Christiano također smatra da je autoritet demokracije, kao i njegove granice, utemeljen u tom načelu. Christianova demokratska teorija može se, općenito govoreći, podijeliti u dva dijela. Prvi dio bavi se izvodom i opravdanjem načela javne jednakosti. Drugi dio pojašnjava zašto i na koji način su autoritet demokracije i određivanje njegovih granice utemeljeni na tom načelu. Ovaj se članak bavi samo s prvim dijelom Christianove teorije. Iako je i drugi dio važan za Christianovu demokratsku teoriju, prije nego propitamo ulogu koju igra načelo javne jednakosti, bitno je propitati njegovu prirodu. Stoga, ovaj se članak primarno bavi s prirodom načela javne jednakosti kao preduvjeta socijalne pravednosti i temelja opravdanja demokracije.

KLJUČNE RIJEČI javna jednakost, pravednost, demokracija, institucije, interpersonalni odnosi

FREEDOM AND EQUALITY IN A PLURALIST SOCIETY: AN EXPLANATION AND DEFENCE OF THE PUBLIC REASON VIEW

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Abstract The paper is dedicated to replies to Christiano's criticism of Rawlsian public reason. Although Christiano's criticism is successful in relation to one possible interpretation of the public reason view, a better and more fruitful interpretation of the public reason view is at the disposition of the Rawlsian project. This view of public reason is deliberately an idealization. It shows how public justification would function in a well-ordered society where citizens are committed to liberal values. The shared reasons relevant for public justification are represented by the ideal of society as a fair system of cooperation between free and equal citizens, as well as by the three features of the liberal conceptions of justice (basic rights and liberties, their priority, and the means to use them). In virtue of this view of public reason, it avoids Christiano's objection of the utopianism of shared reasons, and it replies to the inequality argument, as well as to the generality and vagueness objection, and the inconsistency argument. The advantages of the proposal in the view of public reason, in comparison to Christiano's proceduralist democratic proposal, are shown in the reply to the inequality argument.

Keywords Christiano, democracy, public reason, Quong, Rawls

1. It is a pleasure and an honour to have the opportunity to discuss the influential democratic proposal of Thomas Christiano. I focus my discussion on his sophisticated criticism of Rawlsian public reason. Public reason is the view that

says that the justification of laws and policies must not be based on controversial doctrines. The public reason view is explained by John Rawls' principle of legitimacy.

Our exercise of political power is fully proper only when it is exercised in accordance with a constitution, the essentials of which all citizens as free and equal may reasonably be expected to endorse in the light of principles and ideals acceptable to their common human reason (Rawls, 1993/2005: 137).

I do not agree with the restriction of the requirement of providing justification based on public reasons only for constitutional essentials and the basic principles of justice, as in the Rawlsian quotation shown above. Like Quong's (Quong, 2011: 273-289) my view is that the justification for public reason must extend all the way to laws and public policies. This is the reason why I will use expressions like the "justification of laws" and not the "justification of constitutional essentials." I have explained my reasons for such an extended use of public reason elsewhere (Baccarini, 2015: 14), and I do not discuss the question here.

The intention of public reason is to protect free and equal citizenship in a society as a fair system of cooperation. Public reason contributes to this by requiring that the justification of laws is addressed to others, which means that laws are not justified by sectarian reasons, but only by reasons that all properly qualified citizens can reasonably accept.

In my view, Christiano is successful in criticizing one possible (and, perhaps, dominant) interpretation of the public reason view. However, I think that there is a better and more fruitful interpretation of the public reason view at the disposition of the Rawlsian project. It seems that Christiano assumes as his critical target a model of public reason that operates in the real world as it actually is. Public reason, thus interpreted,

must be able to accommodate with real world subjects, and with their real world commitments. From this, it comes the criticism of the impossibility to realize the program, because the needed consensus about shared reasons can only be utopian.

Alternatively, there is a view of public reason that is deliberately an idealization. This view is not focused on the public justification of laws in the actual real world. It shows how public justification would function in a well-ordered society where citizens were committed to liberal values.

The view that I endorse is strongly influenced by the proposal of Jonathan Quong (Quong, 2011; Quong, 2012a; Quong, 2012b). In coherence with his view, the Rawlsian proposals' mistake, which opens the space for criticism, is to avoid assuming at the beginning of the process of constituting publicly justified laws and public policies, that all citizens would endorse the values or ideals of a well-ordered liberal society, as the basis of public reasoning in such a society (Quong, 2012a: 4). Importantly, in Quong's public reason view,

we do not begin with a commitment to public justification, and then only accept or endorse subsequent principles once we are satisfied they meet the test of public reason. Rather, we begin with certain fairly substantive commitments – to the idea of persons as free and equal, to a view of society as a fair system of cooperation, and to the fact of reasonable pluralism – and these commitments lead us to understand that a certain subset of our moral rules must meet the test of public reason if they are to have normative authority over those whom they purport to bind (Quong, 2012b: 56).

The mistake is to think that public justification must be provided to people who do not already accept the basic tenets of a liberal conception of justice. Instead, the basic tenets of justice must be endorsed at the first stage of the justificatory process. They, thus, constitute the public reasons endorsed in public justification. The rationale for this picture of public justification is to show what public justification in a well ordered liberal society looks like, and it is well explained by Quong, who exclaims that the aim of employing public reason “is to understand how liberal theory can be made internally coherent” (Quong, 2011: 180).

However, something needs to be added to the general ideal that Quong puts at the justificatory basis of public reason in order to render the proposal effective. In my view, at the first justificatory level, we must put, together with the general ideal of society as a fair system of cooperation among free and equal citizens, a substantive specification of this ideal, as well. In other words, we must include the three main features of all eligible views of justice: certain basic rights and liberties, their priority, and the means to make use of them (Rawls, 1993/2005: 6). Together with the idea of society as a fair system of cooperation among free and equal citizens, they constitute the basis of justification in a well-ordered society.

Contrary to this view, Quong puts at the first stage only the most general ideal. Its role, then, is to justify the three main features (Quong, 2011: 174-189). But, there is no guarantee that the ideal can realize this goal. For example, an alternative, more or merely, proceduralist conclusion might be derived from it. The ideal of society as a fair system of cooperation may be interpreted as giving justification to an equal status in the

procedure of decision making. Again, there is no guarantee that liberal principles of justice will result from this procedural framework. Procedural alternatives are only contingently, and in favorable conditions, related to the protections of basic liberties and social rights.

The inclusion of the three main features of liberal conceptions of justice in the first stage might appear as ad hoc, but this is not the case in discussion with Quong (and, I show below, in discussion with Christiano, as well). It is coherent with, moreover a better realization of, Quong’s intention of rendering safe some substantive liberal rights, and not leaving them to justificatory accidents (Quong, 2012: 55), like what can happen if we interpret the general ideal in a procedural way. Procedural interpretations of free and equal citizenship, can interpret citizens as free and equal only in the process of the justification of prescriptions, but there are no guarantees that the results of procedures will be substantial, basic liberties and social rights.

The plan of the next part of the paper is (i) to describe Christiano’s proposal and, in particular, his criticism of public reason, and (ii) to show why this criticism does not apply to the view of public reason that I endorse. I compare the merits of Christiano’s theory and the public reason view. Christiano’s proposal does not have advantages over the public reason proposal, at least interpreted as in the view that I embrace. I sketch the advantages of this public reason proposal, as well.

2. In Christiano’s view, the arguments and reasons related to all epistemologically reasonable worldviews can be used in the process of public deliberation (Christiano, 2008: 202-230). Thus, each advances what she thinks is the

epistemologically most reasonable doctrine, and the verdict is established by majoritarian vote. This is clearly opposed to the Rawlsian view that admits only some kind of shared reasons as justificatory. In Christiano's terminology, he defends the wide conception of public deliberation in opposition to the Rawlsian narrow conception of public deliberation that, in fact, is the public reason view. The narrow view is ruled by a principle that Rawlsians call reasonableness, or reciprocity. The quotation at the beginning of the paper is Rawls's explanation of the principle of reasonableness, or reciprocity.

Christiano exemplifies the theory of justice that he criticizes with Joshua Cohen's defence of the Rawlsian principle of reasonableness. I do not discuss directly Cohen's proposal, nor do I enter into the interpretative issues of his theory. My intention is to discuss Christiano's criticism of public reason and to indicate that there is a version of public reason that avoids his criticisms.

In the position that Christiano criticizes, citizens are defined as free and equal in a moderately procedural way, i.e., primarily by having in mind the fact that no decision can be unfairly imposed on them and no comprehensive doctrine can be imposed to them. In other words, the primary component of free and equal citizenship is constituted by not imposing on some citizens laws for which these citizens do not have justification, and ensuring for all of them a procedurally fair condition in the process of decision-making. Such a view of free and equal citizenship is well represented in quotations like:

To say that citizens are *free* is to say, inter alia, that no comprehensive moral or religious view provides a defining condition of membership or

the foundation of the authorization to exercise political power (Cohen, 2009: 231)

and

The participants are substantively equal in that the existing distribution of power and resources does not shape their chances to contribute to deliberation (Cohen, 1997: 397).

This is the basis that leads to the shared reasons view of justification: no view on which there is disagreement can serve as a justification of laws and public policies, and, thus, only shared reasons can be employed. Obviously, there is optimism about the possibility of such shared reasons. Such optimism is the main target of Christiano's critique.

Christiano criticizes the shared reasons requirement, and his question is: "why must we refrain from proposing terms of association on the basis of reasons that we believe to be true or appropriate considerations but that we know to be incompatible with the reasonable comprehensive doctrines others accept?" (Christiano, 2008: 206). I discuss Christiano's critique of only one of Cohen's arguments, the democratic argument (Christiano, 2008: 222-230). The reason is that it is in relation to this argument that Christiano most clearly pictures his alternative to the Rawlsian proposal, and the most relevant reasons in favor of his alternative to the Rawlsian view.

This choice of argument that I discuss is related, also, to my intention, not to defend Cohen's proposal, nor to engage in its interpretation, but to show that it is possible to offer a formulation of public reason that resists Christiano's critical arguments.

The key idea of Cohen's democratic argument is that in order to treat individuals as free and equal in conditions of

reasonable pluralism, power must be exercised on shared reasons, because passing laws that one can reasonably reject means treating her as inferior.

Christiano denies that the majority that passes laws in conformity to what they take as the epistemologically most reasonable view, and refuses what the other side sees as the epistemologically most reasonable view, is treating the members of the minority as inferiors. "The citizens' views concerning the issue at hand are being treated as less reasonable than the ideas the majority is acting on. But this is not the same as saying that the citizens are being treated as inferiors" (Christiano, 2008: 224). In the wide view of the democratic process, citizens are treated as equals, because each person's interests and capacities are taken into account properly, and because each person is listened to carefully and conscientiously, to each person arguments are offered conscientiously, and the verdict is based on the better judgment. Thus, there is not a case against the wide view of democracy from the standpoint of equality. It is not disrespectful of people's equality to make decisions on the basis of reasons that some can reasonably reject, provided it is made in a democratic context where each person can advance her views in a fair condition. If this condition is satisfied, then everybody is treated as equal.

To the extent that citizens have equal votes, equal resources with which to negotiate with others and equal resources with which to participate in the process of discussion and debate over principles, and to the extent that citizens are willing to listen to their fellow citizens with an open mind and willing to take everyone's interests equally into account when making democratic decisions, they

are treating each other as equals [...] as much as can be done in a society where people disagree (Christiano, 2008: 229).

This is the most that can be done to treat people as equals in the democratic process. The public reason model, to fulfill its criterion (justification based on reasons that each part can reasonably accept), needs a utopian consensus for sufficient reasons. In the absence of such consensus, insisting on some specific reasons as the only legitimate justificatory reasons means not being loyal to the basic idea of Rawlsian reasonableness. On the other hand, decisions must be taken even if they are opposed to the justificatory reasons of some. But, then, the public reason model creates an impasse. It is the wide view of democracy that represents the realistic way out of this impasse, respectful of equality, as much as such is possible in a plural world.

An additional interest is realized by the wide view, as well, in this condition: the interest of feeling at home in the world. No more than protecting equality in the democratic process can be done for the interest of feeling at home in the world. The reason is, again, related to the deliberative impasse indicated above. In the case of deep pluralism, in order to respect others' interests of feeling at home in the world, one must sacrifice this interest for herself. The conclusion is that

in a pluralistic society or indeed any moderately complex society, no one is fully at home in their world. This is what gives a point to the principle of equality: since there are conflicts of interests including the interest in being at home in the world, we want to structure the world so that each person's interest in being at home in

the world is advanced equally. And democracy gives us a publicly clear way to do just that (Christiano, 2008, 229).

Another objection that Christiano addresses to the Rawlsian view is that the bases of Rawls's public reasons (like the idea of free and equal citizens) are so general that diverse citizens can accept them in the general formulation, but they can strongly disagree on the specific interpretation. Thus, they do not have a common justificatory basis. Think about the libertarian view of freedom, as opposed to Rawls's view of free citizenship. Both assume free citizenship as a basic value, but the interpretation of the value is radically different. Thus, we do not have shared justificatory reasons even if general formulations are shared (Christiano, 1997: 267-271). If the Rawlsian view is enforced, this is an imposition over the libertarian (if the principle of legitimacy of laws is that they be enforced only if they are justified to all in virtue of the mere overlap of actual beliefs).

An argument related to those seen above that Christiano offers against the shared reasons' view of justification is that "we have reason to think that the principle of reasonableness [Rawls's liberal principle of legitimacy] is inegalitarian" (Christiano, 2008: 229). The reason, he says, is that it puts those people who would base public justification on other values and not only on shared reasons in an unequal position. The inequality is represented by not allowing some people to employ the justification of laws or public policies related to what they see as the best reasons. People who accept the justificatory supremacy of public values (i.e. society as a fair system of cooperation among free and equal citizens, as well as features of the family of liberal

conceptions of justice that includes a list of basic liberties and rights, their priority, and resources to use them) are privileged. Others may either endorse different reasons in an alternative to those endorsed by Rawlsians, or other reasons that are potentially in competition and potentially have supremacy over the Rawlsian values. Requiring that all justification must be based only on shared reasons is discriminatory toward these people.

The last of Christiano's criticisms of public reason that I show is related to the fact that for the public reason proposal it is not indispensable that citizens agree about conclusions. Although reasons for the normative conclusions are shared, there may be divergences on their relative weight and on their interpretation. Such divergences are resolved by democratic decision. But, then, Christiano objects to Rawlsians when they introduce the criterion of voting as the solution to an absence of consensus. He says that in this way they introduce a concept different from the criterion of legitimacy that they generally endorse. Majority voting is a criterion of legitimacy that finds its legitimacy by virtue of treating all as equals in the procedure of decision making. The criterion of legitimacy is that each citizen has an equal say in the decision making process. But it allows making decisions even if they are not justified (i.e., supported by sufficient reasons) for some, which is in opposition to the legitimacy criterion of public reason. The problem, now appears to be that either decisions made by majority voting are not legitimate (because the decision is not justified for some), or the criterion based on the liberal principle of legitimacy is not needed, because majority voting is able to do the job (Christiano, 1997: 264-266).

3.1. In order to reply to Christiano's proposal, it is important to endorse a concept of public reason that is substantial, i.e., it is not intended to protect citizens as free and equal only when they choose laws by placing them in a procedural position symmetrical to that of others by the resource of the shared reasons' justificatory requirement. The Rawlsian view (in the version that I embrace) does not ground legitimacy merely on the general persuasiveness of the reasons for a law. The reasons that matter are not those that are generally persuasive, nor related merely to procedural fairness, but those that are substantively constitutive of the ideal of free and equal citizenship in a society as a fair system of cooperation.

To the objection that this ideal is vague, the Rawlsian reply is that there is a compelling specification of this broad ideal. It goes together with citizens' basic rights, liberties and opportunities, their priority, as well as the resources to use them (Rawls, 1993/2005: 6). These are the three features of all reasonable (in Rawls's sense) conceptions of justice. They function as valid public reasons. These are values to which we must appeal when we address justification to our fellow citizens as free and equal, and we must ground public justification on them.

Grounding all public justification on such reasons and on reasons derivative from them in addition to a formal procedure that, in some way, ensures an equal say in the decision making procedure, or, perhaps, as a corrective of this procedure, is motivated by the intention to avoid legislation that substantially treats citizens as not free and less than equal. This is justified, because procedural equality is not the only component of the conception of equality. Even in a process of democratic decision making

that respects the conditions that Christiano lists ("citizens have equal votes, equal resources with which to negotiate with others and equal resources with which to participate in the process of discussion and debate over principles, [...] citizens are willing to listen to their fellow citizens with an open mind and willing to take everyone's interests equally into account when making democratic decisions") infringements of basic rights and liberties, or social and democratic and social rights are possible in a decisional process where the justifications of decisions are fully left to participants.¹ Christiano is aware of this, and for this reason he indicates components of equality that are not exhausted by procedural equality, as I show above.

3.2. The interpretation of the Rawlsian view, according to which the justificatory reasons are not merely the empirical overlapping consensus of the doctrines of people who compose the political society, but reasons that idealized citizens address to each other as free and equal by having in mind a substantial view of freedom and equality, helps to avoid Christiano's criticism of Cohen's democratic argument. The main basis for Christiano's criticism of the public reason project is that public reason is necessarily not loyal to itself. It requires a utopian consensus about shared reasons, and, in the absence of such consensus, it is impossible to address justification as interpreted by public reason to all citizens, and, thus, the condition of re-

¹ To be sure, we do not have real evidence that this would really happen, because it is difficult to think that there has been any democratic deliberation that satisfies Christiano's demanding constraints in a wide scale society, and, thus, there is no evidence to disprove his claim.

specting fellow citizens as free and equal is not satisfied.

The objection is avoided, because public reason does not address justification to real life citizens, but to idealized citizens, i.e., to reasonable citizens who already endorse a substantial view of free and equal citizenship.

Here, the difference between the public reason view that Christiano criticizes, and the one that I embrace is clear. In the former view, freedom and equality are harmed when decisions are made on the basis of reasons that some reject. The view that I endorse is more substantial. Free and equal citizenship is harmed when decisions are made on the basis of a justification that neglects substantial components of freedom and equality. This interpretation of public reason, that renders public reason requirements more substantial than the alternative interpretation endorsed so far, avoids the objections described above. The interpretation of public justification that I put forward here avoids the indicated criticism, because it requires only acceptability in virtue of the reasons that are such from the idealized perspective of citizens as substantially free and equal. It is not needed to successfully address justification to real life people who do not endorse basic liberties, and democratic and social rights. As a consequence, it is not true that the program is not loyal to itself.

Importantly, even if Christiano affirms the defense of procedural equality, he is aware of the risk that substantial components of public equality can be harmed in the democratic process. This is why he declares some liberal rights (freedom of conscience, freedom of personal pursuit, freedom of association, freedom of expression, basic personal property, fair trial and to be treated in

accordance with due process of law) and democratic rights as limits on democratic authority.

There are reasonably clear limits to the authority of democracy and they can be derived from the same principle of public equality that underlies democratic authority (Christiano, 2008: 260).

A guaranteed economic minimum and not being permanently outvoted sensibly weaken the authority of democracy.

All these values are part of what constitutes public equality, the same as democratic rights, and this is the reason why they can put limits to, or, at least, weaken the authority of democracy (Christiano, 2008: 260-300).

This is clearly an important point. For Christiano, as well as in the view of public reason that I endorse, procedural equality in a democratic process is not sufficient to protect substantial equality. Some values have normative authority prior to the responses of democratic process. This permits us to reject Christiano's inequality objection to public reason.

3.3. Remember that the inequality argument objects that public reason discriminates against citizens that do not share the egalitarian liberal values that public reason establishes as the sufficient justificatory standard of laws, because they embrace different values, or they embrace as equally important other values, potentially in competition with the values that Rawls takes as fundamental for public justification (Christiano, 2008: 229).

My reply is that the view of public justification that appeals to shared public reasons addressed to citizens as free and equal is no more inegalitarian, if we

evaluate equality from this point of view, than Christiano's theory. To be sure, Christiano endorses the wide view of public deliberation, i.e., everybody is allowed to use all reasons that she finds to be the best reasons in the process of public justification. But, at the same time, he puts limits to the authority of democratic decision making.

What is the main difference between the Rawlsian and Christiano's position? Rawlsians protect liberal and egalitarian values by making them the exclusive reasons employed in public deliberation, while Christiano protects basic liberties, and social and democratic rights, from the authority of democracy by declaring them as limits to the democratic authority. Thus, there is no authority if a decision that abolishes the freedom of expression is made on the basis of a merely procedurally fair decision. For any decision, if some people complain about it and they appeal to the protected values (basic freedoms, economic minimum, etc.), then it is needed to defend the policy on exactly the terms of these values. Otherwise, the domain is exempt from democratic decision. At least, this is how I interpret Christiano's position.

Think about the possible example of pornography. An assembly deliberates on forbidding it. There is a complaint from the standpoint of freedom of expression. At this point, a reply is needed in order to show that the decision is not harmful towards the freedom of expression. If this is not done, the decision loses its authority.

In other words, in the case of complaints that appeal to protected values a defense is required that manages similar concepts to those that the Rawlsian perspective indicates as appropriate. Citizens are free to use all the reasons they find appropriate, but only until a com-

plaint that appeals to the values protected from democratic deliberation is expressed. At this point, those people who are more skilled, or who prefer, to use liberal ideals and principles in public justification are in the advantage. Their justificatory resources function as trumps. In relation to the legitimacy of using a full set of reasons that different people want to use, Christiano is more generous in the course of the deliberative process, but, this advantage disappears, because he accepts as dominant reasons of the kind of Rawlsian public reasons at the end of the process, where some democratic and procedurally fair decisions can be found losing authority.²

Thus, the major difference between Christiano and Rawlsians in this debate does not consist in not constraining the democratic process, or putting some limits to the democratic process. There are limits to the democratic process on both sides. The relevant question is whether it is better to leave the use of reasons in the democratic debate uncontrolled, and, then, ensure basic liberal, social and democratic rights by denying authority to some democratic decisions that can be seen as damaging to these rights and liberties (apart if those who object to the exclusion are able to appeal to concepts that, broadly speaking, in their content correspond to Rawlsian public reasons), or it is better to regulate the process from the beginning, by admitting only justification based on reasons that citizens address to each other as substantively free and equal? In my view, the Rawlsian option has advantages.

² Thanks to Kai Spiekermann for having helped me to formulate in this terminology the distinction between Rawls's and Christiano's view.

In Christiano's model citizens appear to be tutored. They are free to debate and decide as they want, but not when there is a complaint that appeals to basic liberties, etc., if they are not able to use public reasons. In such a case they must simply accept that issues are settled without their participation. In the Rawlsian model, citizens, on the other hand, are limited in the reasons that they can employ, but they can deliberate on all issues. They do this by having in mind the reasons that are relevant for citizens who address to each other justification as substantially free and equal citizens. This has several important consequences. One is that, in this way, they become trained and more familiar with the values. The other one is that they are the protagonists of the creation of the society inspired by the values of freedom and equality among citizens. As the third virtue, I mention the ability to pre-empt injustices, instead of the need to repair them.³

This is particularly visible in one case that reduces the authority of democratic decisions: the permanent outvoting of persistent minorities. In such a case members of the persistent minority feel as alienated and as strangers in the world where they live. It appears that the interest of feeling at home in the world is threatened (Christiano, 2008: 288-292). This is avoided in the process of public justification by the public reason view of justification. We can find the explanation in Quong's discussion of the scope of public reason. In one of the examples of employing public reason outside the domain of constitutional essentials, he indicates there is the use of the public

reason of fairness (Quong, 2011: 280-281). Imagine a situation where in a town churches related to one religion have already been built. Members of another religion do not have any church in their town. The virtue of fairness that can be used in the deliberative process as a weighty public reason, at one point, indicates that the priority is that of building a church for the minority religion, if the question is to build a church. We can easily imagine several similar examples. In brief, the public reason of fairness is a resource to block, during public justification, the process in which a minority is permanently outvoted.

The appeal to fairness in this case will be more egalitarian in the results, for persistent minorities, than the principle that Christiano puts forward for limiting outvoting of persistent minorities, i.e. the minimum outcome standard. Fairness does not favor only a minimum of outcomes, but outcomes proportional to those for the majority.

This is not necessarily viewed as an advantage from all evaluative standpoints. But possibly there is an advantage for the Rawlsian view that might be perceived as such even from the democratic perspective of Christiano. The Rawlsian view clearly indicates where permanent outvoting is removed: in the process of public justification, i.e., during the qualified democratic process.

Where is the permanent outvoting of permanent minorities corrected in Christiano's view? One possibility is after the democratic process. This possibility is opposed to democracy as a feature of public equality and, thus, it would be better to find a different solution.

Alternatively, the permanent outvoting of a permanent minority is avoided during the democratic process. It is here that it is possible to appeal to the mini-

³ Nebojsa Zelic remarks the role of public reason justification in shaping a community (Zelic, 2016).

imum outcome standard to interrupt permanent outvoting. But, in such a case, I do see where there is a difference with the employment of public reasons, like in the Rawlsian view of justification. The minimum outcome standard appears to function exactly like the principle of fairness in a Rawlsian process of justification.

3.4. Is this sectarian? That is, is it sectarian to pre-empt disrespecting basic rights and liberties in public deliberation by assuming specific justificatory reasons in the process of public justification (Gaus, 2012)? Importantly for the present debate, this is not an argument that Christiano can use in relation to the public reason view that I endorse. He assumes values and normative contents that are settled by the theoretician prior to the deliberative process of citizens, and not all citizens in the real world endorse these norms. To be sure, contrary to the public reason project, Christiano is engaged in justifying the values that constitute his conception of justice in a way that Quong would call external defense. But public reason is not incompatible with such an enterprise. Although the public reason project is not engaged in it (because it is engaged in a different stage of the debate, i.e., in the stage when public reasons are already settled and are employed for further justification), it can make use of such enterprises as a form of external justification for the public reasons employed. There is no motive as to why a public reason project might not use, for example, Christiano's defense of the substantial components of equality as such a resource. Alternatively, public reason can assume the basic values, and leave it to each person to find their justification (Quong, 2011: 188). Thus, a supporter of public reason can applaud Christiano's, and other authors'

justifications of basic liberties, and social and democratic rights, and suggest to them that they abandon pure proceduralist democratic models, and endorse a public reason democratic model for further justification, after the basic values have been established and endorsed.

Still, there can be the objection that both the public reason view, even if it employs supportive theories (like Christiano's, and other liberal theories), is not sufficiently respectful of pluralism. There might be, and there are, epistemologically reasonable doctrines that oppose liberal values and ideals, at least as sufficient justificatory reasons. In such a case, I would be ready to accept that there are limits to the external justification of liberalism. At this point, two things can still be said in favor of the liberal conception of justice.

One is indicated by Brian Barry.

If the parties want peace enough to make the concessions that are needed to reduce their demands so that they become compatible, liberalism proposes a formula for doing so. More than that, liberal principles can make a moral appeal as a fair way of solving conflict, because they offer the parties equal treatment. There is, however, no guarantee that either peace or equity will be regarded by everybody as more important than winning (Barry, 2001: 25).

It seems to me reasonable to classify such people as unreasonable, and to exclude their reasons as legitimate reasons for political justification.

To all others, liberalism has something important to say. Although it is not a magic bullet in the course of history, it has proven to be successful as a way out from persistent conflicts, starting from those among Catholics and Protestants.

Rival conceptions of justice can hardly demonstrate equivalent credentials. Liberal conceptions of justice have been the basis of those constitutions that have resulted from this process, i.e., the basic values of liberal conceptions of justice are the fundamental values of constitutional democracies. Thus, the public reason program can represent a project that shows what consistently living in accordance with these values would mean. The program would, thus, not be an example of sectarianism, but of coherence.

After all, it might be important to show that some political proposals that are not explicitly declared to be loyal to the basic values of constitutional democracies, may be revealed to be so.

3.5. The interpretation of public reason that I endorse helps to reply to Christiano's generality and vagueness objection, as well. The critique would be appropriate if the Rawlsian requirement were that laws must be simply justified to all in virtue of the reasons that they actually endorse. But this is not the most fruitful interpretation of the Rawlsian program. As I have said, it is more fruitful to interpret the Rawlsian program as promoting justification based on reasons that idealized citizens address each other as substantially free and equal. In the light of this project, we can classify some endorsements of values as justificatory reasons for laws and public policies as simply mistaken. Thus, in relation to Christiano's objection that, for example, the libertarian conception is a counter-example to the alleged overlapping consensus, the possible reply open to Rawlsians is simply to say that the libertarian interpretation of freedom as de-

tached from equality is wrong. Actually, this is what Rawls says. Precisely, Rawls says that it is unreasonable (Rawls, 1993/2005: lvi; Rawls, 2001; 137-138). There are several ways to indicate that libertarianism is wrong, and Christiano has reliably indicated one of them (Christiano, 2008: 112-116). A supporter of the Rawlsian program can rely on these argumentations in order to exclude libertarianism from the eligible set of conceptions of justice.

3.6. I end the paper by discussing a further objection that Christiano addresses to the public reason view. It is the objection that Rawlsians cannot adopt democratic authority, and their criterion of justification, at the same time.

Again, I think that the particular interpretation of the Rawlsian project that I endorse helps to avoid the criticism. The basic criterion of legitimacy is that of providing justification on the basis of substantial reasons that citizens can address each other as free and equal. Once the debate is shaped by this constraint, we can expect that there will be disagreements that we must resolve by voting. However, it is important that voting appears only under such a condition, where the alternatives are all justified (although inconclusively, in the meaning of the concept in (Gaus, 1996: 151-156) and (Williams, 2000)) on the basis of reasons that citizens can address each other as substantially free and equal. This guarantees that the result of voting will not harm anyone's status as a free and equal citizen. The two criteria of legitimacy (justification based on reasons that citizens can address to each other as free and equal, and majority vote) are not rivals, but complementary.

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Sloboda i jednakost u pluralističkom društvu. Pojašnjenje i obrana teorije javnoga uma

SAŽETAK Članak je posvećen Christianovoj kritici Rawlsovog koncepta javnog uma. Iako je Christianova kritika uspješna kada se radi o jednoj interpretaciji javnog uma, bolja i plodnija interpretacija javnog uma moguća je unutar Rawlsovog projekta. Ovakvo razumijevanje javnog uma počiva na namjernoj idealizaciji. Takva idealizacija pokazuje kako bi javno opravdanje funkcioniralo u dobro uređenom društvu gdje su građani predani liberalnim vrijednostima. Zajednički razlozi relevantni za javno opravdanje predstavljeni su u idealu društva kao pravičnog sustava kooperacije između slobodnih i jednakih građana, kao i u tri odrednice liberalne koncepcije pravednosti (temeljna prava i slobode, njihov prioritet, te način na koji se koriste). Ovakav pristup javnom umu izbjegava Christianov prigovor utopijskog karaktera zajedničkih razloga, te odgovara na argument nejednakosti, prigovor općenitosti, te argument nekonzistentnosti. U odgovoru na argument nejednakosti, pojašnjene su prednosti pristupa javnog uma nad Christianovim pristupom proceduralne demokracije.

KLJUČNE RIJEČI Christiano, demokracija, javni um, Quong, Rawls

PUBLIC EQUALITY, PUBLIC REASON AND LIBERAL COMMUNITY

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Abstract In his *The Constitution of Equality: Democratic Authority and its Limits* Christiano defends an idea that democracy has authority because it realizes public equality. According to Christiano, for realization of public equality there is no need for any restriction on the content of reasons we offer each other to justify laws and policies. In this paper I try to show that there are good reasons to think that boundaries of public reason can more deeply realize public equality in plural society and I also try to defend this view from some criticisms given by Christiano in his book.

Keywords democracy, public reason, public equality, Thomas Christiano

It is a great privilege to have the opportunity to discuss Thomas Christiano's *The Constitution of Equality: Democratic Authority and its Limits*.¹ It is certainly one of the most important theoretical accounts of democracy. But, it is not only a contribution to democratic theory, it is also a powerful defense of liberal democracy and also a certain form of the welfare state. Christiano gives a very sophisticated account not only of democratic rights, but also of liberal rights and social minimum. The aim of my discussion is to try to emphasize certain points of his theory from an alternative approach to liberal democracy – politi-

cal liberalism. More particularly, from the central idea of political liberalism and its idea of public reason. I must apologize in advance that it would surely be an oversimplification of Christiano's account, which is very sophisticated and nuanced. I try first to find shared ground between Christiano's basic ideas and the Rawlsian idea of public reason. I then focus on providing some reasons for accepting the idea of public reason as a guideline in democratic deliberation, something which Christiano refutes. But, I try to present the case for public reason on the grounds of the notion of political community and what role deliberation, constrained by public reason, can play in constituting a political community in the circumstances of pluralism.

¹ Page references in parentheses refer to this book.

The first problem that proponents of Rawlsian public reason can raise against Christiano's account of democracy and justice is that he grounds the intrinsic equality of human beings in the notion of dignity. Namely, if the purpose of society is to establish justice among persons then we must have a certain account of justice. For Christiano, justice is grounded in the equal dignity of persons, therefore it "demands that the well-being of each person be advanced equally or at least that all persons have available to them equal basic conditions for advancing their well-being" (4). Political liberals can say that dignity is philosophically too burdened a concept to be the foundational idea of justice in plural societies. We can imagine other plausible candidates for the foundation of justice, for example, pleasure. Political liberals can say that if we should apply the principle of tolerance to philosophy itself, as Rawls famously stated, then we cannot ground our account of justice in a philosophically controversial notion because it will be sectarian. The objection that political liberals can raise is not simply that an account of justice refers to some philosophically controversial concept like dignity. There will be many different grounds of justice or justifications of principles of justice and luckily they will converge. The problem to which political liberals can point to is that a stronger claim is made – that the only way to ground justice is in the value of dignity. In that case it seems that such an account of justice cannot be accepted by adherents to other comprehensive ethical views even though they could accept the content of the principles of justice, but on different grounds. We would then, enter into a foundational disagreement which, according to political liberals, is not appropriate for political dis-

cussion in plural democracies. This would imply that in political discussion, when discussing what is legal or illegal, we should base our views on what is intrinsically valuable to human life by already having a correct account of what that is. In this case, life lived according to the value of dignity.

I do not think that this can serve as a worthy objection. Dignity, how Christiano employs the term, is not some kind of supreme value that must be promoted, but it is a status which ought to be honored. It is thus a status of equal dignity that is conferred on every human being on the basis of a certain capacity. This capacity is in Christiano's terms the value of humanity. Christiano writes, "The humanity of a person is that person's capacity to recognize, appreciate, engage with, harmonize with and produce intrinsic goods" (14). Humanity must also not be considered as the ground of all value, it just "connects human beings with the realm of value in the world" (14). It says, if I understand it correctly, that even if important part of humanity is the production of values in the world it does not mean that humanity is the source of all values. So, a religious person can believe that god is the source of values, but also accept humanity as a distinct way human beings engage with these values. Because human beings have this capacity they are "a kind of authority in the realm of value" (15). This authority gives them a special status in the world and sacrificing them for the sake of other intrinsic values implies a failure to acknowledge their status, a failure to acknowledge their equal dignity as beings who possess this capacity. It seems to me that there is nothing controversial in grounding dignity in such a capacity. If political liberals still hold

that this is controversial then they also seem to have a problem of their own. Namely, many of them hold that the basis of equality is the moral capacity for the conception of good, which is the “capacity to form, revise and rationally pursue a conception of one’s rational advantage of good” (Rawls, 1996, 19).² Thus, if Christiano’s grounding of equality in dignity or humanity is controversial or sectarian then grounding equality in the moral capacity for the conception of good is also sectarian. As a matter of fact, it was disputed by some philosophers that it assumes that one’s conception of good carries normative force only if it has been the product of self-conscious, deliberate choice.³ But, this critique is wrong because what grounding equality in the moral capacity for good assumes is just what it says – we all have a capacity to engage with intrinsic goods and formulate our conception of a good life around these goods. It is not saying what these intrinsic goods are – autonomous life or life according to custom and tradition, for example. In the same sense, Christiano can answer potential objections to his notion of humanity, that it would be sectarian if he assumed or claimed that there is a particular specification of the content of intrinsic goods with which persons engage. Thus, it seems to me that Christiano’s notion of humanity and Rawls’s notion of the moral capacity of the conception for good are quite similar in their objective and also in their answer

to possible critics. They are both uncontroversial because without them persons would not be able to have a conception of a good life, and also it is up to them to choose in what way they will engage with intrinsic goods, what these goods will be and how they will change their engagement with intrinsic goods as they live their lives. The way we engage with intrinsic goods and how successful we are in realizing them in our lives defines our well-being. Furthermore, equality as a basic principle of justice demands that each person’s well-being should be advanced. But, if what I said so far makes sense, then it seems to me that it implies something to which I will return to in the discussion below, and that is the priority of the free exercise of reason. If our well-being is in important part defined by the way we engage with intrinsic goods, and it would certainly be overly paternalistic to say which intrinsic goods and which kind of engagement is appropriate, then it is left to our reason to figure this out. In a sense, the free exercise of reason must be respected even if we, through exercising it, come to different conclusions and accept a doctrine that does not give priority to the free exercise of reason.

The similarities between Christiano and political liberalism go further because they both strive for a general conception of liberal justice that can be used to arrange institutions. Political liberals accept the liberal principle of legitimacy: “Our exercise of political power is fully proper only when it is exercised in accordance with a constitution the essentials of which all citizens as free and equal may reasonably be expected to endorse in the light of principles and ideal acceptable to their common human reason (Rawls, 1996, 131). Thus, it says that

² There are of course two moral powers Rawls mentions. The other moral power is a capacity to understand, to apply, and to act from the public conception of justice.

³ For example by J. Donald Moon (Moon, 1993, 57).

constitutional essentials must be acceptable to common human reason. Constitutional essentials only give us a framework within which we should exercise our political power in democratic politics. And we can interpret this to mean that this framework must be built only by public reason. Within this framework we can exercise our political power without being constrained by the boundaries of public reason, as long as this exercise is in accordance with this framework. The content of this framework is the general liberal conception of justice, which is specified by three principles – first, it assigns citizens certain basic rights and liberties; second, it assigns those rights and liberties special priority; and, third, it provides citizens with adequate, all purpose means to make use of those rights and liberties (Ibid, xlviii-xlix). Certainly, citizens will disagree about which specific conception of liberal justice satisfies these general principles, and they will bring their laws and policies in accordance with the constraints these principles place. Also, even though these principles must be acceptable to common human reason, the justification of laws and policies within the framework of these principles does not have to be justified only by reasons acceptable to all, but it can instead be justified on more perfectionist reasons that are part of some particular set of values. Of course as long as it does not undermine one's exercise of basic rights and liberties.

It seems to me that Christiano's account of democracy can be interpreted along similar lines. The guiding principle of justice, according to Christiano is the principle of the equal advancement of interests. The permanent feature of society is that there will always be a con-

flict of interests and disagreements about the common good and justice. Thus, the realization of justice or the equal advancement of interests in such circumstances must be the realization of the principle of public equality. It means that each citizen can see that she is treated as equal even though there is a permanent disagreement over laws and policies. Every citizen can see that she is treated according to the principle of public equality if their disagreements are resolved through democratic decision-making for which every citizen must have equal democratic rights. Also, in order to be able to equally advance their interests every citizen must have equal basic liberal rights such as freedom of consciousness, freedom of expression, freedom of association and freedom of pursuits. Furthermore, every citizen must have a guaranteed minimum of economic resources that enables her to exercise and enjoy these rights. Grounding all of these rights in the same principle – the principle of public equality – implies that our exercise of political power through democratic decision-making cannot violate the basic liberal or economic rights of some portion of citizens or their democratic rights by, for example, disenfranchising them. Christiano even gives the role to a certain judiciary body, such as a high court, to strike down legislation if it violates such rights because it is the violation of public equality. Thus, even though the democratic assembly, where we exercise our democratic rights, has authority, this authority is constrained by public equality. Christiano is clear that “for a state to be authoritative, it must be reasonably just either in the substance of its laws or in the process by which it makes those laws” (236). Realizing public equality through these three sets of rights (demo-

cratic, liberal and economic) ensures that the state will be reasonably just, at least to a certain minimum. Of course, citizens will disagree on more substantive conceptions of justice but this minimal requirement of justice should be “the point in the theory where disagreement no longer has the power to legitimate an outcome of collective decision-making” (269). Those who reject public equality or its implications for democracy “should know better and the society is not required to respect these antiegalitarian judgments in the sense that it must accept as legitimate decisions that are grounded in this antiegalitarian judgment” (269). I believe we can say that the principle of public equality is an ideal acceptable to common human reason.⁴ And I believe we can say that the principle of public equality demands all three features of the general liberal conception of justice – it requires assigning basic democratic and liberal rights, gives them priority over other considerations that can occur in democratic decision-making, and it also provides all purpose means to make use of those rights and liberties in the form of an economic minimum. And, also within this framework citizens can enjoy wide democratic discretion in reaching democratic decisions by appealing to different ideas of the common good and specific conceptions of justice which are compatible with the general conception of liberal justice. It seems to me that we can

⁴ I believe this is clear because in the background of principle of public equality are our fundamental interests we have independently of our particular understanding of good. These interests are: interest in correcting for cognitive bias; interest at being at home in the world; interest in being treated as a person with equal moral standing among one's fellow citizens (60 – 63).

say that public reason can take a form of public equality. We can say that this is public reason as public equality. What can seem to be the most problematic aspect of this interpretation is that the second requirement – giving special priority to rights – is not fully compatible with a whole approach of Christiano's project, given that he does not insist on such a clear difference between the political and the comprehensive conceptions of justice as political liberals do. Namely, it can imply that only special kind of reasons, those backed by the political values on which rights are based, can play a justificatory role in democratic assembly. This is the view I will defend below, but this is not the sole plausible interpretation of public reason. We can say that we only give special priority to rights when certain political issues are put and formulated in the terms of basic rights. It seems clear to me that Christiano accepts this position. He does not only say that we all have formally equal liberal rights, but that we should not be unduly burdened in exercising these rights even if it is for good reason. “For example, in many cases” Christiano explains “one may not require the Catholic Church in the United States to comply with laws banning discrimination on the basis of sex even though discrimination on the basis of sex is thought to be wrong and is banned in the case of many economic activities” (134). Or for example, urban planning or zoning are usually under the discretion of local government decision-making. They can bring regulations under which some places of public worship cannot be built or ruled out altogether. But, if this decision is challenged by referring to the freedom of religion than this right has priority and it cannot be overridden by certain perfectionist or esthetic reasons even if

those reasons would be perfectly fine if not challenged by liberal right.⁵ I believe Christiano would agree that our democratic rights, liberal rights and democratic procedures should be in the constitution.⁶ Thus, it seems to me that our exercise of political power when in accordance with the constitution is our exercise of political power that is in accordance with the principle of public equality. One possible problem is the provision of an economic minimum. The United States, for example, does not have any social rights in its constitution, but most other well-established democracies contain such rights in their constitutions. So, I take it that even a certain minimum of economic and material rights should be in the constitution.

But, according to Christiano, public equality stops at this level. This is the last point where, according to Christiano, equality can be public. To go further it would enter into the domain of disagreements on controversial conceptions of justice and equality, disagreements that should be subject of democratic decision-making. The outcomes of democratic decision-making and the reasons we give for our political proposals do not have to satisfy the same requirement of publicity as the principle of public equality does. Thus, the realization of public equality does not require any constraint on our reason giving or justification for proposals. The liberal principle of legiti-

macy on the interpretation given above also does not go that far, but stops at the same level as public equality. Public equality realized at that level also grounds democratic authority. Democratic decision-making embodied in a democratic assembly has the authority because it realizes the principle of public equality. Outcomes of such decision-making do not have to fully satisfy justice to be authoritative. They can be less just than one's favorite conception of substantive justice would demand, but democratic assembly still has the moral power to demand obedience from a citizen and the citizen still has the moral obligation to obey the law. In that sense citizens have content-independent reasons to obey democratic decisions. Content-dependency comes into light only in cases when these decisions violate those rights that realize public equality or, as we said above, when they violate the general liberal conception of justice. Thus, a democratic assembly that satisfies public equality has the authority as a right to rule that "includes the liberty on the part of the authority to make decisions as it sees fit and it includes a power to impose duties on citizens" (241). Citizens have a moral duty to obey the democratic assembly because this political institution embodies public equality. This gives inherent authority to democratic assembly, which is different from instrumental authority that government agencies have. In a democracy government agencies and courts derive their authority from finding ways of specifying and achieving the aims of democratic assembly.

But, what seems important to me is what this inherent authority, according to Christiano, adds to what was previously considered to be merely a political aggregate of individuals who by exercis-

⁵ At least, this is how I understand Christiano when he says that „if a zoning regulation rules out public places of worship, without being explicitly designed to rule them out, such a regulation seems to be a violation of freedom of religion as well“ (139).

⁶ It does not have to be written constitution but that it has place that rights and democratic procedures have in written constitutions.

ing their liberal rights associate with like-minded others and make narrow moral communities based on their more particular values. Inherent authority has important role in constituting one political community. As Christiano says, it “describe[s] a kind of ideal of political community” (242). Reason for this is that it is “grounded in a moral relationship between the parties that goes beyond the fact that they are fellow human beings...The exercise of political power is founded in a moral relationship between moral persons that recognizes and affirms the moral personality of each citizen” (242).

This notion of community and moral relationship is particularly important for the possible argument that the idea of public reason can serve as a constraint on the appropriate political argument within political deliberation and not only as an idea of public equality. It can refer to a more common notion of how political liberals specify the idea of public reason – as a constraint on legitimate reasons for political decisions. But, let’s first see what we can learn about political community from Christiano’s usage of the notion of inherent authority as a right to rule. He makes it clear that “society ruled by an authority that has the right to rule is an ideal of a moral community, the other types of authority are lesser forms of morally ideal political community” (243). Other types of authority such as instrumental authority cannot be the core ideal of a political community. Our moral relationship, which is constitutive of community, stems out of our duty to respect the principle of public equality, but only through its embodiment in democratic assembly. Thus, it is not that our duty is simply grounded in public equality and then according to some true standard of pub-

lic equality someone can make decisions in our name and demand our obedience by simply saying that we owe duty to these laws because we already have a duty to act according to the principle of public equality. Someone who would do that would place himself “and his judgment above that of others in a way that a parent places her judgment above that of an infant or a god places its judgment over that of human being” (235). In reaching our political decisions we must take care of what others think and more particularly what they say. Thus, if inherent authority is grounded in public equality and it is constitutive of the ideal of moral community, then deliberation is also constitutive of moral community. In that sense deliberation is within the reach of the principle of public equality. We can see this clearly when Christiano argues against equal lotteries or another random choosing device that respects fairness for choosing among political proposals. Democracy is better than such devices because it realizes equality more adequately than lotteries. Thus, the point is that in the model of lotteries, even though it is fair, equality is satisfied only at the moment before the lottery, and after that moment there is no further reach of equality. In an ordinary democracy equality extends to voting, campaigning, representing, and of course to the process of democratic deliberation. Democratic authority that is grounded in public equality includes deliberation because we must extend public equality as far as it can reach. Thus, political community is constituted by the inherent authority of democratic assembly that features democratic deliberation as a necessary component. This is important if we are going to conceptualize community not in terms of the same culture or identity, which is prob-

lematic because of deep disagreements on these issues, but in terms of common institutions and our relationship within these institutions. We can say that democratic deliberation shapes our relationship within shared political institutions. In a sense this implies that equality realized in our deliberation constitutes the nature of our political relationship making it a relationship of equals.

I do think that equality realized in deliberation defines and constitutes our moral relationship as members of one community, but I am not sure that the purely distributive account of equality that Christiano offers can fulfill the role that deliberation in democratic assembly is supposed to provide. The way I understand Christiano, equality is realized in the equal distribution of rights as a means of realizing that our fundamental interests should be equally respected. And this is also why deliberation is an indispensable part of democracy. Even when he discusses equality within deliberation Christiano still speaks about distribution: "the distribution of cognitive conditions for the effective exercise of citizenship, the distribution of opportunities for influencing the agenda of collective decision-making, and equality of respect that citizens hold for each other" (197). The first two considerations argue in favor of the availability of information and political skills, well designed institutions for civic participation within a representative democratic system, and policies that remove the power of money from political decision-making. The third consideration is different and it depends on the attitudes of persons toward each other, I will discuss that below. But, I have a worry that a purely distributive approach to equality cannot explain our relationship as inherently moral and give account of the ideal po-

litical community. All these aspects can be supervised by some imagined political body that safeguards our rights if our political outcomes violate democratic rights and procedures, liberal rights and provision of an economic minimum, and which prescribes policies that provide the necessary means to exercise effectively our citizenship and the egalitarian public financing of parties. Still our political behavior can be strategic within these guarded limits. Should we consider any group of persons constrained in this way to constitute a community by themselves and their engagement with each other as moral engagement? Would we not also question how they make decisions and on what grounds? It seems to me that there must be some set of values that defines community and on which persons within that community act so we can say that their engagement with each other is a moral relationship. Of course, Christiano is right that we cannot have any specification of distributive equality that goes further into our political decision-making because we will plausibly disagree on it. I do, however, believe that equality, not in its distributive but in its relational aspect can be realized in the content of deliberation and that this also defines how we relate to each other.

The overall picture I have in mind is that when we justify institutions designed to promote democratic deliberation in plural societies we should appeal only to distributional equality, but when we give account of how this deliberation should be practiced to be the basis of community then we appeal to the relational aspect of equality. I believe that the idea of public reason as a constraint of reasons in our democratic deliberation provides this relational aspect of equality. As Rawls says, public reason

changes the nature of our political relationship.⁷ In this interpretation, public reason is not only a standard by which we evaluate procedures, laws and policies but, and with equal importance, also a set of guidelines as to how we should exercise our political power. More specifically, it can be seen as a guide on how to practice our deliberation. It is the practice that demands that we consider each other as equals beyond having equal rights with which we enter into the political domain. But, what is the content of this practice of equality? Scheffler, for example, says that in “a relationship that is conducted on a footing of equality, each person accepts that the other person’s equally important interests should play equally significant role in influencing decisions made within the context of relationship” (Scheffler, 2015, 25). He calls this requirement “the *egalitarian deliberative constraint*” (ibid.). The important thing is that Scheffler applies egalitarian deliberative constraint to private and political relationships. In private relationships it is easier to know what the interests of the other party are, and it is easier to weigh them in mutual discussion. Also, it is easier to see which decisions fall within the context of a relationship and which decisions should be externalized. If decisions are externalized then parties do not have to take the interests of others in the same way as they do when decisions fall within the context of a relationship. But, nevertheless, it is not so hard to see how it can be applied to a political relationship. Decisions that are within our core liberal rights are decisions that are outside the

context of a political relationship, while decisions that are about our common political world are within this context. The context of a political relationship with which we are interested in here is a context where we as citizens deliberate not on any kind of decisions but on binding decisions. Decisions being made within this context are ones that we as citizens must obey and we can be sanctioned if we do not obey them. Of course, an additional element is that outcomes must be within the framework of liberal justice. Thus, interests that should be equally important are those interests that are compatible with liberal justice. More specifically, these are interests in realizing the values of liberal justice. It is possible that many persons will feel a strong attachment to values from their narrower moral communities, but these values are outside the context of our relationship as citizens. They are within the context of their associations. When I speak of the values of liberal justice I have in mind values such as freedom, equality, fairness, cooperation and fact of burdens of judgments.⁸ Also, saying that interests in these values should play an equally significant role means that they should be weighed against each other and that interests in values that are outside of this set cannot outweigh these values. I believe these values are compatible with public equality in the sense that I do not see how a citizen who adheres to the principle of public equality can propose political outcomes that will be in contrast with these values. This simply says that a citizen who wholeheartedly adheres to the idea that the distribution of rights and the design of procedures must treat

⁷ Rawls writes that “the role of criterion of reciprocity as specified by public reason is to specify the nature of the political relation in a constitutional democratic regime as one of civic friendship” (Rawls, 1996, li).

⁸ This idea is more fully elaborated by Jonathan Quong in Quong (2011, ch.6).

everyone as equals, cannot propose laws or policies that will be in contrast with the idea that citizens are free and equal in the sense that they are free to form their conception of the good and that this should be equally respected; also that she respects the fact of reasonable pluralism, and that she does not think that benefits and burdens should be distributed in fair terms where everyone can see herself as member of cooperation.

But, still these values do not say which laws or policies should be enacted or which reasons are to be considered as public reasons before the deliberation. It is part of the process of democratic deliberation to try to articulate our reasons in context of these values and weighing them. This interpretation of public reason requires that citizens accord a deliberative priority to those reasons that apply only to political values when they are discussing binding decisions. They will of course disagree about decisions, about which reason better justifies a decision, which value carries more weight on particular issues and which decision is more justified. But, by giving deliberative priority to reasons presented in terms of political values, they guarantee that they will give equal weight to the set of values they all share as citizens, and that majority will not have power simply to base decisions on the values and reasons that place the interests of some association, no matter how numerous, above others. Thus, the main point of this proposition is that a certain notion of equality can go further into the political sphere. Namely, it can go further into the content of political deliberation on decisions.

It seems to me that the idea of a community is important for this argument. For some group of individuals to form a community something must be shared.

It can not simply be an aggregation of individuals and their private desires. As Rawls says, well-ordered democracy is not a 'private society' in which institutional arrangements are purely of instrumental value for individuals in pursuit of their private ends (Rawls, 1999, 457). For political society to form a community there must be something that is shared among individuals and this fact must be manifested in their relationship. This set of shared ideals in plural liberal democracies is the set of political values that define liberal democracy, and our relation, constitutive of such a community, is the relation of us as citizens and not of us as adherents to particular doctrines or associations. It is of equal importance that we manifest this relation in a certain context. The appropriate context for such a relation is the context of deliberative decision-making where we make decisions that will bind all citizens. Manifesting our acceptance of these political values is also a crucial aspect of assurance that everyone will stick to these values even if they become the majority that can bring decisions that will violate our rights or make policies that will burden our exercise of liberal rights. In this way we truly constitute a political community through democratic assembly and empower it with an inherent authority without the need for any kind of high court that safeguards our political behavior. A high court, no matter how well justified, is always an agency added to cooperation while democratic assembly if constituted appropriately is a part of our political cooperation.⁹

Constraining argumentation in democratic assembly by public reason is

⁹ This is not an argument against an institution like a high court. I am just saying that we should try to give account of community without having in mind this institution.

certainly what Christiano calls a narrow conception of public deliberation defined as the requirement that “citizens must advance proposals and the arguments for them only on the basis of the shared fund of political ideas” (191). Christiano contrasts this conception with a conception he favors, a wider conception of public deliberation according to which “citizens debate and discuss proposals for legislation and policy on the basis of arguments grounded in differing conceptions of justice and the common good and in different empirically grounded ideas about how society works” (190). What is important to note in first place is that the narrow view of deliberation I defend above, also allows arguments grounded in differing conceptions of justice as long as these conceptions are part of the general conception of liberal justice. But, certainly its constraints appeal to controversial doctrines and ideas of the common good based solely on these doctrines. It seems, or at least I understand it that way, that the wide conception of deliberation allows such reasons and proposals, if they aim rationally, to persuade others, and if persons proposing such reasons accept the force of a better argument. This wide conception of deliberation embodies many fundamental values – equal respect, commitment to advancing justice and the common good; the public realization of equality. The narrow conception of deliberation, Christiano says, adds to these values a principle of reasonableness or reciprocity. This is certainly correct, but as I claimed above, it seems to me that the narrow conception can be argued for in terms of relational equality as constitutive of community. Nevertheless, it is clear that manifestation of such a notion of equality is made through respecting the principle of reasonableness.

Specifying these two conceptions of deliberation is not problematic for the view I endorse. On the contrary, to contain both of these conceptions in different domains of deliberation can serve as a valuable goal in democratic society. But, Christiano confronts these two conceptions by saying that democracy can endorse either the wide conception or the narrow conception and he gives powerful arguments for refuting the narrow conception. His arguments against the narrow conception or more specifically, against the requirement of reasonableness as the demand that citizens should appeal only to reasons that can be accepted by all are directed against three kinds of arguments for reasonableness – epistemic, moral and democratic. His critique of two kinds of arguments – epistemic and democratic – I can accept without endangering the position outlined above. I do not think epistemic considerations should be arguments for public reason, and I do not think that not respecting the boundaries of public reason violates democracy or makes someone a second-class citizen. But, refuting the moral argument in the way Christiano does presents a fatal blow to any position of that kind if plausible. Thus, I will focus only on the moral argument.

Christiano presents his moral argument for reasonableness in three steps: “First, everyone must respect each person’s free exercise of her own reason. Second, in order to respect the free exercise of each person’s reason, one must respect the products of her reason, in particular her reasonable comprehensive doctrines. Third, in order to respect the products of each person’s reason, one must not require her to live in ways that are incompatible with their reasonable comprehensive doctrine” (215-216).

Christiano then presents two fatal dilemmas for this argument. The first dilemma says “that the argument from respect for reason either implies controversial comprehensive doctrine or does not support the principle of reasonableness.” The second dilemma says “that the argument either implies a need for complete consensus or fails to establish the principle of reasonableness” (216). Let’s first focus on first dilemma. According to Christiano, this argument presupposes a lexical superiority of respect for the free exercise of reason over other values, for example over epistemic values of a certain doctrine. Christiano then claims that “(t)he idea that the value of the free exercise of reason is lexically superior to all other values is a highly controversial claim” (217). Thus, by the standard of reasonableness it is not reasonable. The second part of the dilemma is equally problematic because “if the reasonable person takes account of differences in the epistemic reasonableness of comprehensive doctrines in establishing terms of association, then, the reasonable person ought to advance the most reasonable conception of value that she has” (218). But, I do not see why the demand for the priority of the free exercise of reason should be considered controversial. To see this we should recall the problem we discussed at the beginning of the paper. The basis of equality is our equal dignity conferred on us because we have a capacity to engage with an intrinsic good, which Christiano calls humanity. For many people the intrinsic good is articulated in the comprehensive doctrines to which they adhere. Many citizens will engage with intrinsic goods through some comprehensive doctrine – moral, philosophical or religious. At least, we are supposed to imagine that things will go that way. We have to make

room for people to be committed to their comprehensive doctrines as well as to liberal justice. What this argument tells us is that we should not devise terms of associations that can make their adherence to their reasonable comprehensive doctrine harder solely on the grounds of other reasonable comprehensive doctrine. Respecting products of one’s reason does not mean that reason produces all the values, but simply that someone’s acceptance of certain values or comprehensive doctrine is the product of the free exercise of reason. It simply means that we should not promote a certain reasonable, comprehensive doctrine through our power as the authors of laws. Maybe I do not understand well what it would mean to give priority to epistemic values over the free exercise of public reason, but it seems to me that there can be clear cases where epistemic values can endanger the free exercise of reason if we use them, I repeat, as the authors of laws. For example, should we epistemically question the Christian doctrine of the Trinity that many think is really irrational or the doctrine of God’s grace that says that grace is not based upon any reason at all, and yet it must be acknowledged to be just? Even though many can argue that these doctrines are on epistemically really shaky ground, persons must still be free to follow them. It seems to me that it would be inappropriate to invoke the irrationality or rationality of such doctrines in our deliberation on laws and policies.

We can now see the second dilemma Christiano presents for reasonableness. The second dilemma says that either we need a complete consensus on principles of justice or reasonableness fails. Why do we need a complete consensus on principles of justice? Because according

to Christiano if “it is disrespectful to someone’s reason in requiring him or her to live in accordance to principles he or she does not accept” then it is also “disrespectful of this proponent’s reason to require her to *forgo* living in accordance with principles she reasonably accepts (i.e., to forgo living in accordance with the whole truth as she sees it)” (218). Thus, the situation is symmetrical. If I propose a principle I hold to be just, but others reasonably reject it, and they accept the principle I reasonably reject, then I must live with the terms of association that I reasonably regard as unjust. This situation Christiano calls a deliberative impasse – “Either one must impose on one person terms that she does not accept or one must require another to live accordingly under terms that he regards as fundamentally inadequate” (219). Again, the solution to this situation is to invoke the epistemic reasons and thus the requirement of reasonableness fails. But, my worry here is that I do not see this symmetry, and therefore I do not see the situation of a deliberative impasse. There is a difference between the criteria of reasonable rejection and reasonable acceptance. So, according to the view I embrace no one can reasonably reject the general conception of justice or public equality. But the general conception of justice contains a family of liberal conceptions of justice characterized by a set of political values. Proposals within this set presented in terms of political values are those that reasonable persons reasonably accept even though they do not hold that all of them equally just. Every proposal within this set that the majority votes for is reasonably acceptable to everyone. So, I do not see how anyone can hold this proposal as fundamentally inadequate or fundamentally unjust even though she reason-

ably rejects it in favor of another proposal. On the other hand, if the person holds this particular proposal as fundamentally inadequate on the basis of her reasons coming from her comprehensive doctrine, then she is appealing to reasons that are part of a different kind of disagreement to influence a political decision that is in the domain of another kind of disagreement. The first kind of disagreement is a disagreement at the fundamental level about the good life, where no common evaluative standard exists in plural societies, while the second kind of disagreement is a narrower political disagreement where there is supposed to be a common standard of liberal justice and political values. A person who disregards this is violating the requirement of reciprocity and is placing her interests above the interests of others. Let us look at an example of this in the debate on the public financing of stem-cell research. Research in stem-cell biology gives us well supported hope that we will be able to heal people with serious cardiovascular or neurological issues. On the other hand, this research includes the in vitro fertilization of a human egg and destroying it (in the form of a blastocyst) three to five days later. Current Catholic doctrine opposes such research because they believe that the blastocyst is ensouled from the moment of conception and has equal normative moral status as any other human person. According to the view defended here, if the debate on financing stem-cell research takes place in a public political forum then it must be within the boundaries of public reason, and the justification of financing such research must be based on public reasons or political values. The demand for health or the demand for the normal development of capabilities and the avoidance of disabil-

ity cannot be dismissed as irrelevant for questions of justice as certain tastes and preferences often are. These demands can be understood as the reasonable demands for goods that every person needs to be able to form, revise and rationally pursue its rational plan of life or as part of political value of fair equality of opportunity. On the other hand, belief in ensoulment can be translated in the political value of due protection of human life, which is an important value that we can expect every reasonable citizen to accept. So, the debate can be within the boundaries of public reason. Thus, the decision to stop stem-cell research would mean giving excessive weight to the due respect we owe human life in contrast to the weight of some primary goods or the fair equality of opportunity. To justify the special weight assigned to the due respect for human life in this context, would bring in a nonpublic value or belief that a blastocyst has a non-overridable right to life from the moment of conception. This belief about the moral status of blastocyst is not a belief that all reasonable citizens accept. It would be wrong to deprive people of some good or diminish a certain political value on the basis of the belief that we cannot reasonably expect what these persons can accept. So, the reason why the belief in ensoulment is not considered to be public reason is because it cannot be a shared reason in a pluralistic society and not because it is not, for example, evidentially supported or because it is epistemologically flawed.

If the decision were to be made on the grounds of such a belief than it would imply that we give more weight to an interest that is not in the set of shared interests of our political community, and that we give more weight to values of one of particular community existing in

society. On the other hand, when the person who holds the belief in ensoulment at the moment of conception loses in a political discussion constrained by political values, she cannot say that some other narrow moral community won. What happened is that the majority holds that some values, which she also accepts, carry more weight in the political community of which she is also a part as a reasonable citizen. It seems to me that these two cases are not symmetrical. Of course stem-cell research is one of the hard cases. We can imagine many other cases that can be more easily presented in terms of political values. Christiano's example is the choice of the principle of the distribution of employment. There are many principles for the distribution of employment – according to desert, efficiency or the maximization of the economic position of the least advantaged. All of these three principles can be presented by referring to political values only – which principle, for example better satisfies the freedom of occupation, social cooperation or fairness. They can include a discussion, for example, on how fair it is that someone was luckier to have marketable talents; or if desert is a necessary part of considering citizens freedom to choose their occupation; how will the principle of desert or efficiency distribute burdens and benefits on the least-advantaged if they are considered to be participants of social cooperation. Then there can be debate on empirical grounds for certain claims or propositions. Therefore, if the person who regards the desert-based approach as fully just, loses in the political game because the majority votes for principle of efficiency. For example, she lost on the basis of the political values she accepts as a citizen of liberal democracy. She cannot say that any principle chosen in this way is fully unjust.

This is not an argument against every possible situation of a deliberative impasse. An impasse can occur because, for example, which solution presents the best balance of political values will be indeterminate, and the problem can be presented solely in terms of political values. There are number of ways to deal with this situation, and I will not discuss them here.¹⁰ I just want to argue that it is not so likely that the situation of a deliberative impasse will occur simply according to citizens' deliberative priority towards political values and public reasons.

The aim of this discussion about the moral argument for reasonableness is only to show that the narrow conception of deliberation is feasible and not incoherent. The aim is not to defend the narrow conception of deliberation over the wide conception of deliberation. Contrary to Christiano, I do not think that these two conceptions of deliberation exclude each other. We do not have to choose between two ideas of democracy – one that is reasonable or narrow and one that is open to various other grounds for argumentation or wide. I do not see a problem of having an idea of a democratic society where these two conceptions of deliberation apply to different spheres. One, narrow conception, applies to a particular sphere of democratic society – the narrowly political sphere that includes deliberation will necessarily end with binding political decision. The second, wider conception, refers to the wider notion of democratic society where we engage in deliberation with others, discuss political or nonpolitical issues that do not necessarily end with

the enforcement of the outcome of our decision. This wider deliberation includes citizen debates, opinion journalism, political art, expressions of various kinds, and many other activities oriented towards rationally persuading others in the correctness or truth of one's view. Of course, it is hard to divide informal political deliberation and formal political deliberation, but it is also hard to deny that this division exists. Political speeches to a wider audience from state officials, or political advertising in campaigns are gray areas, but nevertheless the official decision-making of legislators that results in laws is certainly the clearest example of narrow political deliberation, which is outside of this informal political sphere. In this informal political sphere we certainly need more open discussion and argumentation on other grounds than in formal political discussion. Every comprehensive view must be open and possibly scrutinized in order for basic interests of the individuals to be advanced. These basic interests are: "the interest in correcting for cognitive bias, the interest in being at home in the world, the interest in learning the truth, and the interest in being recognized and affirmed as equal" (200). In order to advance these interests, especially the first three, individuals must be free from any constraint except the willingness to listen to others and to reply to others.¹¹ In this sphere they can question each other's doctrines on epistemic grounds. For example, in the issue of stem-cell research raised above, this domain is the appropriate domain for questioning the epistemic reasonableness of the doctrine of ensoulment at the

¹⁰ This problem is discussed by Andrew Williams (2000), Micah Schwartzman (2004) and Elvio Baccharini (2015, ch. 1).

¹¹ There can also be certain restrictions of time, place and manner of speech. Also, many countries have regulations about hate speech.

moment of conception. Here we can, for example, describe a mechanism of early human ontogeny in enough detail to raise puzzles about the exact stage at which “ensoulment” must occur.¹² We can question this belief also from historic grounds. This belief occurred in 17th century when fertilized ova appeared through primitive microscopes to resemble perfectly formed people. According to Aquinas’ teaching, the soul enters when the human shape is formed. Thus, the conclusion was that it happens at the moment of fertilization.¹³ But, as our understanding of human embryology progressed, scientists began to realize that this view of fetal development was wrong. The Catholic Church, however, never abandoned its policy, although it is based on empirically flawed data. This can clearly be an argument used in the debate among citizens. But at the formal political level there is no need to trespass on each other’s doctrines in this way.

But why would this sphere be important if it is through laws and policies that citizens arrange their common world? Well, the point is that it is not only through laws and policies that our common social world is arranged. Our common world and the society we share is in important ways also arranged by how our co-citizens use their liberal rights, what associations they make and how they express their adherence to their conceptions of the good or comprehensive doctrines. Christiano also says that “(l)iberal rights give people the power to

organize their relations with other people and thereby give them some power over other people” (134). Thereby, it is not so clear that liberal rights confer power on people to shape only their individual lives because by arranging their private lives and the lives of their associations they clearly arrange the common world and the society we all share. It influences the environment and atmosphere in which we will live our lives. Society can in this way, for example, be and look religious without in any official and governmental sense being religious by state sponsored religions. A certain kind of traditional ethos can prevail and appear in everyday life without being prescribed by law or promoted by certain policies. And if this is the case then I do not see why this same kind of particular values should also be promoted by official legislation. By demanding the narrow conception of deliberation in the formal, political sphere of direct law-making we realize a public good of assurance in that the laws we make will be the expression of the liberal conception of justice and not the expression of others’ opinion on our comprehensive doctrine or the lives we lead. It is the informal sphere where we are expected to say these kinds of judgments on each other, and every democratic society welcomes this sphere to be vibrant and lively. Particularly, if we allow the freedom of expression, which besides rational argument also includes ridiculing, intentional blasphemy and the expression of anti egalitarian attitudes, then it is clear why the formal political sphere should be a sphere which will assure us that laws will not be based on such premises.

When I talk about an assurance of this kind I believe it is also connected to the legitimacy of democratic assembly. Democratic assembly according to

¹² This argument is presented by Phillip Kitcher in (Kitcher, 2011, 235).

¹³ This history of belief in insoulment from the moment of conception is taken from James Rachels in (Rachels, 2003, 61). St. Thomas Aquinas thought that embryo does not have a soul until few weeks into pregnancy because then fertilized ova gets human shape.

Christiano is properly constituted when “the representatives in the assembly have been elected in the proper way in a process of election that includes all sane permanent adult residents of the society” (246). It is the most important part of representative or electoral democracy and it further requires “a system of party list proportional representation coupled with an egalitarian system of financing of political parties and an egalitarian process of discussion among the different interest groups and pressure groups in the society” (246). So, if the democratic assembly is properly constituted then all citizens have the rights to an equal say and they have an institutional method by which they exercise these rights. This confers to democratic assembly a legitimate authority as a right to rule. Also, as we saw, it constitutes a political community. It is certainly true that a properly constituted democratic assembly fulfills this role, and I agree that representative democracy is the best way to realize public equality in large scale, plural societies. But, there are many empirical findings that put doubt on the belief that input side and fair procedures are the main pillars for creating political legitimacy. Bo Rothstein, for example, reports a paradox that trust in representative democratic institutions is decreasing in well-established, peaceful and rich democracies like the Scandinavian countries, but that still people accept the legitimacy of its laws.¹⁴ Part of the answer is that citizens are able to differentiate between the representation and the implementation side of the democratic system. The level of trust is higher when it comes to the so called implementation side of politics than is the

¹⁴ Rothstein discusses this issue in Rothstein (2011, ch. 4).

case with the representational side. Also, what is surprising is that persistent cultural minorities in many EU countries (Swedish-speaking minority in Finland, German-speaking minority in Denmark) who do not believe they will ever prevail in some future elections, have higher levels of trust in their governments than national or linguistic majorities. Now, I am not saying that we can make some big conclusions from these reports. Primarily because the social sciences use different notions of legitimacy referring to the popular support of laws and institutions while political philosophers refer to legitimacy in its normative meaning. But nevertheless it can speak in favor of the view that holds that for legitimate authority it is not enough to ensure only equal rights, equal say and fair procedures to give legitimate authority. It can speak in favor of the need to give an account of a further element for legitimacy, and that is on what basis political decisions are made. Namely, if a number of citizens see themselves primarily as addressees of laws and have doubts that they are truly the authors of laws then we must have a set of values on which those laws are grounded that we expect citizens as addressees would accept. Laws are still made in their name. Public reason as a narrow conception of deliberation provides an assurance that even if democratic assemblies are not perfectly constituted they will still have outcomes that when implemented will be a realization of the values that citizens as the addressees of these laws can be reasonably expected to accept. If the trust in institutions strengthens norms of civic trust then public reason helps to strengthen these ties and make our political community more stable.

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Javna jednakost, javni um i liberalna zajednica

SAŽETAK U svojoj knjizi *The Constitution of Equality: Democratic Authority and its Limits* Christiano brani gledište da demokracija ima autoritet zato jer ostvaruje javnu jednakost. Za realiziranje javne jednakosti, prema Christianu, nije potrebno nikakvo ograničenje koje se odnosi na sadržaj razloga koje nudimo jedni drugima kada opravdavamo zakone i javne politike. U ovom članku pokušavam pokazati da postoje dobri razlozi zašto ograničenja javnog uma mogu doprinijeti dubljoj realizaciji javne jednakosti u pluralnom društvu te također pokušavam obraniti to gledište od nekih kritika koje je ponudio Christiano u svojoj knjizi.

KLJUČNE RIJEČI demokracija, javni um, javna jednakost, Thomas Christiano

THE DIVISION OF EPISTEMIC LABOR IN DEMOCRACY

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Abstract Thomas Christiano claims that one of the fundamental challenges democracy is faced with is the appropriate division of epistemic labor between citizens and experts. In this article I try to present and analyze Christiano's solution from the perspective of social epistemology while utilizing the concepts and tools provided by this discipline. Despite fundamentally agreeing with his position, I attempt to propose a certain addition which might enrich this solution with additional epistemic and political responsibility. In the first part, I briefly elaborate on the relevance of social epistemology in discussions regarding the epistemic justification of deliberative democracy. In the second part, I contextualize Christiano's view within discourses regarding social epistemology and identify his approach as reliability democracy due to his belief that truth-sensitive decision-making processes are ensured through the usage of reliable mechanisms (which allow for expertise to generate the epistemically best decisions possible). In the third part I attempt to provide arguments that support further elaboration of Christiano's proposals in the direction of ensuring additional epistemic and democratic quality of decisions.

Keywords deliberative democracy, division of epistemic labor, reliability democracy, epistocracy, fundamental and derivative epistemic authority

Thomas Christiano claims that one of the fundamental challenges democracy is faced with is the appropriate division of epistemic labor between citizens and experts. He himself offers a suggestion of how the notion should be implemented while taking into account the assumption that the epistemic justification of democracy is just as important as the political or, using simpler terms, while accepting the thesis that democra-

cy should have the epistemic property of generating epistemically high-quality decisions or solutions to problems. In this article I try to present and analyze Christiano's solution from the perspective of social epistemology, utilizing the concepts and tools provided by this discipline. Despite fundamentally agreeing with his position, which I will further refer to as reliability democracy, I attempt to propose a certain addition

which might enrich his solution with additional epistemic and political responsibility.

In the first part, I briefly elaborate on the relevance of social epistemology in discussions regarding the epistemic justification of deliberative democracy. In the second part, I contextualize Christiano's view within discourses regarding social epistemology and identify his approach as reliability democracy due to his belief that truth-sensitive decision-making processes are ensured through the usage of reliable mechanisms (which allow for expertise to generate the epistemically best decisions possible). In the third part I attempt to provide arguments that support further elaboration of Christiano's proposals in the direction of ensuring an additional epistemic and democratic quality of decisions.

1. Social Epistemology and the epistemic justification of deliberative democracy

Traditionally, epistemology focuses on doing research related to the process of forming, revisiting and retaining the beliefs of individuals or to the epistemic properties of beliefs. Social epistemology, as a part of epistemology, deals with the more specific research of the process of creating, revisiting and retaining the beliefs of all epistemic agents within a broader social context, or, in other words, the epistemic qualities of beliefs held by individuals, groups, institutions and social systems (Goldman, 1987, 1999, 2004, 2010, 2011, Prijic Samarzija, 2005). Social epistemology is, due to the object of its focus, far more related to epistemically relevant situations in real life, which allows us to refer to it as applied epistemology or real world epistemology.

It is important to note that social epistemology departs from traditional epistemology which rarely refers to practical epistemic problems found in real life, but rather remains focused on evaluating the acquisition of knowledge in extremely idealized circumstances: individual epistemic agents are imagined as people of almost unlimited logical ability and seemingly with no restrictions regarding their cognitive resources. Moreover, standard analytic epistemology usually assumes that truth and rationality are hardly at all related to the issues of power and the social identities of participants in epistemic practices. The epistemic subject has been understood as an asocial being and socio-political circumstances have been disregarded as irrelevant to epistemic questions. In opposition to the traits of traditional epistemology, the influential postmodernist orthodoxy developed, and not only pointed out the importance of the social in epistemic processes, but also defended the thesis that the epistemic agent is a function of power relations. It has also sought the rejection of universal norms of rationality, justification and truth. Within postmodern theories or social constructivism, the epistemic subject is reduced to her social and political role, her beliefs to social and cultural constructions and the overall epistemic task to the deconstruction of beliefs and the analysis of the socio-cultural impact that caused such particular beliefs. This difference in understanding the relationship between cognition and society reflects the tension between modernist and postmodernist orthodoxy or traditionalism and reductionism: the issues of power and the social situatedness of beliefs were ignored by the first, while the epistemic phenomenon was later reduced to power relations in society (Fricker, 2011).

Social epistemology, which was systematically articulated for the first time by Alvin I. Goldman, is, by definition, positioned between traditionalists and reductionists: it accepts the legitimacy of researching the social dimension of belief, but also retains the modernist values of traditional epistemology, primarily the view that epistemic values such as rationality, justification and truth can be considered objectively valid and not mere social constructions. Epistemic agents (individuals, groups, institutions and systems) establish, maintain and revise their beliefs/judgments/decisions under the influence of society. However, all these beliefs/judgments/decisions are not mere constructions of power and consequently can and should be a (e) valued as rational, reasonable, true or more or less suited to solve a certain problem.

One of the themes of social epistemology is researching the epistemic properties of democracy as a system with the aim of setting norms related to the epistemically optimal way of making beliefs, judgments or decisions in society. As real world epistemology, its goal is to improve the system of making decisions, beliefs and judgments in a manner that encourages those which are rational, justified, reliable and truth-oriented. In other words, it is assumed in social epistemology that democracy can be defended as a good political system not only on the basis of the principle of equal rights, but because it has proven to be particularly well suited to making good political decisions (e.g. decisions that best promote the society's interests). Goldman writes: "Writers who emphasize the way that genuine democracy makes use of 'situated knowledge' to improve the community's overall knowledgeability make roughly this kind of

social-epistemological contribution to democratic theory." (Goldman, 2010: 25)

Thomas Christiano is certainly one of those authors: a political philosopher who, without engaging in social epistemology as such, has provided an important social-epistemological contribution to democratic theory. In several of his works, but particularly in the article "Rational Deliberation among Experts and Citizens," Christiano elaborates the way to make epistemically optimal decisions in a deliberative democracy (Christiano, 2012). However, before I present Christiano's position more clearly I will provide a brief introduction into the discussion by locating his views in the context of the epistemic justification of deliberative democracy as it could ameliorate the clarity of the discourse.

1.1. Deliberative democracy and experts

Democracy is *politically* justified if free and equal citizens participate in the decision-making process in a fair manner. On the other hand, democracy is *epistemically* justified if the generated decisions are epistemically optimal or of high epistemic quality, correct, true, truth-oriented, reliable and capable of effectively solving the problems citizens are faced with. Social epistemology is a natural partner of political philosophy in considering the epistemic properties of democracy i.e., in researching the epistemic justification of deliberative democracy.

The concept of deliberative democracy is relatively new in political philosophy and it refers to the view that legitimate legislative and other issues should be based on the citizens' public discussions. Thus defined, democracy is even at a conceptual level closely linked to the view that it should be an epistemically

justified system in order to be fully legitimate. Despite numerous representatives of the concepts of public discussions and the public use of reasoning in the democratic process throughout history,¹ from the very beginning there has been the question whether the fact that a decision was reached on the basis of discussion and the exchange of reasons is truly enough to define the decision as one of high epistemic quality or one that is truth-conductive.² Since the first debates

on democracy and even more pronounced after the introduction of the concept of deliberative democracy, there has been a certain awareness of the conflict between epistemic and political justification: the preservation of the values of equality, freedom, autonomy and even the participation of every citizen in the discussion and the decision-making does not automatically generate the epistemically optimal decisions. Democratic public discourse, at best, ensures that decisions are made through the rational agreement of participants. It is certainly a commendable virtue, but the question of whether such a political decision is at the same time epistemically valuable remains unanswered.

¹ Thomas Hobbes and John Locke point out that the plurality of interests is a source of civil conflict which highlights the need for the public use of reasoning (Hobbes, 1968, Locke, 1980). Jean-Jacques Rousseau emphasized the desirability of establishing consensus between citizens regarding common interests, assets and traditions which necessarily involves some form of harmonization of opinions and public reasoning (civil republicanism), (Rousseau, 1967). Hannah Arendt and John Dewey also emphasize the importance of public debate as an element of participatory democracy, autonomy and independence of citizens (Arendt, 1958, 1973, Dewey, 1988). Joseph Bessette defines deliberative democracy as the optimal framework for the public exchange of reasons, rational arguments and rational reasoning (Bassete, 1980). Jon Elster advocates the practice of rational harmonization by the means of public debate as a necessary element of democratic decision-making (Elster, 1983, 2002). And this opinion is shared by many other prominent contemporary philosophers such as Joshua Cohen, Jurgen Habermas, Thomas Christiano, Gerald Gaus and many others (Cohen, 1986, Habermas, 1987, 1996, Christiano, 1996, Gaus 1996).

² Joseph Schumpeter, an elitist, emphasized that citizens are politically uninformed, apathetic and easily manipulated and that their participation thus presents a serious danger to stability (Schumpeter, 1942). The pessimistic realist Max Weber held that there is no common good on which everyone could agree in any discussion, and argued that the optimal rule must include a managerial elite:

democracy ought to be reduced to negatively controlling the leader through the possibility of their ejection in the next election (Weber, 1964). Anthony Downs, a representative of the so-called economic theory of democracy, better known as rational choice theory, argued that there is no such common good that could be acceptable to all citizens/consumers, so the debate that would supposedly lead to a higher quality process of achieving rational results acceptable to everyone would consequently not make much sense (Downs, 1957). Likewise, many contemporary authors referred to empirical data that indicated that discussion itself does not guarantee epistemically high-quality beliefs as it takes place in epistemically sub-ideal circumstances in which participants are uninformed, disinterested and lacking time and other resources necessary for participating in a debate in a competent manner. It is said that there is nothing in these unregulated discussions that guarantees that the better informed will be able to impose their viewpoints upon others or that the less informed will be inclined to align or change their beliefs when faced with the attitudes of the better informed (Gigone and Hastie, 1993, Carpini and Keeter, 1996, Sunstein 2006, Ahlstrom-Vij, 2012).

This tension between the epistemic and political goal is, in the second step, focused on resolving the problem of the role of experts or those who are, in comparison with other citizens, better at making informed decisions or decisions which more effectively solve problems (or at least better at avoiding bad decisions) (Goldman, 2011, Prijic Samarzija, 2011). If we seek the truth or the epistemic quality of decisions with the aim of solving problems, there is the immediate question of privileging the opinions of experts, as opposed to our deepest democratic convictions of the equality of citizens. Some philosophers actually proposed certain forms of decision-making in defense of epistocratic methods: the most famous proposals are certainly Plato's *kallipolis*, Mill's plural vote, and Schumpeter's or Weber's elitism. However, authors who criticized epistocracy and the privileged treatment of experts in democratic decision-making are far more numerous.

Objections to epistocracy or the privileged treatment of experts can be roughly divided into three groups. The first complaints argue that there are no experts in making political or ethical beliefs, judgments or decisions. Even if there are people who (objectively) know more than others about political facts, it does not make them experts in the sense that they could make decisions for or instead of others, among other things, because of the fact that in democratic decision-making nobody is obliged to accept that someone else could make a better decision about what is good for them (Rawls, 1973, Estlund 2008, Peter 2009). The second group of worries is related to the position that, even if we accept that there are experts in the matters of politics and ethics, they cannot produce epistemically better decisions because they are not neutral. The views

of experts are characterized by their special (social, class-related and other) interests or perspectives which makes their opinions poorly suited to properly reflect general interests. (Kitcher, 2011). In continuation to the stance that not even experts are objective and neutral, it is argued that in these circumstances it is difficult, if not impossible, to define an adequate way to evaluate moral expertise and to make the general acceptance of the moral expertise of experts possible (Christiano, 2008, Peter, 2009, 2013a). The third group of objections is related to doubts about the procedures of forming beliefs or making decisions in society, which necessarily corrupt the epistemic quality of decisions. In other words, even if we accepted that there were objective experts in politics and ethics who are able to abstract from their own interests and prejudices, the practices and the very organization of the system in which decisions are made are such that they cannot possibly make epistemically optimal decisions (Shapin and Schaffer, 1985, Latour and Woolgar, 1986).

In short, the fundamental problem democracy is faced with is the question of integrating the plausible idea that some people know more about certain issues than others with the democratic ideals and principles of equality and freedom (Kitcher, 2011, Christiano 2012). The crucial question here is whether it is possible at all to resolve the tension between the stated epistemic and democratic virtues, or how the epistemic and political goals ought to be harmonized.

It comes across as appropriate to classify the possible answers into three groups.

The first approach to this issue is traditionalist, or an approach that is based on strictly separating epistemological

and political values and goals. Consequently, there is a stern rejection of not only the possibility, but the necessity of harmonizing the aforementioned political and epistemic justifications of democracy. Among these political philosophers there is a prevalent and widespread belief in the primacy of the political justifications of democracy: they link the advocacy of democratic discussion mainly to the preservation of the values of equality and freedom, or to resolving political issues, as opposed to striving to improve the epistemic quality of decisions (Rawls, 1973, Gaus 2009). The aim of deliberation is not to generate (more) informed or epistemically better decisions, but to approach the intrinsic ideal of political equality. Deliberation has an instrumental value in resolving conflicts and disagreements, and it is a method through which disagreeing parties aim to resolve their dissent by the means of public, rational and impartial discourse (Gaus, 2009). Public discussion is essentially not seen as an epistemic process that pursues epistemic values, but strictly as a political process which seeks to achieve the desired political result; the exchange of reasons is only a means of achieving a better and faster alignment of stances, rather than epistemically valuable decisions (Manin 1987, Sustain 1993, Michelman, 1989, Benhabib 1996, Fishkin, 1994).

The second approach is reductionist and related to the constructivist trends of reducing epistemic goals and values to ones which are political and ethical. This approach is best characterized by the position of (pure) epistemic proceduralism.³ As evident from its very name,

epistemic proceduralism stresses the importance of the epistemic justification of democracy and argues that a fair democratic procedure itself ought to provide epistemically high-quality decisions. However, despite attempting to appear focused on the epistemic justification of democracy, this approach is essentially reductionist as it reduces the epistemic quality of decisions to conducting correct political procedures and fails to notice the independent epistemic value separated from the democratic procedure (Peter, 2009). Even when recognizing the procedure-independent epistemic value of truth and the possibility that the final result of a democratic discussion may not be of highest possible epistemic quality due to an imperfect procedure, proceduralists defend the primacy of decisions made using a fair procedure over solutions of higher epistemic quality (Estlund, 1997, 2008).

Finally, only the third approach includes the genuine intention to integrate the plausible idea that some people are more knowledgeable than others regarding certain questions with the democratic ideal and the principles of equality and freedom (Goldman 2010, Kitcher 2011, T. Christano 2012). This approach advocates the division of epistemic labor between experts and citizens in the decision-making process and is the only one that can be considered truly hybrid in attempting to harmonize epistemic and political values. This approach can include *consensualism*, the position that the division of labor should be based on harmonizing all citizens' stances in a way that is largely dependent on experts: the aim of public discussions is to achieve consensus formed by non-egotistically adapting personal beliefs to the beliefs of those who know more through an iterated process which relies on experts and the education provided by ex-

³ David Estlund condones epistemic proceduralism, while Fabienne Peter represents pure epistemic proceduralism (Estlund, 1997, 2008, Peter, 2009, 2012).

perts (Kitcher 2011). Another option is the *veritistic* approach, which relies on the view that the epistemic justification of democracy is ensured only if the utilized democratic procedures are likely to fulfill their truth-seeking mission. In other words, the goal is to organize the process of a democratic discussion in order for it to result in beliefs/decisions that are correct, truth-conductive or even true (Goldman, 2010).

Thomas Christiano is undoubtedly an advocate of the third option or the need to harmonize epistemic and political justification by means of an approach which pleads for the division of epistemic labor between citizens and experts.

The purpose of democratic deliberation is epistemic and practical, it is to uncover facts about interests and equality and how best to pursue them for the purpose of making good collective decisions. (...) The process of deliberation requires a division of labor (...). But the division of labor has traditionally been a problem for democracy and a problem for an egalitarian society. (...) The question is how can we enjoy the advantages of the division of labor and politics while treating each other as equals? (Christiano, 2012: 27-28)

Christiano, aware of the challenges his option is faced with, developed his proposed solution to the problem of harmonizing epistemic and political justification within the *veritistic* approach or the so-called reliability democracy (Christiano, 2008).

2. Reliability democracy

The very term 'reliability democracy' was introduced by Alvin Goldman in order to juxtapose it and the consensual-

ist approach: he holds that those who focus on consensus as the objective of good deliberation could not label it as 'epistemic' and contrasts them with those who plead for reliable i.e., truth-conductive public deliberation. He calls this a 'reliabilist approach to democracy' and defines the defenders of this kind of rationale or justification for democracy as 'reliability democrats'. Rational public deliberation is not necessarily sufficient to yield reliable doxastic outputs but it might be possible to add and specify additional constraints on the standards of public deliberation so that if a group satisfied those constraints in addition to the first ones, public deliberation would tend to increase the group's reliability. If we want to epistemically defend democracy because it does particularly well in making correct political decisions, it would be helpful to show (i) how specific features of (deliberative) democracy would contribute to the best decision and (ii) why such features are comparatively epistemically more valuable than alternative ones. Goldman himself is focused on the analysis of the Condorcet Jury Theorem as the paradigmatically reliabilist kind of contribution. Condorcet Jury Theorem, however, does not address public deliberation and its intrinsic substance. In contrast, it was Christiano who offered to elaborate additional procedures and mechanisms in truth-sensitive, public, democratic discussion.

When advocating the division of epistemic labor between experts and citizens, Christiano is aware of the problems generated by the epistocratic approach. Moreover, he has himself provided arguments against the privileged treatment of experts in the decision-making process because it is impossible to reach a consensus about who

the experts or the most competent individuals truly are. He highlights the differences between technical and moral competencies. The idea of democracy/equality is not a naturally plausible method of truth searching in science where the stances of the most educated in the area are the most important ones. On the other side, he notes, no distribution of social power can be based on the rankings of moral competence and simultaneously satisfy the public because of the controversies surrounding the possible ranking methods. There is no test (substantial or procedural) that can adequately assess moral competence. This does not mean that Christiano presupposes that individuals are equally competent, that we ought to think of each other as equally competent or even that our competencies are incommensurable. It simply allows that people will disagree in their assessments of other people's competences. Each person has the right to judge that another person is more competent than herself and/or others and to think of that person as a kind of advisor or leader with regard to moral questions. The crucial point Christiano wants to stress is that, even if we assume that there is genuine expertise in moral issues and politics and that inequalities in moral competences are relevant, there is no expertise that is generally acceptable in the way that we can simply leave the entire decision-making process to experts:

(...) a scheme that gives greater political power to the well-educated must inevitably appear to many to give their interests greater weight than the others. This conclusion and the principles of equality and weak publicity together imply that such a distribution of power would be unjust (Christiano, 2008: 121).

Therefore, he strives to define an option that would approach experts with seriousness, but without the mentioned epistocratic doubts: he claims that we cannot take democratic deliberation seriously if ordinary citizens generally ignore the relevant, specialized scientific knowledge whilst deliberating on issues that clearly require such knowledge (Christiano, 2012). In other words, he calls for a division of labor that respects truth-sensitive, democratic decision making procedures. The denial of epistocracy doesn't imply denying the role of experts in the division of epistemic labor. Since experts can improve the epistemic quality of decisions, the epistemic justification of democracy need not ignore the experts' contribution.

2.1. *The aim of truth-sensitivity*

Christiano holds that the democratic decision-making process needs to be truth-sensitive. Because truth-insensitivity can be identified as one of the chief challenges of democratic deliberation, the crucial question is: how does one integrate specialized knowledge of the sciences with democratic deliberation when it is clearly relevant to good decision-making.

According to Christiano, priority in the democratic division of labor ought to be given to defining the role of citizens. Citizens are essentially a driving element in society because (i) they choose the aims of society, (ii) they are the sources of different and competing research programs in various expert domains and (iii) they are the evaluators of the pursuit of aims to whom the rest of society is accountable. Expertise is not as fundamental to the choice of aims as to the development of legislation and policy. Christiano stresses that the Downsian model of the division of labor be-

tween citizens and politicians (experts) is a vastly oversimplified picture. The division of labor needs to take into account the process of differentiated deliberation between various levels of experts: deliberation among interest group associations, political parties, political staffers, newspapers, media, universities (experts in economics, sociology, law, political science, and the natural sciences) think tanks, parts of the administration, web logs and other institutions and groupings that are the hallmarks of democratic societies. These various experts use their particular expertise to determine how to implement the aims that citizens impose upon them.

Expertise plays a dual role in democratic deliberation: on one hand, there are highly sophisticated deliberations among experts concerning the best theories for crafting policies; on the other hand, expertise acts as a kind of external filter for the deliberations of other parts of the division of labor, such as that among politicians and ordinary citizens. There are four main democratic mechanisms of the deliberative process that ensure that (i) experts faithfully pursue the aims of citizens (*principal agent problem*) and that (ii) decisions are of the highest attainable quality (*problem of truth-sensitivity*). These four principles – solidarity, overlapping understanding, competition, sanctions – guarantee truth-sensitivity and simultaneously defend the interests of the citizens.

Solidarity is a mechanism by which two persons may be motivated to support each other's aims due the similarity of their backgrounds and like-mindedness. People are like-minded when they share political and moral aims and have some broadly common sense of how to achieve these aims. When citizens share this like-mindedness with experts they

can trust that the experts will pursue these common aims despite the fact that their opportunities and capacities for understanding and monitoring the experts are relatively limited. *Overlapping understanding* refers to the state of affairs in which two or more people share some expertise and do not share other expertise. This overlapping intelligibility enables citizens to partially appreciate the reasons, even if they do not fully understand the experts' theories. Namely, due to the fact that there are many persons who have a partial understanding, there are ways of monitoring the theorizing and honesty of experts. *Competition* between experts maintains the quality of the decision-making process at the highest level. Each set of overlapping experts ensures that the members supporting their own viewpoint/party and those supporting others genuinely act in accordance with the best available theories. Diversity between experts concerning their different political viewpoints, different conceptions of aims and the fact that they belong to different political parties or factions, ensures that they will regard the evidence, reasoning and arguments that the opposing experts do not take into account. Finally, the system imposes a variety of *sanctions* upon those who fail to pursue the aims faithfully and competently. The system involves networks of scientists who monitor the efficacy of policies in bringing about the aims. In this context incompetence, errors and unfaithfulness are being criticized and result in the experts losing their trust-worthiness, perceived competence, political support and political and administrative positions, etc. (Christiano, 2012: 37–42).

It is crucial to notice that, despite the fact that Christiano recognizes the role of experts, he is not a representative of some form of expertism. The crucial role

in epistemic justification is ascribed to reliable democratic mechanisms which insure that truth-sensitive decisions are made through the engagement of experts:

When the mechanisms I described are working well, the external connection between the social science and the policy-maker can be a reliable one for producing reasonably good decisions (Christiano, 2012: 44).

He is a reliability democrat *par excellence* in Goldman's sense because he precisely detects this "additional constraint on the standards of public deliberation" which appropriately satisfies the epistemic rationale of truth conduciveness.

3. External and internal epistemic justification

It ought to be stressed that, according to Christiano, citizens and politicians are not expected to completely understand the specific expertise or the experts' theories in order to qualify the process of decision-making as epistemically or democratically justified. This means that citizens and politicians can choose the theory they act upon or the decision they accept not on the basis of the best evidence available to them or on the basis of fully understanding the underlying reasoning. The crucial condition of making truth-sensitive decisions is a set of reliable democratic mechanisms which citizens and politicians can rely on. In this respect the belief, judgment or decision attained by the most reliable procedures is epistemically *external* to the citizens. Reliability democracy in general and Christiano as its representative promote external epistemic justification: a decision is epistemically justified if it is produced by a

truth-sensitive mechanism even if citizens and politicians are not fully aware of the reasons that make a decision epistemically justified or true. Citizens and politicians who favor one policy over another cannot entirely defend it against their adversaries in the policy-making world as their confidence is based solely on the fact that some community of experts claims something and that there are reliable mechanisms that prevent the miss-usage of their role as experts.

Epistemically, this problem of deference to experts consists of the objection that we cannot be justified/responsible in accepting experts' stances if we are not capable of understanding them, grasping them or truly assessing their correctness: to say that a certain decision doesn't seem understandable or even true to me and, at the same time, to accept it as true cannot be epistemically responsible and justified – even under the assumption that this is truth-conductive. Furthermore, deference implies a requirement for blind trust and essentially disconnects a citizen from the decision-making process by invoking an undesirable element of epistocracy: the mere fact that democratic mechanisms are truth-sensitive (similarly to the fact that experts allegedly know better) is ineligible in justifying the coercion of citizens to obey. It seems that the externalism of reliability democracy can imply epistemically unjustified deference or blind trust in decisions we do not understand and a democratically unjustified claim for obeying a decision or solution that is not, in the relevant sense, ours.

3.1. Derivative vs. fundamental authority of experts

Christiano's promising proposal of the division of epistemic labor between

citizens and experts based on clearly defined roles and reliable or truth-sensitive democratic mechanisms can be adapted to evade the objection of deference. It is true that citizens and politicians simply do not have enough expertise to appraise the content of experts' beliefs, judgment and decisions. Even scientists do not have enough evidence to understand or assess the reports of other specialists in their field (Foley, 1994, Hardwig, 1991). We are all, more or less, in the position of a non-expert who does not have (or even cannot ever attain) a sufficient level of expertise or experience to understand and evaluate all decisions made by all experts. However, this does not automatically mean (i) that our reliance and trust are necessarily blind or even gullible (ii) that we are forcefully coerced into deferring our beliefs to experts or reliable mechanisms.

Our inevitable reliance on experts is based on an important epistemic need derived from epistemic dependence and the lack of expertise. However, we should require that citizens and politicians have relevant epistemic access to decisions. They have to participate in the decision making procedure in an epistemically more active and responsible way: their reliance on experts and democratic procedures needs to be based on understanding their own epistemically dependent position and, consequently, on the epistemically conscientious reasoning behind their reliance on experts and the democratic mechanisms that preserve the truth-sensitivity of decisions. In other words, instead of the stern externalism assumed in reliability democracy, a certain internalist approach should be more epistemically and democratically justified: citizens have to rely on experts and truth sensitive procedures on the basis of reason and evi-

dence, or on the understanding of the decision-making reliability. In short, what makes a result of deliberation epistemically and democratically justified is not the fact that it is based on a reliable mechanism in which experts have their role, but the fact that citizens assess or understand that the decision of experts are, for some reason, acceptable.

There are reasons to assume that Christiano shares a similar view:

The policy-maker's decision is not completely unjustified because they have reason to think that the theory on which they are operating is well thought of in the expert community. The endorsement of a number of experts gives them confidence that the theory is a good one though they do not see the reasons directly. (...) The policy-makers act on the basis of information shortcuts when they take the assent of experts as defining the boundaries of acceptable science. (...) But that reliability, I contend, cannot be established without the phenomena of solidarity, overlapping understanding, sanctions, and competition being present at least to some significant degree (Christiano, 2012: 45–46).

So, in contrast to the reliabilist concept of externalism in which decisions are epistemically and democratically justified as long as there are reliable democratic mechanisms that produce truth-sensitive decisions, I would like to stress a certain need for more participation or for better epistemic and democratic access of citizens and policy makers to decisions. More precisely, while the responsibility of a reliability democrat would be to insure a reliable democratic procedure, the internalist approach, in whose favor I am arguing, stresses that it is necessary for citizens

and policy-makers to understand why it is rational to rely on expertise and reliable democratic procedures and why it is rational to trust to these very procedures. Even if citizens and policy-makers cannot have full understanding or possess the total body of evidence to appraise the whole content of the experts' stances, their reliance or trust would be epistemically justified as long as they have enough evidence about the reliability of the procedures through which experts make their decisions. For instance, that could consist of evidence about the experts' moral and epistemic characters (or the reputation of the institutions), evidence about the contextual (conversational) circumstances that prevent deception, lying and incompetence or support trustworthiness, or even proof of the presence of Christiano's truth sensitive mechanisms such as solidarity, overlapping understanding, competition and sanctions. More precisely, the democratic division of epistemic labor needs to embrace more epistemic agency on the side of citizens: they should have an active role in assessing which particular experts deserve trust and whether reliable mechanisms truly preserve the experts' trustworthiness.

It is true that the final epistemic quality of a decision depends on the expertise and the reliability of procedures

and not on the fact that citizens or policy-makers possess the evidence. However, in the internalist approach it is assumed that an epistemic justification of deliberative democracy embraces not only epistemically qualitative decisions, but is also concerned with the virtue of the epistemic autonomy of citizens and their active epistemic participation/responsibility in the acceptance of these decisions (Zagebski, 2012). According to this approach, for instance, experts' epistemic distinctiveness would not be described in terms of a fundamental authority that implies deference or trust without understanding, but only as a derivative authority. In contrast to a fundamental authority, there is nothing undemocratic and epistemically unjustified in derivative authority because citizens trust experts on the basis of the conscientious stance that it is more rational to trust experts than themselves. Moreover, the derivative authority of experts differs from the derivative authority of non-experts only in a degree that insures the democratic egalitarian rationale. It seems that such an additional requirement for internal access can make Christiano's reliability democracy, in a relevant sense, more resistant to the objections against epistemic authoritarianism and anti-egalitarianism, or even more resistant to the objections against reliability epistocracy.

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Podjela epistemičkog rada u demokraciji

SAŽETAK Thomas Christiano tvrdi da jedan od temeljnih izazovi s kojima se demokracija susreće je primjerena podjela epistemičkog rada između građana i stručnjaka. U ovome članku pokušavam prikazati i analizirati Christianovo rješenje iz perspektive društvene epistemologije, koristeći se konceptima koji proizlaze iz tog pristupa. Iako se u najvećoj mjeri slažem s Christianovom pozicijom, nudim neka dodatna rješenja koja bi mogla obogatiti tu poziciju s dodatnom epistemičkom i političkom odgovornošću. U prvome dijelu, ukratko elaboriram važnost društvene epistemologije u raspravama o epistemičkom opravdanju deliberativne demokracije. U drugom dijelu, kontekstualiziram Christianovu poziciju u svijetlu rasprava oko društvene epistemologije i identificiram njegov pristup kao demokraciju pouzdanosti s obzirom na njegovo uvjerenje da su procesi odlučivanja koji se temelje na istinitosti osigurani upotrebnom ispravnih mehanizama (koji omogućavaju stručnjacima da dođu do epistemički najboljih odluka). U trećem dijelu razvijam argumente koji pružaju dodatnu podršku Christianovim rješenjima koji za cilj imaju osigurati veću razinu epistemičke i demokratske kvalitete u donošenju odluka.

KLJUČNE RIJEČI deliberativna demokracija, podjela epistemičkog rada, demokracija pouzdanosti, epistokracija, temeljni i derivativni epistemički autoritet

CHRISTIANO'S DELIBERATIVE EXPERTISM AND CHOICE ARCHITECTURE*

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Abstract The article explores Thomas Christiano's account of the moral division of labor in democracy. Christiano's incorporation of experts serves the purpose of alleviating the epistemic burdens of ordinary citizens in the decision-making process and decreasing the amount of work they would otherwise be required to take on in a modern democracy. The gist of my contribution to the debate is assessing whether Christiano's account successfully tackles the issues brought about by cognitive biases that people suffer from in communicating their values in decision-making. I argue that Christiano's notion of experts needs to be extended to choice architects, who possess the knowledge on methods for influencing choice. I also claim that choice architecture is a social fact that an informed deliberative democratic theory needs to deal with.

Keywords epistemic deliberative democracy, experts, choice architecture, democracy architects, cognitive biases, framing effects

In his article, "Rational deliberation among experts and citizens" (2012), Thomas Christiano tackles the issue of how a deliberative conception of democracy might accommodate the contribution of experts into decision-making, while retaining its egalitarian character

and democratic authenticity. Thus, Christiano joins the ranks of philosophers aiming to establish a normative account of a proper division of labor between ordinary citizens and experts (Kitcher, 2011; Festenstein, 2009; Goldman, 2001). Christiano argues that a realistic conception aims to assign roles to citizens, politicians and experts so that citizens "are essentially in the driver's seat with regard to the society", and they are in it "as long as they choose the basic aims the society is to pursue" (2012: 33). The way in which citizens are in control of

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the steering wheel is specified through a variety of mechanisms making sure that decision-making is truth-sensitive but also exposing policy-making to public scrutiny and providing for democratic accountability. Utilizing his esoteric erudition, the expert's role is to contribute to the process of policy-making in order to set it on the road of scientific truth-responsiveness. These policy means are responsive to social aims set by citizens in public deliberation, a process that also determines whether the means and aims are properly constrained by egalitarian justice (2012: 27). With reference to the division of labor debate, Christiano's view may be coined *deliberative expertise*.

Christiano, however, limits his discussion to those experts who contribute to public deliberation by offering their specialized testimony. These experts mostly assume two roles: 1) they offer their knowledge in a way that is understandable to the general public in debates at the outset of public deliberation, and 2) at the receiving end they filter deliberated aims of citizens on the basis of scientific fact and aid in their technical configuration into public policy. My article will aim to prove that this understanding of expertise and its relation to deliberative processes is too narrow. The game-changers that I here have in mind are often referred to as *choice architects*. The term is borrowed from Richard Thaler and Cass Sunstein (2008), denoting social actors who assume roles in which they are able to predictably shape social environments in a way that is responsive to reported human cognitive biases. Not only are these actors cognizant of people's bounded rationalities and the means of directing their behavior but also of the fact that covert policy

influences frequently escape the public eye, although these policy influences often shape daily actions. Note, however, that this article is by no means looking to scoff Christiano's deliberative ideal, to expose it as some naïve normative enterprise or to reinstate old problems in a new light, such as that of the principal agent or the many instances of malevolent public manipulation. This article merely incorporates choice environments, choice architecture, bounded rationality and cognitive biases – all inescapable facts of social life – into an informed theory of democracy. My contribution to Christiano's efforts, in that sense, remains on the idealistic side. It does, however, introduce a cognitive realism that somewhat escapes the ideal and demands concessions and constraints with regard to what endorsers of deliberative democracy can require and reasonably expect of deliberation.

The article will discuss a particular type of choice architect. I will refer to this group as *democracy architects*. These agents are aware of factors detrimental to the invariance principle¹ and are in a position to either shape the cognitive environment in which the democratic debate is taking place or twist the way in which individuals come to particular decisions about identical yet differently presented problems. The article is structured in the following way: in the first section, I provide a more in-depth anal-

¹ In rational choice theory, the principle of invariance states that different representations of the same choice, in the sense that it offers identical options, should generate invariant preferences with decision makers. See, for example, Tversky and Kahneman (1986) and Slovic (1995). More on the invariance principle will be said in the third section of the article, which discusses framing effects.

ysis of Christiano's deliberative ideal, with special attention given to his notion of expertise and its democratic appropriation. The second section discusses choice architecture and its application in democratic theory. Democracy architects, various cognitive heuristics in decision-making and the collapse of the principle of invariance are discussed in the third section. The fourth, and final, section offers some concluding remarks about whether my expansion of relevant expertise relying on choice architecture delivers a blow to Christiano's deliberative expertism or may be incorporated into it with appropriate concessions.

1. Christiano's Deliberative Expertism

Christiano's deliberative expertism belongs to the family of views often labeled epistemic deliberative democracy. Views belonging to this family construe deliberation as consisting of both intrinsic value – as it is claimed to guarantee equal consideration and respect for all of its participants – and instrumental value – as it is thought that there is something about the features of deliberation that leads to good democratic decisions. Yet the second assertion may be difficult to establish – citizens often find themselves at odds with one another in irresolvable stalemates and may often lack the know-how to arrive at good decisions. In such conditions, outcomes will often arise from misconceptions and prejudice, and will be lacking in technical erudition. With decision-making in contemporary society becoming increasingly complex and requiring specialized knowledge and skills, laypersons may arrive at quality decisions more often by virtue of serendipity than the character of their deliberation with their peers. Matters of

law and economics, as well as other specialized fields of inquiry, and their incorporation into public policies are, as Christiano notes, “too complex and extensive for most citizens to have a good grasp of”, not for “lack of native talent but simply because each citizen has a job of their own to do and these latter activities are themselves full-time jobs” (2012: 31). Time constraints together with exhaustion will often prevent people from fully understanding the technical side of political issues just as the policy proposals that are brought to resolve them.

An obvious step is the employment of experts. They are to relieve ordinary citizens from the bulk of technical issues and facilitate quality decision-making. Experts are crucial in an epistemic conception of democracy, as the specialized knowledge and skills of experts represent an invaluable resource in arriving at good decisions and in weeding out inferior ones. A number of important normative questions can be raised about this inclusion. What is the proper balance between the roles of experts and citizens, if, as Christiano suggests, we also want to encourage participation in public deliberation and preserve the principle of democratic equality? How do we shape deliberation so that everyone has “the opportunity to participate in influencing the process of discussion” and that their interests are “properly taken into account” (2012: 27)? What is the content of deliberation between citizens and experts, i.e. how much is left to citizens and how much is taken away from them? How do we make sure that public policy is truth-sensitive, that is, responsive to up-to-date findings in the sciences? How is it ensured that democracy does not mutate into epistocracy with experts overtaking parts of the demo-

cratic process? Should we even be worried about such an eventuality? These matters are often shelved under the controversy of a moral division of labor.

Christiano ascribes a reduced role to citizens in the collective pursuit of good decisions and policies once experts enter into public deliberation. Yet he believes citizens to essentially be in the “driver’s seat of society as long as they choose the basic aims the society is to pursue”, and by these, he means “all the non-instrumental values and the trade-offs between those values” (2012: 33).² This contribution to public deliberation is more or less sufficient if the rest of the political system is performing its functions properly, claims Christiano. These functions reside, to put it simply, in translating the values into working public policy. The way citizens opt for a particular set of aims is not, for the most part, by voicing them in the public arena but by choosing between prepared aim packages and the representatives who forward them, either in formal elections or in civil society groups (2012: 33). Christiano’s suggestion is that the formation of proper packages of aims is a lengthy process that demonstrates sensitivity towards sets of values citizens come to endorse, as well as changes in these values, since a failure to do so endangers the political longevity of neglectful political organizations. Citizens do not tailor the packages of aims themselves but are mostly in the consumer’s role within a democratic system which, ideally, tries to cater to their preferences, at least as far as general aims are concerned. Citizens are able to cultivate deep understanding of values and of their interests, although

they need mediators (politicians and civil society organizations) to process their aims. Christiano claims that controversies over aims and values are much less in need of expertise than other areas of democratic decision-making (2012: 34).³ Experts, however, are given the ca-

² The choice of values is, however, constrained by principles of egalitarian justice.

³ There is, however, some ground to contest this assertion. First, Emma Bullock argues that individuals might come up short in accumulating all the external information that relates to the content of their values. She writes: “Given that the content of certain values—such as religious tenets—are external to the individual (in the sense that they do not originate in the individual’s imagination), it is plausible that her judgment of the option that best protects her values can be mistaken” (Bullock, 2014: 6). As an example, she mentions the case of a Muslim patient who wrongly judges that he cannot receive an intravenous serum in order not to break his fast, while religious doctrine clearly states otherwise. It may be argued, however, that individuals can be at fault regarding their values only when they explicitly conform these values to what an external authority proclaims. Religion is one candidate for these cases, as most religions and their followers recognize central authority when interpreting sacred doctrine and the values that are thus derived. But many religions in liberal regimes have allowed their followers more elbow room to assess which values are more important to them in forming their conceptions of a good life without the threat of being castigated or ostracized for it. This would imply that the external conditions regarding the correctness of one’s values in some of these situations have been reduced or toned down. Also, assuming that individuals are driven in political deliberation by political values and not religious ones, it should be noted that political authorities are even more lenient about allowing individuals to decide the conditions under which their values are correct. It may still happen, however, that individuals advocate for mutually contradictory values. They either fail to notice these contradictions or are not making an effort to resolve them. Advocates

capacity to filter out some theories and aims in this part of deliberation, if they are found to be incompatible with scientific findings (Christiano, 2012: 42).

Still, citizens' tasks in deliberative expertism do extend beyond the choice of values. Christiano acknowledges citizens' indirect role in evaluating whether the political system and its employed experts in the policies made for the benefit of the citizens faithfully pursue the aims citizens have chosen (2012: 34, 36).⁴ Additionally, they should influence the "generation and evaluation of the scientific theories by which the public policy-making process is informed" (2012: 34).

This picture of the moral division of labor in deliberative democracies is still overly simplified. To add depth, Christiano introduces three distinct levels of political deliberation: one is occupied by lay citizens, one by politicians and administrators and one by experts of dif-

of an epistemic deliberative democracy should tackle these issues. In the rest of the article, however, I will hold Christiano's assumption to be true and ignore the issue of citizens being wrong about their values. Instead, I will move on to a different problem: whether citizens can be wrong about expressing their values or understanding what represents them.

⁴ It is not particularly clear what Christiano means by an 'indirect role.' On a stronger understanding, it might entail that agencies are to be established that would track the progress of implemented policy, assess the outputs to see if the general aims have been achieved and then put the accumulated information at the disposal of ordinary citizens. A weaker reading might entail that citizens are to be informed about the existence of particular policies that are pursued for the purposes of the expressed aims, but this need not include mediators who are to increase transparency for citizens. In this case, the policy's faithfulness to the aims would only be assessed by observing the outcomes.

ferent fields (although the last being highly stratified):

This is the network of intellectual labourers that spans the universities, political parties, political staffers, interest group association, and parts of the administration. These are experts in economics, sociology, law, political science, and the natural sciences. They influence the making and evaluation of policy. But they also monitor the processes and outcomes of policy-making and can broadcast their opinions on these matters (Christiano, 2012: 35).

The deliberation among experts is conceptualized as mostly a contribution to policy-making and an evaluation of already implemented policy. Experts are expected to offer information that is otherwise unavailable or difficult to obtain in the process of policy-making. In other words, they are thought to bring something to the table for a more in-depth discussion or point to policy aspects in which scientific depth is lacking. Christiano believes that the truth-responsiveness of policy-making to scientific contributions can be enhanced in democratic circumstances where the civil society is strong and diverse enough to represent different social perspectives. These perspectives would include a variety of expert positions that take part in controversial debates, which would ensure that a particular group does not dominate over policy proceedings (Christiano, 2012: 36). The task of a normative account is then to capture an acceptable moral division of labor between the different groups, that is, to set a standard for how different levels of deliberation are to communicate and influence each other. Christiano's position is that democracy does indeed possess mechanisms that ensure that the policy-mak-

ing process is not insulated either from experts or citizens. The nature of these lines of communication will be discussed later.

Christiano's notion of experts is taken from Alvin Goldman (2001). The notion suggests that an individual can be regarded an expert in a particular area if he has:

- (1) an amount of true beliefs that is significantly greater than ordinary people and that meets a threshold with respect to: (i) the subject matter in a domain; and (ii) the ideas and arguments within the community of persons who have a lot of true primary beliefs concerning the subject matter in the domain; and (2) a set of skills that enable that person to test the ideas and arguments as well as extend the ideas and arguments of the community to new problems and objects within the domain (Christiano, 2012: 36-37)

In many areas of expertise, the truth values of certain statements will be hardly ascertained by those outside of the group. Christiano refers to these statements as "esoteric" (2012: 37). One of the democratic mechanisms that Christiano describes as helpful in trying to overcome esotericism is overlapping understanding, which allows groups without overlapping expertise to communicate with each other with the help of mediating groups that have parts of the relevant expertise at their disposal. An example of this is the following:

The economist can explain much of what they understand to the policy analyst. The analyst can explain what they understand of this, coupled with a knowledge of the legal and political background to the politician or staffer or perhaps to relatively

sophisticated journalists. The journalists and politicians can explain what they understand to ordinary citizens. These chains of overlapping intelligibility enable politicians and citizens to have some appreciation of the reasons for and against particular policies. It enables politicians to make legislation that takes into account the best theorizing available in the society even if they do not themselves fully understand the theories. And it enables politicians and citizens to see to some extent how and to what extent the aims they have chosen are actually realized in policy or not (Christiano, 2012: 39-40).

This cascading of information through overlapping understanding suggests that Christiano's position on the moral division of labor recognizes the importance of the form in which the content relevant for policy-making is presented to non-experts. Yet Christiano's experts' main area of influence is still the content, while discussions about form and overcoming esotericism are only instruments for a successful transmission of expert information. The inclusion of choice architects should widen Christiano's list of experts, as well as bring about certain overlaps in the three levels of deliberation he outlines. If we indeed accept choice architects as legitimate experts in an epistemic deliberative democracy, we may come to accept their role in setting the frame for the deliberation of citizens. This topic will be dealt with in more detail in the following sections.

1.1. Some preliminary considerations and objections

The purpose of this sub-section is to show what may be at issue with Christiano's deliberative expertism, why we

may need to extend or revise it and how choice architecture might help. I will begin by posing Jamie Kelly's objection to a more general epistemic deliberative view.

Kelly's book *Framing Democracy: A Behavioral Approach to Democratic Theory* (2012) argues for constraints in our understanding of democratic theory and our expectations of democratic decision-making, supporting them with empirical findings about framing effects. A framing effect, according to Kelly, "occurs when different but equivalent formulations of a problem result in substantively different decisions being made. Thus, our susceptibility to framing effects reveals that our decisions are not invariant across equivalent formulations of the same problem" (2012: 3).⁵ The prevalence of framing effects is particularly important for the notion of an epistemic deliberative democracy which attempts to utilize democracy's epistemic potential. If deliberative democracy is justified by the assertion that deliberation is helping to achieve the instrumental goal specified earlier – that of producing correct decisions – then its advocates need to show how it overcomes citizens' systematic errors in decision-making (Kelly, 2012: 89). In other words, they need to show why the problem of framing effects, or other cognitive biases, is overstated.

Endorsers of Christiano's deliberative expertism may claim that Christiano successfully overcomes these difficulties in two ways. First, he acknowledges that individual citizens are incompetent when complex decision-making on policy

⁵ More on framing effects and Kelly's thoughts on their influence on plausible modes of democratic theory will be said in the third section.

proposals and implementation is required. Second, he employs experts in his deliberative model precisely in order to unburden citizens from the requirement of correctness. But these responses are inadequate. The first misses the point because Christiano and Kelly discuss different kinds of incompetence – Christiano talks of time constraints and limited spans of attention, while Kelly analyzes cognitive constraints – and it is certainly more obvious that expertise deals with the incompetence of the first kind.⁶ The second claim does indeed settle part of the problem of correctness but it does not unburden citizens of requirements for correctness entirely. Instead, the inclusion of experts only relocates the requirements to the tasks Christiano entrusts to ordinary citizens. The citizens need to be 'correct' in expressing their aims and values to politicians and experts. Politicians and experts, in turn, need to be 'correct' in picking up on these aims and values. Citizens also need

⁶ It should be added that Christiano's experts may aid in overcoming cognitive biases in decision-making, as I will argue later in this article. The extended notion of experts that I will advocate will widen the range of individuals that can point out to lay citizens what kind of biases they should be on the lookout for. A more radical reading would be that the very incorporation of experts into democracy seriously reduces the detriment of cognitive heuristics of ordinary citizens, as individuals are given fewer opportunities for decision-making mistakes. I do not believe Christiano would advocate this, as he is committed to keeping ordinary citizens in democracy's driver's seat. Hence, although it might be claimed that Christiano's proposals do, in fact, aid in reducing the detriments of cognitive biases as a side-effect, I do not believe they are designed to do so, and I will later argue that they are insufficient for this task. I would like to thank Man-Kong Li for pointing this out to me.

to have an adequate understanding of how their biases may influence them in assessing the validity of policies that are implemented or are in the process of implementation, as well as how particular policies themselves may influence them in making further assessments.

Christiano states that he wants the division of labor in his deliberative expertism to be realistic (2012: 33), and in order to achieve this, he will need to incorporate empirical findings regarding cognitive heuristics.⁷ Kelly specifically

⁷ There may also be other reasons why Christiano's proposal for a division of labor should be considered lacking in realism. One objection that can be posed is that the way Christiano envisions the composition of aim packages is inaccurate in realistic democratic settings. As far as political parties are concerned, they may at times be interested in isolating the aim packages they represent from those of other groups but if they calculate that particular aims will draw a lot of votes, they may attempt to show that their package also includes them (and possibly that their package represents them even more faithfully than the other party's package). This means aim packages will more often tend to widen rather than shrink as part of the goal to appeal to voters. As a consequence, individuals will have no choice but to vote for aim packages substantially wider than their value sets. If we insist on a top-down approach, a more accurate description of party activity during an election with regard to aim packages might be that parties aim to persuade the electorate that their proposed set of policies is compatible with a wide set of loosely defined values and core political beliefs. Democracy should, then, include as many opportunities for the direct expression of aims through minipublics and referenda to limit the extent to which parties can associate their programs to an overly wide set of values. Another objection pertaining to realistic expectations is Christiano's optimism that political parties will generally "attempt to make their general platforms consistent with one or another of

emphasizes feasibility as the upshot of a theory that involves the data on framing effects into its normative considerations. The omission of empirical data on realistic cognitive constraints and dispositions in democratic theory leads to a general denial of that theory's relevance for the evaluation of what democracy can offer (Kelly, 2012: 70). Similarly, Kelly warns, a normative theory of democracy must not become preoccupied with its empirical components, as that would mitigate its capacity for criticizing the status quo (Kelly, 2012: 70). Cognitive heuristics are rarely treated as insurmountable factors in reaching correct decisions (whatever we might mean by 'correct').

Our focus should then be on whether Christiano's moral division of labor in an epistemic deliberative democracy is successfully geared towards surmounting the biases that I will mention in the following sections. There are individuals, I will claim, who fit Christiano's notion of experts and who are proficient in identifying choice-making situations in which individuals (not only laypersons) come up short in making fully reasoned decisions due to breakdowns in their cognitive circuitry. These experts are also successful in designing decision-making situations of this kind. Is this problematic for a democratic theory with a standard for correctness, even if we limit it to individuals expressing their value sets or assessing policy? I will claim that choice architects fit Christiano's bill for experts,

the best [scientific] theories", as many people are looking at the creation of these platforms (2012: 46). But advocates of at least one model in the public policy literature – that of the advocacy coalition framework – claim that core policy beliefs may remain fairly untouched by advancement in scientific research. See Lodge and Matus, 2014.

but their inclusion will seem unusual as Christiano mostly describes experts in their table-top contributions to debates. The operations of choice architects, on the other hand, will often run ‘under the table’ (although the metaphor, I believe sounds much more sinister than it should).

2. Choice Architects as Experts

Jennifer Blumenthal-Barby offers the most comprehensive account of choice architecture. There are two phenomena, she claims, established by the cognitive heuristics literature that relate to people’s inhibitions in their attempts at ensuring their future well-being. The *bad choice phenomenon* states that individuals fall victim to cognitive biases, mostly having to do with leaning towards short-term consequences in predictable ways, while organizing their lives around long-term goals. The *influence phenomenon*, on the other hand, states that environments in which people make choices may affect behavior in logically irrelevant ways (Blumenthal-Barby, 2013: 178). When the second phenomenon is consciously and effectively used by individuals to influence the first, choice architecture occurs. Choice architects are individuals who possess an understanding of the cognitive factors that deter individuals from arriving at choices that are good for them, but are also capable of tweaking choice environments so that a particular sort of behavior is purposefully made more frequent.

The discussion on the bad choice phenomenon is most commonly focused on individuals making choices that are bad *for them*, not only in the sense that they would regret making them in retrospect, but that these choices are, in the conventional sense, directly detrimental to their well-being. This

comes as no surprise as the literature on choice architecture mostly focuses on self-regarding, rather than other-regarding considerations – the latter being choices that are bad *for others*, or for the creation or preservation of some public good. There is no conceptual reason why this should be the case. The way in which these cognitive biases are described does not rule out their effects on individual contributions to public decisions. Let me illustrate this with a few examples: The status quo bias predicts “a more general tendency [for individuals] to stick with their current situations” (Thaler and Sunstein, 2008: 34). Although this tendency for inertia produces a lot of bad self-regarding effects, such as neglecting retirement and saving plans or sticking with different kinds of paid subscriptions, a very famous example – that of organ donation – shows it may similarly affect other-regarding considerations. In other words, there are no tangible benefits for individuals to participate in organ donation programs (apart from, perhaps, personal satisfaction about choosing what they wanted to choose), and the status quo bias may hinder them in their motivation to help others. The availability bias causes individuals “to assess the frequency of a class or the probability of an event by the ease with which instances or occurrences can be brought to mind” (Tversky and Kahneman, 1974: 1127). This means individuals will often be bad at assessing the risk of certain choices and place greater weight on those that are more mentally evocative, arguably in both self-regarding and other-regarding considerations. Another cognitive effect, that of ‘just world beliefs’, suggests a psychological hindrance in pursuing egalitarian ideals, as individuals “operate under the assumption that the world is a just place,

commonly expressed in the psychological literature as ‘people get what they deserve and deserve what they get’” (Kasperbauer, 2015: 218). Finally, the most obvious example of cognitive biases in public decision-making is that of framing, which will be scrutinized in the following section.⁸

Just how influential are the bad choice and influence phenomena? One could assume that, as the list of biases becomes longer, the ways of influencing citizens become correspondingly broader since both phenomena rely on cognitive biases. Authors who discuss the nudge, which is a technical term for choice architects’ method of influencing behavior, believe that the cognitive cost should never be so high as to make it impossible for individuals to resist the influence if free choice is to be maintained. This means cognitive biases come with varying degrees of cognitive cost and should not be considered deterministic, as individuals are often able to overcome them. There might, however, be further worries. One is that the list of cognitive heuristics keeps expanding and many of our choices might be burdened by several cognitive biases simultaneously. Another is that we might be wrong in assessing the weight of the cognitive costs and that they are, in fact, greater than we have supposed earlier. Prospects for maintaining free choice would then be bleak but it gives us even better reasons for involving choice architects in our moral considerations, at least at times when we think coercion might be unacceptable.

⁸ These are only a few cognitive biases that have been proposed in the literature. For an introduction into the expansive list of biases, see Tversky and Kahneman (1974) and Thaler and Sunstein (2008).

Are choice architects experts proper? Although somewhat dispersed in social areas of influence, they certainly seem to be, according to Christiano’s conditions. They hold a significant amount of tested true beliefs about their subject matters and they possess the skills to test further ideas and arguments, including the extension of arguments of the community to new problems within the domain. Their debates do exhibit a degree of esotericism (although they are probably more successful in expressing their ideas to laypersons than scientists from certain other fields). They hold the expertise needed to assess the cognitive effects of particular policies, as well as filter out the views based on faulty psychological notions. Psychologists and cognitive scientists would then certainly make the cut. But the understanding of choice architecture stated above could possibly include more lines of professional work. Public relations specialists, media editors or mere spin doctors often seem to have a good understanding either of the documented biases discussed in scientific research or conventional notions of how people’s biases affect their thinking and decision-making. Thaler and Sunstein seem to be pushing us into this direction when they say that almost anyone can be a choice architect:

If you design the ballot voters use to choose candidates, you are a choice architect. If you are a doctor and must describe the alternative treatments available to a patient, you are a choice architect. If you design the form that new employees fill out to enroll in the company health care plan, you are a choice architect. If you are a parent, describing possible educational options to your son or daughter, you are a choice architect (Thaler and Sunstein, 2008: 3).

Thaler and Sunstein do, however, claim that people may be choice architects “without realizing it” (2008: 3), which would defeat the notion of choice architects as possessors of specialized knowledge. Even then, we might say that many individuals in their daily lives predictably and successfully influence those around them based on valid notions about cognitive biases in the very same way as choice architects do. This should still not pose a problem for establishing the expertise, as people might use different kinds of scientific knowledge in their daily lives without challenging the experts of the associated field. The groups that do pose a problem for drawing a threshold for expertise are the communication and public relations specialists that I mentioned above, as they actively and purposefully shape democracy’s cognitive architecture. They are certainly part of the reason why we want to think about choice architecture’s involvement with deliberative democracy in the first place. It follows from the arguments above that some choice architects certainly seem to qualify as experts, although it may not be easy to settle which of their many manifestations fit the expertise bill.

If we agree to the above, we should then also note, as I hinted earlier, that choice architects may occupy more positions in the moral division of labor than Christiano supposes experts should. Like in Christiano’s account, choice architects may contribute to a progressive debate and research on cognitive biases, suggest useful points to politicians and administrators, filter out the proposals that rely on faulty psychological notions and concentrate their research on the suggestions of the general citizenry. But there are two other ways in which choice architects may influence democratic de-

cision-making. On the one hand, they can be assigned to pose the relevant questions in specific frames and set up cognitive architectures for democratic discussions, and, on the other hand, they may be asked to design nudges that contribute to the realization of policies. The third section of this article discusses the first kind of influence.⁹

⁹ There are two reasons why I do not discuss in detail whether choice architects should be given the opportunity to nudge citizens in their everyday decision-making or whether citizens can democratically delegate this responsibility to choice architects. The first is that while frames are inevitable, as I argue later in the text, nudges are not. Assigning this responsibility to choice architects would have to depend on enabling citizens, aware of their bounded rationalities and cognitive biases, to allow nudging via their institutions. The second is that the consideration of whether democracies could incorporate nudges would have to hinge on the controversial notion of transparency. The controversy lies in the fact that the effectiveness of at least certain nudges depends on them working “in the dark” (Bovens, 2009: 209). Consider Moles’s example for nudging enforceable duties: “The U.K. government has produced a guide that aims to reduce tax evasion. The guide provides a variety of nudges that are effective at reducing fraud. It suggests that tax declaration forms should be easy to fill in, that the sense of honesty can be increased by forcing people to sign the declaration before they enter their details, and that people tend to comply with rules when they are aware that most people also comply with them” (Moles, 2015). This nudge would certainly not be effective if people were on the lookout for these techniques. We should remind ourselves that Christiano wants public deliberations to address the just ways of accommodating people’s interests and the means of advancing them, and assigns citizens the role of assessing whether policy-making is faithfully pursuing their aims and values. This would not be possible if policies operated via nudges

Some people might object that choice architects are mere manipulators and that there is no place for them in a division of labor that tends to be moral, since manipulation is wrong. They might see the inclusion of choice architects as a reason for rethinking the principal agent problem, which Christiano himself wants to overcome. They would certainly be right in arguing that many politicians, lobbyists, spin doctors, media workers and adpersons try and often succeed in capitalizing on people's cognitive frailties and bypassing their rational agency for personal benefit. Choice architecture endorser's claim, however, that believing the above would be missing the bigger picture. The ballot designing example from Thaler and Sunstein proves that there are a myriad ways in which individuals can be influenced in their public decision-making but it also seems to remind us that ballots still need to be designed in *some* way. The same may be said for agenda-setting in political assemblies or posing a particular question in a referendum. Choice environments, then, seem to be inevitable, for "it is impossible to avoid any sort of structuring

working in the dark, aside, perhaps, from looking at the outcomes. One solution to the problem might be Bovens's distinction between type inference transparency, which is the transparency of the types of nudges being used and token inference transparency, which concerns the particular content of nudges (2009: 216-217). It is not obvious whether Christiano would be satisfied with type inference transparency only. In any case, although these issues are important for Christiano's view, they would require a separate article, and I am leaving them for future work. For an introduction into the transparency issue, see Bovens (2009) and Hansen and Jespersen (2013). For an account of democratically acceptable nudging, see Heintz (work in progress).

and influencing of people's choices even if unintentional" (Blumenthal-Barby, 2013: 186). Hence, the moral question should not be *whether* choice architects are to be included in a moral division of labor but *how* they should be included so that people are able to pursue their interests and communicate their values in public deliberation.

Also, choice architects need not only rely on nudging, nor is nudging always manipulative. Choice architects can help ordinary citizens recognize and avoid biases or they may attempt to "de-bias" individual decision-making. Since we would want democratic decision-making to be fair and the decisions to approximate citizens' authentic values, this is exactly what we expect choice architects to do most of the time. Thus, a choice architect's contribution might be, for example, clarifying a referendum question or eliminating all the parts of the question that may trigger a recognized bias.

One final worry might be that if choice architects are indeed experts, they might be very bad experts, as they are themselves susceptible to cognitive biases and heuristics when they design choice architectures, just as ordinary citizens are when they are responding to choice architectures. Blumenthal-Barby offers two responses. The first is that choice architects are still less susceptible to biases, seeing that there is a difference between how they cognitively operate in everyday life, on the one hand, and when they design choice architectures, on the other. When choice architects help others with their decisions, they are capable of a certain distance that individuals are not in their own cases (Blumenthal-Barby, 2013: 184-185). The second is that choice architecture is still better than the alternative, which is to allow people to

be affected by unstructured choice environments leading them to bad choices. So even if choice architects are biased in their design, that prospect still seems better than allowing the environment to stay unchecked (Blumenthal-Barby, 2013: 184).

Now that I have presented a solid case for why choice architects should be included in the realm of experts, and proved that their role is important due to the prevalence of cognitive biases, I will now turn to framing effects, which are the central focus of a sub-group of choice architects – democracy architects.

3. Democracy Architects

Thaler and Sunstein cite studies according to which it is possible to predict the winners of congressional elections simply by glancing at pictures of candidates and stating which one looks more competent (2008: 20). The studies demonstrate that individuals who were previously not familiar with the candidates could correctly predict the outcome of the election two-thirds of the time (Todorov et al., 2005; Benjamin and Shapiro, 2009). This is a very bleak prospect and we can only hope citizens' political judgments are more responsive to reasons than these studies suggest. In this section, I discuss framing effects and the role of framing specialists, who I here refer to as democracy architects. This group of experts is particularly significant to Christiano's project, as frames may come to create static in the communication between ordinary citizens and policy makers. In order for ordinary citizens to communicate their values authentically and for politicians to pick up on these values, the frames will have to cause the least possible interference. Democracy architects are experts not on

what is communicated but *how* things are communicated. They also share in valuable knowledge for citizens' decision-making.

Once again, as in the case of choice architects, there are different ways in which we can conceptualize the expertise of democracy architects depending on the notion of framing. One is a narrower concept that scrutinizes, deconstructs and utilizes the framing effects recognized by the cognitive heuristics literature as they occur in distinct decision-making situations. The broader concept refers to the setting up of cognitive architecture within which the whole debate takes place but which may not refer to any particular instances of choice. Consider the following example for the latter category: over the past several years, the Occupy movements have often organized their debates in wide and inclusive plenary sessions. In student occupations of universities, for instance, it was often claimed that the plenary sessions were of a very egalitarian character. There were no explicit time restraints, which allowed every individual to state their opinions and concerns as an equal participant and vote for or against certain proposals. But some objectors stated that the plenary sessions were not, in fact, egalitarian as the agenda for the sessions was set by the organizers before the sessions started. Knowing that single sessions could last for hours and be extremely tiring, the agenda-setters would often consciously organize sessions so that the "more important" issues were handled first, while the "more trifling" ones were pushed to the end. This is just to show that a wider cognitive architecture for debates will often depend on the moderator's value judgments. The moderators will often bring about these effects completely inadvertently but deliberate attempts to

pacify or animate the participants may also be possible. For instance, the extent of conflict and controversy stirred up by a particular issue might often depend on how much conflict there was during the discussion of the preceding issue. As moderators attempt to drive the meeting to settle particular points of the agenda, they are the ones who usually frame (in the narrower sense of the word) the question that is going to be voted on. The matters of agenda-setting and question-framing can both be, and indeed often are, challenged by plenary participants but the extent to which these challenges are performed will depend on how much participants want to 'waste time on technicalities' and to what extent they are able to notice controversies around how the agenda was set or the questions framed. My aim with the above was not to say that these direct democracies are useless gatherings dominated by ideologically driven groups or that they are unsuccessful in developing people's skills of deliberation. It is merely to show that cognitive architectures around democratic deliberation will have to be set in *some* way, and it is of moral concern to ensure that this inhibits the communication of values to the least possible extent. I also intended to demonstrate that effects on deliberative contexts stretch beyond the framing effects in their usual understanding. I do, however, turn to these now.

Framing effects occur when individuals arrive at different choices in decisions with the same content, thus collapsing rational choice theory's invariance principle. This principle "requires that individuals ignore arbitrary changes to the presentation of a choice scenario and focus only on outcomes", although that "does not entail that human decisions will be chaotic, random, or ultimately unpredictable" (Kelly, 2012: 11).

The literature is abundant with examples showing that the susceptibility to framing effects is universal and that it may not depend strongly on education levels.¹⁰ This means that the role of the democracy architect should not be limited to educating ordinary citizens and pointing out biases. There are a number of ways in which framing has been noted to affect people's decisions, such as the order in which certain questions are posed, how they are worded (Kelly, 2012: 16-18) but, most notably, how framing may be combined and utilized with other cognitive heuristics. Take Kelly's example of, what he calls, a Rawlsian frame that a legislator might use to nudge people into supporting the difference principle:

Imagine that our legislator knows that people are affected by framing, and that she also knows that individuals are hostile to frames that represent a move away from the status quo. She must decide between the equivalent formulations of a proposal to raise taxes:

- (a) Raise taxes by 2 percent over last year;
- (b) Maintain the same rate of increase (2 percent) as in previous year (Kelly, 2013: 224).

Kelly claims that individuals are more likely to respond to (b) rather than (a) due to a status quo bias, i.e., preferring that something is 'maintained' and that, in a manner of speaking, things remain stable. If Kelly is right, then democracy architects should not only be well-briefed on the varieties of ways in which framing effects may influence decision-making but also on the various

¹⁰ See, for example, McNeil et al. (1982) and McCaffery et al. (2002).

biases that may coincide with them in order to design architectures to avoid these biases.¹¹

It should be clear by now that frames are inevitable and that the moral issue at hand should not be whether we have reasons to employ specialists on framing or not but, instead, how knowledge about the cognitive effects of framing might be cultivated to serve good decision-making. In this case, good decision-making entails the transmission of authentic values and aims from citizens to the rest of the political system and their implementation in public policy curtailed by principles of egalitarian justice. As Kelly notes, “the regular framing of decisions is an important (and perhaps indispensable) simplifying device for public debate and discussion” (Kelly, 2012: 38). Skeptics, however, may remain unconvinced. Their worry would be that in a social world flooded with framing effects, the expression of citizens’ values and aims might further be tainted by involving even more framing effects specialists. They would further claim that government officials are well-intentioned and guided by principles of egalitarian justice only in philosophical

discussions and that appointing professionals to assume control over frames in democratic deliberation is a high-risk maneuver, regardless of whether frames are inevitable or not. But if the citizenry at large becomes acquainted with the presence of framing effects and a vibrant debate on how professionals are tackling cognitive frames in deliberation gets going, the work of framing professionals would be more contested than it currently is in democratic societies. In fact, this view appears to be quite similar to Christiano’s arguments about other experts. I will return to this discussion in the final section of this article.

I will end this section by presenting one last objection to the inclusion of democracy architects in setting up public deliberation. This objection states that aside from perhaps referenda, citizens in Christiano’s deliberative conception rarely encounter situations in which they directly decide on particular issues but, instead, they delegate these choices to politicians who represent their aim packages. Therefore, the inclusion of framing specialists is superfluous. There are two ways to address this objection. Firstly, if citizens are in fact responsive to arguments and do not merely choose based on the candidates’ looks on TV, then they will try to sort out where their values and aims lie in the issues that are presented to them – in frames. And if it is a frame affecting an individual’s evaluation of a particular candidate based on the position he is taking on a particular policy, then the entire choice of candidates will often depend on a seductive framing effect. Secondly, it is naïve to think politicians are not subject to framing effects themselves. Although, unlike citizens, most politicians get a fair amount of practice in how to sway public opinion using rhetorical and psychological trickery, they are hardly ever

¹¹ One objection coming from the literature is that with such an expansive list of cognitive biases working in unison with one another, as the example shows, there is little sense in discussing the ‘authenticity’ of people’s preferences. Without much theoretical support, I agree with Christiano who believes people are able to cultivate a deep understanding of their values and of their interests. Kelly seems to support this view by stating that even “in behavioral economics, the construction of preferences has not been taken to entail that all choices are uniquely dependent on the context of elicitation”, and that the image “of all voters as passive, easily manipulated stooges is misleading” (Kelly, 2012: 23).

themselves experts on cognitive biases. Therefore, there are reasons to believe politicians too need the aid of democracy architects.

I now turn to the final section, where I will discuss possible mechanisms to alleviate the problems of correctness, in the sense of communicating values, which are posed by framing effects and other cognitive biases. I will decide whether Christiano's account of an epistemic deliberative democracy is sufficient in canceling out the problems that I have been discussing or it is in need of some additions and/or concessions.

4. Solutions and Concluding Remarks

I would like to start this section by studying whether we can find solutions to the problems of biases in Christiano's own account on experts and deliberative democracy. Let us first check whether Christiano's solutions for overcoming the principal agent problem deal with cognitive biases as a side-effect. The strategy of an overlapping understanding (Christiano, 2012: 38-40), which I have discussed in the opening section, certainly seems to help with communicating expert knowledge about cognitive biases to the citizenry at large, and is the first step in warning them about cognitive effects. It also enables politicians to produce 'behaviorally-enlightened' policy, even if they do not have a full grasp of the scientific information (Christiano, 2012: 40). Furthermore, it exposes the experts to cognitive biases (not choice architects yet!) and their discussions on non-expert monitoring (Christiano, 2012: 40). Beyond that, experts on cognitive biases might also be subject to democratic sanctions. If a significant number of experts in a particular field argue that a particular policy is not geared toward

bringing the intended results, those experts who participated in the making of the policy – as well as politicians who relied on their opinion – might be shamed as a consequence (Christiano, 2012: 41). In such circumstances, the experts failing to provide adequate expert knowledge might be dismissed by their legislators and other competing experts might be assigned with their responsibilities (Christiano, 2012: 41). In the case of experts on cognitive biases, this might happen if the experts falsely interpret the expected biases that a policy may cause or alleviate in citizens' decision-making or if they fail to notice strong framing effects in the way a certain question was posed or a policy displayed for public scrutiny. Experts on cognitive biases would certainly be in the center of Christiano's attention, as he seems to be emphasizing scientific theories which evidently have the capacity for solving social problems. These experts are one of the most obviously capable groups for such a task, as they analyze the causes for people's systematic errors, and arrange choice environments to alleviate them. A proponent of an epistemic account of democracy, like the one Christiano proposes, could argue that deliberative democracy has an inherent capacity to deliver correct decisions, even with cognitive biases taken into account. It is the view that an active deliberative landscape in modern democracies has the capacity of regulating itself and overcoming bias. The burden of proof, however, is on the proponent of this view.¹²

I do not believe active deliberation would suffice on its own. It would inculcate the citizens with a large amount of

¹² I would like to thank Zlata Božac for this point.

passive awareness and education about cognitive biases, but let us not forget that the inability of citizens to grasp the abundance of expert knowledge relevant for decision-making is what got us into the division of labor debate in the first place. Additionally, Christiano's sanctions might actually support the argument that we need choice architects, as it is assumed that experts collaborating with legislators might do a better job if they are directly involved in policy-making. Moreover, as choice architects are problem-solvers in a very direct sense, Christiano's theory seems to be calling for them at this point as well.

Kelly, on the other hand, also considers whether a competition of different frames in democracy, in the form of diverse instances of political speech, mitigates the effects of framing over time. He states that if we assume that "competition between frames tends to improve the quality of decision making over what can be expected in noncompetitive settings, the promotion of competition should be a priority for anyone interested in bolstering the epistemic value of democracy" (2012: 100). This would support Christiano's case and possibly suggest that vibrant public deliberation that he conceives might, in fact, be able to overcome cognitive biases. But the data Kelly discusses is not conclusive, nor are framing effects the only cognitive bias we need to take into account. For this reason, he proposes several insulating strategies, such as judicial review and risk review (2012: 112-119).

My hope is that the inclusion of choice architects, together with Christiano's mechanisms for expert contestation, will suffice both in tackling the issues of cognitive biases as well as keeping the activities of choice architects in check. More specifically, in a social space

saturated with different kinds of frames, specialists, who decrease the amount and strength of biases in democratic decision-making as well as point out bias triggering frames by different social agents, can help citizens. My conclusion is that choice architects (or at least democracy architects) should be added to Christiano's account of a moral division of labor in order to facilitate the communication of citizens' values and aims to the political system and help citizens deconstruct frames in which implemented policies are represented.¹³

Finally, should something be remedied about Christiano's account? One thing we might want to increase is citizens' participation in direct deliberation. My view here is that together with the help of choice architects and the contesting expert community citizens can do much for the avoidance of cognitive biases if they simply employ their discussion and decision-making skills. James Druckman says that deliberation might, to a limited extent, alleviate the effects of framing. He notes that in groups where people were exposed to different competing frames and then deliberated about them, the framing effects were reduced

¹³ One final problem of including experts on cognitive biases and, more narrowly, choice architects is the nature of disagreements in the field, similar to the complication Christiano mentions about economists not being able to agree on good policy (2012: 41). Kelly explicitly says the literature on behavioral models of choice is underdeveloped: "Because the literature has become so vast, and so much of it remains controversial, it is not yet possible to speak conclusively about a single, unified, and complete behavioral model of choice" (2012: 9). But some cognitive biases in the literature are widely established and firmly rooted, and the disagreements do not seem greater than in other scientific fields.

(Druckman, 2004: 683). The frequency of exposure to and participation in direct deliberative processes, in my opinion, encourages individuals to think about how issues and questions are posed to them, and then challenge them (as was my personal experience in the plenary sessions). Participation in such democratic processes may also help people express their values more directly, if politicians are attentive enough to lend them an ear. What this brings into question, with reference to Christiano's ac-

count, is the predominantly top-down character of communicating values and aims. We may want to go back to the drawing board and rethink the number and extent of citizen's tasks in a deliberative democracy. Citizens may be asked to actively participate in workplace democracies or community gatherings, and legislators may need to encourage the adoption of such forms of micro-governance. This, I believe, represents a strong insulation strategy for the protection of citizens from systematic biases.

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Christianov deliberativni ekspertizam i arhitektura izbora

SAŽETAK Članak proučava poziciju Thomasa Christiana o moralnoj podjeli rada u demokraciji. Christianovo uključivanje stručnjaka služi umanjivanju epistemičkih tereta koje obični građani moraju podnositi pri demokratskom odlučivanju i umanjivanju količine rada kojeg na sebe u protivnom moraju preuzimati u modernoj demokraciji. Srž mojeg doprinosa raspravi leži u rasuđivanju o tome nosi li se Christianova pozicija uspješno s problemima kognitivnih pristranosti, od kojih ljudi pate pri komuniciranju svojih vrijednosti u demokratskom odlučivanju. Tvrdim da Christianovo shvaćanje stručnosti mora biti prošireno kako bi uključilo arhitekta izbora, koji posjeduju znanja o metodama utjecanja na donošenje odluka. Također tvrdim da je arhitektura izbora društvena činjenica koju informirana deliberativna demokratska teorija mora uzeti u obzir.

KLJUČNE RIJEČI epistemička deliberativna demokracija, stručnjaci, arhitektura izbora, demokratski arhitekti, kognitivne pristranosti, učinci kognitivnih okvira

DEMOCRACY, PUBLIC EQUALITY AND THE MODERN STATE: REPLIES TO BACCARINI, CEROVAC, IVANKOVIĆ, MLADENOVIĆ, PRIJIĆ- SAMARŽIJA AND ZELIĆ

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I am deeply honored by the papers in this symposium. The authors have all devoted an enormous amount of energy and care to thinking about many of the ideas I have written about over the last twenty or so years. I am extremely grateful and humbled by their attention to my work. I have also found every paper to be deeply illuminating; in some cases, I have found myself rethinking my positions; in other cases, I see areas which demand more attention than I have given up to now; in yet other cases I have acquired a deeper appreciation for the challenges that my views and arguments face. In each case, I learned a great deal both from the papers and the discussions about earlier drafts of these papers that took place at a conference on *Equality and Citizenship* at the University of Rijeka on July 1 and 2, 2014.

The following remarks are an attempt to summarize some main parts of the arguments I have given while responding to or taking into account the criticisms of the authors in this symposium. I have focused on areas in which the authors have expressed disagreement with my previous positions and have attempted to respond to them as best I can. I don't think I have responded to every good criticism made of my work and I am sure I have not done full justice to all the criticisms. In a sense, the following remarks should be understood as a contribution to an ongoing dialogue about the foundations and proper structure of a democratic regime. I have organized the papers and my responses in three groups: the first concerns my arguments about the foundations of democracy in public equality; the second con-

cerns my discussion of two distinct versions of the broadly political liberal approach to political philosophy; the third concerns my efforts to think about the ideals of democracy in the context of the modern state and its political division of labor.

Democracy as Grounded in Public Equality

Ivan Cerovac's careful discussion of my position on the nature of the justification of democracy is correct in saying that I do not think that one should speak only of the intrinsic value of procedures. Democratic procedures and processes can and do have instrumental as well as intrinsic value, I think. And I try to make it clear how this can be so, though I don't think I have answered all the relevant questions on this issue.

The first and most important way in which I think instrumental value is essential to democracy is that it is essential to the basic justification of the state. I argue that the state is morally necessary in that it pursues morally urgent tasks such as the establishment of justice and basic security among persons. It also pursues public goods. If the state weren't instrumentally necessary to pursue these goods, then the argument for political democracy would be short circuited right from the start. Democracy, as I see it, is a decision making process that pursues these goods that treats persons as equals in ways they can see treats them as equals. Democracy, as I put it, realizes public equality among persons in the process of attempting to pursue these urgent moral goods.

The idea is that there is substantial disagreement among persons on questions as to what justice requires and how to pursue it and persons are highly falli-

ble in their efforts to understand justice and the public good. They are highly cognitively biased in their understandings of justice and the common good because of their limited experience and limited capacities of inference. Hence the disagreement reflects conflict of interest. The interests in correcting for cognitive bias, in being at home in the world and in being recognized and affirmed as an equal provide the foundation, along with the facts of judgment, for the idea that persons rationally desire to live in a social world that they can see treats them as equals. And since there is significant disagreement on the values and substance of policy, democracy provides a basic way in which citizens can see that they are treated as equals even though policy and law do not always go their way and do not always treat them as equals as they see it. I argue that from a public standpoint there is intrinsic value to democracy because there is a basis of valuing democracy that is independent of the ends that people pursue in democracy. Those ends are controversial in significant part, and so cannot provide a public argument for democracy. But democracy can nevertheless be valued intrinsically as the appropriate egalitarian response to this disagreement and conflict.

Each citizen takes two standpoints on the democratic process. They attempt to use it to pursue what they take to be just and desirable outcomes but they also see that the process provides a public basis on which to treat each other as equals despite their differing goals. This conception of the intrinsic procedural value of democracy has nothing to do with what Rawls calls pure procedural justice since everyone has views about what the best outcomes of the process can be (though they have different views

on these). And I don't think it has much to do with David Estlund's ideas of fair proceduralism or fair deliberative proceduralism, which he mistakenly attributes to me (Estlund, 1998). In *The Rule of the Many* as well as in *The Constitution of Equality*, I argue very clearly that the purpose of the state is to realize justice and that the purpose of societal deliberation is to learn from each other and to improve our understandings of these matters that we are duty bound to pursue. The equality that democracy introduces is a kind of constraint on this process that publically realizes equality among citizens as they enter these processes.

I agree with Ivan Mladenović who, in the midst of his excellent account of the grounds and consequences of public equality, argues that I overstate the significance of publicity in my discussion (Mladenović, *vide supra*). He argues that one does not need to invoke public equality in the justification of institutions as well as interpersonal relations. He is right to say that public equality is especially important in the context of political and legal institutions and need not regulate interpersonal relations. The basic reason for this is that the publicity necessary in the context of a larger society is important for the relations among strangers who can be expected to know little about one another. In the relations among friends and family and maybe even colleagues, the more impersonal norms of public equality need not be as stringent. In these relations the mutual ignorance of interests and concerns does not obtain as strongly and so one can live by norms that imply a great deal more mutual knowledge. It should be said that these norms display a kind of publicity but not the kind that is necessary for society as a whole. As Mladeno-

vic notes, friends and colleagues do share more refined understandings of each other's interests in terms of which they can justify their interactions. This is still a kind of publicity though on a smaller more local scale.

Mladenovic is also correct to take me to task for a certain sloppiness in my characterization of democracy as the unique realization of public equality in collective decision making (Mladenović, *vide supra*). I sometimes speak as if it is the unique realization of public equality *simpliciter*. I mean to say that when collectively binding decisions are to be made, democracy is the unique realization of public equality in the process of collective decision making in the context of pervasive disagreement and conflict. This accords with what he calls the first interpretation of my claim. Once we think of democracy and public equality in this way it is hard to see the merit in Richard Arneson's view that if we had an autocratic regime that brought about just outcomes, that would be sufficient to realize public equality (Arneson, 2004, p. 57). The problem is that the facts of pervasive disagreement and cognitive bias, which I assume are fully accepted by rational persons, would imply that the interests of those not included were not being taken into account. It would clearly imply that all person's interests were not being given equal consideration and that persons were not recognized and affirmed as equals. I would have thought that the same reply would work against Estlund's plural voting suggestion (Estlund, 2009: 245). The trouble is that the standards by which we choose who are the most competent are going to be partisan and the subjects of pervasive disagreement. Since the standards themselves could not be public (given disagreement) it would have to be the case

that given the facts of disagreement and cognitive bias and fundamental interests in having one's judgment accorded respect when these facts obtain, persons would have very good reason for thinking that they were excluded or given less power on the grounds that their interests were of lesser significance.

Cerovac notes that an instrumental dimension comes in to the picture once we accept the Paretian egalitarianism that I defend (Cerovac, *vide supra*). He argues that my arguments against direct democracy, lottery democracy and in favor of democratic deliberation display a dimension of instrumentalism. His idea is that I argue against direct democracy and in favor of representative democracy on the grounds that representative democracy better pursues well-being than direct democracy does. The argument against lottery voting and in favor of democratic voting is also that democratic voting better secures well-being as does deliberation (Cerovac, *vide supra*). But this isn't quite the way I think of the argument for representative and deliberative democracy. The argument in favor of representative democracy is that it gives members of society a greater control over the society by means of having a much more effective way of making decisions. It is a Paretian egalitarian argument in that it argues that though direct democracy does seem to give greater equality in control over the society than does representative democracy, because the process of decision making is likely to be so ineffective since it makes no use of an intellectual division of labor, everyone gains in control over the society through representative democracy. Of course, a division of labor always threatens to realize a certain amount of inequality in power but even the power of the least powerful is likely

to be greater than under direct democracy. So it is not so much well-being that is the prime mover in the argument, it is political power that is the very purpose of democracy to distribute equally. It is enhanced by representation. I think a similar argument can be run against non-deliberative views of democracy. Part of the egalitarian condition of democracy is that it tries to realize an equality in the cognitive conditions of political decision making. The idea is that open deliberation is a way to enhance these cognitive conditions throughout the society. The Paretian egalitarian idea that inequality of some good is more just than equality if everyone has more of the good in the unequal state now applies to the cognitive conditions.

One place where outcomes play a central and unqualified role in my account of democracy is when issues of the realization of public equality are at stake. I argue that democracy is a realization of public equality but I also argue that equal liberal rights are public realizations of equality as is a basic economic minimum for all. But this implies, I argue, that there is an internal limit to the authority of democracy in that a democratic decision that violate these requirements of public equality loses its authority. Here the idea is that public equality can provide an outcome standard for democracy in some cases. Democracy can be evaluated in terms of whether it protects public equality in the form of democracy or in the form of liberal rights or economic rights. Here the central argument for the intrinsic value of democracy comes up against a limit. The main argument is that democracy has intrinsic value because for many decisions there are no outcome standards that are public standards. But this is not true in the case of democratic, liberal or

economic rights. They are public standards and so can be used to criticize democracy from the public standpoint. So here we can see that democracy can be intrinsically just when it comes to making decisions on which there is reasonable controversy but it can also be straightforwardly instrumentally valuable when it comes to decisions that concern matters at the core of public equality (Christiano, 2008, chap. 7). I have also argued since then that democracy does have great instrumental value in protecting certain basic rights of physical integrity (Christiano, 2011).

Democracy and Public Reason

Professor Baccharini's and Zelić's papers pose deep challenges to the approach to political philosophy that I have developed. In my book and some other articles I argue against a view of deliberative democracy that asserts that citizens must argue for law and policy on the basis of shared reasons and must abstain from arguing on the basis of reasons that are not shared even if they think that they are the correct reasons. I call this the narrow conception of deliberative democracy. I argue in favor of the wide conception of deliberative democracy that citizens may and ought to defend proposals on the basis of what they take to be the correct reasons whatever these are. My target in this discussion is Joshua Cohen's widely adopted conception of deliberative democracy (Cohen, 1993). I argue against this view that it is not required by any plausible conception of epistemic justification. I argue that it is not implied by any plausible conception of respect for the rational capacities of persons. I argue that it cannot avoid implying that a very demanding form of consensus is required by this approach,

contrary to the avowed aims of the theorists who defend this view. And finally I argue that the view is not required by the demand that citizens treat each other as equals, indeed it threatens to introduce a form of invidious inequality.

The last two arguments go beyond criticism of Cohen's arguments to suggest deep problems in the ideal itself (Christiano, 2008, chap 5). The argument that the view requires an excessively demanding consensus is motivated by the following considerations. The Rawls and Cohen requirement of deliberative abstinence is grounded on the idea that it is more oppressive to persons when they live in a society regulated by some terms they do not accept than when they live in societies that do not conform to their ideas of justice (which may be controversial). For example, if I am committed to the ideas that people should be rewarded in accordance with their pre-institutionally defined deserts or that justice requires a certain kind of community and these are controversial, then by the requirement of deliberative abstinence I must be content to live in a society that ignores these principles. In other words I must be content to live in a society in which people do not receive their just deserts and I must respect the property of those who have more than they deserve while ignoring the fact that some have less than they deserve. The idea behind deliberative abstinence suggests that living in a society that implements these principles is worse for the person who rejects them than is living in a society that ignores these principles for the person who accepts them. But it is simply not clear what justifies this asymmetry. If there is symmetry between these two problems, then either we must give up on deliberative abstinence and reject the idea that these are really viola-

tions or we must demand a much higher level of agreement on principles of justice than is compatible with the normal conditions of free political societies.

Nebojša Zelić questions whether a genuine symmetry arises in many cases. He invokes the case of stem cell research. The dispute arises because some think it is wrong to harvest stem cells from eggs that have been fertilized and then destroyed on the grounds that the fertilized eggs are persons. They think it is wrong to kill persons in order to improve the life chances of others. Others do not think of the fertilized eggs as persons and so see the conflict only between life and improved life chances of persons and so regard the trade off as acceptable (Zelić, *ms 15*). Zelić argues that there is no symmetry here because on the one side there are generally accepted reasons (improvement of life chances) while on the other side are reasons that are specific to a particular comprehensive doctrine. The latter impose something that they should not impose. But I think that this misconstrues the symmetry claim. My symmetry claim is that those who believe that persons are being murdered by this policy but who must nevertheless permit it to happen and contribute to a state that protects this activity are no less oppressed than someone who is required to stand by and watch people's life chances be diminished because some believe that stem cell harvesting is a kind of murder. The one must watch murder occur for the sake of a lesser good (because some don't think it is murder) while the other must stand by and watch people suffer because some think it is murder to do what is necessary to help them. The underlying motivation for the restriction to public reasons is the idea that it is oppressive to live by principles that one does not accept. I claim that this

oppression can just as easily occur for someone who does believe in certain principles and watches the society violate them and who indeed must contribute to the institutions that do this.

Zelić argues against the symmetry in two ways as far as I can see. One, he says that the opponents of stem cell research cannot say that some other "narrow moral community won" (Zelić, *vide supra*) if stem cell research were performed while the proponents could say, I assume that the narrow religious community won if stem cell research was performed. Presumably this is because the purpose of the stem cell research is one that can be accepted on all sides, namely improving life chances, while the reason for stopping it, namely saving a fertilized egg because it is a person, is not accepted on all sides.

But this just seems to me to conceal the symmetry issue. It isn't at all clear that the opponents could not see their defeat as a result of a narrow moral community namely the community that does not think that fertilized eggs are persons. That is, after all, the original motivation for saying that one shouldn't stop the research. But the main point, in any case, is that the opponents must experience the society, of which they are a part and to which they contribute, as murdering persons if the research goes ahead, while the proponents must experience the society as one that does not properly care for persons if the research does not go through.

Zelić also argues that "It would be wrong to deprive people of some good or diminish certain political value on the basis of the belief that we cannot reasonably expect that these persons can accept" (Zelić, *vide supra*). Here the proposed asymmetry is that some people are losing a generally recognized good

when the research is not done but no one is losing a generally recognized good when the research is done. But this is merely an affirmation of the public reason principle. The question I ask is, why is it wrong or problematic? And the answer I see in Rawls and Cohen is that it is oppressive to live with others on terms one does not accept. Once we put it in this way, the question of symmetry becomes is it oppressive to live in a society that refuses to accept the principles of justice one accepts and engages in many actions that violate those principles? Again, I don't see that there is an asymmetry here.

The second argument I give is that it is unclear how the deliberative abstinence advocated by Cohen is required by the idea of treating others as equal democratic citizens. I treat my fellow citizens as equals when I make sure that they have equal votes, resources for bargaining, opportunities to participate in deliberation and when I give them a respectful hearing when they present their views. The worry with the idea of deliberative abstinence is that it implies that one need not give another a respectful hearing when it challenges the commonsense morality of the society (to the extent that there is one). This looks like it has the potential for recommending that some people not be listened to and thus has the potential for implying that some are treated as less than equals.

Zelić questions whether I have given an adequate basis for community in my account of democratic deliberation (Zelić, *vide supra*). My intention with the idea of public equality is to give a kind of basis for community. Remember that public equality is meant to serve as a realization of the recognition and affirmation of each person as an equal, which I posit as a fundamental interest. Persons

are duty bound to treat their fellows as equals and to affirm their equality and they are duty bound to try to define social life in a way that advances the interests of all of their fellows. The egalitarian pursuit of the common good is the fundamental idea here. But, of course, people have very different ways of conceiving of this more abstract idea and this will give rise to wide deliberation. I should add that I do not think that the account of equality in deliberation is merely distributional; my view is that one must listen to others in the process of deliberation and treat their views with respect. This involves a genuine attitudinal component. Two points are worth noting here about this. One, the kind of community I am proposing is somewhat thinner than the Rawlsian one; this is because I recognize the legitimacy of a much wider array of disagreements. I think this is truer to our experience of the modern state and society. Two, the value of community is grounded in deeper values. It is grounded in the values of human well-being and of equality. In this sense, I think of myself as giving a kind of relational conception of equality with the theory of public equality but grounding it in a deeper conception of the value of humanity and equality.

Professor Baccharini accepts that my arguments may be good ones against the version of deliberative democracy that Cohen advances. But he proposes instead an alternative view of the Rawlsian project that does not fall prey to the same problems. The alternative proposal is that the Rawlsian project is really concerned to establish the coherence of liberalism and that for this to be established one need only assume a highly idealized set of citizens who actually do agree on all the main ideas of justice and their specifications. The ideal of public reason

here is that all citizens reason on the basis of shared reasons as in the view I have criticized but here the idea is that those shared reasons are “constitutive” of the ideals of freedom and equality and the idea of society as a fair system of cooperation (Baccarini, *vide supra*). In other words to argue in terms of any other reasons aside from these is to fail to treat one’s fellow citizens as free and equal. In an ideal society we assume that everyone thinks in terms of these reasons because they all think in terms of treating each other as free and equal (Baccarini, *vide supra*). Thus the problem of asymmetry is avoided because we are assuming a kind of consensus on all the ideas of justice. And the problem of democratic equality is solved because there is agreement on these ideas and so no one is ignored in the process of deliberation. Hence the criticisms I direct at Cohen’s project do not apply.

Baccarini suggests that this approach has a main advantage over the view I have defended. My view advances of picture of democratic society in which there is a great deal of disagreement about justice. It proposes to resolve the disagreement in an egalitarian way by giving persons equal political power in the process of collective decision making, and constraining collective decision making by giving persons equal liberal rights, an economic minimum and by altering the process of collective decision making in order to avoid, when necessary, the problem of persistent minorities. All of these ideas are grounds for institutional constraints on collective decision making. And when the constraints are violated, say when a group’s freedom of expression is violated by a particular set of laws, those laws lose some of their democratic authority. All of this is supposed to be tied together by

the idea, which I defend at length, that each of these constraints are realizations of public equality, the very same principle that grounds democracy in the first place. Hence, the activity of collective decision making is limited by appeal to the same principle that undergirds the justice of that collective decision making. Hence, I argue that there are internal limits to democratic authority.

In essence Baccarini’s claim that the Rawlsian approach he favors is superior to mine comes down to the idea that my approach is not a particularly efficient way of protecting the freedom and equality of citizens and it is risky. This is because I do not impose a constraint on how citizens are to reason aside from the requirement that they reason in good faith on the basis of norms of the common good and justice. People are permitted to say whatever they think is right but if they land on an idea that violates public equality, they will not be able to achieve their aims through the democratic process. Baccarini thinks it is better if we envision a society in which people are not reasoning in terms of norms that violate freedom and equality. This provides a much better and cleaner guarantee of the liberties and democratic rights of citizens and of the protection of citizens from permanent minority status. If all citizens act and participate on the basis of the right conception of justice and of the right specification of that conception, what can go wrong?

It is not obvious to me that nothing can go wrong when citizens all act on the basis of the right conception of justice, properly specified. The familiar expression, “The road to hell is paved with good intentions,” comes to mind here. For one thing, they may have the correct moral ideas but false empirical beliefs which may lead them to construct insti-

tutions that curtail liberties in ways not envisioned. A simple example of this might be the case of sexual harassment. For a significant period of time it was not thought that free-wheeling discussion in the office of sexual activities could be intimidating and ultimately oppressive to the women. The women themselves may not have had a clear idea that this had a silencing and oppressive effect on them. It took a few decades to elaborate the conceptual framework of sexual harassment and some empirical understanding of its effects. To be sure, many of the people engaged in this activity were not particularly concerned with the freedom and equality of their female co-workers but I think we can imagine that a society of persons devoted to freedom and equality could fail to understand the effects of what we now call sexual harassment. Therefore, despite their devotion to the right reasons, they may still create an oppressive atmosphere for many of the women in the society undermining their abilities to act as free and equal participants. So there can be objective violations of the freedom and equality of persons even when persons act on the right conceptions of justice. The point of my view is that there are certain objective limits on what people may do to each other whether they are acting in good faith or not.

But my main issue with Baccharini's idea is that though this may well be a useful theoretical enterprise, it does not solve the problem that I think we need to solve when we are thinking of a just society. The problem is that there is pervasive disagreement on what justice is and on what the correct specifications of freedom and equality are. I take this to a problem that defines a main task of political philosophy. It is not very different from the problem Rawls described when

he said that we need to devise a conception of justice for a society in which persons have fundamentally different conceptions of the good life. Here the idea is that we need to devise a conception of a just society in which persons have very different conceptions of justice. The specific question I pose is: how is it possible for persons to treat each other as equals despite a great diversity of views about the good life and about justice? And my solution is to give persons equal power to participate in collective decision making and equal liberal rights to participate in the creation of the more localized worlds they live in. When there is disagreement, let these persons work out how they live together on the bases of their own judgments against the background of equal power. The idea both determines the conditions under which they devise terms on which they live together and it defines certain limits to what they can decide since they must respect the underlying principles both in public and in private life.

There are two distinct things to be said about this process of respecting the disagreements. First, I am trying to develop a conception of what is involved in respecting others in the context of pervasive disagreement. That is the problem to be solved and it cannot be solved by either of the two Rawlsian ideas on offer because they both assume away the fundamental condition to be dealt with. But there is a second consideration here as well. This is the broadly Millian idea that the contest of ideas in political society can itself be a fruitful and highly desirable process even when the contest is between really bad ideas and better ideas (Mill, 1989, chap. 2). The idea is that this contest is a condition of progress in the development of our understanding of justice, the common good and our inter-

ests. Again, the underlying assumption is that we are very limited in our abilities to grasp justice and that we have deep interests in being able to develop a better understanding of justice. This underlying assumption, which I think is deeply correct, is simply assumed away in the picture Baccarini proposes. To be sure, for all we know, he is right that the Rawlsian picture is the final word on justice in society. But I doubt this is correct: induction from reflection on the past assertions of certainty and the many substantive problems of the Rawlsian picture lead me to think that we can go a long way to improve our understanding of justice and that this will be in significant part enabled by the existence of a democratic and liberal society. To be sure, there is no guarantee we will arrive at a more just society and a better appreciation of justice; society has gone off the rails many times before. But I think our best hope is that we can make progress while treating each other as equals in a democratic and liberal society.

Democracy and the Division of Labor in Political Societies

Professor Prijic-Samarzija's essay is an excellent account of some of my efforts to find a reconciliation between the democratic ideal of free and equal citizenship and the need for an intellectual division of labor in the making of collective decisions. The history of western speculation in political philosophy starts with Plato's idea that democracy and the division of labor in political decision making are incompatible and that this works to the detriment of democracy since the division of labor is essential to political societies. I have made a number of efforts to solve this problem. The first effort in *The Rule of the Many* attempted

to determine what kind of role citizens could play in an intellectual division of labor in collective decision making. The constraints I imposed on this pursuit were (1) that the role would be such that it would be compatible with citizens being essentially in the driver's seat in political decision making and (2) that the role does not assign them a task that would be overly demanding and incompatible with their work and family and other pursuits. My basic answer to this question was that if citizens determine the aims that a society is to pursue and the rest of the division of labor faithfully pursues those aims to the best of its ability, then the citizens are in the driver's seat. Of course the aims have to be reasonably determinate and citizens must decide on the trade-off schedules when there is conflict. These aims are concerned primarily with the basic values a society is to pursue and the constraints that a society must respect in the pursuit of various goals. The basic idea is that there is not the same kind of expertise in the case of the choice of aims because there is a great deal of disagreement on the basic set of values and their ordering. The idea of publicly acceptable moral expertise is not available in modern societies. This is not to say that individuals cannot recognize persons who may be superior in terms of the knowledge relevant to choice of aims, but only that there is no public standard. Citizens must choose who is most worthy of being listened to and they must choose this against a background of equal political power since any officially established unequal distribution would imply a public favoring of some persons' interests over others.

My thought was that as long as the rest of the division of labor faithfully pursued the aims of citizens, which

would be chosen in some majoritarian way, the society would be democratic. Citizens could be in the driver's seat and they could be equals in this position. But I eventually turned to the problem of how the rest of the division of labor would have to be structured so as to realize this role of faithfully pursuing the aims of citizens. And here I developed the idea of a realistic system in which experts' and elites' activities would be concerned primarily with pursuing the aims of the citizens, a system which Professor Prijić-Samaržija describes well. It is meant to ensure that experts are devoted to pursuing the knowledge necessary to advance citizens' aims and are concerned to put it to the proper use. Organizations such as political parties and interest group associations can be designed with an eye to ensuring this, I argue, as long as the mechanisms of solidarity, overlapping knowledge, competition and sanctions are put to work in the right institutional configuration. I did argue here that citizens have an important role to play in the generation of this expert knowledge. If expert knowledge is genuinely to be focused on advancing the interests of citizens the development of it must in some way be responsive to the diversity of interests in the society (See Christiano, 2012).

But Professor Prijić-Samaržija points to a worry in my discussion to which I was not sufficiently alert before she showed it to me in the original version of her paper that she presented to me at the Summer School in Rijeka in June 2014. She points out that my discussion is exclusively concerned with establishing the objective reliability of the social system in producing knowledge that is capable of advancing citizens' aims (Prijić-Samaržija, *vide supra*). There is no intrinsic concern for the idea that citizens ought

to in some way have a kind of rational confidence that their aims are being pursued as best they can. This seems to me now to be an unattractive picture of a democracy. The original picture is one in which citizens choose the aims and then have no knowledge of whether these aims are pursued or not. As long as they are pursued, my initial idea was that democracy is realized. But now Prijić-Samaržija has persuaded me that it is important that citizens have some kind of reasonable basis of confidence that the aims are being pursued and that there are some mechanisms that can tell them when they are not being adequately pursued. It is not enough that citizens choose the aims and the aims are being pursued, the citizens must have some reasonable confidence that this is so and citizens must be able to respond when that confidence has been undermined.

Initially I thought this kind of reasonable confidence would be hard to come by without imposing excessively demanding information requirements on citizens since it seemed they would have to have some of the knowledge experts have. That is why I resisted the idea that citizens must have reasonable confidence that the society is pursuing their aims. But Prijić-Samaržija points out that the very mechanisms I spell out that are meant objectively to ensure that the system is working can also give citizens reasonable confidence in the system. They can provide reliable low information shortcuts for citizens to see that the system is working to pursue their aims. The mechanisms of solidarity, overlapping knowledge, competition and sanctions can ensure that alarm bells go off when, for example, the science a political party relies on has become seriously deficient by the lights of the relevant intellectual community. Citizens do not have to have

the relevant knowledge to know when the ideas no longer live up to the standards of the community. To be sure citizens are not in a position to evaluate a lot of the disagreements that occur among experts. But they will have a sense when the views are seriously deficient because the intellectual community has incentives to bring out the deficiencies. Hence citizens can have reasonable confidence that the expert opinion their legislators rely on is at least not seriously deficient to the extent that no alarm bells go off. I have developed these ideas in more detail in the article "Voter Ignorance Is Not Necessarily A Problem" (Christiano, 2015).¹

Finally, I come to the paper by Ivanković. I find his discussion mostly quite persuasive and it is an especially relevant discussion for me because of my view that it is essential to think about democratic ideals in the context of the real institutional possibilities for realizing egalitarian ideals. My work in *The Rule of the Many* and in the later essay Ivanković discusses takes very seriously the idea that the ideals of democracy must be realizable in an institutional way. Furthermore, I think that our conception of democracy can be transformed by an understanding of how to realize it in institutional contexts. My own work so far has focused on the problem of low information rationality

in the context of a division of labor and how democratic ideals can be made sense of in this context. Much empirical literature has focused on the necessity of shortcuts for citizens in this context (Christiano, 2015) and I have tried to integrate that into an understanding of democratic ideals.

I agree with Ivanković that an appreciation of cognitive bias and framing is essential to an understanding of democracy. Indeed, one of the cornerstones of my argument for democracy includes a conception of fundamental cognitive biases and the need to correct them. But I also agree that much more needs to be said about this. Two points can be noted. One, cognitive bias and framing are, as Ivanković says, features of everyday cognition that need to be taken account of in the making of legislation. I think the account of expertise can go some way to accommodating this concern. A second point is that framing and cognitive bias can, when not properly taken account of, threaten the heart of democratic decision making. This is particularly true when we are dealing with the kind of low information rationality that occurs in modern democratic societies. The need for shortcuts to cut information costs can easily be manipulated when citizens are not paying close attention. But it should be noted here that part of the point of large scale democratic deliberation is to find ways to reduce the opportunities of manipulation of citizens through an adversarial process. But these are points that need much greater elaboration and I thank Professor Ivanković for drawing my attention to these issues.

¹ There is a voluminous literature on information shortcuts and low information rationality in politics. Two of the seminal contributions are: Popkin, 1994 and Lupia and McCubbins, 1998.

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Studije

PIKETTY, EKONOMIJA I SOCIOLOGIJA: ZNANSTVENA I POLITIČKA AGENDA O NEJEDNAKOSTI

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Sažetak Ovaj rad kritički razmatra rad Thomasa Pikettyja o nejednakosti, s posebnim fokusom na recepciji njegovih ideja u društvenim znanostima. Najprije se kvantitativnom analizom tekstova koji citiraju Pikettyjeve najvažnije radove istražuje recepcija Pikettyja u akademskim raspravama. Zatim se detaljnije razmatraju tipovi kritika koje dolaze iz ekonomije i sociologije, dviju često suprotstavljenih disciplina koje su se najviše posvetile raspravama o Pikettyju. Ovaj rad nadopunjuje postojeće kritike dodatnim prijedlozima koji su relevantni za znanstveno bavljenje nejednakošću i za proces zamišljanja reformi koje bi se s nejednakošću mogle nositi.

Ključne riječi Piketty, ekonomija, sociologija, nejednakost

Uvod

U ovom se tekstu kritički analizira rad Thomasa Pikettyja, ponajprije u svjetlu njegove recepcije u društvenim znanostima. Piketty je uspio uhvatiti duh vremena te zanimanje šire javnosti za nejednakost pretvoriti u velik komercijalni uspjeh, rijetko viđen kod akademskih autora. Nakon osvajanja ljestvica čitanosti *New York Timesa* i *Amazona*, Pikettyjeva je knjiga *Kapital u 21. stolje-*

ću konsolidirala temu nejednakosti kao jednu od najvažnijih političkih i ekonomskih tema 21. stoljeća. Kako vrednovati Pikettyjev rad? Kakva je bila recepcija njegovog rada u društvenim znanostima? Da li sociologija i ekonomija – često suprotstavljene discipline – drugačije gledaju na Pikettyja? Kako bi se njegov pristup mogao dalje razvijati? Kako bi se njegove *policy* preporuke za smanjivanje nejednakosti mogle nadopuniti?

Ovaj rad pokušava dati odgovore na ta pitanja. Rad je organiziran na sljedeći način. Prvi dio daje kratki sažetak osnovnih Pikettyjevih nalaza i teza, fokusirajući se uglavnom na *Kapital*, kao njegov glavni rad. Drugi dio predstavlja rezultate kvantitativne analize tekstova koji citiraju Pikettyjeve najvažnije radove. Za potrebe ove analize, sakupljeno je oko 250 radova koji citiraju Pikettyja u raznim znanstvenim publikacijama. Treći i četvrti dio detaljnije razmatraju kritike koje Pikettyju upućuju ekonomija i sociologija. I na kraju, peti dio predstavlja nadopunu postojeće sociološke i ekonomske kritike. Ovaj posljednji dio rada daje neke sugestije o tome kako bi se Pikettyjeva istraživačka i reformatorska agenda mogla dalje razvijati, nakon što je Piketty svojom spektakularnom popularnošću afirmirao nejednakost kao jednu od ključnih tema našeg vremena.

Glavni se zaključci ovog rada mogu sažeti na sljedeći način. Recepcija Pikettyja u društvenim znanostima relativno je uravnotežena. Sličan postotak radova čita njegov doprinos u pozitivnom kao i u negativnom svijetlu. Recepcija je Pikettyjevog rada u sociologiji bila nešto pozitivnija nego u ekonomiji. Što se tiče konkretnih kritika, ekonomisti češće kritiziraju definicije koje Piketty upotrebljava te osporavaju neke mjere koje on konstruira. S druge strane, sociolozi češće kritiziraju način na koji Piketty definira klase i nedostatak sistematičnog teoretiziranja uloge političkog djelovanja i društvenih pokreta. Ova je posljednja kritika posebno relevantna jer upućuje ne samo na relativno ateorijske osnove Pikettyjevog pothvata već i na slabosti u potencijalnoj provedbi njegove glavne *policy* preporuke, globalnog progresivnog poreza na bogatstvo. Zato posljednji dio ovog rada skicira određene

ne alternativne politike koje bi se mogle zamisliti jednom kada se izađe iz tehnokratskog okvira unutar kojeg razmišlja Piketty.

Prikaz Pikettyjevih ideja

Glavno pitanje koje si Piketty postavlja u *Kapitalu* jest vodi li na dugi rok kapitalizam do više ili do manje nejednakosti. Crni scenarij – da kapitalizam dovodi do sve veće koncentracije bogatstva – ponudio je Karl Marx (Piketty 2014: 9). Alternativnu i mnogo optimističniju priču ponudio je Simon Kuznets, po kojem nejednakost raste u inicijalnoj fazi ekonomskog rasta, a počinje opadati kako zemlje konvergiraju ka modernom tipu industrijalizirane privrede (Piketty, 2014: 22-23).

Da bi odgovorio na ovo pitanje, Piketty je sakupio podatke o poreznim prijavama za nekoliko zemalja, od kojih se najduže vremenske serije mogu konstruirati za Francusku, Veliku Britaniju i SAD. Na temelju tih podataka – od kojih neki sežu do kraja 18. stoljeća i početka 19. stoljeća – Piketty je u stanju dati nove uvide u dugoročne distribucijske trendove. Podaci koje je Piketty prikupio u suradnji s kolegama Emmanuelom Saezom i Anthonyjem Atkinsonom glavna su prednost ove knjige. Dosad nije napisana knjiga o nejednakosti koja bi raspolagala podacima usporedive kvalitete. Treba pri tome napomenuti da je čitava baza podataka “World Top Incomes Database” javno dostupna.¹

Za Pikettyja je nejednakost važna jer stabilnost kapitalizma ovisi o tome da se društvena elita legitimira meritokratski. Bogatstvo mora u neku ruku biti zaslužno, tj. mora biti rezultat produktivnih

¹ Vidi: <http://www.wid.world/>. Pristupljeno 4. travnja 2016.

poduzetničkih aktivnosti. Međutim, ukoliko je bogastvo uglavnom zasluga pretходne akumulacije na temelju koje najbogatiji pojedinci mogu uživati rentijerski stil života, legitimnost kapitalizma biva duboko uzdrmana. Upravo na toj smjer nas navodi Pikettyjev glavni zaključak, njegovo “središnje proturječe kapitalizma” (Piketty, 2014: 677): stopa povrata na kapital r je na dugi rok veća od stope ekonomskog rasta g , što vodi do stvaranja velikih dinastijskih bogatstava. Po njegovim je izračunima dugoročni r između 4 i 5 posto, a g između 1 i 1.5 posto (Piketty, 2014: 110-112, 400-406). Odnos $r > g$ bi zbog toga mogao pretvoriti društvo 21. stoljeća u rentijersko društvo tj. u patrimonijalni kapitalizam u kojem bi odnos naslijeđenog naspram zasluženog bogatstva stalno rastao, destabilizirajući time i sam kapitalistički poredak.

Takvo je rentijersko društvo već postojalo u razdoblju prije Prvog svjetskog rata, Velike depresije i Drugog svjetskog rata. Međutim, ovi su šokovi uvelike komprimirali distribuciju nejednakosti koja se do tada relativno spontano razvijala. Najveća bogastva uklonjena su kombinacijom fizičkog uništenja, inflacije i konfiskatornog oporezivanja. Međutim, ti su događaji iznimka dok se na dugi rok ponovno nameće tendencija $r > g$. U suvremenom kontekstu usporenog demografskog rasta i usporenog porasta produktivnosti (Piketty, 2014: 99, 111-112), ne treba očekivati da će se stope ekonomskog rasta podići dovoljno visoko da neutraliziraju ovu tendenciju. Piketty iz toga ne izvodi radikalne zaključke, već predlaže progresivno oporezivanje. Premda Piketty spominje Marxa i “kapitalistička proturječja”, te u naslovu aludira na Marxov *Kapital*, njegova knjiga i metodološki i politički ostaje na terenu umjerene kritike. Za sebe tvrdi da

je doživotno “cijepljen” protiv lijenog ljevičarskog antikapitalističkog diskursa (Piketty, 2014: 42). Vjerojatno je takvo retoričko pozicioniranje izvan “ekstrema”, bilo lijevih bilo liberalnih, pomoglo Pikettyjevom *Kapitalu* da postigne veliki komercijalni uspjeh.

Prema Pikettyju, rentijersko je društvo zapravo normalna tendencija kapitalizma, a razdoblje sredine dvadesetog stoljeća – iznimka. Da bi nadopunio kvantitativne podatke, Piketty se često koristi primjerima iz beletristike i popularne kulture. Najčešće se oslanja na romane Jane Austen i Honoréa de Balzaca, u kojima se mogu pronaći opisi rentijerskog društva te brojni likovi koji dobro shvaćaju da je do bogatstva mnogo lakše doći brakom ili naslijeđivanjem nego radom. U devetnaeststoljetnom je društvu povrat na kapital toliko stabilan da likovi iz romana Jane Austen bez problema mogu izračunati koliko bi nečiji imetak trebao biti velik da bi omogućio rentu za lagodan život (Piketty, 2014: 233-234). Balzacovi likovi, najupečatljivije Vautrin iz romana *Otac Goriot*, pak vrlo uvjerljivo argumentiraju da se napornim radom nikad ne može doći do bogatstva koje bi bilo potrebno za ugodan život u krugu pariške elite (Piketty, 2014: 268-270).

Ovaj fokus na bogatstvo pomalo je neobičan za ekonomiste. Njegova definicija kapitala odudara od uobičajene. Naime, za Pikettyja kapital ne uključuje samo strojeve i ostali kapital koji izravno sudjeluje u proizvodnji, već i bogatstvo. To uključuje sve ono nad čime pojedinci drže vlasnička prava (kuće, automobile i umjetničke kolekcije), te sve ono što posjeduju na svojim računima, umanjeno za moguća dugovanja (Piketty, 2014: 56-58). Ovaj pristup odudara od konvencija u ekonomiji, ali omogućuje Pikettyju da na jednostavan način kvantificira odnos prošlosti (akumulirano bogatstvo) i sa-

dašnjosti (nacionalni dohodak). Na temelju podataka pokazuje da je ovaj odnos obično oko 6 naprema 1 (Piketty, 2014: 61-62). Zato Piketty može reći da “prošlost proždire budućnost” (Piketty, 2014: 677).

Pikettyjevi su podaci raznovrsni i bogati. Veći dio knjige fokusira se na najbogatiji percentil imovinske distribucije, tj. na top 1 posto.² Podaci dobiveni iz poreznih prijava omogućuju potpuniji uvid u dio imovinske distribucije koji obično ne biva zahvaćen metodama kao što su ankete. Međutim, porezne agencije u većini zapadnih zemalja uživaju dostatan ugled pa čak i bogati građani uglavnom surađuju pri predaji porezne prijave. U Francuskoj su podaci najbolji zbog vrlo modernog sustava prikupljanja poreznih podataka koji je uspostavljen još za vrijeme Francuske revolucije. Osnovni trend koji vrijedi za većinu zapadnih zemalja, ali i za mnoge zemlje u razvoju (Piketty 2014: 371), jest porast nejednakosti u posljednjih tridesetak godina. Razlike između zemalja postoje i dalje te je porast udjela ukupnog bogatstva koji pripada najbogatijem postotku najveći u anglosaksonskim zemljama, pogotovo u SAD (Piketty, 2014: 358-359, 362-263). Osim podataka o nejednakosti, Piketty iznosi niz zanimljivih podataka o kretanju javnog (državnog) kapitala naspram privatnom kapitalu, o kretanju javnog duga, te o kretanju poreznih stopa.

Upravo oporezivanje vidi kao glavno rješenje za postojeći porast nejednakosti

² Pri tome volje napomenuti da je sama distribucija fraktalnog karaktera pa je unutar top 1 posto top 0.1 posto mnogo bogatiji od ostatka tog percentila, a unutar top 0.1 su pak mnogo bogatiji top 0.01 posto i tako dalje sve do nasljednice L'Oréala Liliane Bettencourt, omiljenog Pikettyjevog primjera (Piketty, 2014: 508, 614).

i kapitalizmu inherentnu tendenciju $r > g$. Pred kraj knjige Piketty izlaže svoju glavnu *policy* preporuku: progresivno oporezivanje. Po mogućnosti, taj bi se porez uveo na globalnoj razini (Piketty, 2014: 602-605), ali moglo bi se započeti i na europskoj razini (Piketty, 2014: 619-623). Piketty predlaže porezne stope od 0.1 posto za bogatstva do 200 tisuća eura, 0.5 posto za bogatstva do 1 milijun eura, 2 posto za bogatstva do 5 milijuna i 5 posto za najveća bogatstva (Piketty, 2014: 621-622). Razmatra i druge scenarije kojima se može smanjiti nejednakost, poput inflacije (Piketty, 2014: 151, 524). Međutim, inflacija je proces kojim je teško upravljati, a upitno je da li pogoda najveća bogatstva. Osim toga, progresivno oporezivanje imalo bi tu prednost da bi se moralo provesti zakonima pa bi imalo i veću demokratsku legitimaciju. Zato Piketty svoju knjigu završava apelom da se razmotri porezna reforma na globalnoj razini.

Kvantitativna analiza citata

Kakav je bio odjek Pikettyjeva rada u društvenim znanostima? Tko ga citira? Kako ga se citira? Da bi se dali odgovori na ova pitanja, prikupljeni su podaci o radovima koji citiraju Pikettyjeve najvažnije radove. U široj je javnosti najzapaženiji Pikettyjev rad zasigurno njegov *Kapital*. Međutim, Piketty je u akademskim krugovima postao poznat starijim člankom napisanim u koautorstvu s Emmanuelom Saezom. Riječ je o članku “Dohodovna nejednakost u SAD, 1913-1998.” koji je objavljen u *Quarterly Journal of Economics* (Piketty i Saez, 2003). Ovaj rad predstavlja dio prikupljenih podataka o nejednakosti, uglavnom je deskriptivne prirode i ne sadrži širu argumentaciju koju je Piketty dodao u *Kapitalu*. “Dohodovna nejednakost” i *Ka-*

pital su njegovi najcitiraniji radovi. Zbog popularnosti “Dohodovne nejednakosti” bilo je potrebno prikupiti informacije o radovima koji citiraju i taj tekst, a ne samo o radovima koji citiraju *Kapital*. Kombiniranjem *Kapitala* i “Dohodovne nejednakosti” može se steći uvid u različite Pikettyjeve osobe: (1) pesimistični Piketty iz *Kapitala* ($r > g$) i (2) uglavnom neutralni sakupljač podataka iz “Dohodovne nejednakosti.”

Kako su podaci prikupljeni? Najprije se pretragom na bazi *Google Scholar* došlo do popisa radova koji citiraju *Kapital*. Prvih je 100 radova uključeno u analizu. Radovi su rangirani prema tome koliko često su sami citirani. Ista je procedura ponovljena za “Dohodovnu nejednakost.” Zatim, napravljena je pretraga za riječ “Piketty” u nekoliko najvažnijih baza za društvene znanosti: *EconLit* za ekonomiju, *SocINDEX* za sociologiju i *Worldwide Political Science Abstracts* za političku znanost. Uključeni su radovi koji su citirani barem jednom. Radovi koje je napisao Piketty ili jedan od njegovih glavnih koautora (Atkinson i Saez) bili su isključeni. Također su bili isključeni neakademski radovi kao što su tekstovi o Pikettyju objavljeni u *New York Timesu*, *The Economistu* ili na blogovima. Sve u svemu, to je rezultiralo bazom od 255 radova.

Kakvi se uvidi mogu dobiti iz ovih podataka? Sljedeće su kategorije kodirane za svaku jedinicu: (1) da li je Pikettyjev rad evaluiran kao pozitivan? (2) da li je Pikettyjev rad evaluiran kao negativan? (3) da li je citat Pikettyja u osnovi kurtoazan, tako da se umjesto njega moglo citirati neki drugi rad o nejednakosti? (4) da li se Pikettyja citira kao izvor podataka, tj. da bi se potkrijepila empirijska tvrdnja poput: “U posljednjih je nekoliko desetljeća bogatstvo najbogatijih 1 posto naglo poraslo.” Također je

praćeno koliko svaki rad u bazi ima citata. Ova je informacija uzeta iz baze *Google Scholar*. Dalje, za svaki je tekst unesena i informacija o tome koliko se puta spominje Pikettyjevo ime. Ovo je uzeto kao indikator detaljnosti kojom se tekst bavi Pikettyjem. Svaka je jedinica kodirana dva puta, a provjere pouzdanosti kodiranja bile su relativno visoke. Za Cohenovu Kappu i Krippendorffovu Alphu dobivene su vrijednosti od oko 0.93.

Što kažu podaci? Tablica 1 prikazuje deskriptivnu statistiku. Najprije treba reći da je postotak radova koji predstavljaju pozitivno čitanje Pikettyja otprilike isti kao postotak radova koji predstavljaju negativno čitanje Pikettyja (oko 20 posto). Pri tome valja napomenuti da postoji razlika između recepcije *Kapitala* i “Dohodovne nejednakosti.” U usporedbi s “Dohodovnom nejednakošću”, *Kapital* ima viši udio i negativnih i pozitivnih evaluacija. Prema tome, *Kapital* izaziva puno oštrije podjele: 29 posto pozitivnih evaluacija naspram 37 posto negativnih za *Kapital* te 10 posto pozitivnih i 5 posto negativnih za “Dohodovnu nejednakost.” Drugim riječima, percepcija *Kapitala* je blago negativna, dok je percepcija “Dohodovne nejednakosti” blago pozitivna, premda taj tekst nije tako kontroverzan. Na primjer, kada konzervativni ekonomist Gregory Mankiw komentira “Dohodovnu nejednakost” onda konstatira da taj članak predstavlja “najbolje podatke koje imamo o gornjem dijelu dohodovne distribucije” (Mankiw 2013: 22). Međutim, kada piše o *Kapitalu*, Mankiw signalizira svoje neslaganje s Pikettyjem već u naslovu svog teksta “Da, $r > g$. Pa što onda?” (Mankiw, 2015).

Neki autori istovremeno i hvale i kritiziraju. Od 39 radova koji pozitivno čitaju *Kapital* njih je 29 istovremeno tu knjigu čitalo na negativni način. Pozitiv-

Tablica 1. Deskriptivna statistika

	Svi uključeni radovi, N=255	Radovi koji citiraju <i>Kapital</i> , N=136	Radovi koji citiraju "Dohodovnu nejednakost", N=141	Radovi u bazi <i>EconLit</i> (ekonomija), N=52	Radovi u bazi <i>SocINDEX</i> (sociologija), N=19	Radovi u bazi <i>WWPSA</i> (politička znanost), N=16
Pozitivna evaluacija Pikettyja	47 od 255 (18.4 posto)	39 od 136 (28.7 posto)	14 od 141 (9.9 posto)	20 od 52 (38.5 posto)	16 od 19 (84.2 posto)	7 od 16 (43.8 posto)
Negativna evaluacija Pikettyja	52 od 255 (20.4 posto)	50 od 136 (36.8 posto)	7 od 141 (5.0 posto)	27 od 52 (51.9 posto)	15 od 19 (79.0 posto)	9 od 16 (56.3 posto)
Kurtoazni citat	67 od 255 (26.3 posto)	41 od 136 (30.2 posto)	30 od 141 (21.3 posto)	2 od 52 (3.9 posto)	1 od 19 (5.3 posto)	1 od 16 (6.3 posto)
Piketty kao podaci	116 od 255 (45.5 posto)	32 od 136 (23.5 posto)	95 od 141 (67.4 posto)	10 od 52 (19.2 posto)	1 od 19 (5.3 posto)	6 od 16 (37.5 posto)
Spomeni Pikettyjeva imena	Prosjek = 17.3 Medijan = 5	Prosjek = 25.6 Medijan = 9	Prosjek = 13.4 Medijan = 5	Prosjek = 41.7 Medijan = 22	Prosjek = 47.5 Medijan = 41	Prosjek = 45.8 Medijan = 39
Broj citata	Prosjek = 155.1 Medijan = 14	Prosjek = 17.5 Medijan = 6	Prosjek = 260.7 Medijan = 112	Prosjek = 33.5 Medijan = 7	Prosjek = 20.8 Medijan = 3	Prosjek = 18.8 Medijan = 5

na i negativna evaluacija može biti sadržana u istom radu. Dobar je primjer članak Deirdre McCloskey (2014: 75): "Ništa što ću reći – a reći ću neke teške stvari, jer su istinite i važne – ne pobija Pikettyjev integritet i njegov znanstveni napor." To sugerira kako je mnogo autora ozbiljno razmotrilo Pikettyjev rad, pažljivo važući njegove prednosti i mane. Međutim, također postoji mnogo usputnih čitaoca Pikettyja. Na primjer, oko 30 posto je radova citiralo *Kapital* na kurtoazni način, tj. tako da se citat Pikettyja lako mogao zamijeniti nekim drugim radom koji se bavi sličnim temama. "Dohodovna nejednakost" se pak najčešće citira kao izvor podataka: oko dvije trećine radova koji citiraju taj tekst koristi Pikettyja na taj način.

Razlike između disciplina također su zanimljive. Od 52 rada koji su prikupljeni u ekonomskoj bazi *EconLit*, ukupno je

20 imalo pozitivnu evaluaciju Pikettyja, dok je 27 imalo negativnu. To sugerira blagu negativnu recepciju Pikettyjeva rada unutar ekonomske znanosti. To je tako uglavnom zbog *Kapitala*, koji je izazvao snažnije reakcije od "Dohodovne nejednakosti." Broj radova koji je prikupljen u sociološkoj bazi *SocINDEX* je relativno malen (19), pa s interpretacijom treba biti pažljiv. U toj grupi, čini se da Pikettyjev rad izaziva nešto snažnije reakcije: oko 84 posto je imalo pozitivno, a 80 posto negativnu evaluaciju njegova rada. Ponovno, to je uglavnom tako zbog *Kapitala*. Drugim riječima, i ekonomija i sociologija su o Pikettyju rekly i neke pozitivne i neke negativne stvari. Čini se da sociologija Pikettyju daje nešto više podrške. Međutim, treba ponovno reći da nisu svi ekonomisti neprijateljski nastrojeni spram Pikettyja. Neka su mu ugledna imena stala u obranu.

Primjerice, Branko Milanović je u svojoj recenziji *Kapitala* napisao da “smo u prisustvu prijelomne knjige ekonomskog mišljenja” (Milanović, 2014: 519). Kada je riječ o politološkoj bazi WWPSA, broj

radova je još niži pa se nikakvi zaključci ne mogu ponuditi.

Razlike među disciplinama mogu se promatrati i u multivarijantnom kontekstu. Tablica 2 prikazuje rezultate tri mo-

Tablica 2. Multivarijantni modeli

	(1)	(2)	(3)
	Logistička regresija	Logistička regresija	Linearna regresija
	Zavisna varijabla: Pozitivna evaluacija Pikettyja	Zavisna varijabla: Negativna evaluacija Pikettyja	Zavisna varijabla: Spomeni Pikettyjeva imena (log)
Pozitivna evaluacija		-0.238 (0.718)	0.886*** (0.156)
Negativna evaluacija	-0.372 (0.711)		0.885*** (0.168)
Rad u bazi <i>Google Scholar</i>	1.594* (0.788)	0.674 (0.831)	-0.275 (0.189)
Rad u bazi <i>EconLit</i> (ekonomija)	0.658 (0.719)	1.837* (0.821)	0.697*** (0.176)
Rad u bazi <i>SocINDEX</i> (sociologija)	3.867*** (1.071)	2.390 (1.229)	0.049 (0.253)
Rad u bazi <i>WWPSA</i> (politička znanost)	-1.875 (1.081)	0.125 (1.134)	0.670** (0.223)
Spomeni Pikettyjeva imena (log)	1.403*** (0.314)	1.074** (0.346)	
Broj citata (log)	-0.515* (0.236)	0.220 (0.233)	0.026 (0.046)
Kurtoazni citat	-0.439 (0.926)	-1.037 (0.962)	-0.598*** (0.121)
Piketty kao podaci	0.058 (0.664)	-1.138 (0.891)	-0.144 (0.117)
Rad citira “Dohodovnu nejednakost”	-1.207 (0.672)	-2.704** (0.794)	0.823*** (0.149)
Rad citira <i>Kapital</i>	-1.477 (0.902)	2.205* (1.060)	0.769*** (0.196)
Konstanta	-3.622** (1.219)	-6.243*** (1.507)	0.912** (0.265)
Broj observacija	255	255	255
(Pseudo) R na kvadrat	0.478	0.631	0.661

Napomena: Koeficijenti i standardne pogreške u zagradama. Statistička značajnost: * p<0.05; ** p<0.01; ***p<0.001.

dela. Prvi model istražuje determinante pozitivne evaluacije Pikettyjeva rada, a drugi model istražuje determinante negativne evaluacije Pikettyjeva rada. Pozitivno je čitanje Pikettyja bilo vjerojatnije u onim radovima koji su prikupljeni u sociološkoj bazi *SocINDEX*, a negativno čitanje u onim radovima koji su prikupljeni u ekonomskoj bazi *EconLit*. Ovo korespondira s deskriptivnom analizom koja je predstavljena u Tablici 1. I sociologija i ekonomija su dale i kritike i pohvale, ali ravnoteža je u slučaju sociologije nagnuta Pikettyju u prilog, dok u ekonomiji nije. Opet valja ponoviti da nalaze vezane uz sociološku bazu *SocINDEX* treba interpretirati s ogradom jer broj radova prikupljen u toj bazi nije velik.

Osim toga, čini se da je vjerojatnost da radovi daju negativnu i pozitivnu evaluaciju Pikettyja viša kod radova koji više spominju Pikettyjevo ime. Drugim riječima, detaljnije rasprave o Pikettyju sklonije su uravnoteženijem prikazivanju njegova rada. Koeficijent koji prati učestalost spominjanja njegova imena je pozitivan i statistički značajan u prvom i drugom modelu, a isti je nalaz repliciran u trećem modelu. Dakle, što detaljnije netko čita Pikettyja, tim je veća vjerojatnost da će biti teže dati jednostrano mišljenje o njegovom radu. Na primjer, David Soskice (2014: 651, 652), koji u svom radu Pikettyja spominje oko 100 puta, piše da je *Kapital* “jedna od naj-snažnijih knjiga koju sam pročitao u dugo vremena, lucidno napisana, lako čitljiva i izvanredno interesantna”, ali istovremeno dodaje da Pikettyjev “jednostavni model, premda jasan i oštrouman, skoro potpuno ignorira interakcije između politike, povijesti i tehnoloških promjena.” Drugim riječima, što se više čita Pikettyja to se više vidi i dobro i loše u njegovom radu.

Ekonomska kritika

Pikettyjeva teorijska osnova jest relativno jednostavna i uglavnom se temelji na neoklasičnoj ekonomiji. Njegov je pristup maksimalno induktivan te *Kapital* zapravo niti nema teorijske temelje u uobičajenom smislu. Pikettyjevi nalazi zapravo su računovodstvene prirode. Zbog toga se ekonomska kritika usmjerila na način na koji je definirao i mjerio svoje glavne veličine.

Prvo je pitanje da li se kapital može mjeriti. Ovdje se pojavljuju duhovi tzv. “kejmbriđske kontroverze o kapitalu” (za uvod vidi Burmeister, 2000; Cohen i Harcourt, 2003). Rasprava je dobila ime po tome što su se obje strane nalazile u Cambridgeu: neoklasični ekonomisti (Paul Samuelson i Robert Solow) na MIT-u u Cambridgeu u Massachusettsu, a heterodoksni ekonomisti (Joan Robinson i Piero Sraffa) u engleskom Cambridgeu. Problem se može sažeti ovako: da bismo utvrdili kamatu, moramo znati kolika je granična korisnost kapitala, koja je pak određena količinom kapitala, a ona je pak određena distribucijom dohotka koja određuje kamatu. Prema tome, heterodoksna je kritika neoklasični pristup optužila da je cirkularan.

Glavna teza engleskog Cambridgea izložena je u Sraffinoj knjizi čiji naslov – *Proizvodnja roba pomoću roba* – sumira glavni heterodoksni zaključak kejmbriđske kontroverze o kapitalu (Sraffa, 1980). Naime, svaki je stroj ujedno i roba, tj. proizvod nekih drugih kapitalnih dobara i tako unedogled. Ovaj zaključak također proizlazi iz analize prve knjige Marxovog *Kapitala* (Strpić 2010: 60-62, 67-69). Za potpuno bi vjerodostojan izračun profitne stope bilo potrebno endogenizirati čitav niz varijabli koje neoklasična ekonomija obično tretira kao zadane. Drugim riječima, pitanje je da li

se može govoriti o kapitalu izvan konteksta, pa i političkog i institucionalnog konteksta. Iako je Samuelson u ime američkog Cambridgea priznao poraz (Samuelson, 1966), većina je neoklasične škole nastavila s radom kao da je kapital lako definirati i mjeriti (Syll, 2014: 40-41).

Piketty sumarno proglašava pobjedu američkog Cambridgea (Piketty, 2014: 261) jer mu to omogućuje da nastavi s empirijskim poslom. Međutim, ovakav beskrupulozni empiricizam ima svoju cijenu: Piketty otvara prostor kritici da su mu glavne teze u osnovi tautološke. S druge strane, pitanje je da li se iz ovog problema uopće može izaći a da se ne gradi nova teorijska osnova koja će zamijeniti neoklasičnu ortodoksiju. U taj se posao Piketty nije upuštao, a eventualne alternative, poput Keynesove i Kaleckijeve, nije uzimao u obzir. Razlog je vjerojatno u tome što predviđanja takvih modela mogu voditi u različita, često i suprotstavljena ravnotežna stanja (Varoufakis, 2014: 29-30; Patnaik, 2014: 58-59, 61-62). Odnos $r > g$ daje jednostavno predviđanje dugoročne ravnoteže. Ali takvo predviđanje postaje moguće tek uz prihvaćanje nekih osnova neoklasične ortodoksije.

Neoliberalna ortodoksija relevantna je za još jedan teorijski temelj u *Kapitalu*, zapravo za njegov najvažniji element. Naime, riječ je o pitanju povrata na kapital i njegovom odnosu spram povrata na rad. Pitanje koje se ovdje postavlja jest koliko je elastična supstitucija kapitala za rad. Neoklasična polazišna točka je svijet pune zaposlenosti faktora proizvodnje (rada, kapitala i u suvremenim privredama relativno nevažne zemlje), tj. svijet u kojem je povrat na svaki od faktora proizvodnje određen marginalnom produktivnošću danog inputa. Kada elastičnost supstitucije iznosi 1, kapi-

tal i rad su podjednako produktivni tj. povrat na rad i kapital su isti. Kada je elastičnost veća od 1, kapital je produktivniji, tj. povrat na kapital je veći od povrata na rad. Kada je elastičnost manja od 1, rad je produktivniji, tj. povrat na rad je veći od povrata na kapital.

Dugo se smatralo da je povrat radu i kapitalu podjednak. Ova se stilizirana činjenica temeljila na istraživanjima provedenim u SAD pedesetih godina i odraz je ekonomskog optimizma tog vremena. Prema Pikettyjevom izračunu, elastičnost supstitucije iznosi između 1.3 i 1.6 (Piketty, 2014: 250). Međutim, ta je procjena kontraverzna, a Pikettyjevi kritičari navode druge studije prema kojima je elastičnost supstitucije manja od 1 (Rognlie, 2014: 7; Rowthorn, 2014: 1283-1284). Ovo je pitanje važno jer elastičnost čak i malo veća od 1 može na dugi rok dovesti do stvaranja velikih dinastijskih bogatstava i do patrimonijalnog kapitalizma o kojem govori Piketty.

Treba reći da se Pikettyjev izračun dosta razlikuje od izračuna drugih ekonomista jer se temelji na mnogo dužem razdoblju i na mnogo većem broju zemalja. U ostalim se studijama obično razmatraju samo američki podaci, samo za nekoliko industrijskih sektora te samo za nekoliko godina. Također, Pikettyjeva definicija kapitala uključuje bogatstvo, dok se uža ekonomska definicija temelji samo na kapitalu koji se izravno koristi u proizvodnji. Prema tome, riječ je zapravo o neusporedivim konceptima. Piketty tumači veću elastičnost time da se u današnjem kontekstu kapital može koristiti na veći broj načina. Nekada je bogatstvo uglavnom bilo zemlja, pa su – kao u romanima Jane Austen – bogataši bili oni s mnogo zemlje. Današnje je vrijeme drugačije jer je suvremeni kapital, za razliku od nekadašnjih velikih zemljoposjedničkih imanja, svestran i fleksibilan. Zato

marginalna produktivnost može biti viša, a povrat na kapital veći.

Time se stiže do sljedećeg važnog elementa u *Kapitalu*. Naime, postavlja se pitanje da li će gore opisani scenarij – koji dovodi do akumulacije kapitala i gomilanja velikih bogatstava – nužno prouzročiti korekciju u obliku opadajuće profitne stope. Ovo je neoklasični odgovor na eventualno gomilanje bogatstva (Rognlie, 2014; Rowthorn, 2014; Semeniuk, 2014; Soskice, 2014). Piketty se slaže da će profitna stopa pasti, ali navodi da će pad biti manji nego što bi trebao biti da se spriječi gomilanje bogatstva u razmjerima koji bi posramili i rentijerske zemljoposjednike iz romana Jane Austen. Opadajući prinosi su mali upravo zbog visoke elastičnosti supstitucije kapitala radom. Ako je elastičnost supstitucije između 1.3 i 1.6, taj će pad biti toliko blag da se može govoriti o manje-više stabilnim profitnim stopama (Piketty i Zucman, 2014: 1304; Piketty, 2014: 400-406). Prema tome, ako očekujemo da stope ekonomskog rasta padnu, kao što se dogodilo u bogatim zapadnim demokracijama nakon kraja poslijeratnog buma, te ako očekujemo da je povrat na kapital stabilan, onda odnos $r > g$ zaista postaje relevantan u stvaranju dosad neviđene akumulacije bogatstva.

Kao što se može vidjeti, Pikettyevi zaključci ovise o nekoliko početnih pretpostavki koje nisu prihvatljive svim ekonomistima: da je kapital bogatstvo, da ga se može mjeriti i da je elastičnost supstitucije relativno visoka. Podacima se nema mnogo što za prigovoriti pa se većina kritika usmjerila na definiranje prvih veličina. Male promjene u definicijama mogu imati značajne posljedice po njegova predviđanja. Na primjer, izbacivanje nekretnina iz definicije kapitala uvelike bi izmijenilo Pikettyjeve zaključke. Porast nejednakosti u zadnjih nekoli-

ko desetljeća blisko je povezan s rastom tržišne vrijednosti nekretnina (Rognlie, 2014: 16-18; Rowthorn, 2014: 1283). Za marksističke je ekonomiste, pak, uklaňanje nekretnina iz definicije kapitala važno jer se onda pokazuje da je u istom razdoblju profitna stopa pala, kao što pretpostavlja marksistička teza o tendenciji pada profitne stope (Roberts, 2014).

Ovo je sve cijena Pikettyjeve odluke da preskoči gradnju teorije te da pomoću pragmatičnog prilagođavanja nekih elemenata neoklasične ekonomije pokuša empirijskom poslu dati tek nužni minimum teorijske podloge. K tome, korištenje neoklasične ekonomije ima korisnu nuspojavu da autora čini respektabilnim u mainstreamu te discipline, ali i šire javnosti, dok bi ga prihvaćanje neke heterodoksne ili kritičke perspektive vjerojatno pretvorilo u autsajdera.

Sociološka kritika

Kako sociologija gleda na Pikettyjev rad? Tipovi kritika razlikuju se od kritika koje dolaze od ekonomista. Pri tome valja spomenuti da nešto lijevija orijentacija sociologije kao cjeline – barem u usporedbi s ekonomijom – pretvara Pikettyja u političkog saveznika za velik broj sociologa. Međutim, njegova politička pozicija sama po sebi ne dovodi nužno niti do analitičkih pohvala niti do kritika. Za to je ipak potrebno razmotriti kako sociolozi komentiraju njegov rad te što bi voljeli u njemu promijeniti.

U sažetom se obliku većinu tipičnih socioloških reakcija može pronaći u posebnom broju *British Journal of Sociology* posvećenom *Kapitalu* (svezak 65, broj 4, godina 2014). Ovaj broj sadrži deset tekstova koji komentiraju Pikettyjevu knjigu iz različitih perspektiva.

Ondje se može naći popis svih refleksivnih reakcija sociologa: primjerice, da Piketty nedovoljno raspravlja pitanje roda (Perrens, 2014) ili pitanje geografske lokacije kapitala (Jones, 2014). Ovaj tip kritike je pomalo šablonski: pronalazi se neka varijabla koja potencijalno ima ulogu u stvarnom svijetu kompleksne nejednakosti te se ustanovljuje da ju Piketty nije uključio u svoju (nužno) redukcionističku analizu.

Međutim, možda je najčešća sociološka kritika usmjerena na njegovo shvaćanje klasa (Savage, 2014: 600; Harvey, 2015: 17; Lotz, 2015: 375; Wright, 2015: 61). U skladu sa svojim podacima, Piketty klase definira prema položaju u distribuciji bogatstva (Piketty, 2014: 278-281): najbogatijih 10 posto (viša klasa), idućih 40 (srednja klasa) i donjih 50 posto (niža klasa). Nema pokušaja da se klase povežu sa zanimanjima koja pojedinci obnašaju ili sa strukama za koja su obrazovani. Također nema niti pokušaja da se klase promatraju relacijski, kao što se čini u marksističkoj tradiciji klasne analize (Wright, 2015: 61). S time je povezana i kritika da kapital nije "stvar" – kako ga definira Piketty – već proces i odnos koji definira čitavo društvo (Lotz, 2015: 375-376; Harvey, 2015: 17). Naravno, teško je zamisliti kako bi itko mogao sakupiti podatke za više stoljeća i za barem tri do četiri zemlje, kao što čini Piketty, ukoliko bi usvojio takvu definiciju kapitala. Kod Pikettyja, klasni karakter kapitalizma nije definiran eksploatacijom nego akumulacijom.

S druge strane, *Kapital* dijeli neke neočekivane sličnosti s radom Pierrea Bourdieua, čija je inačica klasne analize postala vrlo popularna posljednjih desetak godina. Prema tome, iako ga njegova definicija klasa udaljava od marksističke sociologije, *Kapital* otvara prostor za sinergiju s onim sociološkim analitičarima koji se vode idejama Bourdieua. Na-

ime, Pikettyjev fokus na nasljeđeno bogatstvo podudara se s Bourdieuovom analizom kulturnog kapitala i distinkcijama u ukusima koje više klase stvaraju kako bi se odvojile od nižih (Savage, 2014: 601). Naglasak se ne stavlja toliko na antagonizam koji je utemeljen u svijetu proizvodnih odnosa – kao što se čini u marksističkoj klasnoj analizi – već na različite stilove života i različite društvene svjetove pripadnika različitih klasa. Pikettyjevo citiranje romana Jane Austen i Honoréa de Balzaca tu ima ulogu koju bi inače imala sociološka etnografija. Opis svijeta bogatih koji se prenosi iz tih romana služi tome da se suhi ekonomski podaci učine življima. Za sociologe Pikettyjev poziv da više istražujemo najbogatije rezonira s dobro ukorijenjenom kritikom da je sociologija prečesto istraživala "prema dolje" (tj. siromašnije ljude i radničku klasu), a premalo "prema gore" (tj. najbogatiju elitu). Prostor za etnografije koje se bave najbogatijim 1 posto ili najbogatijim 0.1 posto je velik, a neki sociolozi su već započeli ovaj posao (dobar primjer je Khan, 2010).

U posebnom broju *British Journal of Sociology* i drugdje, sociolozi često iznose primjedbu da Piketty ima nedostatnu teorijsku artikulaciju političkog djelovanja i društvenih pokreta. Ovo je možda najozbiljnija primjedba koju sociolozi upućuju Pikettyju, a koja se rijetko čuje od ekonomista. Iako Piketty traži političko-ekonomsku analizu, on ostaje isključivo na terenu ekonomskih podataka. I premda mnogo spominje političke potrebe srednjeg dijela dvadesetog stoljeća (Piketty, 2014: 52, 166, 348-351, 578), njegova analiza ne teoretizira na sustavan način tipove političke i društvene intervencije koji su se dogodili između dva svjetska rata te neposredno nakon njih (Milkman, 2014: 377; Buroway, 2015: 12; Harvey, 2015: 17). A upravo su

to procesi koji su uspjeli preokrenuti inače "prirodnu" sklonost kapitalizma da generira visoke profitne stope koje dovede do porasta nejednakosti. Zato nekoliko sociologa spominje *Veliku preobrazbu* Karla Polanyija (1999 [1944]) kako bi ponudili primjere analize koja teoretizira kontradjelovanje društva kojim se ono brani od čiste tržišne logike (Buroway, 2015; Milkman, 2014: 377). Za Burowaya, Polanyi nudi puno bolju osnovu za teoretiziranje ritmova kapitalizma od jednostavnog mjerenja ekonomske nejednakosti (Buroway, 2015: 25).

Ova je kritika tim važnija s obzirom na to da Piketty predlaže globalni progresivni porez na bogatstvo kao svoju glavnu preporuku. Naime, u *Kapitalu* se ne skicira put kojim bi se do takve regulacije došlo. Nejasno ostaje koji bi se to politički akteri mogli izboriti za novi globalni porez. I sam Piketty se slaže da je njegov prijedlog utopijski (Piketty, 2014: 602). Premda nije loše da društveni znanstvenici nude utopije ipak bi bilo poželjno da se uz sam cilj raspravi i način na koji bismo do tog cilja mogli doći. Za usporedbu može poslužiti mnogo skromniji Tobinov porez koji predviđa da se na globalnoj razini financijske transakcije oporezuju stopom od pola posto. Ovaj je prijedlog predložen još ranih sedamdesetih, a unatoč svojoj skromnosti dosad nije uspio zaživjeti. U usporedbi s Tobinovim porezom, Pikettyjev prijedlog je mnogo radikalniji. S druge strane, teško je zamisliti da bi se društveni pokreti mogli inspirirati Pikettyjevom tehnokratskom idejom, a upravo su društveni pokreti ti koji bi eventualno mogli učiniti da Pikettyjev globalni porez postane realnost. Pikettyjeva rasprava njegovih *policy* preporuka odiše tehnokratskim duhom koji je u skladu s njegovom umjerenom i konvencionalnom socijaldemokratskom orijentacijom.

Kritika da kod Pikettyja nedostaje analiza političkog djelovanja i društvenih pokreta na određeni način rezonira s ekonomskom kritikom koja kreće od kejmbridžske kontroverze o kapitalu. Iako su izrečene drugačijim jezicima, u osnovi je riječ o sličnim primjedbama: Piketty o političkim i institucionalnim pitanjima govori na *ad hoc* način. Primjerice, Piketty i Saez (2003: 34) porast nejednakosti koji se na posebno oštar način dogodio u Sjedinjenim Državama dijelom objašnjavaju kao posljedicu društvenih normi koje postoje na tržištu rada, a koje određuju pravila za nagrađivanje najbogatijih 1 posto. Postavlja se pitanje: otkuda dolaze te društvene norme? Piketty priznaje da je pitanje relevantno, ali ne nudi odgovor. Umjesto toga prebacuje odgovornost na druge društvene znanosti, kao što su sociologija, psihologija, kulturna i politička povijest (Piketty, 2014: 379). Premda je lijepo čuti od nekog ekonomista da su druge društvene i humanističke znanosti važne, njegovo otklanjanje ovog problema u koliziji je s proklamiranim ciljem izgradnje političke ekonomije kao interdisciplinarnog područja (Piketty, 2014: 679; Perrons, 2014: 673). Naravno da je ovako nešto vrlo teško napraviti, ali bez razmatranja političkog aspekta porasta nejednakosti Piketty ne može objasniti zašto je porast nejednakosti bio oštiji u anglosaksonskim zemljama nego u kontinentalnim europskim zemljama. Premda je odnos $r > g$ predstavljen kao univerzalan, čini se da se različito materijalizira u različitim političkim i institucionalnim kontekstima.

Što dalje?

Ova je rasprava tipičnih ekonomskih i socioloških kritika dala pregled postojećih diskusija o Pikettyju. Treba napo-

menuti da neke od tih kritika – kako ekonomskih tako i socioloških – ne nude praktične niti izvedive prijedloge. Primjerice, primjedbe na njegovu definiciju kapitala, bilo da dolaze iz ekonomskih krugova bilo iz marksističke klasne analize, tražile bi od Pikettyja da napiše sasvim novu knjigu. Neke se druge dvojbe, poput one o tome koliko zaista iznosi elastičnost supstitucije kapitala radom, niti ne mogu razriješiti bez usporedivih podataka podjednake kvalitete. Prema tome, kritika Pikettyja oscilira između traženja radikalno drugačijih teorijskih temelja i traženja alternativne usporedive empirije. Za prvi posao Piketty nije imao ambicije, a za drugi nitko još nije pokazao revnost u skupljanju podataka koja bi sličila Pikettyjevoj.

Kako bi se moglo otići korak dalje, i u znanstvenom i u reformskom smislu? Ovdje ću skicirati tri mogućnosti. Prvo se pitanje tiče važnosti teme, tj. zašto je nejednakost uopće važna tema. Naime, Piketty na ovu dilemu ne daje eksplicitan odgovor, a sustavnijim bi se bavljenjem ovim pitanjem moglo značajno unaprijediti raspravu o nejednakosti. Drugo se pitanje tiče već spomenute ateorijske prirode Pikettyjevog pothvata tj. činjenice da bi istraživanje nejednakosti moglo profitirati ukoliko bi se Pikettyjeva revnost u prikupljanju podataka kombinirala sa sličnom predanošću teoriji. Treće je pitanje bi li umjesto Pikettyjevih *policy* preporuka bilo svrshodnije razmišljati o nekim drugim pristupima problemu nejednakosti. Naime, kod Pikettyjevog se prijedloga globalnog progresivnog poreza pojavljuju pitanja ne samo pitanja političke izvedivosti već i ekonomske efikasnosti.

Prva se kritika tiče legitimacije problema nejednakosti. Zašto bi to uopće bila važna tema? Za većinu neoklasične ortodoksije distribucija bogatstva nije

nužno problematična za uredno funkcioniranje privrede. Prije Pikettyja se problem nejednakosti obično postavljao kao odabir između jednakosti i efikasnosti. Ovakav je pristup populariziran knjigom kejnzijanca Arthura Okuna (1975), a prihvaćali su ga i autori izvan ekonomske znanosti. Primjerice, Pontusson (2005) postavlja problem na sličan način: prosperitet dolazi ako prihvatimo više nejednakosti, a društvo s više jednakosti dolazi uz cijenu nižeg općeg standarda. Pikettyjevo je postavljanje problema sasvim oprečno i potencijalno mnogo izazovnije.

Piketty ne daje mnogo prostora raspravi o tome zašto bi nejednakost bila važna tema. On ili misli da će čitatelji dijeliti njegov umjereni lijevi svjetonazor ili pak smatra da je teza o tome kako rentijersko društvo potkopava meritokratske temelje kapitalizma dovoljan razlog za to. Međutim, moralni i politički argumenti najvjerojatnije neće uvjeriti skeptike, a sam Piketty ne daje mnogo podataka o tome je li povećana nejednakost umanjila efikasnost zapadnih kapitalističkih zemalja. Prema tome, korak kojeg Piketty ne poduzima, a trebalo bi ga poduzeti, jest ispitati jesu li društva s više jednakosti ujedno i ekonomski efikasnija. Ekonomski argument u prilog jednakosti imao bi mnogo više odjeka kod onih kojima politički i moralni argumenti nisu uvjerljivi. Nekoliko je autora počelo zagovarati upravo ovakvu tezu (Wilkinson i Pickett, 2010; Stiglitz, 2012; Dorling, 2014), a najsustavnije empirijske testove napravio je MMF, institucija od koje bi se takvo što najmanje očekivalo (Ostry, Berg i Tsangarides, 2014). Prema ovoj komparativnoj analizi, niža nejednakost korelirana je s bržim i trajnijim ekonomskim rastom, dok se redistributivne politike pokazuju kao relativno benigne u svom učinku na rast.

Prema tome, čini se da veliki i teški Okunov odabir između jednakosti i efikasnosti niti ne postoji. Akumulacija empirijskih nalaza ove vrste predstavljala bi korak naprijed u odnosu na Pikettyjev rad jer bi se osim ilustrativnih primjera iz beletristike ponudilo i tvrde podatke. Pikettyju možemo zahvaliti što je sada moguće raspravljati o nejednakosti a da se tema nužno ne postavlja u okvir Okunove dileme.

Druga kritika tiče se Pikettyjeve siromašne teorijske podloge. Pritom valja napomenuti da njegov beskrupulozno deskriptivni stav ima određene prednosti. Na taj je način došao do šire publike koja ne bi imala strpljenja za dugu teorijsku raspravu. Piketty je mogao odmah uskočiti u podatke i na vizualno atraktivan i metodološki pristupačan način predočiti čitateljima dugoročne trendove. Premda je *Kapital* dosta tehnička knjiga, ona nigdje ne zahtijeva niti teorijsko niti statističko predznanje. Ali cijena tog odabira jest teorijska oskudnost knjige. Međutim, postoje teorijske perspektive koje bi bile kompatibilne s Pikettyjevim podacima, a koje u svojim aplikacijama nipošto nisu odvojene od empirije. To se prije svega odnosi na literaturu o dugim valovima (Kondratievi ciklusi) i stoljetnim trendovima.

Prvi su popularizirani kroz rad ruskog ekonomista Kondratieva te kasnije kod marksističkih autora poput Mandela (Kondratiev, 1979; Mandel, 1981), dok su drugi popularizirani kod povjesničara poput Braudela i drugih (Braudel, 1992; Fischer, 1996; Arrighi, 2007). Pikettyjevo makrohistorijsko računovodstvo bilo bi vrlo kompatibilno s takvim pristupom, pogotovo s francuskom *Annales* školom. I premda Piketty kratko spominje Braudela kao znanstveni uzor (Piketty, 2014: 43), on nigdje ne koristi njegov rad. Ova bi literatura Pikettyjevom

pothvatu mogla odgovarati i više od neoklasične ekonomije s kojom povremeno pragmatično paktira kako bi mogao što prije preći na empirijski dio posla. Možda je za Pikettyja predstavljalo problem što je ova literatura često – premda ne i isključivo – marksistički intonirana. Potencijalno je najzanimljivija literatura o stoljetnom trendu s obzirom na to da su povjesničari koji su se njime bavili otkrili da u svojim različitim fazama korespondira s različitim trendovima u kretanju nejednakosti (Fischer, 1996: 236-241). Osim toga, ova literatura dolazi s nizom teorijskih teza o tome što pokreće takve dugoročne ritmove. Drugim riječima, ta bi literatura mogla Pikettyju biti relevantan sugovornik – potencijalno relevantniji od Marxa i Kuznetsa – ali on se na nju nije referirao.

I najzad, treća se kritika tiče Pikettyjevih *policy* preporuka. Kao što je već spomenuto, Piketty ima slijepu točku za političke aktere i društvene pokrete. Da bi se njegov globalni porez uveo, potrebna bi bila rijetko viđena razina društvene mobilizacije. Bez skice kako da se pokrene takva mobilizacija, Pikettyjevi prijedlozi ostaju na razini tehnokratskog uvjeravanja i lobiranja elita. Međutim, pitanje je bi li pojačano progresivno oporezivanje uopće bilo efikasno u neutraliziranju tendencije $r > g$. Tek bi mnogo više konfiskatorne porezne stope, kakve su postojale sredinom dvadesetog stoljeća, mogle eliminirati najveća rentijerska bogatstva. Piketty pozitivno piše o konfiskatornim poreznim stopama, ali se u *Kapitalu* ne odvažuje preporučiti slične mjere.

Kako onda do manje nejednakosti? Jedna mogućnost jest poduprijeti aktere koji se već bore protiv nejednakosti. To bi značilo poduprijeti sindikate gdje postoje, zagovarati njihovo osnivanje gdje ne postoje i podržavati kampanje za

povišenje minimalne plaće (Galbraith, 2014: 82). Druga bi mogućnost bila ostati unutar tehnokratskog pristupa, bez mobilizacije odozdo. Jedna takva politika jest financijska represija, tj. skup mjera kojima bi se stopa povrata na kapital umjetno smanjila ispod razine inflacije. Ovo se može postići određivanjem maksimalnih kamatnih stopa, visokih bankarskih rezervi, obavezom banaka da drže državne obveznice i kapitalnim kontrolama. Na taj bi se način, uz smanjenje rentijerskog povrata na kapital, moglo smanjiti i javni dug. Sama je mjera složena i netransparentna (za uvod vidi Reinhart i Sbrana, 2015), ali je lakše izvediva od globalnog progresivnog poreza.

Treća je mogućnost ozbiljnije razmišljati o novim društvenim utopijama, nešto čemu Piketty nije previše sklon. Ideja koja je do sada privukla najviše pažnje jest temeljni dohodak (*basic income*). Riječ je o mjesečnom iznosu koji bi se bezuvjetno plaćao svim građanima neke zemlje i koji bi svakome omogućio pristojan životni standard. Kao nova forma socijalnog osiguranja, temeljni bi dohodak mogao zamijeniti neke postojeće programe države blagostanja, pogotovo one koji se provode s mnogo uvjeta i birokracije. Ovu mjeru zagovaraju razne ideološke struje, ali najčešće se promiče na ljevici (Standing, 2011: poglavlje 7; Mason, 2015: poglavlje 10; Srnicek i Williams, 2015: poglavlje 6). Slična su mjera tzv. potpore za dionike (*stakeholder grants*) (Ackerman, Alstott i Van Parijs, 2006). Njima bi svaka punoljetna osoba dobila jednokratnu poveću sumu kojom bi se mogla uključiti u kapitalizam na način na koji ona to odluči, bilo da postane poduzetnik ili kupuje portfelj dionica na burzi. Ovakve mjere nam omogućuju da zamišljamo nove egalitarne forme kapitalizma. Istovremeno,

one daju odgovor na jedno pitanje koje je kod Pikettyja ostalo visjeti u zraku. Naime, iako zagovara globalno progresivno oporezivanje, Piketty ne kaže što bi učinio s prikupljenim novcem. Za njega je oporezivanje korisno ponajprije jer se kroz smanjenje najvećih bogatstva regulira kapitalizam. Ovdje spomenute mjere nude i konkretni sadržaj – cilj koji bi mogao inspirirati društvene pokrete na mobilizaciju.³

Zaključne napomene

U ovom se radu prikazala postojeća literatura o Pikettyju, s posebnim naglaskom na prihvaćanje njegova rada u društvenim znanostima. Kao što se moglo vidjeti kroz analizu radova koji citiraju Pikettyja, recepcija uglavnom balansira između pozitivnog i negativnog, s time da kod sociologije preteže na pozitivnu stranu, a kod ekonomije na negativnu. Tipovi kritika koje ekonomisti i sociolozi upućuju Pikettyju su različiti. Ekonomisti češće osporavaju način na koji je definirao početne veličine te dovode u pitanje neke njegove mjere. Sociolozi pak prigovore Pikettyju na tome kako je definirao klase te kako ne teoretizira društvene pokrete.

Pikettyjevom se *Kapitalu* ne može poreći zasluga za populariziranje teme nejednakosti, koliko god da je ujedno bila riječ o potražnji javnosti. Rasprave o nejednakosti više neće moći zaobići način na koji je Piketty postavio problem. Kao što je rečeno, ovaj je okvir potencijalno mnogo produktivniji od postojećeg koji nam sugerira nužni odabir iz-

³ Piketty se izjasnio protiv temeljnog dohotka, iako je za sličnu ali konzervativniju verziju negativnog oporezivanja dohotka. Vidi: <http://www.basicincome.org/news/2015/09/thomas-piketty-discusses-book-basic-income/> Pristupljeno 4. travnja 2016.

među jednakosti i efikasnosti. Međutim, Pikettyjeva znanstvena i politička agenda nije bez mana. Najprije, Piketty nam ne daje uvjerljive razloge zašto bi nejednakost uopće bila važna tema. Ta se tema može dodatno etablirati ako se akumulira znanje o potencijalnoj sinergiji jednakosti i efikasnosti. Drugo, *Kapital* je teorijski oskudna knjiga. Premda je ova odluka vjerojatno pomogla da se knjiga proda u više primjeraka, ona nije bez svoje cijene. *Kapital* ne nudi temelje

za novu političku ekonomiju, a ignorira mnoge radove koji bi mu mogli biti od koristi, pogotovo one koji se bave načinom na koji kapitalizam funkcionira na dugi rok. I treće, njegova glavna *policy* preporuka – globalno progresivno opozivanje – je istovremeno politički ne-realna i tehnički nedovoljno efikasna. Bit će potrebno zamišljati alternative na ambiciozniji način, ako se želi izaći iz situacije koju Piketty uspješno i efektno opisuje svojim podacima.

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Piketty, economics and sociology: The analytical and political agenda on inequality

ABSTRACT This article considers the work of Thomas Piketty on inequality, with special emphasis on the reception of his ideas in the social sciences. First, a quantitative analysis of the works that cite Piketty's most important publications examines the reception of Piketty in academic debates. Next, the critiques of Piketty from economics and sociology, two often opposed disciplines that have devoted the most attention to discussing Piketty, are considered. This article supplements existing critiques with additional suggestions that are relevant to both the scientific analysis of inequality and the process of imagining various reforms that could cope with the problem of inequality.

KEYWORDS Piketty, economics, sociology, inequality

POLITIČKA DJELATNOST ANTE PARADŽIKA

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Sažetak Autor na temelju arhivske građe, tiska i relevantne literature rekonstruira život i političko djelovanje političara pravaške orijentacije Ante Paradžika. Za vrijeme *Hrvatskog proljeća* Paradžik je izabran za predsjednika Saveza studenata Hrvatske koji je okupljao predstavnike svih hrvatskih sveučilišnih centara. Kao jedan od predvodnika studentskog pokreta iz 1971. osuđen je na tri godine zatvora koje je u cijelosti izdržao. Uspostavom višestranačja u Hrvatskoj, Paradžik je bio obnovitelj i dopredsjednik Hrvatske stranke prava, a glavni politički cilj stranke bio je samostalna država Hrvatska. Izbijanjem agresije na Hrvatsku, Paradžik je zajedno s Dobroslavom Paragom organizirao dragovoljačke stranačke paravojne postrojbe nazvane Hrvatske obrambene snage. Bio je i dopredsjednik Hrvatskog demokratskog kluba za središnju Europu i glavni tajnik Hrvatskog društva političkih zatvorenika. Ubijen je 1991. pod nerazjašnjenim okolnostima od strane pripadnika hrvatske policije.

Ključne riječi Ante Paradžik, Hrvatsko proljeće, Hrvatska stranka prava, Hrvatske obrambene snage, suvremena hrvatska politička povijest

Uvod

Predmet ovog rada je rekonstrukcija života i političke djelatnosti Ante Paradžika, političara pravaške orijentacije, početkom sedamdesetih godina za vrijeme trajanja *Hrvatskog proljeća* i početkom devedesetih godina 20. stoljeća prilikom uspostave višestranačja u Hrvatskoj. Polazni motivi za znanstveno istraživanje ove teme su u činjenici da se u hrvatskoj politologiji i historiografiji do sada nitko sustavnije nije bavio ulogom koju je imao Paradžik u suvremenoj političkoj povijesti. Stoga je u fokusu ovoga

rada upravo njegovo djelovanje, koje ima svoj značaj za potpunije upoznavanje događaja na široj javnoj sceni. Na ovaj način želim pridonijeti osvjetljavanju Paradžikove uloge i potaknuti na istraživanje drugih aktera iz različitih stranaka tog vremena. Rad je podijeljen u tri dijela: u prvom se prikazuje uloga Paradžika u *Hrvatskom proljeću*, drugi dio odnosi se na Paradžikove aktivnosti nakon uspostave višestranačja u Hrvatskoj, osobito u Hrvatskoj stranci prava (HSP), a treći, posljednji dio problematizira smrtonosni atentat na njega.

Životopis i Hrvatsko proljeće

Ante Paradžik rođen je 10. veljače 1943. u mjestu Pregrađe, općina Ljubuški, Bosna i Hercegovina (BiH) od majke Milice rođene Mlinarević i oca Blaža, pripadnika oružanih snaga Nezavisne Države Hrvatske (NDH) kojem se svaki trag gubi 1945. na Bleiburgu, odnosno Križnom putu. U Ljubuškom je završio osnovnu i srednju školu. Nakon toga je otišao u Split gdje je upisao Pravni fakultet Sveučilišta u Splitu, a zatim nastavlja studij prava u Zagrebu. Kako je potjecao iz siromašne obitelji, povremeno je preko ljeta radio kao fizički radnik u Njemačkoj i Vojvodini. Sudjelovao je na omladinskim radnim akcijama na kojima je tri puta proglašen udarnikom (Kolašin, Vranj i Vrč). Za vrijeme Paradžikova studiranja politička zbivanja u Socijalističkoj Federativnoj Republici Jugoslaviji (SFRJ) bila su itekako burna: 1966. dogodio se pad Aleksandra Rankovića, koji je doživljen u hrvatskoj javnosti s izrazitim olakšanjem i nadom u povoljniju budućnost. Na čelna mjesta Saveza komunista Hrvatske (SKH) 1967. došli su mladi ljudi predvođeni Mikom Tripalom i Savkom Dabčević-Kučar koji su unosili ideje modernizacije, posebno u uvažavanju nacionalnog čimbenika, u prihvaćanju tržišnoga mehanizma prilagođenog socijalističkog privredi i većoj vjeri u ideologiju samoupravljanja. Međutim, iste te godine pojavila se "Deklaracije o nazivu i položaju hrvatskog književnog jezika" koju su potpisali predstavnici 18 znanstvenih i kulturnih institucija na čelu s Maticom hrvatskom s ciljem da se prigodom ustavnih promjena izmijeni odredba o jeziku. U Deklaraciji se tražilo da se ukine dvoimeni naziv jezika i uvede ime hrvatski, a ne hrvatsko-srpski jezik, tako da bi po ustavu bila ravnopravna četiri jezika: slovenski,

hrvatski, srpski i makedonski. Deklaracija je izazvala revolt kao da se radilo o pobuni protiv države. Kampanju je pokrenuo potpredsjednik Sabora i član Centralnog komiteta SKH Miloš Žanko, međutim ona se brzo ugasila. Deseta sjednica Centralnog komiteta SKH koja je održana od 15. – 17. siječnja 1970. nastavila je trend demokratizacije i liberalizacije, te je osuđeno unitarističko jugoslavenstvo i savezni centralizam što je dalo snažan novi zamah dotadašnjim tendencijama jačanja hrvatske državnosti i nacionalnog identiteta uz blagoslov jugoslavenskog predsjednika Josipa Broza Tita. Više od godinu dana kasnije, točnije 30. lipnja 1971. Savezna skupština usvojila je amandmane na Ustav SFRJ koji su trebali osigurati pravo republikama da raspolažu svojim dohotkom, kao i pravičnu raspodjelu deviznog prihoda od turizma i deviznih doznaka, što je bilo od vitalne važnosti za Hrvatsku koja je ostvarivala najveći prihod od turizma i primala najveće doznake, jer hrvatskih je radnika bilo najviše na radu u inozemstvu (Bilandžić, 1999: 489–595).

Studentska gibanja 1968. pogotovo u Zagrebu rezultirala su dolaskom na scenu nove generacije studenata i studentskih vođa nazvanih "generacija lipnja" koji nisu samo namjeravali biti studentski rukovodioci nego su se pokušali izboriti za širu i veću poziciju u društvu (Ponoš, 2007: 43). U nju su spadali između ostalih Damir Grubiša kao službeni kandidat Saveza studenata Zagreba (SSZ) za studenta-prorektora, Slobodan Lang kao predsjednik Saveza studenata Hrvatske (SSH), Dag Strpić kao glavni urednik *Studentskog lista*, Dragutin Lalović i Marko Melčić kao autori u *Studentskom listu*, Žarko Puhovski i Antun Vujić iz *Omladinskog tjednika* i drugi (*ibid.*: 40, 75, 112–113). Paradžik koji

nije spadao u tu generaciju, u studentski je politički život ušao također 1968. kada je na Pravnom fakultetu Sveučilišta u Zagrebu biran u Fakultetski odbor Saveza studenata, a u Studentskom je domu "Nina Maraković" u Šarengradskoj ulici bio predsjednik Savjeta stanara, dok je izabran i dva puta za predsjednika Zavičajnog kluba studenata Hercegovine. "Generacija lipnja" dominirala je hrvatskom studentskom scenom sve do izbora Ivana Zvonimira Čička za studenta-prorektora Zagrebačkog sveučilišta 21. prosinca 1970., izbora Dražena Budiše za predsjednika Skupštine SSZ 4. travnja 1971. i izbora Ante Paradžika za predsjednika SSH 18. svibnja 1971. u Dubrovniku. SSH se profilirao u samostalnu društveno-političku organizaciju, a republiko obilježje dobiva nakon osnutka sveučilišta u drugim hrvatskim gradovima potkraj šezdesetih. Kao takvo, prema saveznim i republičkim protokolima imali su i pravo nazočiti svim političkim tribinama. Upravo će isprva mnogi pripadnici "generacije lipnja" biti glavni suparnici navedenim novoizabranim studentskim vođama krajem 1970. i početkom 1971. godine (*ibid.*: 43). Na osnivačkoj skupštini SSH-a u Dubrovniku kao službeni predstavnici SKH bili su Ema Derossi Bjelajac, Pero Kriste, Nikola Ban i Zdravko Tomac. Kako navodi Tomac, oni su na skupštini bili srdačno pozdravljeni i u kasnijim djelima bilježi: "Govorio sam o Amandmanima na Ustav iz 1971. i bio prekidano burnim pljeskom kad god sam spomenuo neke riječi kao što su hrvatska država, nacionalna ravnopravnost i druge, bez obzira na sadržaj mog govora" (Tomac, 2012: 90-91). Netom prije izbora za predsjednika SSH, Paradžik je primljen u Savez komunista. Prema Derossi Bjelajac, partijski vrh je vjerovao da će sa Paradži-

kom i ostalim članovima studentskog vodstva dobro surađivati (*ibid.*). U to vrijeme studentske vođe Paradžik, Budiša i Čičak često su sudjelovali na osnivačkim skupštinama Matice Hrvatske a poznati "matičari" Vlado Gotovac, Marko Veselica, Hrvoje Šošić, Šime Đodan često su gostovali na studentskim tribinama. Tako su 2. lipnja 1971. Paradžik, Budiša i Čičak nazočili osnivanju Ogranka Matice hrvatske u Trogiru, gdje je Paradžik u svom govoru simbolički identificirao hrvatski narod sa Maticom hrvatskom, naglasivši da svaki napad na Maticu hrvatsku istodobno predstavlja i napad na Hrvatsku, jer ona je svijest hrvatskog naroda, pa onaj, koji joj oduzima slobodu akcije, "oduzima i slobodu hrvatskom narodu, a to hrvatski sveučilištarci ubuduće neće dozvoliti", te "da ćemo biti sretni ako se Matica Hrvatska proširi na sve krajeve gdje žive Hrvati" (Izvjestaj... 2002: 130, 409). Ubrzo nakon toga Paradžik i Budiša su 5. i 6. lipnja 1971. predvodili hrvatsku delegaciju na 9. izbornoj konferenciji Saveza studenata Jugoslavije (SSJ) na kojoj je trebalo prihvatiti novi statut SSJ i programska načela. Već je rasprava o 1. članku novog statuta pokazala nepremostive razlike između hrvatske i drugih delegacija. Hrvatska je delegacija tražila promjenu naziva organizacije do koje nije došlo što je rezultiralo napuštanjem konferencije hrvatske delegacije. Sjednica tako nikad nije završena, a SSJ je ušao u povijest Jugoslavije kao prva savezna organizacija koja se raspala. Paradžik je kao predsjednik SSH-a sredinom srpnja 1971. pokazao velike političke ambicije kada je prosvjedovao Radnom predsjedništvu 4. sjednice konferencije SKH na koju su pozvani predstavnici svih društveno-političkih organizacija osim predstavnika SSH. On je sa Budišom došao na spome-

nutu Konferenciju SKH, međutim, njezina dvojica nije bilo dopušteno da sudjeluju u njezinom radu, što je rezultiralo priopćenjem SSH-a od 14. srpnja 1971. koje je pak rezultiralo donošenjem zaključaka među kojima su bili i oni zahtjevi "da predstavnici studenata ubuduće budu pozvani na sve političke skupove svih nivoa SR Hrvatske" te traženje "najhitnijeg formiranja studentskih vojnih teritorijalnih jedinica i osnivanje zajedničkog štaba općenarodne obrane pri SSH" (Ponoš, 2007: 137). Taj zahtjev imao je svoje uporište i u kontekstu tada nastajuće Teritorijalne obrane.

Ključno pitanje ujesen 1971. bila je rasprava o amandmanima na Ustav Socijalističke Republike (SR) Hrvatske kojim se trebalo odlučiti kako će Hrvatska biti definirana (kao nacionalna država ili na neki drugi način, pitanje samoodređenja naroda, određivanje imena službenog jezika, glavnog grada republike, himne itd.). Zbor studenata općenito je izrazio nepovjerenje Ustavnoj komisiji, a 15. listopada 1971. u Rijeci na sastanku predstavnika svih samoupravnih organa i društveno-političkih organa Sveučilišta koji je bio posvećen ustavnim promjenama u SR Hrvatskoj, Paradžik je podržao studentsku ideju o produžetku roka za raspravu te je konstatirao da u raspravi uglavnom ne sudjeluju radnici i seljaci, da službeni jezik treba biti hrvatski, a pismo latinica. Svi (tu je mislio na Srbe, Talijane, Čeha) imaju pravo razvijati svoje nacionalne osobitosti, a u narodnoj obrani trebalo je prema njemu osigurati da hrvatski kadar bude zastupljen razmjerno ostalima, dok vrhovni organ narodne obrane treba biti Savjet narodne obrane Hrvatske (*ibid.*: 169).

Političko stanje sredinom listopada 1971. u SR Hrvatskoj doslovno je vriilo. Nacionalni zanos među studentima nije

prestajao nego je sve više jačao i uz Maticu hrvatsku i reformsko krilo SKH tražena je afirmacija nacionalnog identiteta i hrvatskog suvereniteta na političkom, gospodarskom i kulturnom planu. Studenti su na određeni način podupirali zaključke Desete sjednice Centralnog komiteta SKH. Hrvatski partijski vrh se već izborom novih studentskih lidera raskolilo na dvije frakcije: reformska, predvođena Tripalom, Dabčević-Kučar i Perom Pirkerom koja je poslije nazvana "proljećarskom" ili "maspokovskom" i "unitaristička" koju je predvodio vodeći hrvatski komunist Vladimir Bakarić, a jedan od prvih uspjeha "unitarista" bilo je isključenje Marka Veselice i Šime Đodana iz SKH zbog nacionalizma i frakcionaštva. Kulminacija napetosti je bila isključenje Jure Šarića iz Republičkog vijeća Saveza sindikata Hrvatske što je rezultiralo štrajkom hrvatskih sveučilištaraca koji je započeo 22. studenog 1971. godine. Štrajk je proglasio Goran Dodig, potpredsjednik SSZ, te je bilo predviđeno da će trajati od 23. studenog do 3. prosinca 1971. godine. Razlog štrajka su bile hrvatske devize koje su završavale izvan granice SR Hrvatske u državnom središtu. Četiri osnovna cilja štrajkaša iznesena su na zboru hrvatskih sveučilištaraca: 1. Pružiti podršku zahtjevu za konstituiranjem Hrvatske kao suverene države hrvatskoga naroda; 2. Pružiti podršku rukovodstvu SKH; 3. Potaknuti uklanjanje protivnika reformskih kretanja i obraniti se od njihovih napada i 4. Potaknuti bržu promjenu deviznog sustava u korist Hrvatske (Knezović, 1995: 231).

Zahtjev za većom samostalnošću Hrvatske osobito je bio izražen u istupima Paradžika. Tako je on u uvodnom izlaganju na zboru hrvatskih sveučilištaraca 22. studenog 1971. sumirajući zahtjeve studenata, posebno isticao njho-

vu zainteresiranost za jasno definiranje hrvatske državnosti i pune ravnopravnosti svih građana koji žive u SR Hrvatskoj i smatraju je svojom domovinom. Paradžik je zamjerao amandmanima na ustav SR Hrvatske nepreciznost koja otvara prostor za dvojaka tumačenja. Pri tome je nudio studentsku preformulaciju amandmana. U njima je istaknuto kako je hrvatski narod kroz narodnooslobodilačku borbu i revoluciju ostvario svoju nacionalnu državu SR Hrvatsku i polazeći od prava na samoopredjeljenje i odcjepljenje on se sa ostalim narodima udružio u zajednicu ravnopravnih naroda SFRJ. Studentski amandmani definiraju SR Hrvatsku kao suverenu i nacionalnu državu hrvatskoga naroda koja osigurava ravnopravnost svim svojim građanima bez obzira na nacionalnu, vjersku, rasnu i drugu pripadnost, gdje je službeni jezik hrvatski, pismo latinica, Zagreb glavni grad a himna "Lijepa naša domovino". Narodnostima se jamči pravo na slobodno i ravnopravno upotrebljavanje i izražavanje svih oblika nacionalnih osobitosti. Postupak pred sudovima i drugim organima vodi se na hrvatskom jeziku. Hrvatski jezik mora biti službeni i u saveznoj vojsci, a hrvatski građani moraju služiti vojsku na svom teritoriju. Admiralitet treba imati sjedište u Splitu. Republike se trebaju brinuti o srazmjernoj zastupljenosti naroda i narodnosti u starješinskom kadru oružanih snaga SFRJ (*Hrvatsko sveučilište*, 27. 11. 1971). Paradžik je isticao potrebu za oštrijom akcijom i na drugim područjima kako bi se riješilo pitanje deviznog i bankarskog sustava. Traži tako razbijanje centralističkog privrednog sustava, kao i sudjelovanje radnika na radu u inozemstvu pri formiranju ustava. Za seljake zahtijeva veći zemljišni maksimum, komasaciju i povoljno kreditiranje (*Vjesnik*, 25. 11. 1971). Svi

studenti štrajkaši zapravo su imali jedan cilj a to je ostvarenje suverenosti Hrvatske, pri čemu su podržavali one snage za koje su smatrali da one to mogu ili bi trebale podržati, prije svega rukovodstvo SKH i Tito. Međutim, iako je rukovodstvo SKH podržavalo studentske zahtjeve, ono se protivilo štrajku kao metodi političke borbe i tražilo je prekid štrajka, jer su bili svjesni da štrajk može provocirati udar vrha vlasti Jugoslavije na Hrvatsku. Studentsko je vodstvo unatoč pritisku partijskoga vodstva uspjelo održati štrajk do predviđenog datuma, na kojeg su pozivali i radnike koji se nisu odazvali na priključenje štrajku. Za vrijeme štrajka, u Karadžiću je 30. studenoga 1971. započeo sastanak Tita sa proširenim Izvršnim komitetom Centralnog komiteta SKH. Na udaru su bili studenti za koje je Tito tražio da budu uhićeni što je hrvatsko partijsko vodstvo i dalje odbijalo. Pri tome su posebno optuženi Matica hrvatska (koja također nije podržala štrajk) i pojava frakcionarstva u SKH pri čemu je za frakcionarstvo optužena grupa oko Tripala i Dabčević-Kučar. Presudu je donijela struja predvođena Titom i Bakarićem. Iako su "prolječari" bili u većini, matematika tu nije odlučivala. Tripalo i Dabčević-Kučar pali su 1. prosinca 1971., a odmah nakon njih i ostali partijski funkcioneri koji su bili na strani masovnog pokreta. Ante Paradžik je 3. prosinca 1971. na završnom zboru objavio prekid štrajka. U govoru je revidirao neke političke teze rekavši da ni "...vulgarni nacionalizam kao ni dogmatizam (...) nikad nije imao uspjeha na Sveučilištu (...) Humanizam i demokratski socijalizam su odrednice i ovoga studentskog pokreta" (Dabčević-Kučar, 1997: 779). Govoreći pozitivno o SFRJ koja ne znači negaciju individualnosti nacija citira Titove riječi iz 1963. "...a svako zapovijedanje, težnja za hege-

monijom i nametanje bilo bi samoubojstvo" (*ibid.*). U završnom dijelu govora pozvao je studente da "...čvrsto stoje na progresivnoj platformi 22. sjednice CK SKH-a" završivši govor time da je studentski radikalizam uvjetovan "borbom za socijalističku budućnost svih nas i čitave jugoslavenske zajednice..." (*ibid.*). Prema kasnijem svjedočenju Paradžika, upravo je Bakarić bio idejni začetnik štrajka. "Izmislio je taj štrajk da bi došlo do nemira i svega onoga što se dogodilo u Hrvatskoj, da bi srušio demokratsku struju na čelu sa Savkom, Tripalom i drugima" (Pavković, 1991: 63).

Nakon odluka iz Karađorđeva i završetka štrajka, uslijedila su uhićenja studentskih vođa Ivana Zvonimira Čička, Dražena Budiše i Gorana Dodiga dok je Paradžik prema napisima u medijima bio u bijegu (*Vjesnik*, 13. 12. 1971.). Zatim su uslijedila i suđenja. Sam Paradžik je izjavio vezano uz svoje uhićenje da on nije bio uhićen nego da se "sam prijavio 13. prosinca 1971. godine". Nadalje je kazao: "Naime, čuo sam preko radija, da su moje kolege uhićene dan-dva ranije, pa sam iz doma na Trgu žrtava fašizma pobjegao i sakrivao se dva dana. U novinama i ostalim medijima bilo je objavljeno da sam u bjekstvu. Međutim, sakrio sam se u jednom stanu u Zagrebu i gledao što se tih dana događalo na glavnim ulicama ovoga grada. Neki su željeli da bježim, da se na taj način spasim, ali sam to kategorički odbio, tim više što sam bio predsjednik SSH. Bio bi to po meni znak krivnje i kukavičluka. Nisam želio nikuda odlaziti iz Hrvatske. Odlučio sam se prijaviti i na taj način dokazati svoju istinitost i pravdu. Prijavio sam se javnom tužitelju Slobodanu Budaku, a on me izručio predsjedniku Okružnog suda" (Pavković, 1991: 61). Optuženom studentskom vodstvu sudilo je peteročlano Veliko vijeće Okružnog suda u

Zagrebu kojemu je predsjedavao sudac Milenko Mihaljević. Suđenje je počelo 5. srpnja, a nastavljeno je u kolovozu i rujnu 1972. godine. Prvooptuženi je bio Budiša, drugooptuženi Čičak, trećeoptuženi Paradžik kojeg je branio Slavko Šimatović, a četvrtooptuženik Dodig branio se sa slobode. Optuženi su po članku 100. Kaznenog zakona kao kontrarevolucionari koji napadaju državu, narod i društveno uređenje. Optuženi su i da su stvorili "militantnu, u suštini terorističku i nacionalističkim fanatizmom i šovinizmom zadojenu falangu, pokret hrvatskih sveučilištaraca, pod izravnim idejnim i organizacijskim rukovodstvom kontrarevolucionarne grupe koja je djelovala u središtu Matice hrvatske". Paradžik se na suđenju branio šutnjom a u završnoj riječi rekao je da "optužnicu smatra montiranom" i da je "zbog toga odbacuje". Suđenje je nazvao "procesom" koji ga "pogađa i ponizuje" (Perić, 2007: 346). Početkom listopada 1972. izrečene su presude. Sva četvorica proglašena su krivima a Paradžik je osuđen na tri godine zatvora i dvije godine zabrane javnog djelovanja. Zatvorsku je kaznu u cijelosti odslužio u Lepoglavi.

Sudbinu Paradžika nakon izlaska iz zatvora opisao je Dražen Budiša sredinom devedesetih: "Kada je Ante Paradžik izišao nakon tri godine iz zatvora i došao u Ljubuški, cijela njegova generacija koja je sudjelovala u tom pokretu (*Hrvatsko proljeće* op. a.) već je ondje namještena na položajima direktora škola, veterinarara, sudaca. Dolazi Ante Paradžik i on je opasnost. Oni su se afirmirali, nisu ušli u dosje Udbe, i sada dolazi on, a oni su nekad bili zajedno, znaju što tko misli i bježe od njega. Da bi ipak sačuvali svoj hrvatski obraz, lansiraju da je on počeo surađivati sa Udbom u Zagrebu, i nitko od njih sa njim ne kontaktira, a čovjek nakon tri godine dolazi u svoje

mjesto. Onda je on još četiri puta hapšen” (Dabčević-Kučar, Gotovac i Budiša, 1996: 18).

Nakon izlaska iz zatvora 1975., Paradžik se vratio studiju prava, kojeg je ponovno prekinuo jer je iste godine uješen uhićen zajedno sa svojom zaručnikom Jozefinom Oberan. Oberan je idućeg dana bila puštena, međutim Paradžik je osumnjičen za najteža djela, između ostalih za “kupovinu tenkova u Austriji” (*Jutarnji list*, 14., 15. i 16. 4. 2001). U zatvoru provodi četiri mjeseca, bez suđenja, bez prava na posjet, a onda ga sud pušta na slobodu. Nadalje, od iste je godine Paradžika zbog hrvatskog nacionalizma pratila i obrađivala jugoslavenska obavještajna Služba državne sigurnosti. Od tri postojeće kategorije obrada Paradžik je bio u onoj najtežoj – operativnoj obradi koja je značila sustavnije praćenje osoba (Gaura Hodak, 2015). Godinu dana kasnije, 6. prosinca 1976. po treći je put uhićen i osuđen na 60 dana zatvora zbog toga što je na svojim pozivnicama za vjenčanje sa Jozefinom Oberan imao hrvatsku trobojnicu bez socijalističkih oznaka (Pavković, 1991: 68-70). Time je Paradžik “na javnom mjestu pisanjem vrijeđao i omalovažavao patriotska osjećanja građana i društveno političko uređenje Jugoslavije”.¹ Vjenčani kum bio mu je Budiša. Četvrti je put uhićen 1977. u Zagrebu a da ni sam nije znao zašto (vjerojatno zbog dolaska Tita u Zagreb op. a.) (Paraga i Paradžik, 1991: 239). Usprkos teškom teretu pritiska vlasti, Paradžik je 1978. diplomirao pravo na Pravnom fakultetu Sveučilišta u Zagrebu, gdje je apsolvirao na trećem stupnju iz područja obiteljskog prava. Uspio se zaposliti

1979. u Centru sa socijalni rad u Donjoj Stubici. Tamo je pomagao socijalno ugroženim osobama u kojoj mu je bio dodijeljen i stan. Problemi su ubrzo nastali kada su lokalne vlasti u Donjoj Stubici saznale za Paradžikovu aktivnost iz 1971. pa je ubrzo dobio otkaz, nakon čega se žalio Vrhovnom sudu koji ga je ponovno vratio na posao (Pavković, 1991: 71).

Djelovanje uoči i tijekom uspostave višestranačja

Paradžik nije u javnosti nastupao sve do 10. prosinca 1988. kada je na Dan ljudskih prava sa grupom od oko 40 bivših političkih zatvorenika, među kojima su bili Dražen Budiša, Marko Veselica, Hrvoje Šošić i Vladimir Šeks želio unaprijed najavljeno predati u Saboru SR Hrvatske *Prosvjed* – dokument koji je sastavljen radi ograničavanja temeljnih ljudskih prava u Hrvatskoj, osobito onih koja se odnose na slobodu kretanja i oduzimanje putovnice s obrazloženjem da to zahtijevaju interesi javnog poretka i/ili obrana zemlje. Prosvjed je trebao biti predan predsjedniku Sabora SR Hrvatske Anđelku Runjiću i predsjedniku Predsjedništva SR Hrvatske Ivi Latinu koji ih nisu primili, niti su tada bili nazočni u zgradi Sabora. Prosvjednici su tada zamolili osoblje na porti Sabora da ih predsjednici prime u vrijeme kada oni odrede, međutim nisu bili nikada pozvani na susret (Šošić, 1993: 695-697). U neku ruku to je bio jedan od prvih političkih činova koji su nagovještavali društveno-političke promjene u SR Hrvatskoj. Paradžik je ubrzo sudjelovao i u osnivanju Hrvatskog društva političkih zatvorenika u kojem je bio glavni tajnik, a ta je udruga počela djelovati 1989. godine. Njezina osnivačka skupština održana je 17. veljače 1990. godine (*ibid.*: 262).

¹ Osobna pismohrana (OP) obitelji Ante Paradžika: Rješenje Opštinskog suda za prekršaje Ljubuški br. 716/76 od 8. prosinca 1976.

Paradžik je u to vrijeme dobio putovnicu, nakon 19 godina i to na intervenciju ministra vanjskih poslova Austrije Aloisa Mocka, zbog simpozija "Hrvatska i Europa" koji se održavao u Grazu (Pavković, 1991: 71).

Proces demokratizacije i uspostava višestranačja u SR Hrvatskoj, koji se mogu pratiti od 1989. pokazali su jednu zanimljivu činjenicu. Ona se očituje u tome da je svaki od studentskih vođa iz *Hrvatskog proljeća* krenuo svojim političkim putem. Tako se Budiša pridružio Hrvatskom socijalno-liberalnom savezu (HSL) prvoj opozicijskoj stranci u Hrvatskoj osnovanoj nakon Drugog svjetskog rata, dok je Ivan Zvonimir Čičak bio među dužnosnicima obnovljene Hrvatske seljačke stranke (HSS) u domovini (Dunatov, 2010: 384-385, Matković, 1999). Paradžik je 1989. pristupio Inicijativnom krugu Hrvatske demokratske zajednice (HDZ), gdje je bio u krugu ljudi koji su podržavali Marka Veselicu za predsjednika. Pored toga, bio je među autorima koji su pisali statut HDZ-a. U konačnici, Paradžik je bio jedan od članova Inicijativnog kruga HDZ-a koji je tražio od Tuđmana izbacivanje ZAVNOH-a i AVNOJ-a kao temelja hrvatske državnosti iz Prednacrta HDZ-a što je Tuđman odmah odbio (Knežević, 2015: 35). Komentirajući razloge razilaženja sa HDZ-om Paradžik je navodio kako je u toj stranci bilo dosta onih koji su prije bili protiv samostalne Hrvatske i koji su ga progonili za vrijeme komunizma. "U HDZ su mnogi ušli radi karijerizma, položaja, radi lakšeg života i probitaka. Neki su još jučer bacili crvenu knjižicu, a već danas postale vatrene pristalice HDZ-a. Da je bar zadržana jedna selekcija, kao npr. da nitko ne može biti član jedne takve stranke koji nije "na vrijeme" vratio crvenu knjižicu ili da mogu biti svi oni koji zadnjih pet godina nisu

bili u Partiji. To bih pozdravio" (Pavković, 1991: 72). S druge strane, Hrvoje Hitrec na sljedeći je način opisao nezadovoljnu frakciju Inicijativnog kruga HDZ-a među kojima je bio i Paradžik: "Gabelica, Paradžik, Veselica, svi Hrvati od glave do pete, ali su vozili u petoj kad je trebalo u trećoj" (Hitrec, 1992: 23). Nakon što je Tuđman postao predsjednikom HDZ-a, Paradžik je bio među osnivačima Hrvatske demokratske stranke (HDS) iz koje je također istupio nezadovoljan političkim programom koji nije imao zapisan cilj o nezavisnoj hrvatskoj državi kao ni program HDZ-a. Može se stoga smatrati da je Paradžikovo istupanje iz HDZ-a i HDS-a bilo radi ideoloških pitanja.

U to vrijeme u javnosti se javio Dobroslav Paraga koji je iz Beča poslao *Obavijest o inicijativi za utemeljenje pripremne odbora za moguću obnovu Hrvatske stranke prava, sa sjedištem u Zagrebu*. Hrvatska i šira jugoslavenska javnost za Paragu je saznala 1980. kada je kao zagrebački student prava i teologije organizirao sastavljanje peticije upućene Predsjedništvu SFRJ za amnestiju političkih zatvorenika nakon čega je bio uhićen i osuđen na četiri godine zatvora koje je odslužio na Golom otoku i u Lepoglavi. *Amnesty International* proglasio ga je dva puta zatvorenikom savjesti (Veselinović, 2014: 57) a *hrvatska historiografija* navodi kako je riječ o najmlađem jugoslavenskom disidentu (Spehnhjak i Cipek, 2007: 281). Izlaskom iz zatvora, Paraga se kao istaknuti borac za ljudska prava u američkom Kongresu 1989. izborio za izglasavanje Rezolucije 169 koja osuđuje SFRJ zbog kršenja ljudskih prava i zatvaranja političkih protivnika. Pored SAD-a Paraga je o montiranim sudskim procesima političkim protivnicima i kršenju ljudskih prava govorio i u Njemačkoj, Austriji i bivšoj Čehoslovačkoj

gdje su ga primali vodeći državni dužnosnici (Paraga, 1995). U navedenoj *Obavijesti* glavni povijesni i politički cilj HSP-a bio bi uspostava slobodne i samostalne hrvatske države na etničkom i povijesnom području hrvatskog naroda i naroda koji s njim u zajednici živi, te pridobivanje potpore odlučujućih svjetskih čimbenika za taj program. U *Obavijesti* je bilo govora o prvim višestranačkim izborima 1990. u Hrvatskoj za koje je Paraga smatrao “da će se održati bez elementarnih demokratskih pretpostavki za slobodno stranačko djelovanje nezavisnih hrvatskih političkih stranaka, pokreta, društava i pojedinaca iz Hrvatske i inozemstva” (Paraga i Paradžik, 1991: 233-235).

Nakon pročitane Paragine *Obavijesti* Paradžik je osnovao u Zagrebu Inicijativni odbor za obnavljanje HSP-a. Odbor za obnavljanje HSP-a kojeg su činili Paraga, koji je tada boravio u SAD-u, Paradžik i Krešimir Pavelić koji je istupio iz HDS-a sastao se 25. veljače 1990. na Obnoviteljskom saboru HSP-a koji je prihvatio privremena Temeljna načela i Statut HSP-a, a 27. veljače HSP biva registrirana kao devetnaesta po redu politička stranka u Hrvatskoj koja je počela djelovati na političkoj pozornici. Inicijativni odbor postao je Obnoviteljski sabor HSP-a koji je izabrao odgovarajuća tijela Stranke. Za predsjednika je predložen i izabran Paraga, za dopredsjednika Paradžik², a za tajnika Pavelić. Njih trojica činili su Predsjedništvo koje će obavljati svoju dužnost kao privremeno vodstvo dok ne bude na Prvom općem Saboru izabrano novo ili potvrđeno posto-

jeće vodstvo nadopunjeno s novim dužnosnicima (*ibid.*: 236). Obnavljanjem HSP-a 25. veljače 1990. donesena su i Programska načela stranke kojom pristaje ideje hrvatskog državnog prava prihvaćaju tu ideju kao polaznu osnovu svoje djelatnosti. Programska načela trebala su biti privremena sve do prvog redovitog Sabora, kada je predviđeno usvajanje programa HSP-a u skladu sa suvremenim kretanjima u domovini, Europi i svijetu. Polazeći od povijesnog hrvatskog državnog prava i prava naroda na samoodređenje uključujući pravo na odcjepljenje, HSP će se “zalagati za hrvatski nacionalno-državni suverenitet na cjelokupnom povijesnom i etničkom prostoru, bez kojeg nema ostvarenja višestoljetnih težnji hrvatskog naroda”³.

Uspostavom višestranačja u Hrvatskoj nacionalno pitanje u svim svojim aspektima iz prošlosti bilo je istaknuto u programima većine političkih stranaka. Pogotovo su se otvorila ona pitanja koja su bila nakon 1945. tabuizirana. Delegacija HSP-a predvođena Paradžikom sudjelovala je 1990. u komemoracijama hrvatskim žrtvama na Bleiburškom polju i javno je pozivala predstavnike hrvatskih političkih stranaka da se pridruže tom činu, kada se ujedno obilježavala 45. obljetnica od bleiburške tragedije. Tada su hrvatski su mediji prvi put izvijestili o komemoraciji na bleiburškom polju, na kojoj su pored pravaša bili i predstavnici drugih stranaka: Tomislav Duka (HDZ), Marko Veselica (HDS), Dražen Budiša (HSL) te Srećko Pšeničnik iz Hrvatskog oslobodilačkog pokreta (Veselinović, 2014: 62). Nadalje, na komemoraciji nad jamom Jazovka, Paradžik je između ostalog rekao: “HSP s

² Zbog Paraginog službenog boravka u SAD-u, Paradžik je u početku bio i obnašatelj dužnosti predsjednika HSP-a. (op. a.) Tek se u kolovozu 1990. Paraga definitivno vratio iz SAD i preuzeo predsjedanje HSP-om (Blažeković, 2007).

³ OP obitelji Ante Paradžika: *Programska načela Hrvatske stranke prava*, Zagreb, 25. veljače 1990., 1.

ovoga mjesta upućuje sućut cijelom hrvatskom narodu. Tu su sućut trebali uputiti crveni zlotvori – hrvatski izdajnici koji su izvršili pokolj nakon Drugog svjetskog rata nad hrvatskim narodom. Ovdje je prva od otkrivenih jama u poratnoj tragediji hrvatskog naroda. Ni nove Hrvatske ne bi bilo da nije bilo ovih žrtava. Nova Hrvatska se danas rađa iz naših tragedija na Bleiburgu, na Križnom putu i u svim onim jamama u koje su bačeni oni kojima je krivnja bila u tom što su se borili za svoju samostalnu Hrvatsku državu... A mi želimo živjeti na svom prostoru u miru i u svojoj slobodnoj državi. Želimo živjeti u ljubavi sa svim drugim narodima i državama” (Paraga i Paradžik, 1991: 77-78).

Paradžik je odmah nakon obnavljanja HSP-a postao jedan od najaktivnijih stranačkih dužnosnika. U javnosti je zahtijevao potrebu ostvarenja hrvatske samostalnosti. Tako u intervjuu za časopis *Azur* iznosi stavove da se “zalaže da se ne odstupi od povijesnog hrvatskog državnog prava i prava na samoodređenje, uključujući i pravo na odcjepljenje” i “da na Jugoslaviju gleda kao prošlost, jer se HSP opire ideji jugoslavenskog integralizma kao ideji koja je povijesno nadiđena, nazadna i za sve narode sadašnje države u najvećoj mjeri štetna” (*ibid.*: 22-24). Komentirajući stanje na Kosovu smatrao je da Albanci imaju ista prava kao i Srbi, te je isticao da je protivnik “iseljavanja bilo kojeg naroda s njegovog životnog prostora” (*ibid.*: 25). Nadalje, isticao je da se zalaže za denacionalizaciju nepravedno oduzete imovine i privatno vlasništvo jer se ono univerzalno pokazalo kao osnovni pokretač efikasne privrede u uvjetima tržišne ekonomije (*ibid.*: 22, 27). Smatrao je i da se nezaposlenost može riješiti izgradnjom novih autocesta i to one Zagreb-Split i Osijek-Sarajevo-Ploče (*ibid.*: 27-28). Zalagao se

za alternativne oblike iskorištavanja energije, smatrajući da je NE Krško potencijalna opasnost (*ibid.*: 27). U konačnici po pitanju obrazovne politike tražio je slobodu odgojno-obrazovnih ustanova od svake ideološke isključivosti, njihovo uključivanje i suradnju na međunarodnoj razini, te je smatrao da školovanje mora biti besplatno na svim razinama, a standard učenika i studenata viši (*ibid.*: 29).

Uoči prvih višestranačkih izbora u Hrvatskoj koji su se održali u travnju i svibnju 1990. Predsjedništvo HSP-a donijelo je odluku da neće sudjelovati na izborima zbog toga “jer će se izbori obavljati pod nadzorom političke policije koja je pod nadzorom komunističkih vlasti i zbog toga jer jugoslavenska diplomatska predstavništva u inozemstvu odbijaju dati vize emigrantima iako su hrvatski državljani i tako im onemogućuju izlazak na izbore” (*ibid.*: 21). Međutim, iako nisu sudjelovali na izborima Paradžik i Pavelić uvode HSP u Hrvatski demokratski blok (HDB) kojeg su činili HDZ, jedna frakcija HSS-a, Hrvatska stranka, Demokratsko kršćanska stranka i Demokratska akcija Hrvatske. HDB je bio nacionalni blok koji počiva na sintezi hrvatske državotvorne misli i nema zajedničke ideologijske osnove, već mu je poveznica zagovaranje hrvatskog interesa bez jugoslavenskog okvira. Stranke okupljene u tom bloku išle su samostalno na izbore, a dogovorile su se da u drugom izbornom krugu podrže kandidate iz bloka koji dobiju najviše glasova (Šošić, 1993: 242). Između Paradžika i Tuđmana koji je bio vodeća osoba u bloku postignut je usmeni dogovor da će nakon izbora i eventualne pobjede HDB-a Paradžiku biti ponuđeno mjesto potpredsjednika u novom sazivu Vlade ili Predsjedništva SR Hrvatske. Odluku o ulasku u blok predvođen HDZ-om do-

nijelo je vodstvo stranke usprkos protivljenju Parage koji je tada boravio u SAD-u (Bilandžić, 2001: 561). Dopredsjednik HSP-a Paradžik pozvao je svoje članstvo da glasuje za taj blok jer je to bio prema njegovoj prosudbi od svih loših programa najmanje loš i "jer smo pod svaku cijenu željeli da komunisti izgube izbore, a njih su mogli pobijediti jedino ljudi iz HDZ-a predvođeni dr. Tuđmanom" (Paraga i Paradžik, 1991: 36). Nakon održanih izbora Tuđman kao pobjednik izbora mijenja odluku i umjesto Paradžika u saziv Predsjedništva SR Hrvatske na mjesto potpredsjednika poziva Dušana Bilandžića iz SKH-SDP nakon čega HSP izlazi iz bloka što je rezultiralo Paradžikovim kritikama na račun politike HDZ-a i Tuđmana. Paradžik je smatrao da HDZ, kao i druge demokratske stranke nisu trebale primati u svoje redove komuniste koji nisu barem prije pet godina izišli iz Partije jer su, prema njemu, mnogi komunisti samo iz taktičkih razloga nakon izbora promijenili stranačke knjižice, a u osnovni su zadržali stari politički mentalitet. Pogotovo je kritizirao obećanje koje je Tuđman davao na svojim predizbornim skupovima da će svi oni kadrovi koje je komunistička vlast postavila na temelju njene procjene o podobnosti biti smijenjeni jer su u stvari "sve strukture koje je postavila bivša komunistička vlast, boljševička, ostale su na vlasti, ostale su u strukturama privrede, od kadrovika, direktora, savjetnika, i oni danas pljačkaju i uništavaju hrvatsku privredu. Uništavaju je jer je nisu ni dosad štedjeli. Te ljude je trebalo odmah suspendirati" (*ibid.*: 138). Kritika nove vlasti nastavila se i u sljedećem razdoblju. Ustav koji je Sabor proglasio 22. prosinca 1990. za HSP je bio nametnuti, oktroirani Ustav jer ga je Sabor donio bez prethodne suglasnosti hrvatskoga naroda. Ustav po kojem hrvatski

narod nema svog državnog suvereniteta bio je po pravaškom vodstvu "antihrvatski i antinarodni" (*ibid.*: 166). Nadalje, oni su tvrdili da po tako nametnutom Ustavu hrvatska država nema svoje vojske, redarstva, novca, diplomatskih predstavništva i nije mogla biti međunarodno priznata. Po tom Ustavu Hrvatska se ne pojavljuje kao subjekt međunarodnog prava i zato se Hrvatska nije mogla naći na međunarodnoj političkoj karti. Na to se nadovezala kritička primjedba da je Hrvatska i dalje ostala u sastavu Jugoslavije. Na protujugoslavenskom gledištu HSP tražila je brisanje ZAVNOH-a iz preambule Ustava "jer je odluke ZAVNOH-a i AVNOJ-a donijela Komunistička partija Hrvatske i Jugoslavije, a nikako hrvatski narod kojem su te odluke silom nametnute" (*ibid.*: 89). Paradžik je kritizirao i odluku da se 30. svibnja slavi kao Dan državnosti jer je smatrao kako se ne može slaviti Dan državnosti na dan 30. svibnja kada još Hrvatska pravno nije država. To je po njemu bio dan uspostave demokracije, a za nezavisnu državu Hrvatsku se trebalo tek izboriti i to je morala biti glavna zadaća HSP-a. U tom smislu on poručuje: "HDZ nakon što je proglasio 30. svibnja za Dan državnosti mogla je putem Hrvatskog sabora proglasiti i hrvatsku državnu samostalnost. No kada to već nije tada učinila, mogla je prije svih drugih na ovim prostorima organizirati plebiscit hrvatskog naroda i građana Hrvatske u domovini i dijaspori, kako bi se točno utvrdilo žele li Hrvati i građani Hrvatske samostalnu hrvatsku državu ili ne" (*ibid.*: 215).

Politička zbivanja u SR Hrvatskoj su nakon prvih višestranačkih izbora bila itekako burna i napeta jer dio hrvatskih građana srpske nacionalnosti nije prihvaćao nastale promjene, što je rezultiralo pobunom koju je vodila Srpska demokratska stranka protiv demokratski

izabrane vlasti. Pobuna je bila uvod u agresiju širih razmjera na Hrvatsku koju je planirala i vodila Jugoslavenska narodna armija (JNA) koja je netom prije promjene vlasti oduzela oružje republikoj Teritorijalnoj obrani i time dodatno otežala i obrambenu situaciju u Hrvatskoj (Barić, 2005). U takvoj političkoj situaciji Paradžik je tražio formiranje Vlade nacionalnog jedinstva. Smatrao je da bi se hrvatske političke stranke trebale ujediniti; “predložio bih samo dvije stranke: Hrvatsku stranku i Stranku hrvatskih izdajnika. A kada dobijemo svoju državu, svoju slobodu, onda neka bude stotinu stranaka. Neka bude tada i političkih svađa i više demokracije. A što se tiče srpskih stranaka kao jednonacionalnih stranaka, to se ne bi smjelo dopustiti. Oni se mogu angažirati u hrvatskim strankama, jer osnivanjem svojih stranaka oni odmah stvaraju politički prostor, političko djelovanje i stvaraju pretpostavku za svoju državu. Ne mogu Hrvati imati svoju političku stranku u Njemačkoj ili Austriji. Hrvata u Australiji ima oko 300 tisuća pa ne mogu zamisliti svoju stranku. Takvi su zahtjevi apsurdni” (Paraga i Paradžik, 1991: 188). Iz navedenog prijedloga o samo dvije stranke, vidljivo je da je Paradžik preuzeo učenje pravaškog ideologa i prvaka Eugena Kvaternika o jednoj stranci koja će braniti narod, a druga razarati ga (Gross, 2000: 138). Navedenu tezu Paradžik je često zastupao na stranačkim tribinama, a zadnji put je to bilo netom prije ubojstva.

Prvi opći Sabor HSP-a održan je 23. i 24. veljače 1991. u Zagrebu, u hotelu Intercontinental (danas Westin). Tom su prigodom istaknuta pravaška načela koja su trebala biti smjernice za politiku: povijesna težnja Hrvata za državnom nezavisnošću i ustrajavanje u borbi za ostvarenje povijesnih hrvatskih prava.

Na Saboru stranke izabrano je novo (staro) rukovodstvo na sljedeće četiri godine. Za predsjednika je jednoglasno izabran Dobroslav Paraga, a uz njega i tri dopredsjednika, i to Ante Paradžik, Ivica Karamatić i Vjekoslav Čosić. Glavni tajnik je postao Krešimir Pavelić (Pavelić, 1995: 80). Na Prvom općem Saboru stranke Paraga je istaknuo kako je HSP uskrsla feniksa iz pepela, zabrana, atentata, ratova i hekatombe krvi hrvatskoga naroda, stoji ponosno sa svojom elitom u središtu svih Hrvata, u Zagrebu u kojem je u 20. stoljeću već jednom ostvaren najsvetiji ideal HSP-a i hrvatskoga naroda a to je proglašenje NDH 10. travnja 1941. godine. Nadalje je dao zavjet da će ponovno ispuniti poslanje i pravaško držanstvo i da će ponovno uskrsnuti NDH od Sutle do Drine, nadajući se već 1991. godine.⁴ Uz pozdravljanje proglašenja NDH, Paraga je kritizirao nedemokratske i nehumane postupke vodstva represivnog ustaškog režima na čelu s poglavnikom Antom Pavelićem i odvojio je ideju o uspostavi hrvatske države od navedenih postupaka. Paraga se pozivao i na učenje Pavelića koje se odnosilo na njegov rad u HSP-u od 1919. do 1929., a ne na njega kao na vođu ustaškog pokreta za kojeg je izjavio “da ga više nema i da nije potreban jer će se HSP izboriti za nezavisnu hrvatsku državu demokratskim sredstvima te da će se prvi boriti za sprečavanje bilo kakvog nedemokratskog postupka prema drugim nacionalnim skupinama u Hrvatskoj od kojih traži odanost Hrvatskoj” (*Vjesnik*, 7. i 8. 10. 2003). Iako se Paraga nije pozivao na Pavelića kao vođu ustaškog pokreta i represivnog ustaškog režima mora se spomenuti da je na Prvom općem Saboru

⁴ Pismohrana HSP (PHSP): Prvi opći Sabor Hrvatske stranke prava, Zagreb 23. i 24. veljače 1991., VHS kazeta.

HSP-a donijeta rezolucija koja je upućena Saboru da se iz cijelog svijeta prenesu posmrtni ostaci zaslužnih Hrvata koji su umrli prirodnom smrću ili su bili ubijeni a među njima je posebno bio Pavelić. Također je zatraženo proglašenje 10. travnja državnim blagdanom. Paragin stav bio je identičan Paradžikovom koji je rekao “da jedan narod i jedna država ne mogu biti ni fašistički ni zločinački” (...) kada smo predlagali da se 10. travnja slavi kao državni praznik nismo mislili ni na zločine, ni na režim, već na državu koju su priznale 24 zemlje svijeta *de iure* i 6 zemalja svijeta *de facto*” (Paraga i Paradžik, 1991: 185). Posljednji govornik na pravaškom Saboru bio je Paradžik. Najprije je naglasio da Hrvati hoće svoju slobodu, a ne državu, a država im je sredstvo da dođu do svoje slobode. Zatim je istaknuo kako je ovo povijesni Sabor jer s njega mora poći baklja slobode i da u svaku hrvatsku kuća treba ući državotvorna misao HSP-a koju je proklamirao jedini Otac Domovine dr. Ante Starčević. Nadalje je istaknuo kako HSP neće prihvatiti nikakve konfederacije jer je to izdaja hrvatska naroda. Također je istaknuo kako HSP nikada neće prihvatiti nikakav savez ni s kojim narodom ni s kojom državom jer Hrvatska hoće živjeti u svojoj slobodnoj i nezavisnoj državi čiji se san čeka 888 godina. Paradžik je u svom govoru tražio da se izvrši ratna reparacija za pobijene hrvatske žrtve od 1945. godine. U završnom dijelu govora istaknuo je kako se u 1991. mora stvoriti hrvatska država ili je bolje da nas nema, jer jedan dan slobode je slađi nego 50 godina ropstva.⁵ Stajalište HSP-a prema BiH polazilo je od tvrdnje da je to povijesni hrvatski teritorij i da se treba putem referenduma pitati njene građane što oni misle po tom pitanju.

⁵ Ibid.

Paradžik je naglašavao da “ako se BiH ne želi pripojiti Hrvatskoj, tad će se Hrvatska pripojiti Bosni i Hercegovini kako bi se sve naše zemlje našle u Hrvatskoj. Mi pravaši znamo kome narod iz Bosne i Hercegovine neće, a njihova je slobodna volja da odluče kome hoće” (*ibid.*: 138-139). Smatrao je da je hrvatska istočna granica do Subotice, Zemuna, Drine, Sandžaka i Boke Kotorske koje su hrvatski državni teritorij a “tko sada na tim teritorijima živi, to je druga stvar” (*ibid.*: 185).

Nakon pravaškog Sabora u priopćenju koje je Paradžik supotpisao ispred HSP-a, žalio se na pojavu “neostaljinizma u Hrvatskoj”. Radilo se o otvorenom pismu glavnom ravnatelju Hrvatske radio-televizije Antunu Vrdoljaku u kojemu je izraženo nezadovoljstvo zbog sustavne medijske izolacije stranke i (ne) prikazivanja njena rada. Paradžik Hrvatsku radio-televiziju naziva “zagrebačkom Bastiljom”. Za HSP kaže Paradžik da je “druga strana u odnosu na HDZ, koju gospoda smatraju marginalnom strankom, kao što je i Slobodan Milošević jednako tako mislio u odnosu na srbijsku opoziciju (...) HSP ne razlikuje fašizam od komunizma, jer su i jedan i drugi unesrećili hrvatski, kao i mnoge narode svijeta, ali između njih ipak postoji jedna razlika, a to je što su fašisti progonili i ubijali na ovim prostorima četiri godine a komunisti 44” (*ibid.*: 194). Tijekom 1991. politička je kriza u SFRJ bila na vrhuncu. Srpski blok u Predsjedništvu SFRJ, ojačan strogo nadziranom marionetskim predstavnicima Crne Gore, Kosova i Vojvodine odbio je da izabere hrvatskog predstavnika Stjepana Mesića za predsjednika Predsjedništva SFRJ na način utvrđen Ustavom i Poslovníkom, koji je do tada poštivan 11 puta. Paradžik komentirajući takvu odluku izjavio je kako “HSP uopće ne zani-

ma Mesićev izbor, jer mi ne priznajemo niti jednu savezni instituciju – pa tako ni Predsjedništvo. Borimo se za slobodnu i demokratsku Hrvatsku, te nas zanima samo tko će biti predsjednik Hrvatske” (*ibid.*: 214). Nakon uspostave demokratske vlasti putem višestranačkih izbora, Hrvatska je, u nastojanju da razborito riješi proces dezintegracije jugoslavenske federacije mirnim sredstvima, zajedno sa Slovenijom, ponudila ostalim republikama preobrazbu centralizirane federacije u konfederaciju, savez suverenih država, po uzoru na institucije Europske ekonomske zajednice, što je srpski blok odbio jer je inzistirao na federaciji kao jedinstvenoj državi. Srbija i JNA su prijetile državnim udarom i neustavnom uporabom sile protiv nepokorenih republika. Pravaški idealizam i radikalizam nije trpio i podržavao taktiku hrvatskih vlasti koja nije imala hrabrosti da jasno i na jednostavan način postavi referendumsko pitanje u samostalnosti Hrvatske. HSP je u međuvremenu organizirala potpisivanje peticije za samostalnu hrvatsku državu a Paradžik je rekao da će kada skupe milijun potpisa s time upoznati domaću i svjetsku javnost, Saboru poslati zahtjev da proglasi samostalnu državu a “ako Sabor to ne učini, proglasiti će je HSP” (*ibid.*: 215) To je i rezultiralo Lipanjskom poveljom koju su Paraga i Paradžik u ime Predsjedništva HSP-a donijeli 13. lipnja 1991. u hotelu “Bigeste” u Ljubuškom kojom su pozivali “sve Hrvatice i Hrvate, Muslimane, Sandžaklije, graničare s Drine, hrvatske državotvorne stranke, pokrete i organizacije, kao i sve one građane koji Hrvatsku priznaju za svoju domovinu da se pridruže svojim potpisima obnovi i uspostavi nezavisne države Hrvatske na cjelokupnom povijesnom i etničkom prostoru sa istočnim granicama Subotica, Zemun, Drina, Sandžak i Boka Ko-

torska” (*ibid.*: 222). Lipanjska povelja označila je za HSP zapravo uspostavu hrvatske države na povijesnom i prirodnom pravu, što nije moralo biti podudarno s idejom obnove NDH koja u svom sastavu nije imala Suboticu i Boku Kotorsku. Riječju, radilo se o maksimalističkom programu. Uz ogradu od fašističkog karaktera Pavelićeve NDH, Paraga je donošenje Lipanjske povelje argumentirao rasprodajom hrvatskog teritorija od strane hrvatske Vlade i utvrđivanjem granica Hrvatske koje moraju biti od Sutle do Drine (*Večernji list*, 19. 6. 1991). Međutim, i kao takva, akcija Predsjedništva HSP-a s donošenjem Lipanjske povelje je prema Ivi Lučiću u Hercegovini “kod lokalnih vlasti i naroda shvaćena kao provokacija i protuhrvatsko nastojanje koje se ne može dovesti u vezu s hrvatskom državnom politikom” (Lučić, 2005: 57). Bez obzira na namjere Predsjedništva HSP-a, predstava u Ljubuškom poslužila je kako ističe Ivo Lučić protuhrvatskoj propagandi koja je svaki politički oblik hrvatstva, a napose predviđeno proglašenje neovisnosti Republike Hrvatske, poistovjećivala s ustaštvom i obnovom NDH (Lučić, 2008: 125). Međutim, na taj događaj od kojeg je vodstvo HSP-a puno više očekivalo, brzo se zaboravilo zbog izbijanja rata u Hrvatskoj (Bošnjak, 2007: 20).

Nakon oružanog sukoba u Borovu Selu 2. svibnja 1991., u kojem je ubijeno 12 hrvatskih policajaca, Paradžik komentirajući taj događaj ustvrdio je da “HSP kao opozicijska stranka nije u mogućnosti osnivanja oružanih odreda ili neke posebne policije, odnosno garde. Međutim, kao najhrvatskija od svih hrvatskih stranaka spremni smo kao građani Republike Hrvatske svim sredstvima braniti njezin suverenitet kao i sve Hrvate ako je to potrebno. Pravaši će

danas, kao i nekad, tako i ubuduće, uvijek biti na braniku domovine, ne žaleći dati i vlastiti život za njezinu slobodu. Smatram da stranka na vlasti HDZ, Hrvatski sabor i Vrhovništvo, nisu ostvarili skoro ništa od onoga što je obećano u predizbornoj kampanji; nije se dogodilo proglašenje samostalne države Hrvatske, već su se dogodili Knin, Plitvice, Borovo Selo i na kraju kapitulacija” (Paraga i Paradžik, 1991: 215). Dobroslav Paraga je nakon izbijanja sukoba u Sloveniji zatražio od hrvatskih vlasti “da odmah provedu opću mobilizaciju svih za oružanu borbu sposobnih osoba i da se isti odmah upute u Sloveniju kako bi pomogli nastojanja slovenskog naroda u suzbijanju velikosrpske agresije”.⁶ Takve izjave nesumnjivo su upozoravale da HSP sprema odgovor na velikosrpsku agresiju na hrvatsku i slovensku nezavisnost koja je proglašena 25. lipnja 1991. godine. To je rezultiralo stvaranjem Hrvatskog obrambenog saveza, paravojnih snaga koje je organizirala HSP radi obrane Slovenije i Hrvatske. Ubrzo je taj savez preimenovan u Hrvatske obrambene snage (HOS). “Mi u HSP-u prestajemo biti samo političari i postajemo vojnici. Izvršili smo pripreme za obranu Hrvatske i hrvatskog naroda i svjetska i domaća javnost uskoro će se uvjeriti u našu snagu” izjavili su Paraga i Paradžik na konferenciji za novinare HSP održane 18. srpnja 1991. u Zagrebu naglasivši kako je HOS “nastao spontano od njihovog članstva koji se već bore u prvim borbenim redovima u kriznim područjima Hrvatske” (*Večernji list*, 19. 7. 1991). Ispočetka je to bio savez za obranu Slovenije a sam naziv za dragovoljačke postrojbe HSP-a osmislio je Paradžik koji

⁶ PHSP: “Zahtjev Hrvatskom saboru, Vladi, predsjedniku Republike dr. Franji Tuđmanu, domaćoj i svjetskoj javnosti”, Zagreb 27. lipnja 1991.

je bio prvi načelnik Ratnog stožera HOS-a dok je Paraga bio vrhovni zapovjednik koji je izjavio “da prestaju biti samo političari i da postaju vojnici” a Paradžik da “osuđuju pregovaranje sa Miloševićem oko hrvatskih teritorija i da ne priznaju podjelu BiH” (*ibid.*). Riječju, HOS je bio paravojna formacija koju je organizirala HSP izvan vojne ili policijske organizacije s ciljem obrane od velikosrpske agresije (Veselinović, 2014: 69). Obilježavanjem 10. travnja i osnivanjem HOS-a čija je kratica u Drugom svjetskom ratu označavala naziv za oružane snage NDH – Hrvatske oružane snage, jasno pokazuje da je ustašonostalgija bila nazočna u stranačkoj identifikaciji i propagandi HSP-a. Unatoč radikalizmu i ustašonostalgiji pripadnicima HOS-a dok su bili pod ustrojem HSP-a ne može se odreći “da nisu bili hrabri ratnici, kao ni činjenica da se uz njih ne vezuje nijedan ratni zločin” (Goldstein, 2011: 13)

HOS je bio mješovitog sastava u kojem su pored Hrvata koji su činili većinu bili Muslimani, Srbi i Albanci te po nekoliko desetaka stranih dragovoljaca iz Velike Britanije, Irske, Nizozemske i Francuske. Paradžik je naveo kako je HSP postrojbe HOS-a sama opremila, od uniformi do raznovrsnog modernog oružja zahvaljujući sredstvima “koje im je omogućio Hrvatski potporni i obrambeni fond ‘Drina’, iz Toronta u Kanadi”, te da “jedinice djeluju kao desetice, tri-desetice, stotice, ili dvjestotice, što je vrlo slično rimskom sistemu vojske po centurijama i kohortama” (Butković i Grakalić, 1992: 39). Paradžik je kao načelnik Ratnog stožera HOS-a imao političku funkciju, idejno političko djelovanje i bio je zadužen za novačenje i logističku potporu. Na terenu je radio pripremu, obuku i upućivanje ljudstva na teren. Nakon sastanka vodstva HSP-a s predsjednicima Albanije i Bugarske usvojen

je nacrt povelje o stvaranju Antihegemonističke (antivelikosrpske) koalicije pokreta i stranaka Hrvata, Albanaca i Bugara, čiji je naum Srbiju svesti na prirodne granice iz 1912. (*Večernji list*, 19. 7. 1991, *Večernji list*, 9. 7. 1991).

Paradžik i Paraga smatrali su da hrvatske vlasti oklijevaju pred opasnošću dobro pripremane velikosrpske agresije koja zapravo već traje. Prve specijalističke obuke pripadnika HOS-a vršene su u općini Kočevje u Sloveniji, dogovorom slovenskog ministra obrane Janeza Janše i Jože Pučnika s jedne strane i Parage i Paradžika s druge koji su stavili na raspolaganje pripadnike HOS-a Teritorijalnoj obrani Slovenije u slučaju napada JNA na slovensku nezavisnost. U specijalističkoj obuci sudjelovali su pripadnici slovenske specijalne brigade Moris, dok je za logistiku bilo zaduženo Ministarstvo obrane Republike Slovenije (Praznik, 2007: 41-44). Nakon osnivanja i organiziranja HOS-a, glavni tajnik HSP-a i urednik *Hrvatskog prava* Krešimir Pavelić napustio je stranku zato jer se suprotstavljao ustrojavanju takvih stranačkih vojnih postrojbi “jer bi se takav čin protivio pravnom poretku i ujedno bi bio usmjeren protiv hrvatskih nacionalnih interesa” (Pavelić, 2003: 74). Osuda organiziranja HOS-a posebno je bila vidljiva u istupima Franje Tuđmana koji je smatrao kako je Paraga organiziranjem HOS-a “pokušao uskrnuti kriptofašističke tendencije” a da su se pripadnici HOS-a “u početku rata kao dragovoljci javili za borbu protiv Armije i srpskih ekstremista. Kasnije nismo mogli u potpunosti provesti njihovo uvrštavanje u svoje redovite postrojbe. Oni su željeli kompromitirati našu demokraciju i srušiti demokratsku vlast” (Tuđman, 1999: 190, 227). Paraga i Paradžik su u ime HSP-a 18. ožujka 1991. službenim podneskom u Saboru gdje su bili primljeni kod predsjednika Žarka Domlja-

na zahtijevali povratak u posjed zgrade Starčevićevog doma, ali taj objekt nikada nije vraćen (*Hrvatsko pravo* br. 4-5, 1991). Vidjevši da od povratka neće biti ništa, HOS je 18. rujna 1991. zauzeo Starčevićev dom. Tim je djelom HSP sa dragovoljcima HOS-a povratila u posjed zgradu koja je podignuta 1895. u vremenu nastupa modernog pravaštva u čast Ante Starčevića radi poticanja šire nacionalne svijesti o Ocu Domovine, te je ujedno zgrada postala središnjica HSP-a kao i Ratni stožer HOS-a.

Ubojstvo Ante Paradžika

Paradžik je ubijen 21. rujna 1991. od strane hrvatske policije na blokadnom punktu “Jež 2” u Sesvetama. Te je večeri Paradžik održao govor na tribini svoje stranke u Hrvatskom domu u Križevcima (Rohaček, 2009: 13). U ratu koji već uvelike traje u raznim dijelovima Hrvatske njegova je pravaška retorika bila predvidljiva: pozivao je da se Hrvatska oslobodi jugoslavenskog jarma i uvjeravao je stotinjak građana i simpatizera da poslušaju Tuđmana ako ih pozove na sveopći ustanak, iako ga je bio označio kao kolebljivca. Govoreći o programu HSP-a, Paradžik je naglasio da je to najhrvatskija i najstarija hrvatska stranka čiji su članovi bili najveći hrvatski rodoljubi, a tadašnju hrvatsku vlast Paradžik je “nazvao komunističkom i boljševičko – generalskom, optuživši da je većina ministara u hrvatskoj Vladi radila za KOS i UDB-u. Tko je god bio veći komunist, udbaša, kosovac, dobio je kod nas ministarsko mjesto”, rekao je Paradžik na križevačkoj tribini pozivajući narod “da se osvijesti uz povijesno pomirenje nekadašnjih ustaša, domobrana i partizana” (*Vjesnik*, 23. 9. 1991). Tribina na kojoj je Paradžikov tjelohranitelj skočio među publiku s automatom na gotovs, potraja-

la je do devet sati navečer i Paradžik se tad zaputio u Zagreb s tajnikom HSP-a iz Toronta Ivanom Oršanićem. *Ladom* upravljao je Branko Perković. Cesta do Zagreba bila je zamračena zbog zračne opasnosti. Prilikom dolaska u Zagreb, policajci na blokadnoj točki “Jež 2” dobili su dojavu od policajca Blaža Sarića kako se u *Ladi nivi* nalaze sumnjive osobe koje treba provjeriti. Sumnjivci su, glasila je dojava, najvjerojatnije bili “martićevci”.⁷ Da bi neprijateljske snage došle iz smjera Križevaca za tako nešto nije bilo ni mogućnosti. Ni danas nije jasno zbog čega je Sarić to rekao, budući da je upravo on prethodno zaustavio *Ladu* na blokadnom punkta “Drava 778” i razgovarao s vozačem Perkovićem (Gaura, 2010).

Malo prije 23 sata, prilikom dolaska na punkt, *Lada* se zaustavila na signale policijske ekipe u kojoj su bili Željko Vučemilović Grgić, Branko Matošević, Željko Čeko i Paško Palić. No, prema tvrdnjama policajaca, tada se začuo pucanj. Jedan policajac prišao je vozilu, a onda se udaljio nekoliko koraka, repetirao kalašnjikov i bez upozorenja ili provjere otpočeo s nemilosrdnom vatrom. Pridružili su mu se i ostali policajci. Paradžika je pogodio jedan jedini metak koji je bio koban: pogodio ga je u slabinu, ošteti jetru i probio plućno krilo. Gotovo istog trenutka Paradžik je preminuo, Perković je zadobio prostrijelnu ranu desne ruke, a Oršanić je nekim čudom ostao neokrnut. Što se policajaca tiče, jedan od njih pogođen je u desnu natkoljenicu. Očevid ubojstva vodio je dežurni istražni sudac zagrebačkog Okružnog suda Branko Čižmek. Na mjestu događaja zatekao je *Ladu* na kojoj su sve gume bile izbušene, a u njoj su

⁷ To je eponim koji su mediji dodijelili specijalnim postrojbama milicije tzv. “SAO Krajine”.

se nalazila automatska puška i pištolj CZ 7,62 mm. Tridesetak rupa na karoseriji bilo je raspoređeno sa svih strana. Od stakala preživjelo je samo zadnje desno. Oko *Lade* na tlu je pronađeno pedesetak čahura, a u samom vozilu ostale su krhotine streljiva (*Večernji list*, 23. 9. 1991). Balističkim vještačenjem nepobitno je utvrđeno da iz oružja pronađenog u *Ladi* nije pucano (Gaura 2010).

Policajci su kasnije tvrdili da se automobil nije zaustavio ni na njihovom, ni na punktu prije “Ježa 2”, no Dobroslav Paraga tvrdio je da se *Lada* od Križevaca do Sesveta na policijskim kontrolama zaustavila pet puta što je potvrđeno i sigurnosnom provjerom. Prema svjedočenju Oršanića, automobil se na punktu “Jež 2” zaustavio na policijski signal nakon čega je jedan policajac prišao automobilu s vozačeve strane, ali nije zatražio dokumente, nego se odmah udaljio nekoliko koraka unatrag i zapucao (*Jutarnji list*, 18. 11. 2001). Sudac Okružnog suda u Zagrebu Branko Šerić osudio je četvorku 13. listopada 1993. za ubojstvo s predumišljajem. Prvooptuženi Vučemilović Grgić osuđen je na sedam godina zatvora, drugooptuženi Matošević na šest godina, trećeoptuženi Čeko na pet godina i deset mjeseci te četvrtooptuženi Palić na pet godina i osam mjeseci zatvora.⁸ Paradžik je sahranjen 25. rujna

⁸ OP obitelji Ante Paradžika: Presuda Okružnog suda u Zagrebu, broj: K-190/93 od 13. listopada 1993. godine, 4. Treba istaknuti da se radilo o ponovljenom sudskom postupku. Prema prvoj presudi Okružnog suda u Zagrebu jedino je Željko Vučemilović Grgić proglašen krivim i osuđen je na četiri godine zatvora dok su ostali oslobođeni. OP obitelji Ante Paradžika: Presuda Okružnog suda u Zagrebu, broj: VII-K-279/91-143. od 4. prosinca 1992. godine. Nakon žalbe državnog odvjetništva Vrhovnom sudu, ukinuta je presuda, a predmet je vraćen na ponovno suđenje pred novim sudskim vijećem.

1991. na zagrebačkom groblju Mirogoj pred dvadesetak tisuća ljudi. Ostavio je iza sebe suprugu Jozefinu i troje djece, Mislava, Veroniku i Katarinu. Na Paradžikovom pogrebu, Dražen Budiša istaknuo je da “u ovom trenutku mi ne znamo da je Antina smrt stjecaj tužnih, nesretnih okolnosti u ovom olovnom vremenu ili se radi o političkom ubojstvu”⁹, dok je Dobroslav Paraga naglasio “da će svaki Hrvat biti sljedbenik Ante Paradžika, hrvatskoga junaka i hrvatskoga vojnika”¹⁰.

Osuđeni policajci podnijeli su ustavnu tužbu jer su smatrali da su im osporenim presudom Vrhovnog suda Republike Hrvatske, kao i osporenim prvostupanjskom presudom, povrijeđena ustavna prava. Osnovanost ustavnih tužbi posebice nalaze u činjenici da su sudovi u njihovom slučaju odbili primijeniti odredbu članka 1. stavka 1. tada važećeg Zakona o oprostima od krivičnog progona i postupka za krivična djela počinjena u oružanim sukobima i u ratu protiv Republike Hrvatske. Tom je odredbom bilo propisano da će se obustaviti kazneni progon, odnosno kazneni postupak protiv počinitelja kaznenih djela počinjenih u oružanim sukobima, u ratu protiv Republike Hrvatske ili u svezi s tim sukobima, odnosno ratom, ako su počinjena u razdoblju od 17. kolovoza 1990. do 25. rujna 1992. godine. Za ta djela kazneni progon se neće poduzimati, a kazneni postupak se neće pokretati. Glede (ne)primjene navedenog Zakona o oprostima, u kaznenom predmetu, sudovi su u osporenim presudama zauzeli sljedeća stajališta: Okružni sud u Zagrebu, presuda od 13. listopada 1993.: “Sud

nije primijenio Zakon o oprostima od krivičnog progona i postupka za krivična djela počinjena u oružanim sukobima i u ratu protiv Republike Hrvatske (NN 58/92) s obzirom na činjenicu da kritične večeri 21. rujna 1991. godine na blokadnom punktu ‘J. 2’¹¹ nije došlo do nikakvog oružanog sukoba, a što je osnovni uvjet da bi se protiv počinitelja krivičnih djela i to upravo I, II, III i IV optuženika mogao primijeniti isti Zakon o oprostima”¹². Vrhovni sud Republike Hrvatske, presudom od 23. veljače 1994., zauzima stav: “Nisu u pravu optuženi V. G. Ž.¹³ i P. P.¹⁴ kada tvrde da je trebalo obustaviti postupak na temelju Zakona o oprostima (...) Oprost se može priznati samo za krivična djela koja su u neposrednoj svezi s ratnim operacijama, vojnom službom i sl., a ne i za krivična djela učinjena uz prekoračenje službenih ovlaštenja pripadnika policije”¹⁵. Ustavni sud Republike Hrvatske utvrdio je da podnositeljima ustavnih tužbi u konkretnom slučaju nije povrijeđeno ustavno pravo na slobodu “budući da im je sloboda oduzeta u zakonom propisanom slučaju i sukladno postupovnim pravilima mjerodavnog propisa i prihvaća stajalište Vrhovnog suda izraženo u osporenoj presudi”¹⁶. Međutim, Franjo Tuđman je 8. rujna 1994. donio Odluku kojom je pomilovao osuđene policajce koji

¹¹ Jež 2.

¹² OP obitelji Ante Paradžika: Presuda Okružnog suda u Zagrebu, broj: K-190/93 od 13. listopada 1993. godine, 35.

¹³ Vučemilović Grgić Željko.

¹⁴ Palić Paško.

¹⁵ OP obitelji Ante Paradžika: Presuda Vrhovnog suda Republike Hrvatske, broj: Kž-21/94 od 23. veljače 1994. godine.

¹⁶ OP obitelji Ante Paradžika: Odluka Ustavnog suda Republike Hrvatske, U-III / 492 / 1994.

⁹ OP obitelji Ante Paradžika: *TV Dnevnik*, Hrvatska televizija, Zagreb, 25. rujna 1991. VHS kazeta.

¹⁰ Ibid.

su ubrzo nakon toga otpušteni s izdržavanja kazni, te je jedan od atentatora poslije predavao na Policijskoj akademiji u Zagrebu, a svi "su vraćeni na posao u hrvatsku policiju, iako je to u izravnoj suprotnosti sa zakonom" (Jurčević, 2013: 261). Sudac Branko Šerić nakon takve odluke odlučio je potražiti posao u odvjetničkoj profesiji. Ante Miličević, odvjetnik obitelji Paradžik je u svibnju 1998. zatražio istragu protiv Blaža Sarića koji je u noći ubojstva kontrolnom punktu dojavio da se u automobilu u kojem se vozio Paradžik možda nalaze "martićevci", međutim prilikom istrage protiv Sarića tijekom 1998. ništa bitno nije postignuto u smislu rasvjetljavanja ubojstva te se cijeli slučaj nije pomakao s mjesta, odnosno Vrhovni je sud odbio žalbu kao neosnovanu. Kako piše Ivica Buljan "o sumnjivoj ulozi Sarića govore i informacije iz tadašnjih hrvatskih obavještajnih krugova po kojima je Paradžika cijelo vrijeme, a posebno taj dan, pratio odjel tajne pratnje MUP-a (...) a vrlo raširena bila je i verzija po kojoj su Paradžika zajednički likvidirali hrvatska vlast i pripadnici KOS-a, koji su u to vrijeme zauzimali čelna mjesta u MUP-u i SZUP-u, a kasnije je veći dio njih bio uhićen kao članovi špijunske skupine Labrador" (*Jutarnji list*, 19. 11. 2001). Slučaj je ponovno medijski aktualiziran 2001. kada je Paraga zatražio reviziju postupka ili otvaranja novog postupka za ubojstvo Paradžika. Paraga je iznio tvrdnje da je od Ruže Tomašić, povratnice iz Kanade i članice HSP-a koja je 1991. radila kao voditeljica Tuđmanovog osiguranja u Banskim dvorima dobio informacije pred svjedocima "da je Tuđman donio odluku" da se likvidiraju on i Paradžik, te da o tome postoji dokumentacija koju je 2001. predao Državnom odvjetništvu (*Vjesnik*, 1. 2. 2005). Zbog bolesti Tomašić se 1992. vratila u

Kanadu i nije bila dostupna hrvatskom pravosuđu tijekom suđenja policajcima za ubojstvo Paradžika. Tek 2005. na Paragine tvrdnje je Tomašić, povratnica iz Kanade po drugi puta, izjavila da je Paradžikovo ubojstvo najviše odgovaralo Paragi, "jer se predsjednik Tuđman slagao s Paradžikom, ali s Paragom nije".¹⁷ Nakon toga je Paraga pozvao Tomašić u policiju na poligrafsko ispitivanje na koje se ona nije odazvala pa ju je Paraga optužio da je notorna lažljivica i da je "zbog ovakvih laži, spreman ići do kraja. Do kraja zbog istine i dostojanstva Ante Paradžika" (*Vjesnik*, 1. 2. 2005). Kontroverza oko pitanja je li za ubojstvo Paradžika krivnju snosi državni vrh prenijela se iz političkog života i u znanstveno-istraživački. Prema Josipu Jurčeviću radilo se o tipičnom primjeru politički motiviranog ubojstva jer je Paradžik bio praćena osoba, ubijen je u "sačekuši", poznat je identitet atentatora, međutim "kreatori i nalogodavci su ostali sakriveni" (Jurčević, 2013: 252-264). S druge strane, Dragutin Lalović u svojoj analizi procesa konstitucije hrvatske države eksplicitno navodi da je "HDZ ubio Paradžika" (Lalović, 2001: 19) a da nije tu tvrdnju podupro sa kakvim konkretnim dokazima. U svakom slučaju ubojstvo Paradžika bio je udarac za HSP.

Zaključak

Iako je prošlo četvrt stoljeća od smrtonosnog atentata na Antu Paradžika, hrvatska historiografija prešućuje ulogu koju je Paradžik odigrao u događajima iz 1971. i 1991. godine. To je jedna od najprogonjenijih osoba nakon Karađorđeva 1971. godine. Ukupno je Paradžik

¹⁷ PHSP: *Nedjeljom u dva* (gost: Ruža Tomašić), urednik Aleksandar Stanković, Hrvatska radio televizija, Zagreb, 30. siječnja 2005.

proveo u zatvoru tri godine, šest mjeseci i osam dana, a bez putovnice bio je punih 19 godina. Za vrijeme *Hrvatskog proljeća* kao predsjednik SSH Paradžik je u svojim nastupima težio za što većom samostalnošću Hrvatske u Jugoslaviji. Možda je i to bio jedan od razloga zašto je toliko bio proganjan. Štrajk kojeg su povelili hrvatski sveučilištarci predvođeni Paradžikom iako tada nije ostvario nijedan zacrtani cilj pokazao je snagu, brojnost, organiziranost i discipliniranost studentskoga pokreta. U Hrvatskoj nikada više nije bilo studentskog štrajka kao onog iz 1971., a studenti danas u Hrvatskoj nisu neki veći politički faktor kakav su bili te 1971. godine. Međutim, ono što je Paradžik najviše želio i za što se zalagao bila je hrvatska državna nezavisnost, a upravo je HSP koju je obnovio bila prva stranka koja je u svom programu imala za cilj nezavisnost Hrvatske, ali izvan njezinih republičkih granica. Kao sljedbenici Starčevićeve i Kvaternikove izvorne pravaške ideologije, Paradžik i HSP nikome nisu priznavali dosljedniju državotvornost od one što je sami ispovijedaju. Nezavisna nacionalna država za Paradžika je bila najveća vrijednost. Obilježavanje 10. travnja devedesetih godina za Paradžika nije nužno značilo slaviti fašizam i političko-ideološki karakter NDH nego obilježiti sjećanje na osnivanje jedne hrvatske države. Paradžik je jasno osuđivao represivni ustaški režim i njegove zločine, argumentirajući da je ustaški režim imao fašistički i totalitarni karakter a ne država. NDH nije želio poistovjećivati sa režimom nego je smatrao da ga je trebalo promijeniti. Unatoč tome treba istaknuti da je u Paradžikovom djelovanju, a to znači i u vodstvu HSP-a bila nazočna ustašostalgijska koja je bila vidljiva u komemoracijama 10. travnja, korištenju termina NDH, osnivanju HOS-a čija je

kratica bila istovjetna onoj u oružanim snagama NDH, a i neke su postrojbe nosile nazive po ustaškim generalima (Rafael Boban, Jure Francetić), kao i činjenica da su ogranci HSP-a u Australiji i Kutini nosili ime po Anti Paveliću. Uostalom i sam je Paradžik imao obiteljsko naslijeđe povezano s NDH stoga takva identifikacija i ne čudi. HSP se deklarirala kao stranka s najžešćim nabojem antijugoslavenstva i antikomunizma. Paradžikovi politički govori bili su radikalni, međutim nije pozivao na progone i zatiranja, nije dopuštao zlostavljanja i kršenja prava čovjeka i naroda. Paradžik je ubijen 11 dana nakon što je zajedno s Dobroslavom Paragom na skupu HSP-a u Zagrebu na Trgu bana Josipa Jelačića javnosti prvi put predstavljen HOS, stranačke paravojne dragovoljačke postrojbe koje su pravaši sami organizirali u vrijeme dok Hrvatska vojska još nije bila posve formirana. Svojim djelovanjem HSP je okarakterizirana kao opasna za državni poredak i kao velika konkurencija vladajućem HDZ-u. HSP je pod Paraginim i Paradžikovim vodstvom bila najžešći kritičar politike Tuđmana i HDZ-a. Na takvo djelovanje HSP-a, vladajući režim odgovorio je represijom, a Paradžik je bio prva žrtva koja je označila početak kraja HSP-a. Formalno, za ubojstvo Paradžika krivci su osuđeni na zatvorske kazne, međutim kazne nisu izdržali u cijelosti što im je svojim pomilovanjem omogućio prvi hrvatski predsjednik Franjo Tuđman i ubrzo nakon toga svi su vraćeni natrag na posao u policiji. Taj slučaj je imao sudski epilog, ali navedene činjenice jasno upućuju na to da sud nije išao u ispitivanje svih okolnosti tog ubojstva niti u traženje pozadine onog što se dogodilo. Slučaj je zauvijek pao u zakonski zaborav budući da je nakon 20 godina nastupila zastara i više nitko, barem ne pred pravosuđem,

neće moći odgovarati za ono što se 21. rujna 1991. oko 22 sata dogodilo na blokadnom punktu "Jež 2" u Sesvetama. Ulice koje nose Paradžikovo ime nalaze se u Osijeku i Kninu, dok se u Zagrebu njegovo ime nalazi u Fondu imena ulica što ga vodi Gradski zavod za katastar i geodetske poslove i čim se nađe lokacija Odbor za imenovanje naselja, ulica i trgova predložit će Gradskoj skupštini Grada Zagreba da njegovim imenom nazove ulicu ili neku drugu neimenovanu javnu površinu na području Grada Zagreba. Sveti cilj pravaštva ostvaren je,

stvoren je nezavisna nacionalna država, a Paradžik je kao suvremeni pravaš to i dočeka. Neosporne su i Paradžikove zasluge za stvaranje i obranu države kroz organiziranje HOS-a, a njegova djelatnost od 1971. jasno mu daje za pravo na mjesto među osobama koje su obilježile suvremenu hrvatsku političku povijest. Paradžik je posmrtno 1995. od predsjednika Tuđmana odlikovan Redom Stjepana Radića za zasluge i stradanje u borbi za nacionalna i socijalna prava i razvitak hrvatskog naroda a priznat mu je i status hrvatskog branitelja.

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Novinski izvori

- Hrvatsko pravo*
Hrvatsko sveučilište
Jutarnji list
Večernji list
Vjesnik

The political activities of Ante Paradžik

SUMMARY The author, on the basis of archive materials, press and literature reconstruct the life and political activity of politician Ante Paradžik. During the Croatian Spring Paradžik was elected president of the Union of Croatian students who gathered representatives of all Croatian university centers. As one of the leaders of the student movement of 1971, he was sentenced to three years in prison, which he fully served. With the establishment of the multiparty system in Croatia, Paradžik was a reformer and vice president of the Croatian Party of Right, and the main political goal of the party was an independent state of Croatia. The outbreak of the aggression against Croatia, Paradžik together with Dobroslav Paraga organized volunteer party militiamen called Croatian Defence Forces. He was also vice president of the Croatian Democratic Club of Central Europe and the Secretary General of the Croatian Association of Political Prisoners. He was killed in 1991 under unclear circumstances by members of the Croatian police.

KEYWORDS Ante Paradžik, Croatian Spring, Croatian Party of Right, Croatian Defence Forces, contemporary Croatian political history

Recenzije

HRVATSKO I JUGOSLAVENSKO “PROLJEĆE” 1962.-1972.*

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Zbornik radova *Hrvatsko i jugoslavensko “proljeće” 1962.-1972.* koji predstavljamo javnosti proizišao je iz znanstvenog skupa pod nazivom “Hrvatska i Jugoslavija – 1961-1971”. Skup je održan 18. studenoga 2011. na Fakultetu političkih znanosti Sveučilišta u Zagrebu u organizaciji politološkog časopisa *Politička misao* povodom 40. obljetnice 1971. godine. Cilj skupa bio je da se kritički i slojevito osvijetli cijelo jedno (po organizatoru ključno) desetljeće jugoslavenske i hrvatske povijesti (1961-1971), razvojna dostignuća na političkome, ekonomskom i kulturnom planu, ne samo u demontaži autoritarnoga staljinističkog režima nego u veoma složenom i protuslovnom društvenom gibanju s nizom emancipacijskih dosega, ali i s brojnim modernizacijskim i demokratskim deficitima. Zbornik koji ima 298 stranica sadrži uvod, osam radova i tri priloga. Radove i priloge je u zbornik uvrstio te knjigu uredio dr. sc. Dragutin Lalović, umirovljeni redoviti profesor Fakulteta političkih znanosti Sveučilišta u Zagrebu.

Prvi rad u zborniku koji nosi naslov “Prijelomno desetljeće (1962-1972) – od krize stabilnosti do stabilizacije krize” djelo je Dragutina Lalovića koji pola-

zeći od teze Dennisona Rusinowa ističe da su 1960-te povijesni vrhunac “jugoslavenskog eksperimenta”. Pri tome naglašava kako to desetljeće započinje krizom stabilnosti dotadašnjeg modelski jedva izmijenjenog staljinističkog sustava i autokratskog djelovanja vrha Saveza komunista Jugoslavije (SKJ). Autor navodi da je proces imao tri faze: Prva, 1962-1963: Titov projekt izlaska iz krize radikalnom, ali ne i dosljednom destalinizacijom na programu društvenog samoupravljanja (skupštinski sustav s funkcionalnim radnim predstavništvom), privredne i društvene reforme, s osloncem na sindikat i Savez komunista kao glavnim instrumentima ekonomskoga i političkog subjektiviranja radničke klase. Ali na bazi lenjinističkog modela Partije, jačanja partijskog jedinstva i discipline te s potiskivanjem federativne komponente. Druga, 1966: krah projekta i novi kurs. Samokritično priznanje vrha SKJ da je sam SKJ, pod dominacijom političke policije, glavna zapreka procesu destalinizacije. Razdoblje ekonomske liberalizacije, političke demokratizacije i pluralizacije intelektualnog života. Titov kompromis s nadmoćnom koalicijom republičkih vodstava, uz oslonac na vodstvo Saveza komunista Hrvat-

* Dragutin Lalović (ur.), *Hrvatsko i jugoslavensko “proljeće” 1962-1972.*, Društvo “Povijest izvan mitova”, Zagreb, 2014, 298 str.

ske. Federalizacija Saveza komunista (Deveti kongres SKJ, 1969) i države (1971-1974) i Titova bitka za političko preživljavanje (1966-1972). Treća, Titov politički obračun s vodstvom Saveza komunista Hrvatske (1971) i Saveza komunista Srbije (1972) i kraj desetljeća političke i ekonomske liberalizacije, svojevrsnog sustava policentrične poliarhije. Rezultat takvog raspleta kako navodi autor bio je da kriza SKJ s početka 1960-ih nije riješena, nego je stabilizirana strukturnim kompromisom u ustrojstvu Saveza komunista i Jugoslavije kao federacije, s Titom kao političkim arbitrom. Povijesna regresija društvenoga, političkog i intelektualnog života zbog neuspjeha da se naslijeđeni tip boljševičke Partije preobrazi u marksistički i demokratski Savez komunista (str. 18-50).

Dennison Rusinow autor je rada "Facilis Decensus Averno" koji je zapravo hrvatski prijevod njegovog rada objavljenog na engleskom jeziku kojeg je za potrebe zbornika preveo Dejan Jović. U radu autor prikazuje i vrednuje strategiju i taktiku hrvatske politike krajem 1960-ih i početkom 1970-ih. U središtu je analize povijesna Deseta sjednica Centralnog komiteta Saveza komunista Hrvatske iz 1970., koja je osmišljena i održana na inicijativu Vladimira Bakarića i koja je definirala hrvatsku politiku spram privredne i društvene reforme te spram centralističkog unitarizma i hrvatskog nacionalizma (str. 51-83).

Bogomir Kovač autor je rada "Politička ekonomija reformiranja samoupravnog socijalizma – od europeizacije Jugoslavije do balkanizacije današnjeg EU-a" koji polazi od uvida da 1960-te znače kraj europskog zlatnog doba poslijeratnog razvoja, a socijalističke ekonomije, premda nedovoljno spremne za prilagođavanje novim situacijama, počinju s ekonomskim reformama. Autor

ističe kako je jugoslavenska savezna vlast najavila ekonomske reforme 1961. i 1965. koje označavaju najbolji program reformi i modernizacije u institucionalnom razvoju socijalističke Jugoslavije. Samoupravni se sustav bazirao na premisama da državna kontrola ekonomije i državno planiranje moraju biti zamijenjeni slobodnim djelovanjem društvenih poduzeća, indikativnim planiranjem i tržišnim mehanizmom. Kraigherova reforma iz 1965. s jedne je strane ojačala razvojne poluge i pozicionirala industriju kao vodeću ekonomsku snagu, a s druge utvrdila stabilizacijski program. Međutim, politika stabilizacije nije uspjela zadovoljiti očekivanja, njene su restriktivne mjere vodile do novih neravnoteža. Kraigherova reforma tako je povećala ekonomsku volatilnost, ekonomski rast je pao, a inflacija i vanjski dugovi porasli. Savezna vlada nije imala rješenja za takvu situaciju. Krajem 1960-ih jugoslavensko se ekonomsko čudo primaklo kraju. Komunističke vlasti pripremile su ustavne promjene u cilju discipliniranja nositelja ekonomskih reformi i liberalnih ekonomskih politika. Pri tome autor naglašava kako socijalističke ekonomije, slično kao države članice EU (Velika recesija 2008-2013), nisu bile sposobne dati brze i adekvatne odgovore na krizu. To je prema autoru bio ključan razlog dezintegracije druge Jugoslavije i možda postaje nova forma balkanizacije EU (str. 84-106).

U radu "Ekstenzivni razvoj Jugoslavije i njezin opstanak (kritička stajališta Vladimira Bakarića)" Zorka Zović-Svoboda rekonstruira i interpretira Bakarićevo stajalište o uzrocima reproduciranja ekstenzivnog gospodarskog razvoja u Jugoslaviji, u historijskom kontekstu. Naglasak je na Bakarićevoj političko-ekonomijskoj kritici ideologije i prakse jugoslavenskog socijalizma. Autorica isti-

če da su ishodište Bakarićevih istraživanja o uzrocima neravnoteže gospodarske strukture i njenim posljedicama etatiistički odnosi proizvodnje, koji su bili osnovni okvir i nepremostiva zapreka mogućnosti njihova liberaliziranja. Pri tome je Bakarić uzroke neravnoteže pronalazio u birokratskim odnosima i u osnovnim motivima upravljačkog sloja da se neprekidnim investiranjem u nove objekte osiguraju masovno zapošljavanje, rast društvenog standarda, dodatni prinosi u proračun i očuvanje monopola partijske vlasti. Iz začaranog kruga ekstenzivnog razvoja nije se uspjelo izići u dugom procesu postupnog, sporog i neravnomjernog razvoja samoupravljanja u nejednako razvijenoj višenacionalnoj zajednici. Iza čestih normativnih i organizacijskih promjena skrivale su se neprekidne političke rasprave i sukobi oko raspodjele proračunskog novca i fiskalne solidarnosti među republikama i regijama. Bakarić je bio kritičan prema upravljačkom sloju, koji je bio fokusiran na raspodjelu, a ne na stvaranje pretpostavki temeljitih promjena gospodarskog i društvenog sistema, što je imalo za posljedicu opću krizu i slom jugoslavenskog modela socijalizma (str. 107-136).

Zdravko Petak autor je rada "Ekonomska federalizam u socijalističkoj Jugoslaviji". Autor u njemu pozornost stavlja na dvije temeljne stvari: istraživanju prirode jugoslavenskog ekonomskog federalizma od 1960-ih do sredine 1980-ih, te na razinu ekonomske povezanosti republičkih gospodarstava unutar zajedničkog jugoslavenskog tržišta, i to s temeljnom namjerom da se pokaže na koji su način procesi inicirani sredinom 1960-ih utjecali na specifičan položaj Hrvatske u jugoslavenskoj federaciji (str. 137-155).

Zatim slijedi rad Ivana Padjena "Vjera u narod bez vlasti i vlasništva: Crkve-

na šutnja 1961-1971. i glasnost 1990". Hipoteze su rada da je narodnjaštvo u Hrvatskoj posljedica, među ostalim, sljedećih uvjerenja koja je podržavala Katolička crkva u Hrvatskoj 1960-ih, a u značajnoj mjeri i kasnije: 1. jedini prihvatljivi odnos Crkve i države jest onaj partnerstva dvaju pravno jednakih javnih poredaka nad istim podložnicima unutar kojega Crkva ima isključivu vlast da uređuje bračne i obiteljske odnose te vlast da nadzire odgoj i obrazovanje u javnim školama; 2. seljačka obitelj temeljna je organska ljudska zajednica; 3. podložnici crkvene – izvorno feudalne – vlasti vezani stvarno za zemlju tvore narod, koji zajedno s klerom tvori kršćanski narod; 4. s obzirom na to da su temeljne istine dostupne samo teologijom, a praksa je primjena teorije, praktično znanje, osobito o primjerenom odnosu Crkve i države, valjano je samo ako je u skladu s crkvenim naukom. Autor u radu pokazuje da najvjerojatniji razlog zbog kojega je Katolička crkva u Hrvatskoj bila dosta tiha za jugoslavenskoga i hrvatskoga proljeća 1961-1971. i poprilično glasna nakon 1990. jest vezanost Crkve u Hrvata u pogledu odnosa Crkve i države više na Prvi nego na Drugi vatikanski koncil. Crkveno narodnjaštvo, koje olakšava političko partnerstvo Crkve i države te osigurava vladajući položaj klera unutar Crkve, koincidiralo je s interesom jugoslavenskih komunista da zadrže svoju moć i vlast preobrazbom, uz crkvenu potporu honoriranu konkordatom, u hrvatske etnonacionaliste koji su, kao novoobraćeni kapitalisti, prisvojili najveći dio ranijeg društvenog vlasništva i nastavljaju prisvajati najveći dio sadašnjih javnih dobara (str. 156-201).

Radovan Radonjić autor je rada "Crnogorska 'proljeća'". Autor u njemu tematizira zbivanja u Jugoslaviji tijekom

1970-ih, s osvrtom na obujam i karakter sudjelovanja Crne Gore u tom procesu. Autorov cilj rada je da ukaže na neke elemente i momente relevantne za objašnjenje: prvo, zašto se u povijesti jugoslovenskog “socijalističkog eksperimenta” upravo desetljeće (1960-1970) smatra posebno važnim i po čemu se može nazvati nekom vrstom njegovog “proljeća”; drugo, čime je, tj. kojim idejama i političkim sadržajima, Crna Gora participirala u tom procesu; treće, ima li osnove za pretpostavku da je tadašnji “komunistički diskurs” mogao utjecati da zbivanja u crnogorskom društvu i državi poprime tijek koji će nekoliko desetljeća poslije donijeti jedan novi “proljetni dah” (str. 202-225).

Posljedni rad nosi naslov “Diskurs o birokraciji i državnoj vlasti u post-revolucionarnoj Jugoslaviji 1945-1974” čiji je autor Darko Suvin. Autor u njemu polazi od uvida da je pojam “birokracije” pokrivaio polje negativnih političko-ideoloških stavova prema vlasti u poslije-revolucionarnoj Jugoslaviji, simetrično suprotstavljeno ne mnogo razrađenom suprotnom polu i polju pučke demokracije. Njegova je mutnoća dopuštala različite, mada prividno uvijek anti-staljinističke interpretacije – i to u državno-partijskom diskursu, a i u suprotstavljenom diskursu “lojalne opozicije”. Prvi dio rada bavi se državno-partijskim diskursom (Tito, Kidrič, Đilas, Bakarić i Kardelj), dok se drugi dio bavi diskur-

som “lojalne opozicije” (stavovima ekonomiste Branka Horvata i grupe oko časopisa *Praxis* – Mihajlo Marković, Dragoljub Mićunović, Gajo Petrović) (str. 226-281).

Zbornik sadrži i tri priloga. Prvi je prilog “Šezdesete – slatke ili gorke?” od Matka Meštovića koji osvjetljava u kontinuitetu vlastitih duhovnih preokupacija, epohalnu valenciju projekta samoupravljanja kao obzora smisla traganja za novim svijetom (282-289). Preostala dva priloga “Zbunjujuća strategija” i “Raščarani razvoj” su ona Daga Strpića koji analizira Savku Dabčević-Kučar kao aktera i svjedoka vremena (str. 290-298).

Zaključno, možemo kazati da je ovaj zbornik vrijedno politološko djelo koje obrađuje jedno razdoblje iz suvremene hrvatske povijesti. Treba ipak napomenuti da su navedeni radovi već objavljeni u časopisu *Politička misao* u brojevima 49 (2) i 49 (3), kao i to da je drugi dio rada Ivana Padjena objavljen u časopisu *Anali Hrvatskog politološkog društva* broj 10 (1). Stoga možemo istaknuti da žalosti što barem u ovom zborniku radova nisu uvršteni radovi i drugih sudionika skupa, poput izlaganja Dejana Jovića, Branka Dubravice, Tome Jantola, Daga Strpića, Alice Wertheimer-Baletić. Unatoč tome ovaj politološki zbornik treba pozdraviti i preporučiti svima koje zanima suvremena hrvatska politička povijest.

Velimir Veselinović

UZALUDNI PROEUROPSKI PLEDOAJE – PRILOZI “REFLEKSIVNIM MODERNIZACIJAMA”*

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Pred nama se nalazi petnaesta knjiga izvanrednog profesora s Filozofskog fakulteta Sveučilišta u Mostaru dr. sc. Mile Lasića. Knjiga intrigantnog naslova “Uzaludni proeuropski pledoaje” i još zanimljivijeg podnaslova “Prilozi ‘refleksivnim modernizacijama’” ponovno nas podsjeća na prepoznatljiv autorov pristup tranzicijskim problemima regije jugoistoka Europe u nastojanjima europeizacije ambijenata tijekom procesa približavanja Europskoj uniji.

Iz samog naslova ove knjige može se zaključiti kako se Lasić osjeća kao *don Quijote* u zemlji koju naziva zemljom *zarobljenog uma*, gdje već dugi niz godina progovara o potrebnoj promjeni kulturološke i političke paradigme aktualnog pravno-političkog nasilja u paradigmatu uvažavanja oformljenih nacionalnih i drugih identiteta, te isto tako podiže glas oko potrebe uvažavanja međunarodno priznatog okvira. U neku ruku je i logično što je, upravo zbog britke i jasne kritike, autor gurnut na marginu u predpolitičkom društvu kakvo je bo-

sanskohercegovačko, te da s te margine, u maniri dobrog prijatelja BiH, uspješno svjedoči kako je borba s vjetrenjačama ipak moguća i nije uzaludna. Uostalom, zar nas povijest ne uči kako je upravo borba sa zatvorenim umovima, fromovski rečeno bolesnim društvima, osuđena samo na pobjedu i kako završava ozdravljenjem?!

Veliki dio ovog Lasićeva apela, ili kako sam voli reći pledoajea, posvećen je (ne)sposobnosti izgradnje zajedničkih vizija bosanskohercegovačkih naroda i ograničavanju neizbježnih povijesnih pogrešaka u procesu nadilaženja postojećeg statusa quo, odnosno zamrznutog konflikta. Otvoreno društvo, u Lasićevoj reinterpetaciji Popperove sintagme, je njegova misao vodilja, jednako kao i ideja pluralnosti i demokracije kojima zajedno i ne može cilj biti drugo već promicanje kritičizma, raznolikosti i izbjegavanje nasilja, kako bi se u konačnici stiglo do širokih konsenzusa o budućnosti drage mu zemlje. Predanost nenasilju, kritičkoj misli i slobodi govora, suge-

* Mile Lasić, *Uzaludni proeuropski pledoaje – prilozi “refleksivnim modernizacijama”*, Opuzen i Sarajevo, Akulturacija i Synopsis, 2016., 232 str.

stija za kritičkim pogledom temelj su Lasićeva politološkog i proeuropskog narativa. Autoru je jasno, i to opetovano ponavlja, kako je EU projekt mira u svjetskim razmjerima. Poučen iskustvom kultura u kojima je boravio, želi dokazati da ovom dijelu Europe za potpuno ozdravljenje ne preostaje ništa drugo osim pristojne integracije u europsku obitelj. U tom kontekstu se mogu i moraju razumjeti njegovi pledoajei o prijenosu dijelova suvereniteta na zajednička radna tijela i institucije, ali ne kako bi suverenitet i identitet izgubili, već kako bi doprinijeli izgradnji svjetske civilne sile u nastajanju kakva je EU, odnosno promjeni politološke i kulturološke paradigme te izgradnji drugačijeg promišljanja kulture zajedničkog identiteta, odnosno novog tipa političke zajednice. Baš tu nas Lasić upozorava i na metodološki nacionalizam u razumijevanju EU, posebno na nacionalističke, separatističke i unitarističke narative i politike, koje su prepreka u kretanju zemlje naprijed u nužne i hitne gospodarske, socijalne, ustavnopravne i druge reforme.

Već u podnaslovu knjige pronalazimo sintagmu posuđenu od profesorskog mu uzora, Ulricha Becka, kojom zapravo želi apelirati na nužnost tzv. refleksivne modernizacije uz odustajanje od metodološkog nacionalizma, čime Beck prosvjeduje protiv zatvaranja u uske identitete, ali ne zagovara njihovo nasilno i dekretsko ukidanje već nadržavanje putem kozmopolitizacije. U ovom kontekstu i Lasić na Beckovom tragu pledira za popravnim ispitom druge moderne za sve one zemlje i kulture u kojima se društvo nije pomaknulo dalje od razumijevanja klasične (prve) političke moderne. Lasić ovdje usporedbu veže i uz Gellnera koji također smatra kako su se nekim narodima i zemljama posrećila vremena poslije pada Zida i dokidanja

željezne zavjese pa su iskoristili šansu druge liberalne revolucije, a nekima nisu...

Zastarijevanje klasične političke moderne za Becka je rezultat dinamike same modernizacije u društvu koje i dalje vjeruje u ideale, mehanizme i pojmovni aparat stare modernizacije. Beck to zove pronalaženjem političkoga i zahtjeva napuštanje "*...okvir(a) politike statusa quo industrijskog društva u pogledu njezinih ciljeva – suverenost nacionalne države i njezin vojni pandan, privredni rast, potpuna zaposlenost i socijalna sigurnost, vodeće stranke koje na tim ciljevima počivaju te shvaćanje političkoga na osnovi koordinata lijevo-desno – ili se taj politički horizont jednostavne modernizacije bar mora otvoriti, proširiti, ponovno promisliti i preustrojiti...*", te zaključuje kako smo "*...time već stigli do pronalaženja političkoga*". Lasić u ovoj knjizi, naslonjen uvelike na Becka, govori o smislu "*...kretanja naprijed putem sustavnih reformi koje uključuju poštovanje sviju identiteta i ambijenata, ljudskih prava i principa pravne države*", te slično kao i Beck vjeruje kako i više nego ima smisla o tome govoriti u "*...zemljama pred-političke kulture kakve su u pravilu zemlje 'zapadnog Balkana'*".

Lasić je naslonjen i na Kantovu i Popperovu etičku percepciju kriticisma i samokriticizma, kojima dodaje vlastitu racionalnost i neobičan optimizam unutar kojeg je moguće napraviti socijalne reforme uz miroljubivi odnos između zemalja i naroda. On postavlja minimalistički ideal i uvjet koji treba tražiti i s njime slaviti dostignuća moderne racionalnosti, odnosno liberalne demokracije. Ova avantura u kreativnom i kritičkom Lasićevom radu razbuđuje neriješene duhove prošlosti gurnute pod tepih te nudi sredstva rješavanja problema mirnim putem: vrijednosti slobode misli

i govora, toleranciju i individualizaciju. Unatoč činjenici da demokracija uvijek mora ostati vjerna otvorenosti novim idejama, zaštita, po mojem poimanju Lasića, mora biti bespredmetno osigurana za manjinske skupine. Iz tog razloga snažno afirmira potrebu za institucionalnom jednakopravnošću koja mora biti čvrsto izgrađena kako bi zaštitila slabe od jakih, odnosno manjine od većine.

U borbi protiv diktature iskrivljene demokracije, ili kako ju sam naziva demokraturom, Lasić podiže visoko zastave kozmopolitizacije, pa ako baš hoćete i socijal-demokracije, jer ono što je lijevo u njegovom razumijevanju direktno je i kozmopolitsko, a nedostatak jednog dokida drugo. Pritom je svjestan kako bosanskohercegovačka socijal-demokracija u ovom trenutku ne postoji pa se vodi brojnim pozitivnim primjerima iz zemlje u kojoj je prethodno proveo dugi niz godina.

* * *

Ako sam izrečenim, bar u segmentima, obrazložio zašto vrijedi pročitati ovo novo Lasićevo djelo na 232 stranice, osjećam se pozvanim reinterpetirati i strukturu knjige koja je napravljena u dva dijela. U prvom dijelu nalazi se 29 zagrebačkih priča napisanih u 2015. godini za portal Autograf.hr kojima autor pokazuje odgovornost prema struci. Sve ove radove o različitim temama povezuje jasna i konzistentna analiza i zajednička misao vodilja o nužnosti kretanja naprijed putem europeizacije narativa i politika. Krenuvši od svojevrzne obrane stava zašto je Josipović bio i njegov kandidat na prošlim predsjedničkim izborima u Republici Hrvatskoj, preko temeljne analize poruka koje je aktualni papa Franjo uočio i tijekom apostolskog posjeta donio predmodernoj BiH, sve do izravnog otklona od svake vrste totalita-

rizma (gdje se nije libio uključiti i onaj lijevi), te referiranja na važna događanja i krize unutar EU, Lasić nam pokazuje širinu svojih promišljanja i definitivno dokazuje kako je o njemu moguće reći sve drugo osim da ga se može svrstati u skupinu ideologa i plaćenika aktualnih politika, u kojoj su se na nesreću pronašli mnogi njegovi kolege po akademskoj tituli i/ili godinama staža u struci. Lasić se, primjetno je, cijelim svojim radom i životom trudi pokazati kako je moguće ne pripadati ni jednoj političkoj opciji, ukoliko se želi biti vjerodostojan politolog.

U drugom dijelu knjige se našla jedna njegova, kako sam kaže, iznuđena polemika kao i jedan cjelovit intervju koji direktno svjedoči o vrijednostima koje živi i koje kao sekularni propovjednik propovijeda. Upravo o tim vrijednostima posve izravno govori po meni možda i najvažniji esej u knjizi: *'Pitanje krivnje' i 'groblje Mira' na brdu Bile iznad Mostara*. U njemu Lasić naglašava kako je *"...rad na nacionalnom pamćenju neugodan, ali nužan..."* radi dekonstrukcije *"...vlastitih 'tamnih fleka' u bližoj ili daljoj prošlosti, kako bi se definitivno odustalo od proizvodnje primordijalističkih i perenijalističkih laži čemu su nažalost sklone historiografije, politologije i sociologije u svim našim političkim i akademskim centrima"*. Važno je, kako veli Lasić i tu se s njim u potpunosti slažem, naučiti se prvo *"...postidjeti, kako bismo potom imali pravo i dostojanstveno oplakivati svoje mrtve, ma gdje i kako pali, u ime ma koje ideologije to bilo"*. Mogu se samo složiti i s autorovim upozorenjem kako *"...tvrdo glavo jednodimenzionalno obilježavanje teških trauma u prošlosti – i na hrvatski i bošnjački i srpski način – svjedoči neizravno i o žurnoj potrebi europeizacije i kozmopolitizacije ambijenta i identiteta"*.

U ovaj dio knjige uključeno je i nekoliko doista važnih politološko-kulturoloških osvrti na događaje i ljude iz Lasićeve druge domovine (Njemačke), primjerice onaj pisan povodom deset godina vladavine Angele Merkel ili smrti najmislanijeg njemačkog kancelara Helmuta Schmidta, kao i prve godišnjice smrti profesora Becka, u kojima Lasić i definitivno konkretizira što misli pod njemu najvažnijim pojmovima – europeizacije javnih narativa i politika.

Zahvalan sam Lasiću što nam je u ovom radu umnogome otklonio iluzije, što nam je kroz svoje radove pokazao kako aktualne politike traže upravo ono što znaju da će naći i ne zamišljaju svijet drugačijim od onog vlastitog kojeg kroje. U *Pledoajeu* nas i profesorski uči da

samo zato što pripadamo jednoj kulturi ne znači da ne možemo uočiti i razumjeti drugu. Upravo suprotno, zato što smo iz bilo kojeg razloga selektivno oslijepili, ne znači da smo i potpuno slijepi ili da smo osuđeni na sljepoću za cijeli život.

Na kraju zaključujemo time kako je Lasić definitivno jedan od onih autora s čijim se interpretacijama, apelima ili pledoajima možemo ili složiti ili nesložiti. Ako ste došli do jednog od ova dva zaključka, a u kontekstu geografskog, političkog i kulturološkog područja u kojem je knjiga objavljena, to može značiti kako je uzaludni proeuropski pledoaje ujedno temeljito pročitane.

Više od toga autoru i ne mogu poželjeti.

Augustin Zonjić

AGENDA SETTING, POLICIES, AND POLITICAL SYSTEMS: A COMPARATIVE APPROACH*

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O d njezinih početaka sredinom prošlog stoljeća pa sve do danas, javne politike su se kao akademska disciplina dominantno izučavale u Americi. Takva situacija je rezultirala da se postavljanje dnevnopolitičkog reda (engl. *agenda setting*) uglavnom istraživalo samo u kontekstu američkog političkog sustava i američkih javnih politika. Međutim, da se val tih istraživanja sve više okreće europskom kontinentu, dokazuje i *Comparative Agendas Project (CAP)*¹. Moglo bi se reći da je najveći doprinos ovog projekta, osim što potiče daljnje izučavanje javnih politika, upravo to što okreće spomenuti val izučavanja javnih politika s američkog na europske političke sustave i javne politike.

Prilog toj tezi čini i zbornik radova koji okuplja mnoge rezultate istraživačkih napora CAP-a, s dominantnim fokusom na europske zemlje. Radi se upravo o knjizi koju ćemo prikazati, naziva

Agenda Setting, Policies, and Political Systems: A Comparative Approach, koju su nam priredili europski profesori političke znanosti, Christoffer Green-Pedersen sa Sveučilišta u Aarhusu (Danska) i Stefaan Walgrave sa Sveučilišta u Antverpu (Belgija). Oba autora iza sebe imaju impresivnu znanstvenu karijeru u području javnih politika koja je uključivala i suradnju s eminentnim teoretičarima javnih politika poput Bryana Jonesa i Franka Baumgartnera, inicijatora CAP-a. Iako su urednici izdali nekoliko znanstvenih publikacija zajedno, ovo je njihovo prvo zajedničko uredničko djelo.

Knjiga daje komparativni uvid u postavljanje dnevnog reda i svega vezanog uz dnevni red u velikom broju zemalja, s fokusom na njegov utjecaj na političke sustave. Struktura djela je podijeljena na dvije tematske cjeline koje ukupno sadrže jedanaest autorskih radova ne brojeći uvod i zaključak kojeg su priredili ured-

* Christoffer Green-Pedersen i Stefaan Walgrave (ur.), *Agenda Setting, Policies, and Political Systems: A Comparative Approach*, The University of Chicago Press, 2014, 270 str.

¹ CAP predstavlja veliku mrežu istraživačkih projekata postavljanja dnevnog reda u političkom procesu, unutar kojeg sudjeluju istraživači iz brojnih zemalja iz Sjeverne Amerike, Europe i Australije. Projekti koriste longitudinalni dizajn i kvantitativnu metodologiju kodiranja dnevnih redova zakonodavnih i izvršnih tijela, medija, programa političkih stranaka, izvješća itd. s ciljem da otkriju temeljne političke prioritete.

nici. Prva tematska cjelina tiče se stranaka, izbora te politika, a donose se pregledi Ujedinjenog Kraljevstva, Sjedinjenih Američkih Država, Francuske, Danske, Nizozemske i Švicarske. Druga tematska cjelina obrađuje problemske prioritete i institucionalne promjene u Njemačkoj, Belgiji, Italiji, Španjolskoj i Kanadi.

Uvod *Political Agenda Setting: An Approach to Studying Political Systems* urednika Green-Pedersena i Walgravea predstavlja uvertiru u djelo u vidu detaljnog prikaza postavljanja dnevnog reda kao istraživačkog interesa politologa kroz povijest, njegove važnosti u istraživanju danas, ali i šire slike koju nam dnevni red donosi. Dnevni red se počinje istraživati s uvođenjem tzv. drugog lica moći, koje nije stavljalo fokus na donošenje odluka, već i na nedonošenje odluka. U tom pogledu, analiza postavljanja dnevnog reda izašla je iz okvira proučavanja procesa stvaranja javnih politika i na druge sfere poput političkih odnosa moći, te aktera koji su okruženi u tom procesu. Autori ovom knjigom žele naglasiti da je utjecaj dnevnog reda prisutan kroz cijeli politički sustav, te naglašavaju da knjiga u suštini daje analizu jedanaest političkih sustava, a ne samo kolektivnih problema, dnevnog reda ili pak odlučivanja.

Jasno je da se dnevni red uspostavlja putem političke pažnje koja je usmjerena na neki problem, a za urednike je ona rijetka i posljedična, dok unutar nje bitno sudjeluju: (1) informacije, (2) preferencije i (3) institucije. Uz takvo teorijsko polazište istraživači se dominantno koriste kvantitativnom metodologijom i longitudinalnim dizajnom istraživanja dnevnog reda, što je i vidljivo u samoj knjizi. Naposljetku, urednici napominju da su svi radovi u zborniku proizašli iz CAP-a te da je gotovo u svim radovima

korišten standardni CAP šifrnarnik kodova javnih politika.²

Prvi dio zbornika koji obrađuje stranke, izbore i politike započinje radom *Party Politics and the Policy Agenda: The Case of the United Kingdom* trojice autora Petera Johna, Shauna Bevana i Willa Jenningsa. Autori analiziraju Kraljičine govore u parlamentu i zakonodavne akte prihvaćene od strane parlamenta u razdoblju od 1946. do 2008. kako bi istražili političke stranke u kontekstu dnevnog reda. Rezultati navode autore na zaključak da stranke imaju važnost u kreiranju dnevnog reda, ali on poprilično varira kroz institucije te postoji slaba korespondencija između prioriteta u govorima i prioriteta u zakonima, uz neke iznimke.

Bryan Jones i Michelle Whyman se u radu *Lawmaking and Agenda Setting in the United States, 1948–2010* dotiču sfere zakonodavstva u SAD-u kroz postavljanje dnevnog reda. Analiza se odnosi na političke prioritete u SAD-u nakon Drugog svjetskog rata u obliku donesenih zakona i medijske zainteresiranosti u časopisu *Congressional Quarterly* koji prati rad Kongresa. Autori sabiru rezultate u tri najvažnija elementa koji pokazuju da politika utječe na zakonodavni dnevni red, ali nju prate i izvanjski faktori s kojima se vlast susreće.

Autori Sylvain Brouard, Emiliano Grossman i Isabelle Guinaudeau nam objašnjavaju na koji način u Francuskoj stranačko natjecanje može biti ovisno o stranačkim prioritetima u radu *The Evolution of the French Political Space Revisi-*

² Valja napomenuti da je isti šifrnarnik preveden na hrvatski jezik te se koristi u sklopu istraživačkog projekta *Politički prioriteti u Hrvatskoj – POLIPTIH* kojeg provodi skupina istraživača na Fakultetu političkih znanosti u Zagrebu.

ted: Issue Priorities and Party Competition. Autori se u analizi fokusiraju na probleme koje naglašavaju i prisvajaju stranke. Rezultati ukazuju na važnost prioriternih problema stranaka u stranačkom sustavu, a kao primjer se može navesti stranka *Nacionalna fronta* koja je sebi prisvojila problem imigracija i kriminala.

Manjinske vlade koje proizlaze iz fragmentiranog danskog parlamenta učinile su to zakonodavno tijelo glavnim središtem političke moći u Danskoj. Shodno tome, urednik knjige Christoffer Green-Pedersen u radu *Party-System Development in Denmark: Agenda Setting Dynamics and Political Change* preispituje dnevni red stranačkog sustava Danske te u tim okvirima kodira debate koje su održane u danskom parlamentu od 1953. do 2005. Rezultati ukazuju na postepeno širenje tema na dnevnom redu stranačkog sustava u kojem se stranke u Danskoj nalaze.

Arco Timmermans i Gerard Breeman u radu *The Policy Agenda in Multi-party Government: Coalition Agreements and Legislative Activity in the Netherlands* kodiraju koalicijske sporazume i vladine prijedloge zakona u Nizozemskoj kako bi uvidjeli okreće li se vlast od javnih politika uspostavljenih koalicijskim sporazumima. U Nizozemskoj od 1945. niti jedna stranka nije uspjela samostalno dobiti većinu u parlamentu, a rezultati ukazuju na znatna odstupanja formalnog dnevnog reda i onog koji je prisutan u koalicijskim sporazumima. Međutim, to se ne odvija linearno, čak naprotiv, što duže su koalicije na vlasti, više počinju slijediti sporazum nego što to čine u početku mandata.

Rad *Agenda Setting and Direct Democracy: The Rise of the Swiss People's Party* produkt je četvero autora: Frédérica Varonea, Isabelle Engelié, Pascala

Sciarinia i Roya Gava. Autore zanima na koji način izravna demokracija može utjecati na postavljanje dnevnog reda, a kao studiju slučaja odabiru radikalno-desnu Švicarsku narodnu stranku i njezine uspjehe postignute u javnim politikama putem instituta referenduma. Analiziranjem stranke u kontekstu parlamentarnih prijedloga i popularnih inicijativa od 1979. do 2010, autori potvrđuju svoje teze da je radikalizacija stranke nakon 1990. uvelike pomogla stranci u propagiranju svojih politika, pogotovo putem popularnih inicijativa.

Druga tematska cjelina, ona posvećena problemskim prioritetima i institucionalnim promjenama, započinje radom *Content and Dynamics of Legislative Agendas in Germany* autora Christiana Breuniga. Autor se fokusira na materiju njemačkog zakonodavstva i na dinamiku javnih politika te kodira zakonodavne dokumente od 1977. do 2005, prilagođujući šifrniki u obliku dodavanja posebnih kodova posvećenih ponovnom ujedinjenju Njemačke. Rezultati pokazuju iznimno malu posvećenost zakonodavstva ponovnom ujedinjenju Njemačke, te ukazuju na nisku razinu promjena u javnim politikama prilikom transformacije Njemačke politike padom Berlinskog zida. U radu se preispituju i druge značajke političkog sustava poput odnosa između gornjeg i donjeg doma parlamenta, te se u zaključku iznosi stajalište da je usmjerenost na probleme i javne politike u Njemačkoj šarolika.

Stefaan Walgrave, Brandon Zicha, Anne Hardy, Jeroen Joly i Tobias Van Assche donose rad *Strong Devolution but No Increasing Issue Divergence: Evolving Issue Priorities of the Belgian Political Parties, 1987–2010*. Autori napominju kako se često uzima pozicija da u Belgiji frankofonske i flamanske stranke imaju različite problemske prioritete i

ideološke pozicije. Kako bi ispitali to stajalište autori istražuju preklapanje problema koje su naglašavale stranke u svojim programima i parlamentarnim pitanjima. Iako rezultati ukazuju na određene razlike, obje strane imaju dosta dodirnih točaka, iako to još uvijek ne znači nužno da je percepcija njihovih razlika samo simbolična.

Slučaj Italije obrađuju Enrico Borghetto, Marcello Carammia i Francesco Zucchini u radu *The Impact of Party Policy Priorities on Italian Lawmaking from the First to the Second Republic, 1983–2006*. Autori testiraju takozvanu mandatnu teoriju (engl. *mandate theory*) koja pretpostavlja da vladajuće stranke slijede svoja predizborna obećanja dolaskom na vlast kako ne bi bili izloženi problemima na idućim izborima, dok s druge strane uzimaju u obzir i teoriju postavljanja dnevnog reda koja pak tvrdi da stranke teško mogu slijediti svoja obećanja. To studiju slučaja Italije čini zanimljivom jer se radi od zemlji koja je s prijelaza iz Prve na Drugu Republiku promijenila i stranačke sustave. Rezultati ukazuju da je zakonodavstvo rijetko slijedilo predizborna obećanja te autori predlažu integriranje nekih elemenata iz dvije oprečne teorije koje koriste.

Laura Chaqués-Bonafont, Anna M. Palau i Luz M. Muñoz Marquez daju pregled Španjolske u radu *Policy Promises and Governmental Activities in Spain*. Kao što naslov kaže autori se bave predizbornim obećanjima i njihovom podudarnosti s potezima kada stranke dođu na vlast te su tako kodirani stranački programi, zakoni, prijedlozi zakona i govori u razdoblju od 1982. do 2007. Autori dolaze do zanimljivih podataka koji ukazuju na pad praćenja predizbornih obećanja kroz određeno razdoblje te se pokazuje važnost eksternih faktora i informacija koji utječu na dnevni red, a

oni mogu varirati od skandala do terorističkih napada.

Naposljedku se obrađuje Kanada u radu *Diffusion of Policy Attention in Canada: Evidence from Speeches from the Throne, 1960–2008* iz pera Martiala Foucaulta i Érica Montpetita. Autori horizontalno pristupaju kanadskom federalizmu kako bi istražili difuziju javnih politika među provincijama s naglaskom na masovnu pažnju. Kodirani su kraljevski govori u kojima se daje pregled budućih planova izvršne vlasti (na nacionalnoj i provincijalnoj razini) početkom parlamentarnih sjednica. Rezultati potvrđuju teze autora da se masovna pažnja izrazito preklapa na nacionalnoj i provincijalnoj razini ako su obje razine zadužene za određeni sektor. Doduše preklapanja masovne pažnje su puno više izražena na horizontalnoj razini među provincijama nego na vertikalnoj između razina vlasti.

Knjiga završava zaključkom urednika naslova *What It Takes to Turn Agenda Setting from an Approach into a Theory* u kojem se daje gledište na dnevni red kao politološki element koji otvara vrata za razumijevanje mnogih aspekata političkih sustava. Autori daju kratak prikaz svih radova koje u nekoliko odlomaka kompariraju da bi u konačnici zaključili da se postavljanje dnevnog reda može klasificirati i kao pristup komparativne politike, no da bi se to ostvarilo potrebno je provesti potpunu i sustavnu komparativnu analizu postavljanja dnevnog reda u većem broju zemalja.

U uvodu smo već istaknuli važnost okretanja dominantnog izučavanja javnih politika u američkim okvirima prema Europi, međutim valja se na kraju osvrnuti na cjelokupno djelo i zaključiti da ono može biti iznimno korisno i za druge istraživače iz znanstvenog polja politologije. Radovi uistinu, iako stavlja-

ju fokus na dnevni red i javne politike, teorijski i empirijski daju zavidne uvide u raznolikost političkih sustava, političkih stranaka ili, pak, demokratskih institucija koje se nužno ne moraju pripisivati politološkoj grani javnih politika. Time uviđamo šarolikost i interdisciplinarnost, ali i složenost same političke

znanosti, koju ovo djelo prikazuje. Veseli i činjenica, da se slično krovno istraživanje iz kojeg su proizašli rezultati izloženi u ovoj knjizi trenutno provodi u Republici Hrvatskoj što će svakako imati veliku ulogu u daljnjem razvoju hrvatske politologije.

Željko Poljak

VIOLENCE, ART, AND POLITICS*

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Zbornik *Violence, Art, and Politics* donosi nam tekstove proizašle iz priloga sudionika istoimene konferencije održane u Zagrebu i kursa na Interuniverzitetskom Centru u Dubrovniku 2014. godine. Budući da je riječ o ukupno dvanaest radova, ovaj je pregled nužno morao biti reduciran na reprezentativni izbor njih sedam. Široko postavljen naslov zbornika urednik Zoran Kurelić objašnjava intencijom okupljanja što raznolikijeg kruga društvenih znanstvenika kojima je time omogućeno da pišu upravo o onim temama za koje sami smatraju da su od prvorazredne važnosti. Istovremeno, naslov je bitno određen u svojoj općenitosti. Njegova formulacija odaje snažan pečat kojim je političko mišljenje Hanne Arendt obilježilo većinu tekstova sakupljenih u zborniku.

Važnost Hanne Arendt za suvremeno promišljanje politike nedvojbeno se očituje u njezinu strogom pojmovnom razlikovanju politike i nasilja. Riječ je, štoviše, o obrani političkog djelovanja od njegove pogubne identifikacije s nasiljem, o njegovoj reafirmaciji nasuprot drevnoj iluziji o nerazmrsivom amalgamu sile i politike koju obnovljenom snagom nameće jedva razumljivo iskustvo totalitarizma. Umjetnost je, pak, za Arendt usko vezana uz sferu mišljenja; umjetničko djelo opredmećena je misao. Utoliko se propitivanjem odnosa umjetnosti i politike zapravo problematizira kompleksan odnos mišljenja i političkog dje-

lovanja, ili, šire uzeto, *vitae contemplativae* i *vitae activae*.

Prva dva teksta u središte interesa postavljaju pojam moći i to upravo iz perspektive političkog mišljenja Hanne Arendt. Vlasta Jalušić kritizira pojmovnu i fenomenološku identifikaciju moći i nasilja koja karakterizira “većinu današnjih poststrukturalističkih, dekonstruktivističkih i lakanovskih tumačenja nasilja” (21). Nasuprot takvom izjednačavanju, koje čini nemogućim razumijevanje i nasilja i moći, Jalušić pledira za pojmovnu diferencijaciju koju je zagovarala Arendt: nasilje i moć međusobno se isključuju, nasilje dokida pluralnost djelatnika, a moć koja se generira njihovim zajedničkim djelovanjem zamjenjuje odnosima vladanja i pokoravanja. Ideja da je nasilje jedini moguć oblik djelovanja izravan je napad na emancipacijski karakter političkoga kojim se svako utemeljenje želi svesti na nasilje i zločin, a politika koja odbija prihvatiti nasilje kao svoj jedini učinkovit modalitet ekspresije prokazati kao ideološki instrument perpetuiranja postojećih odnosa dominacije. Jalušić smatra kako je upravo moć suverene države zaslužna za činjenicu da je “konglomerat moći-i-nasilja” postao živim iskustvom koje pothranjuje takve kobne pojmovne zablude (26). Štoviše, dio tereta za izjednačavanje moći i nasilja pada i na teoriju države koja je pratila uspostavu suverene *nacije-države* (26). Takvim shvaćanjem suverene države i

* Kurelić, Zoran (ur.), Biblioteka Politička misao, Zagreb, 2015., 214 str.

njezine teorije Jalušič ostaje vjerna nasljeđu Hanne Arendt, točnije njezinoj republikanskoj osudi države kao projekta koji se ne može oduprijeti se totalitarizmu. Smatram da bi bilo važno ispitati na koji bi se način u analizu mogli uključiti i dosezi suvremene teorije države koja je reafirmirala klasičnu pravno-političku teoriju suverenosti *države-nacije* (od Bodina preko Hobbesa do Hegela) i istovremeno uvažila ključno pojmovno razlikovanje moći i nasilja/sile koje je Hannah Arendt uvjerljivo branila kao granicu ispod koje političko mišljenje više ne bi smjelo pasti.

Prilog Waltraud Meints-Stender izvrsna je analiza poimanja moći Hanne Arendt. Upisujući Arendt u tradiciju onih političkih teoretičara koji moć definiraju kao kooperaciju i dogovor između simetričnih aktera, a ne kao dominaciju i hijerarhiju koje karakteriziraju asimetrične relacije, autorica daje pregled ključnih aspekata tog specifičnog određenja moći kao “ključnog pojma za novo razumijevanje političkoga” (33). Nasuprot uvriježenom i gotovo samorazumljivom stavu da se u politici radi o pukoj borbi za prevlast između sukobljenih partikularnih interesa, Arendt rehabilitira politiku u njezinoj intersubjektivnoj dimenziji koja uvažava nesvodljivi pluralitet političkih djelatnika, utemeljujući je upravo na shvaćanju moći kao “zajedničke prakse političke slobode u javnoj sferi” (36). Utoliko Arendt vjeruje kako je politika u opasnosti kada se misli u terminima suverenosti koja pluralnost zamjenjuje jedinstvom, a slobodu pokoravanjem. Moć, koja izvire među ljudima kada djeluju jedni s drugima, materijalizira se u obliku javnog prostora kao nužnog uvjeta vlastite reprodukcije. No, u svom živom obliku, ta ista moć mora ostati osnovom institucionalnog okvira koji bez nje degenerira u instrumentarij represije. Konačno, Meints-Stender po-

kazuje na koji je način takvo shvaćanje moći izravno povezano s pokušajem Hanne Arendt da političko rasuđivanje misli po modelu Kantovog reflektivnog suda na kojemu počiva njegova *Kritika rasudne snage*. Otvorenost spram drugoga, s kojim se upušta u političko djelovanje, implicira prošireno mišljenje, sposobnost da se misli sa stajališta svakog drugog, čijim se posredstvom decentralizira vlastita pozicija i sputava njezin imperijalni zahtjev za prevlašću.

Odnos književnosti i političke teorije u fokusu je teksta Krešimira Petkovića. Radi se o čitanju dvaju Coetzeeovih romana, *Čekajući barbare* i *Sramote*, kroz fukoovsku optiku, stavljajući u prvi plan “politički značajne odnose moći koji prožimaju ova dva književna djela”, a kojima je pojedinac posve nadodređen (92). U prikazu logike moći koji donosi prvi roman, *Čekajući barbare*, Petković prepoznaje ključne elemente Foucaultovog modela suverene moći i za nju karakterističnog načina kažnjavanja tijela koje otvorenim fizičkim nasiljem lomi svoje neprijatelje. U *Sramoti* Coetzee daje pesimistički odgovor na pitanje što slijedi nakon sloma takve moći. Umjesto očekivane slobode nalazimo podjednako razorne učinke narodne pravde koja poprima formu nasilja. Tijelo pojedinca tako ostaje trajno obilježeno djelovanjem moći, neovisno o tome je li riječ o hijerarhijskoj suverenoj moći ili pak onoj difuznoj koja, izvirući odozdo, upravlja “politički strukturiranim kaosom” (104).

U samom središtu zbornika nalazi se izuzetno zanimljiv tekst Karoline Dolanske *Beauty Again*. Nasuprot modernističkom napadu na ljepotu kao sredstvo prikriivanja nevolje suvremenog svijeta, autorica nastoji rehabilitirati ljepotu kao konstitutivan element umjetničkog djela. Dolanská slavi njezinu moć razbijanja okamenjenih predodžbi čija se lažnost očituje u nemogućnosti zahvaćanja ono-

ga što je relevantno za sadašnjost. Ljepota svoju snagu manifestira simultanim dokidanjem prevlasti represivnog sustava koji nameće neku iluzornu sliku svijeta i otvaranjem novih prostora u kojima nam se svijet istinski raskriva. Čitalac senzibiliziran uvodnim blokom zbornika teško će odoljeti iskušenju čitanja ovog teksta u arendtijanskom ključu. Štoviše, smatram da se njegov smisao najjasnije otkriva u dijalogu sa suvremenom francuskom teorijom demokracije koja se razvila i pod snažnim utjecajem političkog mišljenja Hanne Arendt. Naime, unatoč tome što se u tekstu politika i demokracija gotovo i ne spominju, tekst dojmljivo progovara upravo o tim temama kroz razmatranje odnosa umjetnosti i ljepote. Autorica dovodi ljepotu i demokraciju u blizak odnos inzistirajući na demokratskoj privlačnosti koja karakterizira ljepotu. Ako bismo ljepotu zamijenili demokracijom, a umjetnost politikom, za mnoge od rečenica Karoline Dolanske mogli bismo pomisliti da su potekle iz pera Hanne Arendt, Claudea Leforta ili Jacquesa Rancièrea. O tome svjedoči nekoliko karakterističnih primjera koji ujedno i sažimaju autoričinu argumentaciju. Pod uplivom onoga što se zbiva na službenoj umjetničkoj [političkoj] sceni, “počinjemo shvaćati zašto ‘ljudi na ulici’ ne vjeruju da suvremena umjetnost [politika] ima ikakve veze s njima ili njihovim životima; zašto ljudi umjetnost [politiku] vide kao nešto strano, besmisleno i degenerirano” (132). Nasuprot tome, “umjetnost [politika] oslobađajuća je snaga usmjerena protiv mehanizma – koliko god on bio suptilan i transparentan – prinude. A ljepota [demokracija], mogli bismo reći, nešto je poput ‘kulturalnog kisika’ koji nam je potreban kako bismo se oduprli toj prinudi koja nas želi ugušiti, kako bismo nastavili živjeti i disati” (136). “Ljepota

[demokracija] je, dakle, negacija bilo kakve a-priori fiksirane slike nametnute stvarnosti koja diktira kako ta stvarnost mora biti čitana” (133). Upravo posredstvom “ljepote [demokracije] umjetnost [politika] dovodi u pitanje status quo uspostavljene strukture” (132). Zahvaljujući demokratskim praksama, a posve s onu stranu nasilja, politika se tako potvrđuje kao oslobađajuća i inovativno djelovanje koje, razbijajući uvriježene modele ponašanja, razotkriva i dokida mehanizme prinude i čini svijet i život smislenim.

Predloženo čitanje koje počiva na svojevrstnom amalgamiranju umjetnosti i politike nije, međutim, lišeno rizika. Posvemašnja estetizacija politike, nauštrb njezine racionalne komponente, svoj mračni klimaks doživjela je upravo u fašizmu. Na toj se pozadini ocrta prilog Marijane Grbeše koja uspoređuje dva oprečna pristupa fenomenu pop politike. S jedne su strane autori koji privatizaciju, popularizaciju i personalizaciju politike, a koje se provode posredstvom političke komunikacije u kojoj dominantu ulogu ima televizija, jednoznačno osuđuju kao degradirajuće i za politiku i za građane budući da racionalna prosudba biva potisnuta emocijama. Nasuprot njima, niz autora zastupa tezu da emocije i estetika u politici mogu igrati pozitivnu ulogu, pobuđujući interes za političko djelovanje.

Završni blok čine tri teksta koji odnos umjetnosti i politike razmatraju kroz filmski medij. Nebojša Blanuša bavi se hrvatskim ratnim filmom. U prvom koraku on istražuje što nam lakanovska psihoanaliza može reći o fenomenima nacije i nacionalizma. Budući da je priroda nacionalne identifikacije libidinalna, snažne emocije kojima je pojedinac vezan uz naciju veoma lako prelaze u osjećaj mržnje, antagonizam i nasilje

spram Drugoga. Emocionalne traume koje proizlaze iz bolnih iskustava kojima je grupa bila izložena mogu, međutim, djelovati i dugoročno. Taj problem, u sljedećem koraku, autor rasvjetljava pomoću teorije kripti i fantoma. Kao rezultat odbijanja žalovanja, ono što je izgubljeno nastavlja obitavati u ožalošćenome i postupno preuzima kontrolu nad njegovim djelovanjem. Pritom subjekt može biti i kolektivno, nacionalno tijelo koje opsjedaju transgeneracijski fantomi. Završno, na primjeru tri nekonvencionalna hrvatska ratna filma, Blanuša pokazuje kako film kao medij može pomoći u raskrivanju kriptofornih mehanizama vezanih uz nacionalne identitete i polučiti terapijske učinke u smislu prevladavanja kolektivnih trauma.

U tekstu Zorana Kurelića, posljednjem u filmskom bloku i čitavom zborniku, riječ je o analizi dvaju filmova Davida Lyncha. *Dinu: Pješčani planet* i *Plavi baršun* Kurelić tumači sa stajališta političke teorije, pokazujući da je ono što ih povezuje, unatoč brojnim razlikama, umjetnička interpretacija pojma pozitivne slobode, shvaćene u njezinu polemičkom, protutotalitarnom određenju Isaiah Berlina. Prema Kurelićevu sudu, o tome zorno svjedoči motiv crvene ptice koja u oba filma simbolizira ono uzvišeno čovjekove prirode, nadmoć uma nad strastima, svjetla nad tamom. Berlinovo shvaćanje pozitivne slobode ukazuje na opasnosti koje želja za autonomijom samoovladavajućeg subjekta može proizvesti kada taj subjekt postane revolucionarni pokret koji se nasuprot ostatku društva postavlja kao utjelovljeni um koji građane prisiljava na slobodu. Totalitarne implikacije takvog shvaćanja slobode jasno dolaze do izražaja u *Dini* u kojoj je riječ o mesijanskoj revoluciji kozmičkog poretka. No one su prisutne i u *Plavom baršunu*, u kojem se

radi o iskonskom sučeljavanju dobra i zla. U oba se filma novi svjetovi rađaju zahvaljujući revolucionarnom djelovanju koje razara nepodnošljivo zatečeno stanje. Završni nas tekst tako upućuje ponovno na početak zbornika, pozivajući nas da preispitamo jednoznačnu pohvalu republikanskom zagovoru političke slobode kao pozitivne slobode i političke moći kao zajedničkog djelovanja građanin u javnoj sferi, a s kojom smo se susreli u uvodnim tekstovima. Međutim, Kurelić, ne bez skepse, propituje i same kautele liberalne političke teorije, pitajući se možemo li mi, revoluciji nasuprot, ponuditi bolji odgovor na nevolju u kojoj se nalazimo?

S obzirom na to da okuplja radove autora koji dolaze iz različitih znanstvenih disciplina i imaju različite istraživačke preokupacije, zbornik kao cjelina niti može niti želi biti posve koherentan i homogen. Unatoč tome, moguće je razabrati nekoliko zasebnih cjelina unutar zbornika: od uvodnog bloka izravno vezanog uz misaonu ostavštinu Hanne Arendt, preko tekstova usredotočenih na odnos književnosti spram politike i nasilja i onih koji problematiziraju odnos politike i estetike, do radova koji u svom fokusu imaju filmski medij. Neovisno o tome smatram da je za čitaoca uputnije da ne inzistira na potrazi za strogom strukturom i da uroni u multidimenzionalnu perspektivu polifonog dijaloga koja uzajamni predmet bavljenja osvjetljava u njegovoj punini. Tada će otkriti bogato tkanje ponekad i skrivenih odnosa koje ove tekstove međusobno povezuje. Tom se zajedničkom pothvatu uspješno pridružuje i Pero Mrnarević, autor grafičkog rješenja korica zbornika koje, donekle i provokativno, daju naslutiti koji su uložili mišljenja o nasilju, umjetnosti i politici.

Luka Ribarević



UPUTE SURADNICIMA

Časopis Anali Hrvatskog politološkog društva prvenstveno objavljuje članke iz znanstvenog polja politologije. Osim toga u časopisu se objavljuju radovi iz komunikacijskih znanosti (komunikacijska teorija, masovni mediji i odnosi s javnošću) te drugih polja društvenih i humanističkih znanosti, poput sociologije, ekonomije, prava, povijesti i filozofije ako obrađuju temu koja je relevantna za političku znanost. Časopis izlazi jedanput godišnje, u pravilu do kraja prvog polugodišta godine koja slijedi godinu na koju se odnosi izdanje. Radovi se objavljuju na hrvatskom ili engleskom jeziku. Anali Hrvatskog politološkog društva časopis su s otvorenim pristupom (*open access journal*). Autorima se niti kod predaje rada niti za objavljivanje rada ne naplaćuju nikakvi troškovi.

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Recenzirani članci kategoriziraju se u sljedeće kategorije: izvorni znanstveni članak, prethodno priopćenje, pregledni članak, stručni članak. Izvorni znanstveni članak sadrži do sada još neobjavljena izvorna istraživanja na objektivno provjerljiv način. Prethodno priopćenje sadrži nove rezultate znanstvenih istraživanja, koji zahtijevaju brzo objavljivanje. Ne mora omogućiti provjeru iznijetih rezultata. Pregledni članak mora biti originalan, sažet i kritički prikaz jednog područja ili njegovog dijela, u kojemu autor i sam aktivno sudjeluje. Mora biti naglašena uloga autorovog izvornog doprinosa u tom području u odnosu na već publicirane radove, kao i pregled tih radova. Stručni članak sadrži korisne priloge iz određene struke i ne mora predstavljati izvorna istraživanja.

Prihvatanjem kategorizacije i objavljivanja članka autor se obvezuje da isti članak ne smije objaviti na drugom mjestu bez naznake o tome da jest i kada je članak prvi puta objavljen u Analima. Kategoriju znanstvenih i stručnih članaka predlaže recenzent, a konačnu odluku, na osnovi recenzija, donosi Uredništvo.

