

# Politics and Foreign Donations

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**Abstract.** The (potentially) disturbing role of money in politics has received quite a lot of attention in both scholarly and public debate. But these discussions typically focus on the domestic context. Sometimes, as in the case of the Dutch billionaire Steven Schuurman, wealthy individuals donate money to politics abroad. In this paper, we ask: is there anything distinctively wrongful about billionaires and other wealthy individuals using their financial resources to influence foreign, as opposed to domestic, democratic institutions? Surprisingly, we find that there is nothing distinctively wrongful —of either a democratic or non-democratic nature—about such donations. Our discussion thereby suggests that if foreign donations are wrong, they are wrong for the same reason(s) as domestic donations. We should thus treat them symmetrically, all else equal. This means that to the extent that we want to oppose (large) foreign donations in politics—as we suspect many people would want to—we should equally oppose (large) domestic donations in politics.

**Keywords.** Political philosophy; democracy; boundary problem; all-affected principle; money in politics.

## 1 Introduction

In 2021, Steven Schuurman, a Dutch citizen and one of the Netherlands' wealthiest entrepreneurs, made headlines by donating €1.25 million to Germany's Green Party. His stated motivation was climate change. In an interview with the German newspaper *Die Welt*, Schuurman explained that the outcome of Germany's federal election would affect not only Germans but also "the Dutch, the Belgians, the French or the Poles, in fact the entire world."<sup>1</sup> That same year, he also contributed

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<sup>1</sup> Die Welt, "Warum steigen Sie in den Wahlkampf ein, Herr Schuurman?"

€1.35 million to the campaigns of two Dutch political parties—D66 and the Party for the Animals—again citing climate change as his primary concern.<sup>2</sup>

The (potentially) disturbing role of money in politics has received quite a lot of attention in both scholarly and public debate.<sup>3</sup> Schuurman's donations raise familiar questions about whether large private donations can be justified or if they threaten to undermine democratic practices. However, it might seem that there is something *distinctively objectionable* about his donation to Germany's Green Party. It is one thing for rich people to influence politics by donating large amounts of money domestically; it is a different thing, one might think, when they use their money to influence politics abroad.

The idea that foreign donations are distinctively objectionable is reflected in many legal jurisdictions, which often impose strict laws against foreign donations to political campaigns. In the United States, for example, the Federal Election Campaign Act prohibits “contributions, donations, expenditures, independent expenditures, and disbursements by foreign nationals.”<sup>4</sup> In the European Union, member states generally prohibit non-EU entities from financing political parties within their borders, and some states impose stricter regulations that prohibit all non-citizens from making such donations. In the United Kingdom too, foreign political donations are banned. As the Committee on Standards in Public Life once motivated this ban: “what happens here is the concern of those who live and work here and the political parties should not be entitled to fill their coffers with donations from abroad, made by persons and corporations who have no genuine stake in the country.”<sup>5</sup>

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<sup>2</sup> See NRC, “D66-donateur Steven Schuurman: begaan met klimaat, maar politieke invloed wil hij niet.”

<sup>3</sup> See, e.g., *Arizona Free Enterprise Club's Freedom Club PAC v. Bennett*, Beitz, *Political Equality*, ch. 9; Christiano, *The Rule of the Many*, and “Money in Politics”; *Citizens United v. FEC*; Cohen, “Money, Politics, Political Equality”; Kolodny, *The Pecking Order*, ch. 31; *McCutcheon v. FEC*; Guerrero, “Against Elections,” and *Lottocracy*; Pevnick, “The Anatomy of Debate about Campaign Finance,” “Does the Egalitarian Rationale for Campaign Finance Reform Succeed?,” “Should Campaign Finance Reform Aim to Level the Playing Field?,” and “The Representation-Enabling Approach to Campaign Finance Reform”; and Scanlon, *Why Does Inequality Matter?*, ch. 9.

<sup>4</sup> 11 CFR §110.20, <https://www.ecfr.gov/current/title-11/section-110.20>.

<sup>5</sup> Committee on Standards in Public Life, *Fifth Report*, 68.

However, philosophical theorizing about money in politics typically focuses on how wealthy individuals influence politics within their own *domestic* contexts. As a result, questions about foreign donations have so far been largely overlooked.<sup>6</sup> This paper is dedicated to exploring whether foreign donations raise distinct concerns. More precisely, we ask: is there anything distinctively wrongful about billionaires and other wealthy individuals using their financial resources to influence foreign, as opposed to domestic, democratic institutions?<sup>7</sup>

Our paper is structured as follows. In Section 2, we examine whether the potentially distinctive wrong of foreign donations is a *democratic* wrong. This might be because such donations give foreign billionaires an unjustifiable say in the democratic process, and/or threaten that which renders democracy valuable. The first point takes us through the boundary problem in democratic theory, including prominent solutions such as the all-affected principle and the all-subjected principle. The second point takes us through instrumental and non-instrumental justifications of democracy. But as we will see, identifying a (convincing) distinctive democratic wrong in relation to foreign donations proves extremely difficult.

Perhaps this is because the distinctive wrong is not a democratic wrong but a *non-democratic* wrong. Thus, in Section 3, we explore three candidates for such a distinctive non-democratic wrong: when donating abroad, the donator (a) treats the foreign citizens like children, (b) lacks standing to interfere, and/or (c) shows disregard for their co-citizens. However, we will argue that none of these identify a distinctive wrong in the foreign donation case.

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<sup>6</sup> See the references mentioned in footnote 3.

<sup>7</sup> A question we do not have the space to discuss here concerns cases in which *states* rather than *individual donors* attempt to influence foreign political processes. This can happen in various ways, including the covert funding of political parties and the manipulation of public discourse. Note a potential difference between states and individual donors: whereas individual donors can donate money to both foreign and domestic elections, states can (presumably) only donate money to foreign elections, which means that we (presumably) cannot get to the distinction between foreign and domestic donations when it comes to state donations. We thank an anonymous reviewer for urging us to clarify this.

We thus, surprisingly, conclude that there is nothing distinctively wrong with foreign donations compared to domestic donations. Is this bad news for democracy? Fortunately not. In fact, our discussion indirectly provides further support to the view that we should limit the role of money in politics. It suggests that if foreign donations are wrong, they are wrong for the same reason(s) as domestic donations. We should thus treat them symmetrically, all else equal. This means that to the extent that we want to oppose (large) foreign donations in politics—as we suspect many people would want to—we should equally oppose (large) domestic donations in politics.

## 2 A distinctive democratic wrong?

We will start by discussing whether (large) foreign donations constitute a distinctive *democratic* wrong. An action constitutes a democratic wrong if it threatens or undermines the function or purpose of a (just) democratic practice or institution. Which actions constitute a democratic wrong will thus depend on one's view of the purpose or value of democracy. We treat significant donations to political actors, such as political parties, as a paradigm example of how money can influence politics in ways that give rise to democratic wrongs. For instance, they may enable the private capture of public power, distort equal opportunities for political influence, or hinder the fair dissemination of competing political views.<sup>8</sup>

Our central concern, however, is not whether political donations constitute a democratic wrong *per se* but whether such donations constitute a *distinctive* democratic wrong when they (aim to) influence democratic institutions abroad. To clarify what we mean by this, consider two examples modelled after the two donations made by Schuurman (these will help structure our discussion throughout the paper):

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<sup>8</sup> See Christiano, “Money in Politics,”; Guerrero, “Against Elections”; and Pevnick, “The Representation-Enabling Approach to Campaign Finance Reform.” Note that if it turns out that only certain other types of monetary influence constitute democratic wrongs, our arguments can be adapted accordingly.

**Billionaire Bob.** Bob, a billionaire philanthropist from democratic country *C*, aims to influence an upcoming election in *C*. Convinced that one candidate's policy *p* is much needed, he donates substantial funds to their campaign.

**Billionaire Betsy.** Betsy, a billionaire philanthropist from democratic country *C*, aims to influence an upcoming election in democratic country *D*. Convinced that one candidate's policy *p* is much needed, she donates substantial funds to their campaign.

These two cases are equal in all the relevant respects except for the donor's relation to the country in which the donation is received. Bob is a resident citizen of the country in which he donates; that is not the case for Betsy.<sup>9</sup> We can now clarify what we mean by a *distinctive* democratic wrong. Betsy's donation constitutes a *distinctive democratic wrong* if the democratic reasons that make Bob's donation wrongful do not fully account for the wrongness of Betsy's donation. Our question in this paper, then, is whether Betsy's donation constitutes such a distinctive democratic wrong.

We want to make two further remarks before we proceed. First, one might hold that the accumulation or possession of extreme wealth can never be justified, and thus, that everything someone does with that amount of wealth, including donating it, constitutes a wrong of at least some sort.<sup>10</sup> Or alternatively, one might hold that all billionaire donations are wrong, irrespective of whether they come from abroad or not. We agree that the case for the wrongness of such donations may be overdetermined; it may simply be that all such donations are wrong. But this is compatible with foreign donations being wrong in an additional, distinctive sense precisely because they are *foreign* donations. It is this part about such donations that we investigate. As we pointed out in the introduction, discussions of money in politics usually focus on the domestic context.

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<sup>9</sup> One might question the idea of a 'foreign democracy' (or adjacent terms). By this, we mean a democracy in which the donor does not reside nor has citizenship. For example, country *D* qualifies as a foreign democracy for both Bob and Betsy because they reside in country *C*. We will elaborate on this in greater detail when it is relevant for our argument.

<sup>10</sup> See Robeyns, "Having Too Much"; and Timmer, "Limitarianism."

Second, we assume that billionaires can be plausibly considered to be citizens of a specific state. For example, we assume that Schuurman is a citizen of the Netherlands but not of Germany. Only under that assumption do questions about *foreign* donations meaningfully arise (otherwise, for example, neither Bob nor Betsy would be a citizen of country C). However, one might hold that because billionaires tend to be global citizens with vested interests all around the globe, they cannot really be thought of as ‘citizens’ of a specific state, and that a strictly legal concept of citizenship cannot account for their case. But whatever merits this view may have, we do not discuss it here because it would simply prove our point that Betsy does not commit a distinctive wrong when donating money to an election in a country in which she does not live. Moreover, this assumption—that billionaires can be plausibly considered to be citizens of a specific state—fits with the empirical reality: Schuurman is a citizen of the Netherlands, but not of Germany.

## 2.1 The all-affected principle

It might seem that if Betsy’s donation constitutes a distinctive democratic wrong, this is because, unlike Bob, she lacks a democratic say in the election which she aims to influence. We could assume, for example, that Bob has the right to vote and the right to be elected in country C, but that Betsy lacks these rights in country D. But that is too quick. What matters is not whether Bob and Betsy have a say but whether they *should* have a say. After all, in many democracies, there was a point where women did not have a democratic say but where they clearly should have had a say. We take it that it would not have been wrong for women to try to influence these elections, even if they lacked the legal right to vote.

The important question, then, is whether there is a difference between Bob and Betsy in terms of whether they should have a say in the election they try to influence.<sup>11</sup> To answer this question, we

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<sup>11</sup> You might still think that we should focus on who actually has the right to vote. We discuss that view in Section 2.3.

must turn to the *boundary problem* in democratic theory: the question of who should be included in democratic decision-making.<sup>12</sup> In this literature, two principles take center stage: the *all-affected principle* and the *all-subjected principle*. Thus, let us examine whether they identify a distinctive wrong when it comes to billionaires influencing politics abroad.

Let us start with the all-affected principle. At its core, this principle says that all and only those whose interests are affected by a given (collective) decision should be included in the making of that decision.<sup>13</sup> It motivates the idea, as quoted above, that what happens in a specific country “is the concern of those who live and work here” rather than of “persons and corporations who have no genuine stake in the country.”<sup>14</sup> The all-affected principle can be further specified in various ways. One can limit the relevant collective decisions to laws.<sup>15</sup> There is also a question of whether one must be *actually* affected by the relevant collective decision or whether it suffices that one is *possibly* affected.<sup>16</sup> And there are different understandings of what it means to be actually affected.<sup>17</sup> Since none of this makes a difference to our argument, we will simply assume the following understanding:

**The all-affected principle.** All and only the people whose interests would be relevantly affected by a law ought to have a vote on the enactment of that law.<sup>18</sup>

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<sup>12</sup> Seminal contributions to this literature include Abizadeh, “Democratic Theory and Border Coercion,” and “On the Demos and Its Kin”; Arrhenius, “The Boundary Problem in Democratic Theory”; Bauböck, *Democratic Inclusion*; Beckman, *The Frontiers of Democracy*; Brighthouse and Fleurbaey, “Democracy and Proportionality”; Dahl, *After the Revolution*, and *Democracy and Its Critics*; Goodin, “Enfranchising All Affected Interests, and Its Alternatives” and “Enfranchising All Subjected”; López-Guerra, “Should Expatriates Vote?”; Miller, “Democracy’s Domain”; Näsström, “The Challenge of the All-Affected Principle”; Saunders, “Defining the Demos”; Song, “The Boundary Problem in Democratic Theory”; Whelan, “Prologue”; and Wilson, “Making the All-Affected Principle Safe for Democracy.”

<sup>13</sup> See Dahl, *Democracy and Its Critics*; and Goodin, “Enfranchising All Affected Interests, and Its Alternatives.”

<sup>14</sup> Committee on Standards in Public Life, *Fifth Report*, 68.

<sup>15</sup> See Goodin and Arrhenius, “Enfranchising All Subjected,” 126.

<sup>16</sup> See Goodin, “Enfranchising All Affected Interests, and Its Alternatives”; and Owen, “Constituting the Polity, Constituting the Demos.”

<sup>17</sup> See Owen, “Constituting the Polity, Constituting the Demos,” 132.

<sup>18</sup> We borrow this formulation from Goodin and Arrhenius, “Enfranchising All Subjected,” 126.

If we apply this principle to the case of billionaire donations to influence elections, we can derive the following principle:

**Donation<sub>AFFECTED</sub>.** It is wrong to influence an election through donating money when your interests will not be relevantly affected by the decisions of that election.<sup>19</sup>

Thus, given Donation<sub>AFFECTED</sub>, the question is whether Bob's interests will be relevantly affected by the upcoming election in country *C* in a way that Betsy's interests will not be by the upcoming election in country *D*. Suppose that Bob is a resident citizen in the Netherlands, trying to influence the Dutch election by donating money, and that Betsy is a resident citizen in the Netherlands, trying to influence the German election by donating money. Here, Donation<sub>AFFECTED</sub> does not point to any fundamental difference between Bob and Betsy. As a resident citizen, Bob's interests can clearly be affected by the Dutch election. But Betsy's interests can be affected by the German election as well. Indeed, as many have pointed out, the all-affected principle is radical in its inclusionary implications.<sup>20</sup> In our interdependent, global world, people's interests will to a significant extent be affected across borders. In that sense, Schuurman was quite right with his comment on the global importance of the German elections.<sup>21</sup>

One might object that there is a difference in degree: one's interests will be more affected by domestic policies than by non-domestic policies.<sup>22</sup> But that seems too strong, at least as a matter of principle. In the Germany-Netherlands case, the size of Germany and its importance for the region suggest that sometimes Betsy's interests might be more significantly affected by the upcoming election in Germany than the upcoming election in the Netherlands. And this is by no

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<sup>19</sup> In the principle, we refer to 'election,' and not 'democratic institution,' because that is more natural in relation to the boundary problem, and because the Schuurman case with which we started is one involving influencing an election. But nothing of substance hangs on this. Our arguments below apply to either formulation.

<sup>20</sup> For example, see Goodin, "Enfranchising All Affected Interests, and Its Alternatives," 55; and Song, "The Boundary Problem in Democratic Theory," 49.

<sup>21</sup> Die Welt, "Warum steigen Sie in den Wahlkampf ein, Herr Schuurman?"

<sup>22</sup> Note also that even if this were true, that would not suffice to show that foreign donations constitute a *distinctive* democratic wrong. What is needed for that is a difference *in kind*, but this objection points to a difference *in degree*.



means distinctive of this case. Indeed, as Sarah Song points out, “consider US trade decisions that affect the basic interests of many Latin Americans while affecting much less important interests of many US citizens. In such a case, the proportional view—[Harry Brighouse and Marc Fleurbaey’s view that people should have a say in proportion to the degree to which their interests are affected<sup>23</sup>—entails that Latin Americans should have a greater voice in trade decisions than US citizens.”<sup>24</sup> So if there is a *distinctive* wrong in Betsy’s donation, it does not have to do with Donation<sub>AFFECTED</sub>. More generally, if large donations from foreign billionaires are *distinctively wrong* compared to large donations from domestic billionaires, this distinctiveness cannot be explained by referring to the all-affected principle.

## 2.2 The all-subjected principle

Let us now turn to the all-subjected principle. Roughly, it says:

**The all-subjected principle.** All and only the people who would be relevantly subject to a law ought to have a vote on the enactment of that law.<sup>25</sup>

A central question about this principle is what it means to be ‘relevantly subject’ to a law. A common view is that this entails being subject to the coercive power of the law. But as Robert Goodin and Gustaf Arrhenius point out, there is more to laws than coercive power.<sup>26</sup> Borrowing a distinction from H.L.A. Hart, while *duty-imposing* laws have coercive power, that is not the case with *power-conferring* laws, which empower people to do something, e.g., make a legally binding will.<sup>27</sup> So instead of understanding ‘being relevantly subject’ to a law as solely a matter of coercive power,

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<sup>23</sup> Brighouse and Fleurbaey, “Democracy and Proportionality,” 137.

<sup>24</sup> Song, “The Boundary Problem in Democratic Theory,” 50.

<sup>25</sup> We borrow this formulation from Goodin and Arrhenius, “Enfranchising All Subjected,” 126. See also Abizadeh, “Democratic Theory and Border Coercion,” 878; Beckman, “Democratic Inclusion, Law, and Causes,” 351; Dahl, *Democracy and Its Critics*, 122; Erman, “The Boundary Problem and the Ideal of Democracy,” 539; and López-Guerra, “Should Expatriates Vote?,” 222.

<sup>26</sup> See Goodin and Arrhenius, “Enfranchising All Subjected,” 128.

<sup>27</sup> See Hart, *The Concept of Law*, ch. 3.

we follow their suggestion to understand subjectedness such that “you are relevantly subject to a law if you would be liable to the law being applied to you were you to act contrary to a duty-imposing law or in accordance with a power-conferring law.”<sup>28</sup>

We must also settle another important matter in relation to the all-subjected principle: to whom a law purports to apply. As Arash Abizadeh has recently argued, we must distinguish between a *narrow-scope* and a *wide-scope* understanding of the jurisdictional scope of a law.<sup>29</sup> He asks us to consider a hypothetical domestic Canadian anti-pollution law that requires not polluting above  $x$  units per year. The wide-scope interpretation would entail:

**Wide.** It is legally required that: if one is on Canadian territory, one not pollute more than  $x$  units per year.

In this case, the legal requirement applies to the whole conditional proposition: if one is on Canadian territory, one must not pollute more than  $x$  units per year. This is not the case on the narrow-scope interpretation:

**Narrow.** If one is on Canadian territory, it is legally required that: one not pollute more than  $x$  units per year.

In this case, the legal requirement applies narrowly: only to those on Canadian territory. In short, whereas the narrow-scope jurisdictional interpretation is territorially restricted, that is not the case for the wide-scope interpretation. Abizadeh illustrates this as follows:<sup>30</sup>

**Wide\*.** It is legally required *of everyone* that: if one is on Canadian territory, one not pollute more than  $x$  units per year.

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<sup>28</sup> Goodin and Arrhenius, “Enfranchising All Subjected,” 128

<sup>29</sup> Abizadeh, “The Scope of the All-Subjected Principle,” 606.

<sup>30</sup> Abizadeh, “The Scope of the All-Subjected Principle,” 606.

**Narrow\*.** It is legally required *of those on Canadian territory* that: one not pollute more than  $x$  units per year.

If we accept the wide-scope interpretation of ordinary domestic laws this likely implies that *everyone* is subject to *every* ordinary domestic law in *any* country. That renders the scope of the all-subjected principle implausibly inclusive. It would, however, make our argument easier. Under this wide-scope interpretation, Bob and Betsy are both subject to the ordinary domestic laws of both countries *C* and *D*, which implies that the all-subjected principle cannot point to a distinctive difference between their donations.

Following Abizadeh, we thus take a narrow-scope interpretation of ordinary domestic laws (this excludes, for example, immigration laws). But there is another respect in which a law may be interpreted narrowly or widely.<sup>31</sup> Sometimes conditions are built into the content of the law. Consider a law that requires you to isolate if you test positive for COVID-19. Here, we can interpret the law as either having a narrow-scope or a wide-scope content requirement:

**Wide<sub>COVID</sub>.** It is legally required that: if one tests positive for COVID-19, one isolates.

**Narrow<sub>COVID</sub>.** If one tests positive for COVID-19, it is legally required that: one isolates.

As Goodin and Arrhenius argue, it is implausible to assume the narrow-scope interpretation of the content requirement. It would imply that people who have not tested positive for COVID-19 are not under this legal requirement regarding COVID-19. But that seems implausible: “Surely those who test negative nonetheless remain under a [legal] requirement—the requirement being to isolate, on condition that they subsequently test positive.”<sup>32</sup> Based on this, they argue that the most plausible understanding of the all-subjected principle assumes the narrow-scope interpretation

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<sup>31</sup> Goodin and Arrhenius, “Enfranchising All Subjected,” 129-130.

<sup>32</sup> Goodin and Arrhenius, “Enfranchising All Subjected,” 135.

when it comes to the jurisdictional scope of a law, and the wide-scope interpretation when it comes to the content scope of a law.<sup>33</sup> We will take this view as well.

Thus, pulling the threads together, the all-subjected principle states that individuals are relevantly subject to a law if they would be liable to its application either by acting contrary to a duty-imposing law or by acting in accordance with a power-conferring law, where the law's scope is jurisdictionally narrow but wide in content.<sup>34</sup>

If we apply this principle to the case of political donations, we can derive the following principle:

**Donation<sub>SUBJECTED</sub>.** It is wrong to influence an election through donating money when you will not be relevantly subject to the decisions of that election.

We take it for granted that Bob is subject to the laws of the country in which he resides. Does Donation<sub>SUBJECTED</sub> identify a relevant difference between Bob and Betsy? No, not really. First, we can easily imagine cases where Betsy is relevantly subject to the laws of the country in which she does not reside. Betsy is a billionaire, and billionaires do business. Now suppose Betsy does business in Germany. Given this, Betsy will be subject to German law, even assuming the territorially narrow-scope interpretation.<sup>35</sup> In fact, she would have been subject to German law even if she had not done business in Germany. Indeed, the all-subjected principle on the proposed understanding would imply that nonresident non-nationals who violate laws against harming the state's nationals abroad or the interests of the state itself (e.g. by counterfeiting its currency) are subject to these laws.<sup>36</sup>

Second, some might argue that there are relevant differences between Bob and Betsy in the extent to which they are subjected to the laws in countries *C* and *D*, and/or in how serious that subjection

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<sup>33</sup> See Goodin and Arrhenius, "Enfranchising All Subjected," 127.

<sup>34</sup> Goodin and Arrhenius, "Enfranchising All Subjected," 128.

<sup>35</sup> See Goodin and Arrhenius, "Enfranchising All Subjected," 137.

<sup>36</sup> See Goodin and Arrhenius, "Enfranchising All Subjected," 137.

is to their autonomy. This takes us to a second problem with Donation<sub>SUBJECTED</sub>: it is incomplete.<sup>37</sup>

Consider the Bavarian laws regulating how sausages are made. If we take a narrow-scope reading of the content of these laws, only the people actually making sausages are subject to these laws, and thus only they should have a right to vote on them. As a result, consumers, who might be poisoned by eating improperly made sausages, are not subject to these laws and would not be granted a say on how the sausages ought to be made. That seems clearly underinclusive.

We can avoid this problem if we take the wide-scope reading of the content of these laws, because in that case mere sausage-eaters are also subjected to these laws. However, it would include them for the wrong reason. It would not be because sausage-eaters might be poisoned by improperly made sausages but because they might start making sausages themselves (however unlikely that is). But it seems that they should be included precisely because they might be *poisoned* by eating sausages. So, either the all-subjected principle is underinclusive by excluding sausage-eaters; or it includes sausage-eaters for the wrong reason, namely solely in virtue of the fact that they might become sausage-producers. But sausage-eaters should be included because they are *affected* by the laws, not (only) because they might at some point produce sausages themselves. Therefore, Goodin and Arrhenius conclude that the all-subjected principle should be supplemented with the all-affected principle. The resulting principle “would ground a right to vote on a law in the effects that that law would have on both those subject to it and those benefiting from their being subject to it.”<sup>38</sup>

The upshot is that Donation<sub>SUBJECTED</sub> cannot reasonably identify a distinctive wrong in Betsy’s donation. For one thing, we can easily imagine cases where Betsy would be subject to laws in foreign countries. But even if there is a difference in subjectedness between Bob and Betsy, the explanation for why Betsy’s donation constitutes a distinctive democratic wrong would rest on a

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<sup>37</sup> It comes courtesy of a criticism Goodin and Arrhenius, “Enfranchising All Subjected,” 143, provide against the all-subjected principle.

<sup>38</sup> Goodin and Arrhenius, “Enfranchising All Subjected,” 143.

principle which, if taken alone, would be implausible because it either fails to include some relevant individuals or includes them for the wrong reason. However, if we were to add affectedness as a sufficient condition for inclusion—as in *Donation<sub>AFFECTED</sub>*—then we are back to what we argued earlier, namely that there is no relevant difference between Bob and Betsy.<sup>39</sup> Therefore, if there is a distinctive wrong in Betsy’s donation, it does not have to do with *Donation<sub>AFFECTED</sub>* or *Donation<sub>SUBJECTED</sub>*.

## 2.3 The value of democracy

Some people might be inclined to argue that foreign donations can constitute a distinctive wrong by drawing upon a related debate, namely about the *value of democracy*.<sup>40</sup> Recall that the difference between Bob and Betsy is that Bob is a resident citizen of the country in which he donates; Betsy is not. Does her donation, in a way unlike Bob’s donation, threaten or undermine what renders democracy valuable?

It is beyond the scope of this paper to examine all the ways in which democracy has been deemed valuable. But we highlight some commonly cited reasons. Instrumentalist accounts justify democracy by reference to its superior outcomes compared to other decision-making mechanisms. For instance, democracy has been credited for producing relatively good laws and policies due to its responsiveness to public needs and its capacity for generating epistemically better political

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<sup>39</sup> Since the all-affected principle has been subject to criticism (see, e.g., Bengtson, “Finding a Fundamental Principle of Democratic Inclusion”; Bengtson and Lippert-Rasmussen, “Why the All-Affected Principle is Groundless”; Miklosi, “Against the Principle of All-Affected Interests”; Saunders, “Defining the Demos”; and Song, “The Boundary Problem in Democratic Theory”), note that what is important for our purposes is not that the all-subjected principle must be supplemented with the all-affected principle in particular, as Goodin and Arrhenius suggest, but that it must be supplemented with at least *some* other principle. That principle could also be a realist principle (which we discuss in the next section), or some other principle. The important point for our argument here is that the all-subjected principle is insufficient on its own and thus doesn’t provide a convincing explanation of why foreign donations are distinctively wrong. We thank an anonymous reviewer for a question which prompted this clarification.

<sup>40</sup> Note also that it has been argued that the boundary problem must be solved by appeal to the value of democracy. See, e.g., Lippert-Rasmussen and Bengtson, “The Problem(s) of Constituting the Demos”; Miller, “Democracy’s Domain.”

decisions.<sup>41</sup> Other instrumentalist justifications include its beneficial effects on individuals' characters, relations in society or its ability to maximize (economic) benefits.<sup>42</sup> Each of these accounts maintains that democracy is valuable for what it is *for* rather than for what it *is*.

It is obvious that Betsy's donation can constitute a democratic wrong on any such instrumentalist account. Suppose democracy is valuable because democratic decisions tend to produce better policies and laws than alternative decision-making mechanisms. All else being equal, by influencing politics with her donation, Betsy's donation makes it less likely that the democratic process produces such policies and laws. That is because her donation threatens to obstruct the democratic decision-making process. If anything, it is more likely that *her* preferred laws and policies are pursued—or at least become integral parts of the public debate and decision-making—than those that would follow from an unhindered democratic process. The more impact her donation has, the more this is the case.

However, none of this establishes that Betsy's donation constitutes a *distinctive* wrong. Betsy's donation only constitutes a distinctive wrong if it undermines the instrumental value of democracy in a way that Bob's donation does not do. But it is difficult to see how that is the case. For any of the instrumental justifications, whatever wrong Betsy commits, Bob's donation could constitute an equal obstruction of the democratic process. This is because the instrumental value of democracy is undermined by their attempt to influence politics as such, not by the fact that they do so in a country that either is (in Bob's case) or is not (in Betsy's case) the country in which they are resident citizens.

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<sup>41</sup> On public needs, see Christiano, "An Instrumental Argument for a Human Right to Democracy." On the epistemic value of democracy, see Landa and Pevnick, "Representative Democracy as Defensible Epistocracy", and *Representative Democracy*.

<sup>42</sup> On character, see Elster, "The Market and the Forum." On relational equality, see Motchoulski, "Relational egalitarianism and democracy"; but see Zuehl, "Equality, Democracy, and the Nature of Status." On economic benefits, see Buchanan and Tullock, *The Calculus of Consent*.

Some people might object that there are in fact two reasons for why Betsy's donation undermines the instrumental value of democracy in a distinctive way.<sup>43</sup> To start with, one might argue that we have much more reason to worry about foreign donations than domestic donations due to differences in accountability. Whether by legal means—e.g., the donations of domestic donors can (much more effectively) be regulated by law and the state—or other means—e.g., shareholders can oust billionaires from positions of authority in the firms that they lead, or workers can strike—domestic donors can be held accountable for their attempts to influence politics in ways in which foreign donors cannot.

We have two responses to this suggestion. First, it is not obvious that this is true. Consider again the Schuurman case. His donation takes place within the EU, where he resides in one member state and donates to a political party in another member state. Given the close collaboration between EU member states, it seems very much possible to hold Schuurman legally accountable for his donations to German and Dutch political parties alike. Moreover, there are many other ways to hold foreign donors accountable. Think, for instance, of how European consumers have punished Elon Musk for his collaboration with President Trump by not buying Teslas, or, in the case of those who had already bought Teslas, by putting stickers on their cars saying things such as “I bought this before Elon went crazy.”

More importantly, and this is our second response, *if* there is a difference when it comes to accountability, it is a difference in degree and not in kind. That there are strict laws against foreign donations, as we mentioned in the introduction, suggests that it is not generally considered impossible to hold foreign donors accountable. Moreover, the legal entity can hold the receiving party (for instance, the political party receiving the donation), and not the donor, accountable. Since the receiving party is situated within the domestic context, it should not be particularly

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<sup>43</sup> We thank an anonymous reviewer for pushing us on this and suggesting these two possible arguments.



difficult to hold them accountable, at least not in a way that is different from holding them accountable when it comes to domestic donations. This further suggests that insofar as there is a difference between foreign and domestic donations, it is a difference in degree, not in kind. Whatever difference in accountability exists between foreign and domestic donors, it is not enough to establish that foreign donations are *distinctively* objectionable.

Another reason for arguing that Betsy's donation distinctively undermines the instrumental value of democracy is that foreign donors are less likely to have the knowledge and expertise required to wield justifiable political influence on an epistocratic view.<sup>44</sup> Perhaps, for example, they tend to have less at stake than domestic donors and therefore pay less attention to the relevant facts, or perhaps they lack the relevant cultural and social background. This lack of epistemic credentials, one might argue, distinguishes foreign from domestic donors. What should we think of this suggestion?

In our view, this suggestion runs into the same problem as the accountability argument. Even if we assume that there is a difference in epistemic credentials between foreign and domestic donors,<sup>45</sup> it seems to be a difference in degree, not in kind. Indeed, it is not as if foreign donors cannot obtain knowledge of the political system to which they want to donate. Presumably, Schuurman gathered such knowledge before deciding to donate to Germany's Green Party. Moreover, it need not be the case that a domestic donor has the requisite knowledge and expertise. Thus, this does not seem to be the distinctive wrong we have been looking for.

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<sup>44</sup> As an anonymous reviewer correctly points out, while some epistocrats are not democrats (e.g., Brennan, *Against Democracy*), other epistocrats endorse representative democracy (e.g., Landa and Pevnick, "Representative Democracy as Defensible Epistocracy," and *Representative Democracy*).

<sup>45</sup> Indeed, it might even be that the difference runs in the opposite direction of what is suggested, i.e., that foreign donors have better epistemic credentials than domestic donors. Frazer, "Including the Unaffected," argues that those who are unaffected—those with nothing at stake—can obtain what he calls 'natural impartiality', as opposed to the 'artificial impartiality' of those with something at stake, and that it can therefore improve the quality of the decision-making to include the unaffected.

In contrast to instrumentalist justifications, non-instrumentalist justifications of democracy emphasize values intrinsic to democratic decision-making procedures themselves. For example, democracy may be grounded in principles such as self-governance or relational equality, or be justified as a framework for the public justification of laws and policies.<sup>46</sup> Alternatively, it may inherently treat individuals as equals within the political process, according to the common one person, one vote principle.<sup>47</sup> In other words, non-instrumentalist justifications value democracy for what it *is*.

But none of these justifications can establish that Betsy's donation constitutes a distinctive wrong. Consider the idea that democracy is valuable because it allows for self-governance. Betsy is a resident citizen of country *C* but donates money to influence an upcoming election in country *D*. One might argue that this undermines the value of democracy in a way different from Bob's donation because only Betsy's donation interferes with the self-governance of people that are not resident citizens of the country of the donator. However, that argument only holds if we assume that Betsy should not be a member of the self-governing people of country *D*. What seems to be at stake, then, is not whether Betsy's donation undermines the value of democracy but whether Betsy, unlike Bob, should be a member of the democratic community. But that brings us back to our earlier discussion of the boundary problem and our conclusion that even if Betsy's donation constitutes a democratic wrong, the fact that Betsy donates from abroad does not render her donation a distinctive democratic wrong.

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<sup>46</sup> See Christiano, *The Constitution of Equality*; González-Ricoy and Queralt, "Political Liberties and Social Equality"; Ingham, "Representative Democracy and Social Equality"; Kolodny, "Rule Over None II", *The Pecking Order*; Lovett and Zuehl, "The Possibility of Democratic Autonomy"; Peña-Rangel, "Political Equality, Plural Voting, and the Levelling Down Objection"; Stilz, *Territorial Sovereignty*; Viehoff, "Democratic Equality and Political Authority"; Wilson, "An Autonomy-Based Argument for Democracy", and "Making the All-Affected Principle Safe for Democracy"; and Wodak, "What Is the Point of Political Equality?"

<sup>47</sup> For illuminating discussion of the difficulty of specifying the meaning of 'one person, one vote,' see Wodak, "One Person, One Vote."

## 2.4 Realism and non-ideal theory

One might object that we have so far only tackled the question whether Betsy's donation constitutes a democratic wrong from rather abstract and idealized assumptions. One of these assumptions is that current borders between countries (for example, between the Netherlands and Germany) do not carry sufficient weight in our theorizing about democratic wrongs to resolve the boundary problem. We have assumed, for example, that even though Betsy may not actually have a right to vote in country *D* she might nevertheless be entitled to such a right, for example because she is affected by or subjected to the laws in *D*. And we argued that, therefore, whatever democratic wrong Betsy can commit with her donation is not fundamentally different from the democratic wrong that Bob might commit with his donation.

It is important to see what happens if we drop this assumption. Suppose that people have a right to participate in the democratic process of and only of the country in which they are a resident citizen.<sup>48</sup> If so, Betsy's donation might constitute a distinctive democratic wrong. This is because Betsy influences politics in a country in which she does not have a right to participate in the democratic process, whereas Bob influences politics in a country in which he does have such a right. Whereas Bob's donation unjustly gets him a *second* vote, Betsy's donation unjustly gets her *a* vote at all. Put differently, Bob gets more of a say than he should have had, but Betsy unjustly gets to say something in the first place.

One might be tempted to jump to the conclusion that if both cases constitute a democratic wrong, their wrongness cannot be captured by the same reason. Having more of a say where you should only have had an equal say to your fellow citizens might seem wrong for a different reason than having a say at all when in fact you should not have had a say. But that may be too quick, or at

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<sup>48</sup> The argument does not depend on this assumption. The only thing that is required is that someone does *not* have a moral right to participate in the democratic process of at least one country, and that they donate a substantive amount of money to influence politics in that country.

least it merits further argumentation. After all, we might equally well say that both Bob and Betsy got *one vote too many* (or, if you prefer, *one amount of influence too much*), and that *that* is what explains the democratic wrongness of their respective donations. But in that sense, Bob and Betsy are alike, and no distinctive wrong seems to occur in Betsy's case.

Let us therefore try to unpack the idea that we must take existing borders for granted and that, therefore, Betsy having a say at all constitutes a democratic wrong for a different reason than Bob having too much of a say. Consider the original example. The Dutch billionaire Schuurman donated money to influence politics in both the Netherlands and Germany. Do we have a reason to believe that his donation in Germany constitutes a distinctive democratic wrong? One reason for tying the right to influence politics with residency (or something like actually having a right to vote) is that this fits with many current democratic practices which tie voting rights to citizenship. If we accept these practices as given, we seem to have a reason to regard foreign billionaire donations as constituting a distinctive democratic wrong. Another and more substantive reason for tying the right to influence politics to residency (or some adjacent idea) is that it secures democratic stability and peace.<sup>49</sup> Of course, one might say, this might not ensure the right of everyone who should have a right to participate in politics, but we must draw the line *somewhere*.<sup>50</sup>

It seems, then, that we have an explanation of what renders Betsy's donation different from Bob's donation: only Betsy tries to influence politics in a country in which she is not a resident citizen, in which she lacks the right to vote, and/or in which she lacks some other relevant entitlement that Bob *does* possess in the country in which he makes his donation. Let us call this the *membership-based argument*. Does this argument identify a distinctive wrong?<sup>51</sup>

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<sup>49</sup> See Horton, "Realism, Liberal Moralism, and a Political Theory of Modus Vivendi"; and Song, "The Boundary Problem in Democratic Theory."

<sup>50</sup> For discussion, see Song, "The Boundary Problem in Democratic Theory."

<sup>51</sup> We thank an anonymous reviewer for pushing us to further discuss the membership-based argument.

We do not think so. Let us start with what we might call the *citizenship version* of the argument, which maintains that domestic donors have the right to vote, whereas foreign donors lack that right. The problem with this argument is that some people living *in* the country will not be citizens and will thus lack the right to vote, such as resident noncitizens (moreover, some citizens will actually live *outside* of the country). A donation from such a resident noncitizen does not seem to be relevantly different from a donation from a foreign donor, at least with respect to citizenship, which is what this argument points to. What this shows is that the citizen/non-citizen distinction cuts across the distinction between foreign and domestic, which means that the citizenship version of the argument does not track the difference between foreign and domestic donors but between citizens and non-citizens. But if foreign donations are to be distinctively objectionable, we need an argument which tracks the difference between foreign and domestic, not the difference between citizen and non-citizen, which is why the citizenship version of the argument will not do.

One might think that a *residence version* of the argument does better in this respect, according to which the difference is that whereas the domestic donor is a resident, the foreign donor is not. But, first, what does it take to be a resident? If you are visiting a country for four weeks a year, does that mean that you are a resident and that your donation would no longer count as 'foreign'? That is not obvious. Second, and more importantly, the residence/non-residence distinction too cuts across the distinction between foreign and domestic. To see this, we only need to note that there are local elections within a country, such as municipal elections. In Denmark, say, a resident of Copenhagen could donate to a political party running for the municipal election in Aarhus (the second-largest city). But the Copenhagen donor would not be a resident of Aarhus, nor would they have the right to vote in the local election. Such a donation does not seem relevantly different from a donation by a foreign donor who also does not reside in that municipality (at least if residence is what matters here). Again, residence/non-residence cuts across the distinction

between foreign and domestic, which is why appealing to the former distinction does not identify a (plausible) distinctive wrong with foreign donations.<sup>52</sup>

To be clear, more can be said here. It might be that some other feature can be pointed to in relation to the membership-based argument. But we struggle to see what that feature could be, given that citizenship and residence do not suffice. And we also suspect that such a potential feature would be vulnerable to some of the considerations which we have already raised. Thus, we at least tentatively conclude that there does not seem to be a (convincing) distinctive democratic wrong with foreign donations.

### **3 A distinctive non-democratic wrong?**

It is difficult to establish that there is a distinctive *democratic* wrong in influencing politics abroad by donating, as we have just seen. But perhaps the distinctive wrong is not a democratic wrong; perhaps, that is, Betsy's donation constitutes a distinctive *non-democratic* wrong. In this section, we explore whether this is the case. We will explore three suggestions: by donating abroad, Betsy commits a distinctive non-democratic wrong because (a) she treats the foreign citizens like children in the same way that a colonizer does with respect to the colonized, (b) she interferes in something that is none of her business (she lacks *standing* to interfere), or (c) she shows disregard, not for the citizens in the democracy to which she donates, but for her co-citizens.

#### **3.1 The wrong of colonialism**

A first potential reason for regarding Betsy's donation as constituting a distinctive non-democratic wrong can be found in recent debates about the wrong of colonialism. Some argue that colonialism

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<sup>52</sup> This problem would arise for a functionalist argument—according to which a defined political community is needed for political decision-making to function—as well, as the point about the difference between local (or municipal) and domestic illustrates.

is wrong for reasons having to do with, roughly speaking, *collective self-determination*.<sup>53</sup> For instance, Massimo Renzo says the wrong of colonialism is that colonized peoples are not the authors of the rules to which they are subject.<sup>54</sup> Such views rely on a prior claim that the colonized peoples should be collectively self-determining. But whatever merits such views might have when examining the wrong of colonialism, they are not helpful for our purposes of identifying a distinctive wrong in the case of billionaires donating money to political campaigns abroad.<sup>55</sup> They simply take us back to the boundary problem and our earlier discussion, since, without an answer to the boundary problem, it is an open question whether certain peoples should be collectively self-determining. For this reason, we set such views on the wrong of colonialism aside.

Another common view is that colonialism is wrong for reasons having to do with *exploitation*.<sup>56</sup> And so, we might ask whether Betsy exploits the citizens of country *D* by donating to the upcoming election in that country (whereas Bob does not exploit the citizens of country *C* by donating). However, while referring to exploitation may explain (part of) why colonialism is wrong, exploitation can take place in both domestic and foreign relations. For example, according to Nicholas Vrousalis's definition of exploitation, "A exploits B if and only if A and B are embedded in a systematic relationship in which (a) A instrumentalizes (b) B's vulnerability (c) to extract a net benefit from B"<sup>57</sup>. If so, exploitation cannot be the distinctive wrong we are looking for, since nothing hinges on whether the exploitation happens by foreign or domestic billionaires. If Betsy's donation might constitute an act of exploitation, then so might Bob's donation.

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<sup>53</sup> This is pointed out by Agrawal and Buchanan, "The Fundamental Wrong of Colonialism," 189. In addition to Renzo's account (which we point to in the main text), they point to Stilz's account and Ypi's account as examples of accounts identifying the wrong of colonialism in terms of lack of collective self-determination. See Stilz, "Decolonization and Self-Determination"; and Ypi, "What's Wrong with Colonialism."

<sup>54</sup> See Renzo, "Why Colonialism Is Wrong."

<sup>55</sup> Which is not to say that they are not plausible views of the wrong of colonialism. For our purposes, we can set that question—what makes colonialism wrong?—aside.

<sup>56</sup> See Renzo, "Why Colonialism Is Wrong," 372; and Valentini, "On the Distinctive Procedural Wrong of Colonialism," 312.

<sup>57</sup> Vrousalis, "Exploitation, Vulnerability, and Social Domination," 132.

A recent proposal of the wrong of colonialism, coming from Ritwik Agrawal and Allen Buchanan, is that colonialism involves “treating normal adult human beings as inferior in the sense of assuming them to be unfit to manage their own affairs.”<sup>58</sup> The colonizers, as it were, treat the colonized as if they were children, and this is what makes colonialism wrong. Perhaps this idea captures what goes wrong when a rich person donates money to politics abroad: they treat the citizens of the country to which they donate as if they are unfit to manage their own affairs, as if they are children. This resembles, at least in some sense, the structure of the behavior of the colonizers toward the colonized. Does this suggestion capture a distinctive non-democratic wrong in Betsy’s case that is absent in Bob’s case; that Betsy, unlike Bob, treats the citizens of the country to which she donates as if they are unfit to manage their own affairs?

We may start by noticing that this charge of treating an adult as if they were a child is often brought forward in discussions on paternalism. Indeed, it is sometimes asserted that paternalism is wrong precisely because it amounts to treating an adult as if they were a child.<sup>59</sup> When it comes to paternalism, the motive is important. For something to count as paternalism, the person interfering must be motivated to improve the welfare, interests, or some such of the one interfered with.<sup>60</sup> If the person interferes for some other reason—say, to protect public finances—the interference does not amount to paternalism. Thus, it is natural to think that if Betsy’s donating abroad is to be distinctively objectionable because it amounts to treating the citizens in the democracy with which she interferes as if they were children, Betsy must act on a benevolent motive.<sup>61</sup>

The problem with this suggestion is that both Bob and Betsy (or neither, for that matter) might be acting on such a benevolent motive. Indeed, they might both think that unless they donate, the

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<sup>58</sup> Agrawal and Buchanan, “The Fundamental Wrong of Colonialism,” 185.

<sup>59</sup> For example, see de Marneffe, “Avoiding Paternalism”; Quong, *Liberalism Without Perfection*; Schroeder, “Treating Like a Child”; and Tsai, “Rational Persuasion as Paternalism.”

<sup>60</sup> See de Marneffe, “Avoiding Paternalism”; and Dworkin, “Paternalism.”

<sup>61</sup> Perhaps some would want to further distinguish between ‘treating someone as a child’ and ‘treating someone as if they are unfit to deal with their own affairs.’ We treat them as similar here, but if you prefer separating them, this should not make any difference in our context since our argument below can be adjusted accordingly.



citizens in the countries to which they donate will choose policies which are bad for them. They might both treat the citizens in the respective countries as unfit to manage their own affairs. If so, this cannot be why Betsy's donation is distinctively wrong. It is worth recalling that Schuurman donated to political parties in both the Netherlands *and* Germany, and that he cited the same reason (namely climate change) for these donations.

But perhaps the problem with billionaire donations can be understood *expressively* instead. It is a matter of what these donations express.<sup>62</sup> And it might be that Betsy's donation expresses that those interfered with are unfit to manage their own affairs in a way that Bob's donation does not precisely because Betsy donates to actors in a foreign political system whereas Bob donates domestically.

For this explanation to work, we need to know *why* Betsy's donation has an expressive effect which Bob's donation lacks. If it is because Betsy donates to a demos of which she is not a member, then we are back to the boundary problem once again. If so, in addition to facing the challenges we encountered there, this explanation does not ultimately point to a distinctive *non-democratic* wrong. And if it does not have to do with demos membership, it is difficult to see why the expressive effects of Betsy's and Bob's donations amount to a difference *in kind*. Indeed, it seems much more obvious that *if* there is an expressive difference, this is a matter of *degree*: that Betsy's donation to a larger extent than Bob's donation expresses that the citizens are unfit to manage their own affairs. But if so, this explanation does not identify a *distinctive* non-democratic wrong. Thus, if political donations by foreign billionaires constitute a distinctive wrong, this is not because it treats people (expressively speaking) as if they were children.

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<sup>62</sup> See Anderson and Pildes, "Expressive Theories of Law"; and Hellman, *When Is Discrimination wrong?*. Cornell, "A Third Theory of Paternalism," provides an expressivist view of what makes paternalism wrongful: it expresses the idea that the paternalizer knows better than the paternalizee. For criticism of Cornell's view, see Turner, "On the Expressive Theory of Paternalism."

### 3.2 None of Your Business

Let us instead turn to the idea that Betsy, by donating abroad, commits a distinctive non-democratic wrong by interfering in something that is none of her business (she lacks *standing* to interfere). As hinted at in the parenthesis, this is a matter of (lack of) standing. Now, what is standing?<sup>63</sup> Ori Herstein describes it well:

‘standing’ is a certain normative structure which regulates interventions into the affairs of others. From the point of view of the intervener, standing norms set conditions under which one is under a duty not to intervene (for example, one ought not make hypocritical requests). And from the point of view of those intervened with, standing norms determine how they may react to interventions performed under those conditions. Namely, if standing’s duty of nonintervention is breached, this triggers a *pro tanto* permission in the addressee to resist such interventions (for example, permitting disregarding a friend’s hypocritical request).<sup>64</sup>

Standing, or lack thereof, is most often discussed in relation to hypocrisy. Consider someone who regularly steals things. Such a person would be a hypocrite if they blame you for stealing, precisely because they often steal themselves. It is true that you should not steal. But because that person often steals themselves, they lack the standing to blame you for stealing. Thus, lack of standing is not a matter of whether what you did was wrong; it is a matter of whether someone is in a justified position to blame you for what you did.

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<sup>63</sup> For more on standing, see, e.g., Cohen, “Casting the First Stone”; Fritz and Miller, “Hypocrisy and Standing to Blame”; Howard and Pasternak, “Criminal Wrongdoing, Restorative Justice, and the Moral Standing of Unjust States”; Lippert-Rasmussen, *The Beam and the Mote*; Snedegar, “Meddlesome Blame and Negotiating Standing”; Tadros, “Poverty and Criminal Responsibility”; Todd, “A Unified Account of the Moral Standing to Blame,” and “Let’s See You Do Better”; Wallace, “Hypocrisy, Moral Address, and the Equal Standing of Persons”; and Yost, “Standing to Punish the Disadvantaged.”

<sup>64</sup> Herstein, “Justifying Standing to Give Reasons,” 2, see also “Understanding Standing.”

But you might also lack standing if you are interfering in something that is none of your business.<sup>65</sup>

Consider:

**Park Intervention.** Troubled by the scene of a young child picking on another child in the park, a bystander intervenes, ordering the child to stop.<sup>66</sup>

In this case, intervening by ordering the child to stop is none of the bystander's business. The reason for this, Herstein points out, is that the bystander does not stand in the relevant kind of relationship to the child. In Park Intervention, the relevant kind of relationship is guardianship, which is usually a prerequisite for ordering a child (not) to do something.<sup>67</sup> Thus, the bystander's interference is objectionable because they lack standing to interfere. What happens between the children is none of their business.

Perhaps billionaires donating abroad is objectionable for this reason as well. By donating, Betsy interferes in something that is none of her business, and this is what makes it objectionable. If the same cannot be said for Bob's donation, this points to a distinctive non-democratic wrong in Betsy's case. To evaluate this argument, we need to know what it takes for something to be none of one's business. Above, we saw that this can be the case if someone is not relevantly related to the person with which they interfere. In addition to this requirement, Kasper Lippert-Rasmussen also posits that for something to be none of one's business, one's interests must be unaffected. We need that condition partly to account for cases where something plausibly becomes the business of a third party even though that party is not relevantly related to the others (think, for example, of remote indigenous people's vulnerability to climate change due to other people's emissions):

*The relation and interest principle:* Y's  $\varphi$ -ing is none of X's business if, and only if

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<sup>65</sup> See also Radzik, "On Minding Your Own Business," and "On the Virtue of Minding One's Own Business."

<sup>66</sup> Herstein, "Justifying Standing to Give Reasons," 4.

<sup>67</sup> Herstein, "Justifying Standing to Give Reasons," 6.

(i) X and Y are not related in any special way such that Y's  $\varphi$ -ing is X's business by virtue of their relation and;

(ii) X's interests are either unaffected by Y's  $\varphi$ -ing, or affected by Y's  $\varphi$ -ing but X has either consented to their interests being affected in this way or has forfeited their right to have these interests protected or promoted.<sup>68</sup>

This is a conjunctive view, which means that something can be one's business either because one stands in a relevant relation to the one with which one interferes, or because one's interests are (relevantly) affected by that in relation to which one interferes.

The second conjunct shows us why the 'none of your business' explanation does not point to a distinctive wrong. As we saw in our discussion of the all-affected principle, both Bob's and Betsy's interests may be (relevantly) affected by the political system to which they make a donation.<sup>69</sup> If so, Bob and Betsy are not situated differently in the sense that whereas Bob has standing, Betsy does not. If there is a distinctive wrong in donating abroad, it is not identified by the 'none of your business' explanation.

### 3.3 Disregarding Your Co-citizens

Let us finally turn to the idea that Betsy, by donating abroad, commits a distinctive non-democratic wrong because she shows disregard for her co-citizens. In a recent discussion of *limitarianism*—the view that it is morally objectionable to be too rich, or to have too much<sup>70</sup>—David Axelsen and

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<sup>68</sup> Lippert-Rasmussen, *The Beam and the Mote*, 132.

<sup>69</sup> Lippert-Rasmussen's principle seems to track something along the lines of the all-affected principle (he points to "something like Mill's harm principle" (*The Beam and the Mote*, 131)), which is why our discussion of the all-affected principle is relevant here. But all our argument requires here is a view of interests where the relevant interests may be affected across borders. And that will indeed be the case on most (plausible) views. Also, insofar as there are (plausible) views on which this is not the case (perhaps some realist view), such a view will most likely be covered by our arguments in Sections 2.3 and 2.4. We thank an anonymous reviewer for relevant discussion here.

<sup>70</sup> On limitarianism, see, e.g., Axelsen and Nielsen, "What's Wrong with Extreme Wealth?"; Harel Ben Shahr, "Limitarianism and Relative Thresholds"; Berkey, "Limitarianism, Institutionalism, and Justice"; Huseby, "The Limits of Limitarianism"; Meijers, "Limitarianism and Future Generations"; Robeyns, "Having Too Much," "Why

Lasse Nielsen argue that extreme wealth adds an expressive wrong: “in retaining or wasting excess wealth while others have too little, the wealthy send a message of complete disregard for the interests of their co-citizens.”<sup>71</sup> They consider the following pair of cases:

**Extravagant Spending.** An extremely rich individual spends resources on covering the chairs of his yacht with whale foreskin, getting workers to carve his name into his privately-owned island in letters big enough to be seen from space, and gold-plating his toilet seats. At the same time, poorer members of society lack housing, education, and financial security.

**Bank Account.** In a society, some citizens have so much wealth in their bank accounts that they could spend thousands of pounds on extravagant meals every day for the rest of their lives, and still die rich. In the same society, other citizens use food banks because they cannot afford basic food items.<sup>72</sup>

Given these circumstances of inequality and insufficiency, having as much money as the upper class in Extravagant Spending and Bank Account takes on a different meaning: their excess suggests that they have nothing more important to spend their resources on, thereby expressing “complete disinterest, or even disregard”<sup>73</sup> towards their co-citizens. Indeed, their actions express towards their co-citizens that “your interests are of so little importance to us that we won’t even relinquish wealth, the absence of which wouldn’t prevent us from achieving anything significant, to help you get by.”<sup>74</sup>

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Limitarianism?”, and *Limitarianism*; Timmer, “Limitarianism”, “Presumptive Limitarianism,” and “Limitarianism, Upper Limits, and Minimal Thresholds”; Volacu, “Wealth, Political Inequality, and Resilience”; and Volacu and Dumitru, “Assessing Non-Intrinsic Limitarianism.”

<sup>71</sup> Axelsen and Nielsen, “The Expressive Injustice of Being Rich,” 3.

<sup>72</sup> Axelsen and Nielsen, “The Expressive Injustice of Being Rich,” 12.

<sup>73</sup> Axelsen and Nielsen, “The Expressive injustice of Being Rich,” 13.

<sup>74</sup> Axelsen and Nielsen, “The Expressive Injustice of Being Rich,” 13.

Suppose Axelsen and Nielsen are right about this. We may then use their idea to construct an argument for why Betsy commits a distinctive wrong by donating abroad. When her own political system is not functioning properly (e.g., if it gives rise to significant poverty and unmet urgent needs), Betsy expresses disregard for her co-citizens by donating to an election abroad. She is, in effect, telling her co-citizens that it is more important for her to promote her or other people's interests abroad rather than to promote the interests of her fellow citizens. This makes her donation distinctively expressively wrong. Is this the distinctive non-democratic wrong we have been looking for?<sup>75</sup>

We do not think so. It is easy to see why if we return to the example with which we started this paper: Steven Schuurman, the Dutch citizen who donated to political parties in both Germany and the Netherlands. It *might* be that if he had only donated to the German political party, he would have expressed disregard, or at least indifference, towards his co-citizens (assuming that the Dutch system was not functioning properly in some sense). But when he is *also* donating to a Dutch political party, it is hard to see why his donating abroad expresses distinctive disregard for his co-citizens. Or at least it is hard to see that *because he is donating abroad*, he expresses disregard for his co-citizens.

Moreover, a domestic donation might also express disregard for (some) co-citizens, e.g., if a person donates to a political party which already has much more money than other parties, or if that party only protects the interests of the rich upper class. If the society is marked by poverty and political inequality, it is hard to see that this donation is expressively unproblematic (at least if we assume that donating abroad expresses disregard for one's co-citizens when there is significant political

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<sup>75</sup> We treat this as a justice concern, and therefore a potential non-democratic wrong, and not as a democracy concern. Both versions could clearly be construed, but since we have already discussed the issue of identifying a distinctive democratic wrong in Section 2, we here explore whether there might be a distinct justice-related concern that can explain the distinctive wrongness of foreign donations.

inequality in one's domestic political system). Thus, this explanation does not identify a distinctive non-democratic wrong.

Perhaps there could be other explanations for why there is a distinctive non-democratic wrong. But we think that those we have discussed are the most obvious ones in this context, and we have struggled to come up with alternative explanations. Moreover, we suspect that if such alternative explanations were available, they would run into the same problems that we have posed for the explanations discussed in this section. This is not to say that there are no non-democratic wrongs at stake in the donation cases we have considered. We think there very well might be. It is just to say that the explanations above do not seem to point to a distinctive wrong in relation to foreign donations.

#### **4 Conclusion**

What, if anything, is wrong with billionaires, such as Steven Schuurman, donating to foreign political campaigns? In this article, we have argued that, surprisingly, there is nothing distinctively wrong with such donations. If a billionaire donation comes from abroad, we argued, this does not add anything distinctive—whether democratic or non-democratic—to the wrongness of the donation.

Where does this leave us? We would like to end by pointing to an interesting upshot of our argument. Importantly, saying that there is nothing distinctively wrongful about foreign donations does not mean that such donations are not wrong. In fact, our arguments are fully compatible with saying that such donations constitute both democratic and non-democratic wrongs, such as violating equal opportunity for political influence. But our arguments suggest that if foreign donations are wrong, they are wrong for the same reason(s) as domestic donations. We should thus treat them symmetrically, all else equal. This means that to the extent that we want to oppose foreign (billionaire) donations in politics—as we suspect many people would want to—we should

equally oppose domestic (billionaire) donations in politics. In this sense, our argument in fact adds further indirect support to the view that we should limit the role of money in politics.<sup>76</sup>

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