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Note to Colloquium Participants:

This chapter is part of a book project entitled *Representative Democracy without Apology*. The book identifies considerations related to epistemic performance and the maintenance of social peace that provide reasons to prefer the specific institutional arrangements of *representative* democracy relative to three salient alternatives—modified direct democracy (MDD), lottocracy, and non-democratic meritocracy (NDM). For the purposes of the book, we define representative democracy as the set of regimes in which (1) those who govern are selected, directly or indirectly, by the citizenry at regular intervals in elections that allow opposition parties to compete on reasonably fair terms; and (2) in the interim between elections, elected officials enjoy significant leeway to rule as they like. The goal is to provide a justification of representative democracy that explains why these definitive institutional features are particularly attractive and not merely, as they are often taken to be, a second-best that is appealing only because of, for instance, the large size of modern political communities.

The present chapter develops the foundations of the manuscript's epistemic argument for representative democracy, which plays an important role in the argument against modified direct democracy and lottocracy. While the comparison between regime types on epistemic grounds is primarily developed in Chapter 7, it may still be useful – in understanding this chapter – to have a basic sense of how we define those alternatives (which, in the book manuscript, are introduced much earlier on).

- We understand *Lottocracy* to be a regime type in which governing officials are selected randomly and are free to rule as they like in the period between selections into office. Just as representative democracies are organized in different ways (e.g., as presidential systems, as parliamentary systems, with different voting rules, with and without strong forms of judicial review, and so forth), one can imagine a wide variety of possible lottocratic regime forms, differentiated by the sizes and powers of decision-making bodies, the lengths of office terms, the citizen pools that form the bases of corresponding lotteries, etc.

- *Modified direct democracy* refers to a set of institutional arrangements that allow large modern political communities to approximate the ideal of direct democracy, despite the size of the political communities and the complexity of their governance. While lottocracy and NDM differ from representative democracy, most importantly, in replacing the use of election with other selection devices (meritocratic or lottocratic alternatives), modified direct democracy differs, instead, by seeking to sharply curtail the independence of elected officials. As with the other regime types, there is a great deal of institutional variety that falls within the category of MDD. Closer to the ancient ideal of direct democracy, are highly participatory systems in which citizens themselves, through a series of local deliberative venues, are intimately involved in the policymaking process. Prominent examples in the literature include the participatory budgeting process, community policing, and local school councils. Additionally, there are practices that seek to empower ordinary voters through electoral processes. Possibilities range from shorter terms for representatives, the power to recall representatives, referenda, and direct initiative. All of these practices seek to empower ordinary citizens in part by limiting the discretion of elected officials.

Chapter 6: The Epistemic Appeal of Representative Democracy

In this chapter and the next, we turn to the epistemic dimension of policy-making, shifting the foil of our comparative analysis primarily to lottocratic and direct democratic alternatives to representative democracy. In particular, we will describe two key mechanisms that lead decision-makers in well-designed representative democracies to make policy decisions in ways that are more careful, informed, and directed towards the public good than decision-makers in well-designed versions of these competitor regime types. While there are other epistemic defenses of democracy in the literature (some of which are discussed in the following section), the particular epistemic account that we offer here is – unlike many alternative accounts – tied to the distinctive features of *representative* democracy, particularly to the effects of the system of accountability generated by regular elections.

In a modern representative government, legislators and political executives represent enormous numbers of citizens and exercise authority on a very diverse range of policy issues. In such settings, being an effective policymaker requires, *inter alia*, extensive knowledge across a wide range of policy areas. It may be useful here to distinguish dimensions of expertise, only some of which can be expected of representatives. Most obviously, expertise can be first-order technical. This is, in effect, policy expertise. A public health expert has such expertise about the spread of disease, a civil engineer about the construction of bridges, and a criminologist about the causes of crime. A politician cannot ordinarily be expected to be an expert in this sense (though, there can be exceptions, such as when a technical expert in a particular area runs for office).

There are, however, two further dimensions of expertise that are required for effective representation—this is not policy expertise as such, but policy-*making* expertise. The first dimension of policy-making expertise relates to the ability to propose plausible policy solutions

to ongoing public problems, and to assess competently the arguments, advice, and proposals of experts, stakeholders, and fellow legislators. Parties can acquire such expertise through a process of specialization, which is naturally connected to issue-specific committee assignments. Members of particular committees have an incentive to invest in a certain amount of expertise in the issue areas that they oversee. While representatives themselves will gain technical knowledge in such areas, they may also hire staff members who can act as informed liaisons between expert communities and the elected representatives, allowing them to effectively tap into communities of technical experts. In this way, particular representatives can acquire in-depth knowledge in particular areas--examples include Ted Kennedy with respect to healthcare, John McCain with respect to defense spending, Paul Ryan with respect to tax policy, and Barney Frank with respect to financial regulation. Given the expertise such figures develop, others in their party will often defer to them (since they view themselves as sharing broad value commitments). Given the expertise such figures develop, others in their party will often defer to them (since they view themselves as sharing broad value commitments). This is not technical expertise in the first sense--such representatives are not themselves doing primary research that contributes to the development of knowledge. But their knowledge is such that they can effectively engage with those who are, creating a hierarchy of accountability that runs from the voters to the first-order technical experts.

An additional dimension of policy-making expertise is political. One aspect of this kind of expertise concerns the knowledge of what is feasible given general constraints (such as those imposed by institutional rules, broad public opinion, economic realities, the interests of other nations, and so forth). An understanding of political feasibility also requires an understanding of complex inter-temporal and inter-issue considerations related to coalition-building with other legislators, as well as an understanding of how certain actions will affect

the opposition (including their likely responses). This includes the recognition of the needs and constraints created by the agency relationships in representation of one's own constituency and of the constituencies of other representatives, the diversity of preferences and opinions across electoral constituencies, as well as the unavoidable uncertainty in assessing the merits of policy alternatives. This is the kind of expertise often attributed to, and indeed required of, effective party leaders (e.g., Lyndon Johnson or Mitch McConnell), who need to be able to hold their coalitions together, despite disagreements, while making progress with respect to shared aims.

It would surely be a mistake to assume that the critical mass of citizens are experts in the policy-making senses required for effective representation or are readily equipped, or interested, in bearing the costs associated with developing such expertise. This is not, of course, to assume that representatives with such expertise would, in fact, represent effectively, nor that they can, by default, simply be assumed to acquire that expertise—both of those must be defended as *conclusions* of a plausible account of representation. The principal task of this chapter, then, is to show that at the core of representative democracy lie mechanisms that, when properly institutionalized, generate important epistemic advantages, allowing well-designed representative democracies to meet the challenges described in the preceding paragraphs.

An objection that is sometimes made to epistemic approaches is that they appear to presume agreement on a substantive standard against which policy outcomes could be assessed, even while disagreement about what constitutes a good outcome is a permanent feature of political life. Many have thought that such disagreement casts doubt on the feasibility of epistemic arguments and provides reason to fall back on procedural justifications

(Waldron 1999; Christiano 2008; Urbinati 2014; Schwartzberg 2015).[1] It is a mistake, however, to think that an epistemic account requires agreement on a *substantive* standard of correct decisions (Estlund 2008, Ch. 6).

A particular regime type could, instead, be epistemically favored because its institutional features bring forth mechanisms that render its decisions more likely to be correct than those made under an alternative regime type. An argument of this kind would not require *ex ante* agreement on a substantive standard. For instance, we can agree that we are more likely to predict the winner of an election, the Oscars, or the weather by consulting a prediction market than by consulting an astrologer. While both methods are fallible, we can identify mechanisms that provide good reasons to expect that a well-constructed prediction market will tend to outperform an astrologer--the former provides the right incentives for dispersed individuals to disclose their reliable private information (Sunstein 2006). An epistemic argument in favor of the prediction market that runs along these lines does not require agreeing, in advance, on the first-order question of interest. In a structurally similar fashion, though relying on different mechanisms, we aim to explain how the institutional features of representative democracy give it an important and identifiable epistemic edge over competing regime types.

We proceed by way of describing two counterfactual models – stylizations of the world that abstract away from certain features to focus our attention on others that are of particular import to the argument. The first model, which we call the *treatment model,* captures the idea of

[1] While we argued, in Chapters 3-4, that there is also reasonable disagreement about the ranking of regime types from a procedural perspective, we set that point aside in the present context.

effects that a given change in environment (treatment) may be expected to bring about relative to a counterfactual—without changing the identity of relevant agents. This model identifies mechanisms that will lead office-holders in representative democracies to make different choices and develop their capacities differently (capturing both responsiveness to incentives and the "formative" effect that that may bring about) than they would as citizens in a direct democracy. The second model, which we call the *selection model*, explains how a well-designed system of iterative elections can help bring forth a set of officeholders who are particularly well suited to live up to the demands of office-holding.

Before describing these models, it is important to clarify their function. Perhaps most importantly, these models are not meant as positive descriptions of actually existing representative democracies—at least, not in any simple way. The epistemic mechanisms that they highlight emerge out of the central features of representative democracy, but their bite is *conditional* on the broader institutional design of the representative system. For this reason, these models are not meant to characterize any particular representative democracy, and it would be a mistake to conclude from the fact that existing representatives do not fit the expectations articulated within these models that our claim about the epistemic advantages of representative democracy must be incorrect. Instead, if a particular representative democracy fails (as many of our own representative regimes, to a considerable degree, have) to adopt institutions that allow it to capture the benefits identified in the treatment and selection models described here, it will likely lack special epistemic benefits.

In this sense, the models we describe are *aspirational*, but in a very specific way. They explain, given realistic assumptions about the behavior and capacities of citizens and officials, how the central features of representative democracy can, if well designed, generate distinctive epistemic benefits. Their role in our broader justificatory argument is to help us zero in on

mechanisms that can be sustained in well-designed forms of representative democracy -- mechanisms whose properties cannot plausibly be matched by lottocratic or direct alternatives.

1. Existing Epistemic Defenses of Democracy

There are, as we noted above, other epistemic defenses of democracy in the literature, primarily tied to aggregative and deliberative mechanisms. The particular epistemic account that we offer here is, unlike many alternative accounts, tied to the definitive features of *representative* democracy—in particular, to the epistemic benefits that may be produced by the relationship of delegation between voters and elected officials in representative democracy. This fit with the definitive features of representative democracy is important because it allows us to identify epistemic benefits associated with (well-designed) representative democracy that lottocracy and MDD, no matter how well-designed, should not be expected to produce.

Many arguments for deliberative democracy highlight the epistemic benefits of deliberation—connected to the introduction of new information, increased familiarity with different perspectives, identification of unexpected synergies between such perspectives, more rational construction of the agenda, and so forth (e.g., Manin 1987; Johnson and Knight 1994; Bohman 2009; Estlund and Landemore 2018). These arguments speak to the importance of deliberative processes for epistemic performance and, in many cases, highlight the epistemic contributions of particular institutions (such as freedom of speech, freedom of the press, fair systems of campaign finance, and so forth). Yet, it is not clear how (or whether) such arguments speak to the more macro question concerning proper ranking of competing regime types, for there is space and incentives for deliberative practices in all of the regime types on which we have focused, including, ultimately, even NDM (which could well include a deliberating politburo, for instance). Indeed, it is difficult, if not impossible, to assess the

comparative epistemic benefits of the different forms of deliberation that arise in representative vs. direct forms of democracy. Where the former may focus on deliberation between and among constituents and their representatives regarding details of policy, competing party ideologies, and integrity of elected officials, the latter may generate more extensive, but potentially less-informed (see below), deliberation about policy between citizens.

This skepticism about the possibility of definitive comparisons of regime types on the grounds of epistemic benefits from deliberation extends to claims that have been made about deliberation in the context of the "Diversity Trumps Ability" (DTA) theorem. Before elaborating on this point, note that, quite apart from these claims about deliberation, DTA has offered a tantalizing social learning mechanism for the "wisdom of the crowds." The theorem shows that under certain conditions, cognitively diverse groups of competent individuals outperform competing groups composed of the most skilled individuals because they consider a more heterogeneous set of possible solutions (Hong and Page 2004). While this presents an attractive argument for the social value of cognitive diversity that is especially powerful in the context of organizations, DTA's assumptions seem ill-suited to determining the appropriate design of policy-making institutions.

In the setting that gives rise to DTA, groups seek to solve agreed-upon problems, or, to put this differently, group members' tasks are exogenously set. Further, poor performers *cannot* hurt the group's performance: their suboptimal suggestions will simply be ignored since the agents are assumed to know with certainty when a proposed solution outperforms other suggestions. It is hard to see how a conclusion arrived at in such a setting can help us rank alternative regime types from an epistemic perspective given that the epistemic performance of regime types crucially *depends* on their tendency to address appropriate problems, as well as on their capacity to prevent ineffective or even dangerous proposals from winning the day.

A similar skepticism extends to the "deliberation-based" interpretation of DTA. It has been argued that DTA indicates that deliberation is likely to be more epistemically beneficial in MDD or in lottocratic arrangements that generate a diverse body of representatives than in standard, electoral versions of representative democracy (Landemore 2012). However, DTA is silent on the mechanism by which individual citizens' (best) accounts of the world are publicly revealed – it simply assumes that everyone has access to them. Alas, as the studies of strategic incentives across different types of informational and communication settings suggest, diverse environments are, unfortunately, settings in which speakers are less likely to make informative statements or engage in substantive argumentation (Hafer and Landa 2007; Meirowitz 2007; Bardhi and Bobkova 2020). In a nutshell, the reason for this is that when deliberators are confident that all others share their goals, they do not need to worry about shared information undermining those goals; by contrast, in the absence of such common goals, participants have reason to be cautious about the information that they share. In questioning the plausibility of the DTA assumption in political environments, even setting aside the issues of agenda endogeneity and outcome uncertainty, this conclusion, in effect, calls into question the theorem's applicability to ordering epistemic benefits of deliberation in different institutional settings.[2]

Even if there is no clear way to rank regime types from the perspective of the epistemic benefits that they may generate through deliberation, it may seem that at least the *aggregative* epistemic arguments, such as those built around the Condorcet Jury Theorem, favor MDD—

[2] In effect, this paragraph and the one that precedes it call into question the reasonability of taking "for granted that … Hong and Page's results apply nicely" to the context of political deliberation (Landemore 2012, 90).

since that regime type may appear optimally positioned to take advantage of the power of large numbers. In its classic version, CJT shows that if we aggregate the judgments of large numbers of minimally competent voters, we will be more likely to make correct collective decisions than if we assign them to small groups of much more competent individuals.[3]

Yet, as many previous commentators have pointed out, a critical worry about CJT-based arguments for democratic governance is the theorem's antecedent assumption of minimal necessary (average) competence of the voters.[4] As many studies of voting behavior have emphasized, assumptions of voter competence in democracies must be met with a

[3] More precisely, the theorem requires that (1) the average competence of voters be greater than .5; (2) the vote be over a binary set of alternatives such that, under the assumption of complete information all voters would agree on which alternative is best or "correct"; and (3) the voters' ballots are independent and "sincere" expressions of their beliefs. Under these conditions, as the number of voters increases, the probability that the majority rule picks out the correct alternative quickly goes to 1 (for a detailed exposition, see Goodin and Spiekermann 2018). In the strategic version of CJT (see, e.g., Austen-Smith and Banks 2006), the welfare benefit of aggregation is in doubt. The question remains, though, whether the expectation, underlying the strategic version of CJT, that voters vote as if pivotal, as opposed to assuming that they vote their signals of the state of the world, as the non-strategic version of the theorem assumes, is empirically more plausible.

[4] Of course, the concern with citizen competence does not exhaust the range of issues around the fit between CJT and broader democratic practices. Nor, even accepting this concern, is the (in-) defensibility of CJT as the mechanism for understanding the epistemic benefits of aggregation settled (e.g., Goodin and Spiekermann 2018).

healthy dose of skepticism (e.g., Achen and Bartels 2016). In the context of CJT, such skepticism is particularly consequential because when the assumption on average voter competence is violated, the implication of the theorem is that there is substantial epistemic *loss* from aggregation—even a relatively incompetent voter may do substantially better than the almost surely false collective judgment produced by aggregating views of voters who are more likely to be wrong than right. Voter competence is, thus, a critically important bar to clear for any CJT-based account that means to vindicate the epistemic value of aggregation.

In an early influential paper, still one of the most insightful associated with this tradition, Joshua Cohen emphasizes the importance, for individual competence, of the institutional context surrounding collective decisions. He insists that one, "cannot simply *assume* that judgmental competences are fixed and high," and emphasizes the importance of being "attentive to the way that rules and the collective choice institutions in which they operate shape" voters' competence (Cohen 1986, 35). In what follows, we pursue this thought—arguing, in particular, that representative democracy's distinctive institutional features render it more likely to generate the required competence than MDD. While our argument for the epistemic superiority of representative democracy does not hinge on the CJT, if we are right that the epistemic benefits identified by the treatment and selection models ultimately make it more likely that representative democracy satisfies the CJT's preconditions, then an appeal to that framework cannot generate competing epistemic considerations that weigh in favor of MDD.

The broad upshot is that, although there are many epistemic arguments in the literature (typically built around deliberative or aggregative mechanisms), there is no reason to believe that such arguments generate countervailing epistemic considerations that would undermine the epistemic case for representative democracy developed below.

2. The Treatment Model

We begin, in this section, with an explanation of how treatment effects associated with representation may generate important epistemic benefits. We will focus on two treatment-based reasons, the pivotality and accountability effects, which – when jointly operative – provide reason to think that elected representatives will exercise their political power in a more considered and socially beneficial way than would ordinary citizens in a majoritarian direct democracy.

A. Pivotality & Accountability

Consider, first, *the pivotality effect*: because representative systems entrust political power to a relatively small group of elected officials, each one is far more likely to be pivotal in policy choices than an ordinary citizen in a direct democracy. Since the votes of representatives are far more likely to affect policy outcomes, they have significantly stronger instrumental reason to exercise their power with due care (including investing more time and effort into acquiring knowledge and expertise about relevant policy considerations) than citizens in a direct democracy.

The second reason to think that a well-designed representative democracy will lead representatives to exercise political power more responsibly than would citizens in a direct democracy is *the accountability effect*. By linking continued office holding to public approval, representative systems generate incentives for office holders to exercise power with due consideration for the likely effect of policies on the welfare of ordinary citizens. Insofar as it is desirable to retain office, representative democracy thereby gives officeholders a reason to exercise their power with a level of care and consideration that does not exist for ordinary

citizens in a direct democracy—the latter are not stripped of valuable privileges for failing to use their power in a way that citizens think advances their interests.

These two effects, pivotality and accountability, are logically distinct, and both are necessary for the epistemic benefits connected to treatment. In the absence of the accountability effect, there is nothing to prevent those citizens who lack sufficient public spiritedness from making choices that would benefit themselves or those close to them at the expense of the society as a whole. Indeed, their greater pivotality, on its own, may very well increase the temptation of those choices. The accountability effect acts as a(n imperfect) backstop to that temptation. A dictator without significant rivals for power is pivotal without being accountable and it is, in important part, precisely that combination that ordinarily renders such systems dangerous and unappealing.

While obviously not dictatorial, pure lottocratic systems suffer from a version of the same problem: they bestow significant pivotality on representatives without effective complimentary mechanisms of accountability. In the absence of some effective accountability mechanism, the assumption that individuals selected as representatives will use their positions of power to advance the public good is unwarranted.[5] It is the lack of accountability, then, that undermines confidence that systems built around lottery can replicate the epistemic advantage associated with treatment, even given the best institutional design. (Perhaps there are ways to incorporate accountability mechanisms into lottocracy. We have already, however, raise concerns about the workability of such arrangements in Chapter 4. Below, however, we will

[5] Feddersen et al. 2009 provide evidence that increased pivotality in the absence of accountability leads to more self-interested decision-making.

discuss a form of representative democracy that embraces limited random selection without undermining accountability mechanisms.)

Turning now to see the contribution of the pivotality effect given the accountability effect, note that the objects of accountability are, most plausibly, not votes or policies, but policy outcomes—complicated products of representatives' choices and stochastic and/or unobservable states of the world, including preferences and actions of other political actors, hidden institutional and transactional incentives, sheer luck, etc. The citizens face a classic team production problem vis-à-vis their elected officials: if other individuals can influence the same outcomes as you, your action becomes, all else equal, less consequential for determining those outcomes, and so harder to motivate externally (e.g., by citizens you may be representing). This problem is most acute when your pivotality is lowest (e.g., in a regime approaching direct democracy) and decreases as the pivotality goes up. In the language of comparative politics (Powell and Powell 2000; Tavits 2007), with extremely low pivotality, *the clarity of responsibility* for outcomes is extremely low, and the incentives that the accountability effect would need to rely on to make a difference may be exceptionally, unreasonably, high. As the clarity of responsibility increases with the increase in the office-holders' pivotality, the consequential accountability effect becomes increasingly feasible. The upshot is that the accountability effect is most promising in the presence of the pivotality effect.

Finally, it is worth highlighting that – unlike traditional Madisonian arguments for the epistemic superiority of electoral systems – the argument in this section does *not* depend on the ability of electoral systems to select particularly well-qualified individuals for public office. Well-designed electoral systems may, in fact, have this benefit (we take up such arguments next), but the claim that electoral systems have epistemic advantages relative to lottocratic and direct alternatives does not require it. This is important because it is often assumed that

justifications of electoral systems "require a commitment to the idea that some are better able to rule than others" (Guerrero 2014, 169; also see Landemore 2020; O'Leary 2006, 9; Stone 2016). Advocates of lotteries, then, see this as a disadvantage compared to the more egalitarian presuppositions of lottocracy. The foregoing argument suggests that that assumption is unwarranted; instead, electoral representation could generate epistemic benefits through the combination of pivotality and accountability *even if* all citizens were, antecedently, equally competent.[6]

B. Institutional Mediation

One may wonder, how, on this account, there are grounds for differences in performance between officials and basis for voters to prefer one candidate to another. One answer is that such grounds may be strategic -- when the voter is indifferent between candidates, she can commit to re-elect the incumbent who delivers a good performance, and replace her otherwise. This will create the incentives that set in motion the accountability effect. A second, related, answer is particularly relevant in the context of important uncertainties in the world (e.g., unexpected events or challenges) that interfere with the realization of good outcomes and produce differences in observed performance despite ex ante identical politicians and properly incentivized effort from the office-holder. Here, re-election conditional on good performance is a "strict liability rule" that can, when properly calibrated (Landa and Le Bihan 2018), serve to improve the incumbents' incentives.

[6] Likewise, defenders of lotteries often think that the most important worries about them are related to the competence of office holders (e.g., McCormick 2006, 156; Landemore 2020)—while such worries may be important, one need not rely on them to make an epistemic case against lotteries.

To be sure, even given these strategies, highly pivotal and accountable officials will not *perfectly* advance the interests of citizens -- elections are, after all, a coarse instrument of influence. In Section 4, we will consider in some detail the epistemic burdens facing voters and representatives and argue that electoral choice can effectively harness the expertise of office holders so that it is used to advance the welfare of voters. But how effectively elections can do this, and so how high the welfare of voters in representative democracies is, depends on underlying political institutions and the social and political practices associated with them. For example, clarity of responsibility is clearly affected by a host of political institutions, including freedom of the press, details of electoral systems, responsiveness of the bureaucracy to democratic outcomes, and so forth.

Just as an absence of clarity of responsibility will undermine the epistemic benefits of representative democracy, so too will such benefits be threatened if contestants or their close allies are allowed to adjudicate disagreements about the proper design of electoral institutions. Because of the personal stake that such individuals have in the resolution of such controversies, we should expect them to seek to insure themselves against the personal electoral costs of bad policy outcomes by designing electoral rules that give them an unfair electoral advantage. Such schemes may take the form of campaign finance regulations that undermine challengers, rules that allow incumbents to draw their own districts, rules that effectively allow incumbents to make decisions about whose votes will actually be counted, and so forth. If elected officials are allowed to control the rules of electoral contests, voters may find that, *whoever* they elect and whatever those individuals claim while running for office, once they enter office, they, too, favor schemes that unfairly protect incumbents. The bottom line is that forms of electoral representation that violate the *Principle of Independent Contest Design* (PICD), which we

introduced in the preceding chapter, undermine the accountability mechanism that is central to our epistemic account of representative democracy.

An important precondition of our epistemic argument, and so, a critical feature of a well-designed representative democracy, is, thus, that institutional forms of electoral regimes satisfy PICD – i.e., that their institutions take decisions about the shape of electoral competition out of the hands of incumbents and put them, instead, into the hands of relatively independent bodies–including, perhaps, referenda, the judiciary, or independent commissions.[7] Such an arrangement makes it more likely that the controversy will be settled on the basis of the kinds of first-order normative considerations that are prominent in public political debates, carefully and neutrally considered, rather than on the basis of personal or political gain. Unfortunately, many existing forms of representative democracy problematically violate this requirement and, as a result, fail – to a significant degree – to realize their epistemic potential.

Recall that we argued in Chapter 5 that in sustaining the self-enforcing features of electoral systems, it is important to take control of electoral contest design out of the hands of competitors and their close allies. This, on the margin, makes it more likely that competitors will prefer to compete electorally within the regime rules, rather than investing into strategies that undermine the regime. Thus, epistemic considerations and considerations related to social peace converge on PICD. We will return to the importance of PICD for well-designed systems of representative democracy in Chapter 9.

[7] We do not take a position on the best institutional means for removing such decisions from the ambit of elected representatives, which we view as context-dependent. There are, however, arguments in the literature for delegating such decisions to the judiciary (Ely 1980), to independent commissions (Thompson 2004), or to the broader body of voters via referenda (Thompson 2022).

In the preceding senses, then, the claim about the presence of the pivotality and accountability effects in electoral representation far from exhausts the analysis of the determinants of epistemic quality of representation. But it does point to an important difference between representative democracies as a class and some of the important alternatives to them: representative democracy (if well-designed) can perform better, from an epistemic perspective, than direct and lottocratic systems because it (unlike those alternatives) puts those who will make (or oversee) policy decisions in positions of relatively high pivotality *and* accountability.[8]

[8]Christiano has argued that representative democracy has an *egalitarian* advantage over direct democracy because this division of labor allows citizens to much more effectively control government, such that "everybody gains in control over the society through representative democracy" (Christiano 2015, 102). While we share Christiano's skepticism about the effectiveness of a system of government that tries to minimize the division of labor, we do not think that it makes sense to explain this skepticism in egalitarian terms. Many political issues are zero sum: I want higher taxes and you want lower taxes. Given this, one of us will be advantaged (i.e., have better odds of getting our preferred policy) as a result of living under MDD instead of representative democracy. It is unclear what it means, then, to say that the move from MDD to representative democracy benefits *everyone* from the perspective of political power – this seems to understate the level of conflict inherent in the policymaking process. The division of labor, as we have argued, carries with it important epistemic benefits, but it is hard to see how to make a convincing all-things-considered argument in its favor that is purely egalitarian. We thank Steffen Ganghof for discussion of this possibility.

3. The Selection Model

The second epistemic model of governance under representative institutions focuses on the possibility of variation in candidates' relevant competence or aptitude and on the ability of citizens to elect office holders who possess high levels of those.

A particularly well-known version of the underlying argument is in *Federalist No. 10*, in which James Madison argues that in a well-designed system, the effect of delegating the tasks of government "to a small number of citizens elected by the rest" is to:

> Refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations. Under such a regulation, it may well happen that the public voice, pronounced by the representatives of the people, will be more consonant to the public good than if pronounced by the people themselves, convened for the purpose. (Madison, Federalist 10; also see Sieyes 2003, 48)

The idea is that, through elections, the citizenry can select particularly able individuals to take up important roles in government and pursue refined versions of the public's commitments. When these individuals are put into office by means of elections, they can help the community pursue the basic political commitments of ordinary citizens more effectively than would a system that "convened" ordinary citizens for the purpose.[9] While the philosophical literature

[9] Although Mansbridge (2009) provides a sympathetic review of related literature focusing on the ability of elections to select representatives who share the values of constituents, she is dismissive of selection based on competence. In contrast, on the account we present here, the best interpretation of representatives' competence or quality is a function of both values and value-independent epistemic merit, and selection is relevant to both of those (though see the following footnote for a different account, particularly appropriate for institutional forms with

typically ignores the possibility of a selection effect, there is, in fact, evidence of both selection with respect to important criteria ordinarily associated with higher performance (Dal Bó et al. 2017) and of increased performance due to selection (see e.g., Gagliarducci and Nannicini 2009), even under some actually existing electoral systems.[10]

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strong parties). Further, while the two are conceptually distinct, we are skeptical that the distinction can be readily sustained either observationally or causally: e.g., those whose values depart sufficiently from voters' values have lower incentives to acquire sophistication on voters' behalf; the more complex the decisions are, the easier it is to conceal the fact that the incumbent's values may be substantially different from those of their voters.

[10] This is not meant to imply that selection necessarily happens *by way of* elections. It may, for example, be the case that selection is done by party leaders in expectation of candidates' electoral chances. A somewhat different perspective on the role of parties is that, in systems with particularly strong parties, voters are, arguably, choosing between parties that make long-term investments in different areas of policy expertise and engage in internal candidate selection prior to voters' electoral choice. Here, one may think of voters as making a choice that is not driven by an assessment of differences in overall competence, but rather by the voters' sense of the fit between a particular party and the circumstances of the moment -- circumstances that may change by the time of the next election. They may, for instance, prefer a party that has invested in national defense during periods of foreign policy uncertainty and a party that has invested in health policy during a pandemic. Here, electoral choice would not be well understood through the lens of attempting to elevate the candidates who are most competent in some global sense, which suggests the possibility that even the selection model

Of course, this argument notwithstanding, in many actually existing representative regimes, it is doubtful whether elections effectively select highly qualified citizens for public office. There is ample reason to worry that in large political communities elections select the preternaturally ambitious, hubristic, shameless and power-hungry – at least, so long as they are also suitably famous, wealthy, and well-connected. Indeed, although it is less often quoted, Madison makes this point himself as the above passage continues:

> The effect may be inverted. Men of factious tempers, of local prejudices, or of sinister designs, may, by intrigue, by corruption, or by other means, first obtain the suffrages, and then betray the interests, of the people. (Federalist 10)

Madison's view is that this is the sign of a poorly designed or corrupt electoral process, and he prescribes large electoral districts as a way of combatting such outcomes.

Contemporary political science scholarship on elections has added a considerable list of further factors that influence the quality of electoral selection, including the campaign finance regime (Ashworth 2006; Gordon et al. 2007), the presence or absence of term limits (Alt et al. 2011), details of electoral systems (Myerson 1999; Cox 1997), the strength of institutional determinants of incumbency advantage (Gordon and Landa 2009), the extent to which policy-making authority is divided or unified in relation to the complexity of the underlying policy areas (Ashworth and Bueno de Mesquita 2017; Landa and Le Bihan 2018), the salaries of elected officials (Gagliarducci and Nannicini 2009), and others. Cumulatively, this literature can be understood as an attempt to specify the conditions under which the selection effect is likely to be effective—that is, the conditions under which desirable characteristics of incumbents (particular types of competence, integrity, judgment,

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may be consistent with the assumption that all citizens are, in some *ex ante* sense, equally capable.

temperament, etc.) become sufficiently transparent to the voters to facilitate the selection of better incumbents more reliably.

Thus, much here depends on proper institutional design. Elections cannot guarantee the selection of skilled individuals who will aim at the public good, but much as they can be designed to be factional tools—for instance, to promote class interests if property qualifications are put in place or if successful candidates need to raise money from a small group of ideologically homogenous donors—they can also be designed to minimize such effects. The selection model posits that a *well-designed* electoral system increases the chance of good policy outcomes (relative to other possible political regimes) by selecting individuals who are well suited to exercise political power.

This, then, is the core underlying mechanism: voters take their cues from the best information available about the leaders' performance and about the record of the potential challengers; both the leaders and those potential challengers decide whether the comparison of their respective records would implicate them as sufficiently competent to make it worthwhile to run for election; and the voters then make their decisions on the basis of those records and further competence-related information revealed in the course of campaigns. The key claim is that when properly institutionalized, the various mechanisms for improving the quality of selection create a quality-tracking property for electoral representation. It is not that selection of leaders in successive elections always improves the quality of the office-holders, with the quality of each successively selected leader at least as high as that of the previous. Rather, the idea is that the mistakes—low-quality incumbents—will tend to be less frequent and their magnitudes less significant than the correct (competence-improving) selections (Zaller 2002; Gordon et al 2007; Ashworth and Bueno de Mesquita 2008). To summarize, then: the selection model should be understood not simply as implying that leaders are selected

on the basis of considerations of merit, but also as entailing – in the institutions of electoral representation – mechanisms for iteratively improving the quality of selection.[11]

[11] One might object that the two models call for voters to simultaneously do different things—to hold elected officials accountable, while also selecting the candidate best suited for office-holding—with a single tool (i.e., electoral power). It is true that voters may sometimes face a trade-off between accountability and selection, such that they cannot expect to simultaneously accomplish both perfectly (for a recent discussion of this trade-off, see Ashworth et al. 2017). Of course, even in the absence of such a trade-off, voters would have to settle for imperfection on both counts—this follows, *inter alia*, from their imperfect information (both about the competence of candidates, as well as about the effectiveness of their past performance).

Still, this trade-off may be relevant to the ranking of representative democracy's epistemic performance compared to its alternatives if it were to lead to systematically bad performance by elected officials. It is possible to conceive of circumstances where it could -- for example, if, in a two-period policy-making environment (where periods are separated by an election), voters can infer the representative's type with certainty, both the relatively low and the relatively high types will prefer to invest no effort (the former because they know they will be dismissed with certainty, and the latter because they will be re-elected with certainty). However, such circumstances are exceedingly implausible -- they are driven by the stark assumptions of a two-period model and voters' ability to clearly distinguish between competence and effort. With a longer time horizon (such as that associated with political parties), voters are able to punish high-competence elected officials for under-performing (see, e.g., Anesi and Buisseret Forthcoming for an infinite-horizon model in which voters are able to obtain a first-best accountability outcome). Further, distinguishing between competence

We can now compare a system with this selection mechanism to alternative regime types. By working to eliminate the discretionary power of public officials, MDD effectively renders selection moot—if public officials lack significant discretion, one cannot generate better epistemic performance via a well-designed selection mechanism. Meanwhile, lottocracy uses random procedures for selection, but the whole point of the above discussion is that a well-designed electoral system can, from an epistemic perspective, outperform random selection.

4. The Epistemic Burdens on Voters

In the preceding two sections, we have described two models – treatment and selection – that highlight mechanisms lying at the core of representative democracy and that can generate important epistemic benefits relative to MDD and lottocracy. While these models are independent, such that either – taken by itself – could anchor an epistemic justification of

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and effort is almost always a matter of guesswork, which opens the door both for the less competent office-holders to pool with their more competent counterparts by choosing higher effort levels and for highly competent incumbents to try separating from less competent counterparts by choosing higher effort as well. (In the game-theoretic language, the equilibrium in such settings is often semi-separating.) The bottom line is that while the trade-off between accountability and selection is analytically meaningful, it is highly unlikely that this trade-off undermines the epistemic advantage of representative democracy.

representative democracy, well-designed forms of representative democracy can simultaneously benefit from both.[12]

The epistemic advantages associated with both models facilitate epistemic gains by allowing better-informed representatives to vote in ways that diverge from voters' *ex ante* preferences. However, the informational gap between elected officials and their constituents simultaneously makes it possible to generate epistemic gains *and* introduces risks that those gains may not be realized, and, even further, that representation may yield a net welfare loss for the represented. Such risks stem from two sources of agency problems with elected officials: representatives may use their superior information to advance their own interests, neglecting those of their constituents; and re-election considerations may lead them to make policy choices that pander to their constituents' prior beliefs, rather than advancing social welfare beneficial policies that may run counter to those (initial) beliefs. The extent to which the informational gap generates epistemic benefits depends on the effectiveness of electoral accountability. Effective accountability is, however, challenging to realize, given that voters must judge the actions of representatives who are, ostensibly, better informed.

Indeed, both models require citizens to play an important role in facilitating their effective operation. The treatment model requires that voters make electoral judgments in a

[12] This said, it is possible to conceive of institutional implementations of representative democracy that do not marry these models. In the following chapter, we will consider a modified institutional arrangement that may be attractive to those who are skeptical about the potential gains associated with selection. That arrangement preserves the two mechanisms underlying the epistemic benefits of representation in the treatment model while divorcing electoral selection from the principle of distinction.

way that effectively tracks their welfare and thereby creates the appropriate incentives for representatives. The selection model, meanwhile, requires that voters make electoral judgments in a way that tracks the quality of representatives. How reasonable, though, is it to expect that voters can perform these tasks, especially in the context of arguments that highlight the value of expertise and a large and influential empirical literature documenting citizens' political ignorance (e.g., Converse 1964; Delli Carpini and Keeter 1996; Achen and Bartels 2016)? This literature raises important doubts about the capacity of voters to generate meaningful political accountability or to select particularly able candidates for office.[13] To be persuasive, the epistemic theory developed above must bridge voters' (in)competence, as documented in these studies, and their ability to create electoral accountability. We need, in other words, an explanation of how electoral accountability can help advance the interests of voters, despite voters' informational deficit. We next develop an account that provides such an explanation.

Our account draws on three complementary mechanisms. Taken together, these mechanisms suggest that the epistemic demands facing voters in a well-functioning representative democracy are, ultimately, far less demanding than those facing representatives, and that a range of feasible institutional provisions can enhance citizens' ability to effectively hold their better-informed representatives to account. The first two mechanisms turn on important, if somewhat overlooked, aspects of the complementary practices of deliberation

[13] As a counterpoint, studies of aggregate voting decisions and attitudes (notably, Erikson, Mackuen and Stimson (2002)) have painted a starkly contrasting view, largely consistent with the possibility of voters being efficient and effective principals and raising a puzzle of the apparent incompatibility with the voter- level studies.

and voting. The third turns on the strategic implications of information acquisition in open society. Together, these mechanisms make it possible to accept what would, otherwise, be a relatively unflattering account of individual voters (which underlies the skepticism about the egalitarian potential of representative democracy in Chapter 3) without simultaneously undermining the epistemic potential of the treatment and selection mechanisms described here.

Deliberation and Explaining the Vote

The first way in which the information gap between voters and elected officials may be managed productively depends on harnessing the potential benefits of deliberative practices. Although there is a vast literature on the epistemic benefits of deliberation that succeeds in explaining many ways in which deliberative practices can contribute to better decision-making, its focus is not well-targeted to understanding the effects of deliberative practices on preventing pandering and rent-seeking. Epistemic deliberative democrats have emphasized the role of deliberation in helping citizens discover their considered judgments and preferences (Manin 1987; Hafer and Landa 2007). They have further argued that, in pooling information and perspectives, deliberation can help citizens make informed judgments about policy, as well as about the performance of their representatives (Knight and Johnson 1994; Bohman 2006). In both of these ways, deliberation can help voters make decisions that more accurately reflect their underlying interests, and, as deliberation theorists have emphasized, critically affect the legitimacy of the political regime (Cohen 1989; Habermas 1998; Gutmann and Thompson 2009).

Yet, while these channels of deliberative influence are certainly epistemically desirable and may help limit pandering and rent-seeking, they have largely concerned the benefits of deliberation among voters, largely ignoring deliberation between voters and elected officials.

Alas, some of the toughest challenges to accountability arise precisely where the information gap between voters and public officials is due to the knowledge that is manufactured through the legislative process, and is not readily substitutable with the aggregation of information dispersed among voters. One way of seeing this is through the prism of a coordination-game perspective on law-making (Hardin 1999; Waldron 1999; Almendares and Landa 2007). A given bill or law is one of a number of possible equilibria in such a game -- an outcome that reflects the underlying profile of legislators' policy preferences, but also a range of equilibrium-(law-)selecting considerations such as legislative rules, legislative histories, levels of trust between particular legislators and the executive branch, other possible bills on the legislative calendar, and personal and political circumstances of individual law-makers. It could be, for instance, that the lack of trust between legislators who are not my representatives, and which I have no way of being aware of, precludes legislative possibilities that I regard as, in principle, preferable to proposed legislation. This suggests that, *even if* all the relevant substantive information were dispersed among voters (and there is little reason to believe that that condition holds, anyway), there is little reason to expect deliberation between citizens to produce the full range of information that they need to adequately assess the decision-making of representatives.

Constructively, it also suggests the importance of an account of public deliberation -- one largely neglected in the political theory literature on deliberation -- that focuses directly on the interaction between elected officials and their constituents (for important exceptions, see Disch 2011 and Neblo et al. 2018). Focusing on direct deliberative engagement between voters and representatives, particularly in the context of a practice of "explaining the vote," leads much more directly to the possibility of effectively confronting the twin issues of pandering and rent-seeking that define the agency problem of representation.

Important early political science literature on "homestyle" behavior of congressional representatives (Kingdon 1973; Fenno 1978) emphasized the centrality of legislators' explanations to their constituents, as well as the accompanying contestation and dialogue with voters, in the periods between formal moments of political accountability.[14] As Kingdon (1973, p. 46) put it, "Congressmen are constantly called upon to explain to constituents why they voted as they did." The challenge of "explaining the vote" has important effects on the votes cast, and ultimately on the quality of representation and political accountability: representatives who are expected to explain the vote, but who expect to have a difficult time doing so persuasively, are likely to vote differently than they would had they not faced that challenge (Denzau et al. 1985). If the representative's explanation were merely cheap-talk, there would be little reason to expect its effectiveness. However, explaining the vote creates a record that can be publicly examined and contested by voters, media, and other interested political actors. An explanation that flies in the face of the representative's other statements, or of publicly accessible and established facts undermines the representative's credibility and is costly from the representative's perspective (Austen-Smith 1992). This publicity and contestability of the explanation gives it credibility that a cheap-talk message does not have.[15]

[14] Kingdon provides the following example, "one sympathetic staff member pointed out: 'if you vote wrong, people start to ask you. They come up to you after a meeting or something and ask why. That's wearing on a guy. There under enough pressure as it is without causing more.'" (Kingdon 1973, 49).

[15] See Shapiro (1992) for an insightful discussion of the implications of the "giving reasons requirement" in the context of some of the regulatory provisions that the Administrative Procedures Act (APA) has created for federal bureaucratic agencies in the United States.

Under the right conditions, the deliberative practice of explaining the vote can limit the temptation to pander to voters and constrain rent-seeking behavior. The deliberative practice of explaining the vote can directly limit the temptation to pander by improving the voters' understanding of the representative's record, allowing the representative to vote in ways that are beneficial to the voters, but that may not have appeared to be in the absence of explanation. This deliberative practice can also directly constrain rent-seeking: since representatives know that they will face the burden of explaining, and dialogically justifying, the vote, they will be less tempted to vote in ways that are detrimental to voter welfare. There is a further benefit as well: by creating common knowledge between voters and representatives about priorities -- or, in the face of multidimensional government performance, a salience for some dimensions over others (Knight and Johnson 1994; List et al. 2013) -- this practice gives citizens a greater degree of effective control over policy choices that matter to them, also strengthening the system of accountability.[16]

The preceding argument is meant to explain how deliberation between voters and representatives could help constrain temptations to pander and rent-seek that emerge out of the fundamental informational asymmetry that is an inherent feature of representative democracy. There are two important limitations to this argument. First, the effect is conditional. For instance, if the electoral system only encourages representatives to "explain the vote" to a small, vocal, and extreme minority, then it may have a distorting effect, pushing

[16] Under the right conditions, the practice of explaining the vote may also encourage citizens to see the lawmaking process as fair and so to accept the legitimacy of decisions that they substantively disagree with (Esaiasson et al. 2017). Thus, the practice of explaining the vote can also have important benefits related to social peace.

legislators to behave in ways that are at odds with the interests of median constituents. We need proper institutional design, and perhaps good fortune, for deliberation between voters and representatives to effectively constrain pandering and rent-seeking. Second, even given favorable conditions, the demands of consistency and publicity that explaining the vote creates for the representative are surely partial, at best, in their ability to undermine the agency problems in representation. We will return to these limits, particularly the former, in Chapter 9, where we will consider the challenges to effective deliberative practices posed by modern communication technology and polarization. For now, our aim has been to delineate the contours of the deliberative channels that have the potential to help bridge the epistemic gap between voters and representatives.

Voting

The second mechanism in our account of the voter side of representation turns on the contrast between the nature of choices facing representatives and voters. In many instances, whereas elected officials in a representative democracy need to evaluate a range of possible policy options – usually, in the context of imperfect information, without knowing how things will work out – citizens have the benefit of additional information about how the policy choices made by the officials have panned out, in other words, they are in a position to base their choices on policy *outcomes*. The former choice is, naturally, much harder, as it takes place in a context with lower information. It is easier to know, for instance, that the economy is performing poorly or that there is growing economic inequality than it is to know what steps would rectify these problems (never mind which among those steps would bring about the best trade-offs). Similarly, it is easier to know that there have been no significant terrorist attacks than to know how to prevent them with minimal costs to civil liberties. A related point

here is that, with respect to many types of policies – for example, affecting the state of the economy – a voter may be making a choice on the basis of her (revealed) personal first-hand experience, whereas the officials anticipating the electoral judgment are choosing policies in expectation of distributions of (unobserved) voters' personal experiences—again, a much more epistemically demanding task. Overall, then, three important distinctions suggest that the decisions facing voters in representative democracy are best seen as less epistemically demanding than the decisions facing representatives: evaluating a broad range of possible policy options vs. a much narrower set of previously selected options (possibly just a single one); selecting a policy when its consequences have not yet materialized vs. judging its appropriateness when (at least some of) them have; and assessing the policies by examining their consequences for the whole community vs. for oneself or one's more immediate community.

Returning to the distinctions between the epistemic burdens for voters and representatives, it is instructive now to revisit our discussion of the demands and implications of CJT in the context of electoral representation. We can conceive of the relation of representation within a temporally structured setting, in which, first, representatives choose a policy, followed by (aspects of) its outcomes being realized and observed by the voters, who, then, choose whether to re-elect or replace the representatives. With this conception in mind, we can now see that representative democracy plausibly has two advantages over MDD with respect to its potential to realize the epistemic benefits promised by CJT.

First, both the treatment and the selection models suggest that the prerequisites for the Jury Theorem may be more likely to hold among members of a legislature than among the broader citizenry. For an ordinary voter in a large electorate, the incentives to acquire competence—and so, to seek out and systematically evaluate alternative perspectives and resist

easy impressions—are weak. As we argued above in the context of the treatment model, individual competence improves when those incentives become stronger, which, as we argued, occurs in the representative bodies of well-designed representative democracies. The epistemic benefits associated with aggregating judgments about policies in the Jury model may, thus, be more likely to emerge in a (smaller) body of elected legislators than in the (larger) general population because the competence and motivational prerequisites of the Jury model are satisfied in the former. (Meanwhile, despite the attention that is receives, the epistemic cost associated with reducing the size of the decision-making body from the citizenry as a whole to a legislature makes a marginal difference to the likelihood of generating a correct outcome (*c.f.*, Spiekermann and Goodin 2018, Ch. 16), while the difference that the institutional structures may make with respect to the Jury Theorem's prerequisites holding may be substantial).

Second, since representative democracy is less demanding from the perspective of voters than its more direct alternatives (asking them, for instance, to evaluate representatives' performance rather than to construct or assess public policy), it is more likely that the prerequisites for the Jury Theorem will obtain among ordinary voters in the former type of system. In effect, voters' competence should be expected to be 'higher' in representative democracy because the task given to them in such a regime is less demanding than the task in more direct-democratic settings. Realizing the epistemic gain from aggregation at the level of the voters, thus, may rely on the existence of representation. The preceding argument, then, also suggests a response to possible criticism that in making an epistemic argument for representative democracy, we have ignored the standard epistemic rationale for MDD rooted in the benefits of vote aggregation. If the preceding argument is correct, then the Jury

Theorem-based reasoning, contrary to received wisdom, provides rationale to prefer representative democracy to more direct alternatives.

Fire alarms and strategic implications of information transmission

In the mechanism just outlined, the representatives' choices are epistemically improved by the pivotality- and accountability-based pressures we described above, while the electoral outcome takes advantage of the epistemic properties of aggregating voters' (less demanding) judgments. Unlike this mechanism, the third, and distinct, mechanism in our account of the voter side focuses on the strategic context of voters' "rational ignorance." The following discussion of this mechanism draws on the formal game-theoretic analysis in Guraieb and Landa (2016). Our core claim here is that elected officials could be motivated to pursue good outcomes even in circumstances in which citizens are paying little attention; in effect, effective accountability may require citizens to have much less information than is often assumed. The key reason is that the credible *threat* of learning more about incumbents' choices is often sufficient to induce better choices even when that threat is largely not carried out. In this sense, the disjunction between relatively uninformed and disengaged citizens and reasonably well-functioning democracies is paradoxical only in appearance.

In regimes with robust freedom of the press and high government transparency – that is, regimes in which the cost to voters of obtaining information about public officials is low and the quality of potentially accessible information is high – public officials can readily anticipate that signals of malfeasance or poor performance could be substantiated with relative ease. Given common knowledge of this anticipation, voters in those regimes have, in equilibrium, less reason to pay the costs associated with accessing information, because incumbent officials who place a high value on their positions are more deterred from egregious

misbehavior. In effect, the easy potential accessibility of high quality information is the watchdog that allows its owner to nap: it makes the impediments to oversight from poor knowledge and low participation less binding and so motivates elected officials to act in ways that advance their constituents' interests.[17] The bottom line is that, instead of being at odds with one another, a relatively ignorant and disengaged citizenry and the strong macro-performance of well-designed representative systems can be (and in liberal societies, arguably, are) aspects of the same internally consistent (equilibrium) pattern resulting from a system with effectively functioning treatment mechanisms.[18] This suggests that common hand-wringing about the ignorance of voters may be overwrought, and how concerning it ought to be must turn on more nuanced details of institutional contexts than the current state of the discourse suggests.[19]

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[17] This provides a micro-founded account that explains how representative democracies could lead representatives to "imagine their constituents paying attention and potentially calling them to account," which is critical to Lisa Disch's (2012, 605) conception of representation, in which representatives are not simply responsive to constituents' pre-existing preferences.

[18] For suggestive empirical evidence that is supportive of this account, see Peterson et al. 2020, which shows that citizens' trust in government and attention to politics are inversely related: in other words, events that cause citizens to lose their trust in elected officials simultaneously cause them to pay more attention to the behavior of those officials.

[19] An additional implication is that it is a mistake to claim, as enthusiasts of direct democracy often do, that "the argument that voters are incompetent and uninformed would seem to cut against democracy in general, rather than against direct democracy alone" (Matsusaka 2005, 198).

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The discussion in this section highlighted three features of representative democracy that, when well-designed, should allow voters to meaningfully hold their representatives accountable *despite* voters' informational disadvantage—representatives' need to explain their votes in a contestatory environment, the limited information needed to assess elected officials (relative to formulating policy), and the way that common knowledge about the easily available nature of information can itself motivate elected officials to pursue good policy decisions. Even in a well-designed representative democracy, elected officials will have informational advantages that will allow them to rent-seek and pander to a certain degree, but these features suggest that it is possible for the epistemic benefits associated with the treatment and selection models to emerge, notwithstanding the relevant informational asymmetry.

Having explored the role of voters in representative democracy, we briefly turn our attention to the well-known criticism that to accept representative democracy is to abandon self-determination. While self-determination is an important consideration in and of itself and somewhat orthogonal to our focus in this book, the argument of this chapter suggests that this concern is substantially overstated. The idea behind repeat and regular elections is two-fold: (1) to enable citizens to judge and, if they deem appropriate, improve on the type of representative in office, and (2) to create (re-election) incentives for office-holders to make choices in the interests of constituents. As we have emphasized, both of these mechanisms, selection- and treatment-based, rely on voters making their own, if summary, judgments about incumbents. Voters entrust policy-making authority to representatives between elections, but it is the voters' role, at election time, to effect *accountability* by evaluating what their representatives have done and will do.

This perspective underscores the self-determining status of citizens-voters in a representative democracy. Indeed, the second and third mechanisms described in this section highlight two ways in which citizens in well-functioning representative democracies, effectively, control the policies under which they live. The evaluation of policy outcomes that we described in our discussion of voting is consistent with citizens' explicitly policing outcomes that are salient to them – at least, insofar as those outcomes are observable before the elections – to maintain a floor standard of welfare. Although citizens in representative democracies cannot be expected to select the full range of aims pursued by government (see more on this in the chapter that follows), they are, thus, able to guide legislative aims in a small number of salient policy areas. Further, insofar as voters are expected to cast their votes in ways that track their preferences and perceptions of policy salience, and elected officials recognize and anticipate that, citizens effectively retain implicit control over public policy in representative democracies.[20]

[20] One can imagine a representative democracy in which voters uncritically accept the policy positions that are suggested to them by party leaders and, thereby, effectively cede their power of self-determination. To an extent, Lenz (2012) provides empirical evidence that policymaking in the United States follows this pattern. Yet, even there, and consistent with our account, Lenz admits that "when issues capture the public's attention to an unusual degree ... voters appear to lead and politicians appear to follow" (153). Lenz's statement also provides support for the social choice-theoretic account of popular control proposed by Ingham (2018). To be sure, our claim here is not about any particular representative democracy; instead, it is that representative democracy does not, in principle, prevent citizens from being self-determining.

It is instructive to see how the effect of these mechanisms contrasts with the implicit expectations on citizen responses in a lottocracy. The collective governance mechanism underlying lottery-based schemes, in their strong form – as replacements for electoral institutions – involves a kind of *deference* to the collective representing body.[21] While this implication is not typically emphasized by advocates of lot, John Burnheim puts it clearly:

> Let the convention for deciding what is our common will be that we will accept the decision of a group of people who are well informed about the question, well-motivated to find as good a solution as possible and representative of our range of interests simply because they are statistically representative of us as a group. (Burnheim 2006, p. 84.)

Policy outcomes generated by the randomly chosen representing body may be independently judged as better or worse, but the nature of the underlying institutional procedure makes citizens' separate assessment of those outcomes, at least, formally, superfluous. Unlike in a representative democracy, there is no point at which citizens need to make such judgments, unless they are selected as representatives.[22] By contrast, the centrality of the institutions of

[21] For an important critical account that also emphasizes the deference that lottocratic arrangements rely upon, on the complementary grounds that citizenry lack "a sense of whether the policies to which they are subject are based on reasons that they can reasonably accept," see Lafont (2015, p. 54).

[22] In more limited institutional forms – as when sortition-based institutions *complement* electoral institutions or are constrained by constitutional courts – this expectation of deference may be weaker. For instance, in a system in which a legislature selected by lot is constrained by electoral or judicial institutions, citizens may well have an important, non-deferential relationship to the decisions of the lottocratic body. These other institutions may provide a

electoral accountability in representative democracies and the mechanisms to which they give rise are fundamentally at odds with the very idea of "blind" deference to policymakers, underscoring the important claim of such regimes on citizens' self-determination (for this conception of self-determination, see Lafont 2019, especially at 23).[23]

5. Conclusion

This chapter has laid the groundwork for an epistemic justification of representative democracy, one that complements the minimalist argument for electoral systems developed in the previous chapter. We have presented two models (treatment and selection) showing how a well-designed system of representative democracy *can* create pressures that orient actions of public officials towards the public good. We then argued that these models can be effective even in the context of the kind of informational asymmetry between voters and elected representatives that one should expect to obtain under the institutions of representative democracy. In order to complete this epistemic argument, we need to provide a fuller

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pathway to challenge the sortition-based body. However, this role would emerge precisely as a result of the presence of non-lottocratic elements.

[23] One can imagine a critic, perhaps Rousseau is one, who finds this conception of self-determination to be too weak and insists that, to satisfy the value, citizens must make laws themselves *directly*–not just maintain implicit control over a select group of lawmakers. While we do not intend to argue against this position (which is premised on a value commitment which is beyond the scope of our project), the questions that we raised about MDD in Chapter 4 cast at least some doubt on whether even that, more direct form of democracy, can satisfy this very strong conception of self-determination.

comparison between representative democracy and the other regime types that we are considering from the perspective of epistemic considerations. The next chapter takes up that task.

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