Review

Against Democracy

Jason Brennan
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In *Against Democracy*, Jason Brennan argues that there is no such thing as a right to participate in democratic politics and that we have good reason to replace democracy with some form of rule by cognitive elites or "epistocrats." Brennan considers a comprehensive set of arguments in favor of democracy and participation rights and finds each wanting. These include the arguments that democratic participation can improve the character or cognitive performance of citizens, that participation empowers citizens, and that conferring participation rights signals the symbolic worth of each individual. Perhaps the most valuable contribution of the book is its argument in favor of a "right to competent government." Brennan argues that "innocent" individuals have a presumptive right not to be subjected to incompetently made decisions (pp. 142–143). He presents his criterion of incompetence as mainly procedural, such that we should ask whether decision makers were ignorant, irrational, impaired, immoral, corrupt, etc. rather than by direct reference to the quality of outcomes (p. 158). This argument is especially interesting because it can be considered independently of his rejection of justifications for democracy and can be seen to present a rival basis of political legitimacy which is available to epistocrats and technocrats. In light of empirical evidence about the cognitive biases and ignorance of ordinary citizens, Brennan argues that democracy should be expected to fail to protect the right to competent government, and so he considers alternative forms of "epistocracy," in which political power is distributed on the basis of knowledge or competence, to take democracy's place. The book concludes with an indictment of democratic politics on the grounds that it constructs social relations of enmity between individuals rather than ones of mutual respect and benefit.

Brennan has written a stimulating book with many challenges for the field of democratic theory. Most significantly, he rejects universal suffrage, mostly on the grounds that people are too stupid to use it well. This is a markedly uncommon view among political theorists. The view is based on two normative foundations. The first is an exclusively instrumental-epistemic account of political legitimacy, setting him apart from theorists like David Estlund and Eric MacGilvray, who admit a substantial role for such epistemic considerations, yet contain them within egalitarian boundaries.

Brennan discards such limits in pursuit of whatever set of political institutions will bring about the best outcomes overall (p. 11). The second foundation is the ethical view of voting, which consists in seeing voting not primarily as citizens expressing their voice but as the exercise of power over other citizens. This places ethical burdens on voters to ensure that they use their votes responsibly since no one is entitled to exercise power over others arbitrarily. If citizens are incompetent in their use of political power—as Brennan argues they are—and if the only measure of legitimacy is good outcomes, then we must reject democracy, or so concludes Brennan.

Another important challenge posed by *Against Democracy* is how to respond to the diversity of democratic citizen types. Based on his reading of the empirical research, Brennan argues that citizens belong to one of three categories: hobbits, who are not interested in or informed about politics; hooligans, who are intensely interested in politics but only in the spirit of having their side win; and vulcans, who deploy cool intellect and evidence to make political decisions on the merits (pp. 4–5). According to Brennan, few citizens are vulcans. Most are hooligans, while a sizable minority are hobbits. Although there are serious problems with Brennan's treatment of the empirical evidence, as discussed below, there is little doubt that contemporary citizenship takes a wide variety of forms and that two of these are disengaged/apathetic and destructively partisan. In contrast to the existing citizenship literature, which largely assumes uniform duties and forms of citizenship, Brennan challenges democratic theory to do a better job making sense of a citizenry that is essentially non-homogenous in its mode and degree of political engagement.

A laudable feature of the book is its engagement with the empirical literature on democratic competence and voter behavior. Such engagement is long overdue. Yet his use of this literature leaves much to be desired. An important problem is that he is too credulous of what this evidence shows, and he ignores prominent objections to the conclusions he draws. For example, Brennan takes the poor performance of many citizens on knowledge surveys to be decisive evidence that they lack the information needed to make competent decisions. But he ignores the criticisms of Arthur Lupia and Doris Graber, who argue that such surveys cannot do a good job of accurately measuring what people know and that the selection of questions reflects an inappropriate elitist bias (Graber, 1994; Lupia, 2006). He also skips past the difficulty noted by Lupia of inferring from citizens' lack of *particular* pieces of information that they lack *sufficient* information to make informed choices. This inference presupposes a systematic theory of what information is necessary for making good political choices, yet Brennan does not provide such a theory (p. 162).

Brennan also fails to properly consider the mechanisms discussed in this literature by which citizens economize on information, such as information shortcuts. He only addresses one such shortcut, and it is not part of the discussion of citizen informedness (pp. 195–196). Although he acknowledges that there is "much to be said for this line of reasoning" (p. 195), he does not tell us what this is or what challenges it creates for his argument. In brief, there is good reason to think that shortcuts substantially

ameliorate problems of voter ignorance, and Brennan does not provide any response to this objection. In addition, he ignores empirical evidence supporting the collective wisdom arguments critiqued in Chapter 7, evidence suggesting that, although *individual* citizens may lack information, *aggregate* public attitudes reflect a rational assessment of all publicly available information (Page and Shapiro, 1992).

A different problem is seen in his use of the empirical literature on political cognition. Brennan intends to show that citizens process information in biased ways and use unreliable cognitive heuristics. Yet his argument requires that these biases be concentrated among the *same* poorly informed voters discussed earlier, because epistocracy only makes sense as an alternative if both ignorance *and* bias are systematically limited to an identifiable group. The problem is that the political cognition literature does not support this contention. The most striking feature of the studies Brennan cites is that almost everyone succumbs to one or another form of biased cognition, *including elites and experts*. Brennan's idea of unbiased, epistemically reliable "vulcans" may in fact refer to an empty set.

It is essential for Brennan's overall argument against democracy that there are no convincing non-instrumental justifications for democracy. Debunking such arguments is the task of Chapters 3, 4, and 5. Although Brennan has tried to be comprehensive in these chapters, it is perhaps not surprising that there are important omissions which prevent rejecting some non-instrumental justifications. In Chapter 4, Brennan seeks to counter the empowerment argument, which justifies democracy on the grounds that it empowers citizens. He claims that democracy only empowers groups, due to the infinitesimal chance that one person's vote is decisive in an election, and so the vote does not empower anyone in particular. Yet this argument overlooks an obvious way in which individuals are empowered by democracy. As an individual, I belong to numerous groups with whose members I share interests and concerns. This is a basic reality of social life. When a group I share interests with becomes more politically influential, my interests are advanced; I *personally* benefit. This means that when the group is empowered, I am empowered. Brennan does not consider this possibility.

In Chapter 5, Brennan critiques arguments for democracy based on the equal status or dignity of persons under the trivializing moniker of "semiotic" or symbolic arguments, but fails to address a popular family of accounts of political justice and democracy. On these accounts, justice is a matter of proper relations between persons, in which they can consider each other as equals. Persons have to exist in a context in which they can look each other in the eye, for instance, on terms of equality and reciprocal respect. An equal division of power seems to follow, since it is difficult to imagine how we could meet someone as an equal who has categorically greater power over the shared space of common life. Instrumental accounts like Brennan's struggle to make sense of this kind of view, because they are premised on there being a clear distinction between the institutions—which are morally indifferent tools like "hammers" for Brennan (pp. 10–11)—and the outcomes they bring about, only the latter of which are appropriate for normative evaluation. Yet, if institutions in part

constitute relations of justice, then we cannot speak of institutions "producing" just or unjust outcomes without missing what these ideas of justice are about.

Although he nowhere describes this kind of account, Brennan is likely to respond that an equal division of political power is only one possible way of instantiating social relations of equal respect; it is not necessary to such relations. Such a conception, he argues, is merely an artifact of social construction and so is essentially arbitrary (pp. 129–130). There is no intrinsic reason to see the equal division of political power as necessary for egalitarian social relations. But this argument trivializes history, as does the entire book. This is especially problematic in an argument about political rights, particularly in the United States. The same argument he makes about arbitrariness could be made—indeed, was in fact made—about Jim Crow apartheid in the American South. There is nothing intrinsic about racial segregation which expresses disrespect, so argued the authors of *Plessy v. Ferguson*. Brennan seems committed to agreeing with them that separate but equal is indeed a perfectly sound egalitarian policy. It is surprising therefore that Brennan fails to engage with the logic of *Brown v. Board of Education*, since the court's argument, *mutatis mutandis*, presents a formidable objection to his own. The court argues that segregation intrinsically prevents people from seeing themselves as social equals and as a result causes profound psychic harms to those made to feel inferior. Due to the historical and philosophical importance of this argument, Brennan would be expected to consider the possibility of a similar harm caused by denying participation rights to a legally defined group of citizens, yet he does not.

The point of bringing up segregation is not to accuse Brennan of racism; he clearly takes racial bias to be a serious moral error (p. 158). The point is rather that one cannot trivialize history and contingent social meaning without risking the endorsement of ideas with repugnant implications. Moreover, by dismissing the history that shapes the social meaning of voting as merely arbitrary, Brennan ends up misrepresenting the meaning of the franchise. What it means to have a right to vote here and now is to be publicly acknowledged as an equal.

References

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