

“All happy families are alike; all unhappy families are unhappy in their own way.” Most political theorists today would seem to agree with Tolstoy: all happy regimes are alike; all unhappy regimes are unhappy in their own way. The happy regimes are all alike because they are all essentially *democratic*; though political theorists disagree about what exactly constitutes democracy, and what other principles, if any, should limit its operation, it is safe to say that these disputes take place against a background of basic agreement about the desirability of democracy. By contrast, all unhappy regimes are thought to be *undemocratic* in a large variety of ways. This sort of broad agreement is all the more remarkable when we consider that in the history of Western political thought from Herodotus until relatively recently democracy was rarely the preferred alternative.

The famous first sentence of Tolstoy’s *Anna Karenina* is not only a general statement about families, however; it also implicitly contains a view about what stories Tolstoy considered interesting. Happy families, Tolstoy seems to suggest, are all more or less uninteresting; the novelist should focus his energies on the depiction of unhappy families, for only there can we gain any real knowledge of the human condition. In this respect, political theorists would seem to disagree with Tolstoy when it comes to telling stories about political regimes. Collectively, we today seem to be much more interested in discussing democracy than in examining any morally significant differences among other regimes, even though most existing political regimes cannot be neatly understood as fully justified democracies.

This situation is partly the result of the contemporary emphasis on questions of *justification* over questions of *evaluation*. Contemporary political philosophy is often much more interested in determining the conditions under which a political regime might be considered legitimate or justified (conditions which imply some form of

democracy) than in identifying standards for the evaluation of imperfect or not fully justified regimes and determining the degree to which these regimes can nevertheless promote important values. By contrast, many political philosophers and theorists (from Plato and Aristotle to Montesquieu and as late as Mill) were traditionally more concerned with questions of evaluation rather than justification. Moreover, they were not content with merely identifying the attributes of “happy” political regimes: since the “happy” political regime was generally thought to be the product of very specific (and potentially highly unlikely) circumstances, political theory was conceived in great part as the general theory of the “second best,” requiring the systematic investigation of the variety of more or less defective political arrangements that human beings have created.

Political theorists thus not only systematically distinguished a greater number of political regimes than we are accustomed to distinguish today (identifying several varieties of democracy and non-democracy, according to several criteria) but also used these distinctions for specifically evaluative and practical purposes: distinctions among political regimes corresponded to the degree to which a political regime facilitated important values (e.g., the common good, the good life, freedom, etc.), and enabled one to understand how a given regime could be improved. All unhappy regimes were indeed thought to be unhappy in different ways, and their unhappiness was categorized and evaluated with a view to their improvement.

This paper is an exploration of three potential standards one might use to evaluate political regimes that may not be fully justified. As a prerequisite for such an exploration, I first propose an analysis of the idea of the political regime as a system of contexts of choice for the division of the labor of political decisionmaking. These systems can be (and historically have been) evaluated from three partial perspectives,

each of which is associated with particular standards of evaluation: the perspective of the *decisions* that are made through them (and hence of such things as the qualifications of the decisionmakers and of the relationships among decision contexts); the perspective of the *interests* that are protected and promoted over time by them; and the perspective of the *stability* of such systems with respect to the characters and identities they tend to generate. In the second, third, and fourth sections of this paper I explore the implications of evaluating political regimes from those three perspectives with a view to providing evidence for three claims: first, that each way of thinking about the political regime is *evaluatively insufficient*, i.e., that not all important questions about the value and justification of a political regime can be answered within a single perspective, second, that there is no guarantee that these ways of thinking about the political regime are *evaluatively congruent*, i.e., that what counts as a “good” regime on one way of thinking about a regime need not appear as a good regime from a different perspective; and third, that there can be *good* regimes from any of these perspectives that are not normatively *justified*, i.e., that do not meet the requirements of justice. There may be only one kind of regime that is justified, but there are many ways of thinking about better and worse regimes, each of them associated with a distinctive ideal.

1. Political Institutions and Political Regimes

Human beings pursue their goals in contexts given partly by nature and partly by the actions of others. Nature and the actions of others restrict the actions that they might or might not take: they constitute constraints on choice, i.e., constraints on the courses of action that an individual might take in the pursuit of his or her goals, whatever these goals may be. The *objective* shape of these constraints cannot always

be generally known; but when human beings interact with one another, they develop interpretations of them. These interpretations may refer to norms (e.g., other people ought not to be killed) or to purely instrumental considerations (e.g., if I do X, the others may respond with Y, which I wish to avoid), and they may be approximately right or wholly wrong, but in any case they represent the individual's overall view of the actions open to him or her in pursuit of any of his or her goals. Such views, to be sure, are not necessarily fixed; they may change with the progress of the interaction and communication, though at any given time they actually do constrain the choices available to interacting individuals.

We speak of an *institution* whenever a recurring pattern of interaction takes place under a *dominant* interpretation of the constraints on choice applying to that situation. An interpretation is *dominant* when no participant in interaction can easily deviate from it, regardless of his or her individual view of the actual constraints on choice that apply to it. Such an interpretation becomes a "social fact," acting as a device filtering available alternatives for all participants in interaction; it determines what choices each of them can "see," and what choices are held to be impossible. From this point of view, institutions often appear as the "rules" of interaction in specific situations, even though they are not exhausted by any set of rules.

Whenever the choices available to at least *some* people within an institution concern the conscious modification of the constraints on choice constituting *another* institution (i.e., regulate the structure and operation of another institution) we shall speak of a *political* institution. Political institutions are thus political *relative* to specific other institutions: so, a chess federation is an institution which is political relative to the institution of chess games, but not relative to the family. Similarly, a legislature is political with respect to the family (or rather, families in general) but a

family is not political with respect to the legislature, since choices can be made in the legislature that directly shape the constraints on choice constituting the family as an institution, but choices are not normally made within a family that directly shape the constraints on choice constituting a legislature as an institution.

To be sure, there can be politics in an institution without reference to the regulation of another institution, as when the members of an institution engage in contention about the constraints on choice that structure their own interactions (e.g., whenever the children in a family try to push the boundaries on what counts as permissible and the parents try to push back). In this case we speak of the institution as political with respect to *itself*. But for our purposes in this paper it is best to distinguish between institutions that are normally political only with respect to themselves (which we shall call, misleadingly, “non-political” institutions), and institutions that are political with respect to other institutions; only the latter are to be referred as “political institutions” in what follows.

Nothing I have said thus far should be construed to deny that the structure and functioning of “non-political” institutions, such as families, has an enormous political impact, since families give rise to dominant constraints on choice in other contexts. The point is merely that some institutions function as contexts of choice *over* other institutions, but the relationship is not necessarily symmetrical. So even though families in general shape the constraints on choice under which institutions such as legislatures operate, for example, they do not normally do so directly, i.e., via the conscious choices of the members of the family. By contrast, a legislature that passes a law directly and so to speak “consciously” affects the constraints on choice that constitute other institutions, though perhaps not in a very effective way.

This last point should be emphasized: to say that an institution can directly (through its intentional choices) modify the constraints on choice of another institution (i.e., be “political” with respect to the latter) is not to say that it can *arbitrarily* change them. Though a legislature may be able to make laws that regulate the structure of the family, the legislators may themselves operate under a quite stringent interpretation of the constraints on choice relating to the structure of the family, or they may be wrong about the actual constraints on their choices. A law may affect the constraints on choice applying to and constituting families in unexpected ways. The degree to which an institution can effectively shape the constraints on choice that constitute other institutions is a measure of its *power*, which of course may vary depending on the “target” institution and the available technologies of coordination, monitoring, and force, among other things.

Now, we shall call a *political regime* the (minimum?) system of political institutions in a society from which choices can be made concerning *all* other institutions in it (including the institutions that define the boundaries of the society). The regime thus defines a set of social positions from which a set of people – large or small – can, in various contexts of choice, directly and intentionally regulate the functioning of all other social institutions and patterns of interaction; it defines a system for the division of the labor of public or political decisionmaking, i.e., decisionmaking about the structure and functioning of *other* institutions.

Each of the contexts of choice or political institutions that constitutes a political regime can be usefully analyzed in terms of a) the process through which alternatives for choice come to be generated within it (the agenda-setting process, for short), b) the set of people who play some role in selecting among these alternatives (which we shall call, misusing a term from the work of Bruce Bueno de Mesquita and

his collaborators, the *selectorate* of this context of choice), c) the set of people whose activities are directly regulated through those choices (the *subjects* of this context of choice), and d) the rule or set of rules that shape and combine the preferences of the selectorate into a singular decision over these alternatives (the *decision rule* of a context of choice). I note, parenthetically, that the decision rule and agenda setting process are part of the dominant interpretation of the constraints on choice that constitutes a context *as* an institution; they are not causally separate from such an interpretation, though it is analytically useful to distinguish them as identifiable components of such dominant interpretations.

A political regime, however, is never composed of a single context of choice, but of a multiplicity of contexts of choice in particular relations and dealing with different sorts of political decisions. Consider, for example, modern “democratic” regimes, with their electoral contexts (in which voters select representatives), their legislative contexts (where representatives select laws and members of the executive), their executive contexts, judicial contexts, political party contexts, and so on. Even a “direct” democracy like the ancient Athenian regime was composed of a variety of contexts of choice: the assembly, the juries, the prytaneia, etc. In other words, a political regime is a system of contexts of choice which divides the labor of political decisionmaking. The analysis of the political regime thus needs to consider the various relations among these contexts of choice.

Two kinds of relations appear to be particularly important, and indeed appear to subsume most if not all of the actual relations in existing political regimes. First, a context of choice within a political regime may constrain the agenda for another through a variety of processes; we shall call this the relation of *agenda-constraint*. Here a political institution directly shapes the constraints on choice of another

political institution. Second, a context of choice within a regime may select the selectorate for another, at regular or irregular but potentially foreseeable periods of time; we shall call this the relation of *selectorate-generation*. Selectorate-generation is in a sense also a form of agenda-constraint, but it affects not the specific constraints on choice that constitute another institution but its “personnel.”

Consider again a modern constitutional democracy, with its various institutionalized contexts of choice (elections, legislatures, executives, bureaucracies, political parties, etc.). Each of these contexts of choice relates to other contexts in terms of either selecting the *personnel* of the other (so voters elect legislators, which select members of the executive, and so on) or of imposing constraints on the agenda of the others (so political parties jointly constrain the choice that voters can make, legislators constrain the rulings of the courts, voters constrain the choices of legislators, and so on). Another regime will differ both in the composition of each selectorate and in the relations of agenda-constraint and generation among these. So, for example, in China the Chinese Communist Party, not the voters at large, plays the key role in selecting various officials in other political institutions.

More specifically, different regimes can be described by specifying the key political institutions found in them, along with the extent of their selectorate in relation to the institutions they affect, the decision rules of each context of choice, and the direct kinds of constraints on their agendas that the other political institutions place on them. Whether a particular regime can be described as democratic or as something else, for example, will depend not on the characteristics of a single context of choice (e.g., the electoral context of choice) but on the total (and evolving) structure of relations between their various contexts of choice. For example, we might want to say that modern “democratic” regimes are appropriately described as

democratic because the relationships of agenda-constraint and selectorate-generation among the electorate, the legislators, the courts, and political parties more or less imply the equality of all the citizens in some relevant respect like their fundamental rights.

Given this idea of the regime as a system for the division of political labor, what can we say about their evaluation? What principles should come into play when evaluating such systems? Here is where the three ways of thinking about political regimes I mentioned in the introduction come in.

2. The Perspective of Decisions

The first way of thinking about such systems asks about decisions and decisionmakers: are the alternatives from which decisions are made normatively justified and complete (i.e., is the line between public and private matters properly drawn within each context of choice)? Do the decisionmakers in each context of choice have the requisite qualities and resources to make “good” decisions given the alternatives that emerge in them? What constitutes a “good” decision in each context of choice within the regime? Are decision tasks appropriately distributed across the contexts of choice composing the regime, and is such distribution “stable”? There are rich traditions of thought about many of these questions: about the separation of powers, about the qualifications and resources required by good rulers, about the formal characteristics that political decisions should have. The entire tradition of thought about the rule of law is essentially concerned with the formal characteristics of good political decisions in a variety of contexts of choice, for example. Rather than survey these traditions in any detail (an impossible task in this paper at any rate), let us focus on what I take to be the central question of the “decision” perspective: the

qualifications and resources necessary for political decisionmakers in a given context of choice.

We assume, of course, that there is such a thing as a “good decision” (given some set of alternatives) in a particular political context of choice (i.e., a context of choice concerning some other institution). If there were no good, or at least better decision given the alternatives, decisionmaking would be unimportant: we could just substitute coin-tossing when confronted with alternatives, or simply ignore them. We do not need to assume, however, that there must exist a *best* decision in every given situation, much less a best decision that can be discerned by an outside observer (a philosopher); the paradoxes of social choice seem to preclude as much. The only thing we need to assume is that there are reasonable grounds for distinguishing between better and worse decisions given the alternatives in particular situations.

In any context of choice where there can be better and worse decisions, such decisions will require some qualities and resources from the selectorate that makes the decision. Even the most inconsequential decisions require *time*, and some amount of cognitive labor and capital will always be necessary even for decisions which do not have a “right” answer but depend on a contingent constellation of interests to be harmonized or compromised. Such decisions may in addition require various virtues, e.g., the willingness and ability to listen to the perspective of others, the courage to take responsibility for certain choices, or the moderation and prudence to exclude certain choices from consideration or to recognize the time for action. Among the resources required for a selectorate to make good decisions, some will be individually held (e.g., particular skills, moral virtues, or economic resources), but others may be the property of the selectorate that makes the decision as a whole. For example, it is now widely agreed that one of the resources that a group should have in order to make

good decisions when confronted by difficult problems is *diversity* of perspectives and skills; such diversity is not the resource of any member of the group but of the group as a whole. Similarly, in many political decisions a good decision may require a certain amount of representativeness; a parliament, for example, cannot make good decisions unless it is reasonably representative of the interests of the society.

We say that a context of choice is *appropriate for its decision tasks* if the members of its selectorate have, collectively or individually, the qualities and resources necessary for making good decisions given its agenda. This does not mean that this selectorate is thereby always able to make good decisions given its agenda, or even that it has the optimal level of resources for making good decisions, only that it has reasonably appropriate resources for such decisions (though we need not assume that a reasonably appropriate level of resources exists for the decision task in question). It is unlikely that any selectorate could be appropriate for *every* decision task; bias and self-interest preclude this possibility. This is one of the reasons why political regimes should be systems that divide the labour of political decisionmaking rather than single contexts of choice where all political choices are taken; at any rate in any reasonably complex society there will normally be more than one such context.

Let us say that a political regime is *well organized* if all its contexts of choice are appropriate for their decision tasks, including the decision tasks involved in generating or agenda-constraining other contexts of choice. Not every well-organized regime will be fully justified or in accord with reasonable principles of justice. A benevolent despotism is *ex hypothesi* a regime whose central and sovereign context of choice is appropriate to its decision task, since the benevolent dictator has the relevant qualities and resources (including the relevant virtues of character and the relevant information about the interests of his subjects); but such a regime need not be

justified, since its citizens may have a justified claim to be part of the decisionmaking process even if their inclusion would not result in better decisions (or might even result in worse decisions). Consider also the possibility that even though voters are as a whole qualified to make the decisions with which they are tasked in modern democracies, some subset of the electorate may be as qualified, or even more qualified, than the whole electorate. To say that a regime is well organized simply means that given the distribution of the contexts of choice within the regime, and the relations among them, qualified (in a broad sense) people make political decisions; but we take such a distribution of contexts of choice as a given, even if it were unjustified on other grounds.

The idea of the benevolent despot mentioned earlier also suggests that a well-organized regime need not be *stable* with respect to small perturbations: what if the despot dies? Will the selectorate that selected the despot in the first place prove qualified, after many years, to select a new benevolent despot? (Or perhaps the despot selects his heir; does he have the right resources to select the right heir?) Remember that to say that a selectorate is appropriate to its decision task is not equivalent to saying that it will always make the right decision; some decision problems may be so difficult that even an appropriate context of choice for them may fail to reach correct decisions often, and in particular it may fail to reach correct decisions about the generation or constraint of other contexts of choice within the regime, with cascading results that destroy the good organization of the entire regime. Here concerns about qualifications and decisions link with questions about stability, to be discussed later in section 4; let us only note that it seems likely that the more complicated a regime (the more contexts of choice it contains), the less its good organization will be stable.

Different well-organized regimes also will normally have different effects on the interests protected and promoted through them, for at least three reasons. First, different regimes will draw the boundary between public or political and private or non-political choices (i.e., choices that are not about other institutions) differently; even if both regimes were well organized the interests that are affected by political decisions would be different in each of them. Second, the details of decision rules matter, as social choice theory has shown; even though two regimes may be well-organized in the sense discussed in this paper, they may both operate with different decision rules, and hence have different effects on interests. Finally, even if we ignore the effects of the boundary between political and non-political choices and of differences in decision rules, complex systems for the division of political decisionmaking will generally have consequences for interests that do not simply aggregate the consequences for interests of the decisions in each of their constituent contexts of choice.

Concerns about the qualifications of selectorates for their decision tasks are linked here with questions about the interests that the regime as a whole promotes or protect; that is the task of the next section of this paper.

3. The perspective of Interests

The perspective of interests, like the perspective of decisions, is as old as Plato and Aristotle. For example, Aristotle defined democracy as that political regime in the interest of the poor, and oligarchy as that political regime in the interest of the rich, and argued that they were both deficient because they failed to promote the interests of all. Contemporary defences of democracy, by contrast, often argue that only democratic arrangements can protect and promote the (fundamental) interests (or

“rights” and “opportunities”) of *all*. In general the tradition of political thought thus agrees on the basic normative principle that applies to the evaluation of the *outcomes* of political regimes: a political regime must promote and protect the fundamental interests of all, rather than the interests of only a part of the community at the expense of another. The question of which interests ought to be considered fundamental and which interests can be said to be common depends on a substantive theory of justice for its answer, which is much beyond the scope of this paper. Yet we can nevertheless examine how different kinds of political institutions may promote or protect more or less fundamental interests for larger or smaller numbers of people within a community without committing ourselves definitely to any particular theory of justice.

Note, however, that our problem concerns the connection between interests and *political* institutions, not all institutions: we need to examine how these differentially affect the ability of individuals and groups to protect and promote their interests, however conceived. To be sure, how political institutions affect interests will in part depend on how other institutions in society affect these interests as well: just as the operation of the regime affects other social institutions, and hence the interests that actually are promoted and protected through them, so the operation of these institutions affects regime institutions, and hence the interests that get promoted and protected through regime institutions. But what, exactly, does it mean to say that some political regime promotes the interests of more or fewer people, or promotes the common interests of all?

Let us start with the obvious observation that members of a society have desires for a variety of social goods – some of which are currently produced through the partially cooperative actions of others, and some of which are not produced by society. (We speak of desires for social goods to keep the discussion at the most

general level: desires thus range from the desire for food and drink to the desire for companionship and friendship, from the desire for sexual satisfaction to the desire for a meaningful or satisfying life). They pursue the satisfaction of these desires within a variety of institutions, where they make choices that are more or less calculated to satisfy these desires. The experiences and knowledge they accumulate in this process, as well as the social positions they tend to occupy when making such choices, not only change the desires they recognize as their own (and often give rise to new desires) but also provide them with stable frames through which they interpret the satisfaction of (new or old) desires in varied contexts of choice, i.e., gives them recognizable *interests*.

If an interest is a frame for interpreting the satisfaction of desire in contexts of choice (a kind of heuristic for deciding whether specific choices will satisfy one's desires), the *specific* interpretation of a desire (or a set of desires) in a specific context of choice is a *preference*: my preferred alternative in a context of choice is simply the course of action I would like to take in order to satisfy my desire (or set of desires) in *that* context, whereas my interest is the frame which informs my choice of alternatives in a variety of contexts of choice. There is thus a potential disjunction between *preferences* (guiding one's actual choice of actions in a specific context), *interest* (guiding the selection of preferred alternatives over a number of contexts), and *desire* (what an individual actually wants to satisfy through the selection of preferred alternatives). Desires may range over alternative social states and over temporally extended and abstract goods; preferences only range over the visible alternative courses of action that I can take to satisfy my desires in some context of choice. I may be wrong about which specific choices satisfy my self-recognized interests, and I may be wrong about whether the pursuit of my interests will eventually satisfy my desires.

This disjunction is (partially) bridged by the deployment of cognitive labour and capital, i.e., through *rationality*. We allocate some amount of our available cognitive labour (“brain time”) and capital (native talent, private information, and acquired and “external” knowledge available to us, including machines and social heuristics common in our environment) to determining which choices will, in our estimation, satisfy a given desire; and since our desires can be contradictory or at least be in tension (temporal or otherwise) with one another, we also allocate some amount of cognitive labour and capital to the determination of how we can most coherently satisfy all of our desires. (The question of how we come to allocate our cognitive labour and capital is beyond the scope of this paper; note, however, that since our available cognitive labour and capital are finite, we can be “rationally irrational” about some of our choices, i.e., we may decide to allocate zero cognitive labour or capital to some of our decisions in favour of allocating more of it to others). Practical rationality, then, can be thought of as a measure of the productivity or efficiency of our allocation of cognitive labour and capital to the problem not of the satisfaction of a given desire, but of *coherent* desire-satisfaction: we are more rational the more likely our choices are to coherently satisfy our desires, given a certain allocation of cognitive labour and capital. To be *fully* practically rational (a high bar!) is to efficiently allocate our cognitive capital and labor to task of coherently pursuing our desires, i.e., to the task of rationally pursuing the satisfaction of our desire *profile*.

How much cognitive capital and labor (how many cognitive resources) we will need to allocate to make sure of coherently attaining our aims (satisfying our desires coherently) depends not only on the kinds of desires we have and on the natural environment, but on our interpretation of the constraints on choice that apply to us in a particular situation. These constraints on choice generally take the form of

social positions (with their characteristic norms, behavioural constraints, and prejudices) and the *non-cognitive* resources attached to such positions (such as money, influence, power, and the like). We can think of more “favored” social positions as the positions that have attached to them non-cognitive resources that can be *substituted* (up to a point; perfect substitution is unlikely) for cognitive resources in the coherent pursuit of desire. To use a crude but illustrative example, a poor person wanting (among other things) to obtain some luxury object will need to use comparatively more of his cognitive capital and labour for that project than a rich person with a similar desire profile (and even so, his cognitive capital and labour might be insufficient for succeeding). The rich person, by contrast, can substitute noncognitive labour or capital for cognitive labour or capital in order to satisfy his or her desires, leaving more for the task of coherently pursuing his or her other desires than the poor person, though he may not do so any more efficiently than the poor person.

Institutions, and in particular political institutions, enter the picture at this point, since they (or rather, their selectorates) can do three things: they can alter the constraints on choice that apply to specific social positions (by redistributing non-cognitive resources, for example, from some social positions to others); they can alter the structure of the system of social positions (by creating new social positions or abolishing old ones), and they can take cognitive and non-cognitive resources (through taxation or voluntary contributions, for example) and convert them into greater cognitive and noncognitive resources for at least some people (e.g., via the fostering of education, deliberation, public works, etc.). The first two forms of institutional activity we call *redistributive* (though the second is not technically a form of redistribution, it operates as such); the third we call *investment* (which, of course,

may contain some amount of redistribution insofar as some investments benefit some more than others, and indeed some may harm some though they benefit others).

Redistribution and the alteration of social positions can of course be justified under some circumstances, but whatever else these activities do they necessarily *reduce* the ability of some people to coherently pursue some of their interests (again, this may be perfectly justified!). Investment, by contrast, need not reduce the ability of some people in society to coherently pursue the satisfaction of their desire profile, even if it may make it harder for some of them to pursue the satisfaction of *some* of their desires.

In particular, some forms of investment can improve the general *rationality* of the coherent pursuit of desire within a society by creating certain kinds of *public goods*. I call public goods those goods that either increase the productivity of available cognitive labour and capital (such as the rule of law, particular property systems, deliberative fora), or increase the general level of cognitive capital (such as universal education). Because they affect more or less everyone's cognitive labour and capital they can be said to be *common* goods, even if they affect different people differently. Such goods will tend to be produced, when they are produced at all, through the operation of political institutions, and in general they will tend to have the typical characteristics of public goods in economics: they are *non-rival* and at best only partially *excludable*. So my enjoyment the rule of law does not prevent others from enjoying it, and it is hard to make the rule of law apply to some but not to others without destroying its beneficial effects for the allocation of cognitive resources. We might think of such goods also as having positive "spillovers," even if some people may benefit more from their existence than others.

From this point of view, a political regime protects the interests of *all* (or most) under its jurisdiction whenever its investment activities *generally* improve the efficiency of the allocation of cognitive capital and labor by everyone (since all need cognitive resources for the coherent pursuit of their interests), though it may not create a very egalitarian society. We might say that the investment activities of such regimes have a positive social return: everyone is better able to coherently pursue their desires (though not necessarily any *particular* one of their desires) after the investment than before, even if some are much better off than others. (Pure redistributive activities rarely have such returns, but we cannot close off the possibility). Let us call such a regime a *public goods producing* regime. (To be sure, some goods are only partially public in this sense – they may positively affect the interests of only a majority, for example).

I should stress here that such a political regime is *not* necessarily justified (though it may). Singapore under Lee Kwan Yew produced a variety of such public goods, but Singapore under Lee Kwan Yew was not a democracy, and hence was not justified. Even though in some sense it acted in the interests of *all* (by providing public goods that enhanced the general efficiency of individual allocations of cognitive resources), it violated the rights of *some*, and in general it did not treat everyone with equal consideration. More generally, public goods regimes may violate justice: in benefiting all (by enhancing their ability to pursue their complete desire profiles) they may make it impossible to pursue *some* desires that are quite fundamental (which we call “rights”), or they may create highly unequal societies. But they should be distinguished from *private goods regimes*, which simply redistribute cognitive and non-cognitive resources from some to others without

generally enhancing the ability of all to pursue the satisfaction of their desire profiles; they are *better* than such regimes.

The perspective of interests holds desire profiles constant, just as the perspective of decisions holds regime institutions constant: what is important is the ability of the political regime to enhance the allocations of cognitive labor and capital that make the coherent pursuit of desire profiles easier for everyone. But regimes affect these very desire profiles; as political theorists have argued since Plato (in *Republic* VIII and IX) they create, or at least help create, particular kinds of characters, with specific desire profiles, which in turn either contribute to the stability of the regime, or destabilize it, sometimes towards a better (or more justified) regime, sometimes towards a worse (or less justified) regime. Thus regimes can also be evaluated from the perspective of stability: whether or not they are stable, and whether or not when they are not stable they get destabilized towards better or more justified forms. We shall explore some of the consequences of evaluating regimes from this perspective in the next section.

4. The perspective of stability (and character)

Like the perspectives of decisions and interests, the perspective of stability for the evaluation of political regimes is very old: Plato and Machiavelli, Rousseau and Mill, were all concerned with the stability of regimes. The key questions here concern the kinds of desires, beliefs, identities and characters that a regime helps create (e.g., whether these are desirable characters in some morally significant sense) and the relationship between such characters and the stability of political regimes. One might think that these two questions are separable – i.e., that we should consider the perspective of character separately from the perspective of stability when evaluating a

regime. After all, it seems likely that some regimes are stable even though they produce or help produce morally bad characters, indeed that some regimes can be designed to be stable even for a “people comprised of devils,” to use Kant’s phrase (“Perpetual Peace” Ak. VIII.366). But historically both questions have been considered together, since the question of the characters produced by a regime becomes distinct from the question of the interests promoted by it only with respect to the effects of character on its stability. Our interest lies in clarifying the sense in which regimes can be said to produce and depend on forms of character, and on finding criteria to evaluate their stability or instability with respect to these forms of character.

When we speak of a “character” we mean an enduring profile of desires, joined to an enduring set of frames for interpreting the constraints on choice that apply to their satisfaction (“constraint frames”). So, for example, we may say that somebody with a virtuous character is someone who has certain kinds of enduring desires that include “altruistic” concerns for the welfare of others alongside “self-interested” concerns, and who pursues the satisfaction of both of these kinds of desires according to certain highly internalized “rules” that prevent the satisfaction of some of the self-interested concerns in a variety of circumstances. In more general terms, a good character is a character whose desire profile is composed of morally permissible or morally admirable desires along with morally correct frames of constraint.

Not everyone has a character in this sense: some people’s desire profiles are unstable or developing (e.g., children), and their frames for the interpretation of the constraints on choice that apply to their satisfaction may be incomplete or inconsistent; we *acquire* characters only by a process of learning that shapes our

expectations about the constraints that apply to desire satisfaction in all or almost all situations and that stabilizes our organizing desires. So we might speak of *partial* characters, i.e., people whose desire profiles and frames of constraint are only partially stable; and we should also note that character is not wholly determinative of action: sometimes a person's constraint frame may fail, or it may be difficult to apply, or he or she may develop new desires.

Societies contain a multiplicity of characters; we call the distribution of the characters present in it its *character profile*. A society's character profile is circularly related to its institutional structure: since institutions are simply dominant interpretations of the constraints on choice that apply to a specific situation, the total structure of institutions in a society (including its political institutions) both produces (by a variety of mechanisms) a character profile (i.e., a set of people who stably believe in certain constraints to the satisfaction of desire) and is partly produced by it (allowing for human creativity, freedom, random variation, and the fact that not everyone has a "full" character). However, since political institutions are only *one* of many institutions in society, though they indirectly regulate all the rest, they cannot by themselves produce a specific set of characters: the process of character formation eludes their direct control.

A particular regime is politically *stable* whenever it is not widely challenged and it finds ready defenders against whatever challenges do occur, and in particular it finds ready defenders of the dominant interpretations of the constraints on choice that constitute its institutions and of the dominant interpretations of the relationships of selectorate-generation and agenda-constraint that tie together its various selectorates. Such a regime can count on a commitment to its preservation on the part of key groups, and a lack of desire and opportunity on the part of other groups to challenge

these arrangements in any significant way. Though satisfaction with the regime may not be universal, it is quite widespread. As Goldstone notes, at the end of a long review of the literature on revolution, the conditions for stability of this sort tend to be few in number, but they can be met in a wide variety of political regimes: “The rulers appear effective and just in their actions; the majority of military, business, religious, intellectual, and professional elites are loyal to the regime; and most popular groups face steady or improving and fair conditions regarding work, income, and relationships with rulers and elites”.

On this view of stability, characters matter less than the actions of rulers and the way in which both elites and masses interpret their interests and values, though insofar as these interpretations are filtered through the stable desire profiles and constraint frames found in a society, then stability does depend on the character profile of the society. But in general we need not associate any particular character profile with the stability of a regime; as Goldstone notes, all kinds of regimes can be and have been stable in all kinds of societies, so long as these regimes have met these conditions of stability. We must distinguish, however, between the stability of a regime type and the stability of a particular instance of a regime: an endless succession of dictators, each succeeding the other by coups and violence, may bespeak an impressive stability of regime type, even if they indicate peculiarly unstable regime instances. It is the first form of stability that we are most interested in at this point.

A regime type is stable with respect to a character profile whenever in the normal operation of a society that character profile will tend to sustain the particular institutional pattern of the regime type (and not just loyalty to a particular regime instance): it is in “equilibrium” with it. A regime that commands loyalty in a

particular case is *eo ipso* stable in this sense, but some regime instances may not command loyalty and yet be stable in this sense, insofar as the characters and habits of the members of the regime will tend to make it easy to sustain certain institutional patterns and not others, even if these institutional patterns are “dysfunctional” in some sense.

A regime type is *resilient* when it is stable with respect to a large number of character profiles, and in particular when it is stable with respect to relatively large changes to its character profile. The basic idea is that changes to the underlying institutional structures of a society (and hence to its character profile) do not necessarily threaten the stability of the regime type: it is a “stable equilibrium.” Thus we might say, for example, that polyarchal regimes are *resilient* since they are stable in a wide variety of cultural and socioeconomic conditions, and hence with respect to a wide variety of character profiles, and they remain in place even after enormous cultural and economic changes, whereas certain kinds of autocratic regimes tend to become unstable after relatively minor changes to their character profiles. The latter regimes are *fragile*: they are stable only with respect to very small changes to their character profiles (e.g., they require high levels of civic virtue from their citizens, and quickly decay into another form whenever such virtue is absent; or they require high levels of loyalty and commitment from their armed forces, and are quickly overturned whenever such commitment fails). These regimes are in an “unstable equilibrium” with respect to their character profiles. A fragile regime will in general have a larger role in the process of character formation in society, or at least in some sectors of society, so long as it endures, something which may make it last for a very long time. The point is not that fragile regimes last less, but that they are like a piece of precision

machinery, dependent on the concurrent operation of many processes that produce a specific set of characters in a society.

A regime type is *incompatible* with its character profile whenever it is easily vulnerable to collective action attempting to change it; it has no ready defenders, and the characters and habits of its members would, on their own, tend to sustain different institutional patterns, and in particular would tend to develop different dominant interpretations of the constraints on choice constituting the institutions of the regime and of their relations. To be sure, different institutional patterns may not be imaginable, or collective action may not be easily organized, so regimes that are incompatible with a specific character profile may subsist for a long time, even with little coercion. Here the stability of the regime depends on the ability of the rulers to make coordination against itself impossible while relying on only a minimum of loyal commitment; we might say that such regimes are stable with respect to *power* but unstable with respect to the character profile of society. All things considered, a regime is of course preferable if it is stable with respect to a character profile rather than just with respect to power; yet it is not always simple to distinguish between regimes that are stable with respect to power and regimes that are stable with respect to a character profile (i.e., that are compatible with a culture, to use somewhat less precise terminology).

A regime type is *unstable* with respect to a character profile when its normal operation contributes (abstracting from the operation of other institutions in society) to the transformation of that character profile into one that is incompatible with it. Stability and instability are relative terms: a regime that is stable with respect to a character profile over a certain timescale may be unstable over a longer timescale, as slow change in character profiles may eventually push a stable regime away from its

zone of equilibrium. A regime type is *improving* if its instability helps produce character profiles that are compatible with *better* regimes (more justified, well organized, better able to produce public goods, and better able to produce better characters); it is *declining* if its instability helps produce character profiles compatible with worse regimes.

It is not clear that better regimes will in general be more resilient or improving; the tradition of political thought that we find exemplified in, e.g., Rousseau, suggests that better regimes are fragile, not resilient, though bad regimes (outright tyrannies) are also fragile, since they tend to be incompatible with most character profiles, if not outright unstable. Only mediocre regimes are resilient in this tradition. Indeed, if by a better regime we mean a regime that both produces and is *only* sustained by better characters, then it seems likely that the better the regime, the less resilient it will be, since it is by definition compatible with only a fairly limited number of character profiles, and the more likely it is that it will be declining rather than improving.

All other things being equal, however, a resilient regime is better than a fragile regime. Such regimes produce benefits for a wide variety of character profiles, if perhaps with different “efficiencies.” A regime is more *efficient* with respect to a given character profile than to another if it produces more benefits— in terms of decisions, interests, and characters – for the first character profile; thus, for example, a polyarchic regime may be more “efficient” in New Zealand than in Venezuela, insofar as the larger benefits it produces in New Zealand are tied to the particular character profile of New Zealand rather than to institutional characteristics of the regime (the example is meant to be illustrative only). The idea of efficiency is found in Mill’s concern for the conditions under which representative government does not produce

its promised benefits; see Mill, chapter 4. We can also see it in ideas about “illiberal” democracy: the concern is that democracy *works better* (is more efficient at producing its promised benefits) whenever certain characters or habits exist in a society. If a resilient regime is otherwise beneficial, it will therefore produce benefits over a large range of character profiles, and indeed for some subset of these profiles it may enter a virtuous circle of improvement.

To be sure, all other things are not necessarily equal. A resilient regime may also be more resistant to improvement, since *ex hypothesi* it is not easily destabilized in a positive way. Indeed, very bad sorts of political regime may be quite resilient. Similarly, it may turn out to be the case that the best sort of political regime we could imagine is extremely fragile, i.e., not robust to small perturbations in its character profile, and indeed that it would quickly decline into a much worse regime. There is no very good reason to think that a good or justified regime will always be stable with respect to many character profiles, or that it will be as efficient as alternative arrangements.

My intention here is not to resolve these puzzles but to point out once again that the evaluation of a political regime from the perspective of stability is not necessarily congruent with its justification or its evaluation from any of the other two perspectives we have discussed – the perspectives of decisions and interests. Regimes, as complicated systems for the division of the labor of decisionmaking, promote and protect different values simultaneously, and there may be no good way of rationally evaluating all of the possible tradeoffs involved. The theory of justice may establish that certain kinds of regimes should be absolutely prohibited (regardless of whether or not they produce public goods or are well organized) because they, e.g., violate fundamental human rights, but it does not always provide enough guidance in

thinking about imperfect regimes in the real world, all of which arguably violate some fundamental rights. The perspectives discussed in this paper are intended as guidelines for thinking about these imperfect regimes as well as about more perfect ones.