Dictatorship, coerced accomplices, and the helplessness of morality

In early May 2018, two days prior to Vladimir Putin’s fourth inauguration as Russia’s President, police arrested roughly sixteen hundred demonstrators throughout the country, about seven hundred of them in Moscow. Protesting electoral fraud, pervasive corruption, and general lack of government accountability, the demonstrators chanted “Down with the czar!” and “Putin is a thief.” Some, as the New York Times observed, “wore paper crowns as a taunt against Mr. Putin’s lengthy rule, now extending longer than any Russian leader since Stalin.”

The police, however, were not amused. Having declared the Moscow protest “an illegal assembly” mere moments after it began, officers “formed wedges and began thrusting into the crowd and grabbing protesters seemingly at random.” Alongside the riot police’s customary weapons, men in traditional Cossack attire were documented lashing protesters with leather whips, leading Amnesty International, for example, to criticize the regime’s “brutality.”

Few observers were surprised by this repression. After all, the Putin regime has had a long-established reputation for violently suppressing dissent and opposition. Multiple regime critics – journalists and political activists, former members of security forces, business tycoons - have had a direct taste of this reputation since Putin’s rise to power at the turn of the millennium. Their fates have included kangaroo trials leading to lengthy imprisonment under harsh conditions; physical attacks; death threats; and, in various cases, actual death, in more or less mysterious circumstances.

---

2 Kramer, Aleksei Navalny Detained.
Given the regime’s methods, it is clear that the demonstrators protesting Putin’s fourth inauguration showed morally laudable courage. But it also seems clear that such courage was supererogatory rather than morally obligatory. One can and should offer moral praise to the miniscule portion of Russia’s adult population, which took to the streets in May 2018 to protest Putin’s seemingly-perpetual grip on power. But it would be unreasonable to morally condemn the 99.99% of Russians who did not take to the streets. In fact, the expected cost of protesting may well make it offensive to claim that the average Russian is failing any moral requirement to demonstrate against Putin.

I take these observations to be fairly uncontroversial, if not with regard to current Russian affairs specifically, then at least at a sufficient level of generality. Even those who espouse a different view of Putin’s regime than the one I just presented, are bound to agree that are some costs such that, when a dictatorship is willing to impose them upon citizens, citizens cannot plausibly be seen as having a moral requirement to oppose the dictatorship – neither directly, through individual action, nor through attempts at collective action (given that it is precisely collective action that is often the focus of the dictatorship’s repressive efforts).

My aim here, however, is not to try to specify the exact location of the relevant “costs threshold.” Rather, I aim to explain why we can only obtain a complete picture of the perils inherent in dictatorship if we are alert to the very existence of this threshold – wherever we may choose to place it. My goal is to show that we must pay systematic attention to the fact that

---

7 Some moral philosophers doubt the very idea of supererogatory action. I will not try to confront these doubts here. For extended discussions, see David Heyd, Supererogation: Its Status in Ethical Theory (Cambridge: Cambridge University Press, 1982); Andrew Flescher, Heroes, Saints, and Ordinary Morality (Washington, DC: Georgetown University Press, 2003).

8 How precisely to conceptualize the mechanisms through which leaders of dictatorial regimes prevent collective action that would endanger them has been the subject of some scholarly debate, which I mostly bracket here. For two important treatments of different aspects of this issue see Timar Kuran, Private Truths, Public Lies: The Social Consequences of Preference Falsification (Cambridge, MA: Harvard University Press, 1995); Milan Svolik, The politics of authoritarian rule (Cambridge: Cambridge University Press, 2012). Some of my arguments below are inspired by Jon Elster’s response to Kuran. See Elster’s review of Private truths, public lies, in Acta Sociologica 39 (1996): 112 – 115.
ordinary citizens cannot be morally required to oppose a regime that crosses a certain level of repression. This fact, I shall argue, matters not only for our philosophical reflection, but also for our practical judgements as to how to deal with the dangers of dictatorship.

I develop these claims as follows. In section 1, I introduce the inquiry’s key terms, focusing on the idea of the helplessness of morality. Morality is “helpless,” on my usage of the term, in situations featuring a combination of two conditions. First, an extraordinarily bad state of affairs is either ongoing or about to occur. Second, all agents, or at least the overwhelming majority of agents, who might be able to stop or prevent this state of affairs, are very likely to incur such heavy costs if they attempt to do so, that they are not morally required to engage in any such attempt. In section 2, I explain why this combination is especially dangerous when considering those living under dictatorships, as compared to other cases in which morality might be helpless. In sections 3 and 4, I contend that the problem of morality’s helplessness in the face of dictatorship gives us important additional reasons to be concerned about dictatorship, over and above its more immediate substantive implications.

In sections 5 and 6, I consider several practical proposals meant to respond to morality’s helplessness in the face of dictatorship. The first proposal assigns special remedial responsibilities to ordinary citizens implicated in the dictatorship’s rise. The second assigns special ex-post duties of compensation to ordinary citizens implicated in the dictatorship’s rise. The third proposal, which I suggest is the most promising, puts strong emphasis on institutional measures aiming to prevent the rise of dictatorship ab initio. I argue that, understood as a response to the danger of morality’s helplessness, this ex-ante strategy gives us new reasons to appreciate some old ideas concerning domestic institutional design. This strategy also increases the appeal of various forms of preventative international action, which should accompany – and in some cases be incorporated into – preventative domestic measures.
1. Setting the stage

It is natural to begin by defining some key terms, starting with “dictatorship.” I define dictatorships as those regimes which *systematically* violate any plausible understanding of free and fair elections and rule of law. Dictatorships either do away with elections altogether, or (more commonly in the 21st century) deploy recurrent, wide-scale, electoral fraud. Dictatorships exhibit total de-facto immunity from the law for those who wield effective political power, alongside “trials by telephone” for any opponents facing a “legal” process. We may have doubts, in specific cases, as to where to draw the line dividing dictatorships from flawed democracies – that is, from regimes which take free and fair elections and the rule of law seriously, even if imperfectly. But here I will be interested in cases of clear-cut dictatorships – ones where such doubts do not even arise.

As I stressed above, I am especially interested in this essay in the connections between dictatorship and “the helplessness of morality.” I should therefore say a bit more about what I have in mind when using this term. To reiterate, I take morality to be “helpless” in situations where (1) an extraordinarily bad state of affairs is either ongoing or about to occur, and where (2) the overwhelming majority of agents able to stop or prevent this state of affairs are not under a moral duty to do so given the hefty costs involved.

As a way of making these conditions more concrete, consider a pair of examples. Suppose that, as a result of a natural disaster, several tourists are trapped in a cave, where they will soon die unless rescued. Only a few other tourists - scattered in the area surrounding the cave as a result of the same natural disaster – know about the trapped and are in a position to

---


try to rescue them. They cannot coordinate; each one of the potential rescuers can only rely on her small chance of being able to rescue the trapped on her own. But because of the many dangers inherent in the rescue effort, each potential rescuer faces a very high probability of death if they pursue the heroic option instead of leaving the trapped behind and heading to safety. In such a tragic situation, I believe, we may morally praise any potential rescuer who actually attempts the rescue, but we cannot see any of them as morally required to make this attempt. There is therefore a straightforward sense in which morality is helpless in the face of the tragedy.

There are also, however, other sorts of cases in which morality can still be seen as helpless, even if less straightforwardly. In these cases, an extraordinarily bad state of affairs is either ongoing, or about to arise, due to the profoundly wrongful actions of clearly identifiable perpetrators. Suppose, for example, that a gunman storms into a packed classroom, aiming to shoot as many high school pupils as possible. Even if the gunman will be subdued in case a sufficient number of pupils simultaneously jump at him – he will not be able to shoot all of them before one of them neutralizes him – none of the pupils (I assume) are under a moral requirement to incur the risk of death or grave injury by confronting the gunman.

In this case, unlike that of the cave, there is an agent who is clearly failing a moral requirement, and that, of course, is the gunman. But it is still true that the overwhelming majority of the relevant agents – a majority that includes all the pupils – is not failing any relevant moral requirement. Moreover, from the perspective of this majority, the obvious fact that the gunman is failing basic moral requirements provides no practical guidance. Simply insisting on this moral fact with regard to the perpetrator seems futile. The much more pertinent moral question is whether any of the victims ought to confront the gunman, in a situation where his grave wrongdoing is simply a given. Because the answer is “no” - because none of the pupils have a moral duty to confront the gunman, even if this means that he may very well
succeed in killing all of them - there is still a real (even if somewhat attenuated) sense in which here too, morality is helpless in the face of tragedy.

The examples I have just offered, and the differences between them, should make clear that the helplessness of morality is a scalar rather than a binary notion. Morality’s level of helplessness may vary, for example, in accordance with the extent to which moral requirements can be issued to human agents responsible for creating the bad state of affairs. Similarly, morality’s level of helplessness may vary in accordance with the extent to which moral requirements can be issued to some agents to compensate others for the relevant state of affairs (an issue to which I will return below).

However, once we recognize the scalar nature of morality’s helplessness, it may seem tempting to wonder why this notion is actually fruitful. If different situations feature different levels of “helplessness of morality,” is it not better to stick with the more straightforward observation, that certain costly actions are supererogatory, rather than morally required? What does the notion of morality’s helplessness add?

One answer to this question has to do with my emphasis, in the preceding examples, on the tragic aspect of certain collective problems. The class of costly actions that are supererogatory-rather-than-morally-required extends far beyond collective issues that can plausibly be described as tragic. It may be a subject of collective concern whether the holdings of a renowned art museum, for example, are expanded and made available to a larger portion of a city’s residents, irrespective of their income. And it is certainly plausible to say that an affluent person who donates a significant portion of her fortune to ensure more inclusive access to art is doing something that is supererogatory. But would be quite odd to say that because no individual is required to make such a donation, the problem of the general public’s access to art is so bad so as to qualify as “tragic.”
This general answer, in turn, is accompanied by a more specific answer, which focuses on the particular case of dictatorship. The invocation of morality’s helplessness is particularly apt with regard to dictatorship, not only because dictatorships generate extraordinarily bad states of affairs. It is also because there are several structural features of dictatorship – from the kinds of collective action they produce and prevent, through the vicious cycles they set in place, to their long-term effects – which cannot be fully grasped simply through the idea that certain actions on their victims’ part are not morally required. That idea may be the starting point of the analysis, but it cannot be the ending point. The grander notion of “morality’s helplessness” is therefore important in order to truly capture these structural features, and their tragic character. Or so, at least, I shall argue in the sections that follow.

2. What makes morality’s helplessness in the face of dictatorship special?

With these remarks in mind, let us now compare, in a bit more detail, the case of opposition to dictatorship to smaller-scale cases of morality’s helplessness, such as that of the gunman.

These cases share one obvious similarity: the grave problems they features originate in culpable human agents, rather than (as in the cave case) in non-human forces. But there are also several differences that set the case of dictatorship apart. Two of these differences are especially important here. First, there is the very different role played by government. In smaller-scale cases of helpless morality, government is supposed to be a key part of the solution. While morality may be helpless in guiding victims’ response to perpetrators, and while it may be beside the point to insist that perpetrators are violating moral requirements, it is not at all beside the point to insist that the government ought to respond to these violations. Although morality seems helpless in guiding pupils’ response to the gunman, for example, and although it seems futile to emphasize that the gunman ought not do what he is doing, there is
nothing futile about insisting that the government ought to tackle the threat posed by gunmen in general - for instance, by enacting and enforcing commonsense gun control regulations.

In the case of opposition to dictatorship, in contrast, morality’s helplessness is greatly amplified by the fact that government, rather than being a key part of the solution to the tragedy, is the core cause of the tragedy. It is therefore futile to develop any kind of moral expectation with regard to the government’s conduct: the government’s wrongdoing, for practical purposes, has to be taken as a given.

This observation leads to the second distinctive feature of the dictatorship case. Once we take the perpetrators’ wrongdoing as a given, we can say that in the case of dictatorship, morality’s helplessness in guiding the response to the perpetrators increases with each round of wrongdoing, whereas this is true not true for smaller-scale cases. Consider the gunman case again. After the umpteenth mass shooting, the moral requirement for the authorities to act to stop such carnages is at least as strong – if not stronger – than it was after the first such incident. In contrast, in the case of dictatorship, almost every time that perpetrators achieve their goals – every time they suppress opposition and dissent - the costs of future opposition and dissent increase. Consequently, it becomes increasingly hard to insist on a moral demand to oppose the perpetrators.

The example of Putin’s Russia is again illustrative. In 2012, more than a hundred thousand demonstrators throughout Russia protested the country’s previous rigged elections. Even when faced with such numbers, the regime chose (eventually) to end dissent by sentencing demonstrators to years in prison, and by deploying violence against those who publicly opposed the harsh sentences.11 The predictability of this repression arguably meant that no individual Russian was morally required to protest in 2012. Yet the memory of that

very repression - and of its eventual success in quelling large-scale protests – made it even more natural to think that no one among the (far smaller) number of protesters who demonstrated Putin’s fourth inauguration had a moral duty to take this public stand against the regime. Similarly, the memory of the lashings of 2018 will be relevant if and when Putin’s fifth inauguration comes in 2024; at that point, it will be harder still to morally blame any Russian who would prefer to avoid the wrath of the “21st century Czar,” rather than protest yet another rigged election. In other words, when opposition to dictatorship is the issue, morality’s helplessness is self-reinforcing.

**3. Agency and the significance of morality’s helplessness**

These remarks, however, are not conclusive. This is because some readers, at least, may grant that the case of dictatorship differs from smaller-scale cases of morality’s helplessness, but wonder whether that is really significant. Why – such readers will ask - should we be so moved by morality’s helplessness in the face of dictatorship?

I am not sure I can offer an answer that will fully convince the most trenchant skeptic here. But I do think that the question is important enough to warrant some elaborate responses. I therefore wish to offer two such responses – one in this section, and another in section 4.

My opening response, stated first in compressed form, runs as follows. Our sense of agency is a key component of our normal orientation to collective affairs, as is attested by our instinctive alarm at, and suspicion towards, accounts of collective problems that deny this agency. Our normal ability to invoke morality’s requirements as a practical guide is, in turn, a significant part of our agency in relation to collective problems. This ability underlies the practical hope we normally retain with regard to collective problems, as well as our moral duty to act on this hope. For all of these reasons, it matters greatly that dictatorships which cross a certain threshold of repression render morality helpless as a practical guide for their victims.
Let me now unpack this compressed formulation, starting with what I take to be an intuitive assumption. There is something deeply distressing about an account of grave collective problems that offers an extremely deflationary view of ordinary citizens’ agency. An account that portrays the overwhelming majority of ordinary citizens as having no agency in relation to such problems is suspicious, insofar as it casts human-made predicaments as effectively equivalent to natural disasters: it suggests that ordinary citizens can only “brace for impact” and pray for the best.

This parallel with natural disasters – to which I will return several times – is instinctively alarming. Moreover, it is precisely because this parallel deprives us of agency in relation to the social world, that we usually have reasons to distrust it and even to treat it as objectionable. This is evident, among other things, in the appropriate attitude towards misleading denials of agency. When grave collective problems that are clearly subject to human control are being presented as “out of our hands,” we are inclined – and should be inclined – to respond with indignation. To take another aspect of the problem of gun violence: when, for example, “gun rights” proponents argue that “there is nothing we can do” in the face of recurrent mass shootings, we have ample grounds for rejecting their claims as not only false but reprehensible. Examples such as this suggest that we usually take very seriously - and have ample reason to take very seriously - our agency in relation to collective problems.

In turn, our ability to invoke moral requirements is itself an important part of our agency – an important causal lever we may try to pull in order to exert a practical impact on the social world. Therefore, our ability to invoke moral requirements is also an important source of practical hope. Moreover, this source of hope can itself be the source of moral duties.

---

12 See, e.g., “Nothing we can do” and other lies about gun violence,” Huffington Post, October 9, 2015, at https://www.huffingtonpost.com/jim-wallis/nothing-we-can-do-and-oth_b_8269146.html
To illustrate the kind of hope and duties I have in mind, consider another pair of examples. Imagine a poor tribal society that has long worked to cultivate and preserve certain resources essential to its economy and cultural traditions. It turns out, however, that there is a ninety nine percent probability that these resources will be destroyed in an impending natural disaster. This disaster is not due to any human forces, nor can any human forces prevent or even ameliorate it. Now consider a variant of this case, featuring the same poor tribal society that is dependent on the same resources in the same ways. This time, however, this society is facing a distinctly human-made threat. An extremely powerful foreign nation has just devised new technologies. These technologies will make it virtually costless to siphon off the relevant resources away from the tribal society. The same technologies will also allow the powerful foreign nation to derive enormous economic benefits from the relevant resources. Moreover, credible press reports strongly suggest that the recently elected president of this powerful country is extremely keen to deploy the new technologies to these rapacious ends. Well-placed journalists estimate that there is a ninety nine percent probability that the president will proceed with this plan.

In one sense, the tribal society is facing an identical substantive problem across both scenarios: whether nature takes its resources away, or whether predatory foreigners spirit them away, the same fate looms the day after, with the same probability. And yet, there is at least one obvious and crucial difference. In the former case, one may sensibly feel practically helpless with regard to developments. Once news comes out that the natural disaster will strike, one can do nothing but watch the disaster unfold. In the latter case, however, there is surely at least one thing that we can and ought to do: namely, to protest any plan to deprive the poor society of its resources as deeply unjust, and as something that – simply in light of its injustice – ought not happen. There is, of course, no assurance that such moral protests will work. The greedy president may simply refuse to listen to the protesters, and other politicians who are in
a position to restrain him may refuse or simply fail to do so. But the moral duty to protest clearly stands regardless: the potential protesters have no moral license to simply abandon the hope that protesting can make a practical difference – both directly, by shaping policy decisions, and indirectly, by increasing the likelihood that other decision-makers will be in office after the next election.\(^\text{13}\)

Why do all these points bear on the case of dictatorship that is our interest here? The answer is simple. The realities of a dictatorship that crosses a certain threshold of repression present a mirror image, not only of our normal ability to invoke moral requirements as a practical guide, but also – in consequence – of the practical hope associated with this ability. Insisting that the key perpetrators of the dictatorship’s wrongs ought to change their behaviour is practically useless, since they are effectively immune to moral appeals. Insisting that government ought to confront the perpetrators is not plausible either, since it is comprised of the perpetrators. And insisting that the dictatorship’s victims ought to confront it is implausible given the severe costs that such confrontation entails. As a result, we can say that once a dictatorship’s repression crosses a certain threshold, it has the effect of *silencing morality* as a practical force. This effect, in turn, is tragic, insofar as it means that, from morality’s own perspective, the disasters of dictatorship do begin to look a lot like natural disasters: these disasters may be averted or mitigated through sheer luck, for example, but they are not really subject to any meaningful control.\(^\text{14}\)

---

\(^\text{13}\) For an extended argument to this effect, see Alex Zakaras, “Complicity and coercion: Towards an ethics of political participation,” In David Sobel, Peter Vallentyne, and Steven Wall (eds.,) *Oxford studies in political philosophy* 4 (2018): 192-218.

\(^\text{14}\) Putting aside, temporarily, the question of how foreign actors can – and ought to - respond to such disasters.
4. The phenomenology of dictatorship

With these points in the background, let me turn to a second argument for why morality’s helplessness in the face of dictatorship matters. This argument harks back to a suggestion made by Bernard Williams several decades ago. In *Ethics and the Limits of Philosophy*, Williams noted the possibility of “a way of doing moral philosophy” that would highlight

...the ways in which we experience our ethical life. Such a philosophy would reflect on what we believe; feel; take for granted; the ways in which we confront obligations and recognize guilt and responsibility; the sentiments of guilt and shame. It would involve a phenomenology of ethical life.\(^\text{15}\)

In this spirit, I want to show that sustained attention to morality’s helplessness is necessary for a complete understanding of what we may call the *phenomenology of dictatorship*. The notion of morality’s helplessness is important partly because it provides us with a much more holistic ethical picture of “what is it like” to live under dictatorship. More specifically, I believe that this notion captures just how far the tragedy so often inherent in dictatorship can extend – going beyond the dictatorship’s obvious victims, as well as beyond the period of dictatorship itself.

My argument for this belief begins with the following observation. Dictatorships that endure for a sustained period, and that make resistance so costly so as to render morality helpless as a guide for their opponents, tend to stand out in collective consciousness. Such dictatorships typically have a wide-ranging traumatic impact on the societies where they have existed. But this impact cannot be reduced to any mere counting of their most obvious victims – not even to any sum of deaths they have brought about. That such a reduction is implausible seems clear when we consider other lethal collective problems, such as traffic accidents. Augusto Pinochet’s military dictatorship, for instance, has had a far more central place in the collective consciousness of Chilean society – including, for example, this society’s public

discourse, political arguments, and education system - than Chile’s traffic accidents.\textsuperscript{16} This difference makes eminent sense, even though, taken over any sixteen year period in its modern history, the number of deaths from traffic accidents in Chile vastly exceeds the number of deaths brought about by the sixteen years of Pinochet’s regime.\textsuperscript{17}

To the extent that this example can be generalized, it suggests that there is something further, beyond the most extreme and direct results of their violence, which explains dictatorships’ traumatic impact over societies that have suffered under them. That “something further,” I believe, has to with the fact that at least in many dictatorships, the vast majority of the regime’s subjects have been actively implicated in its survival and perpetuation. Crucially, this includes many subjects who can plausibly be seen as victims of the dictatorship themselves.

This ubiquitous ambivalent status – at once a victim of the dictatorship and an accomplice serving it – stems directly from the helplessness of morality. Precisely because of the prohibitive costs of opposition to dictatorship that render morality helpless, many individuals may very well find themselves forced into complicity in the regime’s survival and perpetuation, even while being its victims in various ways.

This common predicament has been central to some of the most evocative works by political dissidents. Václav Havel, to give just one prominent example, made this predicament the centrepiece of his most famous text. In \textit{The power of the powerless}, Havel portrays even the most ordinary people going about their normal business in Czechoslovakia behind the iron curtain as both victims of the communist dictatorship and accomplices helping to perpetuate it. This is true, Havel notes, of the greengrocer who places a “workers of the world unite” slogan

\begin{footnotesize}
\begin{enumerate}
\item On this central place, see, e.g., Heraldo Munoz, \textit{The Dictator’s Shadow: life under Augusto Pinochet} (New York: Basic Books, 2008).
\item The Pinochet dictatorship is estimated to have killed roughly four thousand people. According to the World Health Organization, in 2016 alone, more than half that number of Chileans died as a result of traffic accidents. See www.worldlifeexpectancy.com/chile-road-traffic-accidents. See also Tamara Otzen, Antonio Sanhueza, Carlos Manterola, Monica Hetz, and Tamara Melnik, “Transport accident mortality in Chile: trends from 2000 to 2012,” \textit{Ciência & saúde Coletiva} 21 (2016): 3711-3719.
\end{enumerate}
\end{footnotesize}
at his store window, because he knows that this is what the authorities expect of him. But the same is true of the office worker who ignores the greengrocer’s slogan when passing by his shop, though she “may well have hung a similar slogan just an hour before in the corridor of the office where she works.” Like so many other ordinary people, both of them

…do what is done, what is to be done, what must be done, but at the same time—by that very token—they confirm that it must be done in fact. They conform to a particular requirement and in so doing they themselves perpetuate that requirement…by exhibiting their slogans, each compels the other to accept the rules of the game and to confirm thereby the power that requires the slogans in the first place. Quite simply, each helps the other to be obedient. Both are objects in a system of control, but at the same time they are its subjects as well. They are both victims of the system and its instruments.18

This reasoning leads Havel to conclude that – at least in certain dictatorships - the line that is commonly used to “divide society into the rulers and the ruled….runs de facto through each person, for everyone in his own way is both a victim and a supporter of the system”:

What we understand by the system is not, therefore, a social order imposed by one group upon another, but rather something which permeates the entire society and is a factor in shaping it, something which may seem impossible to grasp or define…but which is expressed by the entire society as an important feature of its life.

…If an entire district town is plastered with slogans that no one reads, it is on the one hand a message from the district secretary to the regional secretary, but it is also something more: a small example of the principle of social auto-totality at work…it draws everyone into its sphere of power, not so they may realize themselves as human beings, but so they may surrender their human identity in favor of the identity of the system, that is, so they may become agents of the system’s general automatism and servants of its self-determined goals, so they may participate in the common responsibility for it.19


Shmuel Nili, Northwestern/ANU

Now, part of the reason why such accounts of dictatorship are so unsettling, is that they present a regime that turns innumerable individuals into *instruments in their own subordination*.\(^{20}\) This harrowing process, in turn, stands in a complicated relationship to other contexts which - while certainly more extreme - share something of the same structure of “forced self-betrayal.”\(^{21}\) Contexts like torture and rape, for example, obviously generate far more repugnance much more immediately than the abstract threat of sanctions in case of refusal to toe the party line. But there is nonetheless an important structural parallel here, insofar as these contexts too feature a victim who is forced, in David Sussman’s words, “into the position of colluding against himself through his own affects…so that he experiences himself as simultaneously powerless and yet actively complicit in his own violation.”\(^{22}\)

There is also, however, another way in which it is instructive to compare abstract dynamics of the kind that Havel emphasized with concrete practices such as torture. When one thinks of specific, highly-placed individuals who have been responsible for torture – when we think, for example, of the commanders of a torture center under a military regime - we have a certain sense of *moral clarity* that accompanies our moral outrage. There is no ambiguity whatsoever about these individuals’ moral status: the only thing one is inclined to say about them is simply that they are perpetrators of heinous wrongs, who ought to be punished accordingly. Things look different, however, when one thinks about individuals – especially lower-level individuals – who have been implicated in the far less gory processes through which a dictatorship renders its subjects into instruments in their own subordination. Here, although the implicated individuals occupy a distinctly coercive position vis-à-vis their victims,

\[^{20}\] Can democratic governments too pursue policies that entrap citizens, and subvert their moral agency? I believe so (for an insightful analysis, see Jeffrey Howard, “Moral Subversion and Structural Entrapment,” *The Journal of Political Philosophy* 24 [2016]: 24-46). But I also am inclined to think that the difference in degree here between democracies and dictatorships is significant enough to amount, for all practical purposes, to a difference in kind.


there is also a sense that those doing the coercing are ultimately disempowered much like the targets of coercion – thus blunting the edge of moral criticism. Havel conveys precisely this thought when discussing those who effectively have no choice but to punish the grocer if he “stops putting up the slogans merely to ingratiate himself,” and more generally attempts to express even the most modest dissent:

The bill is not long in coming. He will be relieved of his post as manager of the shop and transferred to the warehouse. His pay will be reduced. His hopes for a holiday in Bulgaria will evaporate. His children’s access to higher education will be threatened.

Most of those who apply these sanctions, however, will not do so from any authentic inner conviction but simply under pressure from conditions, the same conditions that once pressured the greengrocer to display the official slogans. They will persecute the greengrocer either because it is expected of them, or to demonstrate their loyalty, or simply as part of the general panorama, to which belongs an awareness that this is how situations of this sort are dealt with…particularly if one is not to become suspect oneself. The executors, therefore, behave essentially like everyone else, to a greater or lesser degree…as petty instruments of the social auto-totality.23

It seems quite difficult to pass an unequivocal moral judgement on all the ordinary individuals implicated in such ways in the “social auto-totality” of dictatorship. This difficulty, of course, is a direct implication of morality’s helplessness in the face of dictatorship. But this helplessness also has further, related but more indirect implications.

First, there is what one might term joint indignity. Both the person (or group) being coerced on a given occasion, and the person (or group) doing the immediate coercing, recognize that each side is equally trapped into performing a role in the service of the regime. The target of coercion may recognize, for example, that had he been in the coercer’s shoes, the cost of deviance from the regime’s dictates would have made him behave in exactly the same way. Thus – to give an example from Poland around the time that Havel was writing – a young women may recall the “humiliation of having to parrot the party line when addressing a group

of Girl Scouts under the surveillance of a party officer." But she may recognize the likelihood that she would have behaved in exactly the same fashion where she placed in the officer’s position, given the costs of deviance. In fact, she may have been behaving in precisely this fashion in other social contexts. And finally, she may also recognize the likelihood that the officer experienced parallel humiliation upon being forced to recite, in the presence of his immediate superiors, a variety of “goals” and “achievements” that neither he nor his superiors believed in.

All of these points, in turn, would yield very different results than the results that we typically associate with being on the receiving end of wrongdoing. Rather than demanding an apology and compensation, at least at some future point in time – rather than insisting on being “made whole” to the greatest extent possible – we can expect the victims of such everyday wrongs to experience a joint indignity with those who execute their humiliation. Insofar as the victims know that they would have behaved just as the other person does had their roles been reversed, and insofar as the victim recognizes that he or she may in fact have already been behaving in the same way in other domains, they have little basis for condemning the person they are facing. Instead, both sides share in a type of collective humiliation, and both sides know that they share it. “The situation,” as one observer of communist dictatorship put it, “is an embarrassing one: everyone is aware of the ridiculous and undignified role he plays in this charade.”

---

25 Quoted in Andrew Welder, Communist neo-traditionalism (Berkeley: University of California Press, 1986), 157. It may be tempting to think that there is something unique about Cold War era. But it is not at all obvious that things are very different for ordinary people who have to “parrot the party line,” for example, as part of the personality cult surrounding 21st century leaders –from Iran, through Venezuela (or even Turkey) to present day Russia and China. See, e.g., Javier Hernandez and Audrey Carlsen, “Why Xi Jinping’s (Airbrushed) Face Is Plastered All Over China,” New York Times, Nov. 9, 2017.
This awareness – of one’s own humiliation, as well as of the similar humiliation faced by so many others – engulfs even those not typically seen as the classic victims of dictatorship in a kind of malaise that often outlives the dictatorship itself. In the aftermath of dictatorship, the victims of the regime’s gravest wrongs – think, again, about those who have suffered actual torture – unequivocally occupy the position of accusers, who (typically) seek official recognition of the wrongs done to them by seeing the key perpetrators facing severe official sanctions. But it is far less plausible for the much larger portion of the population who did not incur such immense suffering to claim any higher moral ground, allowing them to look down on the accused. Instead, in the aftermath of dictatorship, the members of this majority stand in an uncomfortable horizontal relationship to one another. The most that the members of this majority can hope for is a kind of reciprocal, tacit agreement, to forget each other’s myriad humiliations, precisely because of their joint awareness of morality’s helplessness – of the fact that no member of the majority was morally required to act differently towards other members. This tacit agreement to forget, in turn, may encompass the petty humiliations that such individuals have inflicted on one another in everyday life under dictatorship, in their respective roles as the regime’s forced accomplices, as well as the humiliations that each member of this majority witnessed others enduring without resistance.

A few more remarks are worth making on this collective forgetting. First, it provides part of the explanation for why it is so tempting for societies burdened with the legacy of dictatorship to try to behave, as the Spanish for example had long done, almost as if the dictatorship never really existed: as if entire decades of the collective record have simply been
erased. To be sure, there are typically strong moral grounds to oppose such erasure. Yet seeing precisely why this erasure represents a deep and recurrent temptation for societies traumatized by dictatorship is important in and of itself.

Second, following closely on the heels of the interpersonal experience of shared humiliation, there is also the prospect, post-dictatorship, of intergenerational conflict about morality’s helplessness. Intense social conflict may very well arise as later generations are tempted to accuse the preceding generations of repressing deeply troubling truths about complicity in dictatorship – as has been evident not only in the aforementioned Spain, but also (to name just a few further examples), in France, in Lithuania, and, of course, in Germany. Along similar lines, later generations may also be tempted to accuse their predecessors of having failed to stand up to the regime in the moments that mattered. The predictable response from the older generation – “it is far too easy to issue moral criticism when you did not experience that repression yourself” – will not be long in coming. And, however we may choose to adjudicate such disputes from an impartial perspective, their social costs are real.


27 I elaborate some of these grounds in *The people’s duty* (Cambridge: Cambridge University Press, forthcoming), chap. 3.


30 See, e.g., Philipp Gassert and Alan Steinweis, (Ed.), *Coping with the Nazi past: West German debates on Nazism and generational conflict, 1955 – 1975* (New York: Berghahn, 2007); Jeffrey Olick, *The Sins of the Fathers: Germany, Memory, Method* (Chicago, IL: The Chicago University Press, 2016). *Contra* Hanna Arendt, for example, I am inclined to think that the ubiquitous references in German public discourse to “collective responsibility” for the crimes of the Third Reich, and even to the enduring burdens that these crimes impose on later generations, is neither “wrong” nor “confused.” At the very least, as an extensive literature on collective agency has shown in recent years, separating individual from collective responsibility is often far from the “simple matter” that Arendt suggested it is. Nor do I see why Arendt thinks that an emphasis on collective responsibility for heinous crimes necessarily obscures the special responsibility of specific individuals for these crimes. See Hanna Arendt, “Personal responsibility under dictatorship,” in *Responsibility and judgement*, ed. Jerome John (New York: Schocken, 2003): 17-48, at 28-29.
Finally, alongside these collective conflicts, there is also the *intrapersonal* conflict associated with morality’s helplessness in the face of dictatorship. The ambivalent status induced by this helplessness – the status of both a victim and an accomplice in dictatorship – can be expected to yield self-doubt and, at the limit, even self-contempt. This, at least, will be the fate of many ordinary individuals who have repeatedly found themselves coerced into complicity with the regime. Being repeatedly forced to profess allegiance to values one detests, to feign admiration for leaders that one despises, and more generally to “live within a lie” (to use Havel’s famous expression) may very well lead one to experience the period of dictatorship, and even its memory, as an acute threat to one’s self-respect. This threat may result from enduring doubts about one’s moral judgements (“Did I actually have more opportunities for resistance than I let myself think?”). The same threat may also result from enduring doubts about one’s own motives (“did I toe the party line out of legitimate motives, such as the need to protect my family from the regime, or out of sheer cowardice”?). To be sure, the loss of self-respect associated with these forms of self-recrimination is not nearly as grave a problem as the most obvious harms that a dictatorship inflicts on its most obvious victims.  

But this loss too must be taken into account when seeking a complete picture of the phenomenology – and, indeed, the tragedy - of dictatorship.

5. Possible remedies

If my arguments up to this point have been cogent, then the helplessness of morality in the face of dictatorship is a non-trivial problem. In the remainder of this essay, I want to explore some proposals as to how to deal with this problem. All of these proposals revolve around ex-ante

---

responsibility for the rise of dictatorship. But each proposal highlights different practical implications that follow from this responsibility.

The first proposal is that individuals who have been implicated in special ways in the dictatorship’s rise acquire especially demanding duties to oppose the dictatorship, notwithstanding the hefty costs entailed by opposition. These individuals, the thought goes, ought to lead the collective effort to overcome dictatorship. And if they assume this leading role, this will go a long way towards pre-empting the collective action problems and the aforementioned vicious cycles that haunt attempts to organize opposition.

Despite its surface appeal, this proposal faces several difficulties, which we may mention in ascending order of significance. First, the proposal is too indeterminate in its practical verdicts, especially when it comes to initiating collective action. Suppose for instance that, prior to the dictatorship’s rise, I am guilty of some special failure which makes the dictatorship’s emergence more likely. Where exactly does that failure place me in the sequence of initiating collective action against the regime, in relation to several other individuals, each of whom is guilty of a qualitatively different failure? Moreover, how do we identify which ex-ante failure should be matched with which ex-post activity against dictatorship?

Second, any attempt to apply the proposal would have to overcome the formidable obstacle of classifying the moral status of culpable omissions. We may, for example, exclude omissions entirely – picking out only those individuals who have been implicated in the rise of dictatorship through specific acts (specific forms of violence, for instance). But this would render the proposal too narrow in its scope to make a practical difference. On the other hand, incorporating omissions into the proposal – assigning special remedial responsibility to any subject of the dictatorship guilty of failing to act in certain ways when the dictatorship was emerging – would yield the opposite problem. Alongside worries about arbitrariness (which
omissions should be singled out as grounding special remedial responsibilities? Why these particular omissions rather than others?), such a rendition of the proposal would seem to make the category of “special responsibility” too broad: too many individuals will find themselves with “special” ex-post responsibilities to stand up to the regime.

The third problem with the proposal, however, is probably the most significant. Whenever a dictatorship comes to power, there is a very real risk that it will be there too long for the generation guilty of bringing it about to be in a position to act against it – or to even be around at all. The vicious cycles described above may provide part of the explanation for why this is so. But various other vicious cycles reinforce the same point. There are various contexts where each success by a dictatorship in cementing its hold on power increases the chances of even larger such successes down the line. This is true when considering, for example, “the marketplace of ideas”: every time a dictatorship manages to supress critical media outlets, its prospects of being able to do the same thing to other media outlets increase (backed by the force of precedent as well as enhanced control over public discourse). Similarly, as multiple social scientists studying “the resource curse” agree, every time a dictatorship consolidates its control over precious natural resources, it increases its future chances of being able to use natural resource wealth to buy off opposition, and to fund its means of repression. Many more examples could be given along similar lines. But they all lead to the same conclusion: once entrenched, dictatorships may very well endure for a very long period indeed. And whenever that is the case, insisting that the “first generation” of dictatorship bore special responsibility for its emergence, and therefore has special remedial responsibilities, seems like a moot point.

It is certainly plausible to say, for instance, that the millions in Iran who welcomed the Ayatollahs as saviours, following the overthrow of the Shah in 1979, bore a special responsibility for the Ayatollahs’ dictatorship. But the special responsibility of those who were politically active forty years ago may very well be practically inert at present, doing little to help teenagers currently suffering under the Ayatollahs.

We these points in view, let us turn to consider another possible approach. This approach too highlights the special responsibility of those individuals implicated in the dictatorship’s rise. But it casts this responsibility as grounding a special duty to compensate other members of society following the demise of dictatorship, rather than a special duty to bear costs to bring this demise about.

One problem with this view follows directly from the last criticism I just made. Once a dictatorship has endured long enough, the generation responsible for its emergence is not going to be around at the dictatorship’s demise to provide compensation for its failures. Another problem has to do with implementation challenges, which, once again, seem extremely difficult to resolve. What kind of compensation should correspond to what form of support for dictatorship? How should the required compensation be adjusted to reflect attenuating circumstances, such as blameless ignorance of leaders’ plans to create a dictatorship?

The most serious problem, however, has to do with the mechanism for structural change. The fact that compensation will be given in the aftermath of dictatorship does little if anything to prevent the re-emergence of dictatorship in the – possibly quite near – future. In a country that has been repeatedly plagued by military coups, for example, the main priority should clearly be to devise a systematic solution to the fact that military dictatorships constantly re-establish themselves, rather than to try to devise an ex-post compensation scheme for each period of dictatorship.
6. Ex-ante prevention
This is where my favored alternative comes in. Proposals that focus on the aftermath of dictatorship (on or the aftermath of its rise) are, in my view, secondary to preventative measures, aiming to reduce as much as possible the danger of dictatorship arising in the first place.

One fairly obvious implication of this emphasis on ex-ante prevention is increased support for continuous political engagement on the part of democratic citizens: the preceding arguments make ordinary citizens’ vigilance in protecting democratic institutions even more essential than it may otherwise seem. But in this final section, I want to focus less on individual duties, and more on institutional design. I start by explaining how the preceding analysis casts a new light on some proposals for domestic institutional design (6.1, 6.2). I then show how this analysis also amplifies the appeal of some more novel proposals, linking domestic institutions to international actors (6.3).

6.1 Term limits
We can start to develop these contributions by considering one of the most familiar constitutional constraints meant to prevent the rise of dictatorship: term limits for the most senior elected offices. More specifically, we can start with the difficulties that beset the standard justification of such term limits – and other constitutional constraints on electoral choices. We can then see how the arguments laid out in the preceding sections allow us to avoid these difficulties.

The standard conception of constitutional constraints on electoral choices views these constraints as a way for the people to protect its long-term interests from its own short term impulses and temptations. The people as a collective agent might very well be tempted to vest executive power in the same individual time and again, possibly even over decades. But the
people’s long-term interests are better served by it “pre-committing” not to do so, just as it can be rational for an individual to bind himself at an early point in time, so as to resist temptations he knows will come his way later on. It is this thought that explains why the image of Ulysses deciding to have himself tied to the mast, to resist the sirens he knows he will encounter later in his journey, is so central to much constitutional theory. By committing to constitutional constraints on its own choices, the people as a collective agent, just like Ulysses, does the rational thing - pre-empting temptation through self-binding. As Stephen Holmes for example put it: “A constitution is Peter sober, while the electorate is Peter drunk. Citizens need a constitution, just as Ulysses needed to be bound to his mast.”

There are, however, two key problems with this standard account. First, as various theorists have noted, it is not at all obvious whether, on the standard picture, rationality and pre-commitment really combine in any stable or fruitful way. This is true for agents in general, and for the people as a collective agent in particular. Suppose, for example, that the people adopt, as part of a democratic constitution, a strictly enforced term limit prohibiting any president from serving more than two terms in office. At the end of her second term, a given incumbent enjoys enormous popularity, with all reliable polls showing that she would have won by enormous margins against any relevant contender had she been eligible for a third term. Why, in such circumstances, would it be rational rather than irrational for the people to insist on the constitutional requirement that the incumbent leave office?

A second, very much related problem concerns paternalism. If insisting on the enforcement of term limits is supposed to be uniquely rational, independently of whether the people actually prefer the incumbent over all relevant alternatives on election day, then this

unique rationality does not seem like it is really traceable to any pre-commitment made by the people. Rather, it is traceable to a substantive judgement made by others, that a failure to enforce term limits represents a failure, by the people as a collective agent, to act in accordance with its own best interests, objectively understood. But this means that the image of self-binding – of Ulysses himself choosing to be tied to the mast – is misleading. The more appropriate image is that of a person who is being tied up in the name of his own best interests, regardless of whether or not he “pre-commits” to being tied.

The extent to which one finds such an image objectionable obviously depends on one’s general views regarding the permissibility of paternalism. Here I only want to note that even those of us happy with certain forms of paternalism regarding everyday individual conduct (such as the paternalistic legal requirement to put on seat belts while in a car) may very well hesitate to endorse paternalistic views regarding collective affairs. This is especially true, moreover, for those of us who espouse strong democratic convictions. The more one believes, with Rousseau, that the sovereign people has the moral prerogative to set back its own interests, the more suspicious one is going to be towards paternalistic constraints on the people’s choices.35

Now, there is obviously much more that could be said about both of the two problems I have just noted. There might be some complex argument which deals with the challenges regarding rationality and pre-commitment.36 There might also be some complex argument which deals with the challenge of showing that term limits are paternalistic in a way that democrats can accept. So I do not mean to foreclose the possibility that these challenges can be met. What I do want to say is that we can bypass these challenges altogether, if we focus on

35 “A people is in any case always master to change its laws, even the best of them; for if it pleases to harm itself, who has the right to prevent it from doing so.” Jean Jacques Rousseau, “The Social Contract,” in Victor Gourevitch (ed.), The Social Contract and other later political writings (Cambridge: Cambridge University Press, 1997), Book 2, chap. 12, 2.
36 Rubenfeld tries to develop such an argument in Freedom and time, passim.
a moral rather than rational argument for term limits, which follows directly from morality’s helplessness in the face of dictatorship.

The moral argument that I have in mind is this. A democracy’s collectively sovereign citizens have strong – and normally decisive - moral reasons to enact constitutional constraints that will prevent both themselves, and future generations in their society, from being trapped into the moral helplessness that dictatorship induces. Such constraints are licensed not only by the direct threat that dictatorship often poses to citizens’ basic interests. These measures are licensed also by the important loss of agency that follows (as I argued earlier) from morality’s helplessness in the face of dictatorship, and from the contribution that this helplessness makes to the vicious cycles of dictatorship.

Here is another way of making the same point, focusing specifically on the generational issue. Even if the helplessness of morality associated with dictatorship seems to lie only in the (possibly quite distant) future, it is still true that any given generation living under a democracy has strong moral reasons to try – through constitutional constraints such as term-limits – to preempt such helplessness. These moral reasons are strong, precisely because (or at least partly because) of the understanding that the future dictatorship’s victims may very well be locked into their predicament, unable to invoke morality vis-à-vis one another, as a causal lever that can help theme escape this predicament. Hence the institutional responsibility that rests with preceding generations to do their part to prevent this predicament from arising in the first place.

Because this argument appeals to morality rather than rationality, it does not require one to take any stance on the complex relationship between rationality and pre-commitment. Nor does it require taking a stance on whether – or to what extent, or in what set of circumstances, or in what ways – our judgement of others’ best interests may permit us to limit their capacity to pursue their own preferences.
Admittedly, the argument does require accepting that the risks inherent in dictatorship are grave enough to warrant a focus on worst-case scenarios when it comes to abuse of political power. But my point is not that such risk-averse, worst-case-thinking is uniquely appropriate on rational grounds. Rather, my point is that such thinking is morally appropriate, in light of the full scale and severity of the moral problems inherent in dictatorship. That, indeed, is partly why I sought to show earlier that the pernicious effects of dictatorship so often extend beyond its immediate victims, and even beyond the dictatorship’s actual life-span.

6.2 Barring anti-democrats from holding office

Applying term limits to the highest elected offices is one familiar way to try to pre-empt the danger of dictatorship. But it is far from the only way. Alongside limits on the number of times that any given individual can hold highest office, there is also the preventative strategy of prohibiting anti-democrats from seeking office to begin with.

This preventative strategy may not give us much pause when considering the most extreme cases. Consider, for instance, a prospective candidate in a national election for highest office who openly proclaims that he will strive to do away with elections the moment he wins. There is clearly a very strong moral case in favor of prohibiting such a person from even participating in the election. And this prohibition, in turn, can – equally clearly – be seen not so much as an external constraint on democratic values, but rather as a direct corollary of these very values.

Things look quite different, however, when we consider the many greyer cases that real-world politics often presents. Here I have in mind cases featuring candidates whose professed views contradict rudimentary norms of liberal democracy, but who still shy away – at least in the run-up to the election – from openly committing themselves to the destruction of democratic procedures once in power. Such circumstances do give us pause, insofar as we feel
the tug of conflicting values. We dread the possibility of the relevant candidate(s) holding office. But we also feel the pressure to tolerate even deeply offensive candidates. The question is how to balance these conflicting impulses in any given case.

I do not mean to say that the arguments I have presented earlier in this essay yield any determinate prescriptions on this issue. It is likely that no normative discussion can provide a precise decision rule here. Nonetheless, insofar as the preceding arguments amplify the dangers of dictatorship, they do lend support to a more restrictive approach as to who can seek highest elected office. In some cases, at least, this approach may lead us to countenance barring certain prospective candidates from running even when they have stopped short of actively calling for the dismantling of democratic institutions.

To make this thought more concrete, consider the following example. A former military man is running in a presidential election. He systematically heaps praise on the military dictatorship that has governed the country a few decades earlier. This candidate stops short of announcing that his plan is to restore military rule. Rather, he merely makes clear that his policy plans are entirely compatible with such rule. As far as he is concerned, the subordination of the military to a regularly elected civilian government is merely one possible mode of political organization. To drive his message home, this candidate proceeds - in the fashion of Brazil’s incoming president, Jair Bolsonaro – to reap highly symbolic and public praise on the military officers who had overseen the torture of previous civilian presidents. Should such a candidate be barred from running for highest office?

The arguments of the preceding sections, I believe, support a qualified positive answer to this question. If the dangers of dictatorship are indeed as acute, as wide-ranging, and as self-
reinforcing as I suggested earlier, then we should be willing to consider barring such “border-line” candidates from seeking the most senior elected office, at least subject to a carefully constructed and rigorously followed procedure.

Such a procedure might involve, for example, an extension of the familiar oath of office. Eligibility to even run for office may be conditioned, for instance, on a public oath to uphold the country’s democratic institutions in case one were to win office. And if a supreme or constitutional court deems a candidate to have clearly violated this oath by systematically disregarding rudimentary norms of liberal democracy – for example, through campaign rhetoric that clearly celebrates political violence, or that calls for violence against political opponents - then the court may impose on the candidate a legal duty to issue a public retraction and apology for the relevant statements, on pain of being barred from running altogether.

Some readers may think that even this kind of conditional restriction on electoral competition carries excessive dangers of abuse (perhaps by politically driven judges). Others might think that even a restriction of this sort is too draconian a measure in response to ‘merely symbolic’ offenses by certain candidates or political parties. I do not mean to suggest that these concerns are to be taken lightly. But I do want to suggest that once we are alert to morality’s helplessness in the face of dictatorship, we should be more willing to reflect on, and possibly to revise, our views as how far a democracy can go in order to protect itself from those who may bring its demise through the ballot box.

6.3 From domestic to international prevention
Having shown how attention to morality’s helplessness helps us reconceive some familiar institutional design proposals, I want to end by showing that such attention also boosts the appeal of less familiar institutional mechanisms meant to prevent the rise of dictatorship.
More specifically, my interest in this closing sub-section is in more novel institutional design proposals that highlight foreign actors’ moral responsibility, to do their part in preventing the emergence of dictatorship. This emphasis on foreign involvement follows naturally from the preceding analysis, insofar as foreign actors do not face the same kind of helplessness in the face of dictatorship as do ordinary citizens living under the dictatorship. It may very well be offensive – as I suggested above – to blame a dictatorship’s individual subjects for complicity in the regime’s wrongdoing and for perpetuating its survival. But there is nothing offensive about blaming foreign actors for such entanglement in dictatorship. Given their distinct vulnerability, the regime’s victims can (often) make a plausible appeal to costs to explain why they are not morally required to disentangle themselves from the regime. But foreign actors, not being vulnerable in the same way, can make no such appeal.

With this point in mind, consider the following example, as one illustration of how domestic institutional arrangements can “recruit” foreign actors, in morally salubrious fashion, to pre-empt the danger of dictatorship. The proposal – first made by Thomas Pogge at the turn of the millennium – envisions constitutional amendments in fragile democracies, announcing ex-ante that if a dictatorship comes to power as a result of a coup against an elected government, external debts it incurs will be repudiated by future legitimate governments. Foreign creditors will therefore be heavily dis-incentivized from lending to dictatorships. As a result, planners of prospective coups against democratic governments – knowing that they will not be able to rely on foreign loans to sustain their power - will have fewer incentives to actually pursue such coups.39

I do not want to suggest that attention to morality’s helplessness in the face of dictatorship is the only reason why we should contemplate such preventative measures linking

domestic and foreign actors. After all, we do not need the notion of morality’s helplessness in order to remember that domestic constitutional arrangements may not suffice to stop sufficiently determined authoritarians, who might simply ignore or abolish constitutional constraints on their power. But I do believe that the considerations adduced earlier, regarding the links between morality’s helplessness and the vicious cycles of dictatorship, should lead us to take especially seriously creative measures which link domestic and foreign constraints on dictatorship.

Part of what it means to take such measures seriously is to try to anticipate unintended consequences involved in their implementation – something that I try to do elsewhere. Here, however, I want to stress three, quite different points. First, a constitutional clause calling on foreign actors not to bestow customary privileges on a de-facto government that arises through illegitimate means contrasts positively with more familiar calls for foreign intervention in the name of democracy. If nothing else, this is because the preventative constitutional strategy seems far less vulnerable to abuse by predatory foreign actors – especially the most powerful foreign nations – who may seek excuses for self-serving military interventions.

Second, along similar lines, insofar as the constitutional amendment would reflect the people’s own democratic choices, it would also sidestep paternalism objections that often accompany attempts at democratization from the outside. There is nothing paternalistic about refusing to engage in customary commercial ties with a military dictatorship, for example, if this refusal stems from a constitutional amendment passed by a democratic government that preceded the dictatorship. In such a case, foreign actors who refuse to deal with the dictatorship

40 Or similar proposals, relating, for example, to natural resource trade with dictatorships. See, e.g., Leif Wenar, Blood oil (Oxford: Oxford University Press, 2016), as well as the exchange between Wenar and Pogge in Alison Jaggar (ed.), Thomas Pogge and His Critics (London: Polity, 2010).

41 As does Pogge, who tries to devise institutional arrangements that would respond to adverse consequences that would follow from a foreign refusal to confer traditional trading privileges on usurpers. See, e.g., Achieving democracy, passim. For extended discussion, see The people’s duty, chap. 4.
can very well argue that they are acting in accordance with the people’s stated preferences, rather than seeking to impose democracy from the outside, “for the people’s own good.”

Third, although the constitutional amendment proposal highlights the particular significance of focal points in a dictatorship’s rise and (hopeful) demise, these are not the only points that matter. Certainly, a concerted international response to a military coup is far more likely to roll back the coup if it happens in the coup’s immediate aftermath rather than several years later. Similarly, international condemnation and the withdrawal of a de-facto government’s customary trading privileges is more likely to succeed in inducing change, if it happens in the immediate aftermath of the government’s large-scale forgery of electoral outcomes, than if it happens after all popular protest against electoral fraud has been crushed by the government.\(^42\) But while such events clearly have distinctive significance, we do well to remember that there are also other, more ‘mundane’ occasions, where there is a moral need for foreign participation in preventative action against dictatorship.

This last point bears emphasizing, at a time when multiple societies around the world, including many long considered to be paradigm examples of established democracies, are witnessing significant erosion of core institutions of liberal democracy. This is the case whether one is considering abuses of elected office for naked personal gain; attacks on freedom of the press and legitimate opposition; or the cynical exploitation of prejudice and bigotry against vulnerable minorities.\(^43\)


\(^{43}\) It is therefore no surprise that the latest version of the prominent Freedom House Report, for example, observes: “Democracy faced its most serious crisis in decades in 2017 as its basic tenets—including guarantees of free and fair elections, the rights of minorities, freedom of the press, and the rule of law—came under attack around the world. Seventy-one countries suffered net declines in political rights and civil liberties, with only 35 registering gains.” See *Freedom in the World 2018: Democracy in Crisis*, at https://freedomhouse.org/report/freedom-world/freedom-world-2018
Part of the upshot of the analysis I have offered here, is that these perilous dynamics are even more worrisome than one may assume prior to philosophical reflection. But a further, corresponding upshot is that each democratic society should consider such perilous dynamics a subject of ongoing practical concern, even when these dynamics are taking place beyond its borders, and even when they fall far short of the kinds of emergencies on which normative debates on foreign responses to dictatorship often focus. Rather than assuming that we must identify a highly circumscribed set of conditions which “trigger” a need for “international concern,” we should recognize that every attack on basic democratic freedoms anywhere in the world should, at least in principle, be a cause for practical concern by fellow democracies.

This kind of sustained international attention to the state of democracy is a marathon rather than a sprint. Thus for example, actively monitoring, over time, how foreign elected governments treat press freedoms, or how such governments treat the democratic votes of their vulnerable ethnic and religious minorities, is clearly a long-term process. Collecting such everyday information and issuing public criticism on the basis of this information clearly does not involve the same dramatic air as does the much more drastic decision on whether or not to invade a country to topple its dictatorship. But in the long run, these far more moderate preventative measures might very well be at least as essential to the health of liberal democracies around the world, and to staving off the danger of dictatorship, with all of the helplessness that comes in its wake.

---


45 I believe that the philosophical debate on a “human right to democracy” is a prime example of the neglect of this point, due perhaps to the illicit tendency, within this debate, to put overwhelming emphasis on armed intervention as a manifestation of “practical concern” with the fate of certain rights. For a trenchant critique of this tendency, see Cristina Lafont, "Human Rights, Sovereignty, and the Responsibility to Protect," *Constellations* 21 (2015): 68-78.