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Article

2022

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Ceva, Emanuela; Ottonelli, Valeria

How to cite

CEVA, Emanuela, OTTONELLI, Valeria. Second-personal authority and the practice of democracy. In: Constellations: An International Journal of Critical And Democratic Theory, 2022, vol. 29, n° 4, p. 460–474. doi: 10.1111/1467-8675.12575

This publication URL: <https://archive-ouverte.unige.ch/unige:150523>

Publication DOI: [10.1111/1467-8675.12575](https://doi.org/10.1111/1467-8675.12575)

Second-personal authority and the practice of democracy¹

Emanuela Ceva¹ | Valeria Ottonelli²

¹ Department of Political Science and International Relations, University of Geneva, Geneva, Switzerland

² Department of Classics, Philosophy, and History, University of Genoa, Genoa, Italy

Correspondence

Emanuela Ceva, Department of Political Science and International Relations, University of Geneva, UniMail, 40 bd. du Pont d'Arve, CH-1211 Genève 4, Switzerland.

Email: emanuela.ceva@unige.ch

1 | INTRODUCTION

What makes democracy a particular mode of social and political organization? This seemingly basic question (which features prominently in such democratic classics as Dahl, 1956; Kelsen, 1955; Sartori, 1962) is often sidelined across current debates in political theory. Contemporary political theorists variably point at recurrent but unsettled, composite sets of elements including specific forms of decision-making, deliberation, and participation, while they focus on challenges of democratic institutional design, (e.g., Goodin, 2008; Kuper, 2004; Lopez-Guerra, 2014; Schwartzberg, 2014), or fundamental normative issues (e.g., democracy's value, see Christiano, 2008; Kolodny, 2014a, 2014b; Viehoff, 2014).

However, to be able to see how these elements are *democratic*, it is important to identify what distinguishing feature they share that qualifies them as components of the same particular social and political practice, that is the *practice of democracy*. In what follows, we argue that the particularity of democracy consists in the *logic* that characterizes the form of *authority* this practice constitutes between its participants. This is a logic of mutuality and second-personality, which can be best understood by looking at the relations between democratic decision makers as democratic voting primitively illustrates.

To say that the particularity of democracy concerns the logic that animates it as a particular authority-constituting practice does not mean to offer yet another *definition* of democracy, nor does it entail any controversial claim about the *moral foundations* of democracy or its *value*. It means, rather, to underscore a basic, perhaps commonsensical but often unspoken, *feature* of the practice of democracy. To analyze this feature is important to pinpoint the dramatic changes that participation in that practice can make in the nature of social and political relations. In the following discussion, we engage in such an analysis and reconstruct the inner logic of democracy as an authority-constituting practice. We think that this reconstructive work is important because it allows studying a feature of the practice of democracy that is perhaps so basic as to be easily obscured by other more frequently acknowledged facts about democracy. These

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facts concern, for instance, democracy's function as a technique for achieving desirable outcomes, a device for the equal distribution of political power, or even a way of life. In this article, we suggest that losing sight of the centrality of the particular logic of democracy as an authority-constituting practice is analytically undesirable because it risks thinning out or, in fact, stretching the point and meaning of the democratic practice.

We start our reconstruction of the particular logic of democracy by analyzing democracy as a rule-based practice (Section 1).² To adopt this perspective means to look at the rule-governed relations that the practice of democracy constitutes between those who occupy a role within it, and the powers the participants in the practice acquire by virtue of that role (Section 2). Arguably, the crucial role attribution in a democracy is that of the participants in particular procedures of collective decision-making; the powers people acquire in that role take the form of democratic rights. Among these rights, we concentrate on democratic voting rights as a primitive illustration of the logic of democratic authority (Section 3). We elucidate the democratic practice of rights-attribution as an authority-constituting practice that establishes collective decision makers with a particular kind of mutual and second-personal authority (Sections 4 and 5). We indicate the importance to focalize on this kind of authority (in Sections 6 and 7) by showing what goes amiss in our appreciations of the particularity of democracy if we fail to make that feature central.

2 | THE PRACTICE OF DEMOCRACY

In some literature of the past (e.g., Sartori, 1962), the search for the optimal characterization of democracy in classifying different types of government was guided by the notion that the idea of democracy should not be exceedingly utopian, as democracy must be something one can hope to achieve. Other scholars (such as Dahl, 1956) have insisted that a good characterization of democracy must provide some operative and empirically ascertainable criteria for what counts as a democratic regime. Others (e.g., Bobbio, 1987) have aimed at a characterization that is minimalist and, as such, can be as uncontroversial as possible. Such a minimalist approach has more recently been challenged by scholars who have included in their characterizations of democracy formal and informal mechanisms of citizens' deliberative engagement (e.g., Dryzek, 2000, p. 1, 2009).

We follow a different guiding idea. We do not aim at a complete definition of all the features of a democratic government. Nor do we aim to identify a trait of democracy to which this complex mode of social and political organization may be fully or partially reduced. We aim, rather, to pinpoint one basic feature that is particular of democracy, no matter what other (structural or contextual) characteristics democracy may have. We start from the simple observation that democracy is a rule-based social and political practice. The rules of democracy, so understood, govern the relations between those who occupy a role within the practice.³ To look at democracy through these lenses allows us to stress two important points. First, to see the particularity of democracy one must describe it in terms of the particular roles and rules of which it consists and that make that practice what it is. Second, to adopt this perspective means to see what happens when people occupy a role in the practice and have their dealings regulated by the rules that govern those roles. To see this means to see what changes occur to people's status and their reciprocal relations as participants in the practice.⁴ Notably, the rules that govern a practice establish those who occupy a role in the practice in a new normative status. Such a status comes with special normative powers that do not exist prior to the constitution of the practice and hold only within its boundaries. In this sense, the rules that govern a practice are "constitutive rules."

In a nutshell, constitutive rules establish new practices and make them possible (Searle, 1969, 1995).⁵ These practices instantiate forms of action and relations that could neither occur nor, in fact, be conceived prior to or outside those rules. Constitutive rules belong to John Rawls's "practice conception," according to which rules define practices (Rawls, 1955). Another usual way to put this is in terms of Elizabeth Anscombe's distinction between "brute facts" and "facts that presuppose an institutional setting" (Anscombe, 1981, p. 24). I can certainly send someone a piece of paper in the context of different kinds of interaction, but I can send a bill only when the practice of buying and selling is in place.⁶

Those who engage in a practice, thus understood, start acting and interacting with others in a special capacity with which special normative powers are associated. In this sense, constitutive rules have two main normative functions. First, they establish people in certain statuses and, second, they confer on them the powers linked to those statuses. These are normative powers—that is, rights and duties that establish those who interact within the practice in special normative relations (Hindriks, 2009, pp. 254, 262).

From the vantage point we have thus reached, we can set our agenda for the remainder of the article. To pinpoint the particularity of democracy, we must describe the logic of the particular practice in which democracy consists, the content of the constitutive rules that establish democratic roles and powers (Section 2), and, ultimately, the specific normative relations created by those rules between the occupants of a role in the practice and the kind of authority thereby established (Sections 3–5). In our sense, to see the particularity of the practice of democracy one may not just report what people *typically* do when they interact as “bare agents” in a democratic society. Rather, as we expound below, it requires to account for what people acquire the *power* to do when they occupy a role within the practice of democracy and (inter)act in that capacity.

3 | WHAT ARE THE CONSTITUTIVE RULES OF DEMOCRACY?

To look at democracy as a practice in the sense we have suggested means to identify the normative relations the constitutive rules of democracy establish between those who participate in that practice. At the very basic, almost intuitive level, an indispensable role attribution within the practice of democracy is that of a maker of collectively binding decisions.

The identification of this role attribution has not the status of a dogma about the nature of democracy, to which all that goes on in a democratic society may be reduced. In fact, people may interact in a democratic society in many different capacities, and the relations they entertain in those capacities may have their own normative importance. For instance, people can relate as friends, neighbors, or relatives. And it is clear that many of the (moral) rights and duties people have depend on these various kinds of normative relations. The condition of having the power to make collectively binding decisions in a democracy may make a difference in people's daily interactions too. For example, we could follow Elizabeth Anderson (2009) and point out that people's ordinary life in a democracy tends to be characterized by relations of mutual respect and consideration as they emerge as a reflected habit of people's listening to each other as, for example, holders of the same right to free speech.

However, what we are seeking here is not to identify all possible behaviors and rules that characteristically occur in democratic societies, but those constitutive rules that shape and define the roles and relations of people that participate in the practice of democracy. We are observing how the attribution of decision-making powers via decision-making procedures is an explanatory basic of what goes on in the practice of democracy; or, to put it differently, we are focusing on the basic cell of an analytical description of democracy, around which the other possible and variable components may gravitate.⁷ As we expound below, these roles and relations are nested at the core of the practice of democracy, thus offering a blueprint for the other democratic forms of interaction. People enter these roles and relations because the constitutive rules of democracy confer on them certain rights and duties that people do not normally have (when they interact in their other capacities).

The central challenge is now for us to identify the specific difference that occupying the role of collective decision makers within the practice of democracy makes for people's normative status—to identify what it changes in their powers and in the normative relations they are thus enabled to entertain with each other when they interact in that capacity. When we look at the democratic practice through this lens, a striking feature of the relations democracy establishes is that they constitute those who participate in those relations as the bearers of a special kind of *authority* that is particular to those relations and that people only acquire and may exercise when they act within the practice. The idea that democracy is an authority-constituting practice is easily warranted. However, more analytical ground-work is necessary to elucidate the specific nature of this authority and what distinguishes the normative powers it

confers on the participants in the practice from the powers people have in other capacities. This elucidation is important, we claim, because it helps to reconstruct the particular logic of democracy.

To focalize the logic of democracy as an authority-constituting practice, we turn to one basic component of democracy: democratic voting. To be sure, by this we do not imply that democracy is all about voting, nor that it can be analytically reduced to a minimalist characterization that revolves around this basic institution.⁸ But reference to democratic voting is apt to offer an intuitive, *primitive* as it were, illustration of the particular logic of democratic authority. We make this suggestion for two reasons.

First, democratic voting, notably in the form of universal suffrage, is often and almost trivially indicated as a necessary and distinctive feature of democracies. Conversely, societies in which some significant portion of the resident population does not vote are hardly considered democratic or fully democratic. But there is even more. The establishment of voting procedures of universal suffrage is standardly taken as a basic indicator of a democratic transition. Indeed, the democratic credentials of those societies where some significant portions of the resident population do not vote are often questioned.⁹ Furthermore, the exclusion of someone from their voting rights is generally seen as a provision requiring exceptional justificatory circumstances (as in the case of repeated felony or severe cognitive disability).¹⁰

Second, when we look at democracy as a practice in the sense we have proposed, the identification of the particularity of democracy requires reconstructing the logic that underpins those forms of action or interaction that are not practicable outside the boundaries of democracy. Democratic voting is one such typical interactive form of action that could not take place in any other context than a democracy. The notion of democratic voting, in fact, refers to circumstances that cannot exist before the practice of democracy is in place. More generally, voting is something one can do only after rules are established that fix what a vote is, enable people to vote, and specify how to perform the relevant act of voting; indeed, the very notion of voting, or the description of an act as “voting,” depends on constitutive rules of this sort. Of course, before a voting rule is established, people can have or express preferences, tastes, wishes, or judgments in many ways and different fora. But voting is not just expressing a preference or a judgment. To vote, a procedure must exist that enables specific people to act as voters (i.e., attributes to them such a role), defines what counts as a valid vote, and also establishes the implications of the power exercised by casting a vote.

It is important to remark that what matters here is the very role attribution as a “democratic voter” endowed with the right to vote, rather than the actual exercise of that right. What we are considering here is not a theatrical or aesthetic notion of a practice as a “performance” nor a mere behavioral account of how people act under certain rules. Recall that we are concerned with a specific sense of a “practice”—namely, a form of human organization made possible and established by constitutive rules. As explained in Section 1, the salient feature of this kind of rules is that their very existence and general acceptance changes social reality because of the new normative statuses and relations they create. The relevant practice, in this sense, is not “going to vote,” nor is it “following voting rituals;” the relevant practice is rather the establishment of voting procedures, which creates new normative relations between people in their role as voters. To wit, what counts is the establishment and attribution of voting rights to those who participate in the democratic practice.

We revisit the role of voting as a primitive illustration of the particular logic of democracy in Section 5. But we should immediately underscore that our suggestion does not imply that the many other rules that might be involved in the complex organization of a democracy are entirely reducible to or can be inferred (or otherwise derived) from the rules of democratic voting. Nothing in our argument implies that we hold a minimalist view of democracy, by which regular elections are a sufficient condition for a polity to be called democratic. As anticipated, we do not even aim at offering a complete and full definition, or a list, of all the rules that make states democratic. Democracies are made of voting rights, but arguably also of freedom of association and speech and the lively public sphere such freedoms are meant to allow and promote; the functioning of democracy is made possible by legislative procedures and parliamentary rules of order. Also, contemporary Western democracies are made of elections, parties, campaigns, representation, and many other forms of political behavior and rules that can only be found in democratic societies.

These qualifications granted, we hope we have said enough for the moment to support our choice of taking democratic voting as a primitive illustration of the logic of democratic authority. In this sense, as we shall expound in what follows, to look at voting is an apt point of departure to reconstruct the particular logic of the practice of democracy.

4 | RIGHTS, NORMATIVE POWERS, AND MUTUAL AUTHORITY IN THE SECOND PERSON

What powers, then, are attached to the role of a democratic voter? Clearly, these are normative powers—that is, powers to change the normative status of things and people (see Beckman, 2017; Waldron, 2000). In this sense, voting is different from making a request or expressing a wish or a judgment. Voters have a special kind of authority over each other. This is not the same authority people exercise when they issue a command, where a single act (if valid) by itself generates normative consequences. Voting is participating in a collective procedure of decision-making (see Lau, 2014) in which the decision of each and every participant weighs for or against the alternatives on the agenda, but none is dictatorial. This means that when citizens vote, they do not make an individual final decision, but activate their portion of normative powers that will only contribute to the final decision in combination with the same kind of acts by other voters. There is nothing mysterious about this characterization of voting, as there are other normative powers that are only activated in combination with other people, such as the power to make a binding contract. However, to characterize the practice of democracy as constituted by the rules of voting with no further qualification would be misleadingly incomplete. There are many other institutions to which voting is central, from the operation of multimember juries to the enclaves for the election of the pope.

What characterizes democracy is not simply voting, but democratic voting. It is a specific set of constitutive rules that defines the practice of democratic voting. It is often remarked (see, e.g., Dahl, 1956) that a distinctive feature of democratic voting is that it is equal, in the sense that democratic voting rights confer an equal say to each voter. However, this feature is also shared by many nondemocratic bodies, such as the Supreme Court of the United States, a jury in a sport competition, or even the enclave that elects the pope. Nor does it suffice to add that the specific kind of authority constituted by virtue of democratic voting rights is not only equal, but joint, in the sense that each voter can only activate their own democratic powers in combination with other people. This simultaneous exercise of normative powers is simply one of the general features of voting, as opposed to other modes of exercise of equal powers. The Supreme Court, or the enclave that elects the pope, exercises its authority through the joint vote of all of its members.

We want to suggest instead that what is distinctive of the normative powers involved in democratic voting is not simply that they are equal or joint, but that they are at once *mutual* and *second-personal*. Consider first the claim that democratic authority is mutual: it is the authority people exercise jointly over each other. What distinguishes democratic voting is its specific scope: in democratic voting, people vote about rules and rights that will apply to themselves.¹¹ Although a jury decides about matters that concern other parties, a democratic body is self-legislating, in the sense that its decisions apply first and foremost to the common duties and the internal relations of its members. It is in this straightforward sense that the attribution of the right to vote, in a democracy, establishes citizens as mutual authorities: the powers conferred by democratic rights can be exercised jointly over all who share those very powers. This mutuality distinguishes the authority of democratic voting from the authority each person has over herself (which individuals possess equally and is also instantiated in such other regimes as anarchies) and from the kind of authority some people may unilaterally have over others (such as the authority of a jury or an aristocratic body).

However, as mentioned, democratic authority is not just mutual, but also second-personal. We can understand second-personality by referring to an important analytical feature of rights in general. Following Joel Feinberg (1970), when people are designated as rights holders, they are conferred the special authority to hold other people accountable for what is done to them. This makes a significant difference compared to when, say, people are simply designated as beneficiaries of legal protections or of duties other parties should fulfill to obey the commands of a third-person

authority or a superior law. Rights holders, by the very establishment of their rights, are enabled to *claim* a certain treatment from each other. The participants in such a rights-based system owe the treatment mandated by rights directly to those who hold those rights, rather than to a third-person authority who is the main claimant and holder of the power to exact the duties that correspond to those rights. Of course, when a right is violated, an enforcing authority may be involved in the process of restoring justice or attributing punishments. Nevertheless, rights holders are the primary authorities (or claimants) to whom the participants in that system of rights are accountable. In this sense, rights establish rights holders as second-personal authorities.¹² This means that by claiming their rights against one another, rights holders recognize each other as the primary authorities to whom they are accountable for the satisfaction of their claims.¹³ In other words, central to the practice of attributing rights, according to Feinberg (1970, pp. 244–245, 249–250), is that rights establish direct relations of accountability between the recipients of certain treatments and those who owe those treatments to them. These relations, it is important to notice, are constituted by the establishment of rights. In this sense, the establishment of rights is a practice that attributes specific roles to people, and gives them specific powers that define and create new modes of relation between them that would not be possible, or even conceivable, absent that practice.

Democratic voting rights display the feature of second-personality at a further, heightened level. In fact, with the establishment of the claim-rights that determine what people owe to each other, according to Feinberg's analysis, people become the primary individual claimants in exacting their reciprocal duties. With the establishment of democratic rights people come to relate as second-personal authorities in a more fundamental and encompassing sense: they are the very authorities in determining the content of those claim-rights and what they owe to each other. This analytical description of democratic rights may also be couched in a Hohfeldian jargon (Hohfeld, 1919). Democratic voting rights may be seen as second-order rights—that is, powers that enable agents to alter others' first-order rights, understood either as claims or liberties (see also Beckman, 2017; Waldron, 2000). Democratic voting rights establish at a further second-order level the second-personal relations of mutual accountability that individual rights, such as liberty or claim rights, establish at a first-order level.¹⁴ The joint possession of these rights establishes relations between democratic voters that are more fundamental and encompassing than the "I-you" relations between the holders of first-order rights. The relations between democratic voters constitute a new "we," a collective of rights holders who, in that very capacity and no other, jointly recognize each other as the final authorities on their reciprocal claims and duties.

5 | THE LOGIC OF THE AUTHORITY REALIZED WITHIN THE DEMOCRATIC PRACTICE

Putting together all that we have seen thus far, we can now appreciate how the mutual and second-personal authority people have as the holders of democratic rights depends on the establishment of the constitutive rules of democracy. People have this authority within the boundaries of the practice of democracy because they occupy a certain kind of role within that practice, and they have it only to the extent that they act on the powers entrusted to those roles by the constitutive rules of democracy. People do not normally have those powers in their other (otherwise normatively relevant) relations, nor could those relations be understood or enacted outside the practice of democracy and its constitutive rules.

Thus understood, the mutual second-personal authority particular of democracy is not a moral or pre-political ideal, nor is it a reflection of or a reaction to power dynamics that exist before and independently of democracy and that the democratic practice just instantiates or corrects. In this sense, we can argue that the constitutive rules of democracy, whatever moral reasons might exist for establishing them, are not mere instruments to realize in politics people's *moral* authority. The constitutive rules of democracy create a new and very special kind of authority whose particular logic is not derived from any other pre-existing moral order. In nondemocratic contexts, people can respect or love each other,

they can listen to their neighbors, and they can do their best to treat them fairly. However, establishing the practice of democracy changes dramatically their relations by constituting them as second-personal mutual authorities.

This claim about the logic of democracy as an authority-constituting practice should not be understood as (nor does it imply) the claim that democracy is inherently valuable or self-legitimizing. In fact, the point of our discussion of democracy has not been to explain why we should realize democracy, why it is valuable, or why democratic decisions should be binding all things considered. Rather, our discussion has been driven by an analytical concern regarding the reconstruction of what makes democracy a particular mode of social and political organization.

To elucidate the spirit of our analytical endeavor, consider the analogy with another well-known practice: promising. We might wonder whether the establishment of the practice of promising is beneficial or useful, whether promises can be broken sometimes, or whether promising is an inherently valuable practice. Moreover, we may wonder if there are moral reasons for establishing the practice of promising, such as, for example, that it treats people as autonomous and responsible beings. However, these normative questions are separate from and independent of a more basic, analytical issue, which is what the particular logic of promising is as a practice. In the same way, we have analyzed democracy as a practice by asking what the particular logic of democracy is as such. The answer we have offered is that the logic of democracy is that of an authority-constituting practice, that is, a set of rules that constitutes a new kind of normative relations that bestows on the participants in the practice a particular set of mutual second-personal normative powers (as illustrated by the logic that governs democratic voting). Whatever normative reason we might have for establishing or cherishing that practice, its establishment implies that the people involved in it look at each other as the final sources of authority in collective decision-making. This is analogous to what happens in the case of promising, where the establishment of the practice implies that people look at the promise itself as the source of the obligation for the promisor to carry out the promised actions. In both cases, we have answers to a descriptive question about what the logic of the practice entails and consists of, rather than a normative question about what ultimately justifies the adoption of the practice and makes it worthwhile.

6 | DEMOCRATIC VOTING AS A PRIMITIVE ILLUSTRATION OF THE LOGIC OF DEMOCRACY

To complete our reconstruction of the particular logic of democracy as an authority-conferring practice, we must revisit the claim that democratic voting rights offer a primitive illustration of the mutuality and second-personality characterizing that logic. We have already specified that this claim does not imply that voting in elections says it all about democracy. Democracies are in fact complex social and political organizations that comprise a system of personal liberties, intermediate bodies, allocation of powers, and other institutional arrangements that cannot be reduced to elections. Rather, the central idea is that voting provides a striking and powerfully visible illustration of the relations of authority created by the establishment of the democratic practice. This illustrative function is the same as that of the ritualized utterance of the sentence “I promise” as the visible illustration of the logic of the practice of promising. When the promisor addresses these words to the promisee, one immediately knows what relation is established between them, which generates immediate obligations and expectations for the parties involved.

Our claim that voting is a primitive illustration of the logic of democracy can be further qualified. Observe, first, that the practice of democracy bestows authority on various kinds of democratic voting procedures. In many Western societies, voting typically means voting by ballot or majority voting in adversarial contexts. However, different models of democracy have different voting procedures, which can include less formalized or more consensual (see Mansbridge, 1983) ways of exercising the mutual, second-personal authority of democracy as compared to the practices in place in Western democratic societies. For example, in some contexts, collective decisions may be made only after all those affected by those decisions have reached a consensus. The external expression of such a consensus may not take the form of an open and adversarial counting of the votes, but can consist in a meaningful silence by all participants, which makes formally explicit that nobody opposes the decision reached after a thorough debate (see Ani, 2014; Urfalino,

2014). Although these contexts are very different from those in which elections take place in representative democracies, the logic of the performative acts by which individuals exercise their authority in collective decision-making is the same. In both cases, a rule-based practice exists in which each individual is called on to openly express herself on matters of collective decision-making, and the particular act through which this expression occurs has the performative function of a joint exercise of mutual and second-personal authority.

Moreover, voting is a primitive illustration of the practice of democracy in the sense that the other rules and institutions that work in tandem with electoral procedures and voting rights (such as judicial institutions or deliberative fora) are significantly shaped and constrained by the fundamental logic of democratic authority that finds its most visible illustration in democratic voting. For example, consider freedom of speech and the many deliberative practices typical of democratic societies. The condition that in a democracy people have equal voting rights, and therefore are in a normative relation as mutual second-personal authorities, shapes the modes of interaction in the public sphere and its modes of communication in ways that are mindful of the logic underpinning democratic vote. In fact, the practice of democratic conversation is not a simple extension to a large scale of the communications happening in the private sphere or in the public spaces of pre-democratic societies; rather, it is a rule-governed, public activity that presupposes the participation of subjects in their role as the holders of democratic rights. In this sense, “democracy creates democratic conversation more than conversation naturally creates democracy” (Schudson, 1997).

This also implies that, as central as the practice of deliberation is to democracy, deliberation is *democratic* only to the extent that it reflects the existence of rights-based relations of mutual, second-personal authority between those who are deliberating. For instance, deliberative procedures that only serve a consultative function and do not imply that those participating are the final political authorities on the matters at stake may have many virtues and merits, but they cannot be seen as genuinely democratic. This also holds for other forms of political action. To be counted as democratic, institutions should mirror the logic that we have seen illustrated in democratic voting as concerns the establishment of people as second-personal mutual authorities across various contexts and levels of interaction.

Another central example of an institution typical of contemporary democracies is electoral representation. Someone might regard this institution as distinctive of contemporary democracies because when one talks of democracies nowadays one is in fact speaking of representative regimes. More cautiously, one might argue that representation is at least as central to democracy as democratic voting itself. However, even those conceptions of democracy that fully endorse electoral representation as a particularity of the democratic practice arguably do so as they see at work in electoral representation the same logic we have seen illustrated in democratic voting. In fact, in a democracy, elected representatives are not third-person authorities to whom citizens delegate their normative powers and are therefore called on to govern on their behalf. Rather, elected representatives are supposed to channel citizens’ normative powers within a specific institutional arrangement. This means that even in a representative democracy, citizens retain their status as second-personal mutual authorities; therefore, the logic that informs their normative social and political relations is unaltered.¹⁵

The discussion thus far corroborates the central claim of this article. To say that democratic voting is a primitive illustration of the logic of the authority that the democratic practice constitutes does not mean, nor does it entail, that democracy is all about voting. We have seen how the practice of democracy has many other institutional components. But we can conclude that for such components to be meaningfully democratic, they must share the same logic underpinning the relations of second-personal, mutual authority that democratic voting illustrates.

7 | SOME IMPLICATIONS OF SEEING DEMOCRACY AS A PARTICULAR AUTHORITY-CONSTITUTING PRACTICE

As mentioned at the outset, our discussion of democracy as an authority-constituting practice is meant to serve an analytical purpose, by reconstructing and clarifying the logic particular to the democratic mode of social and political organization. The major premise of this analytical endeavor—that democracy is an authority-constituting

practice—is widely and intuitively acknowledged. However, this does not make drawing attention to the particular logic of the practice of democracy any less important. In fact, although the notion that democracy is a specific kind of authority-constituting practice is generally accredited, the risk is always present that in discussing democracy one loses sight of this feature and of its implications for the characterization of democracy. To elucidate the importance of this point, in this concluding section we consider some examples of how acknowledging the particular logic of democracy as an authority-constituting practice helps to significantly qualify some prominent accounts of democracy, or in some cases openly challenge them.

Let us consider first the implications of our analytical reconstruction of the particular logic of the practice of democracy for the qualification of some current discussions of democracy's value or justification. Although an analytical account of the particularity of democracy is insufficient to determine by itself which accounts of democracy's value or justification are correct, such an account can importantly qualify the descriptive assumptions that underlie them.

As a first example, consider the arguments that justify democracy in *instrumental* terms. These arguments focus on the capacity of democratic procedures to take into account the viewpoints of many, thus producing decisions better responsive to people's interests (see, e.g., Sen, 1999) or more epistemically accurate (see, e.g., Landemore, 2013) than other forms of government. These arguments also include those views that assign democracy a protective function with special reference to individual rights (see Arneson, 2003).

The notion that democracy can be justified in exclusively instrumental terms is controversial.¹⁶ However, we are not interested here in challenging this notion. The point we want to draw attention to, instead, is that—if one describes democracy as an authority-constituting practice—a justification of democracy in instrumental terms may not just look at democratic institutions as mere tools for goals—such as the protection of citizens' rights and interests—that exist prior to and can be defined independently of the establishment of democracy itself. Understanding the instrumental value of democracy in this way would be forgetful of the fact that the establishment of democratic institutions constitutes, per our argument above, a new normative order that makes it possible to set goals and make decisions that could not even be described or imagined *before* democracy. This is the same reasoning that explains how the establishment of the practice of promising creates the opportunity for completely novel forms of joint action, commitment, and goals.

Consider, for example, the passing of legislation on certain social or civil rights, such as the right to universal health-care or the right to same-sex marriage. These can be seen as goods that in principle could be conceived and delivered independently of the existence of democratic procedures. However, the very content and meaning of such rights would not be the same, were they not issued through democratic means. In fact, when legal rights are established by legislatures or other representative bodies that depend on the democratic vote, they embody the commitment by all members of the political community to their establishment and enforcement. This feature makes a substantive difference in the social meaning of these protections and liberties, and therefore in the very good they represent. An instrumental account of democracy that failed to appreciate this creative capacity of the democratic practice would lose track not only of the nature of democratic relations, but also of the goods that democracy produces.

There is a second example we want to discuss of a normative view of democracy that may be importantly qualified by reference to the analytical description of the particular logic of democracy as an authority-constituting practice. This view revolves around a notion of democracy as the *equal sharing and distribution of political power* or “political resources.” This notion of democracy is implied in many attempts to justify democracy as the application to the realm of politics of a more fundamental principle of equality, which mandates the equal distribution of socially relevant resources (see, e.g., Brighouse, 1996; Christiano, 2008). Moreover, this notion lies in the background of many related discussions of how to measure equality of power in a democracy: according to an impact, influence, or decisiveness metric (see, e.g., Dworkin, 1987). Finally, this is the notion of democracy assumed in those models that see the rotation of offices, or sortition by lot, as distinctive of democracy and one of its paradigmatic instantiations because it is the most straightforward and impartial way to allocate political power according to the principle of equality (see, e.g., Stone, 2016).

The egalitarian implications of democracy may or may not be sufficient to justify its establishment. In either case, we want to point out that in building this type of justifications of democracy, concerned as they are with distributive

issues, one should not lose sight of the particular logic of democracy. Indeed, this distraction may lead to a mischaracterization of the nature of the democratic power itself. More specifically, the notion that in a democracy political power is equally shared should not make one conceive of democratic power as a divisible resource that precedes and exists outside democratic procedures. If our analysis is correct, the normative powers of democratic collective decision makers could not possibly pre-exist the institution of democratic procedures for the obvious and simple reason that those powers are created and established by the rules constitutive of the practice of democracy in the first place. Although there are of course other forms of political power *outside* democracy, and other modes of exercise of normative powers, when democratic procedures are in place those powers are not simply shared, distributed, or equalized. The powers people may have in other capacities (e.g., the moral powers they have as “bare” moral agents) are complemented and relevantly replaced by another, utterly different rights-based way of creating and entertaining normative relations between people when they interact as the occupants of relevant democratic roles (such as the role of democratic voters). This is a special kind of power characterized, as elucidated earlier, by a second-personal mutual authority.

This insight should also alert one to the interpretations of sortition by lot as an eminently democratic practice. If our analytical reconstruction of the particular logic of democracy is correct, presenting this procedure as a political instantiation of the principle of equal power is not enough to justify it as a distinctively democratic practice. To show how sortition by lot is democratic, instead, one must be prepared to say something about the modes of constitution and exercise of the powers allocated by sortition, rather than the principle of their distribution.¹⁷ For example, as pointed out by some reconstructions of the Athenian practice of sortition and rotation of offices (see, e.g., Manin, 1997, p. 29), one may see the logic of this procedure as oriented to making citizens directly accountable to each other in the exercise of political power. In this sense, then, procedures based on lot may be considered meaningfully democratic insofar as, like democratic voting, they are based on a logic of mutuality and second-personality as concerns the relations of authority such procedures establish between people. This consideration does justice to the original meaning of democracy that, as Josiah Ober (2008) has aptly remarked, did not refer to the apportionment of political offices (unlike those words that have “-arche” as a suffix, such as monarchy or aristocracy), but to the constitution of a new form of power (*kratos*). In other words, although one may value democracy because it is a form of power-sharing, one may not infer from this view that what characterizes democracy is power-sharing, so that any practice that has power-sharing implications can be called democratic.

A similar point could also be made about those discussions of democracy that see it mainly as the implementation of an anti-hierarchical, egalitarian, principle of nondomination (see, e.g., Kolodny, 2014a, 2014b). In these views, democracy is valued because it implies the removal of the hierarchical and oppressive forms of power that were typical of *ancien régime* societies. As justifications of democracy and of its value, these views are enlightening in many ways and, therefore, understandably very popular. However, when one endorses those views, it is important that the focus on social equality does not make one lose sight of the centrality of the logic of mutuality and second-personality that qualifies the specific mode of constitution of normative powers in a democracy. The establishment of democracy is no doubt important because it has *implied* the extinction of hierarchical social relations rightly deemed odious. But the realization of social equality and nondomination is an implication of democracy. As our analytical reconstruction of the logic of democracy indicates, this realization may not be taken as the feature that makes democracy a particular mode of social and political organization. If one overlooks this analytical consideration, one may be misled into considering as democratic *any* form of removal of hierarchical relations. But this would be implausible as one can easily see by looking at anarchical societies in which each individual only rules upon herself. A description—as opposed to a justification—of democracy as the simple elimination of odious forms of power, then, would lose the particularity of the relations that the practice of democracy establishes anew and, per our argument above, would thus miss the logic of democratic authority.

Through the examples discussed so far, we have elucidated how our analytical reconstruction of the particular logic of democracy may usefully qualify some prominent current normative accounts of democracy. Notably, we have shown what one would miss by losing sight of the centrality of the features of mutuality and second-personality that

distinguish the logic of democracy as an authority-constituting practice. However, losing sight of this feature may have more radical implications when it is associated with an outright rejection of the institutional dimension of democracy. We can expound such implications by looking at the views of democracy as a “way of life.” For the proponents of these views, democracy spreads across civil society and shapes such a diverse array of relations as those between customers and sellers, parents and children, teachers and pupils, and most areas of social interaction (see, e.g., Anderson, 2009). Democracy is not just a rule-based practice. It is taken to refer generally to a social attitude prone to equality, inclusiveness, mutual respect, consideration of other people’s claims, and readiness to question authority. This view of democracy as a way of life appeals to a long-established sociological common sense according to which existing democracies do in fact display a widespread egalitarian attitude in their civil society and a general open-mindedness among their members. Furthermore, this view may be thought to vindicate the primacy of democracy among the defining principles of our normative landscape: if democracy covers such a large domain and comprehensively shapes all dimensions of social interactions, then it can be recognized as a “paradigmatic” normative concept (Frega, 2019, pp. 372–374), a concept central to our normative understanding of society.

However, this expanded image of democracy is achieved by calling “democratic” manifold practices and customs typical of a modern, post-Enlightenment society, including the exercise of top-down forms of authority, to the extent that superordinates are “highly responsive to the claims and influence of subordinates” (Frega, 2019, p. 383). This image strikes us as an undue stretching of the meaning and logic of democracy. Being able to influence someone who has unidirectional authority over us may be beneficial as compared to not having any influence or say at all, but does not seem to be sufficient to describe a relation as *democratic*. Our analytical reconstruction of the particular logic of democracy makes sense of this claim by emphasizing what particular feature of democracy this account of democracy as a “way of life” loses sight of. Notably, this account of democracy sets aside what it means, what practical difference it makes, to establish democracy as a rule-based practice, realized in democratic institutions, and have people interact against the background of those rules in their role as collective decision makers. This oversight is significant because it moves out of focus the distinctive logic of the particular kind of authority instantiated in the democratic practice, which is what, as argued, makes democracy a particular form of social and political organization. As seen throughout the article, people have access to this particular kind of authority only by virtue of the normative relations of mutuality and second-personality they can entertain in their rule-governed role as participants in the practice of democracy.

This last example also allows us to highlight a final implication of our analytical reconstruction of the particularity of democracy as an authority-constituting practice. To describe democracy means to describe a primarily political and social practice. We may want to use the word “democracy” to qualify other forms of human organization—for example, the family or some other groups—but we will be doing so in a derivative sense, which requires acknowledging that we are characterizing the logic of those organizations in a very particular way. This observation does not imply that the attribute “democratic” cannot and should not be extended outside the political domain of government. We are, rather, suggesting that if we extend the democratic practice to other domains, we thereby change the kind of authority the participants in the practice may exercise over each other. This may be an intended effect, but it must be clear that it occurs in a way that deeply transforms the logic of the practices in question. Whether this transformation is welcome and warranted is a matter for another discussion.

8 | CONCLUSION

Many elements characterize democracies. We have argued that to see what unifies the different elements of a democracy into a particular mode of social and political organization, one must look at the fundamental constitutive rules of the practice of democracy and the relations they establish between the participants in the practice. We have identified such rules as authority-constituting rules that establish the makers of collectively binding decisions as mutual, second-personal authorities, according to a particular logic that democratic voting primitively illustrates.

In a way, pointing to these authority-constituting rules as central to the democratic practice is, and is meant to be, a plain and uncontroversial suggestion. There is nothing extraordinary in claiming that the right to participate in collective decision-making and the kind of mutual second-personal authority it confers on people are particular of democracy. However, looking at democracy as a social and political practice that establishes this new form of authority, and detailing its mutual second-personal logic, helps us to recall some important implications of this basic feature of democracy that are otherwise often and easily forgotten.

First, to the extent that democracy is the kind of particular social and political practice we have analytically reconstructed, its basic rules and the modes of relation it establishes cannot be simply derived from other social or political activities. The constitutive rules of democracy establish new relations, roles, powers, and possibilities for action that are inconceivable outside, before, and independently of the establishment of democracy.

A second important upshot of our analytical reconstruction is the claim that the democratic relations between people as collective decision makers are rights-based; this means that these relations exist only to the extent that codified, power-conferring rules are in place, in the same way that the specific relation between a promisor and a promisee only exists to the extent that the rules of promising are in place. Whatever other sociological implications the establishment of democracy may have, the particularity of democracy may not be cashed out in the terms of friendliness, equality, solidarity, or other socially valuable attitudes we can typically find, among other contexts, in democratic societies. A specific and qualifying aspect of democracy is the establishment of rights-based social and political relations between people as collective decision makers.

Third, if we look at the particular constitutive rules of democracy and to the mutual, second-personal authority they establish, we also see the centrality of the generally accepted feature that democratic decision makers look at each other as the members of a collective who bear the final authority concerning the political rules they are subjected to. This highlights a striking and highly significant mode of relation that only exists within the boundaries of the democratic practice and is established *ipso facto* by the introduction of the constitutive rules of democracy. Because people may enter these relations only when they interact as role occupants in the democratic practice, our argument implies that the site of the particular kind of authority people have in that capacity is internal to the democratic practice itself.

Finally, we can conclude with a plain but important general implication for the normative theory of democracy. However we want to justify democratic institutions, we must be able to justify the specific kind of authority-constituting practice thus described and its constitutive rules. This consideration does not set any specific constraints on how to justify democracy, but it puts some definite constraints on what we are justifying or promoting when we build a normative theory of democracy.

NOTES

- ¹ Previous versions of this article were presented at conferences and workshops in Genova, Roma, Berlin, Oxford, and Pavia. We are grateful to all those who provided comments on those occasions. For written comments on earlier drafts, we thank Ian Carter, Chiara Cordelli, Lisa Herzog, Carlo Penco, Nadia Urbinati.
- ² This method loosely corresponds to the initial step of the “interpretative method” employed in practice-dependent theories of justice (see, among others, Erman and Moeller, 2015, 2016; James, 2005; Sangiovanni, 2008.) This step consists in looking at practices and offering the best possible interpretation of their point and purpose. However, our undertaking is analytical, rather than justificatory.
- ³ Applbaum (1999), Ceva and Ferretti (2021), Emmett (1966), and Miller (2019) discuss social institutions in these practice-based terms as structures of interrelated embodied rule-governed roles.
- ⁴ Sangiovanni (2008) has made a similar point in the context of a practice-dependent approach to the justification of principles of justice.
- ⁵ We do not commit ourselves to the details and implications of Searle’s theory of speech acts, which has been the object of an ample discussion. The rehearsal of the critiques to Searle’s category of constitutive rules and its plausibility as a basis to develop an ontology of institutions would lead us further afield with respect to our aim in this article. Our exposition is limited to those aspects essential to understanding the particular logic of democracy.
- ⁶ For Fred Hindriks (2009, p. 263), this is the distinguishing feature of relations of constitution: “(Only) in C, an X constitutes a Y.”
- ⁷ We owe this specific formulation to an anonymous reviewer.

- ⁸ For prominent criticisms of the minimalist conception, from different angles, see Dryzek (2000), Goodin (2008), Habermas (1996), Saffon and Urbinati (2013), and O'Donnell (2010).
- ⁹ In the transition to democracy, even the implementation of deliberative forms of influence is often deemed insufficient to characterize regimes as democratic. Indeed, in the absence of voting rights and other forms of rights-based direct empowerment over decision-making, these arrangements have been classified as forms of "deliberative authoritarianism" (He and Warren 2011).
- ¹⁰ But, notice, there are countries (such as the United Kingdom as concerns people with mental health problems—see <https://www.mwscot.org.uk/news/faqs-voting-uk-general-election-2019>) where even in such cases the justification of the suspension of people's voting rights is foreclosed. We are grateful to an anonymous reviewer for pressing this point.
- ¹¹ The identity between rulers and ruled is commonly taken to be a defining feature of democracy. This does not mean, however, that all self-proclaimed democratic states actually abide by this principle. Moreover, there are many cases in which the scope and interpretation of the principle are contested, as the intense debate on the so-called "demos problem" makes evident. This debate revolves around different understandings of what being ruled and what ruling means, and therefore of who should belong to the democratic demos (Dahl 1989; Goodin 2007; Owen 2012; Bauböck 2017). We are grateful to an anonymous reviewer for highlighting the need of this qualification.
- ¹² Stephen Darwall (2006) has discussed second personality in the domain of moral relations. We employ "second-personal" without embracing Darwall's moral and metaethical underpinnings.
- ¹³ It may be worth adding that while Feinberg's account relies on the idea that the reciprocal recognition of rights reflects some deeper moral duty, we are endorsing here neither Feinberg's account nor any other possible account of the moral foundations of the practice of democracy, such as, for example, one in terms of recognition, or of Kantian respect. As mentioned, our purpose merely consists in reconstructing the logic of democracy as an authority-constituting practice. In other words, we are not concerned here with the moral foundations of this practice, nor are we committed to any specific view of its value or justification.
- ¹⁴ Take note that this picture of the logic of democracy does not necessarily refer to direct relations between individual citizens with no mediation by laws or political institutions. Such a characterization would make it hard to see this logic at work in contemporary democracies, which are in fact modeled according to the institutional form of the modern state. Nothing in the argument implies that political institutions play no role in the practice of democracy. As seen in Section 2, the practice of democracy is rule-based, and people may entertain relations of mutual and second-personal authority by virtue of these rules as they shape political institutions. However, it is important to emphasize that in this picture political institutions are not by themselves the source of the kind of authority established by democracy. We have argued that, within the practice of democracy, people look at each other as the final sources of authority, while political institutions represent the embodiment of those relations and the means of their enforcement, rather than a further source of political authority. This resonates with the classical assumption that in a democracy people are the only and final source of political authority. We thank an anonymous reviewer for inviting us to clarify this point.
- ¹⁵ Representation cannot thus be conceived as a once-and-for-all authorization that hands authority to rulers (see Pitkin's treatment of the Hobbesian view, in Pitkin, 1967, chapter 2); it must be seen as a process by which the represented rule through their representatives (Urbinati, 2000).
- ¹⁶ For some representative criticisms, see Estlund (2008), Peter (2016), and Waldron (1999).
- ¹⁷ For a parallel criticism of purely distributional criteria in the definition of the democratic ideal, which neglect the importance of self-legislation, see Lafont (2020, pp. 21–23).

REFERENCES

- Anderson, E. (2009). Democracy: instrumental vs. noninstrumental value. In T. Christiano and J. Christman (Eds.), *Contemporary debates in political philosophy* (pp. 213–227). Oxford: Wiley Blackwell.
- Ani, E. I. (2014). On traditional African consensual rationality. *Journal of Political Philosophy*, 22, 342–365.
- Anscombe, G. E. M. (1981). On brute facts. In *The collected papers of G. E. M. Anscombe* (pp. 22–25). Oxford: Basil Blackwell.
- Appelbaum, A. I. (1999). *Ethics for adversaries. the morality of roles in public and professional life*. Princeton, NJ: Princeton University Press.
- Arneson, R. (2003). Defending the purely instrumental account of democratic legitimacy. *Journal of Political Philosophy*, 11, 122–132.
- Bauböck, R. (2017). *Democratic inclusion: Rainer Bauböck in dialogue*. Manchester: Manchester University Press.
- Beckman, L. (2017). Legal power and the right to vote: Does the right to vote confer power? *Canadian Journal of Law & Jurisprudence*, 30, 5–22.
- Bobbio, N. (1987). *The future of democracy*. Cambridge: Polity Press.
- Brighouse, H. (1996). Egalitarianism and equal availability of political influence. *Journal of Political Philosophy*, 4, 118–142.
- Ceva, Emanuela, & Ferretti, Maria Paola (2021). *Political Corruption. The Internal Enemy of Public Institutions*, New York: Oxford University Press.

- Christiano, T. (2008). *The constitution of equality*. Oxford: Oxford University Press.
- Dahl, R. (1956). *A preface to democratic theory*. Chicago, IL: University of Chicago Press.
- Dahl, R. (1989). *Democracy and its critics*. New Haven, CT: Yale University Press.
- Darwall, S. (2006). *The second-person standpoint*. Cambridge, MA: Harvard University Press.
- Dryzek, J. (2000). *Deliberative democracy and beyond*. Oxford: Oxford University Press.
- Dryzek, J. (2009). Democratization as deliberative capacity building. *Comparative Political Studies*, 42, 1379–1402.
- Dworkin, R. (1987). What is equality? Part IV: Political equality. *University of San Francisco Law Review*, 22, 1–30.
- Emmett, D. (1966). *Rule, roles and relations*. London: MacMillan.
- Erman, E., & Moeller, N. (2015). Practices and principles: On the methodological turn in political theory. *Philosophy Compass*, 10, 533–546.
- Erman, E., & Moeller, N. (2016). What distinguishes the practice-dependent approach to justice? *Philosophy and Social Criticism*, 42, 3–23.
- Estlund, D. (2008). *Democratic authority*. Princeton, NJ: Princeton University Press.
- Feinberg, J. (1970). The nature and value of rights. *Journal of Value Inquiry*, 4, 243–257.
- Frega, R. (2019). The normativity of democracy. *European Journal of Political Theory*, 18, 371–392.
- Goodin, R. (2007). Enfranchising all affected interests, and its alternatives. *Philosophy & Public Affairs*, 35, 40–68.
- Goodin, R. (2008). *Innovating democracy*. Oxford: Oxford University Press.
- Habermas, J. (1996). *Between facts and norms*. Cambridge, MA: MIT Press.
- He, B., & Warren, M. E. (2011). Authoritarian deliberation: The deliberative turn in Chinese political development. *Perspectives on Politics*, 9, 283–284.
- Hindriks, F. (2009). Constitutive rules, language, and ontology. *Erkenntnis*, 71, 253–275.
- Hohfeld, W. N. (1919). *Fundamental legal conceptions*. New Haven, CT: Yale University Press.
- James, A. (2005). Constructing justice for existing practice. *Philosophy & Public Affairs*, 33, 281–316.
- Kelsen, H. (1955). Foundations of democracy. *Ethics*, 66, 1–101.
- Kolodny, N. (2014a). Rule over none I: What justifies democracy? *Philosophy & Public Affairs*, 42, 195–229.
- Kolodny, N. (2014b). Rule over none II: Social equality and the justification of democracy. *Philosophy & Public Affairs*, 42, 287–336.
- Kuper, A. (2004). *Democracy beyond borders: Justice and representation in global institutions*. Oxford: Oxford University Press.
- Lafont, C. (2020). *Democracy without shortcuts*. Oxford: Oxford University Press.
- Landmore, H. (2013). *Democratic reason*. Princeton, NJ: Princeton University Press.
- Lau, J. C. (2014). Voting in bad faith. *Res Publica*, 20, 281–294.
- Manin, B. (1997). *The principles of representative government*. Cambridge: Cambridge University Press.
- Lopez-Guerra, C. (2014). *Democracy and disenfranchisement: The morality of electoral exclusions*. Oxford: Oxford University Press.
- Mansbridge, J. (1983). *Beyond adversarial democracy*. Chicago, IL: Chicago University Press.
- Miller, S. (2019). Social institutions. In E. Zalta (Ed.), *The Stanford encyclopedia of philosophy*. <<https://plato.stanford.edu/archives/sum2019/entries/social-institutions/>>.
- Ober, J. (2008). The original meaning of 'democracy': Capacity to do things, not majority rule. *Constellations*, 15, 3–9.
- O'Donnell, G. (2010). *Democracy, agency and the state*. Oxford: Oxford University Press.
- Owen, D. (2012). Constituting the polity, constituting the demos: On the place of the all affected interests principle in democratic theory and in resolving the democratic boundary problem. *Ethics & Global Politics*, 5, 129–152.
- Peter, F. (2016). The epistemic circumstances of democracy. In M. Fricker and M. Brady (Eds.), *The epistemic life of groups* (pp. 133–149). Oxford: Oxford University Press.
- Pitkin, H. (1967). *The concept of representation*. Berkeley, CA: University of California Press.
- Rawls, J. (1955). Two concepts of rules. *Philosophical Review*, 64, 3–32.
- Saffon, M. P., & Urbinati, N. (2013). Procedural democracy, the bulwark of individual liberty. *Political Theory*, 41, 441–481.
- Sangiovanni, A. (2008). Justice and the priority of politics to morality. *Journal of Political Philosophy*, 16, 137–64.
- Sartori, G. (1962). *Democratic theory*. Detroit, MI: Wayne.
- Schudson, M. (1997). Why conversation is not the soul of democracy. *Critical Studies in Mass Communication*, 14, 297–309.
- Schwartzberg, M. (2014). *Counting the many: The origins and limits of supermajority rule*. New York: Cambridge University Press.
- Searle, J. (1969). *Speech acts: An essay in the philosophy of language*. Cambridge: Cambridge University Press.
- Searle, J. (1995). *The construction of social reality*. London: Penguin.
- Sen, A. (1999). Democracy as a universal value. *Journal of Democracy*, 10, 3–17.
- Stone, P. (2016). Sortition, voting, and democratic equality. *Critical Review of International Social and Political Philosophy*, 19, 339–356.
- Urbinati, N. (2000). Representation as advocacy. *Political Theory*, 28, 758–786.

- Viehoff, D. (2014). Democratic equality and political authority. *Philosophy & Public Affairs*, 42, 337–375.
- Urfalino, P. (2014). The rule of non-opposition: Opening up decision-making by consensus. *The Journal of Political Philosophy*, 22, 320–341.
- Waldron, J. (2000). Votes as powers. In M. Friedman, L. May, K. Parsons, & J. Stiff (Eds.), *Rights and reason* (pp. 45–63). Dordrecht: Springer.
- Waldron, J. (1999). *Law and disagreement*. New York: Oxford University Press.

AUTHOR BIOGRAPHIES

Emanuela Ceva is Professor of Political Theory at the University of Geneva. Her main research interests are in the normative theory of public institutions, with special reference to issues of justice, democracy, and corruption.

Valeria Ottonelli is Professor of Political Philosophy at the University of Genova. Her main research interests are in the normative theory of democracy and the theory of justice in migration.

How to cite this article: Ceva E, Ottonelli V. Second-personal authority and the practice of democracy. *Constellations*. 2021;1–15. <https://doi.org/10.1111/1467-8675.12575>