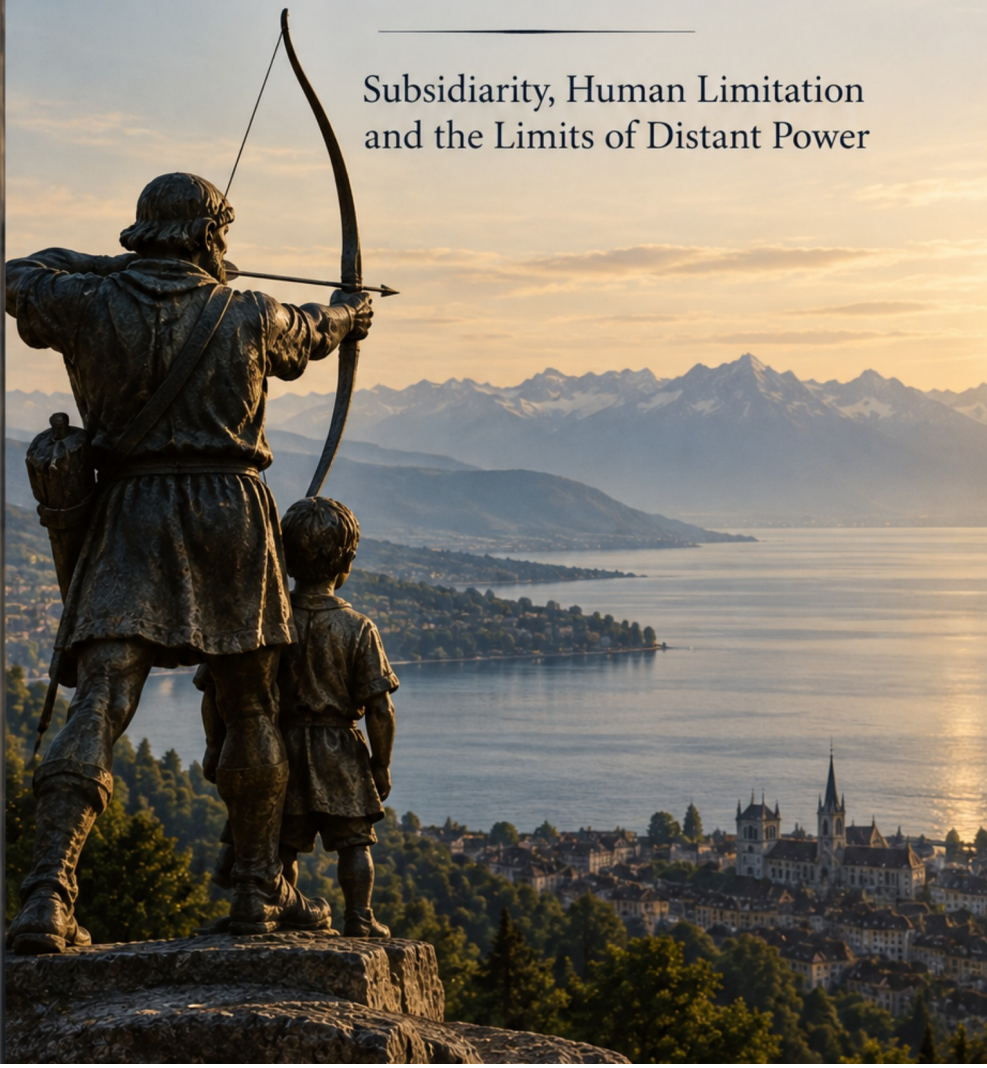
WAIT · PROTO-DEMOCRATIC PAPERS · PAPER #3

JEROEN J.J. SLUITER

THE POLITICS OF PROPER SCALE

Subsidiarity, Human Limitation and the Limits of Distant Power



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Subsidiarity, Human Limitation and the Limits of Distant Power

A Proto-Democratic Position Paper

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About this paper

This paper completes the Proto-Democratic trilogy. Paper #1 identifies the source of legitimate authority and argues that delegated power must remain corrigible and recoverable. Paper #2 restores the accountable human actor: authority may be delegated, but conscience and responsibility cannot. Paper #3 asks where borrowed authority can responsibly be exercised: the scale at which responsibility, knowledge, consequence and correction can remain meaningfully connected, and the constitutional discipline required when power must travel farther.

The higher order may assist. It must not absorb.

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Introduction · What Moses Could Not Carry

Some of the earliest surviving records of civilisation concern government. Long before the biblical narrative was committed to writing, rulers counted populations, collected tribute, promulgated laws and organised labour. These records establish that political administration is ancient. But administration is not yet constitutional thought. A list of taxes tells us that power existed; it does not tell us whether power examined its own limits.[11]

In the eighteenth chapter of Exodus, something more unusual occurs. Moses sits alone while an entire people waits for judgement. From morning until evening, every dispute travels upwards to one man. His authority is recognised, his intentions are serious and his sense of duty is beyond question. Yet the very arrangement built around his leadership has begun to fail.

By the end of the day Moses has worked without rest. That does not mean the work has been done. People are still waiting. Behind every dispute stands something immediate and human: property, obligation, injury, family, resentment, perhaps reconciliation. While judgement waits, so does life. Grievances harden. Uncertainty spreads. Those capable of settling lesser matters learn instead to wait for the man at the centre. Moses has not failed because he lacks commitment. He is failing while giving everything he has.

Jethro sees what Moses does not. ‘What you are doing is not good,’ he tells him. Moses will wear himself out. So will the people waiting before him. The criticism is not directed against a tyrant. It is directed against a conscientious leader carrying more responsibility than one human being can bear. That is what makes the scene so important: a good man can become the source of delay, disorder and dependence when responsibility has been concentrated beyond human scale.

The remedy is an act of institutional redesign, preserved in narrative. Moses is to teach the law, select capable and trustworthy men, and appoint them over thousands, hundreds, fifties and tens. Ordinary disputes are to be judged without him. Only the difficult matters ascend. Jethro does not diminish Moses by sharing his authority. He makes responsible government possible again. Judgement moves closer to the

people; responsibility is distributed; the centre is reserved for what genuinely requires it. [1]

> *The account should not be romanticised as humanity's first political organisation. Mesopotamian and Egyptian systems of law and administration were documented much earlier. Nor does the text provide a modern theory of federalism. Its importance is simpler and more enduring: political order begins, in this account, with an admission of human limitation.*

That admission has become difficult for modern power to make. Institutions now command knowledge systems, financial resources and technological capacities Moses could not have imagined. Political executives operate through ministries, agencies, courts, corporations, expert bodies, international organisations and public-private networks. Their reach expands because the problems presented to them are real: war, migration, disease, climate, financial instability, digital infrastructure and supply chains do not respect municipal or national boundaries.

The existence of problems at scale does not prove competence at scale. Capacity to intervene is not identical to capacity to understand. A distant institution can possess more data while knowing less about the particular human situation it is changing. It can pursue a legitimate purpose while weakening the people and institutions that must live with the result. It can call this coordination, harmonisation, resilience or protection. The constitutional question remains the same: why here, why this authority and why can the responsibility not remain closer to those who bear its consequences?

Jordan Peterson and Jonathan Pageau recover this question through what they call a subsidiary hierarchy of identity. Against the modern opposition between the atomised individual and the totalising state, they describe the person as living within nested forms of belonging and responsibility: family, association, locality, region, nation and a transcendent moral order.[2] Peterson's familiar injunction to put one's house in order supplies the psychological threshold. Before aspiring to reorder the world, a person must learn to bear responsibility for what lies near enough to know and to repair.

That injunction does not mean that private perfection must precede public action. No one completes responsibility at one level before beginning it at another. Human beings mature through overlapping obligations. The stricter proposition is this: no person or institution should exercise authority at a scale greater than the knowledge, responsibility and accountability it can genuinely bear.

> *What justifies removing responsibility from the person or smaller association and transferring it to a more distant authority?*

This paper asks subsidiarity to answer that question. It is not a preference for smallness, a refusal of government or an argument that every locality can solve every problem. It is a constitutional discipline governing the movement of borrowed authority. Responsibility should remain at the nearest competent scale that encompasses those materially affected. More distant authority exists to assist where necessary, coordinate what cannot be coordinated at that scale, protect the conditions of responsible freedom and relinquish, redirect or restore authority when the justification for displacement no longer holds.

Paper #1 described legitimate democratic authority as continuously recoverable. Paper #2 argued that the human conscience must remain present inside institutional action. Paper #3 joins these claims through scale. Authority becomes constitutionally presumptuous when decision, knowledge, consequence and correction are separated by a distance greater than responsible power can bear.

The governing question is therefore not whether the state, the European Union or an international body may ever act. Each plainly may within its proper competence. The question is what the higher authority must prove before displacing the judgement and responsibility of those below it—and what constitutional mechanism ensures that assistance does not become absorption.

I · Before the State · The Person Capable of Responsibility

Subsidiarity begins before institutional design. It begins with a conception of the human person. If the person is merely an isolated bearer of preferences, there is little reason to protect responsibility at the human scale. Government may aggregate preferences and allocate outcomes more efficiently. If the person is instead a moral subject—capable of obligation, judgement, error, repentance, loyalty and care—then removing responsibility is not administratively neutral. It changes the person from an actor into a client of systems managed elsewhere.

The theological foundation of Proto-Democracy is Creator, person, institution. The person does not acquire dignity by administrative recognition. Institutions are formed to serve a moral order they did not create. Authority can therefore be necessary and binding without becoming ultimate. A secular reader may begin from inherent dignity, natural law or equal moral agency. The constitutional consequence remains: the institution is an instrument; the person is the subject for whom it exists.

Responsibility is not merely a burden imposed upon the person by society. It is one of the forms through which freedom becomes moral agency. A person becomes the author of conduct by judging, choosing, acting and bearing consequences. To recognise a human being as a moral agent is therefore to recognise not only a sphere in which he may be left alone, but a capacity in which he may be answerable for what he does.

This claim receives convergent support from several distinct philosophical traditions. Aristotle located praise and blame in voluntary action whose origin lies in the agent, and his ethics understood character as formed through repeated acts of judgement and practice.[22] Kant made rational agency and the person as an end central to moral dignity: a human being is not merely an object to be directed towards desirable outcomes, but an agent capable of acting for reasons and therefore of obligation.[23] Tocqueville supplied a political insight of a different kind. Self-government and association do not merely allocate decisions; they school citizens in habits of judgement,

cooperation and responsibility by giving them consequential things to govern.[24]

The theological account reaches the same constitutional threshold by a different route. The person is not the ultimate author of the moral law but a creature answerable to a moral order he did not create. Freedom is therefore neither sovereign appetite nor administrative permission. It is the condition in which responsibility can be exercised before God and towards others. On either account, a political order that unnecessarily removes meaningful responsibility does more than rearrange administration. It narrows an arena in which human agency is exercised.

Authority is the practical capacity required to discharge responsibility. But moral responsibility does not by itself confer political jurisdiction over others. Responsible agency creates a presumptive claim to the authority necessary to discharge a responsibility only insofar as its exercise respects the equal moral standing and prior rights of other persons and does not impose substantial effects the responsible actor cannot reasonably contain. Sever legitimate authority from responsibility and one of two pathologies follows: responsibility without authority becomes servitude; authority without responsibility becomes domination. The constitutional presumption therefore arises not from a romantic preference for the local, but from responsible agency bounded by equal standing.

A responsibility should remain with the persons and associations actually capable of carrying it, at the scale encompassing those materially affected by its exercise. Displacement may nevertheless be necessary where incapacity, material external effects, the protection of equal rights or another sufficiently serious condition makes the existing arrangement inadequate. But displacement bears the burden of justification because it removes not merely a task, but authority from an existing field of responsibility.

This is the Proto-Democratic presumption of proximity. It is not a presumption for villages over nations, municipalities over states or states over Europe. Political boundaries are historically formed, and not every responsibility has a natural institutional owner waiting to be discovered. Nor does the presumption constitutionalise the status quo. An existing allocation that

separates authority from responsibility, excludes materially affected persons or fails the requirements of equal standing and corrigibility must itself be justified. The burden attaches not only to acquiring competence, but to retaining it. The presumption is against unnecessary displacement of responsibility, wherever that displacement has occurred. Proper scale is the scale at which responsibility, legitimate authority, knowledge, consequence and correction can remain most completely joined without failing the equal standing of those materially affected by their exercise.

This is why subsidiarity cannot be reduced to efficiency. A central authority may sometimes deliver a service more cheaply or uniformly and still do constitutional damage if the price of efficiency is the unnecessary destruction of responsible agency. The decisive question is not only who can produce the immediate output. It is whether the people whose responsibility is displaced remain capable of judging, acting and bearing consequences afterwards.

The house as a moral geometry

“Put your house in order” is compelling because a house has boundaries. It is near enough for evasion to be difficult. The unpaid bill, broken promise, neglected child, resentful marriage and disorderly room answer grand political ambition with immediate evidence. The world may need saving; this responsibility has one’s name upon it.

The image also contains a danger. It can become a doctrine of withdrawal: because no life is perfectly ordered, no one is entitled to act beyond it. That is not responsibility but perfectionism. The house is not a fortress against the world. It is the first domain in which freedom becomes answerable. Competence acquired there can extend outwards, while wider service can disclose disorders within. The movement is recursive, not sequential.

A subsidiary order therefore grows through overlapping, permeable fields of responsibility. The person bears what the person can bear. Families and voluntary associations perform functions through which persons exercise responsibility together. Municipalities, regions and nations are political institutions whose boundaries and competences are historically

constructed; they cannot simply be placed into a natural hierarchy. Their constitutional claim depends upon function, capability, affected constituency and the possibility of correction. Higher orders do not acquire a presumption merely by being higher. They must justify the responsibility they displace.

The political importance is easily missed. A state that treats every social function as a service potentially deliverable by government eventually encounters citizens less practised in governing anything themselves. Dependence then appears to prove the necessity of further administration. What began as assistance can create the incapacity used to justify its continuation.

> *Freedom without responsibility becomes appetite. Responsibility without authority becomes servitude.*

Subsidiarity holds freedom, responsibility and authority together. A lower order cannot be expected to answer for an outcome while lacking the lawful space or material capacity to influence it. Nor can it claim autonomy while exporting every difficult consequence upwards. The principle disciplines both sides: the higher order may not usurp; the lower order may not abdicate.

This mutual discipline separates subsidiarity from anti-government ideology. It does not presume that small units are virtuous. Families can be abusive, local majorities oppressive, associations exclusionary and municipalities corrupt. Proximity makes knowledge and consequence more visible; it does not abolish sin, error or domination. Higher authority may be required to secure rights and protect those whom lower orders fail. The burden is to show why intervention is necessary, proportionate and oriented towards the restoration of rather than permanently replacing responsible capacity.

II · The Constitutional Meaning of Help

The modern formulation of subsidiarity is inseparable from Catholic social teaching. In Quadragesimo Anno, Pope Pius XI wrote that it is gravely wrong to take from individuals what they can accomplish by their own initiative and give it to the community; likewise, it is an injustice and disturbance of right order to assign to a greater association what lesser associations can do. Social activity should furnish help to the members of the body social, not destroy and absorb them.[3]

The higher order may assist. It must not absorb.

Those final verbs supply the constitutional distinction. Subsidiarity is not administrative devolution and it is not a sentimental preference for smallness. Its negative movement restrains usurpation: higher authority should not perform what a person or lesser association can adequately perform. Its positive movement requires support where the lower order cannot secure an essential good. Restraint without support can abandon. Support without restraint can absorb.

Competence is not conformity

The familiar phrase ‘lowest competent level’ becomes circular when the higher authority defines competence as conformity with its own preferred output. A municipality appears incapable because it cannot produce the same procedure as every other municipality. A nation appears inadequate because a problem has been defined as inherently transnational. The centre sets the standard, measures those below against it and interprets difference as proof that authority must ascend.

Competence must instead be judged against the responsibility itself. Variation may reflect circumstances, knowledge and democratic choice rather than failure. The authority proposing displacement therefore carries the burden: identify the concrete incapacity; show why cooperation below is insufficient; explain why the intervention is proportionate; and establish how lower-order agency will be protected. The importance of a problem proves the need for attention. It does not prove the level at which power should act.

The obligation of recovery

Subsidiarity often governs the movement of responsibility towards more distant authority and neglects the discipline of recovery. A crisis may genuinely require central coordination. Yet the resulting expertise, budgets, compliance systems and constituencies remain after the necessity weakens. Temporary competence becomes standing capacity; standing capacity discovers continuing uses.

Paper #1 called authority democratic when it remains recoverable. Paper #3 must preserve the full meaning of that claim. Recoverability does not require administrative descent to the precise level from which a competence moved. Some responsibilities arise because problems cross existing jurisdictions; others may remain legitimately national or supranational. Authority is recovered when those from whom its legitimacy derives can effectively withdraw, redirect, relocate or restore the delegation. Recovery is by the sovereign source of authority, not necessarily a movement down an administrative ladder.

> *Assistance without an exit condition is an invitation to absorption.*

III · The Politics of Proper Scale

Political judgement occurs under conditions of incomplete knowledge. This is not a temporary defect awaiting sufficient data. Much of the knowledge relevant to human action is dispersed, contextual, tacit and revealed only through practice. Friedrich Hayek's economic argument concerned the impossibility of concentrating all relevant knowledge in a directing mind. Elinor Ostrom's work showed that durable governance can emerge through polycentric arrangements in which citizens, local officials and overlapping institutions solve problems through multiple centres rather than a single sovereign controller.[4][5]

Neither argument proves that local decisions are always superior. Both undermine the presumption that central collection of information eliminates the epistemic case for distributed authority. Data can be aggregated; meaning remains

situated. A statistical category does not contain the whole experience of the person classified within it. A national average cannot tell a municipality which informal relationship makes a particular intervention possible. A model can identify correlation without bearing the consequence of acting upon it.

Subsidiarity therefore gives constitutional form to epistemic humility. It assumes that knowledge and error are distributed, that no level possesses a monopoly upon wisdom and that institutional design should prevent one error from becoming universal merely because it was made at the centre.

Four distances

The proper scale of authority can be assessed through four forms of distance.

First is epistemic distance: how much relevant knowledge is lost as a decision moves away from the person, place or practice concerned? Second is consequential distance: to what extent do decision-makers experience the effects of their decisions? Third is moral distance: can those exercising power still identify the human beings affected, or have persons become categories within an administrative objective? Fourth is corrective distance: how difficult is it for those affected to challenge, reverse or relocate the authority?

Epistemic distance is not only a shortage of information. A distant institution may possess more data than any local actor and still know less about the human judgement its policy displaces. The deeper danger is compression. Health, education, family life, bodily autonomy, livelihood, safety and social cohesion are not simply variables inside one technical objective. They are distinct human goods that can conflict. When an institution optimises one measurable purpose and translates the others into secondary costs, it may become informationally rich while politically blind.

This is technocratic compression: the conversion of plural human goods into a single administratively legible objective. Expertise remains indispensable, but expertise cannot decide by itself which goods should prevail. That is a political and moral judgement. Proper scale therefore protects not only local knowledge but the plurality of values that distant systems are tempted to simplify.

Institutional distance also affects the movement of correction. Reality can become visible to citizens, practitioners or local authorities before it becomes actionable inside the institution exercising power. Evidence may exist without yet fitting the categories through which the centre recognises error. The longer the route from lived consequence to institutional recognition, the greater the risk that a policy continues because the system has not yet learned how to hear what those affected already know.

Distance is not geographical alone. A national regulator may understand a specialised field better than a local council. A digital platform headquartered elsewhere may exercise more intimate control over daily expression than a nearby mayor. A private standards body may shape national policy without issuing a legally binding command. The relevant distance is the separation between power and the knowledge, consequence and correction that should discipline it.

> *Political hubris is the exercise of authority beyond the scale at which knowledge, responsibility, consequence and correction remain meaningfully connected.*

This definition converts hubris from an accusation about personality into a constitutional diagnosis. An official need not be vain or malicious. Hubris can be produced by structure: a mandate too broad, feedback too filtered, expertise too homogeneous, consequences too remote or correction too weak. Intelligent and conscientious people can collectively exercise presumptuous power because the institution makes its own limits difficult to perceive.

Scale amplifies both good and error. Central action can protect millions through common standards, shared security and coordinated infrastructure. It can also impose the same mistaken assumption upon millions at once. Distributed systems permit local failure, but they contain error, preserve experimentation and allow comparison. The task is not to worship either scale. It is to match the scale of power to the scale of the problem while preserving correction.

Switzerland as an existence proof

Switzerland matters because it demonstrates that political unity does not require administrative sameness. Its Confederation, twenty-six cantons and more than two thousand communes divide political and legislative powers across three levels. Cantons possess their own constitutions, parliaments, governments and courts. Communes retain substantial autonomy, and each level raises taxes for the responsibilities entrusted to it. The organising instinct is not that every serious problem must eventually belong to the centre, but that responsibilities should be carried where they can actually be governed.[13][20]

Direct democracy gives that distribution a corrective mechanism. At federal level, 50,000 valid signatures collected within one hundred days can force a vote on most new or amended laws. Constitutional amendments require a mandatory referendum and the approval of both the electorate and the cantons. Citizens may also launch popular initiatives to amend the federal constitution. Referendums operate at cantonal and communal level as well. [14][20] The citizen's democratic role is therefore not exhausted by choosing representatives every few years. Political authority repeatedly has to come back within reach of the people.

This is not an abstract comparison for me. I lived in Switzerland for roughly a decade: three years in Lucerne and another seven or eight in Lausanne. I experienced the country not as a constitutional diagram but as a place in which cantonal difference, federalism and direct democracy are part of ordinary civic life. One becomes accustomed to something that elsewhere in Europe increasingly appears unusual: political difference between places need not be treated as a defect awaiting correction from above.

Biography is not evidence of constitutional superiority, but it explains why I take the Swiss model seriously. Its importance is not that it is perfect; no democratic order is. Its importance is that it works. A prosperous, technologically advanced, multilingual European state remains coherent while dispersing substantial authority, tolerating jurisdictional difference and repeatedly allowing citizens to interrupt, challenge and redirect political decisions.

Switzerland therefore demonstrates another possibility at a time when much of Europe has come to associate political sophistication with greater centralisation. If a highly developed country can remain one polity without requiring every important responsibility to converge upon one political centre, then centralisation cannot simply be defended as the unavoidable price of modernity. Switzerland disproves that inevitability.

The qualification is straightforward. Switzerland is not Proto-Democracy, and its institutions cannot simply be transplanted elsewhere. It experiences centralising pressures, administrative complexity, uneven participation and political error. Direct democracy is one constitutional expression of recoverability, not a deduction that every Proto-Democratic order must copy. None of that diminishes the central fact: distributed authority, jurisdictional diversity, direct citizen correction and national coherence can coexist.

Its significance across this series is unusually complete. Paper #1 asks whether authority remains recoverable by its source; Swiss referendums and initiatives keep routes of citizen correction inside ordinary constitutional life. Paper #2 asks whether responsibility remains humanly traceable; shorter political chains cannot guarantee responsibility, but they make it harder for every consequential choice to disappear into a remote administrative whole. Paper #3 asks where authority should reside; Swiss federalism demonstrates that unity does not require uniform administration.

> *Switzerland is therefore not offered as the endpoint of Proto-Democracy. It is something more useful: a living European demonstration that many of its governing instincts are compatible with modern statehood.*
>
> *A nation need not make its citizens politically smaller in order to remain whole.*

William Tell · The target and the child

Switzerland also carries a founding legend that gives this argument an unexpectedly precise image. William Tell belongs to legend rather than verified biography. In the story, the Habsburg bailiff Gessler punishes Tell’s refusal to bow before his

authority by ordering him to shoot an apple from the head of his own son. Tell takes aim and makes the shot. A second bolt, he later says, was intended for Gessler if the first had killed the boy. The story became one of Switzerland's enduring symbols of resistance to arbitrary power.[25]

The image matters here because Tell has to see two things at once. He must see the target with extraordinary precision. But he must never lose sight of the child beneath it. Political power faces the same moral demand. Government inevitably aims at health, security, equality, prosperity, stability or protection. The danger begins when the righteousness of the target becomes so absorbing that the human being standing beneath it disappears from view.

Jordan Peterson has repeatedly used the old 'missing the mark' image associated with sin to describe the moral importance of aim. The philology should not be overstated: the English word sin is not simply an archery term. The metaphor is nevertheless powerful. We can fail because we do not aim, because we aim badly, or because we become so certain of one target that we destroy something we were also obliged to protect.[26]

Proper scale is therefore partly a discipline of aim. It asks power not only what it seeks to achieve, but what stands between the institution and its objective; which human goods are being compressed; who bears the risk of error; and whether the people most exposed to the shot retain any meaningful power to correct the person taking it.

Power must learn to see not only the target at which it aims, but the human being standing beneath it.

Functional subsidiarity · The form must fit the function

Proper scale asks more than which level should decide. It also asks what kind of democratic institution should govern the responsibility at that level. A water authority, municipality, national parliament, court and central bank perform different functions, depend upon different forms of knowledge and expose different constituencies to different consequences. Democratic legitimacy need not require them to reproduce one uniform representative architecture.

The Netherlands offers an old and still evolving illustration. Water authorities govern a highly specific public function: water levels, flood protection and wastewater treatment. Their boards combine elected resident representation with designated representation for particular interests. The modern arrangement has been repeatedly democratised and remains contested.[21] The example does not prove that an earlier stakeholder model was superior. It exposes the constitutional question: should representation be designed only by a general theory of electoral equality, or also by the function, exposure, knowledge and responsibility of the institution being governed?

Proto-Democracy calls the underlying question functional subsidiarity. Proper scale may be territorial, professional, ecological, economic or technological; the form of governance should therefore be fitted to the responsibility rather than assumed in advance. But this does not itself justify weighted or corporatist representation. Any designated functional representation requires a separate democratic justification and, at minimum, bounded competence, democratic authorisation of the mandate, transparent appointment or election, equal-rights protection, attribution, contestability and ultimate recoverability by the wider constitutional order. Functional fit may inform representation. It cannot create an independent claim to sovereignty.

> *Proto-Democracy does not require the same democratic architecture at every scale.*

The moral hazard of benevolent ambition

The most dangerous centralising projects do not necessarily begin with a desire to dominate. They begin with a good that appears too important to leave exposed to disagreement. Health, safety, equality, climate, stability and democracy itself can each become reasons why ordinary political variation must yield to expert coordination.

The moral status of the objective then protects the institutional means from scrutiny. If the goal is unquestionably good, opposition can be interpreted as ignorance, selfishness or extremism. The central actor no longer needs to demonstrate that lower orders cannot act; it is enough that their choices may differ from the preferred outcome.

This is how benevolence can become presumptuous. The higher authority sees risk everywhere below and rarely recognises the risk created by its own uniformity. It counts the harms it intends to prevent more readily than the capabilities its intervention may displace.

IV · The Arrogance of Distance

The nanny state is most visible not when it commands, but when it instructs. Turn on commercial television and watch the advertisements between programmes. The citizen increasingly encounters not only products for sale but lessons in how a responsible person should eat, travel, consume energy, raise children, understand health, assess risk and behave towards others. Some messages come from government. Others come from corporations, charities or public-private campaigns pursuing socially preferred outcomes.

Any individual message may be sensible. Some may be admirable. Information, warning and persuasion do not by themselves remove adult responsibility; public authority may legitimately perform all three. The constitutional burden becomes materially heavier when persuasion moves towards compulsion, exclusion, unequal legal treatment, manipulation through concealed or distorted evidence, or the substitution of official judgement for an adult choice whose consequences primarily belong to that adult. The question is not whether government may seek to persuade. It is when its preferred outcome becomes a claim of authority over adult judgement.

The familiar expression ‘nanny state’ is more revealing than its users sometimes realise. A nanny governs because the person under her care is not yet capable of full responsibility. Applied to competent adults, the metaphor contains an anthropology: we know better because you cannot safely be trusted to know sufficiently for yourself. The problem is not simply that government becomes larger. The citizen becomes smaller.

> *A state that continually assumes responsibility for producing virtuous citizens may eventually produce citizens less practised in responsible freedom.*

When certainty becomes competence

Modern executives speak with the confidence of systems that can see farther than any citizen. Dashboards display populations, risks, emissions, infections, transactions and opinions. Experts model futures; institutions establish targets; communications professionals translate uncertainty into behavioural instruction.

Such capacities can be indispensable. The error begins when legibility is mistaken for understanding, and the capacity to influence conduct is mistaken for the authority to assume responsibility for it.

This is where institutional and personal hubris meet. Institutions create distance: evidence is filtered, adverse consequences are aggregated and dissent becomes a category. The officeholder supplies moral certainty. He speaks as though the importance of his purpose has enlarged the reliability of his knowledge.

A minister, a category and a moral purpose

The Dutch Covid response provides an unusually clear case of a different problem. A pandemic plainly creates external effects and can justify national coordination; the case therefore does not establish that public-health authority belonged at a lower territorial level. Its relevance is that even authority operating at a defensible scale may become hubristic when coercive reach, epistemic compression and moral certainty grow faster than candour and correction. The danger is not expertise. It is the moment at which one institutional objective becomes so dominant that disagreement itself begins to look like irresponsibility.

During the pandemic, former health minister Hugo de Jonge advocated vaccination and helped construct a moral division between those who accepted the government's preferred course and those who did not. He spoke of a 'pandemic of the unvaccinated', argued that unvaccinated patients occupied beds needed by others, supported access restrictions intended in part to increase vaccination and defended deliberately sharp language as necessary to change behaviour.[15] The category 'unvaccinated' ceased to be merely epidemiological. It acquired moral and political weight.

One sentence joined administrative knowledge to political power and captured the problem. In the Eerste Kamer on 30 November 2021, De Jonge said that the government knew 'fairly well and quite precisely by postcode where they live', before explaining the geographical and social characteristics of lower-vaccination groups.[27] In his 2026 inquiry testimony he later explained that he had referred to aggregated postcode information used to target public-health outreach, and acknowledged that the phrase

had taken on a meaning he had not intended.[17] That later explanation deserves to be recorded. It does not erase the original political moment.

I remember that moment because its consequences entered my own home. One of my daughters had nightmares after hearing the remark. She feared that people from the government would come to our house and vaccinate us against our will. Her fear was not evidence that such an intervention was planned, and I do not present it as such. It reveals something different: how the language of political power can be experienced by the people living beneath it. ‘We know where they live’ sounds very different inside an administrative system than it can sound inside a home.

Nor was that reaction unique. Later Dutch discrimination monitoring recorded that many people had experienced the government’s distinction between vaccinated and unvaccinated citizens as unjust and coercive, and specifically noted that De Jonge’s ‘door to door, arm to arm’ and postcode remarks had been interpreted by many as threatening.[28] Tone cannot be recovered fully from a transcript. But political language is more than literal content. Setting, cadence, repetition and the authority of the speaker shape what citizens reasonably hear.

The evidentiary question matters as well. At his first sworn inquiry appearance in July 2026, De Jonge defended the thrust of his earlier rhetoric by saying that roughly fourteen or fifteen per cent of the population remained unvaccinated while ‘the vast majority’ of people in hospital were unvaccinated. The RIVM’s published monthly tables do not show an overwhelming majority of all recorded Covid hospital admissions in October, November and December 2021 as unvaccinated. The proportions differed sharply by age and were substantially higher among intensive-care admissions. The same reports also showed strong vaccine protection against hospitalisation and intensive-care admission after adjustment for age and calendar time.[15][16] The evidence supports the protective effect of vaccination. It also shows that a morally consequential public claim compressed distinctions that mattered.

Government was entitled to act under conditions of uncertainty. It was entitled to recommend vaccination, organise a national programme and argue vigorously for its assessment of the evidence. What emergency could not confer was epistemic

sovereignty: the assumption that because the executive carried responsibility for the crisis, its interpretation of a changing scientific record had become the boundary of reasonable thought.

Scientific knowledge does not confer that sovereignty. Evidence changes. Effects differ by age, risk, variant, previous infection, outcome measured and period studied. Infection, transmission, hospitalisation and mortality are not interchangeable endpoints. A proposition reasonably supported at one stage may later require qualification as further evidence appears. The constitutional duty is therefore larger than updating policy. Government must remain corrigible in public.

> *Political hubris begins when the executive mistakes the urgency of its purpose for the certainty of its knowledge. It becomes more dangerous when acknowledgement of uncertainty is treated as dissent, dissent as irresponsibility and those who continue to question the official interpretation as obstacles to the policy itself.*

The constitutional question is not whether every contrarian claim was correct. Many were not. Nor is it whether every government claim was wrong. They were not. The question is whether evidence and interpretations capable of materially altering the justification for state action could travel back through the political system and change the confidence with which power described its own decisions. Where that corrective movement fails, technocracy becomes something more than government informed by expertise. It becomes government protected by its own expertise.

The Tell image returns here with uncomfortable force. The state may have a legitimate target. It may even have chosen the right target. But legitimate government must still see the person beneath it. Good aim is not enough when the shot itself places human agency, dignity or equal standing at risk.

Exceptional power therefore imposes an exceptional duty of candour. The official must reconstruct what was known, what was assumed, which categories were used, which harms were accepted, which alternatives were rejected and where public communication exceeded the evidence. A press conference may

explain why simplification occurred. A parliamentary inquiry exists to undo it. The executive may have to choose a course of action. It does not thereby acquire the right to close the argument.

Scale can fail in both directions

Too far from the people. Britain's Community Charge – the Poll Tax – was an attempt by national government to remake local fiscal accountability through a single centrally prescribed system. Introduced first in Scotland in 1989 and then in England and Wales in 1990, it met severe collection problems, political resistance and warnings from within government itself. It was replaced by Council Tax from 1993.[18] The constitutional lesson is not that protest proves a policy illegitimate. It is that a national design can become detached from the local knowledge, circumstances and political relationships through which it has to work.

> *The failure was not that national government acted. It was that a policy designed at national scale increasingly overrode the political knowledge of the places expected to sustain it.*

Responsibility without the means to carry it. The Dutch decentralisation of youth protection in 2015 moved major responsibilities to municipalities with promises of lower expenditure, shorter waiting times and less bureaucracy. The Netherlands Court of Audit later found that children and families were still not receiving timely help and described persistent uncertainty over responsibilities, powers and finance. Regional cooperation could also weaken direct democratic accountability.[19] Responsibility had moved closer on paper, but authority, capacity and consequence had not been made to move with it.

> *Moving responsibility closer does not create competence merely by changing the address on the door.*

The two cases move in opposite directions and arrive at the same warning. Centralisation can remove responsibility from those capable of carrying it. Decentralisation can impose responsibility upon those incapable of carrying it. Proto-

Democracy therefore has no constitutional preference for movement up or down. It asks where responsibility, authority, knowledge, consequence and correction can actually remain joined. Proper scale is not decentralisation. It is the refusal to separate responsibility from the means required to bear it.

V • Europe’s Subsidiarity Paradox

The European Union formally places subsidiarity at the centre of its constitutional order. Article 5 of the Treaty on European Union distinguishes conferral, subsidiarity and proportionality. In fields outside exclusive Union competence, the Union should act only if the objectives cannot be sufficiently achieved by Member States and can, by reason of scale or effects, be better achieved at Union level.[6]

Protocol No. 2 requires draft legislation to be justified with regard to subsidiarity and gives national parliaments an early-warning role. They may submit reasoned opinions within eight weeks; sufficient objections can require a proposal to be reviewed. The European Commission publishes annual reports and replies to national parliamentary opinions.[7]

These safeguards are real. They distinguish the Union from an authority claiming unlimited competence. National governments legislate through the Council; citizens elect the European Parliament; courts review legal acts; Member States conferred the relevant powers by treaty. A credible criticism must preserve this constitutional structure.

The paradox is that subsidiarity is largely administered through institutions whose ordinary purpose is to produce Union action. The Commission proposes and assesses the necessity of legislation. The Union legislature decides whether the scale or effects justify action. The Court reviews the resulting measure with appropriate regard for legislative discretion. National parliaments may object, but the mechanism is time-limited and generally requires coordination among chambers across states.

A limit becomes a method of justification

Subsidiarity can therefore change character. Instead of operating as a presumption that authority remains below unless necessity is demonstrated, it becomes an explanatory section within the process by which higher action is adopted. The institution states that objectives cannot be sufficiently achieved nationally and that Union scale will add value. Once those propositions are accepted, subsidiarity has justified central action without creating a comparable mechanism for later return.

The weakness is not that every justification is false. Many Union measures address genuine cross-border externalities, common markets or collective-action problems. The weakness is structural: the party seeking to act often frames the problem, defines sufficiency, selects the evidence and assesses the added value of acting at its own level.

This exposes a basic weakness in constitutional restraint. A limit is weakest when its practical meaning is determined chiefly by the authority it is supposed to limit.

Subsidiarity after enactment

The early-warning mechanism concentrates upon proposed legislation. Yet the decisive subsidiary question may arise years later. Circumstances change. Member States acquire capacity. Technology alters coordination costs. A measure expands through delegated acts, guidance, judicial interpretation or administrative practice. The original justification can become obsolete while the competence remains operational.

A mature subsidiary order also requires looking back. The question is not only whether Union action was justified when adopted, but whether continued central exercise remains necessary, whether less intrusive coordination has become possible and whether responsibility can be recovered or reallocated without undermining legitimate common interests.

This is where Paper #1's corrective circuit becomes indispensable. Attribution identifies the actor and legal basis. Justification requires a demonstrated incapacity at the existing scale. Contestability gives affected persons and displaced authorities a practical route to challenge the claim. Effective reversibility makes successful challenge meaningful. Consequence attaches to unjustified displacement. Recoverability allows the sovereign source to withdraw, redirect, relocate or restore the competence when its justification fails.

But institutions do not reconsider themselves. Procedures do not experience doubt. Somewhere inside the institutional order, a human being must still be capable of looking again at what has been done, judging it against what is now known, accepting responsibility for what followed and saying: this authority is no longer ours to exercise. Recoverability is institutional in form but human in operation. Paper #1 gives power a constitutional route

back. Paper #2 restores the conscience capable of recognising that it should take that route.

> *Without recoverability, authority becomes a one-way transfer of power. Without conscience, there may eventually be no one left inside power who believes it should come back.*

VI · Networked Power · Authority Without a Constitutional Address

The state is no longer the only structure through which public objectives are formed and implemented. Governments work with international organisations, corporations, foundations, consultancies, expert networks and civil-society organisations. These arrangements can mobilise knowledge and resources unavailable to any single government. They can also separate influence from constitutional responsibility.

The World Economic Forum describes itself as a platform for public-private cooperation and says that its corporate partners help drive its programmes and engage in centres that shape the future.[8] The United Nations' 2030 Agenda is followed through processes including voluntary national reviews presented by Member States.[9] Neither fact proves that private organisations secretly command states or that voluntary international commitments are legally binding upon citizens. Claims of that kind would confuse influence, coordination and law.

The issue is subtler. Policy can be formed through networks before it appears in ordinary democratic institutions. Common vocabulary, metrics, commitments, model policies, funding conditions and professional consensus can narrow the range of nationally imaginable choices without issuing a command that citizens can directly contest.

Networked governance may therefore exercise pre-decisional power: the power to define the problem, establish legitimate expertise, frame available options and determine what counts as responsible action. Formal adoption still occurs through governments or legislatures, but much of the intellectual and institutional direction has already been settled elsewhere.

Influence is not authority—but it can structure authority

Four things must be distinguished. Advice supplies information. Coordination aligns independent actors. Conditionality attaches consequences to funding, membership or access. Authority creates binding rules backed by lawful power. These can overlap, but they are not interchangeable.

Public suspicion grows when institutions invoke one category while exercising effects closer to another. A private forum may accurately deny possessing public authority while providing the venue in which public and corporate leaders converge upon objectives. An international organisation may adopt a formally non-binding framework that national administrations translate into targets, procurement requirements or regulation. A corporation may enforce a global standard more immediately than a legislature because access to essential digital or financial infrastructure depends upon compliance.

The problem is not solved by declaring every influence illegitimate. Democratic government has always been influenced by churches, unions, businesses, universities and movements. The question is whether consequential influence remains attributable, contestable and subordinate to institutions that citizens can correct.

The disappearance of the constitutional address

Traditional government gives the citizen an address. A ministry, municipality, parliament or court can be named. Networked power often returns a circle of referrals. The government refers to international commitments. The international body refers to Member State agreement. The regulator refers to expert standards. The expert body refers to scientific consensus. The corporation refers to regulatory expectations. Every participant contributed; none appears to have authored the result.

This is Paper #2's problem of many hands operating across institutional levels. Conscience becomes difficult to locate because no participant experiences the policy as his own. Subsidiarity becomes difficult to enforce because no single transfer of responsibility can be identified. Recoverability weakens because reversing one component leaves the surrounding network intact.

Proto-Democracy should not demand withdrawal from cooperation. It should demand a constitutional address for consequential power. Citizens must be able to identify which public authority converted advice, coordination or commitment into an obligation; on what legal basis; after what democratic deliberation; and through what mechanism the choice can be reversed.

No consequential public power should become unanswerable merely because its authors gathered around a table rather than beneath one constitution.

VII • The Constitutional Doctrine of Proper Scale

A diagnosis of distance is insufficient. If subsidiarity is to govern rather than merely criticise, it must specify what constitutional institutions should do differently. The answer is not a general command to decentralise. Some responsibilities genuinely require national, continental or global coordination. The doctrine of proper scale instead governs the terms on which responsibility may move, the safeguards that must accompany distance and the route by which delegated authority remains recoverable.

The first rule is a presumption against unnecessary displacement, not a presumption in favour of incumbency. Responsibility should remain with the persons and associations capable of carrying it, at the scale encompassing those materially affected by its exercise and within the limits imposed by their equal standing and rights. An existing bearer that cannot satisfy those conditions must justify retention just as a more distant authority must justify acquisition. A displacing authority must identify the incapacity, external effect, rights failure or other necessity that makes movement justified, demonstrate why cooperation or assistance is insufficient and explain why the proposed scale fits the responsibility.

The second rule is functional fit. Authority, knowledge, resources, affected constituency, consequence and correction should be aligned at the scale proposed. Responsibility without authority is abandonment. Authority without responsibility is domination. Representation must remain democratically authorised and corrigible; where specialised or functional forms are used, their competence must be bounded and they must possess no independent claim to sovereignty.

The third rule is compensating accountability. Distance sometimes cannot be avoided. When it increases, constitutional safeguards must increase with it. Epistemic distance requires plural knowledge, structured dissent and access to the people who bear consequences. Moral distance requires identifiable human authorship. Consequential distance requires decision-makers to encounter the effects of their choices rather than only

institutional summaries. Corrective distance requires stronger routes of challenge, reversibility and citizen-triggered review.

> *The greater the necessary distance of authority, the stronger the constitutional mechanisms required to compensate for what distance removes.*

The fourth rule is periodic re-justification. A competence cannot justify its continued existence merely because an institution already possesses it. Emergency powers, harmonised regimes and central programmes should face a recurring question: does the incapacity that justified displacement still exist, and can the same legitimate objective now be achieved through a less distant form of cooperation?

The fifth rule is recoverability. Every material delegation or displacement of responsibility should contain, from the beginning, an effective constitutional route by which its sovereign source can withdraw, redirect, relocate or restore the authority. The sovereign source is neither every person acting separately nor a temporary majority acting without limits. It is the body of equally sovereign persons through whose constitutionally authorised and corrigible procedures the relevant authority is exercised or delegated. Recovery must operate through those procedures while preserving the prior moral standing and rights of every person. In a multilayered order, several constitutional routes of recovery may therefore coexist. A review point, sunset or lower-order trigger may produce administrative descent, but descent is not the principle. Delegated power must never become self-authorising merely because it has endured. No transfer of authority without a constitutional route of recovery.

This changes how successful government is measured. The paternal state encounters incapacity and asks what more it must administer. A subsidiary state asks what people, families, associations, municipalities or nations require in order to carry the responsibility successfully themselves. Assistance is successful when it restores agency, not when it proves its own permanence.

> *Humility must be institutionalised.*

The following Subsidiarity Test operationalises this doctrine. It is not a preference survey about centralisation. It is a burden-of-proof mechanism for displacement, assistance, compensation, review and recovery.

VIII · The Subsidiarity Test

Subsidiarity becomes decorative when it remains a general preference. The practical questions are simpler than the terminology suggests: Whose responsibility is this? What can they genuinely not do? What help would be enough? How far must intervention go? What capacity must be preserved? How can authority be recovered when its justification expires? Those questions form the Subsidiarity Test.

The test does not mechanically decide whether authority belongs to a person, municipality, nation or supranational body. It sets the burden of proof. Responsibility remains with those capable of carrying it at a scale that includes the people materially affected. Anyone seeking to displace that responsibility must justify doing so.

The six constitutional questions
1. Proper responsibility What responsibility is at issue? Who is presently capable of carrying it, and who is materially affected by its exercise? The inquiry begins with actual responsibility and functional scale, not with an assumed natural hierarchy of jurisdictions.
2. Demonstrated incapacity What precisely can the lower order not accomplish? The evidence must show inability, serious external effects or rights failure—not mere difference from the centre's preferred outcome.
3. Necessary assistance Why are cooperation, mutual recognition, shared information, funding or temporary support insufficient? Displacement should be the last justified instrument, not the first administratively convenient one.
4. Proportionate reach Is the scope, duration and coercive intensity of higher action limited to the incapacity demonstrated? Authority should not acquire a general domain because one narrow intervention was justified.

The six constitutional questions
5. Preserved agency Does the intervention maintain or rebuild the knowledge, responsibility and institutional capacity of the lower order? Assistance that predictably produces dependency requires a stronger justification.
6. Recoverable competence What constitutional process allows the sovereign source to withdraw, redirect, relocate or restore the delegation if its justification fails? Who can trigger reconsideration, and what effective remedy follows?

The subsidiary circuit

Think of the test as a circuit, not a ladder. Responsibility begins where it can genuinely be carried. If incapacity, serious external effects or a failure of equal rights makes that impossible, authority may move. But the receiving institution does not thereby own the responsibility forever. Its action remains attributable, contestable and subject to review. When the reason for displacement disappears, the delegation must be capable of being changed or recovered.

This also makes failure easier to see. A lower order that can act but refuses responsibility abdicates. A higher order that intervenes without sufficient justification usurps. Necessary assistance that destroys the capacity it was meant to support absorbs. And authority that remains after its justification has expired becomes alienated from its source.

Four failures, then: abdication below, usurpation above, absorption through assistance and alienation through permanence. Proper scale guards against all four.

> *The test of subsidiarity is not whether power can move. It is whether displacement remains justified and delegation remains recoverable.*

Who judges? · Proper Scale Review

Suppose government says: we must take this responsibility because those closer to it cannot manage it. Perhaps government is right. But who decides whether it is right? If the

institution seeking more authority defines the problem, selects the evidence, judges the incapacity of others and finally decides whether its own intervention remains necessary, subsidiarity has ceased to be a limit. It has become an argument that power makes to itself.

Proper Scale Review is the constitutional answer. A material displacement of responsibility should come with a public account of what responsibility is moving, why the existing bearer cannot adequately carry it, what alternatives were considered, whose rights and interests are affected, how long the intervention is expected to last and what safeguards distance requires. The people and authorities displaced by that decision need a practical route to challenge it before a forum independent of the institution seeking the power.

The reviewer must not become a new sovereign. Its task is narrower: test whether the claimed necessity is evidenced, whether less-displacing alternatives were seriously considered, whether equal standing and prior rights remain protected, whether the intervention reaches no farther than necessary and whether correction and recovery remain possible. If those conditions fail, the remedy must be capable of narrowing, suspending or ending the competence. Citizens and displaced authorities must also be able to trigger reconsideration; review cannot depend solely on the institution whose power is being reviewed.

Different constitutional orders may use different institutions – courts, constitutional councils, parliamentary chambers, referendum mechanisms or specialised review bodies. Proto-Democracy does not prescribe one universal tribunal. It requires an independent and consequential test of necessity. And the reviewer itself remains derivative, bounded, attributable, contestable and recoverable. The institution created to prevent self-authorising power cannot itself become self-authorising.

> *A limit judged only by the power it limits is not yet a limit.*

Emergency and uncertainty

Emergencies change timing, not principle. Where delay creates a serious and reasonably evidenced risk of irreversible harm,

government may have to act before a full review can occur. But it must state the emergency basis, disclose material uncertainty, limit the initial duration and submit the measure to rapid independent and later retrospective review. Preventive action need not wait for impossible certainty; uncertainty cannot silently become permanent competence.

> *Emergency authority that cannot survive later justification cannot acquire legitimacy merely because it was exercised.*

Institutional consequences

Applied to legislation and administration, Proper Scale Review would change how authority is transferred. Major interventions would have to say plainly who currently carries the responsibility, why that arrangement is insufficient, who is affected, what alternatives were rejected, what safeguards are needed and how the delegation can later be changed or recovered. Temporary transfers would carry review dates and, where appropriate, clear exit conditions.

Emergency powers and temporary central programmes would normally expire unless fresh evidence justified renewal. Funding would, where possible, rebuild the capacity of those closer to the responsibility rather than making permanent dependence the price of assistance. Public-private and international commitments would identify the domestic authority answerable for turning them into public obligations.

These rules cannot guarantee wisdom. They can keep the movement of authority visible, reasoned, limited and capable of correction.

Conclusion · Put the Political House in Order

I did not set out to develop a political philosophy. I began because something no longer made sense to me.

Like millions of others, I watched the world change in 2020. Governments faced a genuine crisis and had to make decisions under extraordinary uncertainty. But as the months and years passed, my questions changed. They were no longer only about a virus, vaccination or emergency policy. I began asking what had happened to the relationship between the citizen and the institutions exercising power over citizens.

Why had disagreement become so difficult? Why did temporary powers seem easier to acquire than to relinquish? Why could responsibility disappear into institutions even when the consequences of their decisions were profoundly human? Why did increasingly distant structures sometimes appear so certain of circumstances they could only know imperfectly? I kept asking because I could not persuade myself that the questions were illegitimate.

I regard myself first as a sovereign human being, but not in the sense that I answer to no one or that my judgement stands above that of others. My sovereignty rests upon a moral agency that precedes the state and that I understand ultimately to come from a higher order. It therefore carries responsibility as well as freedom.

I cannot transfer that responsibility merely because an institution has made a decision for me. I remain responsible for what I believe, what I accept, what I refuse and how I act. That requires me to think independently, to listen seriously, to test what I am told and, when something does not withstand examination, to continue asking questions.

> *To question authority is not a rejection of authority. It is one of the responsibilities of the sovereign person from whom legitimate authority is ultimately borrowed.*

But questioning was never enough for me. When something is wrong, I want to understand why and what might be built in its place. These three papers grew out of that obligation.

The first paper led back to the source: authority is borrowed from persons whose sovereign standing precedes the institutions they create. The second led inside the institution: however complex government becomes, the human being exercising consequential power cannot delegate conscience along with authority. This third paper led to location: responsibility, authority, knowledge, consequence and correction must remain joined at the scale capable of bearing them.

> *Source. Actor. Location.*

I reached this point because each question exposed the next, not because I wanted another ideology.

It is September 2026. I look around Europe and do not believe the unease that became visible during the pandemic disappeared with the emergency. Citizens across political traditions continue to ask questions about institutions, expertise, representation, sovereignty, responsibility and distance. Their answers differ. Some contradict one another. That is not the problem. The problem begins when a democratic order becomes afraid to hear those questions.

Proto-Democracy is my attempt to answer that condition. It does not promise perfect government. It does not assume that citizens are always wise, that local government is always better, that expertise is unnecessary or that distant authority is inherently illegitimate.

> *Remember where authority came from. Keep the human being who exercises it morally present. Exercise it no farther away than responsibility can follow. And when power has travelled beyond what necessity can still justify, make sure there remains a way home.*

Moses had to learn that responsible leadership did not mean carrying everything himself. Switzerland shows that a modern state can remain coherent without making every serious responsibility converge upon the centre. The Swiss tradition remembers Tell as the man who would not bow before arbitrary authority. Its enduring image also gives us the discipline of aim: power must see the target without forgetting the human being beneath it.

Those images belong together. Power must know what it can carry. It must know where it is aiming. And it must never become so absorbed by the importance of its purpose that it forgets the person for whom political order exists.

The three papers therefore close one circuit. Authority comes from persons and must remain recoverable. Authority is exercised by persons who remain answerable to conscience and to a moral order they did not create. And authority must be placed where those two truths can still operate in practice.

> *Power becomes responsible when it knows the limits of its reach, preserves the adulthood of those it governs and remembers that its authority remains borrowed.*

Notes and selected sources

[1] Exodus 18:13–26. Jethro observes Moses judging alone, warns that both Moses and the people will wear themselves out, and recommends capable, God-fearing and trustworthy judges over thousands, hundreds, fifties and tens, with difficult cases reserved for Moses.

[2] Jonathan Pageau and Jordan B. Peterson, Identity: Individual and the State versus the Subsidiary Hierarchy of Heaven, ARC Research Paper, 2023; Jordan B. Peterson, "Identity: Individual and the State versus the Subsidiary Hierarchy of Heaven", 20 January 2024; Jordan B. Peterson, 12 Rules for Life: An Antidote to Chaos, Rule 6, 2018.

[3] Pius XI, Quadragesimo Anno, 15 May 1931, paras 79–80. The text describes it as an injustice and disturbance of right order to assign to a greater association what lesser bodies can accomplish, and directs higher authority to provide subsidiary help rather than destroy or absorb them.

[4] F. A. Hayek, "The Use of Knowledge in Society", American Economic Review 35, no. 4 (1945), pp. 519–530. The argument concerns dispersed and frequently tacit knowledge, not a universal claim that every central institution must fail.

[5] Elinor Ostrom, "Beyond Markets and States: Polycentric Governance of Complex Economic Systems", Nobel Prize Lecture, 8 December 2009. Ostrom rejects a simple state-versus-market dichotomy and examines multiple centres of decision-making.

[6] Treaty on European Union, Article 5, especially Article 5(3). In non-exclusive fields, Union action must satisfy the treaty formulation concerning insufficient achievement by Member States and better achievement at Union level by reason of scale or effects.

[7] Protocol (No. 2) on the application of the principles of subsidiarity and proportionality; European Commission, Subsidiarity Control Mechanism and Annual Reports on subsidiarity, proportionality and relations with national parliaments.

[8] World Economic Forum, "Who We Are" and "Partners". The Forum describes itself as a platform for public-private cooperation and its partners as participants in programmes and centres. The description establishes organised influence and cooperation, not the possession of governmental authority.

[9] United Nations, 2030 Agenda for Sustainable Development; High- Level Political Forum, Voluntary National Reviews. The review framework is described as voluntary and state-led. Domestic legal consequences require separate analysis of national or European implementation.

[10] Council of Europe, European Charter of Local Self-Government, especially Article 4(3), which states that public responsibilities should generally be exercised, in preference, by authorities closest to the citizen, subject to scope, efficiency and economy.

[11] The earliest unequivocal written documents from Uruk date from approximately 3300 BCE and are predominantly administrative. The Code of Ur-Nammu, conventionally dated to approximately 2100–2050 BCE, predates

the surviving textual formation of Exodus. The manuscript therefore makes no claim that Exodus records humanity's first government.

[12] The argument distinguishes subsidiarity from federalism, devolution and decentralisation. Those are institutional arrangements. Subsidiarity is the normative rule by which the appropriate allocation, displacement and recovery of responsibility should be judged.

[13] Swiss Confederation, 'Federalism', Presence Switzerland, 24 April 2024. Switzerland distributes political and legislative powers among the Confederation, twenty-six cantons and more than two thousand communes; the official account expressly describes autonomy and subsidiarity as guiding principles.

[14] Swiss Confederation, ch.ch, 'The referendum'. At federal level, an optional referendum generally requires 50,000 valid signatures within 100 days; constitutional amendments require a mandatory referendum and approval by both the electorate and the cantons. Referendums also operate at cantonal and communal level.

[15] Parliamentary Inquiry Committee Corona, public hearing of Hugo de Jonge, 10 July 2026, official Debat Direct recording and transcript; see especially approximately 1:49–1:58. Quotations are translated from Dutch. The transcript records De Jonge's statements concerning hospitalisation, deliberate rhetorical sharpness, moral conviction and the purpose of changing behaviour.

[16] RIVM, Vaccine effectiveness against hospital and intensive-care admission in the Netherlands, reports dated 14 and 28 December 2021 and update of 1 February 2022. The monthly tables distinguish age, vaccination status, hospital admission and intensive-care admission. They support substantially greater individual protection after vaccination while also showing why an unqualified aggregate description of hospital occupancy is misleading.

[17] Parliamentary Inquiry Committee Corona, second public hearing of Hugo de Jonge, 3 September 2026, Debat Direct transcript; Jona Walk, Bram Bakker and Jacco Vroegop, memorandum submitted to the committee concerning vaccination status among hospitalised Covid-19 patients, August 2026. The authors allege that the available figures contradict De Jonge's formulation. This paper reaches no conclusion concerning perjury or criminal liability.

[18] UK Parliament, House of Commons Library, material on the Community Charge and Council Tax; House of Commons debates, 3 and 5 December 1990; Council Tax was introduced in April 1993 to replace the Community Charge. Contemporary parliamentary records include Nigel Lawson's warning that the proposed tax was 'completely unworkable and politically catastrophic'.

[19] Netherlands Court of Audit, Organised Impotence, 13 April 2023; Netherlands Institute for Social Research, evaluations of the 2015 decentralisations in the social domain. The Court of Audit found that the intended improvements in youth protection had not been achieved and identified structural uncertainty concerning responsibility, powers, finance and regional cooperation.

[20] Swiss Confederation, Presence Switzerland, “Federalism”, updated 2024; Swiss Federal Chancellery, The Swiss Confederation: A Brief Guide 2026; Swiss Confederation, “Direct Democracy”. Official sources describe subsidiarity as a guiding principle of Swiss federalism, with powers distributed among Confederation, cantons and communes; constitutional amendments require a double majority of people and cantons; 50,000 signatures within 100 days can trigger an optional referendum on eligible federal acts; and 100,000 signatures within 18 months can launch a popular initiative to amend the Constitution. Accessed 11 September 2026.

[21] Government of the Netherlands, “Voting in water authority elections”, updated 18 April 2023. Dutch water authorities have elected general boards in which the majority of members are elected by residents, alongside designated representation for specified interests. The example is used here as a research illustration of functional representation, not as evidence that any historic or current governance model is normatively superior. Accessed 11 September 2026.

[22] Aristotle, Nicomachean Ethics, Book III, especially the discussion of voluntary action, choice, praise and blame; see also Book II on the formation of character through habituated action. The manuscript does not attribute the modern doctrine of subsidiarity to Aristotle; it draws upon his account of agency and moral formation.

[23] Immanuel Kant, Groundwork of the Metaphysics of Morals (1785), especially 4:428–440 on humanity, dignity and autonomy; Critique of Practical Reason (1788). Proto-Democracy draws upon Kant’s account of rational agency and the person as an end, while departing from his grounding of moral obligation in rational autonomy. Its own account locates the objective moral order ultimately in God.

[24] Alexis de Tocqueville, Democracy in America, especially Volume I on the township and political associations and Volume II on democratic tutelage. Tocqueville’s relevance here is institutional: self-government and association cultivate habits of judgement and responsibility, while an excessively tutelary power risks relieving citizens of the practice of directing their own affairs.

[25] Swiss Confederation, ‘William Tell, a symbol of Switzerland known throughout the world’, and Swiss National Museum, ‘The Swiss foundation legend’. Both treat Tell as a foundational legend rather than established biography and recount the apple shot, the second bolt and the story’s role in Swiss traditions of resistance to arbitrary rule.

[26] Jordan B. Peterson has repeatedly used the traditional ‘missing the mark’ interpretation of sin as a metaphor of aim, error and moral orientation. The manuscript uses that image metaphorically and does not claim that the English word ‘sin’ derives from an archery term.

[27] Eerste Kamer der Staten-Generaal, debate on coronatoegangsbewijzen, 30 November 2021. De Jonge stated: ‘We weten namelijk inmiddels vrij goed en vrij precies per postcode waar ze wonen’, followed by an account of the geographical and social characteristics of lower-vaccination groups. Translation and interpretation in the text are the author’s.

[28] Monitor Discriminatie 2024, Haaglanden en Hollands Midden, section 5.2 “Terugkijkend op de zes gebeurtenissen in 2024”, p. 26, published by the

regional anti-discrimination services within Discriminatie.nl, 24 April 2025. The report records 253 collective reports in the relevant work area concerning experienced discrimination connected to the corona measures. It states that many reporters experienced the distinction between vaccinated and unvaccinated people as unjust and felt pressured to vaccinate, and that De Jonge's "wijk voor wijk, deur voor deur, arm voor arm" and postcode statements were interpreted by many as threatening. This supports the claim about reception, not a claim that the government intended a threat.

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