

Democracy without Shortcuts

*A Participatory Conception
of Deliberative Democracy*

CRISTINA LAFONT

OXFORD
UNIVERSITY PRESS

OXFORD
UNIVERSITY PRESS

Great Clarendon Street, Oxford, OX2 6DP,
United Kingdom

Oxford University Press is a department of the University of Oxford.
It furthers the University's objective of excellence in research, scholarship,
and education by publishing worldwide. Oxford is a registered trade mark of
Oxford University Press in the UK and in certain other countries

© Cristina Lafont 2020

The moral rights of the author have been asserted

First published 2020

First published in paperback 2022

All rights reserved. No part of this publication may be reproduced, stored in
a retrieval system, or transmitted, in any form or by any means, without the
prior permission in writing of Oxford University Press, or as expressly permitted
by law, by licence or under terms agreed with the appropriate reprographics
rights organization. Enquiries concerning reproduction outside the scope of the
above should be sent to the Rights Department, Oxford University Press, at the
address above

You must not circulate this work in any other form
and you must impose this same condition on any acquirer

Published in the United States of America by Oxford University Press
198 Madison Avenue, New York, NY 10016, United States of America

British Library Cataloguing in Publication Data

Data available

Library of Congress Cataloging in Publication Data

Data available

ISBN 978-0-19-884818-9 (Hbk.)

ISBN 978-0-19-286822-0 (Pbk.)

DOI: 10.1093/oso/9780198848189.001.0001

Links to third party websites are provided by Oxford in good faith and
for information only. Oxford disclaims any responsibility for the materials
contained in any third party website referenced in this work.

Contents

<i>List of Figures</i>	xi
Introduction: Democracy for Us, Citizens	1
I. WHY DELIBERATIVE DEMOCRACY?	
1. The Democratic Ideal of Self-Government	17
1.1 Political Equality vs. Democratic Control: The Problem of Blind Deference	18
1.2 Democracy from a Participatory Perspective	24
1.3 Participatory vs. Third-Personal Perspective	33
2. Deep Pluralist Conceptions of Democracy	34
2.1 Deep Pluralism's Solution to the Problem of Disagreement: The Procedural Shortcut	35
2.2 Deep Pluralism's Solution to the Problem of Political Alienation: Put Up or Give Up	45
2.3 Can Disagreement Go All the Way Down?	54
2.4 The Agonistic Critique of the Politics of Deliberative Agreement	63
II. WHY PARTICIPATORY DELIBERATIVE DEMOCRACY?	
3. Purely Epistemic Conceptions of Democracy	75
3.1 Elite Epistocracy and the Promise of Better Outcomes: The Expertocratic Shortcut	79
3.2 Democratic Epistocracy and the Ideal of Self-Government	89
4. Lottocratic Conceptions of Deliberative Democracy	101
4.1 Deliberation vs. Participation: The Micro-Deliberative Shortcut	109
4.2 The Illusion of Democracy or "Beware of Usurpers!"	117
4.3 No Shortcuts: The Return of the Macro-Deliberative Strategy	134
5. Lottocratic Institutions from a Participatory Perspective	138
5.1 The Democratic Case for Political Uses of Minipublics	139
5.2 Deliberative Activism: Some Participatory Uses of Minipublics	146

6. A Participatory Conception of Deliberative Democracy: Against Shortcuts	161
6.1 The Democratic Significance of Political Deliberation: Mutual Justifiability	163
6.2 Would Mutual Justification Take Too Many Evenings? A First Delimitation of the Proper Scope of Public Deliberation	170
6.3 The Overdemandingness Objection Revisited: Hypothetical, Aspirational, and Institutional Approaches to Mutual Justification	179

III. A PARTICIPATORY CONCEPTION OF PUBLIC REASON

7. Can Public Reason Be Inclusive?	191
7.1 The Debate on the Role of Religion in the Public Sphere	193
7.2 Political Justification and the Religious–Secular Distinction: Exclusion, Inclusion, and Translation Models	198
7.3 What if Religion Is Not Special? Political Justification Beyond the Religious–Secular Distinction	204
7.4 The Public Reasons Conception of Political Justification from an Institutional Perspective	209
8. Citizens in Robes	219
8.1 Judicial Review as an Expertocratic Shortcut: Empowering the People vs. Blindly Deferring to Judges	220
8.2 The Democratic Case for Judicial Review: A Participatory Interpretation	222
8.3 Can We Own the Constitution? A Defense of Participatory Constitutionalism	234
<i>References</i>	243
<i>Index</i>	255