

Sheep may safely graze: On the instrumental justification of democracy

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“Sheep may safely graze and pasture
In a watchful shepherd’s sight.
Those who rule, with wisdom guiding,
Bring to hearts a peace abiding,
Bless a land with joy made bright.”

- Translation of Salomon Franck, “Schafe können sicher weiden,” for Johann Sebastian Bach, *War mir behagt, ist nur die muntre Jagd*, BWV 2018.1.

Introduction

States have always sought to collect information about their territories and inhabitants: the topography of the land, the distribution of property, the threats confronting their members, and (at least in agrarian societies) the number of sheep grazing.¹ Indeed, on most conceptions of state legitimacy, information is a necessary precondition for the justified exercise of power. The state’s ability to perform its basic functions - to ensure the security of its citizens, to secure property rights, to identify those who have consented to its rule and those eligible to participate in collective self-determination, for instance - all require access to dispersed knowledge, largely possessed by ordinary citizens. As a result, we might hold that the justification of a regime in general must in part depend upon its capacity to gather such information, particularly if we seek to justify a regime on *instrumental* grounds, i.e., by reference to its capacity to achieve some desirable end.

In recent years, instrumental justifications have typically appealed to some *epistemic* feature of a regime. Those who seek to justify democracy on epistemic grounds have relied on a set of

¹ From Exon Domesday: “Lands of the abbot of Tavistock in Devonshire. The abbot of Tavistock has a manor called Tavistock *T.R.E.* [tempore Regis Edwardi] it paid geld for 3 ½ hides; 40 ploughs can till it. The abbot has there half a hide and 5 ploughs in demesne; and the villeins have 11/2 hides and 14 ploughs. There the abbot has 17 villeins; 20 bordars; 12 slaves; 1 rouncey; 26 beasts; 12 pigs; 200 sheep; 30 goats; 1 mill for the service of the abbey; woodland 2 leagues long and 1 league broad; 16 acres of meadow; pasture 10 furlongs long and the same in breadth.”

mechanisms and models to demonstrate that the many are collectively competent to render wise decisions.² Those seeking to justify “epistocratic” regimes, which grant all or extra power to informed members because of their superior ability to produce good outcomes, have tended to dispute these democratic claims on empirical grounds, marshalling evidence of voter ignorance. Such arguments against democracy in general, or in favor of restricted or unequally allocated suffrage, have become increasingly salient in recent years.

My goal in this paper is to suggest that the basic architecture of these justifications is mistaken: not that instrumental justifications as such are wrong, but that they are incomplete insofar as they take epistemic claims to be sufficient, and that, in relying on “political knowledge,” their arguments depend on a category error. Rather than defending intrinsic, or non-instrumental, justifications against instrumental justifications, I want to look closely at the microfoundations of these justifications. I will defend *local knowledge* as a crucial building block of the instrumental value of regimes. This knowledge is by definition widely distributed, and my claim will be that it is accessed most comprehensibly and reliably through democratic institutions, i.e., via universal suffrage accompanied by a robust set of civil and political liberties. Moreover, I seek to demonstrate that epistemic arguments can never on their own produce instrumental justifications, because they are motivationally inert; in the political domain, knowing the right, just, or even the better-informed decision is necessary but insufficient to realize the outcomes on which instrumental value rests. This is because states have incentives to gather information that may be used for the entrenchment or enrichment of elites at the expense of ordinary citizens. As such, the epistemic value of institutions cannot be a free-standing justification for a regime; any instrumental justification must rest on the

² In a large literature, see Cohen 1986; Estlund 2008; Landemore 2013; Schwartzberg 2015; Goodin and Spiekermann 2018.

tendency of such knowledge to be used for the public benefit. On this dimension as well, universal suffrage is likely to outperform competitors.

A few clarifications are in order. Again, I will argue that the key type of political knowledge that citizens possess is *local* in nature. By *local knowledge*, I mean citizens' information about economic and social conditions, and the interests of those members similarly situated to them. We may distinguish this sort of local knowledge from moral accuracy, on the one hand, and general political knowledge, on the other. By *moral accuracy*, I mean just that the moral judgment of certain citizens makes them more likely via some procedures to produce answers that track moral truths. Although epistemic democrats and epistocrats alike have been tempted by these arguments, I think such claims are necessarily rooted in conjecture, and that our answer to the question of the distribution of moral accuracy is likely to track our view of the intrinsic value of equal political and moral agency. By *political knowledge*, I mean primarily the type of evidence gathered by American National Election Studies or the Pew Research Center on citizens' ability to correctly answers questions about which party controls Congress, or the name of the Chief Justice of the Supreme Court, but, as we will see, it also encompasses, on the libertarian account, the value of free-trade policies against protectionism. It is on these dimensions that epistocrats typically argue that ordinary citizens are falling short, but, as I will argue, citizens' possession or lack of such knowledge does not significantly contribute to the instrumental performance of the state. Epistemic democrats and epistocrats alike have tended to elide these differences, suggesting that superior political knowledge entails or coincides with moral motivation, or holding that procedures that aim at pooling information somehow also realize imperfect procedural justice. This has led to confusion, which I hope to partially dispel here.

Second, again, I do not seek to argue that instrumental justifications ought to replace or take priority over intrinsic justifications. Indeed, my own view is that instrumental justifications for democracy in fact typically rely on egalitarian presuppositions about citizens' capabilities, and on the

basis of these presuppositions, citizens acquire interests in equal respect for their judgments (Schwartzberg 2018). But that is no part of my argument here. All I seek to demonstrate in this paper is that rethinking the microfoundations of political decision-making on local knowledge reveals both the stronger instrumental claims of democracy relative to epistocracy and the gap between epistemic and instrumental justifications more generally.

The paper is in three parts. In the first, I begin by establishing the epistocratic challenge to universal suffrage. To do so, I turn to a particularly salient group of epistocrats, broadly libertarian in their commitments, to demonstrate that they have in fact relied on the wrong conception of knowledge in generating their instrumental arguments, and that their Hayekian sympathies should incline them towards the local-knowledge argument for universal suffrage. In the second part, I seek to demonstrate the plausibility of the microfoundational account of local knowledge on which the rest of the paper rests. I highlight the instrumental value of local information to the state to demonstrate that this holds regardless of regime type; again, all states seek to extract such information, though some regimes do so more reliably and comprehensively than others, and actors vary in their motivations for eliciting such information. I turn to contemporary studies of American political behavior to argue for the psychological and empirical plausibility of a model of “geotropic voting,” in which voters use knowledge formed in local communities to render judgments, rather than focusing either on their narrow self-interest, or trying to discern a national common good. Finally, in the last section of the paper, I synthesize these arguments to show that there is a gap between epistemic arguments and instrumental ones, as the latter depend upon motivations to rely on information for the public benefit. On this basis, I hope to show that universal suffrage outperforms competitors, as it links the value of local information to that of electoral incentives to yield instrumentally valuable outcomes.

Part I: The epistocratic challenge (All we like sheep?³)

It is a remarkable feature of the contemporary debate over the restriction of the franchise that its leading proponents are classical liberals or libertarians, defenders of private choice and the free market. This long predates the contemporary era, as Bryan Caplan recognizes, favorably citing Frédéric Bastiat: “The right to suffrage rests on the presumption of capacity. And why is incapacity a cause of exclusion? Because it is not the voter alone who must bear the consequences of his vote; because each vote involves and affects the whole community; because the community clearly has the right to require some guarantee as to the acts on which his welfare and existence depend.” (Caplan 2007, 197) Caplan argues that although franchise restrictions were historically used to discriminate, “that hardly implies that they should never be used again for any reason,” and that “a test of voter competence is no more objectionable than a driving test.” Alternatively, he suggests, one could give those with “greater economic literacy” extra votes. Jason Brennan defends epistocracy – in particular, suffrage restrictions – on similar grounds. Brennan argues that a regime that assigns plural votes to the educated or to those who pass a voter-knowledge exam is likely to outperform one that does not; moreover, Brennan argues that people have a “right not to be subject to high stakes decisions made by incompetent and morally unreasonable people,” and – insofar as the instrumental performance of an epistocracy is likely to be superior – we actually have a moral duty to restrict members’ eligibility for the franchise (Brennan 2016).⁴

³ Isaiah 53:6. See also, “sheeple,” *n. depreciative*. People likened to sheep in being docile, foolish, or impressionable. [OED Online. July 2018.] NB: The cover image of Caplan’s *The Myth of the Rational Voter* is a herd of sheep.

⁴ Brennan claims that people have a “presumptive right not to have incompetently made high-stakes decisions forced on them”; this is a deontological argument. Nonetheless, it is difficult to see what might ground this concern with competence if not worries about the quality of outcomes, so despite the deontological frame, it is still basically an instrumentalist argument. In this paper, I will basically bracket the deeper questions of authority: how instrumentalism can justify the exercise of political

Ilya Somin offers the most important argument for the purposes of this paper. Somin argues that the primary solution to political ignorance may lie in decentralization and limited government; he claims that “foot voting” over “ballot box voting,” and that restricting the size and complexity of government, would ameliorate some of the instrumental problems posed by political ignorance (Somin 2013). Indeed, Somin argues that “foot voting” is superior on informational grounds. To adopt Albert Hirschman’s concepts, rather than using “voice,” citizens should “exit”: “Instead of seeking redress through electoral politics, citizens who dislike the policies they live under can sometimes pursue improvement by moving to another jurisdiction with more favorable policies, or by making choices in the private sector.” (Somin 2016, 14) They don’t need “detailed knowledge”; all they need to know is that “conditions are better in one state or locality than another, and then be able to act on this knowledge by moving.” (Somin 2016, 141) In sum, on Somin’s account, assessing the performance of competing jurisdictions to which one might move is easier than assessing the performance of officials, and a more reliable means of yielding instrumentally superior outcomes given voter ignorance.

Now, Somin might be right that the individual *incentive* to acquire information if one were planning to move might be much greater than one’s incentive to acquire information about one’s representative’s performance in office. But that is in part because of the substantial costs associated with such a move; exit is difficult, as Hume argued centuries ago in challenging Locke on the concept of tacit consent. This is particularly the case for members of the political community from lower socioeconomic levels: networks on which getting a job and securing adequate childcare depend tend to be local for those at lower levels of education and income, and the professional training and opportunities tend to be oriented towards those most available locally. Indeed,

power and the obligations of those subjected to such power to obey. For such an account, see Viehoff (2017).

residential segregation and great disparities in housing prices may mean that there are not superior jurisdictions to which a member could feasibly relocate. Second, even in the digital age, rendering an overall judgment about the relative performance of a competing jurisdiction is quite difficult. I may be able to learn quickly that student test scores in another district are higher than those in my own and be tempted to relocate on those grounds. But it will be difficult for me to know whether this is a function of superior performance on the part of those schools or (for instance) the higher educational levels of families there, and thus draw an inference about whether my child's performance will improve. I may also not be able to ascertain whether other public services about which I care also perform better. It may be that this other jurisdiction does not adequately invest in police patrols, because the housing developments in which many members reside have private security systems, but I cannot afford to enter one of these developments and so will remain unprotected. Finally, and perhaps most obviously, the superior performance of these jurisdictions may be a function of high levels of political participation among their members, who carefully monitor and sanction representatives. Once the ballot box is replaced with foot traffic, a previously high-performing jurisdiction may no longer yield superior outcomes for its members.

There is a paradoxical quality to the libertarian attraction to restricted suffrage on instrumental grounds, in part because much of contemporary libertarian thought rests on Hayekian grounds. Now, it should be noted that Hayek himself did not believe that the universal adult suffrage was required by some "basic principle"; he thought it could be modified by considerations of expediency, and that voting could be restricted to those over the ages of 40, or income-earners, or heads of households, or literate persons. In *The Constitution of Liberty*, he too argued that democracy should be defended solely instrumentally: "It is probably the best method for achieving certain ends, but not an end in itself." (Hayek 1960, 106) But Hayek himself thought that the most compelling justification for democracy was in fact on the grounds of its educative value, and that evidence of

voter ignorance was misleading: “The crucial point, however, is that in comparing the democratic form of government with others, we cannot take the understanding of the issues by the people at any point as a datum. . . . Democracy is, above all, a process of forming opinion. Its chief advantage lies not in its method of selecting those who govern but in the fact that, because a great part of the population takes an active part in the formation of opinion, a correspondingly wide range of persons is available from which to suggest.” Even if in the short term an elite might be beneficial, the “dynamic” quality of democracy suggests that its “benefits will show themselves only in the long run.” (Hayek 1960, 108–9)

Although none of the claims here depend upon Hayek or his thought, to which I myself am only partially sympathetic, I do want to highlight the congruence between the arguments for democratic inclusion (again, even if Hayek himself thought this need not be universal) and the claim for the distinctive value of the price system; contemporary libertarian epistocrats have been misled into valorizing “political knowledge” over the value of local information. Hayek famously argued that the central problem of economics was one of knowledge; i.e., how society can make the best use of dispersed information. On his account, the price system is the crucial mechanism that aggregates the *local* knowledge of market participants. In his words, the “peculiar character of the problem of a rational economic order is determined precisely by the fact that the knowledge of the circumstances of which we must make use never exists in concentrated or integrated form, but solely as the dispersed bits of incomplete and frequently contradictory knowledge which all the separate individuals possess.”(Hayek 1945, 519–20) This information is necessarily circumscribed and imperfect, but Hayek argued that it is worthy of respect: “How valuable an asset in all walks of life is knowledge of people, of local conditions, and special circumstances.” (Hayek 1945, 522) Hayek was at pains to argue that scientific knowledge was not the “sum of all knowledge” – of great importance was “the knowledge of the particular circumstances of time and place,” which he argued

it has become “fashionable today to minimize” and is “generally regarded with a kind of contempt.” (Hayek 1945, 522)

Now, the contemporary libertarian may respond that the market operates differently from democratic institutions, and the types of information necessary to make decisions in the market domain is different from voting. But in his Nobel Lecture, “The Pretense of Knowledge,” Hayek cautioned that the impulse to rely on economists’ or other experts’ beliefs at the expense of local knowledge may make him “an accomplice in men’s fatal striving to control society.” Rather, Hayek urged us towards “humility” in the “social field,” particularly in the domain of economics and politics.⁵ Hayek worried not merely that the “majority of economists” have “made a mess of things,” but that they did so in part as a function of their claim to “scientific knowledge” concerning structures of “essential complexity.” He worried in particular about aims to exercise power to produce “beneficial consequences” on the basis of knowledge that “we do *not* possess.” Hayek cautioned his readers:

If man is not to do more harm than good in his efforts to improve the social order, he will have to learn that in this, as in all other fields where essential complexity of an organized kind prevails, he cannot acquire the full knowledge which would make mastery of the events possible. He will therefore have to use what knowledge he can achieve, not to shape the results as the craftsman shapes his handiwork, but rather to cultivate a growth by providing the appropriate environment, in the manner in which the gardener does this for his plans.

⁵ <https://www.nobelprize.org/prizes/economic-sciences/1974/hayek/lecture/>. I cannot resist observing that it is unlikely that Hayek would have been impressed by Jason Brennan’s claim that it is likely that he, “a named professor of strategy, economics, ethics, and public philosophy at an elite research university, with a PhD from the top-ranked political philosophy program in the English-speaking world, and a strong record of peer reviewed publications in top journals and academic presses – [has] superior political judgment on a great many political matters compared to many of my fellow citizens, including to many large groups of them.” (Brennan 2016, 121) Indeed, Hayek himself argued for the “certain similarity of all human beings,” and cautioned against efforts to “determine conclusively the potentialities of other human beings” and argued that “we should certainly never trust anyone invariably to exercise such a capacity. However great the differences between men may be, we have no ground for believing will ever be so great as to enable one man’s mind in a particular instance to comprehend fully all that another responsible man’s mind is capable of.” (Hayek 1960, 88)

To be sure, Hayek himself argued that different kinds of knowledge, dispersed in various ways, would demand different types of institutions: “It may be admitted that, so far as scientific knowledge is concerned, a body of suitably chosen experts may be in the best position to command all the best knowledge available – though this is of course merely shifting the difficulty to the problem of selecting the experts.” But again, he did not think this scientific knowledge was available in the social world, and he specifically cautioned economists against their confidence that they possessed it (in contrast, for instance, to Bryan Caplan’s suggestion that the appropriate metric of voter competence is knowledge of the failure of protectionism and price controls). Whatever scientists might possess, however, they must lack “the knowledge of particular circumstances of time and place.” It is this knowledge that is universally distributed: “It is with respect to this that practically every individual has some advantage over all others in that he possesses unique information of which *beneficial use* might be made, but of which use can be made only if the decisions depending on it are left to him or are made with his active cooperation.” (Hayek 1945, 521–22, italics mine) (We will return in a moment to the matter of “beneficial use.”)

But for now, note that such arguments seem to support the logic of “markets” against politics – of expanding the scope of individual decision-making power against the coercive power of the state – rather than against *democracy* as such. An epistocratic regime, which restricts or distorts the flow of local information from individuals (in the form of the vote, as I shall argue in a moment) according to a metric necessarily imposed by the state, would on a Hayekian model produce worse outcomes than a democratic one. Again, paradoxically, because the epistocrats might be convinced of the value of their own economic models and political decisions – because of hubristic confidence in the judgment that they possess as members of an educated elite – they might well lead us down the road, if not to serfdom, to the sort of ossified technocracy (though of economists) that libertarians have reasonably resisted.

Both market prices and elections aggregate information from participants. Is there a reason to think that the information revealed by electoral outcomes is substantially inferior to that which markets produce? Or – more specifically – is there a reason to believe that the aggregate product of individual votes is likely to be systematically inferior to the information provided by prices? In the short-term, prices may be just as inefficient as a single survey or poll; even if we believe that prices will be efficient in the long-run, we may also believe that long term, voters can be rational, either in the narrow sense of promoting their interests, or in the wider sense, defended by Page and Shapiro (1992) of the long-term coherence of public opinion. One need not commit oneself to any type of “miracle of aggregation” to argue that the quality of information that an individual consumer of tin provides may not be very different from the information that individual voters – concerned about economic conditions, climate change, national security, or racial equality – provide. To take Hayek’s example, as tin becomes scarcer, the heavy user of tin seeks to substitute; as a voter concerned about reproductive rights sees that a Republican has appointed another opponent of reproductive freedom to the courts, she turns out at the polls to vote for a Democrat.

To be sure, some market participants are not perfectly rational; likewise, some voters are confused about which party is more likely to support abortion restrictions (though survey evidence suggests quite few). Sometimes markets fail; sometimes elections produce outcomes that are at odds with what we believe voters ought to want, at least according to their expressed preferences. And the mechanisms of information aggregation are subject to different types of strategic incentives and pathologies in markets and in democratic regimes. But considered strictly from the standpoint of consumers and voters, the informational basis of these judgments need not be profoundly different, and nor should we presume that the judgments of the former will necessarily be superior to the latter. As the example of seeking a new jurisdiction in the discussion of “foot voting” vs. “ballot boxes” above highlights, it is an open question whether the necessary information is more or less

available, or the decision-making more or less complex, in navigating the housing market vs. selecting a representative. To be sure, the personal stakes tend to be higher in the former, and so the *incentives* to gather information is greater. But, as discussed above, one might also think that the information required to participate as a consumer in a housing market across competing jurisdictions, in comparison to the information necessary to participate as a partisan voter in a national election, is significantly more complex. (As we will see in the third section of this paper, however, merely having an *incentive*, or even some special capability, to gather information tells us very little about the quality of the aims to which it will be put.) Nor are market participants necessarily any more immune from manias – for housing or for tulips – than are voters. Informed by some of the insights of behavioral economics, the differences between market participants and voters need not indicate the relative inferiority of the latter.

The Hayekian insight is, in sum, that local knowledge is beneficial in social decision-making. I have argued that this benefit holds within markets and within politics, and that market participants and voters are far more similar in the informational demands they confront and in the quality of their decision-making than epistocrats tend to hold. But this raises a set of crucial questions concerning the *nature* of local knowledge, and whose *benefit* it is supposed to promote. My argument is that the answer to the former pertains to *local conditions*, though its precise contours are necessarily indeterminate; we cannot know *ex ante* precisely what information will be needed in the future, and restricting suffrage necessarily narrows channels of information. The answer to the latter will require us to understand the importance of incentives, and not merely information-provision, as a justification for democratic decision-making. The basic insight is that states depend upon aggregated information both for their most elementary functions, but that their inclination to use this information for the public benefit rather than for the interest of elites varies. First, though, we need to clarify the meaning and value of local knowledge.

Part II: Local information and the state

As discussed above, a state requires information to perform even the most elementary of functions. That is, rulers require information about their territory and its inhabitants to be able to extract resources and secure their power. This is a basic fact, whether rulers are elected democratically, inherit their crowns, or seize power by violence. The institutional means by which rulers choose to elicit information, and the information they require, differs from regime to regime and over time. Although the history of representative institutions is beyond the scope of this project, it is worth noting that from Magna Carta, rulers have offered political concessions in exchange for local information, particularly when such information pertains to their extractive capacity. This is a slightly different way of characterizing what is very nearly a platitude among historians of political economy, in which (for instance) the Crown's ability to generate tax revenues is enhanced by institutions that enable its members to consent or exercise some control.⁶ The insight is that because the Crown often lacked local information as to property holdings and encroachments on royal lands, it needed to solve the *informational* problem prior to solving the *extractive* one. Indeed, medieval historians have argued that the core value of the early English Parliament was not a means of providing consent or an opinion as to what should be done, particularly with respect to war, "but only to provide information on how this might be achieved. As representatives of the commons, the people or the kingdom, they at least claimed not to give their advice on policy; they were simply there to give information which would assist the king in the profit of the kingdom." (Fletcher 2015, 228) To adapt Jim Scott's language, the Crown needed to make its domain "legible" before it could extract resources, and the assignment of political rights constituted a key step in that process. (Scott

⁶ In a large literature, see North and Thomas 1973; Levi 1988; Stasavage 2011.

1999) The state cannot perform its basic capacities – including the interpretation and enforcement of property rights – without some form of cadastral map, both literally and metaphorically.

The information conveyed by ballots is, obviously, not usually of the cadastral variety. Yet even in nondemocracies, rulers have found that elections subject to lower levels of manipulation are valuable sources of local information. These regimes might otherwise prefer not to hold elections or to engage in significant forms of fraud, but have sufficient incentive to elicit the information that voters provide that they hold them nonetheless. In particular, elections enable regime incumbents to identify the areas in which both their supporters and opponents reside, and may target the latter by withholding resources, intimidating them into support in the future, or buying them off. Beatriz Magaloni, for instance, has argued that hegemonic party regimes (in her example, PRI in Mexico) use elections to obtain information about the breadth and distribution of party's support, and, in turn distribute benefits to supporters while punishing defectors. (Magaloni 2006) Elections also provide national leaders important information about local officials, as they infer the relative competence and popularity of their agents from variation in their support and turn out (Gandhi and Lust-Okar 2009). In China, low support at the polls signal to national leaders the inferior quality of local officials (Birney 2007). Likewise, in a study of elections in contemporary Egypt, Lisa Blaydes has argued that elections reveal information about local officials' competence and loyalty and the geographic distribution of their support (Blaydes 2010). In Iran, too, Arang Keshavarzian has argued that elections provide key information to autocrats about the relative strength and popularity of allies and opponents alike (Keshavarzian 2009). To be sure, hegemonic parties and dictators are always tempted to engage in fraud as a means of publicly demonstrating the breadth of their support. But, as Magaloni also points out, an electoral victory obtained by fraud would be

insufficient to convince powerful actors within the regime of its support and dissuade them from acting as challengers. (Magaloni 2006)⁷

The need for local information also shapes patterns of democratization. A recent book by Anoop Sadanandan analyzes variation in subnational democratization in India, arguing that “*democracy deepens when central leaders share power with elected local politicians to use their intimate knowledge of voters to mobilize political support.*” (Sadanandan 2017, 7, italics in original) In particular, where voters have become increasingly well-off and educated, traditional leaders have had less influence; in response, state leaders “devolved governance to share power with local politicians who have detailed information on the voters to influence electoral outcomes.” This detailed information includes voter preferences, but also their “political affinities, likelihood of betraying those affinities, and the type of incentives needed to induce such betrayals.” (Sadanandan 2017, 101) The conjunction of information and incentives means that local development concerns – water supplies, bridge construction, school repairs – are met much more readily in decentralized regions. (Sadanandan 2017, 147)

If the value of local knowledge produced by elections is widely recognized even in nondemocratic regimes and in developing societies – sufficient, in the nondemocratic context, to motivate the holding of elections even at some cost – it would seem to be a clear benefit of democracies, and that representative systems of government would be instrumentally justified in part by their capacity to elicit such information. To be sure, some democratic theorists have suggested that representative institutions did indeed have informational aims; for instance, Andrew Rehfeld (2005) has argued that the justification for territorial representation in both the English and American contexts was based in part on the value of local information about conditions. On his

⁷ For that reason, incumbents who face challengers need to use elections to generate a public signal of their support, incurring some risk, whereas those who do not face such threats may choose to hold more manipulated, and thus less informative, elections. (Rozenas 2015)

account, in the United States, Congress required knowledge of local conditions to perform its legislative function well, and territorially defined constituencies helped to transmit this information efficiently; the definition of constituencies by reference to the territories on which they lived facilitated data gathering. (Rehfeld 2005) But by and large, this has not been the focus of normative democratic theory, although it is an increasingly important feature of scholarship in American political behavior, as we will now see.

What do American citizens know?

To read contemporary political science, the answer would seem to be: not much. Walter Lippmann, writing in the 1920s, challenged the “doctrine of the omnicompetent citizen,” an individual citizen who was not only “fitted to deal with all public affairs,” but “was consistently public-spirited and endowed with unflagging interest.” (Lippmann 1997) Citizens in the modern world are cognitively limited, and incapable of rendering intelligent decisions on public matters. The evidence of such limits would seem to have been bolstered in the intervening century. Survey research conducted at Columbia in the 1940s and 1950s, and then at Michigan in the 1960s, demonstrated the ignorance of voters about the parties’ and candidates’ positions. Most famously, Philip Converse (1964) concluded that many citizens “do not have meaningful beliefs,” and the ones they have are extremely “labile,” in the language of political psychology. (Converse 1964) In 1996, Michael Delli Carpini and Scott Keeter concluded on the basis of a meta-analysis of 50 years of United States public opinion surveys that American citizens “are woefully underinformed and that overall levels of knowledge are modest at best,” and, moreover, “the public’s level of political knowledge is little different today than it was fifty years ago.” (Delli Carpini and Keeter 1996, 270, 17)

Some scholars, of course, have sought to challenge such findings, arguing for the imperfect criteria of political knowledge or the insufficient motivation of survey respondents; there is no reason to take the information provided by such surveys to be appropriate or accurate measures of political competence. The most substantial objections derive from scholars who seek to demonstrate the means by which ordinary citizens economize on information: they rely on information shortcuts, heuristics, and cues to enable them to make rational decisions (e.g., Popkin 1991). Others argue that even if citizens are individually rationally ignorant, they nonetheless have long-term preferences, and so the public as a whole has real collective policy preferences; random errors on the part of individuals will cancel each other out upon aggregation (Page and Shapiro 1992). In turn, these revisionist accounts were recently challenged by Christopher Achen and Larry Bartels' recent, landmark work, *Democracy for Realists*, in which the authors argue that citizens are incapable of reliably forming either prospective or retrospective judgments, and that, rather, they rely on affectively-based identities in voting (Achen and Bartels 2016).

Although we cannot examine Achen and Bartels' claims in detail here, it is worth noting a few elements of their view of identity-based politics – i.e., that people form identities and, on that basis, align themselves with the party with which their identity group is allied. On Achen and Bartels' account, citizens' process of party choice is basically affective rather than rational or cognitive. Yet one might object to their characterization of this process on several grounds. First, and perhaps most obviously to normative theorists, identities do not present themselves immediately to individuals; people have multiple, overlapping, and sometimes competing identities, and in any domain, they form a judgment about which identity or identities is, or are, most salient. Second, although such identities neither emerge from nor necessarily shape one's interests, it is reasonable to think that an identity group – particularly if such a group takes some institutional form – will tend to align oneself with the party that does seek to promote its interests; if it fails to do so, the group is

likely to realign with a competing party, who may opportunistically seek to capture its disaffected voters. Relying on what I take to be my politically salient identity group to direct me as to the party most likely to promote my interests seems to be perfectly rational. This is especially clear if voters are both likely to “economize” on information, and to understand – correctly – that there are so very many factors that might guide their choice of candidate that using partisan ideology as a guide is likely to promote their interests overall.

Let us grant that voters are at best highly imperfect judges, either prospectively or retrospectively of policy, and that their capacity to monitor their representatives is also quite attenuated. But they are able to form meaningful identities, including partisan identities, on the basis of which they choose candidates who seem to them most likely promote the interests of those with these identities. Why should we be satisfied with this – why shouldn’t we restrict the suffrage to those who are capable of giving us *more* informed judgments?

It is true that voters are generally uninformed about national economic conditions. However, recent scholarship suggests that voters’ political behavior, both in Canada and in the United States, is indeed affected by their perceptions of local conditions, on the basis of which they may extrapolate to the national level (C. D. Anderson and Roy 2011). As Books and Prysby argued, “individuals receive information that is contextually patterned; where a person lives influences in the substance and tone of the information he or she receives.” (Books and Prysby 1999) Reeves and Gimpel (2012) argue that people possess information about the economic conditions of their localities and the members of those communities. In their words, “No one experiences *national* conditions. ... Individuals do not directly experience the national gross domestic product or the national unemployment rate. They do have personalized knowledge of economic conditions obtained through conversations with family, friends, coworkers, and neighbors. In their daily drives to work they might see factory closings, foreclosure signs being posted, or gas prices on the rise. They see

nearby families disintegrate under the pressure of economic stress.” (Reeves and Gimpel 2012, 509) They term these “geotropic considerations,” and they argue that the local economy influences the local climate of opinion about the national economy, which in turn is an important predictor of vote choice: Voters form their attitudes about the economy based on their limited exposure to their localities.

We can distinguish these “geotropic” considerations from both “egotropic” and “sociotropic ones.” The “egotropic” considerations encourage citizens to focus on their own interests, needs, and suffering. The language of *ego* should not lead us to diminish the significance of this knowledge; indeed, it has a distinguished lineage as a source for political decision-making. DuBois, for instance, characterized this as the knowledge of “when something hurts and he alone knows how it feels,” and argued that “with the best will and knowledge, no man can know women’s wants as well as women themselves.” (DuBois 1999, 83-84)⁸ In rejecting the “revival of the Platonic notion that philosophers should be kings,” Dewey argued, “The man who wears the shoe knows best that it pinches and where it pinches, even if the expert shoemaker is the best judge of how the trouble is to remedied.” (Dewey 1954)

This is the most local of knowledge and it too is an important building block of the instrumental value of any regime; indeed, we might suspect that for an instrumental account of political authority within democracy to hold, after all, one ought to be persuaded on the individual level that these outcomes are in fact desirable. But one’s conception of one’s own interest, needs, and wants is typically formulated within a community, and, to adapt Achen and Bartels’ logic, it is reasonable to think that I take myself to be a member of some group, however constituted, with needs and interests that transcend my own particular circumstance. In contrast, even if we are motivated to be sociotropic in our voting – to be concerned with the common good – we may still

⁸ I thank Derrick Darby for this reference.

be (rationally) ignorant of the types of information that would encourage us to do so effectively. The appeal of the geotropic consideration is that the information-gathering costs are low, the concept of the community welfare remains (if parochially) intact, and the value to national-level actors in terms of gaining access to variation in beliefs and perceptions in a large, heterogeneous community is high.

One response to this argument is that it constitutes *prima facie* evidence that voters draw incorrect inferences, as local conditions may be an unreliable guide to national conditions, and that they overestimate the ability of their representatives or president to produce economic outcomes. This is perhaps the case. But a different response is that these votes provide essential information to party leaders and politicians as to local conditions, which they ignore at their peril. If representatives believed that voters would hold them accountable for local economic conditions, they would be incentivized to gather information about these conditions, and remedy them with those tools – notably, those federal funds – available to them; indeed, there is evidence that this does in fact occur.

As I will discuss shortly, this is, in sum, Amartya Sen's argument about the value of democratic institutions. The vote, on this account, provides the sort of information about local conditions that Sen identifies as contributing to the non-incidence of famines: the early effects of droughts and floods, and the nature and impact of unemployment. (Sen 1999b) To be sure, as Sen argues, the free press and vibrant political opposition are key mechanisms that ensure that this information is transmitted – the vote is necessary but insufficient as a conduit for information. And, again, the value of the ballot in this regard is widely recognized – the information provided by the vote constitutes one key reason why nondemocracies regimes hold elections. But the content of this information has typically been misconstrued, even by the most thorough-going instrumentalists, as we have already seen. To put it synoptically, drawing on the account of local knowledge above: even if voters are *uninformed*, that does not mean that their votes are *uninformative*.

Now, it may well be that even in a world in which representatives have access to fine-grained polling and turnout data, they do not receive sufficient information from voters to respond to their needs. This is the crucial value of deliberation among citizens within a large, representative democracy – not as a means of attaining consensus, nor primarily as a means of education, nor as an “end run” around representation, but to have a means of publicly expressing concerns and creating shared knowledge. We will return to this point shortly. Although in this section I have argued for the importance of local knowledge to the state – i.e., to both democracies and non-democracies alike – and that in democracies, voters use it as a basis for their decisions, such knowledge must be tethered to the electoral system to realize its instrumental value. In the next section, I will argue that this instrumental value relies not merely on knowledge but on incentives.

Part III: The gap between epistemic and instrumental justifications

As we have seen, epistemic democrats and epistocrats alike tend to justify political power on instrumental grounds, i.e., that the knowledge or wisdom that guide their decision-making will yield good outcomes. But, as the examples of nondemocracies demonstrated, we have already begun to see that improved information on the part of the state is not sufficient to ensure that the state will promote the common good, however that is understood. Rather, *all* states have an incentive to improve the informational basis of their decision-making, even if by that information they more efficiently extract resources from their citizens or subject them to ever more punishing forms of coercion. Let us now put together the criticism with the microfoundational account of local information, so that we can isolate two problems bedeviling epistemic justifications: one of mechanisms, and one more fundamental one of motivations.

*Revenge of the Sheep?*⁹

The first issue, as should already be clear, is that epistemic democrats have been too promiscuous in their use of mechanisms and models. That is, in their effort to defend against the voter-ignorance challenge of the epistocrats, epistemic democrats such as Hélène Landemore have tended towards a “kitchen sink” approach to mechanisms, drawing on the Diversity Trumps Ability theorem, the Condorcet Jury Theorem, the Miracle of Aggregation, and deliberation, among them. But in so doing, they have invited challenges, either because they do not seem to aim at the most important questions, or the conditions on which they succeed are limited and equivocal.

Take, for instance, the Diversity Trumps Ability theorem, developed by Lu Hong and Scott Page (Hong and Page 2004), to which Landemore has given normative valence. This theorem provides support for the claim that under certain circumstances, random collections of intelligent problem solvers can outperform collections of the best individual problem solvers. The diverse models possessed by problem solvers tend to produce negatively correlated predictions, leading to better aggregate outcomes; the average is more accurate because the errors cancel. The corollary to the DTA model is the “crowd beats averages” law, in which the average prediction of a crowd always outperforms the prediction of the crowd’s members, and often any individual member of the body, because the squared error of the collective’s prediction is less than or equal to the average squared error of the individuals who make up the crowd.

Even if we stipulate the validity of the theorem [which has been challenged (Thompson 2014)], it presupposes the importance of *prediction* to political decision-making. Now, it might be that

⁹ “Forsooth, my lord, quoth I, your sheep that were wont to be so meek and tame and so small eaters, now, I hear say, become so great devourers and so wild, that they eat up and swallow down the very men themselves.” – Thomas More, *Utopia*

predicting the outcome of a given policy is important to generating instrumentally valuable outcomes, though even in these contexts we will need to secure some agreement on what ends we seek (universal health care coverage vs. reduced costs, for instance), and it is not clear that this is a matter for prediction rather than some other mechanism, e.g., deliberation. Moreover, even if we accept the value of diverse models, the claim is not that predictive accuracy does not matter: the claim is individual ability and collective diversity contribute equally. But if we *did* think prediction mattered, we might also think that political knowledge mattered; to be sure, we would want some diversity in predictive models, but we would also want to ensure that the participants had the type of information that would enhance their ability to predict policy outcomes.

Now, it is possible that one value of *local knowledge* from the standpoint of the national decision-making is that it provides those very diverse models on which the DTA depends; this might in fact constitute grounds for federalism. But as Landemore herself notes, even this model predicts diminishing returns of adding people above some threshold, and does not constitute clear support for a wide, much less accurate body over a smaller group of “smarter” predictors (Landemore 2013, 166). So not only is it unclear whether predictive accuracy ought to be the faculty for which we seek, even if it did, we might achieve better outcomes with a smaller, more talented pool. It is far from clear that the DTA constitutes in any way unequivocal support for universal suffrage.

Now let us turn to the Condorcet Jury Theorem, which Goodin and List long ago identified as the “jewel in the crown” of epistemic democracy. The Condorcet Jury Theorem seeks answers to questions for which there is a right answer, an objectively correct outcome. If the average voter has a greater than 50% probability of choosing correctly between a pair of alternatives, and votes independently, the probability of the majority vote being correct increases to 100% as the size of the group increases; likewise, if average competence falls below 50%, the probability of the majority vote being correct approaches 0% as group size increases. There are obvious responses to the value

of the CJT, mostly that most issues are not strictly truth-apt, insofar as they concern competing claims in which no resolution can be deemed the right answer from an objective point of view. But surely it must be the cases that at least some of issues confronting a political regime are questions of substantive justice that have procedure-independent right answers.

The wider the scope of these questions, in the sense that we are believe that most of the questions a regime confronts are, in a way, about the type of substantively just question for which there is a simple binary between correct and incorrect answers, the more worried we should be about the *moral accuracy* of our members. However, I suspect our beliefs about the moral accuracy of the highly educated, as opposed to the electorate under universal suffrage, are likely to rely almost entirely on conjecture. Now, insofar as instrumentalists are consequentialists, they may be willing to accept that local information about the costs of restricting abortion access should be crucial in rendering a decision about its permissibility, and so expanding suffrage to include the widest range of members may be the epistemically superior procedure even on this account.¹⁰ But insofar as instrumentalists believe that just outcomes will derive from procedures driven by morally (and epistemically) superior members, they will be tempted to rely on those with some expertise in that domain. Of course, perhaps we *ought* to assign ordinary voters this responsibility as a moral matter, because in so doing we respect their capacity for judgment (see Waldron), or because we believe that restricting the suffrage would entail invidious comparisons (see Estlund), or because we believe that all those whose interests will be affected by an outcome should be enfranchised (see Goodin). But this would no longer count as an instrumental justification for universal suffrage, but an intrinsic one.

¹⁰ I should note that not all instrumentalists are, strictly speaking, consequentialists; sometimes they speak as if they aim to accommodate non-instrumentalist positions (as does Arneson, whose position we will take up shortly). That said, even if they are not consequentialists, insofar as instrumentalists are concerned only with the outcomes of political procedures, it is difficult to make sense of their instrumental orientation otherwise.

As even Goodin and Spiekermann, proponents of the value of the CJT, admit, insofar as a community is large and heterogeneous, and so any “right answer” would be morally conventionalist in the sense that it is right for a *particular* community, the best that the CJT can do is identify what is true “*from the point of view of the largest segment.*” (Goodin and Spiekermann 2018, 42) But under those circumstances, we are no longer in the realm of imperfect procedural justice; rather, we are seeking the majority *judgment*. Although there may well be a case for the authority of such a decision, it no longer seems to rest on the epistemic quality of the result, or its instrumental value for the community as a whole. Nor is it obvious that the CJT, given its independence conditions, will outperform a deliberative model, in which such local information can be more efficiently generated, challenged, and pooled.

In sum, it would seem that the basic ambitions of epistemic democracy – to argue that democracy has epistemic features that enable it to make better, or wiser, decisions than alternatives – can be more plausibly solved by appeal to its capacity to generate and aggregate local knowledge than by appeal to the Condorcet Jury Theorem or the Diversity-Trumps-Ability theorem. This model takes universal suffrage to be a necessary means of transmitting such information about local conditions. However, it may be insufficient to provide the sort of finer-grained local knowledge on which the state depends to act for the benefit of its citizens. There are other channels of information in a democratic society (as briefly addressed above, the protection of civil and political liberties as guarantees of the security of “messengers” and the free press) but because of the crudity of the ballot as a means of transmitting information, some additional channel of communication between constituents and representatives may also be necessary. Again, this is the central value of deliberation, but it only has both informational and motivational force when yoked to the electoral system; we will discuss this in the next section.

*Who benefits from knowledge?*¹¹

We come now to what seems to be the most serious problem from the standpoint of either epistemic democracy or epistocracy: the gap between *epistemic value* and *instrumental value*. It is a striking feature of contemporary epistemic justifications of politics that they do not concern themselves with the *motivations* of political actors: that is, they tend to assume that identifying the right answer is both necessary and sufficient for its implementation, whereas one might expect that a full instrumental justification, concerned primarily with outcomes, would have to hold that such identification was necessary but insufficient. That is, we would need to argue not merely that political actors were able to *gather* the necessary information in order to identify a good outcome, but that they were *motivated* to act on the information they possessed to actually bring about the good outcome. Once we recognize that all regimes in fact seek to solve informational problems, but that they can put this information to very different use – some for the active harm of the citizens, by sanctioning them for dissent or arbitrarily seizing their property – this seems quite obvious. Indeed, it is one of Foucault’s central insights: in acquiring information from members (in Foucault’s example, by examination), the state acquires new powers of domination and control. So why have epistemic democrats failed to recognize it?

I suspect that this is, in part, a function of the earliest formulations of epistemic democracy, which drew on Rousseau and Condorcet. In his 1986 essay, “An Epistemic Conception of Democracy,” Joshua Cohen argued that the judgment of majorities provided an “imperfect procedure” for identifying the general will (Cohen 1986, 34). The epistemic populist took the general will to be the independent standard of correctness and thought majority judgments could provide

¹¹ “I praise God and ever shall – it is the sheep hath paid for all.” - 13th century Nottinghamshire wool merchant.

evidence of that will.¹² The basic institutional mechanism underlying Cohen’s “epistemic populist” account is the Condorcet Jury Theorem. Cohen himself argued that the CJT would be likely to operate given the following three conditions: (1) a political system featuring institutions that promote public debate, political information, and political interest; (2) proper motivation on the part of individual citizens to vote their judgment of the general will rather than their personal preferences; and (3) that these procedures possess a publicly recognized capacity to produce good outcomes and thereby generate legitimacy. Cohen was thus aware of the motivational problem in ways that other epistemic democrats and epistocrats have not fully appreciated. He argued that it did matter that the account provided a plausible account of voters’ motivations, but, again, his focus was on *voters* directly, rather than on the state or a representative structure of government.

Because of the expressly Rousseauian orientation, this is unproblematic. In *Social Contract*, of course, citizens directly vote on legislation in accordance with the general will; although Rousseau worried about the tendency of voters to be blinded by their private interest or their particular wills, a majority would do so only insofar as the republic was in decline, as the whole aim of the republic and its mores was to orient citizens toward the common good. Moreover, there was no representation; there was no risk that their agents would fail to implement what the people willed, or that some agent would take the content of the general will to undermine the community as a whole. So long as the motivation of the voters themselves is correct on a Rousseauian model, there need be no gap between the epistemic value of the *decision* and the instrumental value of the *outcome*; they are one and the same. We might think that a similar structure is provided by the Platonic origins of epistocracy. There, too, there is no risk that the philosopher-kings will discern a just law that they will fail to instantiate, as the knowledge of the forms is both necessary and sufficient for them to

¹² For a brief account of the *Ethics* symposium in which this argument emerged, see Schwartzberg 2015.

pursue the good. But outside of the kallipolis and Geneva, neither moral accuracy, nor political knowledge, nor aggregated dispersed information will be sufficient for a regime to realize its instrumental value, because the instrumental value of a regime crucially depends upon actors' motivations to use the knowledge citizens have generated for publicly beneficial ends.

Again, this may seem obvious, but I believe that it has generated considerable confusion. In his defense of epistemic proceduralism as a source of democratic legitimacy and authority, Estlund takes the aim of avoiding "primary bads" to be the "epistemic benchmark." (Estlund 2008, 160) The basic claim for epistemic proceduralism is that a deliberative framework will enable democracy to outperform competing regimes according to this benchmark; democracy is justified by virtue of that instrumental value.¹³ More specifically, democracy may be justified by its tendency to perform better than random in general, and *far better than random* in avoiding primary bads, including war, famine, and genocides, Estlund says very little about the conditions under which we might believe this conjecture would hold; he maintains just that interpersonal communication and reasoning will yield such better-than-random answers.

Now, since Estlund's primary ambition is to vindicate the theoretical possibility that democracy might satisfy these conditions, rather than to demonstrate that democracy in fact does so, it may make no difference one way or another *how* democracies do in fact reliably avoid primary bads. But we might think that it does pose a challenge to his account of democratic legitimacy, because it seems that we are obliged to submit to a reliable decision procedure, even if it is motivationally inert, and therefore instrumentally ineffectual.¹⁴ That is, democracy's authority over me derives from the fact that due to a deliberative procedure, my community is likely to do better than a coin toss – perhaps *much* better than a coin toss – in avoiding famine. Even if I accept that the

¹³ To be sure, Estlund does also insist that such procedures meet a qualified acceptability requirement and are subject to a normative consent requirement.

¹⁴ I am grateful to Daniel Viehoff for this way of formulating the claim.

deliberation and other features that Estlund associates with democracy are indeed likely to get us the *information* that is important to helping us avoid famine – early warning information pertaining to food shortages, drought conditions, unemployment, and the like – I should also care to know *whether* these actors intend to prevent famine, and *how* they intend to do so, on the basis of this information.

That is, knowing how actors will use the informational products and by-products of our deliberation to achieve instrumentally valuable ends – whether they will do so by using our information to efficiently seize the means of production, or to construct an effective if ecologically unsustainable irrigation system, or by displacing the threatened population to a neighboring regime – would seem to be important in determining whether or not I should take the regime to be authoritative. These are only partially epistemic questions, and it is not at all clear that the use of epistemic procedures will be sufficient to assess whether the outcomes rightly demand our allegiance; much will depend upon the actions (if any) that leaders choose take to bring about these good results.

Moreover, though he resists “correctness theories,” which hold that political decisions are legitimate only if they are correct according to appropriate procedure-independent standards, we might worry that the structure of the argument in favor of avoiding primary bads seems to slip into just such an account. Insofar as our test for what counts as a good procedure is whether or not it enables us to avoid primary bads, Estlund admits, it might seem that an epistocratic arrangement could in fact perform well on this dimension. If it does, it looks like worries about invidious comparisons that are open to qualified disagreement about who counts as an expert might no longer have much weight; we could in principle agree that the mark of an expert lies in successfully avoiding primary bads. Estlund himself concedes this. (Estlund 2008, 167) On Estlund’s account, though, because we lack any good empirical evidence for which regime will perform better at enabling us to avoid primary bads, we must rely on conjecture. (Estlund 2008, 167) Such conjecture

points us back towards democracy, but this will be unsatisfying to epistocrats, who will argue in turn that there is equally good reason to conjecture that experts will know better how to identify and remedy the causes of famine.

Remarkably, the one mechanism that Estlund takes up and discards as a response to famine is self-interested voting: “Self-interested voting will not address the danger, and it is hard to see what kind of right might protect people from starvation unless voters collaboratively look out for justice and the common good.” (Estlund 2008, 166) Yet this highlights the indifference of epistemic proceduralism to the matter of incentives. The informational condition for famine-avoidance may not be satisfied by voting alone, it is true; we may require deliberative institutions. But absent incentives – indeed, the very incentives enabled by a system of universal suffrage – it is difficult to see why we should have any confidence that democracy would *in fact* more reliably respond to famines than an epistocracy. Indeed, as mentioned above, this is Amartya Sen’s basic insight in his classic instrumental defense of the “universal value of democracy.” (Sen 1999a)¹⁵ In his formulation, democracy is crucial to the prevention of economic and social disasters, in particular famine. The value of democracy in protecting against famines, on his account, derives from its incentives to elicit and respond to information: on his argument, a democratic government – facing criticisms from opposition parties and newspapers, and needing to respond to challengers – is more likely both to seek out such information and to address the expressed needs of its citizens. Stylizing a bit from Sen, democracy indeed has an epistemic advantage - it does better at gathering information about local conditions – but its instrumental value derives not immediately from its informational improvements but from the incentives that state actors have to respond to the information concerning the needs of its citizens.

¹⁵ I should clarify that this is not precisely Sen’s own argument; Sen himself argues that democracy may be justified not simply instrumentally, but intrinsically and constructively. Again, such arguments are basically beyond the scope of this paper.

The justification for universal suffrage is that it not only helps to aggregate this unique information, but that it incentivizes the state to act on it for the public good (if perhaps only by preventing primary bads), rather than for the welfare of state elites or particularly important constituents. Just as political knowledge and justice can come apart – we can possess expertise without being motivated to achieve just results – so can aggregated local knowledge and incentives. A representative might learn that some of her constituents are gravely harmed by a particular policy, but the majority of her constituents or her major donors benefit from it, and she may choose not to act to alleviate those harms with no electoral consequence at all. But restricting suffrage narrows both the informational and the incentive channels.

Finally, what of those instrumental justifications that make no reference to epistemic values as such, but to measures of welfare? Can they avoid either the informational or the motivational problem? My claim is that they fail on both dimensions. On this argument, insofar as an epistocratic or authoritarian regime consistently produced superior outcomes to those produced under democracy, there would be no reason to insist upon the authority of democracy, and, in fact, we might be obliged to accept the authority of these regimes instead. To be sure, the relevant metric for outcomes is likely to be controversial; some will argue for their protection of individual moral rights, others the highest level of GDP, others the avoidance of serious deprivations of basic needs, but let us set that aside. Arneson, for instance, argues that one has a right to power over others just in case the exercise of these rights maximally fulfills the individual moral rights of those affected. (Arneson 2004) He speculates that a strenuous competency requirement for the franchise might well generate morally better consequences “over the long haul” than would universal suffrage on equal terms, and if it did, it would be justifiable and perhaps obligatory. But it is precisely this “over the long haul” that makes this claim less plausible on informational grounds.

Let us imagine that we have good reasons for believing that, at a particular moment in time, an epistocratic body instantiated rules that did in fact maximally fulfill the individual moral rights of those affected. In time, however, we might worry that in fact, there were moral rights – e.g., to choose one’s gender identity – that such a body had failed to recognize. Alternatively, it may be that the moral rights identified – to human dignity, for instance – had the effect, once interpreted by this body or by courts, of precluding other rights (e.g., to reproductive autonomy). The worry is that, absent universal suffrage, these challenges will fail to garner a hearing, or that the members of the body will lack an incentive to respond. Now, Arneson might argue that insofar as the epistocratic body does not in fact maximally protect moral rights, such a body is no longer justified. But once a competency requirement for the franchise is instantiated, those who are empowered by it will have little incentive to expand it - even in the face of such arguments (believing as they do in the instrumental value of their power) - and they may no longer be in a position to know one way or another whether *in fact* they have maximally protected such rights. Nondemocratic regimes will have even weaker incentive to adequately protect said rights when encroaching upon them is in the ruling elite’s interest.

To generalize a bit further, let us concede the claim that, at a particular moment in time, a vote on some important question (e.g., on the availability of abortion) that excluded those members who lacked college degrees, for instance, might yield an outcome that better tracks moral truth than one held under universal enfranchisement, and so at that very instance we would be obliged to accept restrictions on suffrage. But the crucial value of universal suffrage, again, is to ensure that the widest available local information about the *consequences* of these policies can filter into the determination of what counts as the morally better choice. Insofar as we have good reason to believe that restricting the suffrage would delimit or bias the information on which we would rely in the long-run, our ability to promote the moral rights would be harmed. Again, this is a crucial reason

for why universal suffrage is essential; we cannot know *ex ante* what information will be needed, and from whom. Insofar as instrumentalists are consequentialists, they should seek to maximize their access to reliable, fine-grained information about the consequences of their policy choices or the performance of their parties, and to create incentives to act in light of that information.¹⁶ As such, an instrumental justification of any regime would need to have channels by which it could adequately measure performance over time and adapt as necessary, and we have good reason to believe that this is the basic grounds on which democracy ought to have “priority,” as Jack Knight and James Johnson have argued. (Knight and Johnson 2011)

Put even more generally, we can see how an instrumental defense of democracy along these lines would draw upon core insights of epistemic democracy, while enabling it to respond to the frequently-leveled charge that it is depoliticized or tyrannical in its conception of truth. It is true that this informational model falls short of Cohen’s orthodox account under the Condorcet Jury Theorem; voters do not necessarily orient themselves towards the identification of a unique common good, but toward their local interests. Insofar as it makes a virtue of citizens’ cognitive limitations, universal suffrage serves as a means of aggregating information about preferences and interests to political actors, who are incentivized to respond. As we have seen, these preferences derive from certain “everyday truths” (about local economic conditions, for instance), formed within communities. Indeed, seeking to promote the common good in such cases might prove epistemically disadvantageous, because doing so might discourage voters from relying on the knowledge they are best situated to possess, those of local conditions and of similarly situated individuals. The more difficult the question, and the less accessible the information necessary to answer it, the more

¹⁶ As in footnote 10, Arneson defends an instrumentalism that rests on a consequentialism of rights-protection. But again, insofar as such instrumentalists are outcome-oriented, they ought to be concerned about the effects of their institutional means of protecting rights, and they will require fine-grained information to assess their outcomes.

vulnerable epistemic democrats are to the voter-ignorance objection. But under what I hope is a plausible account of the functioning of electoral democracies, the voter-ignorance objection is moot; insofar as we believe a regime is capable of achieving instrumentally valuable outcomes, it will be on the grounds of the local knowledge conveyed by voters, who sanction representatives from within this narrow vantage point. This is what enables universal suffrage to trump restrictive suffrage on the instrumental model.

Let me address a few final worries about the argument I have offered. A key concern is that voters, even if they are “geoscopic” rather than “egoscopic,” consistently fail to attain just outcomes; they are preoccupied merely with conditions “around here,” and neglect the much graver conditions of their fellow members elsewhere. Can we get justice out of such a scheme? First, the argument of this paper presupposes a division of labor between voters and representatives; even if voters are myopic, the aim of a party system and representative institutions is to use this information to legislate in ways that are sensitive to the competing aims and concerns of a large, pluralistic community. Although the ethics of representation are well beyond the scope of this paper, we might argue that these concerns about justice mostly arise at the level of the legislature. To be sure, insofar as representatives find themselves torn between the preferences of constituents and the demands of justice, they will face tradeoffs. But the geoscopic account of voter behavior I have defended here is not unique in generating such quandaries; representatives selected even by sociotropic voters may find themselves confronting disagreement between their constituents’ beliefs and their own about what would be in the common interest. More generally, as I have argued throughout this paper, the question is essentially a comparative one: will restrictive suffrage, or other epistocratic institutions, better realize justice? My claim has been two-fold; 1) Even if such regimes are more *accurate* in identifying just outcomes, they cannot be presumed to have the motivation to enact such outcomes; 2) The realization of justice, on an instrumental account, must consist in incorporating dispersed local

knowledge as to the effects of policies, and any non-universalistic system will have difficulty in acquiring, and in being consistently motivated to act upon, reliable knowledge.

Note that I am not arguing that local information can or should supplant expertise, an essential part of a functional state and a representative democracy. Although we might think that, for instance, “popular epidemiology” might successfully highlight environmental concerns – e.g., water contamination that led to a leukemia outbreak in Woburn, Massachusetts – questions of diagnosis and remedies would need to be left to doctors and public health officials, and the capacity of representatives to marshal resources to remedy such problems. However, again, the ability of a community to benefit from local knowledge depends upon the structure of power; local residents in Flint widely believed that their water was contaminated and communicated these concerns to officials, but were met with inaction and dismissal.

Moreover, it is surely the case that to prioritize local knowledge may involve moral failures: racism, classicism, and xenophobia, among them.¹⁷ Without relitigating the 2016 election, one might argue that one widespread claim on the part of Trump voters is that they had sought to convey information about the effects of plant closures on local communities – not merely about unemployment but about rising opioid addiction and suicide rates, for instance – but their concerns were not heard or addressed. Of course, in turn, one might argue that urban communities have long suffered from widespread unemployment and drug addiction, and so predominantly white, rural communities have no claim to priority. The argument of this paper supports a claim that at least some voters’ decision to support Trump derived from interests that were not merely their own, but were shaped by their perceptions of local conditions, and from their sense that these needs had not

¹⁷ I have declined in this context to address the value of local knowledge beyond state boundaries, though we might think, similarly, that the value of global institutions would rest in part on their ability to collect local information about the effects of climate change, for instance, and then on their incentives (and capacity) to implement global policies on the basis of such information.

been addressed by their representatives. This might suggest that greater responsiveness to local interests in the short term may enable representatives to pursue more just national policies in the long run, though this will be a function of institutional design, notably electoral incentives to respond to some geographic regions over others. In addition, as Nate Silver has argued, one result of media consolidation has led to a reduction in the quality of information provided by local newspapers. Drawing on James Surowiecki's own defense of local knowledge, Silver holds that a more geographically decentralized group of reporters would have highlighted the problems facing the Clinton campaign in key bellwethers states, and led to lower-quality polling in Michigan and Wisconsin. So even if local knowledge would not have spared us Trump, it might have enabled us to see him coming.¹⁸

Finally, we might worry that, even in the context of modern polling and “big data,” universal suffrage alone remains an insufficiently robust means for voters to convey information to their representatives pertaining to the needs and interests of their communities. To fully realize both the informational and the incentive-based arguments necessary to yield good outcomes, we might plausibly believe that at least some form of deliberation is necessary. As briefly argued above, such deliberation would need to be tethered to the representative structure for it to have meaningful value as a basis for electoral sanctioning. Recent work by Michael Neblo, Kevin Esterling, and David Lazer (2018) provides one potential means by which such communication failures might be remedied in the future: deliberative town halls, relying on online technology. In 2006, they held nineteen online deliberative town hall meetings to discuss immigration reform with members of the United States House of Representatives from twelve congressional districts; they found that if every member of Congress spent two hours per week in such town halls, they could reach a quarter of the electorate every six years. Indeed, there is evidence that participation in such town halls improved

¹⁸ <https://fivethirtyeight.com/features/there-really-was-a-liberal-media-bubble/>

their prospects for reelection. (Neblo, Esterling, and Lazer 2018) As such, members of Congress have already taken a strong interest in such town halls, and efforts to expand them are underway. Unlike many deliberative polls and fora, these mechanisms have substantial potential to improve the informational basis on which representatives act, because they connect the epistemic channel tightly to the prospect of sanctioning.

Finally, I have not intended to argue that we should devolve most decision-making to local levels. In a large, pluralistic community, the crucial epistemic activity consists in gathering information about the needs and interests at the individual and local community level, and that the key role of representatives comes in negotiating and deliberating over policies in light of these competing interests and claims. The nation-state has clear advantages of scale in addressing the most urgent of needs, but it can only identify and be fully incentivized to redress them through universal suffrage, combined with effective civil and political liberties and channels of communication. This is the value of the digital town hall: it facilitates two-way deliberation with representatives, in which representatives can articulate the competing needs and interests that potential policies might satisfy to their constituents, and constituents in turn can present their claims. Although such forums may too be available to nondemocracies, the absence of electoral responsiveness is likely to pose a barrier to the fullest provision of information, or – crucially – their incentive to act upon it.

Conclusion¹⁹

My focus here has been on the instrumental value of the local information provided by universal suffrage relative to restricted suffrage, and on the greater incentive of political actors to act to promote the interests of members on the basis of this information under democracy than under

¹⁹ My sheep listen to my voice; I know them, and they follow me. (John 10:27)

non-democratic regimes. The value of local knowledge may be a hard sell to many political theorists and philosophers, although perhaps less so than in years past. As Elizabeth Anderson (2005) noted in a different context, nonfeminist philosophers have tended to regard local evaluative perspectives as sources of “bias, error, or intolerable conflict,” in contrast to individual (self-interested) or moral (universal) standpoints. Feminist epistemology has done much for helping us to recognize the value of information derived from plural perspectives: in Anderson’s language, “to solve some problems, we must think ‘locally.’” (Anderson 2003, 240) In particular, we now have fine-grained data about local internet searches, voter sentiments, and polling, as well as social media information about protests, riots, and public opinion more generally. Insofar as “big data” with respect to elections, protests, and riots has normative value, it lies in enabling representatives and other political actors to respond more effectively to the diverse claims of voters and dissenters alike. The risk, of course, is that this data will enable the powerful to more finely target their punitive responses or quash public dissent before it occurs.

Of course, epistocratic arguments have been around for at least 2500 years, and there is little reason to believe that those convinced that they are the true shepherds will be persuaded by my arguments. But I hope to at least have met them on their own terms, demonstrating that expertise can never be sufficient to ensure the ends for which political communities are established: they will protect neither themselves, nor their grazing sheep.

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