

## Abstract

What qualities and characteristics make a public servant in a western democracy? I explore this question by focusing on political meritocracy in the context of western democracies. Political meritocracy is the view that members of the legislative or judicial branch as well as government bureaucrats must be chosen and promoted based on their individual skills, virtues, character, and performance.<sup>1</sup> I examine three approaches to political meritocracy (the historical, the institutional and the ideal theory). I conclude that in an ideal society, a janitor, a rich businessman and an educated policy maker should all have an equal opportunity of being a public servant. Utilizing various approaches to political theory was helpful for me to begin to answer my broad research question. The textualist approach to political theory helped me dissect the texts of Aristotle and Machiavelli. Reading these texts without an agenda or presuppositions alongside one another made me realize that Aristotle and Machiavelli see a virtuous leader as having quite different qualities. A history of political thought approach helped me trace back the positionality and influences of various thinkers in the history of political theory. Here, the theorist can create a conversation between the most influential theorists in the history of political theory. This celebration of conversation can help us see the similarities and differences between the great thinkers in political theory. An institutional approach gives us a bird's eye view of a variety of institutions and their practices. This approach also opens the space for normative critiques. An ideal theory approach allows the theorist to use the imagination and provide a view of how society ought to look like. Lastly, empirical research and normative analysis can help the theorist find gaps and contradictions in normative principles and policy outcomes.

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<sup>1</sup> Ziliotti, Elena. "The moral basis of political meritocracy." *Philosophy and Public Issues New Series* (2017).

## A History of Political Meritocracy in the West

Political theory is a form of intellectual activity that began with the Socratic-Platonic dialogue.<sup>2</sup> It is a living and breathing intellectual activity that is primarily a dialogical enterprise. A resolutely textualist approach to political theory allows us to immerse ourselves in the great texts in political thought. It encourages the theorist to authentically explore and understand the complexities, riddles, ironies, tensions, and paradoxes that are in each text – and it allows for play, experimentation, and exploration. When a theorist opens a text, they should be a *tabula rasa*. They should be radically open to unexpected twists and turns in the text.

A theorist is always flying blind when approaching a text. The deepest intentions of the author of the text at hand are concealed – as are the philosophical issues that they seek to address. Diving straight into a text will advance one's understanding of the text greatly. Using a textual approach helped me develop a direct relationship to the texts of Aristotle and Machiavelli. An intimate relationship between the text and the theorist is best formed using a textual approach.

Viewing the text as a primary source allows for a fruitful conversation to assume form not just about the text – but with it as well. The textual approach creates an immediacy and intimacy of dialogue between great theorists. Textual approaches allow the theorist to read a given primary text very slowly and very carefully. Textual approaches to political theory will help me trace the roots of political meritocracy in the west. It will encourage a critical and intimate engagement with the text. It will help me understand what makes a virtuous public servant in the western context. One-way political meritocracy in the western context has

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<sup>2</sup> Beiner, Ronald, and Evangelia Sembou. "‘Textualism’: An Anti-Methodology." *Political Theory: The State of the Discipline* (2013): 22-35.

assumed form is from this idea of virtue.

My reading of Aristotle's *Politics* highlights the virtues of a textual approach to political theory. An intimate reading of the text allows me to find that Aristotle himself has the same questions on political meritocracy as I do. In *Politics*, Aristotle explores if we should consider whether the same virtues which constitute a good man make a valuable citizen.<sup>3</sup> Aristotle wonders if a particular inquiry is necessary for this matter. He wants to give a general description of the virtues of a good citizen – and notes that just as a sailor is one of those who make up a community, so is a citizen. My reading of Aristotle's *Politics* illustrated to me the fruits of a textual approach to political theory – which allowed me to truly immerse myself in the text and read it very slowly, as if I was with Aristotle himself as he wrote it.

In Aristotle's view, an ideal virtuous government is animated by a commander-in-chief that must acquire knowledge of their duty by having been long under the command of another. Aristotle notes that direction and knowledge of public affairs is a virtue peculiar to those who govern. In Aristotle's view, those who govern are like musicians who play the flute. They are concerned with the technicalities and complexities of governance. The governed on the other hand is simply a flute maker. They should be unconcerned with the art of governance.

The textual approach I am using involves an unmediated relationship to the text. One limitation of this approach is that it neglects the methodological principle. The methodological principle affirms that in the interpretation of a canonical author, one should privilege the author's contemporaries qua interlocutors because it is inconceivable that an author would have the whole of humankind in mind in framing an image of relevant interlocutors. This critique is valid because it is I who have made unity of the tasks of Aristotle and Machiavelli. They

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<sup>3</sup> Aristotle. *Aristotle's Politics*. Oxford: Clarendon Press, 1905.

belonged to a very different way of living and had very different tasks to perform. A contemporary lens can help us make relevant connections between thinkers. It can help us place thinkers in various contexts and moments in time. However, a purely textual approach is animated by an authenticity and intimacy with texts that is simply not possible with a purely methodological lens.

Using a textual approach is like walking into a desolate room with a dusty old text, opening it and dissecting each passage with care – without any distractions. This yields an intense focus that other approaches to political theory simply won't allow. Aristotle's style of writing and argumentation is so brilliant that it should be taken in on its own without needless fluff. Aristotle's method of convincing and persuading the audience of issues through a series of strategies should be celebrated without needless methodological rigor. A textual approach allows for this celebration. A textual approach is a minimalist arrangement that puts the text first.

In the *Prince*, Machiavelli views the virtues of a leader quite differently than Aristotle. In Machiavelli's view, a ruler must be able to exploit both the man and the best in himself to the full.<sup>4</sup> A virtuous leader should only seem to be virtuous. A virtuous leader should only seem to be compassionate, loyal, human, honest and religious. To stay in power, a virtuous leader can't always behave in ways that would make people think a man is good – because to stay in power a virtuous leader is obliged to act against loyalty, against charity, against humanity and against religion. In Machiavelli's view, people judge a leader more by appearances than first-hand experiences, because everyone gets to see you but hardly anyone deals with you directly. The ideal leader in Machiavelli's view is one that does what it takes to win power and keep it. His method will always be reckoned honorable and widely praised.

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<sup>4</sup> Machiavelli, Nicolo. "The prince." No. 3 (2004): 1-12.

A close reading of the texts in the history of political thought approach as exemplified by Rebecca Kingston would help us study the place and role of Aristotle and Machiavelli. This history of political thought approach helps us trace back the structure and development of the ideas of these authors.<sup>5</sup> It can help us get to the crux of how their works helped give way to modern ideas about political meritocracy in the western world – and how the structure and development of their ideas can offer certain insights into how these thinkers were able to carve out a space for innovative and challenging perspectives on what exactly we should look for in a virtuous and competent leader. It will help us understand who inspired these authors – and what connections and differences emerge between them. A history of political thought approach helps us place great writers in the history of political thought in relation to one another. This celebration of scholarship and serious play helps the theorist create theoretical foundations in which they can make a coherent argument about what each great thinker in the history of political thought means in relation to another. This can be a lot more fun than just a textualist approach. A history of political thought approach would lead me to believe that both Aristotle and Plato were advocates of meritocracy. It can also show that Aristotle and Machiavelli differed on the characteristics of a virtuous political leader. It can help us trace back the development of political thought in Ancient Greece in relation to meritocracy.<sup>6</sup> Aristotle's work can complement Plato's – and a fruitful and rich story can be told about the history of ideas of political meritocracy in the Western world. A history of political thought approach to political theory will help us follow shifting understandings and debates concerning the notion of political meritocracy, as filtered through various forms of engagement with Aristotle and Plato's work.

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<sup>5</sup> Kingston, Rebecca. *Plutarch's Prism: Classical Reception and Public Humanism in France and England, 1500–1800*. Not yet published - available from October 2022

<sup>6</sup> Kingston, Rebecca. *Plutarch's Prism: A Book Proposal*

## Institutional approaches to meritocracy

Institutions are the kinds of structures that matter most in the social realm. They make up the stuff of social life.<sup>7</sup> The role of institutions in social life involves the recognition that much of human interaction and activities are structured in terms of overt or implicit rules. Institutions are systems of established and prevalent social rules that structure social interactions. Language, money, law, and legislatures are all examples of institutions.

An institutional approach to political theory will help enhance our understanding of the forms and functions of institutions. This will help us understand how judicial, legislative and bureaucratic institutions have enforced political meritocracy across different contexts and moments in time. An institutional approach to political theory acknowledges that politics is historically located – and that it has to do with humans interacting in institutional contexts that change over time. The study of politics must reflect this fact.<sup>8</sup>

How an institution enforces political meritocracy is an empirical and political question. Political meritocracy claims that institutions are animated by principles of government that aims to strengthen the role of the component and morally good leaders.<sup>9</sup> An institutional approach to political meritocracy will reorient our understanding of institutions function and value, as well as our critical attitude towards how they might be improved or shaped.<sup>10</sup> Analyzing a variety of institutions is crucial because they reveal themselves in practice and serve a wide and indefinite variety of human interests. Analyzing these interactions will help us better understand merit.

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<sup>7</sup> Hodgson, Geoffrey M. "What are institutions?" *Journal of economic issues* 40, no. 1 (2006): 1-25.

<sup>8</sup> Geuss, Raymond. "Philosophy and real politics." In *Philosophy and Real Politics*. Princeton University Press, 2008.

<sup>9</sup> Ziliotti, Elena. "Political meritocracy and the troubles of Western democracies." *Philosophy & Social Criticism* 46, no. 9 (2020): 1127-1145.

<sup>10</sup> Sabl, Andrew. "Realist liberalism: an agenda." *Critical review of international social and political philosophy* 20, no. 3 (2017): 366-384.

## The Court

The debate over how judges are selected is a robust one in both historical and contemporary contexts.<sup>11</sup> The evolution of judicial selection in the common law system is well documented.<sup>12</sup> During the reign of William the Conqueror, the first Norman King of England from 1066 until his death in 1087, the judicial function was an integral part of the Curia Regis (The king's court). Cases involving royal law were heard and decided by the King sitting with counselors of his selection. A separate judiciary did not come into being until after William's death. In general, the eighteenth-century English reforms did not apply to the American colonies – the king appointed colonial judges. The drafters of the U.S rebelled and advocated for an independent judiciary from the monarch.

The founding fathers gave Supreme Court justices jobs for life so that they wouldn't be compromised by democratic pressures.<sup>13</sup> Indeed, the desirability of judicial elections is a question that has been lingering and causing controversy for over 200 years. Hamilton argued that appointing judges to positions of power with life tenure was the best way for any government to secure a steady, upright, and impartial administration of the laws. By contrast, Jefferson argued that making judges "dependent on none but themselves" ran counter to the principle of "a government founded on the public will".

Hamilton postulated in Federalist No. 78 that good judges are few – and every care should be taken to ensure that those who are best qualified will be appointment to interpret the

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<sup>11</sup> Klein, Kenneth S. "Weighing Democracy and Judicial Legitimacy in Judicial Selection." *Tex. Rev. L. & Pol.* 23 (2018): 269.

<sup>12</sup> Newman, Sandra Schultz, and Daniel Mark Isaacs. "Historical Overview of the Judicial Selection Process in the United States: Is the Electoral System in Pennsylvania Unjustified." *Vill. L. Rev.* 49 (2004): 1.

<sup>13</sup> Wooldridge, Adrian. *The aristocracy of talent: How meritocracy made the modern world.* Penguin UK, 2021.

laws with care.<sup>14</sup> In Hamilton's view, a judge should always be non-partisan, completely detached from the public mood and the political system more broadly. Benjamin N. Cardozo, a Former Associate Justice of the Supreme Court noted that the guarantee of justice comes from the personality of a judge.<sup>15</sup> Hence, what makes a virtuous and desirable judge is the ability to be an impartial weigher of competing arguments and facts in search of truth and justice.

As Cardozo notes, law is a historical growth, for it is an expression of customary morality which develops silently and unconsciously from one age to another. This demonstrates to us the importance of the institutional approach to political theory. It recognizes that politics is historically located and it can help us understand the functions, or supposed functions of various institutions across space and time. An institutional approach will help the theorist make sense of judicial institutions actual functions as well as their supposed functions. The institutional approaches help us analyze where and how judicial process assume from. It helps us understand the history and logics that make judicial institutions in the western world.

The history of judge selection practices is long.<sup>16</sup> In the United States, the history of selection practices for state judges have moved from direct appointment by governor and selection by state legislature, through partisan and then nonpartisan elections, to the merit plan. The basic features of the merit plan are the nomination of a list of qualified candidates by a nonpartisan commission composed of lawyers and nonlawyers, the appointment by an elected official from the list of candidates, and the election, after a short probationary period, of the judge in a yes-no retention election. The merit plan by states has gained momentum in the 1970s.

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<sup>14</sup> Hamilton, Alexander, James Madison, and John Jay. "Federalist no. 78." In *The federalist papers*, pp. 235-240. Palgrave Macmillan, New York, 2009.

<sup>15</sup> Cardozo, Benjamin N., and Andrew L. Kaufman. *The nature of the judicial process*. Quid Pro Books, 2010.

<sup>16</sup> Alfini, J., Association of Trial Lawyers of America, and United States of America. "Trend Toward Judicial Merit Selection." *TRIAL* 13, no. 11 (1977): 40-43.

## The Legislature

Claude Adrien Helvétius, a 17<sup>th</sup> century French Philosopher, postulated in his work essays on the mind that the mind is only made up of sensations and the associations of sensations.<sup>17</sup> From this perspective, differences in individuals are only a result of differences in experiences. This leads Helvétius to believe that the population can reach the same intellectual level if the state provides good education policies – and that all great men that come out of this equal process should work in the legislature, and the legislature should work to ensure good men. Rousseau took a similar view. In his *Discourse on the Origins of Foundations of Inequality among Men*, he noted that men are naturally free, independent, and equal – although he did argue that other men have stronger abilities than others.<sup>18</sup>

America’s founders were highly aware of the problem of securing competent rule in a republic – and they tried to find a happy equilibrium between democratic and meritocratic modalities.<sup>19</sup> Delegates to the 1787 Constitutional Convention established requirements that individuals had to meet to become a member of the House and Senate.<sup>20</sup> Influenced by British and State precedents, they set age, citizenship, and inhabitancy qualifications for senators but voted against proposed religion and property requirements. The delegates voted on June 12 to set a minimum age of 30 for the Senate and later added a minimum age of 25 for serving in the house. They maintained that members of the senate should be older and more experienced – and

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<sup>17</sup> Helvetius, Claude-Adrien. "Essays on the Mind." (1810): 42.

<sup>18</sup> Rousseau, Jean-Jacques. *Discourse on the Origin and the Foundations of Inequality among Men*. New York: Bedford/St. Martins, 2011.

<sup>19</sup> Bell, Daniel A., and Chenyang Li, eds. *The East Asian Challenge for Democracy: political meritocracy in comparative perspective*. Cambridge University Press, 2013.

<sup>20</sup> "About the Senate and the Constitution." U.S. Senate: About the Senate and the Constitution, March 7, 2022. <https://www.senate.gov/about/origins-foundations/senate-and-constitution.htm>.

hence wiser. In the Federalist, James Madison justified the higher age requirement for senators by contending that the “senatorial trust” called for a “great extent of information and stability of character” then would be needed in the more democratic House of Representatives. Careful study of institutions helps us chip away at broad phenomenon such as political meritocracy. The institutional approach to political theory helps us trace back the history of institutions and how they are supposed to function. This helps me carefully uncover the origins of political meritocracy in the western world. The institutional approach can also help us identify contradictions, cracks, and tensions between how institutions are supposed to function – and how institutions actually function.

The founding fathers had discussions of merit and virtue through a democratic lens – but they did consider that African Americans were considered 3/5 of a person. This illustrates to us that the study of institutions is intertwined with historical realities that help us understand cracks, fissures and contradictions in concepts such as political meritocracy. This study of institutions and the accompanying histories expose realities that a purely textualist approach to political theory could miss. A purely textualist reading of the work of the founding fathers would convince the theorist that institutions are designed to privilege political meritocracy that is supposedly animated by virtue, competence, and wisdom. However, a study of institutions and their history could unveil darker historical realities of the tyranny and prejudice that has accompanied and justified notions of political meritocracy. A study of institutions provides the theorist and the reader with a mental image of how institutions enforce political meritocracy, for better or worse. Think about the study of liberalism. Liberalism is animated by the rights of the individual, liberty, and consent of the governed. A study of judicial institutions would show us that the law is enforced unequally in the U.S between white Americans and African Americans.

## The Civil Service System

In the U.S, throughout much of the nineteenth century, federal workers were a valuable political asset – and patronage was the currency of political exchange.<sup>21</sup> The right to place the local party faithful into relatively high-paying federal jobs, making them postmasters or customs officers, was coveted by members of the House of Representatives, senators, cabinet members, and local political bosses. The president, who had the constitutional power to staff executive branch positions, traded these positions to members of congress, local bosses, and other politicians in exchange for their support on legislation and reelection. At the end of the nineteenth century, Congress voted to restrict the number of patronage positions available. The Pendleton Act was enacted on 16 January 1883. This legislation established the process by which patronage was to give way gradually to merit-based employment. By 1904, 50% of the total federal civilian labor force was under merit provisions. Merit, not political influence, was to determine employment. The careful study of the civil service as an institution shows us how concepts such as merit evolves over time. An institutional approach to the study of political theory shows us how institutions are organized and how they affect and enforce certain phenomena over time. Institutions are always evolving, and a study of institutions shows that the art and nature of politics itself is always changing. By contrast, a textualist approach views politics as static. A study of institutions will enrich many inquires in the study of political theory. Making judgements on which institutions and practices do better at addressing recurring problems and balancing the authority of existing institutions with the need to adapt them to new circumstances is crucial to the study of political meritocracy.<sup>22</sup>

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<sup>21</sup> Johnson, Ronald N., and Gary D. Libecap. "The federal civil service system and the problem of bureaucracy." In *The Federal Civil Service System and the Problem of Bureaucracy*. University of Chicago Press, 2007.

<sup>22</sup> Sabl, Andrew. "Realist Disobedience." (2021): 153-177.

## An Ideal Theory of Political Meritocracy

Constructing a general theory of justice would be a generative way to propose an alternative to the moral problems that arise when dissecting political meritocracy. John Rawls attempted to do so with his theory of justice.<sup>23</sup> Rawls project aims to present a conception of justice which generalizes and carries to a higher level of abstraction the familiar theory of the social contract as exemplified by Locke, Rousseau, and Kant. The principles Rawls utilizes specify the kinds of social cooperation that can be established. This way of regarding the principles of justice are what he calls justice as fairness. The two principles of justice are liberty and equality.

Rawls postulates that there exists a marked disparity between the upper and lower classes in both means of life and the rights and privileges of organizational authority. Impoverishments exist while governing and technocratic elite pursue national ends of power and wealth. Equality of opportunity means an equal chance to leave the less fortunate behind in the personal quest for influence and social positions. Thus, a meritocratic society is a danger for the other interpretations of the principles of justice but not for the democratic conception.

Rawls's theory of justice approach allows the theorist to celebrate previous traditions and theoretical frameworks in political theory by way of his celebration and alternative to the social contract as exemplified by Locke, Rousseau, and Kant. It identifies the injustices and inequalities that come with phenomena such as political meritocracy and it allows the theorist to imagine alternative futures animated by liberty and equality. An ideal theory approach as exemplified by Rawls helps us imagine new futures, as opposed to more static textual approaches, and it helps us imagine what a just world ought to look like.

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<sup>23</sup> Rawls, John. A theory of justice. Rawls. Harvard, 1971.

Normative approaches to political theory aim to make moral judgements on phenomenon and celebrate the morally good while attempting to circumvent injustices. Democratic theorists celebrate normative traditions to political theory, as they argue that democracy is the ideal way of treating people as equals. In a normative approach to my project, I would argue that political meritocracy is inherently unjust and unequal. In my ideal theory of political meritocracy, a janitor should have equal opportunity and recourse to run for office as an educated policy maker or academic would. I would base my ideal theory on two principles of justice, political equality and fair equality of opportunity.

There exists a link between empirical research and normative analysis that could help my inquiry on political meritocracy.<sup>24</sup> What is the place of empirical research in philosophical discussions on political meritocracy? What is the role of normative considerations on empirical considerations about political meritocracy? Political theorists tend to focus on questions of principle and make arguments on what ought to be done. A more noble intellectual task from a moral perspective is not to clarify what ought to be done but to search for a gap or contradiction in the normative principle of the policy and how the policy works. The intended purpose of political meritocracies is to promote public officials based on individual skills, virtues, character, performance, and the will of the people. However, research shows us that half of congress members are Millionaires.<sup>25</sup> It is an empirical fact that women and people of color are underrepresented in Congress. Normative presuppositions can be challenged by empirical realities – and this relationship will yield fruitful political theory that will help expose injustices.

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<sup>24</sup> Carens, Joseph H. "On the relationship between normative claims and empirical realities in immigration." (2019).

<sup>25</sup> Lipton, Eric. "Half of Congress Members Are Millionaires, Report Says." The New York Times. The New York Times, January 9, 2014. <https://www.nytimes.com/2014/01/10/us/politics/more-than-half-the-members-of-congress-are-millionaires-analysis-finds.html>.

An ideal theory approach to political theory is irresistible. It specifies the optimal societal structure based on idealized assumptions and normative theory. The beauty of this approach is that it can help us celebrate egalitarian concepts. For instance, democratic theory claims that everyone in a democracy should participate in government decision making. In an ideal theory, political theorists can celebrate virtuous and desirable democratic ideals like freedom of speech, freedom of assembly, freedom of religion and the right to a fair trial. Voter enfranchisement and political participation are two key democratic ideals that ensure the engagement of citizens in the political sphere – and an ideal theory will help us celebrate these ideals.

An ideal theory does not aim to offer solutions to real world problems. Instead, the aim is to provide a guide for improvements based on what society should normatively appear to be. An ideal theory is an account of the society we should aim for, given certain facts about human nature and possible social institutions. The theory of justice that Rawls proposes is irresistible because it imagines a wonderful world of free citizens enjoying equal rights and cooperating within an egalitarian economic system. We need principles of justice that we can all accept as reasonable and fair standards for determining what people deserve.

Plato utilized an ideal theory when he imagined an ideal state. Plato's ideal state was a republic with three categories of citizens: artisans, auxiliaries, and philosopher kings, each of whom possessed distinct natures and capabilities. Those proclivities reflected a particular combination of elements within one's tripartite soul, composed of appetite, spirit and reason. Imagining an ideal state, as well as how humans ought to interact with each one another in a just state is at the center of political science as a discipline. An ideal theory approach as celebrated by Rawls and Plato is one way to celebrate the beauty of liberal democracy, with its emphasis on the separation of powers and system of checks and balances.

## Conclusion

Political theory is about conversation. A textual approach allows us to immerse ourselves in the great texts of political theory without any presuppositions or distractions. A history of political thought approach allows us to have a playful dialogue between theorists – and to celebrate friendship and play by tracing back the inspirations of the great thinkers in the history of political thought – as well as the agreements and disagreements between them. A history of political thought approach helps us understand how great thinkers in the history of political thought came to their conclusions. A study of institutions helps the theorist tell a story. It tells a history of an institution and its function. This is especially generative because a concept such as political meritocracy is broad and could mean many things – so tracing back the origins of institutions and how they enforce political meritocracy can yield a more focused study of any concept in political philosophy. An institutional approach nourishes and encourages normative critiques of political meritocracy to the extent institutions exclude citizens from the political process. Normative critiques can assume form when a theorist notices that political institutions can be unfairly rigged by powerful actors and are animated by displays of systematic and excessive bias that makes political meritocracy a fantasy. An ideal theory approach can help us imagine new realities animated by democratic principles. Imaging an ideal world animated by principles such as equity, democracy, liberty and freedom is irresistible. An ideal theory approach challenges and celebrates old texts while mixing them with new texts and moral innovations in the social landscape. What is a more important question then: what ought the world look like? Lastly, normative presuppositions can be challenged by empirical realities. This exposes gaps and contradictions in liberal democracies. A political theorist is like a painter. Each approach is a different color. Use them wisely and let's have fun.

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