

Green Republicanism and the ‘crises of democracy’

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Abstract

Efforts to ‘green’ civic republican thought link environmentalist with democratic ends. Such efforts cast both as contributions to virtuous world-making that contests ‘actually existing unsustainability’ and, so, seeks to realize freedom as nondomination. In the context of the erosion of both democratic and environmentalist achievements since the 1970s, however, a focus on contestation’s other side, the ‘world-unmaking’ virtue of obstruction, is warranted. ‘Democratic’ interpreters of Niccolò Machiavelli’s work urge such an understanding of political virtue, which they ground not in equal freedom as nondomination but in civic liberty. Civic liberty is realized when all are able (1.) to participate in formulating rules and (2.) to defend procedures sufficient to subject all to constraint by so-formulated rules. Civic liberty therefore requires mobilization of majorities’ latent capacity to (re.1.) contest ‘public’ government decisions *and* (re. 2.) obstruct elites’ ‘private’ capacity to act with impunity in relation to such rules. This concept offers two insights into the current ‘crises’ of democracy and the environment. First, if, as empirical observers suggest, a significant cohort of elites have ‘seceded’ from electoral democracies, the normative concept ‘civic liberty’ unsettles contestatory presumptions about the deliberative character of contemporary politics. Second, if it is also true that a significant cohort of the poor are ‘seceding’ from mainstream politics out of frustration with the inegalitarian consequences of elite malfeasance, then the emphasis the concept places on the politics of majoritarian veto-power aimed at reining-in elite impunity might be useful to those who hope to make anti-democratic populists less attractive to at least some of this cohort.

Keywords

Democracy; environmentalism; republicanism; oligarchy/elite theory; Niccolò Machiavelli; civic liberty

Efforts to apply republican concepts to the evaluation of contemporary environmental politics have for decades emphasized civic-humanist (neo-Athenian, *e.g.*, Arendt 1958) and civic (neo-Roman, *e.g.*, Pettit, 1997, 2012) iterations of republican thought (Cannavò 2016, 72). Such work foregrounds judgment about the relationship between political freedom, as non-domination, and ecological limits (Cannavò 2010, 2021, Curry 2000, Pellizzoni 2021, Pinto 2021); ranks common goods in relation to scientific estimates of such limits for individuals and collectives (Jelin 2000, Slaughter 2008); and, so, questions the scope of individual rights relative to duties in states where popular sovereignty is the rule (Dagger 2006; Dodsworth 2021, Paehlke 1989, Smith 2005). Yet, these efforts to cast modern concerns with environmental conditions “as republican causes” (Pettit, 1997, 134) also work to attenuate (neo-)republican tendencies to see the economic majority as more threatening to order than are elite individuals or collectives (see, McCormick 2011, 8). For example, John Barry (2012, 2019) and Anne Fremaux (2019) regard majoritarian acts of contestation—undertaken by labor unions and other syndical movements, civic cooperatives, intersectional, environmental justice, and Transition Town campaigners, for example—as synthesizing democratic with environmentalist practice. Insofar as democratic environmentalists “contest” the rules and institutions that sustain “actually existing unsustainability”, these ‘green’ republicans see them as engaged in virtuous “world-making” acts (Barry 2021, 730, also 2012, 284).

This article first examines the positive conception of green republican virtue that, not uncritically, the green republicans develop through engagement with Philip Pettit’s civic (neo-) republican research program (1997, 2012). I then describe a negative, obstructive, ‘world-unmaking’ complement to the virtue of contestation. I do this by drawing on work in the democratic strand of republican thought (*e.g.*, Benner 2017; Bull 2019; McCormick 2011;

Pedullà 2018; Raimondi 2018; Winter 2018).¹ Such work asks us to revise our understanding of Machiavelli. It portrays him as an advocate of majoritarian opposition to elite “aristocratic excess”.² My aim here is not therefore to ‘figure out’ Machiavelli. Nor is it to contextualize his work. Rather, it is to draw on the intellectual resources provided by Machiavelli and excavated by his democratic followers to figure out what to think and do about a contemporary problem.

The advantages of turning away from Pettit’s civic and toward democratic republican theory are twofold. First, the latter provides a distinctively ‘realistic’ historical lens. Its conceptual insights ask us to reconsider democratic environmentalist strategy and tactics in the shadows cast by what critical theorists see as “neoliberalism” (Harvey 2005, 1) and empiricists the “crises of democracy” (Przeworski 2019, 2). Second, at least when cast on the global North, such a lens might help to make democratic environmentalism more, and the undemocratic populism embraced by elements within the United States’ Republican, British Conservative, and Australian Liberal parties, for example, less attractive to at least some poorer citizens.

1. On the strands of republican thought, see the editors’ introductions to Elazar and Rousselière (2019) and Leipold, Nabulsi, and White (2020).

2. The term “aristocratic excess” I adopt from Helen Thompson, who refers to proto-republican Polybius’ theses on Roman history (2022, 183). Throughout, I use ‘elite’ as a contemporary replacement for Machiavelli’s *nobile*, *ottimati*, and *grandi* and, so, to encompass “oligarchs ... distinct from all other empowered minorities because the basis of their power—material wealth—is ... highly resistant to all but the most radical democratic encroachments [and their allies among] the merely affluent”, whose power depends on institutions, which leaves them “more exposed” to a wider range of such “encroachments” (Winters 2011, 4, 8-9).

Initially, I explain how Barry, Fremaux, and other ‘green’ republicans democratize Pettit’s account of the relationship between virtue, freedom, and equality, and then, between (human) nature and interests. I show how the democratic republican commitment to building institutions adequate to defending majoritarian over elite interests takes us beyond the green republicans’ radicalized Pettitian schema. A vigilant and organized majority can and should obstruct elites’ capacity to act with impunity in relation to rules that formally but not substantively apply to everyone, and which are legitimate in the republican sense of being authorized by ‘popular sovereign’ authority. I then show such obstructiveness to be important insofar as it might better inform northern democratic environmentalist responses to two consequences of ‘neoliberalism’: majority “withdrawal from politics” (Müller 2021, 21*ff.*) and the “secession of the [elite] few from the ‘wider’ society” (Urbinati 2016, 29). Finally, I use the discussion to question the value of commitments to democracy as either grounded by the norm of giving and accepting reasons or of forming a universal public will. As such, I urge a more conflictual, so, radical reformist approach to synthesizing democratic with environmentalist ends than the motif of contestatory virtue alone allows.

Democracy, environmentalism, and the republican worldview

To demonstrate the applicability of republican thought to late-twentieth century politics in the global North, Pettit asserted that protest movements, “environmentalism, feminism, socialism, and multiculturalism, can be cast as republican causes” (1997, 134). Defending “freedom as non-domination” as the core republican preoccupation (1997, ix), he envisions such movements as contesting domination. This is because northern political institutions and the rules that sustain them only latently or potentially sustain freedom as non-domination. Where left uncontested,

these instantiate the domination of some by others. Environmentalists merely act on widespread citizenly beliefs that the current rules allow some to benefit disproportionately from the production of socio-environmental harms. Thus, they contest the rules associated with resource extraction, energy generation, and waste disposal, for example. Environmentalists in this way exemplify the “primary” citizenly virtue of “contestation” (Pettit 2012, 5). They seek to replace extant with new rules. This is their prerogative as citizens in states where “popular sovereignty” prevails (2012, 290n.). Because potentially sustaining greater “equal freedom”, however, the sought-after rules can and should also be regarded as more “politically legitimate” in the democratic sense (2012, 132). This civic republican orientation to the relationship between virtue, freedom, and equality focusses interpretation on evaluating the relative degree to which political equals have an effective say in defining authority’s reach and scope. The salient question is, to what degree does a contestatory citizenry determine the relationship between freedom and domination?

For green republicans Barry and Fremaux, the normative aspirations of environmentalism are compatible with deeper democratization than Pettit allows. This is because successful reduction or elimination of disproportionate environmental harms requires a majoritarian challenge to ‘actually existing unsustainability’. Like Pettit, at least implicitly, they evaluate historical change over recent decades positively, as a process of democratic expansion. Beginning in the late-nineteenth century, with establishment of formal equal rights, the separation of powers, constitutional rule of law, and electoral representation, politically effective majoritarian social protest of the kind lauded by Pettit became a permanent fixture of popular sovereign orders. By the 1970s across the north, not only was adult suffrage near to universalized, but so was a palpable degree of citizenly input into the setting of industrial safety,

wage and price levels, urban sanitation, transport, and public health measures, and the provision of recreational time and space for poorer individuals (Gottlieb 2005). Such achievements enhanced the collective political power of the economic majority (through the United States' New Deal and European and Oceanic welfare states, for example, see Fraser and Gerstle 1989; Przeworski 1986). Even if these achievements ultimately represent mere forbearance on the part of northern elites, who feared losing majorities and so the Cold War to 'communism', they did successfully yet (I will argue later) ephemerally undermine the tendency of the northern states toward "minority rule" (Przeworski 1986, 133). So, not without troubling side-effects, including racism, sexism, and disdain toward the production of environmental harms (Barry 2021, 739; Fremaux 2019, 41), labor and, subsequently to a significant lesser degree, feminist, Civil Rights, and environmental activists had realized democratic ends. For green republicans such as Barry and Fremaux, we can and should expect such movements to continue to do this work, even if it involves a formidable amount of mobilizational and organizational effort.

At issue are recent historical observations that this wave of democratization had peaked by the late 1970s (Thompson 2022, 199ff.). In what follows, I pursue the thought that democratizing movements posed less of a threat to order than civic and green republicans seem to believe. I defend this claim by showing how green republicans implicitly adopt what democratic republicans decry as Pettit's civic republican "ochlophobia" (OED, fear of mob rule, n.b., McCormick 2019a, 131). Recent work in political history (e.g., Gerstle, 2022, Thompson 2022) suggests that we cannot clearly understand the current crises with theory that, by working from a universal concept of freedom as non-domination, treats the crises as the potential products of majority excess (McCormick 2019, 138; also, Hamilton 2014, 59). Rather, what is required is theory that, as Barry otherwise recognizes, accepts at the conceptual level the fact that northern

states overtly “defend ... the interests of relatively affluent minorities”, especially those who benefit directly from the “extraction, processing, sale, and combustion of fossil fuel resources” (2012, 37, also 101, 264).

On ‘civic liberty’

Most republican theorists, including Pettit, reject common-sense definitions of democracy as majority-rule or rule-by-the-people. They work from the European Ancients’ definition of democracy as “the regime in which the *demos* gains a collective capacity to effect change in the public realm” (Ober 2017, 28). For Pettit, a contestatory citizenry “can ensure that the *demos*, or ‘people’, enjoy a significant degree of *kratos*, or ‘power’, over the laws that govern and shape their lives, thereby avoiding public domination” (2012, 4). Others agree with this conception of democracy but look to Machiavelli’s “republican realism” (Baccelli 2017, 352; Benner 2017, 184; McCormick 2018, 10). These so-called democratic republicans reject Pettit’s “contorted” (Hamilton 2014, 114), “tortured extrapolation of a very fine-tuned distinction [between] two abstract ideals” of freedom: (republican) nondomination and (liberal) noninterference (McCormick 2003, 636). They embrace what they see as the Florentine’s understanding of freedom as a historically embedded, context-dependent, embodied experience: that of not living in conditions in which some have the capacity to exert arbitrary influence over the polity and, so, a malign influence over the lives of others (Bull 2019, 61). This way of thinking about freedom is also dynamic. Freedom is achieved by some against others. The “free order” that concerned Machiavelli depended on majority individuals’ vigilance and organization as politically effective agents (McCormick 2011, 26).

Freedom is therefore constituted when and where the many achieve state-sanction of means to resist the influence exerted by the few over the state. It is the product of institutionalized conflict between the few and the many. It is the product of ongoing “tumult” (Pedullà 2018, 42), of institutions that are “unbalanced ... asymmetrical, unstable, and always teetering on the brink of chaos, like an acrobat swaying as he [*sic*] walks on the high wire” (Raimondi 2018, 50). Breaking with prevailing tendencies to see concord as sustaining the free life (Pedullà 2018, 162), Machiavelli prioritized the majority’s unique capacity to provoke conflict with elites and so ensure “equity” or civic liberty (McCormick 2011, 8-9; 2018, 45).³ Civic liberty is always two-dimensional. It is obtained when and where authority, on the one hand, provides to all citizens equal opportunities to participate in the formulation of rules, which is to say, laws, regulations, norms, and the institutions that uphold them. And, on the other hand, it ensures that all are subjected to formal constraint by so-formulated rules (also, Kapust 2019, 56). As I make clear later, civic liberty necessitates institutions that “acknowledge economic inequality as a fact” (McCormick 2011, 13).

Here, I prioritize the contextual, embodied, and dynamic condition of civic liberty to justify my claim that contestation might represent only one side of green republican virtue. From this perspective, the civic republicanism on which the green republicans rely seems to draw attention away from the most credible threat to efforts to “grow” a democratic and sustainable “social economy” (Barry 2012, 252). This is the threat posed by an unobstructed elite minority.

3. Daniel Kapust (2019, 43, 57, citing McCormick 2011) uses ‘equity’. I avoid it here out of deference to use of the term to critique structural racism in the United States and Settler Societies.

Absent an organized and vigilant majority that defends civic liberty, elites will remain free to “use their power and privilege to molest the vulnerable with impunity and manipulate the workings of government for their own benefit rather than that of the general citizenry” (McCormick 2011, 1; also, Winter 2018, 129-30). Elite excess is inevitable because elite impunity is a structural consequence of a system in which “the few have more socioeconomic power that allows them to act without being checked by the laws and institutions of the republic” (Kapust 2019, 52). Elite impunity is more predictable, frequently applied, and effective, in contrast with rarely enduring explosions of undirected mob violence. The toleration and even encouragement of excessive elite power should be regarded as a structural feature of popular sovereign government (McCormick 2011, 116, 180).

Superseding the inherited aristocratic privilege that concerned Machiavelli, today it is concentrated wealth *per se* that delivers to those possessing it an outsized role in determining the policy directions taken by the state into an uncertain future. Any authority that allows the power derived from concentrated wealth to flourish must be regarded as problematic for those harboring democratic aspirations. The principal normative goal for Machiavelli’s followers is therefore not merely to contest what Pettit defines as “*imperium*,” governmental power (1997, 13). It is also to obstruct what he defines (1997, 13)—yet oddly does not address (Sagar 2019)—as “*dominium*,” private power. Arguably, the only feasible way to obstruct the inevitability of elites’ malign influence over government and its structural concomitant, elite impunity, is for the poorer majority to seek formal empowerment in the state. Such a strategy is said to be advocated by Machiavelli in key sections of his *Discourses on Livy* (hereafter, D.I.4, D.I.37, D.I.56, D.III.3; most stridently by McCormick 2011, 36ff.; also, Del Lucchese 2015; Winter 2018; with qualification, Pedullà 2018; Raimondi 2018).

Informed by such interpretation, I argue that the political task that falls to democratic (environmental) activists today is not only to motivate positive, contestatory agency. It is also to motivate negative, obstructive agency. Such agency necessarily involves the pursuit of formal empowerment of the many poorer citizens to veto rules that are produced overwhelmingly by elite influence or that facilitate elite impunity. Democratic environmentalists might thus serve a two-dimensional political function: contesting the harms associated with resource extraction, energy generation, use, and waste disposal, for example, and obstructing elite influence and impunity. In seeking to contest *imperium* and obstruct *dominium*, democratic environmentalists might reinvigorate what Machiavelli saw as the majority's latent capacity to act as "the guardians of liberty" (D.I.5).

Discussion: Civic liberty through an historical lens

The two-dimensional concept 'civic liberty' suggests that the profile of the virtuous citizen is also Janus-faced. It looks simultaneously to *imperium* and *dominium*. One face looks to positive contestatory world-making. It is oriented by the first dimension of civic liberty. The goal is to contest imperial (state, government) over-reach. The other face looks to negative obstructive world-unmaking. It is oriented by the second dimension of civic liberty. From here, the goal is to obstruct the elite impudence that accompanies the (private) capacity to dominate imperial fora. In the next section, I show how attention to this second dimension can alert democratic environmentalists to the need for revision of strategy and tactics under 'neoliberalism'. Later, I describe how efforts to mobilize obstructive agency can be oriented to realizing the formalization of majoritarian veto power. In doing both, I question in passing green republicans' normative commitments to formal equality and the need for restraint.

On nature, human nature, and human interests

Republicans generally embrace one of two ways of thinking about the relationship between nature, including human nature, and human desires, passions, and so, interests. In the first, the relationship is conceived as one between free human choice and a fixed universal ideal: a natural (*i.e.*, given, immutable) moral datum against which to evaluate choices. Civic-humanist republicans prefer this way (*e.g.*, Smith 2005 enlists Arendt to green ends). Freedom is realized as individuals actively and fully participate in rule. Such participation is motivated by the moral condemnation of greed, the choice to prioritize self-interest over the commonweal. The greedy eschew this universally binding condemnation. Human nature is thus seen as “morally perfectible” and linked conceptually to a positive “exercise concept of freedom” (Lovett 2019, 118, also Fremaux 2019, 239). While reasonable in the hermetic context of Ancient Athens, tying virtue to freedom in these terms today requires an untenable step if we are to also maintain the commitment to equality. Equal freedom must be seen as “*constituted by* [fully participatory] democracy” (Lovett 2019, 118). Civic, green, and democratic republicans agree that civic-humanist iterations of neo-republicanism are for this reason “elitist”, “unattractively muscular”, and potentially “chauvinistic” (Lovett 2010, 8n.; 2019, 119; compare Pettit 2012, 11 and Fremaux 2019, 225, 239 with McCormick 2011, 146-7). Moral perfectionism is irreconcilable with both the civic (and, so, green) republican ideal, ‘nondomination’, and with the democratic republican realist norm, ‘civic liberty’.

The alternative is to begin from a realistic account of human nature and focus on context-specific and embodied interests. These “always bear traces of the [historical] power relations through which they gain shape and form” (Hamilton 2014, 81). They should be treated as

artefacts of the real persons who sustain them (Bull 2019, 59; also, McQueen 2018a, 100). On this point, I also follow Wendy Brown (2004, 141), Yves Winter (2013, 27), and Gabrielle Pedullà (2018, 141)⁴, for whom Machiavelli exemplified such a view (*e.g.*, D.I.16, III.22, 29, 39, 43; *The Prince*, P.VII, XVII, XXIII, XXVI). In a well-known passage, he takes as given that it is “in our nature” to desire more than what we have (Winter 2013, 27), such that,

if one considers the end of the nobles and of the ignobles, one will see great desire to dominate in the former, and in the latter only desire not to be dominated; and, in consequence, [the ignobles exhibit] a greater will to live free, being less able to hope to usurp [the free life] than are the great (D.I.5).

This prudential viewpoint recognizes essential conditions of being human: All can love and hate or be indifferent to the plight of others, all tend to oscillate between fear and hope, all are liable to act cruelly, to break categorical rules and, to need factual knowledge yet be hostages to fortune (*esp.*, D.I.3, 41, II.27, 29, III.31, 37). What matters therefore in politics is neither free choice relative to some ideal nor some universally shared desire for nondomination. Because we bear different capacities to have our interests durably realized, and must do so as historical actors, what matters is the conflict borne of the ‘real’ differences of capacity that we each embody. This viewpoint I label Machiavelli’s ontological egalitarianism.

This view by fiat supports “an opportunity concept of freedom as non-domination” that is “akin to but not identical with [the liberal ideal] noninterference” (Lovett, 2019, 121, citing D.I.1: Citizens can only be “free men [*sic*] or those depending on others”). Freedom is

4. *n.b.*, McCormick desists and espies in Machiavelli an account of “opposing natures” (2011, 23).

“something we possess or enjoy in the mere absence of specific obstacles, [it is] independence from arbitrary power or domination” (Lovett 2019, 122). Civic, green, and democratic republicans also appear to agree on this. Freedom is a “condition of securing liberty without itself constituting that liberty” (2019, 118). Popular sovereignty is therefore sufficient for but does not necessarily instantiate democracy. The problem, however, from within the Machiavellian democratic republican view, is that both the civic republican Pettit and his green republican followers Barry and Fremaux seem to work from an abstract, disembodied, universalizing presumption: we all ‘equally’ seek freedom as nondomination.

In contrast, the democratic republicans parse freedom. Freedom for elites is anchored by the desire to dominate, while freedom for the majority is anchored by the desire not to be dominated. Ontological egalitarianism in this sense requires normative inegalitarianism. The salient distinction is not a static difference between a contestatory citizenry, which determines the relationship between (equal) freedom and domination, and one that does not, as Pettit has it. Rather, it is a dynamic, contextual distinction between the (state-sanctioned) interests of elites, in sustaining impunity, and the interests of the many in obstructing elite impunity. Because human nature remains essentially the same as interests differ, those who prioritize democracy—over plutocracy (*cf.* Ober 2017, state sanctioned power of the wealthy)—should commit to realizing institutional designs that formally acknowledge the priority of civic liberty over equal freedom and, so, ‘actually existing’ inequality.

Normative egalitarianism may be taken to imply that analytic emphasis should be on distributive questions. Yet, all republicans agree that distributive arrangements are conditional on the persistence of popular sovereign authority that sufficiently restrains arbitrary willfulness (Viroli 2002, 9). In the democratic republican lens, insofar as authority assigns status relative to

imperium it also determines the distribution of “material power resources” (Winters 2011, 11) and, so, shapes *dominium*. Power resources vary qualitatively. They can arise ‘naturally’, such as charisma or charm, even though they must be deployed under authority of some kind. They can also be produced ‘artificially’, by constitutions that sustain the rule of law and grant rights, for example, and, it would seem, deliver ‘people power’. As a material power resource, however, people power is essentially the product of solidarity (OED, unity or agreement of feeling or action, especially among individuals with a common interest), not constitutional authority. The institutionalization of representative election as the cornerstone of modern popular sovereignty therefore attenuates rather than amplifies this resource (Manin 1997, 135).

Moreover, even though any power resource can exceed the boundaries set by authority, only one does so consistently. As Marxists are wont to note, modern authority transforms unrestrained material power into rightful ownership of the most potent power resource: money. Money, and the “[c]oncentrated wealth and the income streams it generates”, is the most “versatile and potent material power resource” (Winters 2011, 18). Because money depends on a function state, and insofar as only a function state can effectively enact “predations” upon concentrations of money (*i.e.*, taxation), elites are highly motivated to respond to political movements with the real or imagined potential to see such “predations” realized (Winters 2011, 20, also, 36). In the global North, such movements to date have been democratic. We have little reason, therefore, to treat as political equals, or with equal caution politically, members of the poorer majority and wealthy minority (McCormick 2011, 12). The interests held by those possessing vastly concentrated wealth substantively differ from those held by everyone else. For elites, the main problem of politics is maintaining institutions geared to “wealth [and] income defense” (Winters 2011, 18). This is because the main problem confronted by everyone else is

the capacity of elites to ensure that states do just this.⁵ To reiterate, the possession of concentrated wealth structurally liberates those possessing it “to act with impunity in relation to the restrictions the law imposes equally” (Viroli 2002, 48).

This implies that democratic (environmental) scholarship should be sensitive to the possibility that we might witness a historical resurgence of impunity on the part of wealthy elites. The salient empirical observation would be a palpable increase in the avoidance, evasion, and shaping of rules. This would suggest the presence of hitherto, but no longer so effectively, obstructed impunity. Consider how, increasingly since the 1970s under ‘neoliberalism’, elites have come to dominate government office and, so, other citizens (especially in the United States, see, Achen and Bartels 2016; Page and Gilens 2012; Winters and Page 2009). Examples of such resurgent impunity also include the increased frequency with which governments generally ignore the large-scale evasion or avoidance of taxes (Garside 2017); the growing influence exerted by publicly traded and privately held businesses over the formulation of environmental, industrial, consumer safety, and financial rules (Harrington 2016; Freese 2020) and over the conduct of scientific research, including on climate change and ‘Covid-19’ (Oreskes and Conway 2011; Brulle and Dunlap 2021; Wong 2020). What we witness is the “unravelling of electoral democracies” and concomitantly “accumulating ... aristocratic excess” (Thompson 2022, 183, 200).

5. The logically further step of defending majority wisdom, the ‘epistemic defense of democracy’, is optional. Unobstructed elite impunity is just more destabilizing than majoritarian passion (*n.b.*, Pedullà 2018, 141n.).

Given the presence of a minority, able to flout and shape rules with relative impunity, and a majority, bound not only by such rules but due to relative lack of wealth, by an inability to flee or relocate, it is civic liberty, not the abstraction ‘non-domination’, that should provide normative guidance. Today civic and green republicans, alongside many democratic environmentalists, want to see contestatory tools strengthened, such as ombudsmen’s offices and deliberative citizen consultative assemblies (Pettit 2012, 229*ff.*, for an environmentalist application, see, Dryzek and Pickering 2019). And, in addition, green republicans want to mobilize protest against “endless economic growth”—note that Barry sees “[d]emocracy [as] non-violent disagreement-contestation is more important than consensus” (2021, 729, 730). In what follows, I explain why each fails to address resurgent elite impunity directly, and why this is needed.

Re-situating democratic environmentalism in historical context

First, briefly consider green republicans’ worry that the requirements of modern freedom may run contrary to the need for “restraint” (Fremaux 2019, 224; Barry 2012, 2021; also, Cannavò, 2021). This worry, I argue, is moot. At risk of parody, for civic-humanist (green) republicans who follow Arendt (*e.g.*, Smith 2005), efforts to grow a virtuous citizenry will eventually overwhelm the contradiction between freedom and restraint by incorporating the latter into our notions of the former. For green republicans who are critical of moral perfectionism, such as Barry and Fremaux, however, the need for restraint can only be met politically. Moral perfectionism is “weakened”, to re-emerge as the presumption of “political improvability” (Fremaux 2019, 253). In practice, this means that green republicans much more feasibly assign the burden of displaying citizenly virtue to a contestatory democratic environmentalist vanguard (Barry 2021, 739). The aim of such a vanguard is to mobilize people power sufficient to

institutionalize a right to inhabit a sustainable planet and fair ‘steady-state’ economy (Fremaux 2019, 239-40; also, Dodsworth 2021, 710).

There is a danger, however, in developing normative theory solely based on contestation. Such an emphasis risks linking explanatory power and practical efficacy to historically problematic presumptions that democracy can mean more than achieving state sanction for majoritarian power, and that ‘capitalist elites’ and ‘capitalism’ can be overcome without facilitating the transformation of a non- or anti-capitalist vanguard into a new elite, who would more than likely control (perhaps novel) power resources sufficient to sustain the impunity that democratic republicans find so troubling. This problem stems from what I posit is a generic tendency within democratic and environmental scholarship to operationalize analysis based on what positivists decry as ‘selecting on the dependent variable’. The green republican argument coheres (i.e., exhibits internal validity), but the range of observations to which it is applied is insufficiently broad (i.e., it lacks external validity). Green republicans aim for sustainability and fairness and focus on what may be required to build them. While laudable, what this sympathetic reader misses is attention to the historical ramifications of ‘neoliberal’ ascendance from within the global North. Recognizing this ascendance requires a response that validates the negative task of obstructing what we witness as countervailing efforts to ‘grow’ elite impunity.

The fear that motivates my argument is that the green republicans might just be responding atavistically to a world that anti-democratic elites had, by the 1970s, already begun taking steps to dismantle. All but dissolved has been a world in which the social protest movements that Pettit wanted to see cast as republican causes—labor, socialist, Civil Rights, feminist, multiculturalist, and environmentalist—were able to ensure that popular sovereign states would rein-in elite impunity and so uphold the second dimension of civic liberty. In a lens

shaped by democratic rather than civic republican beliefs about the relationship between virtue, freedom, and equality, the historical picture looks different. It seems, rather, that from the mid-nineteenth century to the mid-1970s, such movements were in very circumscribed ways successful not only in contesting *imperium* but in obstructing *dominium*. In the case of labor, such obstructiveness was realized through institutional mechanisms, such as taking possession of seats on financial and industrial regulatory bodies, such as the US Federal Reserve Board and in West German ‘corporatist’ bodies; through the institutionalization of ‘peak’ or ‘sectoral’ labor bargaining and achieving the right to engage in solidary ‘secondary boycotts’; and, in some jurisdictions, through establishment of dedicated industrial arbitration systems and similar juridical achievements (Esping Andersen 1990; Fraser and Gerstle 1989; Przewroski 1986).

Sometime in the 1970s, however, elites simply began to reject such arrangements, perhaps initially in the US through “organized tax resistance” (Harvey 2005, 26; also, Streeck 2014, 67). Soon these elites embarked upon an anti-democratic “organizational counteroffensive” (Hacker and Pierson 2010, 176; also Winters and Page 2009, 731), such that we now witness an unfolding global elite “secession” (Urbinati 2016, 29; empirically, Geogeghan 2020). Today, democratic movements, environmental or otherwise, confront a heterogenous cohort of elites who defend “a remarkably homogenous belief”: that “economic liberty”—the curtailment of state agency to the defense of noninterference in private property rights—should be “safeguarded from encroachment by democra[cy]” (Cornelissen 2017, 509; also, de Dijn 2020, 333). This “infrastructure of political organization” (Mirowski 2019, 202) has eroded the effectiveness of the obstructive institutional arrangements that democratizing movements had achieved. Furthermore, such elite ‘field organizing’ has included the promotion of a kind of social engineering, through which the erosion of organized labor and welfarist ‘social’ citizenship

(Turner 2001; Somers 2022) is leveraged to win considerable majority support for a “deeply individuated, consumerist model of stakeholder citizenship” (Scerri 2012, 87; also, Barry 2012, 253, 2021, 735). This combination of anti-democratic reaction and the extreme marketization of culture has prompted a secondary secession, by the poorest individuals, many of whom today self-exclude from politics or succumb to “despair” (Müller 2021, 21ff.). Again, the historical record suggests that the main thing to fear about the fate of electoral democracies is “aristocratic excess” (Thompson 2022, 279).

Toward obstruction in action

I now justify my view that the obstructive dimension of green republican virtue should be kept distinct from the contestatory. And, I explain how the former might inform responses to northern states’ abandonment of the second dimension of civic liberty. In doing so, I address theoretically the agency problem of elite impunity and the structural problem of elite excess. I do this under the rubric of democratic republicans’ defining strategic goal: formalized (i.e., state-sanctioned) majoritarian veto power. Importantly, I do not defend obstructiveness as a substitute for but, rather, as a complement to contestation. While obstructiveness is “radically reformist” rather than “revolutionary” (Boltanski and Chiapello 2005, 32-3), it does not necessarily rule out acts of civil and uncivil disobedience. For example, Malm’s (2021) call for the sabotage of fossil fuel and luxury consumption infrastructure might easily be construed as obstruction-in-action.

However, insofar as such tactics may or may not engender wider support for the strategy outlined here—formalization of veto power—judgment as to their efficacy is situational. It must be left to activists themselves (*cf.*, for a Machiavellian cautionary on audience-directed political violence, see Winter 2018).

In general, and setting aside some of their more florid demands, for the revival of majority-led public trials and, in cases of a guilty verdict, public executions to rein-in “egregiously corrupt and/or treasonous behavior on the part of elites” (McCormick 2011, 180ff.), for example, democratic republicans aim ultimately to see established a ‘third chamber’ or ‘people’s tribunate’. Such a chamber would be populated by members of the majority and sufficiently empowered to veto rules developed in lower and upper chambers, executives and, in some iterations, judiciaries. Just as in many proposals for citizens’ assemblies informed by deliberative democratic theory, such bodies should be populated through randomized selection by lot: ‘sortition’ (for a deliberative democratic defense, see, Landemore 2020; for an environmentalist defense, see, Verret-Hamelin and Vandamme 2022). So appointed, citizens would hold office for non-renewable individual terms to ensure representativeness over time and resistance to lobbying. However, in the democratic republican view, the pool should be limited only to that sample of the adult population with net wealth at or below the national median.⁶ This class-sensitivity criterion is defended on grounds that electoral representation can only ever reproduce an “elected aristocracy” (Manin 1997, 135). Only class-sensitive sortition to a veto-empowered tribunal can ensure “elite accountability [by] realizing the negative ... aspiration to keep the wealthy and notable from dominating a popular government’s offices and ... disproportionately determining ... policies” (McCormick 2011, 171, 178).

6. As do Verret-Hamelin and Vandamme (2022), most proposals reject the class-based selection criterion and favour instead a sample of all adult citizens or a parametric stratified sample according to economic or identitarian factors (*e.g.*, Abizadeh 2021; Landemore 2020; Vergara 2020).

Consider, for example, McCormick’s proposal for ‘Machiavellian’ reform of the US constitution. Such a reform would empower a federal-level tribunate “to veto one piece of congressional legislation, one executive order, and one Supreme Court decision in the course of [a] one-year term” and, on a three-quarters majority vote, “impeach” public officials and retrospectively impose penalties for egregious decisions made while in office (2011, 184). Other proposals include K. Sabeel Rahman’s call for the extension to deliberative bodies of veto power sufficient to demand that technocrats “rework” the rules governing labor, environmental, scientific, monetary, and fiscal policy (2016, 3), and Samuel Bagg’s call for citizen-oversight committees that can “prophylactic[ally]” prevent state capture by private interests (2018, 901). Each build on a negative understanding of democratic virtuosity as something obstructive. Each seeks to un-make a world in which elites and can and do readily undermine the second dimension of civic liberty.

Following such proposals, I implore green republicans to explore possibilities for reformulating contestatory calls for inclusion in deliberative and citizen-consultative panels, such as are currently attached to many environmental and labor regulatory bodies, as obstructive calls. The aim would be to scandalize elite influence within them and ultimately to re-constitute them on a class-sensitive sortition basis that also delivers veto power. Given that many such bodies work at state and local levels (*e.g.*, local planning commissions), this may not require constitutional reform. Such efforts would, however, require a conflictual or tumultuous approach to politics that eschews understandings of democracy as a system anchored by “non-violent disagreement” (Barry 2021,729, 730). Here we might draw inspiration from the fossil fuel divestment movement. Action could extend to the promise of ongoing disruption, absent the sustained exclusion of proven funders of climate denial and others who fit Elizabeth Ellis’

definition of “extractors” (2017, 514) in fora from municipal authorities and K-12 education regulators to the boards of state and private universities and the Intergovernmental Panel on Climate Change.

Mindful that space constraints prevent full development of this point, the democratic republican view seems also to warrant a theoretical revolution. To the extent that existing deliberative democratic theory tends to rely solely on contestatory presumptions—such that democracy is conceived as ultimately being about either “non-violent disagreement” (Barry 2021, 739), in other words “the giving and accepting of reasons” (*e.g.*, Dryzek and Pickering 2019, 141, who defend the “pursuit of *meta-consensus*”) or universal public will-formation (*e.g.*, Lafont 2019, 209, who defends comprehensive “mutual accountability”)—it may be fair to say that the time for either or both presumptions has passed. Given the current crises, both views of democracy ignore two features of contemporary northern politics that democratic republicans take as given. First, the persistence across time and space of the normatively salient empirical distinction between wealthy elite and poorer majority and, second, the inevitability that the former will exert malign influence over government in the absence of efforts to obstruct such influence on the part of the latter. If ‘neoliberalism’ in northern states since the 1970s does amount to an ‘organized counteroffensive’, then it may once have been plausible to conceive of democratic politics as premised on non-violent disagreement or universal will-formation but can be plausible no longer. Elites today simply pursue their interests against the backdrop of a political void (Mair 2014). As theorists of “secession” make clear (Urbinati 2016, 29), a significant cohort of elites seem neither to be offering reasons to the governed nor accepting them in return. A wealthy minority today simply eschews attentiveness to the reasons with which

majorities back their demands and, effectively sidestep engagement in any kind of comprehensive public sphere oriented to democratic will-formation.

Reflect also on the implications of secession by the poor (Müller 2021, 21ff.). If it is true that poorer citizens no longer feel a part of politics, blame their plight on elites, and turn to undemocratic populists—such as Donald Trump and current opponent for nomination as US’ Republican Party presidential candidate in 2024, Ronald DeSantis, or former British Prime Minister Boris Johnson and his ‘polished populist’ successor Rishi Sunak—then calls for deliberation may well be falling on deaf ears. Required instead is the leveraging of anti-elite sentiments for democratic environmentalist ends. That is to say, and in keeping with the green republicans’ anti-perfectionist vanguardism, what is required is the promotion of what Machiavelli defined as productive “tumult” (D.I.4-6). At the very least, organizing to achieve veto power might better channel majoritarian anger and, so, help to undermine what he opposed as demagogues’ destructive and unproductive “calumniation” (D.I.7-8). Action to exclude ‘extractive’ elites from institutions might in this sense more effectively win support from at least some alienated majority individuals, many of whom see regulatory and deliberative environmental bodies themselves as elitist (Mounk 2018, 65, cites opinion on the regulatory capacity of the US Environmental Protection Agency specifically). Recasting formal veto-empowered oversight of institutions by randomly selected groups of poorer citizens as a political goal, and realizing minimal success at local and subnational scales, may in this sense go some way toward establishing path dependencies that attract sections of the alienated poor away from demagogic populists.

Conclusion

As well as positive world-making activism, I have argued that one of the key tasks accruing to democratic environmentalists today is to obstruct elites' capacity to act with impunity. Green republicans have to date taken as given the optimistic belief that environmental movements should be embraced as sharing the cause of contesting domination. I have shown that, insofar as green republicans use the civic republican framework to link the virtue, freedom, and equality, they work with a problematic contestatory account of democracy as premised on equal freedom and, so, either the universal giving and accepting of reasons or gradual rationalization of a generic public will. In contrast, I have argued for the embrace of environmentalism as a democratic republican cause that aims to contest *and* obstruct elite impunity. If a significant cohort of elites have today 'seceded', while others embrace demagogic populism to exploit poorer individuals' collective "cry of pain" (McCormick 2019b, 130), then contestatory activism alone may represent the ambition of a bygone era. Strategically speaking, it is incumbent upon democratic environmentalists to obstruct elite impunity and, so, confront the structural problem of elite excess. In Machiavelli's own words, "so great is the ambition of the great that it soon brings that city to its ruin if it is not beaten down in a city by various ways and various modes" (D.I.37). Given the plausible belief that many elites will continue to support environmentally corrosive and maldistributed economic growth, even in the face of mounting evidence that this is disastrous for all, democratic environmentalists can and should go beyond contestation and support radical reforms designed to formalize the empowerment of majorities to obstruct this contemporary manifestation of such a timeless 'ambition'.

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