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The All Affected Interests Principle in Democratic Theory and Practice[1]

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The principle that all those affected by a collective decision should be included in the decision is long-standing, dating at least back to the Justinian Code (V,59,5,2) in Roman private law: "what touches all must be approved by all" (*Quod omnes tangit debet ab omnibus approbari*; see also Lane, this volume, for a history). Over the last several decades, the idea has migrated into democratic theory (Young 2000, chaps 1-2; Habermas 1996, 10511; Dahl 1970, 49-63, Benhabib 2004; cf. Fung 2013, Goodin 2007, Näsström 2011, Shapiro 2003, chap. 1). The reason, no doubt, is the principle expresses a very basic intuition about what democracy is good for: I should want to have a say in decisions that significantly affect my life. With say, I am part of networks of co-dependents who can collectively self-determine and provide opportunities for self-development while mitigating life-risks. Without it, I am likely to be subject to forces over which I have little or no control.

The implications following from the All Affected Interests Principle (AAIP) are, however, often in conflict with what has emerged as the standard view of political inclusion dating back to the democratization of modern nation-states. Entitlements to a say over collective matters should follow membership, formalized as citizenship. The powers and limitations of citizenship are tied to residence in organized political jurisdictions: nation-states, states, provinces, municipalities, and so on. They are made effective through voting, electoral representation, and rights-based protections for advocacy. Indeed, in Europe and the Americas, the most important democratic project from the mid-eighteen century until recently was the democratization of the nation-states that begin to consolidate in the early modern period.

Yet justifications for democratic inclusion based on membership are increasingly undermined by a combination of changing ethics and developing social and political

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entanglements. From the standpoint of ethics, we increasingly understand our obligations to others as those of social justice that should extend to every human being, uncontained by the boundaries of political membership (Benhabib 2004)—this despite the recent surges in reactive nationalism in most of the developed democracies. From the standpoint of social and political development, the impacts of collective decisions reverberate across jurisdictions. Governments, organizations, firms, and citizens of countries, states, counties, and cities make decisions that produce effects borne by people in other jurisdictions. Often these effects deeply affect people's lives, through issues of security and war, economic development, trade and markets, and environmental externalities including climate change. A decision taken "democratically" in one polity—inclusive of its members—can be experienced as oppression, domination, or tyranny in another. No justification of exclusions based on membership can make such effects democratically acceptable.

Similarly, we should very pay close attention to popular thinking: anti-globalization and populist demands for re-centering power in nation-states by hardening borders to trade and migration are reactions to effects that cross borders, and which people experience as a loss of self-determination. Even if when democratic theorists are not using the AAIP, many already do so, although with reactive framing.

These are not new problems or thoughts. What is new, emerging over the last decade or so, is a discussion of whether membership-based principles of democratic inclusion might be either supplemented or replaced by the AAIP. Just as new is the pushback: those who defend membership-based entitlements for inclusion commonly note that the AAIP is unworkable or unorganisable owing to its expansiveness; or that membership trumps weaker or more extensive externalities owing to thicker ethical obligations among co-nationals; or that being affected in itself provides no ethical claims for inclusion. For the most part, those of us who have been using the AAIP have not developed a fully adequate account that responds to these issues.

Here I shall sketch an approach to the AAIP that begins to respond to both the normative claims inherent in democratic ideals, as well as to the issues of organizing these ideals into institutions and practices beyond state-based constituencies. I do so by making the following arguments.

First, the AAIP is primarily a democratic principle (or norm) of inclusion. It is a claim about who should, normatively speaking, be entitled to inclusion in collectivities—existing or latent—based on how their lives are affected by others. That is, it is not a theory of political organization, nor is it a replacement for the ties of memberships. But it is a way of specifying democracy as self-government under conditions of extensive interdependency—and it does so in a way that captures the common-sense normative core of democracy as self-government. Second, I comment on the most three common objections to the AAIP principle—all species of the objection that the AAIP is unworkable as a principle of democracy. While these objections are compelling in their own terms, they all suffer increasing irrelevance to the changing circumstances of politics. Third, I suggest that the normative force of the AAIP should be derived primarily from social justice, specified (following Young 2000) as obligations that follow social relationships that support self-

determination and self-development under conditions of extensive interdependency. That is, the AAIP is primarily a normative specification of social justice as it relates to democratic inclusion. Fourth, I note that specifying the AAIP in this way produces a distinction between democratic *equalities* and democratic *equities.* Whereas democratic equalities are empowerments that are equally distributed and empowered (the right to vote, speak, organize, etc.), equities are about individual-specific interests, with essential interests being those relate to self-determination and self-development. When the AAIP principle is interpreted a mostly about equity, the claims that follow are *proportional* to these essential interests. Fifth, this interpretation helps to specify scope to those effects that are most important for individuals: those affecting self-determination and self-development. Equally importantly, this approach to the AAIP helps to identify *constituencies*—actual or latent—relative to essential interests, which in turn helps to identify the relevant potential or actual sites of collective action. Finally, I look at the question as to whether the AAIP is workable in practice. I note the principle is far from unknown within democratic polities: we have many institutions and principles of responsiveness focussed by differential affectedness, from differentially provided welfare services—for example entitlements for schooling limited to school age children, cancer treatments for those who have cancer, administrative directives for "stakeholder" or "community" engagement in policy development, and so on. These proportional, equity-based entitlements work in parallel with democratic equalities: equalities provide the empowerments that citizens may differentially activate, depending on their essential interests by citizens. Thus, we already use the AAIP extensively if unevenly. We now need to theorize both the principles and practices so we can figure out what it requires of democratic political organization.

Interpreting the All Affected Interests Principle

The All Affected Interests Principle, as I shall conceptualize the term here, is a principle of inclusion relative to problems of democratic self-government. The relevant *interests* are those related to the goods of self-development and self-determination. The relevant *affected* interests are those that significantly impact chances and opportunities for self-development and self-determination though (a) relationships of co-dependence and co-vulnerability, and (b) externalities of organized collective entities or structural phenomena such as markets. The status of the AAIP as a normative claim turns on affectedness in this sense: *negatively*, when effects undermine self-determination or self-development (that is, effects that amount to domination or oppression), and *positively* as conditions for self-determination or self-development. *All* is a marker of inclusion that I will interpret as relative to "affected interests." From a democratic perspective, the ethics behind the "all" is relatively simple: each individual is morally equal with respect to self-development and self-determination. No individual should be merely an instrument of the interests of others, nor beyond the consideration of others with respect to social support for self-determination and self-development. Each individual holds equal moral entitlement to develop the life they have and to govern that life—through both individual choices (here the goods are autonomy, liberty, and freedom), and through others in those ways in which individuals are co-dependent and co-vulnerable.

Framing the AAIP in this way interprets "affectedness" relative to self-determination and self-development. Two important features of the AAIP follow. First, the *scope* of the principle is relative to effects that impact individuals' capacities for self-determination and self-development. That is, the AAIP should identify just those effects that matter to fundamental interests. Second, the normative claims for inclusion increase proportionally to the extent fundamental interests are affected. So "all" does not mean everyone who is potentially affected an any way, but rather with respect fundamental interests in self-development and self-determination (see, e.g., Fung 2013).

Since the AAIP is a principle of inclusion, we also need to ask: Included in *what*? Where there are effects, an implication is that there should be collective agents responsible for these affects—and hence the target of AAIP entitlements. Framing this question is one of the most productive features of the AAIP—and it is a question that is framed out of the membership-based model of democracy, which assumes inclusions must refer to states or state-like entities. In contrast, the AAIP (theoretically) expands entitlements for inclusion into complexes of effects for which collective agency is much less clear, particularly beyond nation-states, or within polities with complex jurisdictions that do not map onto the patterns of affectedness, or as consequences of structural forces such as markets that do not seem to have any particular responsible collectivity (Keonig-Archibuigi, forthcoming). These latter situations are not an argument against the AAIP, but rather an argument for using the AAIP as a way of identifying normatively important patterns of effects—latent constituencies, as it were— for which there is no responsible collective entity. In such cases, collective agents should be to be invented and created just so collective responses can exist. In the case of global climate change, for example, the Paris Accords count as a step toward creating a collectivity that can coordinate and distributing responsibilities. In other cases, such as global trade, treaties can bring into existence regulatory bodies and procedures that can, at least in principle, scale collective agency to market externalities. The AAIP not only highlights effects, but also highlights areas in which collective agents should exist to address effects, or (alternatively) where they do exist but do not function democratically

Finally, there is the question of how inclusions should be *empowered*. Standard democratic theory simplifies the question by focusing the right to vote, which, although a basic and crucial democratic empowerment, misses what are in fact of widely varying kinds of influence, including voice, association for a purpose, protest and resistance, standing with respect to claims or entitlements, representation by advocacy groups, capacities to exit, and so on (Warren 2017). As I shall argue below, ideally each individual should have empowerments appropriate to the ways in which their essential interests are affected, and the kind of collectivity (existing or latent) responsible for the effects. This said, the question of empowerments is complex and highly contingent on circumstances, to the most we can expect of a theoretic principle such as the AAIP is that it helps to frame the problem.

Three objections

Objections to the AAIP are primarily that (1) the principle comes with unacceptable costs to workable units of self-government, and/or (2) that it is so expansive as to threaten

other goods, and/or (3) that it is too expansive to be feasible. I deal only briefly with these objections as a way of further specifying the concept.

The first objection, that the AAIP would undermine workable units of self-government, challenges its most basic conceptual purpose: identifying *demoi* by focusing on affected interests. As chains of affectedness become more extensive, *demoi* should also expand. As *demoi* expand, democratic self-government becomes more difficult in two ways. First, expanded *demoi* thin out the ties of obligation and community that are a consequence of individuals living in proximity to one another. As ties weaken, so do the social and moral requisites of democratic self-government (Miller 2009). Second, and closely related, as *demoi* expand, the say that any individual might have over a collectivity shrinks, up to the point that it becomes infinitesimally small, effectively depriving "democracy" of any practical meaning.

These objections are challenging. But they are less so if we interpret the AAIP strictly: *demoi* should follow affected interests, so that (a) we might imagine disaggregated political regimes of the kind that address (say) single issues, and (b) we interpret the AAIP as being about essential interests—those related to self-determination and self-development, that is, social justice. We should thus imagine expansive *demoi* as addressing issues in ways that underwrite (rather than undermine) self-determination and self-development, including (say) bonds of place-based community. The AAIP begins to identify (normatively) the kinds of political disaggregation of actual or latent *demoi*, identified by patterns of affectedness, that can expand the reach and depth of democracy.

A second kind of objection is that empowerments that follow the AAIP would actually threaten other important goods. The point is often made by citing Nozick's story about several individual's desire to marry someone who loves someone else. They do not gain the entitlement to decide who the loved one will marry by virtue of being affected, as such an entitlement would undermine the goods of liberty and autonomy (Nozick 1974, 269; Kolodny 2014, pp. 222-23). While it is always important to be attentive to trade-offs among goods, this objection loses its force when we specify the interests at stake as those of social justice: self-determination and self-development. Clearly "having a say" should not justify a situation in which the essential interests in self-determination and self-development are overridden by the preferences of others. It is *not* that "democracy" and "liberty" conflict, but rather that the *basic point* of democracy, self-government based on equal moral worth, is violated by a decision by some to impose an essential life-choice on another (Valentini 2014, 11).

A third kind of objection amounts to a *reductio ad absurdum*. As Goodin (2007) has argued, if the most basic right of inclusion, voting, were to be distributed through the AAIP, everyone would have a right to vote on everything, or for representatives who decide on everything. At best, we would have to imagine a world government; at worst, we should imagine a situation in which a global *demos* somehow decides on every collective decision, externality, or structural effect that makes a difference for anyone (Goodin, 2007, 2016). Even if desirable (it would not be) such a situation would clearly be infeasible. Yet this kind of reduction depends upon imagining that *every* effect is *equally* entitling for individuals

with respect to every way they are affected. But when we specify affectedness and the entitlements that follow relative to essential interests the *reductio ad absurdum* goes away. The resulting picture is complex and organizationally demanding, but it is not absurd.

The All Subjected Interests Principle?

A combination of these concerns and objections are behind the main conceptual competitor to the AAIP, the principle of that "all subjected interests" should have a say in collective decision-making (ASIP). The ASIP stipulates that those collective effects that generate democratic entitlements are those that follow from the coercive implementation of law or policy. Democratic entitlements follow from the circumstances of legal subjection to decisions, either actual or potential (Abizadeh 2012; Näsström 2011, Owen 2012, Song 2012, cf. Goodin 2016). While the ASIP has the advantage of narrowing the scope of democratic entitlements, it does so at high cost to our abilities to think about democracy under conditions of extensive interdependency.

First, it assumes that the driving problem for democratic theory going forward is the democratization of states. While this project is far from complete, we now live in a world in which even powerful states do not control all those effects important for the self-government of citizens. Thus, the relative cleanliness of the ASIP principle is bought at the expense of relevance. By stipulation, the ASIP reads out problems of self-government that follow from extensive interdependencies both across borders and within borders that generate problems of self-government—and, thus, problems of democracy.

Second, the ASIP principle backs democratic entitlements out of the circumstance of subjection. Subjection is always a potential danger to self-government. Conversely, legitimate subjection to laws and policies are part of democracy. But treating subjection as the basis for democratic entitlements fails to provide a positive normative argument for democracy. It is a reactive grounding focused on a harm to be avoided—illegitimate subjection—rather than goods to be achieved. The democratic project, however, has always been about more than subjection, actual or potential. It is about collective organizing and acting in ways that underwrite individual self-determination and self-development.

Social justice

The AAIP, I am suggesting, should be about those effects that are important for social justice, interpreted, following Young (2000, chaps. 1-2) and O'Neil (1996, chap. 3) as entitlements and obligations that follow from those interdependencies necessary for self-determination and self-development (see also Brighous and Fleurbaey 2010, 151-52, Bohman 2007, Gould 2004). The common sense behind the argument is that democracy has value just because it provides individuals with influence over those collective interdependencies necessary to underwrite self-determination and self-development, and to protect against the harms of domination and oppression (Young 2000, chap. 1; Bohman 2007; see also Pettit 2014). Stated in this way, social justice is a description of the goods

that justify democracy. It follows that we should conceive of the relevant collectivities as those configured to address effects relevant to social justice.

The case that democracy and social justice are intrinsically related has been made, so I will not do so here. I'll simply point out that the basic goods of self-determination and self-development have long been part of the traditions that have underwrite contemporary democratic theory, from the emphasis on self-determination (especially through reasoning together with others) in Aristotle, to a focus on development of capacities in Jefferson, Tocqueville, Mill, and Dewey.

What has not been developed, however, is the close relationship between Kantian ethics and the AAIP—and this relationship also helps to frame and justify the AAIP. The relationship can be built out of the categorical imperative and its related political formulations: "Act only according to that maxim whereby you can, at the same time, will that it should become a universal law." With respect to legislation and law, Kant developed a parallel formula: "Every action which by itself or by its maxim enables the freedom of each to co-exist with the freedom of everyone in accordance with a universal law is *right.*" (Kant, 1991, p. 133) These formulations have, of course, been hugely influential in ethics, liberal-democratic constitutionalism, and human rights discourse. Less remarked is their impact on the AAIP, even though they have been effectively incorporated into some influential formulations (e.g., Habermas 1996, chap. 3; Benhabib 2004, chaps. 1-2). The categorical imperative and the theory of right ask individuals to imagine themselves as members of universal communities, where those communities are populated with other individuals, each of whom has an autonomous life to live, interdependent with others. Each has the capacity, by virtue of being human, to be self-governing, and each is entitled to equal moral respect. While the categorical imperative is most often interpreted as a reason-based ethics of duty, less remarked is that it also directs us to imagine that our actions affect others' capacities for self-governance—leading us to consider the chains of effects that link our actions to those of others, considered as moral equals (cf. Arendt 1982, 75-76). The AAIP can thus be viewed as an elaboration of this kind of imperative, such that we arrive at a proto-democratic view of what social justice requires. All other things being equal, inclusions should follow patterns of effects that rise to the level of importance for social justice (Young 2000, 223-24).

Equality and equity

But does the moral equality within the context of extensive interdependencies cash out into *political* equalities? In particular, how does the AAIP fare from the perspective of democratic equality? As noted above, if we interpret the AAIP as requiring equal voice over all the interdependencies that affect us, the principle collapses. If we narrow the scope to *essential* interests, as does Fung (2013), the AAIP captures the intuition that we should care about those inclusions in collectivities that are most important for individuals. If we further specify these interests as those related to social justice, we can connect the AAIP to a long and compelling line of thinking within democratic theory that focuses collective supports

for and protections of capacities for self-government, elaborated as self-determination and self-development.

Following this logic, we end up with the somewhat surprising place that democratic entitlements should be *proportional* to nature and extent of affectedness for these essential interests. Following roughly this argument, Brighouse and Fleurbaey (2010) propose that democratic entitlements such as voting should *not* be distributed equally, but rather proportionally, relative individuals' stakes in their essential interests. They make the compelling argument that a social justice principle of *equal moral worth* incorporated into all democratic theory requires *proportional* empowerments, distributed according to individual circumstances and capacities.

Although the conceptual logic of this argument is compelling, it is hard to see how this kind of proposal could be legitimate, given that publics, especially in democracies, view equal political entitlements as markers of equal moral worth. Nor would it be workable, as difficult to see how such proportional distributions would be decided, not least democratically. But it is worth retaining the idea that higher stakes, or greater degrees of affectedness, should scale onto the relative importance of empowerments. We can capture this intuition by distinguishing *equality* from *equity*. Democracy needs both, and the AAIP is a democratic way of thinking about equity, including the proportionality inherent in equitable social relationships. Thus, democratic *equality* resides in equal moral worth and a default competence assumption that individuals are capable of collective self-government (Dahl 1989). *Democratic* equality cashes out in those entitlements (standings) necessary to exercise influence over collectivities: protective rights to liberty and autonomy, positive rights to vote, speak, and organize, as well as those welfare rights such as rights to education, a basic income, etc., as well as rights of exit from social and economic relationships. Democratic equalities provide *standing* to individuals so they might act as democratic citizens. These rights are necessary to exercise democratic agency (Habermas 1996, chapter 4, Rawls 1993), and they should be organized into collectivities. States or state-like entities (such as the EU or the International Criminal Court) are the key distributors and guarantors, and it is difficult to see imagine a future in which this whould not be the case.

We should notice, however, that even when they are robustly guaranteed, people tend to activate these rights when their essential interests are at stake. That democratic rights are equally distributed does not mean they are equally used. Setting aside the well-known problems of SES biases in the uses of empowerments (see, e.g., Gillens 2012), even in an ideal world citizens would use them selectively, usually depending on their stakes in an issue. No citizen uses powers of association to have a say on every issue; most citizens use their voice and votes quite selectively, according to the issues they prioritize. They speak and organize on issues they consider urgent; they activate entitlements to medical care when ill or injured, and so on. Thus, the way people use (and should use) their *equal* political powers is to exert *proportional* effects on politics and in their uses of welfare entitlements. This is what that Brighouse and Fleurbaey (2010) get right. What they get wrong is that such proportionality is best understood not through the lens of equality, but rather though that of *equity*—that is, justice in the ways people are treated. What people

should (and usually do) want is responsiveness from collectivities that give them their due—what Rosanvallon perceptively calls the "democratic legitimacy of particularity" (2011, part IV). In higher functioning welfare states, citizens are equally and universally entitled to receive state services. Services are delivered, however, in accordance with the AAIP. Every citizen has an equal right to schooling for their children, but it is primarily as parents that citizens have affected interests (and as tax-payers, those with interests in a productive economy, etc., but less directly and importantly). Schooling is thus distributed not in accordance with the principle of equality, but rather equity. Entitlements to voice are magnified for those most directly affected through institutions like PTAs. In Canada, to take another example, entitlement to medical treatment is equal and universal. But, ideally, it is delivered equitability (and unequally) according to specific health needs.

Elaborated as social justice, equity is what we owe to one another by virtue of those co-dependencies and externalities that affect our abilities to self-develop and self-determine. In an ideal world, equality and equity should be complementary, with equal powers of citizenship underwriting proportional social justice claims. The AAIP gives such proportionality its democratic substance by relating it back to self-government. Thus, as a normative principle of inclusion, the AAIP should track social justice-based equities.

Constituency

We can further elaborate the AAIP through the more overtly political concept of *constituency*. *Constituency* defines units of membership identified in relation to representatives who stand for, speak for, or act for its members. In standard democratic theory, constituencies are determined (typically) by states and their sub-units of government, combined with divisions into electoral districts, usually based on residence (Urbinati and Warren 2008). In federal systems, constituencies will differ by level of government and are layered, so that individuals are members of multiple constituencies. In all cases, however, the standard theory assumes that individuals' essential interests are encompassed by residence-based constituencies (Rehfeld 2005; cf. Mansbridge 2003)

Interpreted through the AAIP, however, the question of constituency becomes more interesting and productive. On the one hand, the principle suggests that for some kinds of issues—particularly those important for social justice—democratic self-government should be sorted by issues representing essential interests, with each issue (or set of related issues) identifying a constituency. Interpreted through the AAIP, individuals are no longer conceived as residence-based packages of essential interests, but rather as plural packages of interests connected to others who share similar interests (challenges, injustices, etc.). Considered politically, each such package can count as a constituency—either one that is organized and active with representatives, or an unorganized, *latent constituency*. Individuals can have (and often do have) multiple memberships in many constituencies, linked by common interests or shared struggles. On the other hand, when we think of constituencies as identified by the AAIP, we can also identify *democratic deficits*: issues related to essential interests for which there is no representative locus of organization (Keonig-Archibuigi, forthcoming). The AAIP helps us to think about where

there are needs for political organization that do not correspond to residency-based constituencies. These needs will, of course, be more acute the closer they are to essential interests.

The AAIP in practice

This interpretation of the AAIP is still challenging, but it now accords with democratic ideals: we should want empowered inclusions where they are important for self-determination and self-development. The challenge is to imagine forms and powers of citizenship with corresponding sites of collective action that would underwrite the proportional, equity-based demands of the AAIP. In this final section, I address the question of how the AAIP might be organized into political practices and institutions. I do so from two perspectives: that of the powers individual/citizen might employ for inclusion, and that of institutions and organizations that might respond (or be created to respond). I illustrate the analysis with familiar examples. I do so not to undermine the progressive implications of the AAIP, but rather to show we already know something about its nature and demands. That is, the AAIP amounts to a challenge to extend and deepen democracy, but it is not utopian.

Citizen powers

A key to thinking about how the AAIP might be instantiated is to identify the kinds of empowerments individuals might have to organize or pressure sites of collective action. In almost all cases, empowerments require functioning liberal-democratic constitutional states with the capacities to distribute and enforce politically important rights, both protective and positive, as suggested above. Rights provide citizens with some kinds of direct empowerments, such as voting governments in and out of office. But they provide many more *indirect* empowerments that they can use in graduated and proportional ways, depending upon how individuals rank and prioritize issues and preferences. Where people have rights to speak and organize, they can also resist, advocate, pressure, organize for common purposes, and exit (Warren 2017). Importantly, these kinds of powers might be directed at governments, but they can also cross boundaries and jurisdictions, as well as focus on other kinds of collective actors such as IGOs, INGOs, and corporations, potentially tracking the demands of the AAIP.

These kinds of powers scale onto proportional affectedness more easily than, say, voting in competitive elections. It is true that every election prioritizes some issues over others, and that voters can decide which candidates or parties rank issues as they would. But voters are also locked into multi-issue, programmatic agendas set by parties or candidates. Indeed, some kinds of issues almost never make it into elections, such as endemic political corruption. In Brazil, for example, it is hardly possible to vote against corruption. But it is possible to speak, organize, protest, strike, and sue. In the US, civil rights were not addressed by the elected branches of government for a full century after the adoption of the Thirteenth, Fourteenth, and Fifteenth Amendments, and almost a

century after the end of Reconstruction. Progress, when it came, was the result determined activists using the powers of discourse, organization, and standing in the court system.

As I have already noted, liberal-democratic constitutional states remain essential, not because they instantiate the AAIP directly, but because rights provide *citizenship standing*, which in turn empowers individuals to work below, across, above, and outside of state-based jurisdictions and constituencies (Williams 2007). It is not accidental that most *global* organizations use liberal-democratic states as their locations, as they provide protections for activism. We should also notice that many such organizations and networks help to provide little bits of citizen powers even where states are authoritarian, arbitrary, kleptocratic, or failed. When global organizations focus on basic social justice issues such as refugee status, genocide, hunger, the treatment of women and minorities, they are often reaching across borders to provide some of most basic elements of citizenship standing where states do not. Of course, such empowerments are highly imperfect and uneven in their effects. But they are also relatively recent developments, and count as projects in the making. We should also pay close attention to international regimes created without any human rights or democratic pretensions, such as trade agreements. Once in place, they can become sites of leverage for democracy-related goods—sometimes formally and extensively, as exemplified by the development of the trade and economic development-focused European Commission into the European Union.

With the powers of citizenship, individuals can self-select into organizations in ways that reflect their own views of their essential interests. They can bring latent constituencies to the fore; they can precisely calibrate their advocacy; they can even organize to provide collective goods that governments neglect, as in the case of early social insurance associations (Warren 2001). What Montanaro (2012) calls "self-appointed representatives" (advocacy entrepreneurs or "representative claim-makers": Saward 2009) can transform latent constituencies into active ones.

The ways these kinds of powers are actually deployed, of course, will not necessarily serve everyone's essential interests. Any kind of power that remains latent until activated through individual choices will be sensitive to differences in economic and social standing, as well as differences in education. Organization for public, diffuse, or long-term goods—those in which high individual efforts result in only incremental pay-offs—will be relatively more challenging that goods with focused and timely payouts. Owing to these defects of self-selected organization, democratic theorists have perhaps overlooked the importance of citizen powers that can reflect the relative importance of interests. But it may be time to reconsider from the standpoint of institutionalizing proportionality based on affectedness (Landemore, this volume). It is also worth noting that the powers inherent in rights are more widely and equally distributed than economic and political power, and have often served as the leading edge of deeper democratic transformations.

Transformations of governance

If we look at these same kinds of relationships from the side of governance, we can see that the AAIP, interpreted as an equity-based principle of democracy, is already part of the current and emerging patterns. Consider the following kinds of examples:

"Stakeholder and community engagement": These terms are commonly used in enabling legislation for agencies and ministries, and date back to the post-WWII era in the US. Their effect is to provide standing to those "stakeholders" or "communities" that are directly, differentially, or disproportionally affected by legislation, particularly in the development of policies and administrative rule-making. These directives define relevant publics as those with "stakes"—in effect, instantiating a version of the AAIP. In most cases, these kinds of "engagement" and "consultation" rely on individuals or representatives of groups self-selecting into these processes. Depending upon the issue, the results may not be especially favourable to democracy, as they will skew toward well-organized groups and (often) permanent lobbyists for well-resourced groups or business interests. But for some issues, especially those related to social justice and often at the local level, we now see more proactive targeting of affected publics—a process I have elsewhere called *governance-driven democratization* (Warren 2009). These democratic innovations may be instigated by professionals who are genuinely interested in inclusions. But they are often reactions to advocacy, particularly the kinds that can disrupt governance. This kind of development is thus often functionally related to the kinds of citizen powers I underscored in the previous section. In still other cases, agencies or ministries may use near-random or stratified sampling selection to populate a citizen group to better represent an affected public—a tactic that is especially important when the advocacy landscape around an issue poorly reflects those who are affected or potentially affected, or when powerful groups threaten to swamp a process.

Single issue jurisdictions: Closely related (but more mundanely) governments in the liberal-democracies have long formed single-issue jurisdictions to manage specific tasks or problems, effectively institutionalizing other forms of the AAIP. Examples include school districts, transportation authorities, health authorities (in Canada) soil conservation and irrigation districts. In many cases, the units of government proactively engage with those drawn into these jurisdictions. Vancouver Coastal Health, for example, creates a variety of user groups such as those with complex diabetes management problems, in order to define and refine their missions. School districts in the US and Canada have long institutionalized Parent-Teacher Associations. Transportation districts seeking to develop (say) a subway extension will often seek input from potential riders and property owners, as well as from broader constituencies of those affected by congestion, taxes, and climate change.

Single issue cross-jurisdiction governance: Similarly, especially in transnational and international contexts, problems that affect people across borders can result in governance regimes that are implicitly reflect the AAIP. As I suggested above, some of these regimes are constructed specifically for social justice issues. But they also include many kinds of problem-focused regimes, such as the International Joint Commission on the Great Lakes boundary waters, the Montreal Protocols on chlorofluorocarbons, or NAFTA with its labour and environmental conditions and riders.

The broader point is that we use the AAIP all the time, in ways that combine political equalities with attentiveness to differential equities. The point of these examples is not to deflate the demanding character of the AAIP, but rather to underscore the fact that the intuitions that it expresses are quite common, and that we have, in fact, created institutions in response. Our problem is to extract the principles from these practices, examine their normative force, and then figure out what they demand of us.

Conclusion

While "democracy" involves a number of principles, the AAIP is, in my view, the one that will help us to conceive of where democratic inclusions should exist in a world with denser interdependencies and co-vulnerabilities, and where existing units of collective action produce extensive externalities. But because of the density of embedded effects, we shall need to prioritize, focusing on the inclusions that are most important for peoples' lives. This is why I am arguing for specifying the AAIP through social justice, in this way focusing on those effects that impact individuals' chances for self-determination and self-development.

There is some urgency to retooling democratic theory for this emerging world. The reactive politics in the US, Britain, and much of Europe use a state-centric view of democracy—popular sovereignty focused on state powers—to justify withdrawing from global interdependencies and responsibilities. This may be a politics of the past. But it is compelling not just because of its simplicity, but also because there have not been good institutional responses for many kinds of cross-jurisdictional affectedness that threaten to downgrade lives and livelihoods. We democratic theorists need to show that we can think about democracy in this kind of post-sovereignty world. The AAIP is one key to the kind of democratic imagination that responds to the contemporary circumstances of politics.

References

Abizadeh, Arash. 2012. "On the Demos and Its Kin: Nationalism, Democracy, and the Boundary Problem." *The American Political Science Review* 106:4, 867–882.

Arendt, Hannah. 1982. *Lectures on Kant's Political Philosophy.* Edited by Ronald Beiner. Chicago, IL: University of Chicago Press.

Benhabib, Seyla. 2004. *The Rights of Others: Aliens, Residents, and Citizens.* Cambridge: Cambridge University Press.

Bohman, James. 2007. *Democracy across Borders: From Dêmos to Dêmoi*. Cambridge, MA: MIT Press.

Brighouse, Harry, and Marc Fleurbaey. 2010. "Democracy and Proportionality," The Journal of Political Philosophy 18:2, 137–155.

Dahl, Robert A. 1970. *After the Revolution? Authority in a Good Society* (New Haven: Yale University Press, 1970), 49-63.

Dahl, Robert A. 1989. *Democracy and Its Critics*. New Haven: Yale University Press.

Føllesdal, Andreas. 1998. "Subsidiarity." Journal of Political Philosophy 6:2, 190–218.
Fung, Archon. 2013. "The Principle of Affected Interests: An Interpretation and Defense." In *Representation: Elections and Beyond*. Eds. Rogers M. Smith and Jack H. Nagel. Philadelphia: University of Pennsylvania Press.
Gillens, Martin. 2012. *Affluence and Influence: Economic Inequality and Political Power in America*. Princeton: Princeton University Press.
Goodin, Robert E. 2007. "Enfranchising All Affected Interests, and Its Alternatives," *Philosophy and Public Affairs* 35:1, 40–68.
Goodin, Robert E. 2016. "Enfranchising All Subjected, Worldwide." *International Theory* 8: 3, 365-389.
Gould, Carol C. 2004. *Globalizing Democracy and Human Rights*. New York: Cambridge University Press.
Habermas, Jürgen. 1996. *Between Facts and Norms: Contributions to a Discourse Theory of Democracy*. Trans. William Rehg. Cambridge, MA: MIT Press.
Kant, Immaneul. 1991. *Kant: Political Writings.* Edited by Hans Reiss. Translated by H. B. Nisbet. Cambridge: Cambridge University Press.
Keonig-Archibuigi, Mathias. Forthcoming. "How to Diagnose Democratic Deficits in Global Politics: The Use of the "All-Affected Principle." *International Theory*.
Kolodny, Niko. 2014. "Rule Over None I: What Justifies Democracy?" *Philosophy and Public Affairs* 42:3.
Mansbridge, Jane. 2003. 'Rethinking Representation.' *American Political Science Review* 97:4, 515-28.
Miller, David. 2009. "Democracy's Domain," *Philosophy and Public Affairs* 37:3, 201–28.
Montanaro, Laura. 2012. "The Democratic Legitimacy of Self-Appointed Representatives," *The Journal of Politics* 74:4, 1094–1107.
Näsström, Sofia. 2011. "The Challenge of the All-Affected Principle," *Political Studies* 59:1, 116–134.
Nozick, Robert. 1974. Anarchy, State, and Utopia. New York: Basic Books.
O'Neill, Onora. 1996. *Toward Justice and Virtue*. Cambridge: Cambridge University Press.
Owen, David. 2012. "Constituting the Polity, Constituting the Demos: On the Place of the All Affected Interests Principle in Democratic Theory and in Resolving the Democratic Boundary Problem." *Ethics and Global Politics* 5:3, 129–152.
Pettit, Philip. 2014. *On the People's Terms: A Republican Theory and Model of Democracy*. Cambridge: Cambridge University Press.
Rawls, John. 1993. *Political Liberalism*. New York: Columbia University Press.
Rehfeld, Andrew. 2005. *The Concept of Constituency: Political Representation, Democratic Legitimacy, and Institutional Design.* Cambridge: Cambridge University Press.
Rosanvallon, Pierre. 2011. Democratic Legitimacy: Impartiality, Reflexivity, Proximity. Cambridge: Cambridge University Press.
Saward, Michael. 2009. *The Representative Claim*. Cambridge: Cambridge University Press.
Shapiro, Ian. 2003. *The State of Democratic Theory*. Princeton: Princeton University Press.
Song, Sarah. 2012. "The Boundary Problem in Democratic Theory: Why the Demos Should Be Bounded by the State." *International Theory* 4:1, 39–68.
Urbinati, Nadia, and Mark E. Warren. 2008. "The Concept of Representation in Contemporary Democratic Theory." *Annual Review of Political Science* 11, 387–412.

Valentini, Laura. 2014. "No Global Demos, No Global Democracy? A Systemization and Critique." *Perspectives on Politics* 12:4, 789–807.

Warren, Mark E. 2001. *Democracy and Association*. Princeton: Princeton University Press.

Warren, Mark E. 2009. "Governance-Driven Democratization," *Critical Policy Studies* 3:1, 3–13.

Warren, Mark E. 2017. "A Problem-Based Approach to Democratic Theory." *American Political Science Review* 111:1, 39-53.

Williams, Melissa. 2007. "Nonterritorial Boundaries of Citizenship." In *Identities, Affiliations, and Allegiances*. Eds. Seyla Benhabib, Ian Shapiro, and Danilo Petranovich. New York: Cambridge University Press.

Young, Iris M. 2000. *Inclusion and Democracy*. New York: Oxford University Press.