

# Democracy, Ignorance and Power over Others

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# Today's Plan

1. Ethics of Voting
2. Rational Voter Ignorance
3. The Competence Objection and 'Epistocracy'
4. Sortition

# Ethics of Voting

Voting is high-stakes. If we make bad choices at the polls, we might

- Fight unjust/unnecessary wars
- Wage drug wars and throw too many people in jail
- Waste precious years of climate change mitigation

The result of an election affects not just the voters for the winning party, but also other voters, abstainers, resident aliens, people from other countries, people who don't yet exist.

# Ethics of Voting

Three views in philosophy about the ethics of voting:

- (1) Everyone has a duty to vote
- (2) You don't have to vote; but *if* you vote, you have a duty to vote 'responsibly'.
- (3) Anything goes. There are no ethical duties regarding voting.

# Ethics of Voting

- On election day:
  - i. Maya doesn't vote. After work, she heads straight home and spends a normal evening with her partner.
  - ii. Mark votes for candidate X. Mark doesn't know what X's political platform is, and how it differs from X's main opponent. He votes for X because X strikes him as a straight-talker.

# Ethics of Voting

## *Poll*

- (A) Maya should be more like Mark: she should go out and vote, whether or not she knows what the candidates propose.
- (B) Mark should be more like Maya: if he doesn't know what the candidates propose, he should abstain.
- (C) Either is fine. There's nothing wrong with abstaining *or* voting without information about what a candidate will do.

# Ethics of Voting

## *Discussion*

- (A) Maya should be more like Mark: she should go out and vote, whether or not she knows what the candidates propose.
- (B) Mark should be more like Maya: if he doesn't know what the candidates propose, he should abstain.
- (C) Either is fine. There's nothing wrong with abstaining *or* voting without information about what a candidate will do.

# Ethics of Voting

A feature of the ethics of voting:

- Irresponsible *individual* actions have next to no negative impact
- Irresponsible *group* actions can have massive negative impact

Compare: the negative impact of GEG emissions from flying or driving



# Rational Voter Ignorance

A feature of the rationality of voting:

Since an individual has next to no chance of changing the result of an election, it's rational for voters not to spend valuable time and resources gathering political information.

- The result: rational ignorance about political matters.
- “That most voters are often ignorant of even very basic political information is one of the better-established findings of social science” (Somin 2013)

# Rational Voter Ignorance

Some examples from the US:

- Citizens generally don't know which party controls Congress
- Americans vastly overestimate how much money is spent on foreign aid, and underestimate how much money is spend on Social Security.
- In the early 2010s, one of the most contentious issues was the Affordable Care Act. Most voters are ignorant about the main aspects of this program, and as late as 2013, 44% of voters did not know that the ACA was still the law.

# Recap

1. Three views about the ethics of voting (duty to vote, duty to vote responsibly if you vote, no duties).
2. A feature of ethics/rationality of voting: individual votes have vanishingly small chances of making a difference.
3. In part because of (2), voters are often ignorant of many facts relevant to a given election.

# Justifying Decision Procedures

Two kinds of justifications for a decision procedure

- 1) Proceduralist: the procedure itself is fair, irrespective of its outcome (e.g. “you cut, I choose”)
- 2) Instrumentalist: using this decision procedure tends to lead to good outcome (e.g. to equal sized pie slices)

# Justifying Decision Procedures

Two kinds of justifications for democracy:

- 1) Proceduralist: democratic decision-making itself is just, irrespective of whether it leads to good government.
- 2) Instrumentalist: democratic decision-making is good because it leads to good government.

# Justifying Decision Procedures

Two kinds of justifications for democracy:

- 1) **Proceduralist**: the democratic decision-making itself is just, irrespective of whether it leads to good government.
- 2) **Instrumentalist**: democratic decision-making is good because it leads to good government.

# The Competence Objection

Suppose a defendant is on trial for murder.

Suppose that the jury is *incompetent* in various respects: some of the members don't understand the details of the case. Others pay attention to the prosecution, but not the defense. Others don't listen at all.

- If the jury were to find the defendant guilty, most philosophers think that, on *procedural* grounds, there was an injustice.

# The Competence Objection

- The jury holds significant *power* over the defendant.
- For the exercise of that power to be legitimate, it must be exercised competently.
- The incompetent exercise of power over other people is unjust.



# The Competence Objection

## *The Competence Principle*

“It is presumed to be unjust to forcibly deprive a citizen of life, liberty, or property, or to significantly harm their life prospects, as a result of decisions made by an incompetent deliberative body, or decisions made in an incompetent way or in bad faith” (Brennan 2016).

# The Competence Objection

But (Brennan thinks): given the extent of political ignorance, voters are *not* a competent deliberative body.

Moreover: bad electoral decisions *do* significantly harm the life prospects of some individuals (both of citizens and non-citizens).

So: democratic decision-making is not procedurally just. Just as an incompetent jury should not hold power over a defendant, so too incompetent voters should not hold power over other individuals.

# Epistocracy

Where Brennan thinks that the Competence Objection leads:

Epistocracy: restricted suffrage based on political knowledge.

The right to vote should be conditional on passing some ideologically neutral political knowledge test.

(Compare: driving licenses)

# Epistocracy

*Discussion:* is knowledge-based restricted suffrage preferable to universal suffrage?

Two possible problems with restricted suffrage:

- (1) not practically feasible
- (2) intrinsically unjust, even if practically feasible

# Epistocracy

Most philosophers reject epistocracy because they endorse

Political Equality:	Everyone has an equal right to political participation (including the right to vote and the right to run for office).
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At the same time, many philosophers do worry about political ignorance, and the challenges it poses for democratic decision-making.

# Sortition

Because of

- (i) commitment to political equality
- +
- (ii) worries about voter ignorance

sortition has enjoyed something of a renaissance in the last decade (López-Guerra 2011, Saunders 2012, Guerrero MS).

The basic rationale for sortition: address the problem of political ignorance without abandoning the ideal of political equality.

# Guerrero's Sortition Model

- (1) Single Issue: rather than a single generalist legislature, in a lottocratic system there would be, say, 20 standing, single-issue legislative bodies.
- (2) **Lottery Selection**: the 300 members of each single-issue legislature are chosen by lottery from the relevant political jurisdiction, selected to serve three-year terms.
- (3) **Learning Phases**: the members of the single-issue legislatures hear from a variety of experts, advocates, and stakeholders on the relevant topic.
- (4) Community Consultation: beyond the learning phases, the members of the single-issue legislature spend some structured interacting with from members of the public.
- (5) Direct Enactment: the members of the single-issue legislature have the capacity to enact policy.

# Sortition

The ‘Learning Phase’ is meant to ensure that, when citizens vote—and thereby exercise power over others—they vote with knowledge of the relevant issues.

The random selection process is meant to ensure that each citizen has an equal right to political participation.



# Sortition

Is sortition preferable to universal suffrage (representative democracy, referendum, etc.)?

A recent single-issue case: decision-procedure in the UK over whether to leave the European Union (Brexit).

# Sortition

On the one hand, political ignorance seems to have played a big role.

A third of 'Leave' voters, which won by a slim margin reported that their main reason for voting 'Leave' was that it “offered the best chance for the UK to regain control over immigration and its own borders.”

These voters, as a group, believed that EU immigrants comprise 20% of the UK's population [they in fact comprise only 5%].

# Sortition

Should the decision to leave the EU or not have been made by a group of 300, well-informed citizens in concert with community consultation?

Or would the resulting decision have lacked legitimacy? Would it have been unjust for a small group of people to decide such an important question and impose their decision on everyone?

# Sortition

*Poll*

(A) Brexit Sortition > Brexit Referendum

(B) Brexit Referendum > Brexit Sortition

# Summary

1. We considered three views about the ethics of voting
2. We discussed epistocracy and one argument for it
3. We discussed legitimacy concerns for a Sortition
4. In each of these instances, we looked at voter ignorance. and how individuals or democratic institutions should respond to it.

# One Final Request

Please fill out a brief survey about this module!