

## POLITICS AND FOREIGN DONATIONS

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IN 2021, Steven Schuurman, a Dutch citizen and one of the Netherlands' wealthiest entrepreneurs, made headlines by donating €1.25 million to Germany's Green Party. His stated motivation was climate change. In an interview with the German newspaper *Die Welt*, Schuurman explained that the outcome of Germany's federal election would affect not only Germans but also "the Dutch, the Belgians, the French or the Poles, in fact the entire world."<sup>1</sup> That same year, he also contributed €1.35 million to the campaigns of two Dutch political parties, D66 and the Party for the Animals, again citing climate change as his primary concern.<sup>2</sup>

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

The idea that foreign donations are distinctively objectionable is reflected in many legal jurisdictions, which often impose strict laws against foreign donations to political campaigns. In the United States, for example, the Federal Election Campaign Act (1971) prohibits "contributions, donations, expenditures,

1 Beug, "Warum steigen Sie in den Wahlkampf ein, Herr Schuurman?"

2 See Borst, "D66-donateur Steven Schuurman."

3 See, e.g., *Arizona Free Enterprise Club's Freedom Club PAC v. Bennett* 564 U.S. 721 (2011); Beitz, *Political Equality*, ch. 9; Christiano, *The Rule of the Many* and "Money in Politics"; *Citizens United v. FEC* 558 U.S. 310 (2010); Cohen, "Money, Politics, Political Equality"; Kolodny, *The Pecking Order*, ch. 31; *McCutcheon v. FEC* 572 U.S. 185 (2014); Guerrero, "Against Elections" and *Lottocracy*; Pevnick, "The Anatomy of Debate About Campaign Finance," "Does the Egalitarian Rationale for Campaign Finance Reform Succeed?" "Should Campaign Finance Reform Aim to Level the Playing Field?" and "The Representation-Enabling Approach to Campaign Finance Reform"; and Scanlon, *Why Does Inequality Matter?* ch. 9.

independent expenditures, and disbursements by foreign nationals.”<sup>4</sup> In the European Union, member states generally prohibit non-EU entities from financing political parties within their borders, and some states impose stricter regulations that prohibit all noncitizens from making such donations. In the United Kingdom too, foreign political donations are banned. The Committee on Standards in Public Life explained this ban by stating, “what happens here is the concern of those who live and work here and the political parties should not be entitled to fill their coffers with donations from abroad, made by persons and corporations who have no genuine stake in the country.”<sup>5</sup>

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

The article is structured as follows. In section 1, we examine whether the potentially distinctive wrong of foreign donations is a *democratic* wrong. This might be because such donations give foreign billionaires an unjustifiable say in the democratic process and/or threaten that which renders democracy valuable. The first point takes us through the boundary problem in democratic theory, including prominent solutions such as the all-affected principle and the all-subjected principle. The second point takes us through instrumental and noninstrumental justifications of democracy. But as we see below, identifying a (convincing) distinctive democratic wrong in relation to foreign donations proves extremely difficult.

Perhaps this is because the distinctive wrong is not a democratic wrong but a *nondemocratic* wrong. Thus, in section 2, we explore three candidates for such a distinctive nondemocratic wrong: when donating abroad, the donor (1)

4 Code of Federal Regulations 11 CFR §110.20, <https://www.ecfr.gov/current/title-11/section-110.20>.

5 Committee on Standards in Public Life, *Fifth Report*, 68.

6 See the references cited in note 3 above.

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

treats the foreign citizens like children, (2) lacks standing to interfere, and/or (3) shows disregard for their co-citizens. However, we argue that none of these identify a distinctive wrong in the foreign donation case.

We thus surprisingly conclude that there is nothing distinctively wrong with foreign donations compared to domestic donations. Is this bad news for democracy? Fortunately, no. In fact, our discussion indirectly provides further support to the view that we should limit the role of money in politics. It suggests that if foreign donations are wrong, they are wrong for the same reason(s) as domestic donations. We should thus treat them symmetrically, all else equal. This means that to the extent that we want to oppose (large) foreign donations in politics—as we suspect many people want to—we should equally oppose (large) domestic donations in politics.

#### 1. A DISTINCTIVE DEMOCRATIC WRONG?

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

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

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

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

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

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

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

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

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

10 See Robeyns, "Having Too Much"; and Timmer, "Limitarianism."

money to an election in a country in which she does not live. Moreover, this assumption—that a billionaire can be plausibly considered to be a citizen of a specific state—fits with the empirical reality: Schuurman is a citizen of the Netherlands but not of Germany.

### 1.1. *The All-Affected Principle*

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

The important question, then, is whether there is a difference between Bob and Betsy in terms of whether they should have a say in the election that they try to influence.<sup>11</sup> To answer this question, we must turn to the *boundary problem* in democratic theory: the question of who should be included in democratic decision-making.<sup>12</sup> In this literature, two principles take center stage: the *all-affected principle* and the *all-subjected principle*. Thus, let us examine whether they identify a distinctive wrong when it comes to billionaires influencing politics abroad.

Let us start with the all-affected principle. At its core, this principle says that all and only those whose interests are affected by a given (collective) decision should be included in the making of that decision.<sup>13</sup> It motivates the idea, as quoted above, that what happens in a specific country “is the concern of those who live and work here” rather than of “persons and corporations who have

11 You might still think that we should focus on who actually has the right to vote. We discuss that view in section 1.4 below.

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

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

no genuine stake in the country.”<sup>14</sup> The all-affected principle can be further specified in various ways. One can limit the relevant collective decisions to laws.<sup>15</sup> There is also a question of whether one must be *actually* affected by the relevant collective decision or whether it suffices that one is *possibly* affected.<sup>16</sup> And there are different understandings of what it means to be actually affected.<sup>17</sup> Since none of this makes a difference to our argument, we simply assume the following understanding.

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

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

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

Given Donation-Affected, the question is whether Bob’s interests will be relevantly affected by the upcoming election in country *C* in a way that Betsy’s interests will not be by the upcoming election in country *D*. Suppose that Bob is a resident citizen in the Netherlands, trying to influence the Dutch election by donating money, and that Betsy is a resident citizen in the Netherlands, trying to influence the German election by donating money. Here, Donation-Affected does not point to any fundamental difference between Bob and Betsy. As a resident citizen, Bob’s interests can clearly be affected by the Dutch election. But Betsy’s interests can be affected by the German election as well. Indeed, as many have pointed out, the all-affected principle is radical in its inclusionary implications.<sup>20</sup> In our interdependent, global world, people’s interests are to

14 Committee on Standards in Public Life, *Fifth Report*, 68.

15 Goodin and Arrhenius, “Enfranchising All Subjected,” 126.

16 Goodin, “Enfranchising All Affected Interests, and Its Alternatives”; and Owen, “Constituting the Polity, Constituting the Demos.”

17 See Owen, “Constituting the Polity, Constituting the Demos,” 132.

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

19 In the principle, we refer to an *election* and not to democratic institutions more generally because that is more natural in relation to the boundary problem and because the Schuurman case with which we started involves influencing an election. But nothing of substance hangs on this. Our arguments below apply to either formulation.

20 For example, see Goodin, “Enfranchising All Affected Interests, and Its Alternatives,” 55; and Song, “The Boundary Problem in Democratic Theory,” 49.

a significant extent affected across borders. In that sense, Schuurman is quite right with his comment on the global importance of the German elections.<sup>21</sup>

One might object that there is a difference in degree: one's interests are more affected by domestic policies than by nondomestic policies.<sup>22</sup> But that seems too strong, at least as a matter of principle. In the Germany/Netherlands case, the size of Germany and its importance for the region suggest that sometimes Betsy's interests might be more significantly affected by the upcoming election in Germany than the upcoming election in the Netherlands. And this is by no means distinctive of this case. Indeed, as Sarah Song points out, "consider US trade decisions that affect the basic interests of many Latin Americans while affecting much less important interests of many US citizens. In such a case, the proportional view [Harry Brighouse and Marc Fleurbaey's view that people should have a say in proportion to the degree to which their interests are affected] entails that Latin Americans should have a greater voice in trade decisions than US citizens."<sup>23</sup> So if there is a *distinctive* wrong in Betsy's donation, it does not have to do with Donation-Affected. More generally, if large donations from foreign billionaires are *distinctively wrong* compared to large donations from domestic billionaires, this distinctiveness cannot be explained by referring to the all-affected principle.

### 1.2. The All-Subjected Principle

Let us now turn to the all-subjected principle.

*The All-Subjected Principle:* All and only the people who would be relevantly subject to a law ought to have a vote on the enactment of that law.<sup>24</sup>

A central question about this principle is what it means to be relevantly subject to a law. A common view is that this entails being subject to the coercive power of the law. But as Robert Goodin and Gustaf Arrhenius point out, there is more to laws than coercive power.<sup>25</sup> Borrowing a distinction from H. L. A. Hart, we might say that while *duty-imposing* laws have coercive power, that is not the case

21 Beug, "Warum steigen Sie in den Wahlkampf ein, Herr Schuurman?"

22 Even if this were true, it would not suffice to show that foreign donations constitute a *distinctive* democratic wrong. What is needed for that is a difference *in kind*, but this objection points to a difference *in degree*.

23 Song, "The Boundary Problem in Democratic Theory," 50. See Brighouse and Fleurbaey, "Democracy and Proportionality," 137.

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

25 Goodin and Arrhenius, "Enfranchising All Subjected," 128.

with *power-conferring* laws, which empower people to do something (e.g., make a legally binding will).<sup>26</sup> So instead of understanding being “relevantly subject” to a law as solely a matter of coercive power, we follow the suggestion of Goodin and Arrhenius to understand subjectedness such that “you are relevantly subject to a law if you would be liable to the law being applied to you were you to act contrary to a duty-imposing law or in accordance with a power-conferring law.”<sup>27</sup>

We must also settle another important matter in relation to the all-subjected principle: to whom a law purports to apply. As Arash Abizadeh has recently argued, we must distinguish between a *narrow-scope* and a *wide-scope* understanding of the jurisdictional scope of a law.<sup>28</sup> He asks us to consider a hypothetical domestic Canadian antipollution law that requires not polluting above  $x$  units per year.

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

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

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

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

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

*Narrow-Scope Interpretation\*:* It is legally required of *those on Canadian territory* that: one not pollute more than  $x$  units per year.<sup>29</sup>

If we accept the wide-scope interpretation of ordinary domestic laws, this likely implies that *everyone* is subject to *every* ordinary domestic law in *any* country. That renders the scope of the all-subjected principle implausibly inclusive. It would, however, make our argument easier. Under this wide-scope interpretation, Bob and Betsy are both subject to the ordinary domestic laws of both

26 See Hart, *The Concept of Law*, ch. 3.

27 Goodin and Arrhenius, “Enfranchising All Subjected,” 128.

28 Abizadeh, “The Scope of the All-Subjected Principle,” 606.

29 Abizadeh, “The Scope of the All-Subjected Principle,” 606.

countries *C* and *D*, which implies that the all-subjected principle cannot point to a distinctive difference between their donations.

Following Abizadeh, we thus take a narrow-scope interpretation of ordinary domestic laws (which excludes, for example, immigration laws). But there is another respect in which a law may be interpreted narrowly or widely.<sup>30</sup> Sometimes conditions are built into the content of the law. Consider a law that requires you to isolate if you test positive for COVID-19. Here, we can interpret the law as either having a narrow-scope or a wide-scope content requirement:

*Wide-Scope Content Requirement:* It is legally required that: if one tests positive for COVID-19, one isolates.

*Narrow-Scope Content Requirement:* If one tests positive for COVID-19, it is legally required that: one isolates.

As Goodin and Arrhenius argue, it is implausible to assume the narrow-scope interpretation of the content requirement. It would imply that people who have not tested positive for COVID-19 are not under this legal requirement regarding COVID-19. But that seems implausible: “Surely those who test negative nonetheless remain under a [legal] requirement—the requirement being to isolate, on condition that they subsequently test positive.”<sup>31</sup> Based on this, they argue that the most plausible understanding of the all-subjected principle assumes the narrow-scope interpretation when it comes to the jurisdictional scope of a law and the wide-scope interpretation when it comes to the content scope of a law.<sup>32</sup> We take this view as well.

Thus, pulling the threads together, the all-subjected principle states that an individual is relevantly subject to a law if they would be liable to its application either by acting contrary to a duty-imposing law or by acting in accordance with a power-conferring law, where the law’s scope is jurisdictionally narrow but wide in content.<sup>33</sup>

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

*Donation-Subjected:* It is wrong to influence an election through donating money when you will not be relevantly subject to the decisions of that election.

30 Goodin and Arrhenius, “Enfranchising All Subjected,” 129–30.

31 Goodin and Arrhenius, “Enfranchising All Subjected,” 135.

32 See Goodin and Arrhenius, “Enfranchising All Subjected,” 127.

33 Goodin and Arrhenius, “Enfranchising All Subjected,” 128.

We take it for granted that Bob is subject to the laws of the country in which he resides. Does Donation-Subjected identify a relevant difference between Bob and Betsy? No, not really. First, we can easily imagine cases in which Betsy is relevantly subject to the laws of the country in which she does not reside. Betsy is a billionaire, and billionaires do business. Now suppose Betsy does business in Germany. Given this, Betsy is subject to German law, even assuming the territorially narrow-scope interpretation.<sup>34</sup> In fact, she is subject to German law even if she does not do business in Germany. Indeed, the all-subjected principle on the proposed understanding implies that nonresident nonnationals who violate laws against harming the state's nationals abroad or the interests of the state itself (e.g., by counterfeiting its currency) are subject to these laws.<sup>35</sup>

Second, some might argue that there are relevant differences between Bob and Betsy in the extent to which they are subject to the laws in countries *C* and *D* and/or in how serious that subjection is to their autonomy. This takes us to a second problem with Donation-Subjected: it is incomplete.<sup>36</sup> Consider the Bavarian laws regulating how sausages are made. If we take a narrow-scope reading of the content of these laws, only the people actually making sausages are subject to these laws, and thus only they should have a right to vote on them. As a result, consumers, who might be poisoned by eating improperly made sausages, are not subject to these laws and would not be granted a say on how the sausages ought to be made. That seems clearly underinclusive.

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

34 Goodin and Arrhenius, “Enfranchising All Subjected,” 137.

35 Goodin and Arrhenius, “Enfranchising All Subjected,” 137.

36 This comes courtesy of a criticism that Goodin and Arrhenius provide against the all-subjected principle (“Enfranchising All Subjected,” 143).

ground a right to vote on a law in the effects that that law would have on both those subject to it and those benefiting from their being subject to it.”<sup>37</sup>

The upshot is that Donation-Subjected cannot reasonably identify a distinctive wrong in Betsy’s donation. For one thing, we can easily imagine cases in which Betsy is subject to laws in foreign countries. But even if there were a difference in subjectedness between Bob and Betsy, the explanation for why Betsy’s donation constitutes a distinctive democratic wrong would rest on a principle that, if taken alone, is implausible because it either fails to include some relevant individuals or includes them for the wrong reason. However, if we were to add affectedness as a sufficient condition for inclusion, as in Donation-Affected, then we are back to what we argued earlier—namely, that there is no relevant difference between Bob and Betsy.<sup>38</sup> Therefore, if there is a distinctive wrong in Betsy’s donation, it does not have to do with Donation-Affected or Donation-Subjected.

### 1.3. *The Value of Democracy*

Some people might be inclined to argue that foreign donations can constitute distinctive wrongs by drawing upon a related debate—namely, about the *value of democracy*.<sup>39</sup> Recall that the difference between Bob and Betsy is that Bob is a resident citizen of the country in which he donates; Betsy is not. Does her donation, in a way unlike Bob’s donation, threaten or undermine what renders democracy valuable?

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

37 Goodin and Arrhenius, “Enfranchising All Subjected,” 143.

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

39 Note also that some argue that the boundary problem must be solved by appeal to the value of democracy. See, e.g., Lippert-Rasmussen and Bengtson, “The Problem(s) of Constituting the Demos”; and Miller, “Democracy’s Domain.”

its responsiveness to public needs and its capacity for generating epistemically better political decisions.<sup>40</sup> Other instrumentalist justifications include its beneficial effects on individuals' characters, relations in society, and its ability to maximize (economic) benefits.<sup>41</sup> Each of these accounts maintains that democracy is valuable for what it is *for* rather than for what it *is*.

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

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

Some people might object that there are in fact two reasons why Betsy's donation undermines the instrumental value of democracy in a distinctive way.<sup>42</sup> To start with, one might argue that we have much more reason to worry about foreign donations than domestic donations due to differences in accountability. Whether by legal means (e.g., the donations of domestic donors can (much more effectively) be regulated by law and the state) or other means (e.g., shareholders

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

41 On character, see Elster, "The Market and the Forum." On relational equality, see Motchoulski, "Relational Egalitarianism and Democracy." But see also Zuehl, "Equality, Democracy, and the Nature of Status." On economic benefits, see Buchanan and Tullock, *The Calculus of Consent*.

42 We thank an anonymous reviewer for pushing us on this and suggesting these two possible arguments.

can oust billionaires from positions of authority in the firms that they lead, or workers can strike), domestic donors can be held accountable for their attempts to influence politics in ways that foreign donors cannot be held accountable.

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

More importantly, and this is our second response, *if* there is a difference when it comes to accountability, it is a difference in degree and not in kind. That there are strict laws against foreign donations, as we mentioned in the introduction, suggests that it is not generally considered impossible to hold foreign donors accountable. Moreover, the legal entity can hold the receiving party (for instance, the political party receiving the donation)—and not the donor—accountable. Since the receiving party is situated within the domestic context, it should not be particularly difficult to hold them accountable, at least not in a way that is different from holding them accountable when it comes to domestic donations. This further suggests that insofar as there is a difference between foreign and domestic donations, it is a difference in degree, not in kind. Whatever difference in accountability exists between foreign and domestic donors, it is not enough to establish that foreign donations are *distinctively* objectionable.

Another reason for arguing that Betsy’s donation distinctively undermines the instrumental value of democracy is that foreign donors are less likely to have the knowledge and expertise required to wield justifiable political influence on an epistocratic view.<sup>43</sup> Perhaps, for example, foreign donors tend to have less at stake than domestic donors and therefore pay less attention to the relevant facts, or perhaps they lack the relevant cultural and social backgrounds. This lack of epistemic credentials, one might argue, distinguishes foreign donors from domestic donors.

43 As an anonymous reviewer correctly points out, while some epistocrats are not democrats (e.g., Brennan, *Against Democracy*), other epistocrats endorse representative democracy (e.g., Landa and Pevnick, “Representative Democracy as Defensible Epistocracy” and *Representative Democracy*).

In our view, this suggestion runs into the same problem as the accountability argument. Even if we assume that there is a difference in epistemic credentials between foreign donors and domestic donors, it seems to be a difference in degree, not in kind.<sup>44</sup> Indeed, it is not as if foreign donors cannot obtain knowledge of the political system to which they want to donate. Presumably, Schuurman gathered such knowledge before deciding to donate to Germany's Green Party. Moreover, it need not be the case that a domestic donor has the requisite knowledge and expertise. Thus, this does not seem to be the distinctive wrong that we have been looking for.

In contrast to instrumentalist justifications, noninstrumentalist justifications of democracy emphasize values that are intrinsic to democratic decision-making procedures themselves. For example, democracy may be grounded in principles such as self-governance or relational equality, or be justified as a framework for the public justification of laws and policies.<sup>45</sup> Alternatively, it may inherently treat individuals as equals within the political process, according to the common one person, one vote principle.<sup>46</sup> In other words, noninstrumentalist justifications value democracy for what it *is*.

But none of these justifications can establish that Betsy's donation constitutes a distinctive wrong. Consider the idea that democracy is valuable because it allows for self-governance. Betsy is a resident citizen of country *C* but donates money to influence an upcoming election in country *D*. One might argue that this undermines the value of democracy in a way different from Bob's donation because only Betsy's donation interferes with the self-governance of people who are not resident citizens of the country of the donor. However, that argument holds only if we assume that Betsy should not be a member of the self-governing people of country *D*. What seems to be at stake, then, is not whether Betsy's

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

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

46 For illuminating discussion of the difficulty of specifying the meaning of “one person, one vote,” see Wodak, “One Person, One Vote.”

donation undermines the value of democracy but whether Betsy, unlike Bob, should be a member of the democratic community. But that brings us back to our earlier discussion of the boundary problem and our conclusion that even if Betsy's donation constitutes a democratic wrong, the fact that Betsy donates from abroad does not render her donation a distinctive democratic wrong.

#### 1.4. Realism and Nonideal Theory

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

It is important to see what happens if we drop this assumption. Suppose that people have a right to participate in the democratic process of and only of the country in which they are a resident citizen.<sup>47</sup> If so, Betsy's donation might constitute a distinctive democratic wrong. This is because Betsy influences politics in a country in which she does not have a right to participate in the democratic process, whereas Bob influences politics in a country in which he does have such a right. Whereas Bob's donation unjustly gets him a *second* vote, Betsy's donation unjustly gets her *a vote at all*. Put differently, Bob gets more of a say than he should have, but Betsy unjustly gets to say something in the first place.

One might be tempted to jump to the conclusion that if both cases constitute democratic wrongs, their wrongness cannot be captured by the same reason. Having more of a say where you should have only an equal say to your fellow citizens might seem wrong for a different reason than having a say at all when in fact you should not have a say. But that may be too quick, or at least it merits further argumentation. After all, we might equally well say that both Bob and Betsy get *one vote too many* (or, if you prefer, *one amount of influence too much*), and *that* is what explains the democratic wrongness of their respective

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

donations. But in that sense, Bob and Betsy are alike, and no distinctive wrong seems to occur in Betsy's case.

Let us therefore try to unpack the idea that we must take existing borders for granted and that Betsy having a say at all therefore constitutes a democratic wrong for a different reason than Bob having too much of a say. Consider the original example. The Dutch billionaire Schuurman donated money to influence politics in both the Netherlands and Germany. Do we have a reason to believe that his donation in Germany constitutes a distinctive democratic wrong? One reason for tying the right to influence politics with residency (or something like actually having a right to vote) is that this fits with many current democratic practices that tie voting rights to citizenship. If we accept these practices as given, we seem to have a reason to regard foreign billionaire donations as constituting distinctive democratic wrongs. Another and more substantive reason for tying the right to influence politics to residency (or some adjacent idea) is that it secures democratic stability and peace.<sup>48</sup> Of course, one might say, this might not ensure the right of everyone who should have a right to participate in politics, but we must draw the line *somewhere*.<sup>49</sup>

It seems, then, that we have an explanation of what renders Betsy's donation different from Bob's donation: only Betsy tries to influence politics in a country in which she is not a resident citizen, in which she lacks the right to vote, and/or in which she lacks some other relevant entitlement that Bob *does* possess in the country in which he makes his donation. Let us call this the *membership-based argument*. Does this argument identify a distinctive wrong?<sup>50</sup>

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

48 See Horton, "Realism, Liberal Moralism, and a Political Theory of *Modus Vivendi*"; and Song, "The Boundary Problem in Democratic Theory."

49 For discussion, see Song, "The Boundary Problem in Democratic Theory."

50 We thank an anonymous reviewer for pushing us to discuss further the membership-based argument.

are to be distinctively objectionable, we need an argument that tracks the difference between foreign and domestic, not the difference between citizen and noncitizen, which is why the citizenship version of the argument does not work.

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

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

## 2. A DISTINCTIVE NONDEMOCRATIC WRONG?

It is difficult to establish that there is a distinctive *democratic* wrong in influencing politics abroad by donating, as we have just seen. But perhaps the distinctive wrong is not a democratic wrong; perhaps, that is, Betsy’s donation constitutes a distinctive *nondemocratic* wrong. In this section, we explore whether this is the case. We examine three suggestions: by donating abroad, Betsy commits a distinctive nondemocratic wrong because (1) she treats the foreign citizens like children in the same way that a colonizer does with respect to the colonized, (2) she interferes in something that is none of her business (i.e., she lacks *standing* to interfere), or (3) she shows disregard not for the citizens in the democracy to which she donates but for her co-citizens.

### 2.1. *The Wrong of Colonialism*

A first potential reason for regarding Betsy's donation as constituting a distinctive nondemocratic wrong can be found in recent debates about the wrong of colonialism. Some argue that colonialism is wrong for reasons having to do with, roughly speaking, *collective self-determination*.<sup>51</sup> For instance, Massimo Renzo says the wrong of colonialism is that colonized peoples are not the authors of the rules to which they are subject.<sup>52</sup> Such views rely on a prior claim that colonized peoples should be collectively self-determining. But whatever merits such views might have when examining the wrong of colonialism, they are not helpful for our purposes of identifying a distinctive wrong in the case of billionaires donating money to political campaigns abroad.<sup>53</sup> They simply take us back to the boundary problem and our earlier discussion since, without an answer to the boundary problem, it is an open question whether certain peoples should be collectively self-determining. For this reason, we set aside such views on the wrong of colonialism.

Another common view is that colonialism is wrong for reasons having to do with *exploitation*.<sup>54</sup> And so we might ask whether Betsy exploits the citizens of country *D* by donating to the upcoming election in that country (whereas Bob does not exploit the citizens of country *C* by donating). However, while referring to exploitation may explain (part of) why colonialism is wrong, exploitation can take place in both domestic and foreign relations. For example, according to Nicholas Vrousalis's definition of exploitation, "A exploits B if and only if A and B are embedded in a systematic relationship in which (a) A instrumentalizes (b) B's vulnerability (c) to extract a net benefit from B."<sup>55</sup> If so, exploitation cannot be the distinctive wrong we are looking for since nothing hinges on whether the exploitation happens by foreign or domestic billionaires. If Betsy's donation might constitute an act of exploitation, then so might Bob's donation.

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

52 See Renzo, "Why Colonialism Is Wrong."

53 Which is not to say that they are not plausible views of the wrong of colonialism. For our purposes, we can set aside the question of what makes colonialism wrong.

54 See Renzo, "Why Colonialism Is Wrong," 372; and Valentini, "On the Distinctive Procedural Wrong of Colonialism," 312.

55 Vrousalis, "Exploitation, Vulnerability, and Social Domination," 132.

A recent proposal of the wrong of colonialism coming from Ritwik Agrawal and Allen Buchanan is that colonialism involves “treating normal adult human beings as inferior in the sense of assuming them to be unfit to manage their own affairs.”<sup>56</sup> The colonizers, as it were, treat the colonized as if they were children, and this is what makes colonialism wrong. Perhaps this idea captures what goes wrong when a rich person donates money to politics abroad: they treat the citizens of the country to which they donate as if they are unfit to manage their own affairs, as if they are children. This resembles, at least in some sense, the structure of the behavior of the colonizers toward the colonized. Does this suggestion capture a distinctive nondemocratic wrong in Betsy’s case that is absent in Bob’s case—that Betsy, unlike Bob, treats the citizens of the country to which she donates as if they are unfit to manage their own affairs?

We may start by noticing that this charge of treating adults as if they were children is often brought forward in discussions on paternalism. Indeed, it is sometimes asserted that paternalism is wrong precisely because it amounts to treating an adult as if they were a child.<sup>57</sup> When it comes to paternalism, the motive is important. For something to count as paternalism, the person interfering must be motivated to improve the welfare, interests, or some such of the one interfered with.<sup>58</sup> If the person interferes for some other reason—say, to protect public finances—the interference does not amount to paternalism. Thus, it is natural to think that if Betsy’s donating abroad is to be distinctively objectionable because it amounts to treating the citizens in the democracy with which she interferes as if they were children, Betsy must act based on a benevolent motive.<sup>59</sup>

The problem with this suggestion is that both Bob and Betsy (or neither, for that matter) might be acting based on such a benevolent motive. Indeed, they might both think that unless they donate, the citizens in the countries to which they donate will choose policies that are bad for those citizens. They might both treat the citizens in the respective countries as unfit to manage their own affairs. If so, this cannot be why Betsy’s donation is distinctively wrong. It is worth recalling that Schuurman donated to political parties in both the Netherlands and Germany, and he cited the same reason (namely, climate change) for these donations.

56 Agrawal and Buchanan, “The Fundamental Wrong of Colonialism,” 185.

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

58 See de Marneffe, “Avoiding Paternalism”; and Dworkin, “Paternalism.”

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

But perhaps the problem with billionaire donations can be understood *expressively* instead: it is a matter of what these donations express.<sup>60</sup> And it might be that Betsy's donation expresses that those interfered with are unfit to manage their own affairs in a way that Bob's donation does not, precisely because Betsy donates to actors in a foreign political system, whereas Bob donates domestically.

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

## 2.2. "None of Your Business"

Let us turn to the idea that Betsy, by donating abroad, commits a distinctive nondemocratic wrong by interfering in something that is none of her business—she lacks *standing* to interfere. What is standing?<sup>61</sup> Ori Herstein describes it well:

"Standing" is a certain normative structure which regulates interventions into the affairs of others. From the point of view of the intervener, standing norms set conditions under which one is under a duty not

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

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

to intervene (for example, one ought not make hypocritical requests). And from the point of view of those intervened with, standing norms determine how they may react to interventions performed under those conditions. Namely, if standing's duty of nonintervention is breached, this triggers a *pro tanto* permission in the addressee to resist such interventions (for example, permitting disregarding a friend's hypocritical request).<sup>62</sup>

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

But you might also lack standing if you are interfering in something that is none of your business.<sup>63</sup> Consider the following.

*Park Intervention:* Troubled by the scene of a young child picking on another child in the park, a bystander intervenes, ordering the child to stop.<sup>64</sup>

In this case, intervening by ordering the child to stop is none of the bystander's business. The reason for this, Herstein points out, is that the adult bystander does not stand in the relevant kind of relationship to the child. In Park Intervention, the relevant kind of relationship is guardianship, which is usually a prerequisite for ordering a child (not) to do something.<sup>65</sup> Thus, the bystander's interference is objectionable because they lack standing to interfere. What happens between the children is none of the bystander's business.

Perhaps billionaires donating abroad is objectionable for this reason as well. By donating, Betsy interferes in something that is none of her business, and this is what makes it objectionable. If the same cannot be said for Bob's donation, this points to a distinctive nondemocratic wrong in Betsy's case. To evaluate this argument, we need to know what it takes for something to be none of one's business. Above, we saw that this can be the case if someone is not relevantly

62 Herstein, "Justifying Standing to Give Reasons," 2. See also Herstein, "Understanding Standing."

63 See also Radzik, "On Minding Your Own Business" and "On the Virtue of Minding One's Own Business."

64 Herstein, "Justifying Standing to Give Reasons," 4.

65 Herstein, "Justifying Standing to Give Reasons," 6.

related to the person with whom they interfere. In addition to this requirement, Kasper Lippert-Rasmussen also posits that for something to be none of one's business, one's interests must be unaffected. We need that condition partly to account for cases in which something plausibly becomes the business of a third party even though that party is not relevantly related to the others. (Think, for example, of remote Indigenous people's vulnerability to climate change due to other people's emissions.)

*The Relation and Interest Principle:*  $Y$ 's  $\phi$ -ing is none of  $X$ 's business if and only if (1)  $X$  and  $Y$  are not related in any special way such that  $Y$ 's  $\phi$ -ing is  $X$ 's business by virtue of their relation; and (2)  $X$ 's interests are either unaffected by  $Y$ 's  $\phi$ -ing or affected by  $Y$ 's  $\phi$ -ing but  $X$  has either consented to their interests being affected in this way or has forfeited their right to have these interests protected or promoted.<sup>66</sup>

This is a conjunctive view, which means that something can be one's business either because one stands in a relevant relation to the one with whom one interferes or because one's interests are (relevantly) affected by that in relation to which one interferes. The second conjunct shows us why the "none of your business" explanation does not point to a distinctive wrong. As we saw in our discussion of the all-affected principle, both Bob's and Betsy's interests may be (relevantly) affected by the political system to which they make a donation.<sup>67</sup> If so, Bob and Betsy are not situated differently in the sense that whereas Bob has standing, Betsy does not. If there is a distinctive wrong in donating abroad, it is not identified by the "none of your business" explanation.

### 2.3. *Disregarding Your Co-Citizens*

Let us finally turn to the idea that Betsy, by donating abroad, commits a distinctive nondemocratic wrong because she shows disregard for her co-citizens. In a recent discussion of *limitarianism*—the view that it is morally objectionable to be too rich or to have too much—David Axelsen and Lasse Nielsen argue that extreme wealth adds an expressive wrong: "in retaining or wasting excess

66 Lippert-Rasmussen, *The Beam and the Mote*, 132.

67 Lippert-Rasmussen's principle seems to track something along the lines of the all-affected principle. (He points to "something like Mill's harm principle." See *The Beam and the Mote*, 131.) This is why the discussion of the all-affected principle is relevant here. But all our argument requires here is a view of interests in which the relevant interests may be affected across borders. And that is indeed the case on most (plausible) views. Also, insofar as there are (plausible) views on which this is not the case (perhaps some realist view), such a view is most likely covered by our arguments in sections 1.3 and 1.4 above. We thank an anonymous reviewer for relevant discussion here.

wealth while others have too little, the wealthy send a message of complete disregard for the interests of their co-citizens.”<sup>68</sup> They consider the following pair of cases.

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

*Bank Account:* In a society, some citizens have so much wealth in their bank accounts that they could spend thousands of pounds on extravagant meals every day for the rest of their lives and still die rich. In the same society, other citizens use food banks because they cannot afford basic food items.<sup>69</sup>

Given these circumstances of inequality and insufficiency, having as much money as the upper class in Extravagant Spending and Bank Account takes on a different meaning: their excess suggests that they have nothing more important to spend their resources on, thereby expressing “complete disinterest, or even disregard” towards their co-citizens.<sup>70</sup> Indeed, their actions express towards their co-citizens that “your interests are of so little importance to us that we won’t even relinquish wealth, the absence of which wouldn’t prevent us from achieving anything significant, to help you get by.”<sup>71</sup>

Suppose Axelsen and Nielsen are right about this. We may then use their idea to construct an argument for why Betsy commits a distinctive wrong by donating abroad. When her own political system is not functioning properly (e.g., if it gives rise to significant poverty and unmet urgent needs), Betsy expresses disregard for her co-citizens by donating to an election abroad. She is, in effect, telling her co-citizens that it is more important for her to promote her or other people’s interests abroad rather than to promote the interests of

68 Axelsen and Nielsen, “The Expressive Injustice of Being Rich,” 293. On limitarianism, see, e.g., Axelsen and Nielsen, “What’s Wrong with Extreme Wealth?”; Harel Ben Shahar, “Limitarianism and Relative Thresholds”; Berkey, “Limitarianism, Institutionalism, and Justice”; Huseby, “The Limits of Limitarianism”; Meijers, “Limitarianism and Future Generations”; Robeyns, “Having Too Much,” “Why Limitarianism?” and *Limitarianism*; Timmer, “Limitarianism,” “Presumptive Limitarianism,” and “Limitarianism, Upper Limits, and Minimal Thresholds”; Volacu, “Wealth, Political Inequality, and Resilience”; and Volacu and Dumitru, “Assessing Non-Intrinsic Limitarianism.”

69 Axelsen and Nielsen, “The Expressive Injustice of Being Rich,” 302.

70 Axelsen and Nielsen, “The Expressive injustice of Being Rich,” 303.

71 Axelsen and Nielsen, “The Expressive Injustice of Being Rich,” 303.

her fellow citizens. This makes her donation distinctively expressively wrong. Is this the distinctive nondemocratic wrong we have been looking for?<sup>72</sup>

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

Moreover, a domestic donation might also express disregard for (some) co-citizens—e.g., if a person donates to a political party that already has much more money than other parties or if that party protects the interests of only the rich upper class. If the society is marked by poverty and political inequality, it is hard to see how such a donation is expressively unproblematic (at least if we assume that donating abroad expresses disregard for one's co-citizens when there is significant political inequality in one's domestic political system). Thus, this explanation does not identify a distinctive nondemocratic wrong.

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

### 3. CONCLUSION

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

72 We treat this as a justice concern and therefore a potential nondemocratic wrong, not as a democracy concern. Both versions could clearly be construed, but since we have already discussed the issue of identifying a distinctive democratic wrong in section 1 above, we here explore whether there might be a distinct justice-related concern that can explain the distinctive wrongness of foreign donations.

distinctive—whether democratic or nondemocratic—to the wrongness of the donation.

Where does this leave us? We would like to end by pointing to an interesting upshot of our argument. Importantly, saying that there is nothing distinctively wrongful about foreign donations does not mean that such donations are not wrong. In fact, our arguments are fully compatible with saying that such donations constitute both democratic and nondemocratic wrongs, such as violating equal opportunity for political influence. But our arguments suggest that if foreign donations are wrong, they are wrong for the same reason(s) as domestic donations. We should thus treat them symmetrically, all else equal. This means that to the extent that we want to oppose foreign (billionaire) donations in politics—as we suspect many people want to—we should equally oppose domestic (billionaire) donations in politics. In this sense, our arguments in fact add further indirect support to the view that we should limit the role of money in politics.<sup>73</sup>

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