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From politics to democracy? Bernard Williams' Basic Legitimation Demand in a radical realist lens

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1. Introduction

Political realists argue that political norms can more effectively guide judgement than can ideal norms derived from ethical principles. Three axioms shape the realist conceptualization of political norms: First, (a) politics arises with the displacement of violent coercion by order and, so, authority. Second, (b) such authority needs a decision-rule or rules. Historically, in Western states (“now and around here”, as put by Bernard Williams 2005, 8), two such rules obtain. One is based on bargaining, whereby actors seek a mutually beneficial agreement that entails minimal concession. The other on deliberation, whereby actors recognize a common end to pursue, taking as given relevant value differences and interests. Third, (c) political norms are an emergent property of the subsumption of moral values to the prudential considerations of actors involved in sustaining the step from (a) to (b).

Realists have thus far focused on normative theorizing from the axioms through the lens of legitimacy (Cross 2021, Sleat 2014, Rossi 2012, Sigwart 2013, Cozzaglio and Greene 2019). They have had little to say about the relationship, if any, between norms associated with (liberal)

legitimacy and with democracy. This has led to claims that the new realism has little to offer democratic theory (e.g., Frega 2020). Interestingly, Williams gestured toward theorizing such a relationship. However, he did not fully elaborate his ideas. He not only claims that “[a]ny theory of modern [legitimacy] requires an account of democracy and political participation” (15) and that “it is a manifest fact—that some kind of democracy, participatory politics at some level, is a feature of [legitimacy] for the modern world” (17). At least implicitly, he also saw his account of liberal legitimacy and linked theory of the establishment of politics as a framework for “exploring what more radical and ambitious forms of participatory or deliberative democracy are possible ...” (2005, 17). Taking our cue from Williams, we here begin to clarify the relationship between norms formed through the establishment of politics, we sometimes shorten as ‘politicization’¹, and those through democratic agency. Motivation arises from our suspicion that Williams’ theorization of the establishment of politics— creating a normative requirement that states satisfy a “Basic Legitimation Demand (BLD)”, wherein its authority is justified “*to each subject*” (4)—stands in tension with his commitment to conceptualizing political norms in historical-context and, so, genealogically (2002, 20ff., also, 2006, 156). We show that Williams’ account of the norms that coincide with the establishment of politics—to wit, the step from (a) to (b) above—should not be read as also necessarily encompassing the establishment of conditions for the deepening of democracy.

1. We use politicization unusually here, to emphasize that for Williams the establishment of politics is a process that transforms the exercise of raw power (of an actor’s capacity “to take it universally”, see, Hobbes 1996, 63) into a question of authority (of an actor’s “right of doing any action”, *ibid.*, 111).

In Section 2., we problematize further Williams’ argument. Insofar as he envisions democracy as a deepening of liberal political legitimacy, we claim that he makes it difficult to distinguish conceptually between legitimation-based and democracy-based norms. He implicitly ties the (legitimate) use of state authority to the defense of individual autonomy grounded in ‘negative’ freedom from (illegitimate) state coercion. We counter that the normativity associated with democracy involves a different kind of autonomy, grounded by the ‘republican’ organized aspiration to self-government (de Dijn 2020). If democracy is essentially ‘people power’ (not ‘people’s rule/rule by the people’, see Ober 2017, 22ff.), the normativity derived from it should at minimum be oriented to checking predation by elites² and erecting barriers to elites’ overwhelming capacity to realize durable long-term political goals. This view synthesizes John P. McCormick’s and others’ ‘Machiavellian’ or ‘democratic republicanism’ (2011, also Hamilton 2014, del Lucchese 2015, Pedullà 2018, Raimondi 2018) with Ober’s minimal definition (2017) of democracy.

In Section 3., we draw on select works in the political sociology of citizenship, political-economic history, and republican historiography. We show how Williams’ treatment of the historical conditions that did sustain successful politicization ‘around here’ fails to provide a clear account of processes that once, in the mid-twentieth century, sustained the moderately

2. We use ‘elites’ to encompass both “oligarchs” (the top 1/10th to 1/100th of the top 1% of households) and “the highly affluent” (the, say, 2-10 top percentile “stratum of citizens who are well-off ... but who lack the material power resources oligarchs can deploy for income defense”). This blurs somewhat the important distinction drawn by Winters (2011, 212-3) but simplifies our argument.

successful democratization of politics. In particular, Williams' lack of clarity on the distinction that is our concern limits our ability to appraise the 'erosion' of democracy 'now', that is, over the late twentieth and into the twenty-first century. In Section 4., we demonstrate the usefulness of maintaining a stricter distinction than Williams allows by elaborating radical realist conceptual resources in a manner sufficient to disentangle the establishment of politics from democracy. We posit that the former creates the demand for justification as producing liberal 'legitimations', whereby the powerful justify their authority, largely by implementing legal rights, to those controlling power resources sufficient to maintain status as 'relatively free and equal individuals'. The latter is produced where nominally weak individuals, organized into groups, motivate forbearance on the part of the powerful. This radical realist derivation of concepts from historical context, we argue, better differentiates politicization from democratization. To the extent that Western states do justify themselves to each subject, this is a side-effect of what Jeffrey A. Winters (2011) describes as the historical process of taming oligarchs. At best, the offer of a justification to each subject is the product of historical conflict between the few and the many. At worst, no justification is offered to individuals or collectives, yet politics persists.

In Section 5., we describe some implications for realist political theory, then, interpretive political science amidst the current "crises of democracy" (Przeworski 2019, 9, who also questions the usefulness of the legitimacy norm, 12ff.). Whereas interpretivists connect de-politicization to technocracy and populism (e.g., Bickerton and Invernizzi Accetti 2021; Müller 2021; Urbinati 2019), we argue that doing so misses something. This is the de-democratizing impact of conditions in which we can observe a deepening of politics that remains in accord with the logic of Williams' justification-to-each-subject norm of legitimacy. We thus expand on the

historians' observation that the "democratic features [of Western states] began to unravel in the 1970s" (Thompson 2022, 200) under pressure from elite cohorts (esp., Gerstle 2022, esp. 120, 184). We thus make two contributions: first, a novel reading of Williams that should speak to realist and generic political theory audiences and interpretivists alike. Second, a radical realist reading of the role played by legitimation in the establishment of politics, which delineates more clearly the prospects for democracy today. We thus contribute to further distinguishing realism, and its radical strand, as distinct approaches that, contrary to detractors, can and do encompass democratic normativity.

2. Williams on legitimation

For Williams, 'our' modern states embody the conceptual political form of authority. Modern authority "requires ... that there is a legitimation offered which goes beyond the assertion of power" (11). Williams expands by modifying Hobbes' 'state of nature' thought experiment (2005, 3). The establishment of politics depends on a claimant to authority "meeting the BLD[, which] implies a sense in which the state has to offer a justification of its power *to each subject*" (4, on the complexity of the relationship between conceptual, normative, and contextual elements in Williams' schema, see Cross 2019, 2021, 2022). For him, "we can recognize such a thing [the normativity of the BLD,] because in the light of the historical and cultural circumstances [...] it MS [makes sense] to us as a legitimation" (11).

The idea is that, disenchanted with the hierarchical value system implicit in nonmodern holism, so rejecting 'divine right' justifications, 'we' individually (and autonomously) check whether an "intelligible order of authority makes sense to us as such a structure" (10). For Williams, the state

is supposed to legitimate the arrangement to *each* citizen, that is to say, to each person from whom the state expects allegiance; though there may be other people within the state, slaves or captives, who are nakedly objects of coercion and for whom there is no such legitimation story (95).

A legitimate order *just is* a formal political authority that does not “radically disadvantage” any individual or group of individuals (6). This is an explicitly historical claim: “There is no timeless, pre-political moral standard that determines to whom the BLD must be directed” (Hall 2021, 145) or what radical disadvantage means. The normativity that the BLD inscribes in politics ‘now and around here’, including what any individual or group might define as radical disadvantage, “is a historical development” (145).

In a second step, Williams turns to the conditions for successfully meeting the BLD. For politics to be legitimate, the justifications offered to each subject presumably must be backed-up. This is achieved insofar as justifications are accepted by a considerable number of subjects, “a substantial number of people” (2005, 136). Justifications therefore contextually ‘make sense’ to each of us, as subjects of ‘this’ authority. Williams’ working assumption seems to be that, given ‘our’ social and cultural history, the rationales of legitimation that would convince ‘a substantial number of people’ would have to be liberal (cf., 2005, 7-10). So, the modern Western state just is a liberal state, not least insofar as it is constituted to fulfill the normative goal to legitimate itself to each subject.

This claim to legitimacy is redeemable in terms of each subject’s desire for autonomy from coercion by the state (Prinz and Rossi 2017, 354-5). This desire can be reconstructed from Williams’ historical account of the conditions of legitimation for the modern state:

[T]here is the basic sociological point, that the legitimations appropriate to a modern state are essentially connected with the nature of modernity [...]. This includes organizational features (pluralism, etc., and bureaucratic forms of control), individualism, and cognitive aspects of authority (*Entzauberung*). [These can be summarized as] LEG + Modernity = Liberalism, where the ambiguities of the last term serve to indicate a range of options which make political sense in the modern world: they are all compatible with the *Rechtstaat*, and they vary depending on how much emphasis is put on welfare rights and the like (2005, 9).

In other words, the legitimations appropriate to 'our' modern state "make sense" because the justification is offered to "*each subject*" (4) and applies "*all the time*" (3). Sociologically speaking this subject, if not an out-and-out non-believer is at least a believer who grants equal status to both believers in other creeds and non-believers alike and, so, eschews hierarchical holism for egalitarian pluralism, or "individualism" (9). Such conditions also entail the dissolution of absolutism, wherein those bearing political authority dictate collective ends 'down the chain' and the only role for an individual is to accept the directive. And, include state-defense of the rule of law, wherein political authority reserves the sole right to arbitrate outcomes among divergent interest groups (albeit made up of individuals), which it compels to bargain or deliberate where the achievement of collective ends is at stake (effectively compelling (c), above). Modern conditions also include the institutionalization of a bureaucratic administrative apparatus, whereby the execution of processes oriented to achieving collective ends follows formal, impersonal rules, rather than the arbitrary whim of those bearing authority. These are the terms on which Williams connects legitimation with the sociological conditions of modernity (esp., 2005, 8-9, also 40ff.).

2.1. Williams' incomplete historization

Williams thus takes pluralism and bureaucratization, but most emphatically individualism and secularization, to be important. In his view, individualism and secularization would have to be in place for a structure in which legitimations make sense to each subject to arise. Individuals who have lost their moorings in the dense webs of duties and obligations which characterize holistic-hierarchical societies also demand that the state makes sense to each of them as so-liberated individual specimens of humanity in general. Descriptively, modern legitimacy rests on 'disenchanted' individuals' beliefs that the state is, so can and should be, the guardian of individual autonomy as freedom from state coercion.

Again, it is worth quoting Williams at length. The type of autonomy with which Williams works, on grounds that it is a conceptual innovation constructed from sociological fact and so, history, stems from his understanding that

the interest of the disadvantaged lies in an aspiration to the most basic sense of freedom, that of not being in the power of another, in particular not in the unrecognized power of another, and the pursuit of truth in this area is concentrated into the aim of destroying representations that have the effect of keeping people in such a situation (2002, 231).

This is so because, for him, "[t]he disadvantaged want to know why the power of these others is being exercised over them, and when the question about the source of that authority gets a negative answer, the result is not that the system is in doubt, but that it is unjust" (230). What we conjecture in Section 4, with the aid of the radical realists, is that the radically disadvantaged may or may not want to know the truth about their domination. But, that what is essential about being radically disadvantaged is the quotidian desire for it to stop. What is pursued is neither

truth, nor the destruction of representations. Rather, it is an end to the condition of being radically disadvantaged.

In his first step of the BLD, Williams concentrates on the relationship between an assumed and otherwise unspecified claimant to authority and an abstract individual addressee of that claimant. A key problem here is Williams' implicit statist basis: because for him only a state makes sense to each of 'us', politics must be conceptually tied to the state. The state is the sole actor capable of responding adequately to the Hobbesian first political question, so, establishing and defending order. Williams' view seems typical of a broader strand of political theory that associates the establishment of politics with the liberal state by default (Raekstad 2018). He cannot fully consider the historical constitution of the relationship between the two.³ Further, by focusing on (liberal) concerns with individual protection from state coercion, Williams eschews longer-standing republican conceptualizations of autonomy as indicating individual desires for some kind of collective self-government. As Annelien de Dijn recently argues, raising a point that we emphasize later, "the equation of freedom with [the aspiration to] self-government" not only pre-dates and extends through the so-called "Atlantic revolutions of the late eighteenth century" (de Dijn 2020, 4). Such a conception may also be re-emerging as Western citizens respond to the current crises (341ff., also Gerstle 2022, 278-9, more sanguine is Thompson 2022, 273, 277). Consider for example, increasing unionization and union militancy in the US and UK, the parliamentary resurgence of the left in Australian and New Zealand centre-left parties, and

3. We do not take a stance here on whether Williams' first step is moralizing or realistic (Edward Hall compellingly defends it as the latter (2020, 143ff.)). Our point is that it is insufficiently sensitive to 'our' social history.

the success of similar ‘class-based’ electioneering undertaken by US Democratic Senator-elect John Fetterman, and earlier, Bernie Sanders.

We are now positioned to see that the problem with a focus on the norm of legitimacy (for ‘us’, as advocates of deeper democratization) is the lack of clarity regarding the relationship between the establishment of (liberal) politics and of democracy, deeper or otherwise. To clarify, we suspect that closer inspection of the historical-sociological context in which the political authority of the Western state was established should reveal that Williams is unclear about just how exactly the establishment of a politics and meeting demands for deepened democracy, which he endorses, are or are not connected.

3. Contextualizing liberal legitimacy

Conditions in which a justification only makes sense when offered to each subject need to be explained as historical conditions first and conceptual schema second. Indeed, this would accord with Williams’ methodological preferences (2002, 20ff., also, 2006, 156).⁴ We here synthesize an account of the establishment of politics (the step from (a) to (b)) through the lens of the standard political sociological account of the permutations of modern citizenship, recent political history, and republican historiography.

3.1. Citizenship and the modern state

Although subjected to significant critique (Mann 1987) and revision (Isin 1999; Scerri 2012; Somers 2008; Turner 1990, 1997), work by T.H. Marshall (1965) continues to provide “the standard narrative of the evolution of modern democratic citizenship” (Bellamy 2014, 13). This

4. Preferences that, for Hall, Williams “counsel[ed] but which his political essays do not deliver” (2020, 166).

narrative portrays the emergence of modern citizenship as the achievement of “a bundle of rights and obligations ... that define a membership in a polity”, Hannah Arendt’s “right to have rights” (Isin 1999, 267). And, simultaneously, it provides an account of how different interest groups sought from those in authority some kind of “guarantee” that their interests, and the values they regarded as important, would be accounted for in political decisions on collective ends (Turner 1994, 158). So, the narrative provides a sideways view of the establishment of politics ‘now and around here’. The “underlying logic” of the narrative is methodologically realist and normatively republican, insofar as its portrayal of the logic behind the development of legal rights can be summarized as “a subordinate group employing formal and informal political strategies to win concessions from those with power in their fight to be treated with equal concern and respect” (Bellamy 2014, 14). What Marshall’s critics disagree with is not the content of the historical narrative per se. Rather, his analysis does not thoroughly apply its ‘underlying logic’: “emphasis should be placed upon the strategies and cohesion of ruling classes and *anciens régimes* rather than upon those of the rising bourgeois and proletarian classes” (Mann 1987, 339, also Turner 1990, 195).

Such a revised Marshallian narrative shows that those individuals who emerged from the Atlantic revolutions as full citizens had been able to organize themselves as a political force sufficient to threaten order and stability. Following Marshall’s critics, we therefore remain mindful that it was indeed elites’ strategic choices that were decisive in preventing a descent into chaos. Hence, the organization of such force did sustain demands for civil rights to private property and formal equality under law ‘from below’. However, what is important is that elites were able to demand ‘from above’ that newly minted full citizens fulfill corresponding obligations: To declare allegiance to one state and, so, to seek redress for civil grievances only

through that state's legal system. Elites were able to avoid retribution for maintaining control over real property, the absolutist "patrician essence", by institutionalizing the means for recognizing the "inherent value of fictitious property", moveable wealth (Nairn 2003, 25).

Such claims are corroborated by Jürgen Habermas (1989). For him, individuals making-up the nascent "public sphere" did demand civil rights, "the institutionalization of privateness" as freedom of worship but, under aegis of what would emerge as a "public authority", this demand was transformed into a guarantee of individual rights to "private property" (14). Habermas also shows that the products of this elite tradeoff applied initially only to a specific cohort: Adult, male, white, propertied, literate and almost all confessionally Protestant individuals, even if their protest against absolutism opened the gate to cultural *Entzaubertheit*. Pluralist individualism, and the secularism it gave rise to, then, in contrast with Williams' account, are not so much essential conditions of modernity. Rather, these are contingent conditions which arose where elites needed to reconcile conflict among Protestant sects and with Catholics within an anarchic system of states (following Taylor 1989).

Similarly, into nineteenth century, the revised narrative points to how a different cohort, mostly skilled-workers and self-sufficient farmers, organized to demand political rights, to vote and stand for election in emergent representative systems. Once more, established elites, now joined by those *hautes bourgeoises* empowered by civil rights, were able to maintain order and stability only by granting this cohort political rights. The granting of such rights served to extinguish possibilities that those demanding such rights would exact retribution for their unpolitical condition by seeking more radical reforms, as did the English Chartists, who were exiled (Hartz 1964, 280). Thus, political rights, too, need to be seen as encumbered by corresponding obligations. These centered on demands that newly enfranchised citizens commit

themselves to nation-building “statism” (Nairn 2003, 27), over time including mass-conscription and, with the subsequent expansion of suffrage to include women, providing unwaged care for male workers and raising children (Turner 2001, 195-7).

In the twentieth century, it was mass-industrial (unskilled) workers who organized themselves to effectively demand Marshall’s social rights, to welfare support, which included access to affordable consumer goods and services. Once more, elites were able to maintain stability by demanding fealty to ‘one side’ in a global Cold War: Working class individuals were called upon to eschew revolutionary ‘communism’ as a means for avenging the depredations suffered under capitalism. What is interesting about this latter transformation is that it is only at this point that anything resembling the idea that a legitimation must be offered to each subject came into view in the form that Williams conceives as important (as opposed to an offer being made to troublesome subsets of ‘the subjects of modernity’). Now consider some of the more recent ramifications of the cultural revolutions of the 1960s and 1970s, and Western state responses. It was precisely the fact that legitimations were not being offered to each subject that provoked the Civil Rights, feminist, peace, environmentalist, and multiculturalist ‘new’ social movements of that era (Habermas 1976; Offe 1984). Williams might respond that that is exactly his point. The sociological conditions of modernity (pluralism, bureaucratization, individualism, and secularism, combined to sustain something akin to the BLD) created conditions for the protests. But, if we can agree that Williams’ is a historical (rather than conceptual) point, tensions emerge.

We now look to efforts to extend the revised narrative into the 1990s and first decades of the twenty-first century. By this time, movements for social citizenship had weakened in the wake of deepening globalization of the economy and concerted elite efforts to ‘erode’ social

citizenship (Turner 2001). This process had in fact begun with the assimilation of some of the 1960s' and 1970s' revolutionaries' more individualistic demands to the state and markets (Boltanski and Chiapello 2005, refining a thesis perhaps first aired in the closing chapter of Habermas 1976). By the 1990s, a yet different cohort of relatively affluent, well-educated, cosmopolitan, and urbane citizens, a knowledge class (Featherstone 1996), had begun to assert what would be defined as stakeholder rights, to a reasonable 'quality of life', which is to say, a life untainted by ambient pollution and toxics, industrial work-life discipline, massified dietary and consumption opportunities, suburban conformity, and so on. The corresponding obligations of stakeholder citizenship came to center on accepting the neoliberal TINA doctrine (Brown 2015) and, so, eschewing collective agency altogether, be it exercised through 'old' class-based or 'new' identity-based social movements. What is fundamentally different about this eroded form of citizenship is that such demands were not asserted in any way resembling how demands for civil, political, or social rights had been voiced, which is to say, collectively. Elite responses to such demands were also substantively different. Responses were essentially technocratic. Elites increasingly ignored the organized withdrawal of labor and disruptive mass-protest. Governments took to analyzing citizens' 'revealed preferences' in ways that resembled those on which business managers had long responded to consumer choices in some idealized 'free market'. Both the new demands and elite responses were more liquid (Bauman 2001) and deeply individualized (Beck and Beck-Gernsheim 2002).

In this light, we contend that individualism, which can in fact be conceived in illiberal terms as a product of democratization,⁵ should be treated as a fully sociological fact with a clear history. By elaborating the combined effect of struggles over civil, political, and social citizenship, and the subsequent erosion of social into stakeholder citizenship, we have shown how the idea that a justification needs to be offered to each subject explains only the liberal dimension of the sociological condition of modernity. It is only with the ‘success’ of social citizenship that, we submit, Williams’ claim that the normative goal of the offering by authority of a justification to each subject—legitimation—begins to make sense as a proposition. In fact, considering the increasing focus on individual rights over collective means or ends in the consolidation of stakeholder citizenship suggests that something which looks even more like the BLD has been brought into view. Even, that is, as the quality of democratic participation, if we take the era of social citizenship as providing a benchmark, has been eroded. Hence, we agree with de Dijn’s (2020) general thesis. Politics in the West since Antiquity should not be interpreted as a struggle of individuals against domination and for autonomy (negative freedom) from unjustified coercion. Rather, Western politics has been characterized by struggle between advocates of the liberal conception of freedom-as-individual-autonomy and longer-standing, more diverse, conceptions of freedom as self-government, as these have and continue to be

5. As in the case of Thucydides’ account of Pericles’ Funeral Oration (see also, Ober 2017, 104ff.).

elucidated by various republican theorists,⁶ in the context of a state bound to sustain itself in an anarchic international system.

Our point is that such a state may or may not be responsive to demands for deeper democracy. But that, beginning in the 1970s and perhaps ending very recently (if we agree with the historians, see Thompson 2022; Gerstle 2022), it has adopted the prudent path and sided with relatively affluent (stakeholder) citizens and so prioritized demands for individual autonomy over those (social and so, democratic) demands for self-government. The transformations of citizenship mark the ebb and flow of demands for autonomy *vis-à-vis* demands for self-government, as adjudicated by those elites who bear economic power or political authority, or both. Considering de Dijn's work, such adjudication has, as a matter of expedience, and most evidently under the 'neoliberal order' (Gerstle 2022), often granted concessions to those elaborating liberal demands that appeal to each subject.

In what follows, we suggest that elite responses to either kind of demand need to be interpreted in a more context-sensitive manner than Williams' device of the BLD allows. In fact, we go further. We argue that elites do not necessarily respond to demands for legitimation at all.

6. So, encompassing whatever freedom as self-government may mean for individuals in context.

Indeed, Williams argues that the BLD can "only speciously be represented in Kantian and Rousseauian terms as either expressions of autonomy or of self-government" (2005, 16-7), and we agree wholeheartedly. What is at stake is not the ideal, but the real efforts of politically effective individuals, most often working in groups, who seek more individual (negative) liberty or more individual participation in the formulation of laws and/or regulations, than authority currently permits.

Rather, elites exercise strategic forbearance, in the hope of maintaining or extending the order on which their status depends. Whether this includes responding to demands for legitimation from each subject, or from organized collectives, is neither here nor there. We then argue that our engagement with Williams does not undermine his realist claim to provide more distinctively political theorizing. This is because there is available an alternative realist route to the conceptualization of political normativity. Tracing this route (so, focusing the remainder of our argument on theorizing norms derived from axiom (c), above) provides the added benefit of advancing nascent scholarship that, as does our effort, takes Williams' work as prompting realists to engage with 'more radical and ambitious forms' of democracy.

4. The radical realist route to political norms

We first take inspiration from the so-called "radical" (or "anarchic") realist frame to construe politics more broadly than does Williams (esp. following Bull 2019, 140, 184n.). We therefore build here on recent efforts that, by evaluating the effects on democracy of resurgent oligarchy (Arlen and Rossi, 2021), also challenge claims that there exists a tension between the demands of realism and norms of democracy (cf., Frega, 2020; Achen and Bartels, 2016). So, we interpret politics as that aspect of the human condition that encompasses "any ... activity of structuring or directing or coordinating the actions of a group ..." (Geuss 2014, 147). Politics is neither a specific domain nor does it call for a definition (Williams agrees, this would prove "fruitless", 2005, 12). Theorizing the establishment of politics involves considering potentially any coordinated contestatory interaction, be it dyadic, structural, or systemic.

This means that we modify Williams' Hobbesian frame (see note 1.). We posit that to exercise raw power is to directly threaten: 'Do this or else I will harm you'. But, to exercise authority is merely to tie the threat to the offer of an alternative to being harmed: 'Do this

because I have the capacity to harm you’ (paraphrasing Geuss 2022, 44).⁷ Unlike the Hobbesian, this more or less Machiavellian formulation highlights a few salient facts. First, there can be no bright line regarding the contestation of relations of domination, apart from the ‘natural’ distinction between a minority, which by virtue of some capacity to structure, direct, or coordinate ‘the actions of a group’ can inflict harm, and a majority who, short of exercising ‘people power’, does not bear such structural, directing, or coordinating capacity. And, second, an actor who contests domination provokes a response, and the nature of that response is out of their hands. A useful theory of politics therefore merely draws out the normative implications of human interactions, which are always conducted over time and in historical context (Raekstad 2021). Rather than positing an immutable state form, on which is borne the norm of legitimacy, we follow Glen Newey to elucidate, as “artifacts” of ‘our’ political culture, changes in “liberal acceptability-conditions” over time (2010, 449).

The radical lens therefore provides a basis for integrating into realist political theorizing the historical critique of the erosion of citizenship. To reiterate and expand, our view is that Williams artificially truncates the distinction between liberal and democratic normativity. This undermines prospects for conceptualizing what may be one of the most important ways in which modern individuals have sought to enter into bargaining and deliberative fora that shape the contents of order and scope of authority (again, the axiomatic step from (a) to (b)): via democratic agency. Given our view that democracy encompasses the power that groups of people exert when coordinating their activities to achieve a shared goal, such agency requires

7. Geuss’ original formulation is “You *must* do this (or else)” and “You should (or, ought to) do this, (just) because I say so”.

‘solidarity’. ‘Now and around here’, examples include acts of civil and uncivil disobedience; joining a labor union to achieve better conditions or increased wages; or, other kinds of organized groups to protest the maldistribution of environmental harms or the corruption of regulatory capacity; refusing patriarchal rule-setting, cisgender, or ethno-racial privilege; standing for office, joining, canvassing for, or even simply working to ‘get out the vote’ for a political party and so on. Democracy is in these terms essentially oriented toward but rarely achieves effective, let alone full, popular “control over the way one is governed” (de Dijn 2020, 2).

As such, we in the next section we address our belief that Williams’ norm of legitimacy makes it difficult to diagnostically grapple with the empirical fact that politics can favor either unusually powerful individuals, elites, or individuals bound by circumstance to act in groups, in solidarity. Because he bakes individual autonomy into the establishment of politics, he also bakes-in the claim that such establishment depends on the justification-to-each-subject norm of legitimacy. This is so, even though historically speaking, Williams’ abstract subject possesses no power resources other than the capacity to band together in solidarity so, bearing the aspiration to ‘have a say’ in how authority is exercised and where it is headed. Radical realists can help us to see how this analytic entanglement, ironically, might make it difficult to say much about the relationship between the establishment of politics and democracy.

4.1. Liberal state or civilized oligarchy?

Consider Jeffrey A. Winters’ “realist” account of the genesis of the Western state as a “civilized oligarchy” (2011, 27). This state is conceptualized as a form of order premised on the “taming” of the oligarchic source of power: personal control over vast concentrations of “material” and other “power resources” (2011, 32-8). Civilized oligarchies transform the oligarchic presumption

of the right to employ all power resources unconstrained, ‘to take it universally’ in Hobbes’ words (see note 1). The United States providing Winters a paradigmatic example (211), Western states were over the eighteenth and nineteenth centuries, able to persuade oligarchs to concede this right in exchange for legally guaranteed private property rights. By “enforcing” and so “securing” private control over concentrated material power resources in this way (208), the state effectively specifies Hobbes’ ‘right of any action’. With this transformation, the wealth upon which oligarchic power depends could be grown, rather than appropriated by naked force. Historically speaking, this formalization process rendered the state paramount authority over a given territory, while making property holdings stable enough to generate income in ways that generated preservative rather than disruptive effects on order. Or, as we prefer to see it, the quintessential oligarchic assertion, ‘do this or else I will harm you’, is transformed by attachment to the state, to emerge as authority, ‘do this because I have the (constitutionally ordained) capacity to harm you’.

Considering again the revised citizenship narrative, Winters’ account offers a more robust foundation on which to conceptualize the establishment of politics ‘now and around here’. The establishment of politics has had little to do with the demands issued by liberal individuals, or indeed by democratizing movements. The ‘taming’ of oligarchs has had just as much if not more to do with the emergent modern state’s immersion in an increasingly sophisticated anarchic international system premised on colonial competition and expansion. States’ need for increasing technological and administrative capacity was met by oligarchs—consider the contributions of late nineteenth century ‘robber barons’ to the establishment of the US’ trans-continental fossil fuel infrastructure and associated pipeline, rail and, later, automobile networks—who simultaneously grew reliant on what Karl Marx theorized at the time as the economic need for

‘free’ as opposed to enslaved labor. As Marx and his followers argue, the modern state provides the formal basis for transforming unrestrained control over concentrated power resources into formal ownership of the most potent power resource: moveable wealth, money.⁸

For our argument, what is important is that while ‘tamed’ oligarchs may suffer occasional “predations” by the modern state, or at least threats in this direction (Winters 2011, 36), most actual predations have not been the products of democratic pressure. Democratic movements by and large have been insufficient to the task of ensuring that such predations are exacted at levels sufficient to weaken oligarchic income streams.⁹ The US state has more often maintained oligarchic allegiance while raising taxes on the merely affluent in response to civil, ‘hot’, or ‘cold’ war, to deal with natural disasters, resource shortages, or the need for physical infrastructure (compare Winters’ thesis with Thomas Piketty’s (2014) empirical findings).

This said, while civil oligarchies are essentially “indifferent to democracy” (2011, 210), they are not so to demands for liberal rights. Theoretically speaking, liberal rights now look a lot more like concessions to prudence on the part of a state which is bound to retain oligarchic

8. The translatability of (private) wealth into (public) power has been posited as a characteristic of politics in the West, far before the modern period of democratization (Graeber and Wengrow, 2021). It would be interesting to conduct a comparative investigation that would clarify in what ways this is a distinctive feature of Western politics.

9. Democratic movement-threats to oligarchic wealth in the United States for example, succeeded only once, and only for four years between 1913 and 1917, when the then-new federal income tax was levied on the top one percent of incomes in response to three decades of “populist” agitation (Winters 2011, p. 229).

allegiance. The defense of liberal rights dovetails somewhat cleanly with the oligarchic preoccupation with defending property and wealth and the income streams these generate. Consider work that demonstrates how policymaking in Western states consistently favors economic minority over majority demands (Bartels 2016; Gilens 2012; Page and Gilens 2012; Peters and Enzink 2015; Schakel 2021). When conceiving of ‘elites’ as both “oligarchs” and “the highly affluent” (see note 2., cf. Winters 2011, 212-3), the establishment of politics now looks as though it were a system which not only economically benefits some and not others, but which also needs only to justify itself to some and not others. A radical realist lens can zoom in on this idiosyncrasy by following Winters to posit that “ultimate test of a [political-]legal system is not its routine or systemic performance, but whether it is stronger than the most powerful actors in society” (209).

4.2. The establishment of politics in a radical realist lens

The establishment of (liberal) politics experienced in modern states (that for Williams, are also at least potentially legitimate) and its consolidation do not seem to depend on a justification being offered to any actor, be they democratizing movements or each subject. Rather, it appears to depend on the mere presence of appropriately powerful actors, with sufficient power resources at hand, who choose not to pursue the defense of said resources to the full in response to the threat of contestation, including state-led or sponsored predation. Powerful actors decide not to inflict maximal harm on those with relatively fewer at-hand power resources when a given end is at stake. This decision is taken on prudential grounds that are not necessarily, but where circumstances are fortuitous can be, informed by the demands of the less-powerful (Bull 2019, 7, 44). This is because, as Malcolm Bull puts it,

the acceptability of power derives not from any agreement or explanation or argument or myth, but from the simple fact that it is not exercised to the full. Putting up with subordination and accepting a justification are not the same, and the former is all that is required for peace rather than war. What is accepted is not the justification but the power itself. There is nothing moral about this: no ‘ought’ is involved, and perhaps no thought either (48).

However, Bull’s term ‘acceptability’ might be ill-suited. It evokes moralist political philosophical concerns with the abstract conditions of justification. It also implies a mentalist (Floyd, 2011) focus, which Bull otherwise avoids when emphasizing his Machiavellian understanding of domination as an embodied experience first and a concept second. Hereafter, we use ‘acquiescence’—to accept something reluctantly and without protest (OED)—to better express what Bull is getting at. Politics is an aspect of the human condition in which the powerless literally and figuratively ‘put up with’ subordination to avoid the worse situation, one defined by unilateral recourse to coercive power.

The circumstances of legitimation may apply in some situations. But they do not apply between states and each subject, nor even necessarily between states and democratizing social movements. Rather, legitimacy is a relationship characterized by the acceptance of a set of decision-rules between “relatively free and equal individuals” (Bull 2019, 93, also 106). Contra Williams’ view that “it is a manifest fact—that some kind of democracy, participatory politics at some level, is a feature of [legitimacy] for the modern world” (2005, 17), this alternative conceptualization maintains yet displaces legitimation. The alternative to legitimation sits between, on the one hand, the forbearance of the powerful (elites) and, on the other hand, the acquiescence of the relatively powerless (the ‘each subject’ constituting the majority). Exactly

who sits in one or another group (powerful, powerless) will depend on historical context. ‘Now and around here’, elites would be powerful, while those below the top 10% of the wealth and income distribution would be powerless (Azmanova 2020). In the context of the nuclear family, the father would be powerful and mother and children powerless, even if we are talking about a poor family. In the contemporary workplace, shareholders, executives, high-level managers, and skilled technicians, that is, stakeholders, would be powerful, and others retained by hourly contract would be powerless.

No matter how the elite-majority line is drawn, it remains the case that acts of forbearance and acquiescence alike involve prudential reasoning. While universal ‘justificatory’ reasons may be evoked or explain action post facto, what matters politically are acts which demonstrate prudence: forbearance in the face of choices which involve comparing trade-offs among relative equal bargainers or value-orientations among deliberators, or acquiescence in the face of overwhelming power. An autonomy threshold, such as would give a bright line distinction between legitimacy and illegitimacy, is a secondary consideration. Rather, a context-sensitive status-relative threshold signals the difference between an act of forbearance and of acquiescence. A desirable political situation is simply not as bad as an undesirable one for either party, where ‘bad’ is both agent- and context-relative. Normative interpretation is therefore scalar, a matter of degree (Bull 2019, 48; if we follow Tuck (2008), it is a sorites problem). While Williams also claims that legitimacy is “scalar” (e.g., 2005, 10), our point is that judgments of prudence are as, if not more, important than judgments of legitimacy for understanding the connections between the emergence of politics and the prospects of (further) democratization. Such a view is orthogonal to the attempt by Williams to make politicization about crossing even a scalar legitimacy threshold from non-politics (unjustified coercion that

eliminates autonomy) to politics (authority, justified coercion which preserves autonomy) (following Bull 2019, 48).

For the powerful, prudence often dictates that one simply does less harm than might be done. This is not least because the tables can turn very quickly in politics. The powerful must, under all circumstances, avoid situations in which those who are harmed might exact revenge (40).¹⁰ For the weak, prudence dictates that one supplicates oneself (literally, implore from below, OED) before “those who might do more harm than is currently being done” (40). Politics is thus possible without legitimacy, and without democracy. Indeed, “having something to say doesn’t seem to come into it” (41) a lot of the time. Elite forbearance merely “give[s] the powerless a motivation to accept their relative powerlessness [and not seek revenge, insofar as] at least something [is] conceded that would not normally be conceded [by the powerful]” (45). It is quite rational for the weak to play along. The costs of unsuccessful vengeance are extremely high for collectives and higher still for individuals (Chibber 2022, 155). Following Bull, then, the defining feature of the establishment of politics is not the displacement of coercion by some discourse of justification-legitimation but the empirical fact that “the harm that is in the interests of the powerful [to do] is less than the maximum possible” (44).

In fact, we conjecture, what if anything elites offer to each subject is a kind of inducement, aimed at acquiring loyalty *en masse*. Elites suborn the majority to waylay possibilities for revenge, as the Machiavellian ‘democratic’ republicans suggest (notably, McCormick 2011, also Hamilton 2014, Pedullà 2018, also, del Lucchese 2015, Raimondi 2018).

10. Bull adds that, historically speaking, “Revenge on the poorly legitimated is not so common as revenge on the cruel” (2019, 40).

Considering the defining prudential need of elites to maintain order and stability, as the relatively powerful they must work to “dazzle” (Hamilton 2014, 41) or “bribe”, to in effect purchase the “loyalty” of majorities (McCormick 2011, 25, 26, also, 91, 95, 106) and as such, ensure majority “fear-inhibition” (Pedullà 2018, 96). The sources of politicization are not to be found in the offering of reasons to anyone other than those able to push back and achieve status as ‘relatively free and equal individuals’. This we argue is what the revised Marshallian citizenship narrative and Winters’ work on the taming of oligarchs suggests. If anything, what has accompanied the establishment and consolidation of politics ‘now and around here’ has not been justificatory but consumeristic discourses, which reflect Western states’ centuries-long entanglement within global markets.

4.3. Democratic normativity in a radical realist lens

Since the 1970s, if the students of citizenship and republicanism and, indeed, critical theorists of ‘neoliberalism’ (Brown 2015) are correct, political conditions that stand as legitimate in a liberal realist lens have even been enhanced and deepened as increasing numbers of individuals have been more ‘radically disadvantaged’ (cf., Williams 2005, 4, e.g., as Albenaz Azmanova recognizes when identifying this period with “mass precarization” (2020, ch. 5)). Put differently, conditions that fulfill the definition of being ‘radically disadvantaged’ have been extended to populations in the West for whom a *better* response to the BLD was once but is no longer a reality (also, Jan-Werner Müller identifies a “dual secession” through which elites have “seceded from democracy” while many of the most vulnerable citizens have absented themselves from it as a side-effect of mass precarization (2021, 21ff.)). The era of social citizenship was in this view one in which the weak were well-positioned to threaten revenge on the powerful. Recognizing the presence and subsidence of such a threat helps us (advocates of deeper democratization) to

make sense of the extension and subsequent erosion of social citizenship. What we witness is a concerted effort to maintain ‘civilized oligarchy’ through reliance on active (union busting, neoclassical economic doctrines, ‘structural adjustment’ etc.) and passive (elite secession, de-industrialization, financialization, ‘offshoring’, etc.) means, undermining any residual threat that democratic movements might today pose.

To reiterate, the fact that since the 1970s more people are being radically disadvantaged in relative terms than hitherto was the case (see also, Milanovic 2016), even while conditions that sustain something like the BLD have been maintained, suggests that an ‘offer to each subject’ is not essential to the establishment and consolidation of politics. What is essential is the presence of actors bearing relative degrees of control over power resources under an order which formalizes certain aspects of said control, which is to say, provides stable property rights. Only high relative degrees of control can sustain the freedom and equality on which the dynamic of legitimation depends. For supporters of deepened democracy, therefore, what matters is organization, some kind of ‘steering mechanism’ (such as rules governing internal decision-making). That is to say, the means of mobilizing the quintessential democratic power resource: large numbers of people acting in solidarity to define and achieve collective ends. Organized people power cannot, by definition, be the preserve of each subject. In addition, it must be sufficient to exact forbearance (not a justification) from the powerful (see also, Klein 2022). This is what matters in politics for ‘us’. While the radical realist account presented here undermines Williams’ suggestion that there exists a straightforward connection between politics and democracy, it nevertheless reinforces his desire to develop a more distinctively realist understanding of democratic potentiality ‘now and around here’.

5. Conclusion: The establishment of politics and de-democratization

This radical realist conceptualization of politics provides the theoretical accompaniment to our historical-contextual and internal critique of Williams' justification-offered-to-each-subject norm of (potentially more democratic) legitimacy. The establishment of politics is not a specific domain (circumscribed by a legitimate state that offers a justification to each subject). Rather, the establishment of politics is a process conducted over time and in historical context through which are generated normative implications for human interactions. If so, what the establishment of politics puts at stake first (for democrats) is not legitimacy but the terms on which elite forbearance are exacted, or acquiescence undertaken. Legitimation itself, insofar as it requires 'relatively free and equal individuals', may even hinder or undermine democratic power. This is what our synthesis of the revised citizenship narrative and Winters' civil oligarchy thesis suggests has been the case, at least since the 1970s and increasingly so (more aggressively) from the 1990s until relatively recently, when the so-called 'neoliberal order' has shown signs of cracking (Gerstle 2022).

What is of normative interest to students of politics is not a potentially more autonomous individual subject's grant of legitimacy to a state. Rather, what is of normative interest is the difference between elite forbearance, when it is the product of prudential considerations beyond simply responding to majoritarian demands, and forbearance which also entails the acceptance of majority desires. Because there is no alternative to a world in which some dominate others (can kill or harm others or show forbearance toward those they could kill or harm), the methodological issue is not one of calibrating an abstract difference between autonomy and domination. Rather, given that society at any level will contain at least two types of actors, the powerful and the weak, analysis is an exercise in avoiding over-interpretation of the evidence

that the relatively powerless have prompted forbearance (following Bull 2019, 7). Order depends much more on the cooperation of and (formalized) competition among elites than it does on elite-majority competition or, we venture, even more rare elite-majority cooperation.

Normative theories which emphasize legitimacy take as given that equal rights lead to a certain balance of power, more precisely, at-hand power resources, between elites and majority that is not necessarily present. Given the various types of power resources, it follows that even though bargaining and deliberation are the natural decision-making processes of politics now and around here, the seeking of collective ends in an ordered fashion need not be conducted against the backdrop of a state that makes sense to each subject. In vast concentrations, the most potent modern power resource, moveable wealth, trumps other types, such as people power (based on solidarity), or that derived from constitutions, such as sustain civil, political, social, or stakeholder rights. A theory of politics and so the state that justifies itself to each subject is one that presumes an isonomic relationship among all individuals that generally exists only among relatively equal elites. Even, that is, if it might be argued that during the heyday of social citizenship, the gap between those offered a legitimation and those toward whom forbearance was exercised was narrower.¹¹

Yet, even on the most optimistic analysis, such as that of Marshall's original narrative, the kinds of bargaining and deliberation central to the modern Western state, and the mass-affluence

11. Insofar as it was global in reach, the era of social citizenship entailed a hierarchy which encompassed the 'white working-class' within the nominal 10 percent. Due to the inability of democratically minded cohorts of this grouping to 'internationalize the class struggle', social citizenship effectively relied on the acquiescence of these majorities.

that the social ‘grand compromise’ afforded to a significant cohort of individuals, were in fact dependent on the presence of organized people power sufficient to keep powerful minorities at the table. That is, to focus minority minds on the need to bring the majority along when deliberating over ends (to ‘win’ the Cold War for instance). That, now and around here, these conditions did sustain something like a radically advantageous situation for some citizens is important. All things being equal and the desire for deeper democracy taken as given, Williams’ emphasis on legitimacy seems to miss something though. Conditions that approach the BLD have been maintained but increasing numbers have been radically disadvantaged since. The basic ingredients of politics are powerful groups organized around shared interests and oriented to durable policy outcomes.

The contribution of our argument for (realist) political theorists interested in democracy is as follows: we show that including democracy in a Williamsian framework for theorizing politics leads to tensions with realist commitments to interpreting politics from a contextual grounding in political (not moral) norms. We further show an alternative path for theorizing the connection between the establishment of politics and democracy. This path deemphasizes or, rather, resituates the norm of legitimacy as part of rather than the ‘whole story’ of this connection. This alternative path, we conjecture, helps to clarify the distinctive contribution that radical realism can make to thinking about democracy. In doing so, it sets radical realism in contrast with strands of realism that, as do ideal and nonideal justice theory, emphasize legitimacy and justification (a resemblance also detected by Samuel Bagg (2022) and William Clare Roberts (2022)). If Williams does allege that legitimation is the universal objective of politics, then we counter that this objective must be situated in relation to the narrow objective of maintaining group status in an ordered hierarchy. The norm of legitimacy, too, should be interpreted as a

concomitant of group or, more rarely, individual success in the context of long-term struggle over power and status (Geuss 2010, 42).

5.1 Coda: De-politicization, de-democratization, and the crises of democracy

Finally, we believe that maintaining a strict distinction between a lens focusing on the establishment of politics, which espies the demand for justification as producing the liberal ‘legitimations’ whereby those with authority justify their rule to those controlling power resources sufficient to engage with them as ‘relatively free and equal individuals’, and a lens focused on democracy, which espies nominally weak individuals, organized into groups, as potentially successfully motivating forbearance on the part of the powerful, has implications for how we interpret the current “crises of democracy” (Przeworski 2019, 9). Insofar as these crises are said to be consequential upon the de-politicizing impacts of neo-liberal technocracy and pseudo-democratic populism (e.g., Bickerton and Invernizzi Accetti 2021, Müller 2021, Urbinati 2019), we argue that more important for democratic theorists are the de-democratizing impacts. In a radical realist lens, arguments concerning de-politicization seem misplaced. Rather, what our argument suggests is that de-politicization is in fact the perpetuation and extension of liberal politics in the wake of all but vanquished democratic movements. Our argument therefore provides grounds for questioning a key assumption shared by many contributors to debates about the depoliticizing challenges that technocracy and populism pose. Namely, that a re-politicization in the sense of increasing demands for justification may be neither here nor there for supporters of deeper democratization. Rather, advocates of democracy would be looking to identify conditions conducive to the resurgence of a majority which is organized and vigilant, capable of posing an existential threat to the status quo.

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