

# What are the proper boundaries of the state?

In papers, most of you wanted a (1) state and (2) some form of political accountability.

Raises a lot of q's....

- Are there any boundaries to state authority?
- What are best mechanisms of preventing abuse by the state?
- What are the best mechanisms of political accountability?

Eliding other questions

- The origins of the notion of “equal consideration” and human equality
- Distinction between private and public authority

# Boundaries of the state

The problem of rights, numbers, and intensities (a.k.a., the James Madison problem):

- What to do when majorities trump minorities with intense preferences on “ordinary” issues? (e.g., trade policy)

The problem of cultural rights and prejudices (a.k.a., the Larry Diamond problem)

- Religious freedom in a largely but not completely homogenous society
- Language policy in a deeply divided society

The scope of the public sphere

- Indecency and offensiveness without harm (a.k.a., the Joel Feinberg problem)
- Sexuality and gender identity in a conventional society
- Reproductive rights

Democracy versus liberalism (a.k.a, the Judith Shklar problem)

How to decide the limits of the rights necessary for citizenship

# Constraining the state and the ruler

Ensuring fidelity to the popular will

- Selection / election
- Recall, censure, impeachment

Democracy

Rights of citizens

- Political expression
- Equal legal rights + rule of law in disputes
- Private property
- Cultural expression
- Other rights?

Liberalism

Fragmentation of authority

- Horizontal
  - Separation of church and state
  - Branches of government, checks + balances
  - Plural or collective executive
- Vertical
  - Strong federalism / feudalism
  - Civil service, appointments
- Term limits

Constraining  
the ruler

# Twin challenges of selecting rulers

How to choose “good” leaders, on average → selection mechanisms

- Four steps
  - Candidate pool
  - Viable candidate pool
  - Selection within candidate
  - Socialization, professionalization, and training of chosen individual(s)
- Fidelity of the system is related to features of the selectorate
  - Size
  - Expertise

How to prevent “bad” leaders from utterly wrecking things → checks on rulers

# Traits you wanted rulers to have

## Competence

- Experience
- Well educated
- Intelligent, rational, critical thinking
- Charismatic / inspiring
- Courage to reject bad ideas that population favors

Best interests of the country at heart (integrity)

Care about ALL constituents

Responsiveness to the popular will (perhaps conceived as “weighted average” view of population)

Reflective of the population’s desires

Relatable to constituents

Not be batsh\*t crazy

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