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# Representative Democracy as Defensible Epistocracy

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*Epistocratic arrangements are widely rejected because there will be reasonable disagreement about which citizens count as epistemically superior and an epistemically superior subset of citizens may be biased in ways that undermine their ability to generate superior political outcomes. The upshot is supposed to be that systems of democratic government are preferable because they refuse to allow some citizens to rule over others. We show that this approach is doubly unsatisfactory: although representative democracy cannot be defended as a form of government that prevents some citizens from ruling over others, it can be defended as a special form of epistocracy. We demonstrate that well-designed representative democracies can, through treatment and selection mechanisms, bring forth an especially competent set of individuals to make public policy, even while circumventing the standard objections to epistocratic rule. This has implications for the justification of representative democracy and questions of institutional design.*

Given the importance and complexity of public policy decisions, it is desirable, all else equal, to delegate them to particularly competent citizens. This perspective explains the appeal of epistocracy—that is, a form of government that allows those with special competence to have more political power than others. That appeal notwithstanding, the standard view in contemporary democratic theory is that epistocracy is unjustifiable because it is vulnerable to two objections: (1) there will be reasonable disagreement about which citizens count as epistemically superior (the *disagreement objection*) and, even if this were not the case, (2) an epistemically superior subset of citizens may reasonably be objected to on the grounds that they may be biased (even if unintentionally) in ways that undermine their ability to generate superior political outcomes (the *demographic objection*). Taken together, it is often thought that these objections "put the prospects for any form of epistocracy in very serious doubt" (Estlund 2008, 222).

The debate about the justifiability of epistocracy bears directly on how we should think about representative democracy and that connection is the focus of the present study. For the purposes of our argument, we define systems of representative democracy as ones in which (a) those who govern are selected by the governed in elections that allow opposition parties to compete on reasonably fair terms; and (b) in the interim between elections, elected officials enjoy significant leeway to rule as they like. While abstracting from the many institutional differences between systems of representative democracy, this definition identifies their two distinctive shared institutional features, both of which will play central roles in our argument.

That argument will be twofold:

1. Well-designed representative democracies can facilitate rule by a particularly competent subset of citizens, and, as such, exemplify epistocratic governance.
2. The mechanisms by which a well-functioning representative democracy generates epistocratic rule are *not* susceptible to the disagreement or demographic objections.

Taken together, these two claims run counter to the standard view, shared by vocal defenders and critics of epistocracy alike, that we face a "choice between democracy and epistocracy" (Brennan 2016, 16).

David Estlund, a prominent exponent of that view, drives a wedge between democratic and epistocratic governance with respect to the presence of a "ruling relationship":

> Democracy involves some ruling others. Roughly, the majority on any decision rules over the minority…. However, there is something additional present in the case of invidious comparisons used to justify epistocratic arrangements. Here, not only is each minority voter in each decision subject to rule by the majority in that single case … some people are formally and permanently subjected to the rule of certain others. This is a ruling relationship that is not present under majority rule… (Estlund 2008, 37; similarly, Kolodny 2014).

In Estlund's view, then, democratic governance has an advantage over epistocracies because, instead of allowing some to be in a ruling relationship over others, it governs through universal suffrage and so circumvents the worries associated with the disagreement and demographic objections.

Even if we think this makes for a compelling defense of direct democracy,[1] however, it would be wrong to think that *representative* democracy amounts to the

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[1] This seems to be what Estlund has in mind because he says that what he will "mean by *democracy* is the actual collective authorization of laws and policies by the people subject to them" (Estlund 2008, 38).

"absence" of a "ruling relation."[2] Instead, elected representation is one particular, and controversial, way of selecting certain individuals—namely, elected officials—to rule others.[3] We take this perspective as our point of departure. Rather than thinking about representative democracy as a particular type of democracy that is covered, if we squint at it just so, by the above justification, we mean to take seriously the idea that representative democracy is a system in which there *is* a "ruling relationship." The account of that relationship we offer paints a picture of representative democracy as a distinct regime type—one that, under suitable institutions, allows us to enjoy the benefits of epistocracy without being vulnerable to standard objections to such arrangements.

An important implication of this account is an upending of the way that democratic theorists typically understand the relationship between representative democracy and epistocracy. But the value of such an account is not merely interpretive. We will make different institutional decisions if we think of representative democracy as an attempt to bring forth a kind of unproblematic epistocracy than if we think of it, as is standard in the democratic theory literature and public political debate, as an imperfect approximation of direct democracy.

Although many classic theorists of democracy (perhaps, most notably, James Madison and J. S. Mill) also viewed representative democracy as a distinct form of government that is attractive because of its epistemic advantages, they were far less concerned than contemporary commentators about its egalitarian pedigree (see Manin 1997). It is because of their inegalitarian nature—think here of Mill's proposed voting system or Madison's elitist anxiety about mob rule—that those classic accounts of representation are often criticized in contemporary democratic theory. That inegalitarian nature is also at the heart of the distinction between those accounts and the one that we develop below: our key argument is that representative democracies can generate epistemic benefits even *while* satisfying egalitarian constraints.

We proceed as follows. The next section explains the appeal of epistocracy, as well as providing a more detailed account of the disagreement and demographic objections. We then provide a brief comment on methodological aspects of our argument. The following two sections are the core of the argument: each explains a mechanism at the heart of representative democracy that can produce epistocratic rule and argues that it can do so without running afoul of the disagreement and demographic objections. We then suggest that proper institutionalization of these mechanisms provides a more promising approach to satisfying the epistemic demands of governance within an egalitarian framework than some common democratic alternatives. Finally, we argue that the promise of epistemic benefits delivered by these mechanisms dulls the appeal of more traditional epistocratic arrangements.

## WHY EPISTOCRACY?

That there is a certain intuitive appeal to epistocracy has been obvious since antiquity. Just as we would want to travel in a ship piloted by the most competent captain, so too it would seem—at least on first glance—that we should want to live in a political community run by individuals who rank highly with regard to the relevant skills. Nevertheless, the standard view in contemporary democratic theory is that epistocracy is unjustifiable. Typically, the reason for this is simply that insofar as we are equal members in a political community, it is unclear why some of us should have more power than others.

By itself, though, this line of thought cannot carry us very far. After all, in other domains we routinely distribute privileges according to assessments of competence. Nobody objects to administering exams to people who wish to fly commercial airliners and, based on the results, allowing only some citizens to do so. The reason for administering such exams is that when one pilots such a plane, one has power over the lives of other citizens. This explains why we put those who wish to fly commercial airliners, but not those who wish to go water skiing, through extensive competence testing. Although one might injure oneself water skiing, the dangers posed to others are marginal. But, if this is right, it would seem natural to suppose that we ought to distribute political power in a way that empowers the skilled—after all, political decisions importantly affect the lives of others.[4]

Furthermore, making such decisions intelligently is very demanding. 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 leader requires, *inter alia*, extensive knowledge across a wide range of policy areas. This is necessary to be in a position to propose plausible policy solutions to ongoing public problems, and to assess competently the arguments, advice, and proposals of experts, stakeholders, and fellow legislators. Effective officeholders also need the knowledge and ability to organize and bring off complex inter-temporal and inter-issue agreements with other legislators. This requires recognizing 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

[2] Below we consider, and cast doubt on, the possibility that representative democracy could avoid ruling relationships by ensuring that representatives simply pursue the ends chosen by citizens. As Jean Hampton says in a classic essay, "Our elected 'representatives' don't represent us in any *literal* sense … They rule and we don't" (Hampton 1994, 34, emphasis added).

[3] It is true and important (as we discuss below) that the particular ruling relationships at the heart of representative democracy are not permanent. This, though, is not sufficient to positively distinguish it from objectionable forms of epistocracy. Imagine, for instance, a system in which an IQ test is administered to the entire population every four years and only those scoring in the top decile are allowed to vote in elections. This epistocratic system would rotate ruling relationships but still run afoul of the aforementioned objections.

[4] This is the basic line of thought behind Jason Brennan's (2011) defense of epistocracy.

opinions across electoral constituencies, as well as the unavoidable uncertainty in assessing the merits of policy alternatives. We cannot assume that all citizens are readily equipped, nor interested in bearing the costs associated with becoming equipped, to make specific policy judgments that optimally advance the public good. Given the importance and complexity of public policy decisions, it is desirable, all else equal, to delegate them to particularly competent citizens.

One might think that this line of reasoning is mistaken—that given the epistemic demands of good governance, one should instead focus on limiting the size and scope of government [for arguments along these lines, see Caplan (2011) and Somin (2016)]. However, even governments that are considerably more limited than those in the present-day United States or European liberal democracies would be epistemically demanding (albeit, of course, less so than more ambitious alternatives). Even relatively noncontroversial functions of government (such as enforcing criminal law or pursuing national defense) admit of a wide variety of approaches and entail different tradeoffs, which can be pursued in better or worse ways. Thus, the intuitive appeal of epistocracy is present even under quite limited forms of government, though of course its relative value grows with the size of government. This does not imply that prescription of small(er) government is wrong—merely that even with a smaller government, we should still be interested in whether there are defensible forms of epistocratic rule. In this article, we therefore set aside questions about the appropriate size of government and focus on whether well-designed representative institutions can generate epistocratic rule.[5]

The appeal of epistocracy notwithstanding, it faces—as we mentioned above—two important objections. According to the disagreement objection, the selection of any person or group to have more power than others would be controversial because there is reasonable disagreement about which citizens are distinctive in ways that make them well suited to exercise political power. In other words: although reasonable people can agree on which people are qualified to be pilots, there is widespread and reasonable disagreement about which citizens are well qualified to exercise political power. This objection is widely relied upon to rule out epistocratic arrangements. For instance, Thomas Christiano insists that because:

> There is no public way of demonstrating the superiority of competence in a way that satisfies citizens from the egalitarian standpoint, [a society that distributed political power according to competence would give many citizens] reason to believe that their interests were being neglected or at least not being given equal consideration in the society (Christiano 2008, 118–19; also see Beitz 1989, 37; Estlund 2008, 36; Rawls 1999, 205).

Advocates of the disagreement objection are typically willing to concede, then, that some citizens *are* more competent to responsibly exercise political power than others, yet any particular criteria used to identify the most competent will be the subject of reasonable disagreement.

Even if the disagreement objection were somehow overcome, however, there is yet another important concern about epistocracy. The demographic concern is that *even if* we could select a subset of particularly competent citizens (e.g., the educated) and trust them to make sincere judgments about the policies that would best promote the public good, there would nevertheless be a reasonable concern that they would be "no better able to rule wisely than others" because they "may disproportionately have epistemically damaging features that countervail the admitted epistemic benefits of education" (Estlund 2008, 215).[6] For instance, although we might think that the highly educated would be in a position to rule better than their less educated counterparts, in our society advanced education is

> disproportionately the privilege of members of certain races, classes, and (formerly) genders. Even if we grant, for the sake of argument, that everyone acts with goodwill rather than with neglect for the interests of others, people are inevitably biased by their race, class, and gender. Giving extra votes to certain of these groups only compounds the effects of these biases, damaging the expected quality of collective decisions (Estlund 2008, 215; also see Christiano 2008, 120–21).

Thus, according to the demographic objection, even if we were able to select particularly competent members of the polity to entrust with political power, we may rightfully worry that they would share other demographic characteristics that would bias their political decisions.[7]

Thus, epistocratic arrangements are widely rejected because (1) there will be reasonable disagreement about which citizens count as epistemically superior and, even if this were not the case, (2) an epistemically superior subset of citizens may reasonably be objected to on the grounds that they may be biased (even if unintentionally) in ways that undermine their ability to generate superior political outcomes. The alleged upshot is that we ought to prefer democracy to epistocracy.

[5] One could argue, further, that if well-designed representative democracies generate epistocratic rule, then it is reasonable to think that such systems will have a tendency to bring about governments of the optimal scope. We are sympathetic to this point, at least as a desideratum, though it may be more optimistic than is warranted given informational complexities of governance.

[6] Because the demographic objection is ultimately rooted in the concern that the most epistemically plausible candidates will not, after all, produce better results, it is actually a specific instance of the most general formulation of the disagreement objection, which turns on disagreement over who should govern. However, in the models we discuss below, it is instructive to construe the disagreement more narrowly—namely, as being over who the most epistemically plausible candidates are. In the latter formulation, the demographic objection becomes distinct, and for consistency, we adopt the narrower formulation, and the corresponding distinction between the two objections, throughout.

[7] For an argument that the demographic concern is less problematic for epistocracy than often thought—most notably, because there are forms of epistocratic rule that are not susceptible to it (e.g., government-by-simulated-oracle), see Brennan 2018. His argument, though, does not focus on properties of representative democracies, which are the key focus of our analysis.

## AN ASIDE ON METHOD

The two objections to epistocracy described above have particular presumptive power because they are meant to identify problems that such forms of governance would face even under quite idealized circumstances. Most importantly, both objections apply *even if* one assumes that representatives are motivated by the desire to maximize social welfare—that is, even setting aside the obvious litany of concerns associated with rent-seeking (Estlund 2008, 206). The point is that even given assumptions that are very generous to the epistocrat, such proposals face overwhelming objections. The disagreement and demographic objections are therefore meant to go to the heart of the notion of epistocracy.

But whereas the strongest argument against epistocracy hinges on showing that these objections apply even when political officials are ideally motivated, the most convincing *response* would show that such objections miss the mark even if we assume that political officials are *not* ideally motivated. With that in mind, we proceed with broadly realistic assumptions about the behavior of political actors: agents may not be perfectly motivated to pursue social welfare (indeed, they will sometimes use public power to gain personal benefits), they are not omniscient, they are responsive to incentives, and officials have a strong desire to continue to hold office.

In the next two sections, we show that at the core of representative democracy lie mechanisms that when properly institutionalized, can generate epistocratic rule in a way that circumvents the standard disagreement and demographic objections to epistocracy, even given these realistic assumptions. 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 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 officeholders in representative systems 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 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, and the way in which they evade the standard objections to epistocratic rule, it is worth clarifying 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 epistocratic 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 are not epistocrats, let alone defensible epistocrats, that the position laid out in the article must be incorrect. 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, its elected representatives will likely lack special competence. And, furthermore, because these models are not necessarily descriptive of actual representative regimes, they also cannot, in any straightforward sense, serve to justify such regimes.

Instead, 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 a distinctively defensible form of epistocratic rule. By identifying feasible mechanisms with that property, such models can play an important role in framing public discourse about the justification of such regimes, as well as about institutional reforms that could improve democratic governance.

## THE TREATMENT MODEL

We begin, in this section, with an explanation of how treatment effects associated with representation may facilitate epistocratic rule in ways that circumvent the disagreement and demographic concerns. 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.

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 choice than an ordinary citizen in a direct democracy. Because 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.[8]

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,

[8] Geoff Brennan's (1989) suggestion that it is the voters' lack of pivotality that may lead many to vote in accordance with moral motivation is congenial to our argument. We expect that creating pivotality without also creating accountability may produce an effect that is worse than that of having neither. However, as we explain below, an environment that combines the two effects can induce representatives to become informed and make policy decisions in ways that track the interests of constituents. What may be a trade-off between morally-motivated actors and well-informed ones might, then, be resolvable by better structuring representative systems.

representative systems generate incentives for officeholders 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 who 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 treatment model of epistocracy. 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 might, on its own, increase the temptation of those choices. The accountability effect acts as a(n imperfect) backstop to that temptation.[9]

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, unobservable, or both states of the world, including preferences and actions of other political actors, hidden institutional and transactional incentives, and sheer luck. 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 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 officeholders' 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.

Whereas representative democracy relies on ordinary citizens to hold representatives accountable, the epistemic demands of doing so are less significant than the demands associated with office-holding. Whereas citizens in a representative democracy only need to evaluate policy *outcomes*, the officials need to evaluate a range of possible policy options—usually, in the context of imperfect information, without the hindsight of knowing how things will work out—and the latter is a much harder task.[10] 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 tradeoffs). 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.

In addition to the epistemically different burdens associated with such choices, there is a further consideration that suggests that the demands on citizens may be fundamentally lower. Insofar as information about policy outcomes is readily available, officials could be motivated to pursue good outcomes even in circumstances in which citizens are paying little attention (see more on this in the article's penultimate section). In effect, in such circumstances, to induce good performance by incumbents, 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.

To be sure, elections are a coarse instrument of influence, and the multidimensionality of government performance confounds perfect representation. Electoral choice bridges the expertise of officeholders and the experienced welfare of voters arguably well enough to ensure a certain floor level of welfare. But just how well it can harness that expertise, and so, ultimately, how high the welfare of voters in representative democracies is, depends on underlying political institutions and the social and political practices associated with them. Thus—for example—clarity of responsibility is clearly affected by a host of political institutions, including freedom of the press, details of electoral systems, and responsiveness of the bureaucracy to democratic outcomes. An important example of political practice that also critically affects accountability is public deliberation. In the face of multidimensional government performance, well-structured public discourse can create salience for some dimensions over others, thus allowing citizens a greater degree of effective control over policy choices that matter to them.

When the relevant officeholders are public welfare-motivated, the institutional details may have less bearing on the choices that they make (though, such details may still matter for how voters evaluate those

[9] Notice that pure lottery-based systems would generate a pivotality effect, but not an accountability effect. However, see López-Guerra (2011) for discussion of an interesting hybrid proposal that would incorporate lotteries into an electoral system, thereby preserving accountability.

[10] The flipside of this claim is, of course, that this also, to a certain degree, makes representative systems vulnerable to pandering to voters' less educated judgments. The extent of this vulnerability depends on the time gap between policy choices and realized outcomes (the lower the gap, the less pronounced the problem), the institutional environment affecting what the voters see and how they can respond, as well as the voters' baseline levels of political awareness. Pandering concerns are particularly acute for voters with a middle-range of political awareness: those who pay attention to politicians' actions, and not just the experienced outcomes, yet have broadly uninformed beliefs about the best policies. Voters who are aware only of the experienced outcomes are less vulnerable to pandering (e.g., Fox 2007), and may just be better equipped for epistemically more effective governance. (We return to this possibility below.) Pandering concerns for the intermediately informed voters may be mitigated with institutional features that create information flows from other actors, helping neutralize or offset the incentives to pander (e.g., Fox and Van Weelden 2010; Li 2019).

choices). But when public welfare motivation is weak, effective institutional design becomes critical to ensuring that the bite of the accountability and pivotality effects is sufficiently strong. In a well-institutionalized system of representation, elected representatives may be expected to exercise their political power in a manner that *generates* epistocratic rule.[11]

Importantly, insofar as representative democracy generates epistocratic rule through these treatment effects, it is not—in contrast to commonly discussed epistocratic arrangements—vulnerable to the disagreement or demographic objections. It is not vulnerable to the disagreement objection because the mechanisms at stake do not require that citizens agree that there is a particular subset of citizens who are most capable. Instead, the mechanisms by which representative systems induce competence could work *even if* every citizen in the population were, *ex ante*, equally competent. Because the argument claims that *any* reasonably able member of the population would be expected to *become* more competent if exposed to the incentives associated with office-holding, it is irrelevant that there "is no public way of demonstrating the superiority of competence" that members of the epistocracy may claim to possess. The position does not depend on the claim that there is *ex ante* some subset of particularly qualified citizens whom we must agree upon.[12]

The epistocracy generated by representative democracy is also not vulnerable to the demographic objection, at least in the way that it is normally understood. Recall that this objection holds that the characteristics that epistocrats are selected for (in Estlund's example, education) may be correlated with other characteristics (such as race) that may bias the decision-making of that group, despite their generally superior competence. The epistocracy that we described above is not vulnerable to this version of the objection because the relevant treatment effects work on *any* reasonably able citizen placed into office and do not require selection on special *ex ante* desirable characteristics. The idea here is that even if citizens believed that there were no important differences in competence between their compatriots, or agreed to an equality-motivated constraint on public reason implying that such differences ordinarily ought to be set aside, an epistocratic justification for representative democracy could still be given.[13]

However, a related, if somewhat second-order, concern might be thought to pose problems for the treatment model. It could be that—in virtue of being officeholders—representatives gain certain shared interests. For instance, insofar as challengers need to spend more than incumbents to run competitive races (to overcome the preexisting advantages of incumbents), incumbents may have a shared interest in limiting campaign spending and could bias legislation addressing the issue.

The iterative nature of the electoral process gives representative democracy a built-in mechanism to allay such concerns. If officeholders are systematically and appreciably biased in favor of policies that advance their shared interests at the expense of the citizens, this should undermine the very electoral advantage that incumbents were supposed to have, and so provide them with an incentive to deviate to less biased behavior. The iterative nature of elections, thus, allows citizens to *filter* officeholders in a way that can mitigate this bias.[14] This is very much in contrast to the types of epistocracy typically discussed in the literature, such as an epistocracy of the educated, which are ordinarily conceptualized in ways that lack such dynamic filtering mechanisms.

It is worth stressing that this filtering-out of bias need not be perfect, because ultimately the question is not whether epistocratic arrangements eliminate bias *altogether*, but whether the institutional regime has effective mechanisms for detecting and eliminating bias. The electoral incentives in well-designed representative democracy, which are instrumental in generating epistocratic governance, are precisely such mechanisms. Of course, one may ask whether those mechanisms are more or less promising than the corresponding mechanisms of alternative regimes—and in particular, of direct democracy. But we see no reason to believe either that direct-democratic governance would be less susceptible to what would, in effect, be an equivalent kind of "self-dealing bias" (after all, even direct democratic majorities may be self-dealing) or that it would be better equipped to mitigate it.

## THE SELECTION MODEL

The second model of epistocratic governance under representative institutions focuses on the possibility of variation in candidates' relevant competence or aptitude and on the ability of citizens to elect officeholders 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:

[11] We focus on the *incentives* generated for officeholders in representative democracy, but it is fair to say that there is also a treatment effect associated with the *experience* of office-holding. That experience is likely to render individuals more cognizant of, and better able to meet, the challenges associated with legislating in a large modern state.

[12] The claim is, rather, that, regardless of whether we do agree on that, the pivotality effect and, in electoral environments with frequent future elections, the accountability effect as well will be realized (e.g., Anesi and Buisseret 2019).

[13] Under such conditions, elections would aim purely at motivating incumbents to behave responsibly. The next section considers the case for viewing representative democracy as an egalitarian epistocracy in a world in which differences between citizens are admitted into public debate, thus opening up the possibility that elections can be used as selection devices.

[14] For filtration to work effectively, it needs to be the case that there is sufficient variance among otherwise similarly attractive candidates. To achieve this, it is sometimes attractive to split the scope of policy control between different positions because this could allow one to reduce the tradeoff between different skills.

> 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.[15]

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, Bueno de Mesquita, and Rose 2011), details of electoral systems (Cox 1997; Myerson 1999), the strength of institutional determinants of incumbency advantage (Gordon and Landa 2009), and 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). 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, temperament, etc.) become sufficiently transparent to the voters to facilitate the selection of better incumbents more reliably.

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 officeholders, 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 (Ashworth and Bueno de Mesquita 2008; Gordon et al. 2007; Zaller 1992). 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.

To be sure, 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.

We next turn to considering how vulnerable representative democracy, through the eyes of this model, is to the two objections to epistocracy that we laid out above. Although the case on behalf of the selection model is different and more demanding than that on behalf of the treatment model, there are good reasons to believe that the selection model also circumvents these objections.

Recall that the disagreement objection posits that there is no way to come to agreement on who is competent in a way that affords them the right to have

[15] 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. Further, although the two are conceptually distinct, we are skeptical that the distinction can be readily sustained either observationally or causally—for example, 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 incumbents' values may be substantially different from those of their voters.

special power over political decisions. Notice, though, that even if we live in a direct democracy, there will be disagreement about which policy decision is correct. Thus, regardless of the regime type, some will live under policies with which they disagree. The difference, related to disagreement, between epistocracy and democracy arises *only if*, in the former, those who enjoy positions of power have those positions permanently. Indeed, Estlund worries that "under unequal suffrage, some people are formally and permanently subjected to the rule of certain others. This is a ruling relationship that is not present under majority rule" (Estlund 2008, 37). Although we cannot avoid some living under policies with which they disagree, it is particularly objectionable to be permanently subject to the rule of others whose competence one does not accept (or, even if accepts, does not do so to the exclusion of other possible rulers). Think here of an epistocracy in which rulers must be chosen from a given pool of candidates, e.g., those with elite education, whom one does not take to be exclusively well-suited to the role. The disagreement objection takes its force not from the fact that one has to live under a policy one disagrees with, but from the connection between people's disagreement about appropriate laws (or rulers) and epistocracy's ostensible commitment to a permanently enabled class of rulers.

The key reason that the selection model of representative democracy need not be vulnerable to this objection is that the epistemic benefits associated with the selection mechanism *critically depend* on it being the case that citizens have regular opportunities to replace leaders from a diverse pool of potential candidates. Although there will, surely, be disagreement in representative systems about who ought to rule, that disagreement is of the same order as disagreement in systems of direct democracy about what the laws should be. The parity would, arguably, break down in relation to systems in which rulers were drawn from a limited pool. But the selection model does not *require* that representative democracy be such a system—whereas one can easily imagine representative systems with restricted pools of candidates, one can also readily conceive of a well-functioning representative system that eschews any such restrictions. In short, the disagreement objection should not be construed as posing a problem for selection mechanisms (within representative systems) as such.

Let us consider next the force of the demographic objection. If institutions of electoral representation are quality-tracking, then elections successfully generate epistocracy without relying on invidious comparisons. The worry underlying the demographic objection is that in selecting for competence, elections may also inadvertently introduce an adverse bias; those who have markers of excellence that are identified for selection, such as—for example—superlative education, may be reasonably expected to have a bias (e.g., higher levels of risk tolerance) that afflicts those with such markers.

This implies that there is an ordering of outcomes, such that the leaders afflicted with bias would produce lower-ranked outcomes than (the counterfactual) leaders without such bias. If so, though, the voters who observe such lower-ranked outcomes should remove the lower-performing leaders from office, replacing them with the candidates drawn from the same pool who are not known to have such bias. The process should be expected to continue for as long as the voters observe outcomes associated with bias.

The claim that such a process tracks quality implies here that we should expect it to move incrementally to the selection and re-election of candidates who are free of the bias. As with the treatment model, in a properly institutionalized electoral democracy, the iterative nature of elections filters out biased officeholders. So, once again, it turns out that criticisms of epistocracy implicitly depend on the assumption that such forms of government will make once and for all decisions about who is entitled to rule. The iterated nature of selection in a well-designed representative democracy generates a form of epistocracy that helps circumvent such problems.

We add three comments. First, the preceding argument abstracts away from some of the empirical complexities that characterize existing democratic societies, including, in particular, not only unequal rates of political participation among different socio-economic groups (e.g., Lijphart 1997; Parvin 2018a) but also burdens of judgment that could lead to persistent disagreements over what counts as bias on the part of the incumbents. These complexities must surely lower our expectations of fully eliminating the concern at the core of the demographic objection—even well-institutionalized versions of representative democracy will not be free of demographic bias, though we may reasonably expect it to be mitigated by more conducive institutions, such as more egalitarian systems of campaign finance. However, the persistence of bias does not distinguish selection-based representation from direct democracy. Whereas the former may end up with the decisive coalition of the electorate ignoring the bias of the elected official against a minority, the latter may be expected to end up with a majority of voters choosing a policy that a minority recognizes as biased. Likewise, there is no reason to expect direct democracy to do better with respect to realizing equality of political participation than would a well-institutionalized representative democracy—indeed, the greater burdens of citizen participation in direct democracy may well exacerbate this problem.

Second, it is important to recognize that term limits, which are sometimes popularly seen as ways of decreasing the bias of officeholders are, in fact, detrimental to the ability of the electoral process to track quality in the selected rulers. Similarly, the incumbency advantage, which is also associated with the presence of a systematic bias in favor of, but also among, the incumbents, would, in a properly institutionalized setting, be a mark of better selection—selection of leaders with smaller or no bias. In other words, in a well-designed representative system, incumbents would normally defeat challenges, but this would owe more to the iteratively-reinforced superiority of incumbents than to structural features of the electoral systems or of

office-holding that arbitrarily favored those already in office.

Third, it is instructive to compare the treatment and the selection models with respect to their consistency with egalitarian commitments. The selection model is clearly consistent with effective equality of opportunity to run for office. In fact, the model provides its own reason to insist on such equality. After all, were a departure from equal opportunity to produce worse performance, quality-seeking voters would want to enlarge the pool of available candidates. This means that the institutional provisions that create meaningful equal opportunity to run for office (such as access to quality education) must be a part of the institutional framework underlying the selection model. In contrast, under the treatment model, there is no reason to prefer some candidates over others, making that model consistent with a more radical notion of egalitarianism (according to which all citizens are regarded as equally capable of effectively discharging the responsibilities of public office).

## THREE ALTERNATIVES/OBJECTIONS

In this section, we briefly consider three common types of attempts to dull the challenge presented to democrats by advocates of epistocracy or, what often amounts to the same thing, to improve the epistemic performance of democratic systems in ways that are compatible with egalitarian commitments. In the former sense, these attempts are, implicitly, objections to the underlying premise of the critical importance and role of expertise; in the latter sense, they are alternatives to the approach we laid out above. Our aim here is not to offer a comprehensive response to these attempts, nor to argue that they are always deficient—each of them is predicated on an important idea that sometimes yields a genuine improvement in democratic governance. Rather, we aim to highlight the appeal of our approach by identifying worries about these alternatives that make them unsatisfying as a general, encompassing, response to the challenge of epistocrats.

### Single-Issue Decision-Making

The first of these alternatives is associated with proposals to move to a system of single-issue decision-making and then allow ordinary citizens to play the primary role in crafting and voting on legislation. The basic idea underlying such proposals is that by limiting the demandingness of the task associated with governance (i.e., asking citizens to focus on problems related only to a single dimension), it will become considerably more feasible to educate them about the relevant issues (by exposing them to experts, literature, deliberation and so forth). A standard example of this approach involves randomly selecting an assembly of citizens to decide on reforms to a public healthcare program. Although such decisions may be too complex for a random group of untutored citizens, it might be more plausible to expect them to be able to decide reasonably after being educated and informed about the relevant issues (there are many, many examples of this kind of proposal in the literature, for one important example see Guerrero 2014). The single-issue focus of this kind of proposal is crucial to its success because the idea is that by limiting the demandingness of legislative work (e.g., one needs to learn about healthcare, but not defense), it becomes more reasonable to expect ordinary citizens, properly tutored, to be able to carry it off effectively.

Unfortunately, the single-issue focus is also highly problematic. It is impossible to effectively address pressing political problems one at a time because such problems are interconnected in at least three very important ways. First, political communities face budget constraints. A single-issue assembly devoted to healthcare may well find the best way to address public health problems, but how is it supposed to assess whether the cost of such a solution is reasonable given the opportunities that pursuing it will necessarily foreclose in other policy areas? Clearly, being knowledgeable about healthcare alone cannot overcome this problem. Second, the solutions that make sense in one policy domain may be dependent on the strategies pursued in others. For instance, although transportation and environmental policy may, in a sense, be different domains, effective policy-making in either area will surely require coordination between the two. Third, in each individual policy area, even the best policy decisions will adversely affect certain groups. Coordination across policy areas is important to help ensure that it is not the same groups losing out across the board. For each of these reasons, it is important that policy-making across all areas be overseen and coordinated by a single body that is designed to advance the broad interests of the political community as a whole. Because participation in such a body will be very demanding from an epistemic perspective, there are reasons to doubt whether single-issue policy bodies offer an effective way for egalitarian political communities to circumvent the challenge posed by epistocrats.

### Means and Ends

The second prominent way of sidestepping the challenge presented by advocates of epistocracy envisions citizens selecting the appropriate *ends* at which policy ought to aim, whereas elected officials and bureaucrats are asked to simply pursue those already chosen ends as efficiently as possible (Christiano 1996, 215–19; see also Beerbohm 2012, chap. 8). The appealing thought underlying this approach is that selecting the basic ends at which the political community ought to aim is much less epistemically demanding than selecting optimal policies. For instance, although it may require considerable expertise to determine which approach to taxation would be best for the least-advantaged, the decision to focus on the well-being of the least-advantaged (or not) might not itself be thought to require expertise that goes beyond that available to ordinary citizens. The attraction of such an arrangement is that it may allow citizens themselves to make the most important decisions about

the direction of the political community while benefiting from public officials' expertise.

Like the single-issue approach, this, too, faces critical problems. First, it is unclear how elected officials could be effectively constrained to pursue only the ends favored by citizens. Suppose that citizens direct their representatives to pursue policies that minimize the expected differences in wealth between individuals that arise as a result of racial differences. If the representative pursues policies that substantially narrow the gap relative to the *status quo* and claims that this is the best that can be done, citizens cannot—without significant expertise—know whether this is true or whether the representative deliberately pursued some other end that he or she privately preferred at the expense of optimally pursuing the goal selected by citizens. So, holding representatives accountable to pursue the ends selected by citizens itself turns out to require very significant policy expertise across the whole range of policy-making areas. For this reason, the division of labor approach is significantly less effective in reducing the cognitive demands of democratic citizenship than it first appears.

Second, the distinction between means and ends is itself bound to give rise to controversy. Imagine, for instance, that citizens direct legislators to pursue the goal of minimizing the innocent loss of life. In pursuit of that goal, a bipartisan bill passes the legislature that simultaneously prohibits private handguns and bans abortion. Many citizens, no doubt, will be unhappy. Policies that many citizens treat as ends (namely, the rights to control one's reproductive life and to bear arms) have been treated as simple means to the pursuit of an end in a different domain. But, it is hard to imagine that citizens could fully order ends so that problems of this kind did not arise. Indeed, doing that would be extremely demanding in much the way that the position hopes to avoid.

Taken together, these worries suggest that although the means/ends approach paints an empowering picture of direct citizen control, that picture hinges on implausibly servile legislators or implausibly well-informed citizens. The representative democracy we defend above is considerably less ambitious with respect to both legislator motivations and citizen engagement and information. Instead of imagining that citizens select the full range of aims pursued by government, we see them as policing salient policy outcomes—at least, insofar as those outcomes are observable before the elections—to maintain a floor standard of welfare. Implicitly, citizens are, thus, able to guide legislative aims in a small number of salient policy areas, but this is a far cry from selecting the full range of ends to be pursued.[16] The more modest demands on political actors, however, may produce a more attractive outcome. The road to epistemically superior governance, we argued, lies in the recognition of the (more than just technocratic) place of epistocratic judgment.

[16] This position, nevertheless, is compatible with an indirect self-determination perspective, along the lines of Ingham (2019).

## Wisdom of the Crowds

The third alternative is implied by the wisdom-of-the-crowds accounts of democracy, which both explicitly discount the value of special expertise and argue that hierarchy-eschewing radical egalitarian democratic governance provides an epistemically superior substitute. The most popular such accounts, framed around the Condorcet Jury Theorem, rely on the law of large numbers to show that it may be better to make decisions collectively than to try to assign such decisions to those who are most competent.

As a number of previous commentators have pointed out, a weak spot of such arguments is the assumption of minimal necessary (average) competence of the voters. In an early and influential article associated with this tradition, Joshua Cohen emphasizes the importance of the institutional context surrounding collective decisions:

> The epistemic populist cannot simply *assume* that judgmental competences are fixed and high, and that individuals vote their judgments. Instead, the populist must be attentive to the way that rules and the collective choice institutions in which they operate shape the competence and motivations of voters (Cohen 1986, 35).

Indeed, the basic way in which this shaping occurs makes the reply that the requirement is merely that the average competence be better than a coin flip, and so must be seen as undemanding, fundamentally unpersuasive. Because voters tend to believe that when they vote, going with their individual substantive judgments is preferable to going with a coin flip, partisans on different sides of the issues seek to sway them to their positions. Their successes are, often, a function of the material resources at their disposal, as well as of the micro-level information that allows them to fine-tune and closely tailor their messages to their audiences. These factors, obviously, do not simply reflect the epistemic merit of the corresponding positions. The underlying assumption of the Jury epistemic model then becomes that that opinion-influence process, on average, favors the "correct" side. But why should that be? There is nothing, as far as that or other related epistemic models are concerned, that supports such a conclusion. (This problem is, notably, less worrisome for popular votes on representatives in the light of experienced policy outcomes because that entails expressing preferences informed by "hard" information, rather than assessing the merits of particular policy instruments.)

It is useful to see this issue in relation to the pivotality and accountability effects we discussed above in the context of the treatment model. For a 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. The epistemic purchase of collective decision-making improves when those incentives become stronger, which, as we argued, occurs in the representative bodies of well-designed representative democracies. In other words, the epistemic benefits associated with

aggregating judgments about policies in the Jury model may be more likely to emerge in a (smaller) body of elected legislators than in the (larger) general population because the effects associated with the treatment model make it more likely that the competence and motivational prerequisites of the Jury model are satisfied there (c.f., Goodin and Spiekermann 2018, chap. 16).[17]

The discussion in this section is necessarily cursory. We certainly do not mean to claim that the approaches we discussed in this section completely fail to circumvent the challenge presented by advocates of epistocracy. Instead, by identifying important problems facing such approaches, we simply hope to underline the appeal of the epistocracy associated with the treatment and selection models.

## STILL MORE EPISTOCRACY?

We have explained how an epistocratic defense of representative democracy might proceed by showing how the treatment and selection mechanisms that are central to that form of government should, in a well-designed system, lead elected officials to acquire greater knowledge and take greater care to meet the expectations of citizens than would voters in a direct democracy. However, once one has adopted this epistocratic perspective, it might seem that s/he cannot resist following it even further—why not pursue further epistemic gains by, for instance, limiting voting rights to those who can pass a competence exam?

The standard reasons to be wary of such arrangements are evident in the preceding discussion: in particular, the disagreement and demographic objections raise important concerns about such proposals (that, again, do not extend to the mechanisms lying at the heart of traditional forms of representative democracy). In fact, even proponents of such schemes often accept that the disagreement and demographic objections raise important worries about their proposals. For instance, Jason Brennan allows that "restricted suffrage is unjust and morally objectionable" for the reasons identified by the disagreement and demographic objections, but argues that a system built around universal suffrage is also unjust because it allows incompetent individuals to impose political decisions on others (Brennan 2011, 716). His view, then, is that although both types of systems are unjust, we should accept restricted suffrage as the less unjust alternative:

> Restricted suffrage is about as unjust as voting age laws. It creates a ruling relationship between different classes of citizens based on a distinction which all reasonable people can accept in the abstract, but about which in practice there will be reasonable disagreement. In contrast, universal suffrage is about as unjust as a blanket policy of enforcing jury decisions, even when we have conclusive grounds in particular cases for thinking the jurors were incompetent or made their decisions incompetently. Thus universal suffrage appears to be more intrinsically unjust than restricted suffrage (Brennan 2011, 720).

The important point, for our purposes, is just that—on Brennan's account—we have to weigh the respective injustices of the two types of systems and select the lesser evil (though, see Brennan 2018). The central difference here between Brennan and Estlund is not that Estlund denies that democratic arrangements have significant epistemic limitations, but rather that he views egalitarian considerations as imposing a side constraint on institutional arrangements, leading him—unlike Brennan—to favor universal suffrage.

However, the preceding discussion suggests that the options facing us may be considerably less stark than either advocates of epistocracy or advocates of universal suffrage imagine. The treatment and selection mechanisms that lie at the heart of representative democracy provide a way of maintaining the egalitarian appeal of universal suffrage even while addressing the epistemic concerns associated with allowing ordinary citizens to make policy decisions. In other words, once one appreciates the treatment and selection mechanisms that lie at the heart of representative democracy, the *ex ante* appeal of proposals for restricted suffrage is considerably dulled. After all, the treatment and selection models reveal representative democracies *already* to have powerful, in-built mechanisms for epistemic gains that have the advantage of not being susceptible to the important objections faced by schemes hinging on restricted suffrage.[18] Thus, insofar as one finds the disagreement and demographic objections to be concerning, the obvious response to the worries raised by epistocrats is to work to strengthen the effectiveness of the treatment and selection mechanisms identified above.

In a review of Brennan's book, Christiano observes that there seems to be an inconsistency between, on the one hand, well-known empirical studies about the ignorance of ordinary citizens and, on the other, evidence that consolidated democracies tend to perform fairly well, at least in a number of important areas (such as the

[17] Our selection-based argument for electoral representation might also seem to run headlong into the "Diversity Trumps Ability" (DTA) theorem, which shows that under certain conditions cognitively diverse groups of competent individuals outperform competing groups composed of the most skilled individuals (Hong and Page 2004; Landemore 2012). However, there are reasons to doubt that such work applies in any straightforward way to the appropriate design of policy-making institutions. Most importantly, DTA applies to groups seeking to solve agreed upon problems, but a primary role of the institutions in question is to select the problems that need to be addressed despite ongoing disagreement. Moreover, in the context that gives rise to DTA, poor performers *cannot* hurt the group: their suboptimal suggestions will simply be ignored because the agents are assumed to know with certainty when a proposed solution outperforms previous suggestions. This is fundamentally different than the situation in legislative chambers.

[18] We do not claim that anything we have said definitively rules out the possibility that forms of restricted suffrage may ultimately be justified. The claim is more cautious—namely, by mitigating epistemic worries, a well-designed representative system reduces the appeal of such strategies.

protection of human rights). This leads Christiano to conclude by noting that:

> The right question is: how is it possible for democracies to work reasonably well, even for the worst off, when they must make use of an extensive division of cognitive labor that requires that the driving power of the system not be very well informed? Perhaps if we can figure out the answer to this question, we can also figure out how to make democracies work better (Christiano 2017).

The treatment and selection models provide an important part of an answer to Christiano's question. Representative democracies may work reasonably well despite the informational limitations of ordinary citizens because representative democracies are not pale imitations of direct democracies; instead, they—at least when well-designed—capitalize on treatment and selection mechanisms that allow them to perform substantially better than would systems that simply turned over policy decisions to citizens en mass. This epistemic appeal of representative democracy is so often missed in the contemporary democratic theory literature because participants on both sides of the debate tend to ignore the important insight of historical proponents, such as Madison, that representative democracy is not an approximation of direct democracy, but an importantly *distinct form of government*, and one, as we sought to argue, with considerable and unique epistemic virtues to recommend it.

A further, and complementary, part of the answer is that 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.[19] 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 and selection mechanisms. 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.[20]

As a final point, note that in addition to helping explain the gap between the knowledge level of ordinary citizens and the performance of well-constructed representative democracies, this insight also allows us to think more constructively about how to make such regimes work better by highlighting important mechanisms that must be strengthened to accomplish that goal. Juxtaposing the treatment and selection models to the Condorcet jury theorem may help clarify this point. Most obviously, if we understand democratic politics through the lens of the latter, it makes sense to support reforms, such as referenda on major policy issues and limitations on the discretion of elected officials, that may allow us to better capitalize on the epistemic gains associated with the law of large numbers. By contrast, if we understand democratic politics through the lens of the treatment and selection models, it makes sense to be quite anxious about such reforms because they can undermine the very mechanisms that those models suggest can help generate better policy results.

## CONCLUSION

The democratic theory literature often defends democracy by lodging complaints against alternative, epistocratic forms of government. We have argued that, as typically advanced, this position is unsatisfactory. Although representative democracy cannot reasonably be defended as a form of government that prevents some citizens from ruling over others, it *can* be defended as a special form of epistocracy. In particular, we have shown that a well-designed system of representative democracy can, through treatment and selection mechanisms, bring forth an especially competent set of individuals to make public policy, even while circumventing the standard disagreement and demographic objections to epistocratic rule.

We close by highlighting an important implication of these arguments. Although there may, of course, be competing considerations, there are principled instrumental reasons to prefer representative democracy to direct alternatives. Whereas a common view among democratic theorists holds that the justification of representative democracy depends on its being the best that we can get given the infeasibility of direct democracy, our analysis implicitly raises the possibility that the more defensible perspective may just be the opposite. Direct democracy may only be justifiable in circumstances that prevent the institutions of representative democracy from being properly designed.

[19] For the formal game-theoretic analysis, see Guraieb and Landa (2016).

[20] From a complementary perspective, Phil Parvin (2018b) also argues for strengthening core features of representative democracy by resolving the epistemic challenge of limited participation, though he suggests focusing on incorporating mini-publics at the elite level.

That is, it may be that direct democracy is the second best to a properly institutionalized representative democracy, rather than the other way around. If that is right, institutional design in a representative democracy should seek to optimize treatment and selection mechanisms so as to generate effective epistocratic rule, as opposed to trying to mimic forms of direct democracy.

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