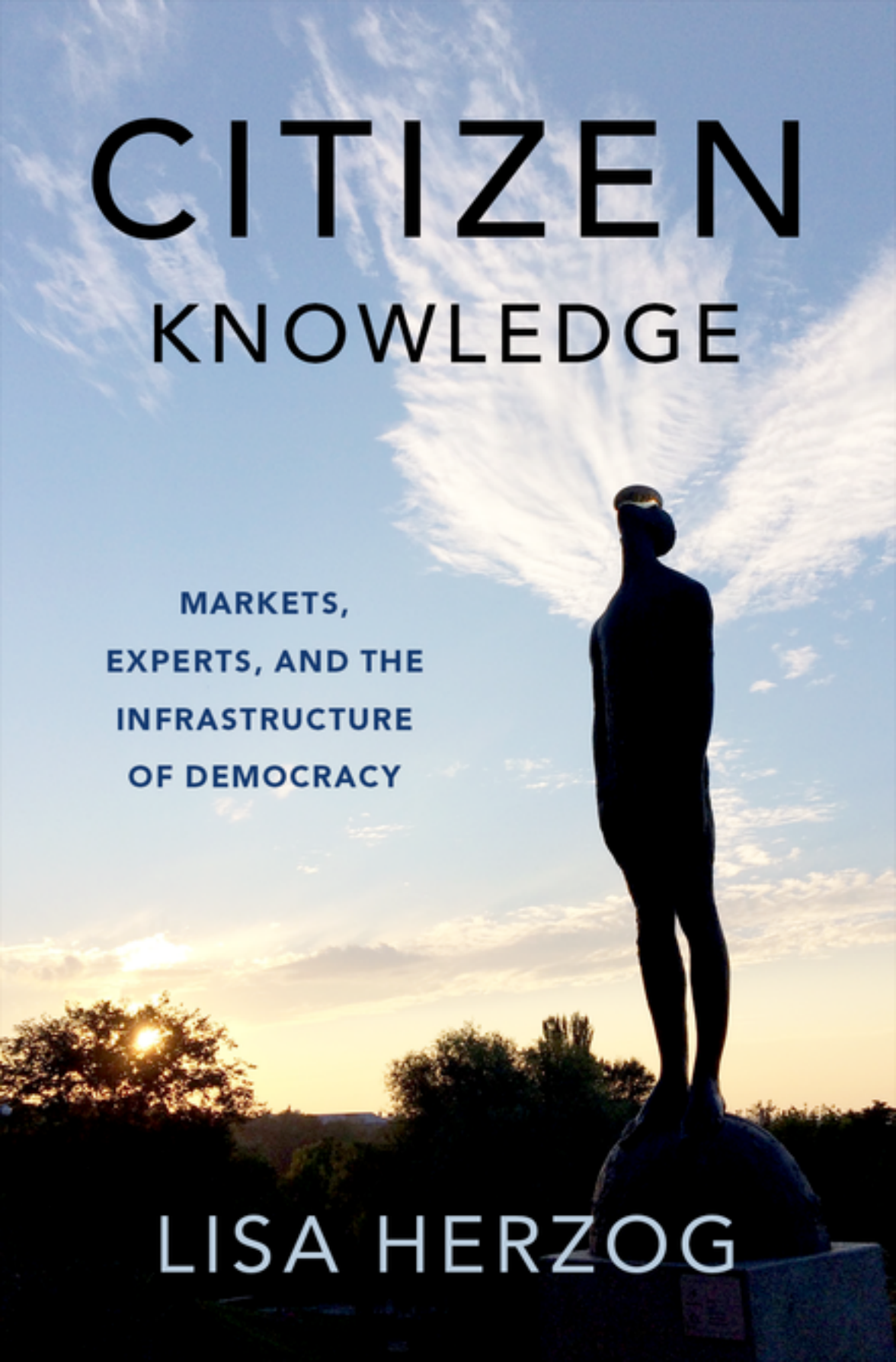# CITIZEN
KNOWLEDGE

**MARKETS,
EXPERTS, AND THE
INFRASTRUCTURE
OF DEMOCRACY**

LISA HERZOG

Citizen Knowledge

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Contents

Acknowledgments

Thanking all those who have helped to write a book is one of the most beautiful moments in the process—the only challenge being not to overlook anyone! I started thinking about the relation between knowledge, markets, and democracy during a wonderful year at the Wissenschaftskolleg zu Berlin in 2017–18. The next year I left German academic feudalism behind and moved to the Faculty of Philosophy at the University of Groningen. After a few happy months, however, the corona pandemic started. In retrospect, it blurs into one endless Zoom call, with a completely messed-up sense of time. But it also brought new opportunities for digital collaboration with colleagues across the globe, which philosophy, Western-centric as it continues to be, will certainly benefit from. In 2020–21, I had the opportunity to take up a short fellowship at the Hamburg Institute for Advanced Study, which provided the perfect environment for incorporating the comments of one rather mean and two excellent reviewers. I put final touches on the manuscript back in Groningen, finally fully back in person.

Those are the bare facts, but they hardly do justice to the many enriching, inspiring, and thought-provoking encounters I had along the way. I'll start with Georg, my husband, not only because his support has been invaluable—as always!—but also because during the corona lockdowns, confined to "home office," keeping each other sane was crucial. Then, there are a number of people close to my heart who helped in all kinds of direct or indirect ways: Katya Assaf, Michaela Golic, Sarah Hegenbart, Friedemann Pestel, Anna Kelber, as well as my mom, sisters, and extended family. A few collaborative project during the corona period were particularly important for keeping up my spirits; let me mention in particular the Democratizing Work Initiative that started with the 2020 manifesto and led to the 2021 Global Forum on Democratizing Work, and the working group on international vaccine distribution that lead to the "fair priority" model.

I had conversations about the book project with too many people to list them all, but let me mention a few, in no particular order: Adrian Haddock, Luise Müller, Ute Frevert, Jenny Saul, Roger Brubaker, Jürgen Kocka, Bénédicte Zimmermann, Daniel Schönpflug, Thorsten Wilhelmy, Ute Frevert, Ivan Boldyrev, Tim Wihl, Erin Nash, Keith Breen, Claus Offe, Christian Joerges, Dean Moyar, Eugénia da Conceicao-Heldt, Stefan Wurster, Miranda Schreurs, Martin Oppelt, Just Serrano Zamora, Jakob Moggia, Frauke Schmode, Alexander

As I finalize the manuscript, the world looks rather darker than when I started working on it. The climate and biodiversity crisis continue to loom large. The scars that the corona pandemic has left in the social fabric of many societies will probably stay for a long time, and as so often, many of those hit hardest are among the most vulnerable members. The Russian attack on the Ukraine has been a kind of existential shock, even for many of those who, like me, have no direct family connections or collaborations in the country. Questions about ec-onomic reform, or reforms of epistemic institutions, as suggested in the book, seem to have moved to the background of political attention again. I try to re-main optimistic, in the "optimism of the will" sense. I hope that the perspective that this book offers will contribute, in its own little way, to understanding our current time and what we can do to work toward peace and social justice.

1

Introduction

1.1. Democracy's Trouble with Knowledge

Democracy, at its core, means that the members of a society jointly decide about its fate, on an equal footing. To do so, they need to know what they are doing. They need to know about political institutions and practices, and they need to draw on various forms of knowledge to formulate and implement policies. Social policies need to draw on insights, whether from statistical analyses or testimonies by affected citizens, about the causes of poverty and possible mechanisms to fight it. Environmental policies need to rely on an understanding of the causes and effects of climate change and the loss of biodiversity, and on sound proposals for addressing them. Without knowledge, and processes for integrating it into decision-making, democratic self-rule cannot be but a sham. But democracy and knowledge seem to be in a difficult phase of their relationship, with many signs of trouble. Let me name a few.

There is, first, the resentment against "experts," which populists in many countries both fuel and exploit. "People have had enough of experts," was an infamous phrase in the Brexit campaign.[1] As a general statement, this seems plainly false: surveys show that scientists, for example, continue to be seen as one of the most trustworthy professions.[2] Moreover, some voters continue to hold rather "technocratic" positions, scoring high, in empirical studies, on reliance on expertise and elitism.[3] The infamous phrase about people "having had enough of experts" referred to economists, arguably a specific kind of experts, and to their alleged ability to predict economic outcomes with high precision.[4] Many individuals may have "had enough" of that, and yet trust their doctors and other experts they encounter in their daily lives. But on several specific issues such as climate change or vaccination, we see strong polarization. And certain politicians do not even *want* citizens to get informed. As then-US president Donald Trump once put it: instead of listening to others, "Just stick with us."[5] Group cohesion

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[1] See, e.g., Eyal 2019, 1–4, and Nichols 2017, 209, for discussions.
[2] E.g., Funk et al. 2020.
[3] See Bertsou and Caramani 2022 for data based on a 2017 survey in nine European countries.
[4] For a discussion see also Dow 2017.
[5] Tornoe 2018; for a discussion of Trumpian politics with regard to truth see also Rosenfeld 2019, chap. 1.

and blind allegiance instead of dialogue and reliance on knowledge—is that the future of public discourse?

There are, second, many forms of knowledge that are distorted by vested interest. In their book *Merchants of Doubt*, Naomi Oreskes and Erik M. Conway document how the tobacco industry obfuscated public knowledge about the harmfulness of smoking, thereby providing the playbook for numerous other industries with regard to other harmful products.[6] Evidence about the relation between smoking and lung cancer started to accumulate by the 1940s. But the tobacco industry was not willing to face the foreseeable consequences of this knowledge, namely restrictions on the selling of tobacco products. It started to fight back, claiming that there was "no proof" of the harmfulness of smoking.[7] Corporations and industry associations sought out the few scientists who did not believe in a connection between smoking and lung cancer and showered them with money, on the understanding that they would serve as mouthpieces for the industry, for example, as expert witnesses in court. Often, they specifically targeted renowned scientists such as Nobel Prize winners, even if they came from completely different fields. They relied on the media's tendency to listen to "famous scientists" and to always report "both sides" of debates.[8] In addition, industry associations set up think tanks, sent out thousands of booklets to doctors, published op-eds, and accused critics of "junk science."[9] Through these strategies, the tobacco companies managed to delay regulation for decades. The prevalence of free market thinking, with its general suspicion of state interventions, probably helped their case.[10]

What came to be known as the "tobacco strategy" was also used in other areas, including climate change. It exploits a core feature of scientific research: that it thrives on a plurality of approaches and on the willingness to question received wisdom. As Oreskes and Conway write: "Doubt is crucial to science . . . but it also makes science vulnerable to misrepresentation, because it is easy to take uncertainties out of context and create the impression that *everything*

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[6] I follow the account by Oreskes and Conway 2010, which is widely considered authoritative in the literature (for a constructive assessment see, e.g., Wynne 2010; he critically notes the assumption that science alone could decide political issues, but it is not clear that Oreskes and Conway hold this view. He also points out that there have been cases in which scientific uncertainty has been *under*played instead of *over*played.) For other accounts of the "tobacco wars" see, e.g., Proctor 1999; Glantz et al. 1996; Michaels 2008, chap. 1. In general, see also Otto 2016, chap. 10, "The Industrial War on Science." O'Connor and Weatherall 2019, chap. 3, and Cassam 2018 discuss the topic from the perspective of social epistemology. See also recently Cook et al. 2019 on similar phenomena with regard to climate change. On effects on academic research see also Franta and Supran 2017; Johnson 2017; Gillam 2019; and Lawrence et al. 2019.
[7] Oreskes and Conway 2010, 16.
[8] Oreskes and Conway 2010, 19.
[9] See, e.g., Otto 2016, 292–96.
[10] Oreskes and Conway 2010, e.g., 134, 174, 237–50.

is unresolved."[11] This can make it difficult for politicians and the democratic public to understand where research stands and what action should be taken. And it makes democratic processes vulnerable to strategic maneuvers by those who do *not* want the public to know certain things and to act on them. Instead of fighting policy proposals directly, it can be a better tactic to fight the knowledge they are based on, in a kind of "epistemic politics."[12] In the United States, for example, there is a large "product defense" industry, specialized in preventing market regulation.[13] And often, the battleground is not only the policy proposals themselves, but also the knowledge they are based on.[14]

But it is not only knowledge and information as such, in the sense of hard facts and scientific findings, that can have a hard time prevailing in public discourse. Even the ways in which these are presented and framed can get caught in controversy and legal battles—a third indication that something is not going well between democracy and knowledge. Take, for example, the so-called ag-gag laws: laws that ban the production of pictures and video footage recorded in industrial farms.[15] In many US states, the industrial farming lobby has pushed for draconic laws against such actions. Information about industrial farming and its problems is widely available, but pictures or videos of suffering animals can send stronger, more emotionally loaded messages that might move consumers to change their purchasing behavior. Hence the strong interest of the agricultural industry in keeping such pictures out of the public eye, and hence the disproportionate criminalization of animal rights activism.[16]

Some critics of democracy would add citizens' lack of knowledge about, or maybe even lack of interest in, politics to the list of problems.[17] As many surveys show, considerable numbers of citizens cannot reproduce basic pieces of information about the political system they inhabit. Moreover, especially in

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[11] Oreskes and Conway 2010, 34. On the difficulties of delineating legitimate from illegitimate scientific disagreement see also de Melo-Martín and Intemann 2018.

[12] This also concerns specific regulatory decisions and the institutions that are responsible for them. For example, Michaels (2008, 149–50) lists various examples of how the research done to get FDA approval for new drugs can be manipulated.

[13] Michaels 2008, chap. 5.

[14] See also Pielke 2007, 63. Otto 2016 provides various examples from different countries.

[15] See Broad 2016 for a discussion; I thank Garrath William for sharing this paper with me.

[16] Fights about *how* information has to be presented—in contrast to *what* information has to be made available—are frequent. Another example, discussed by Crouch (2016, 43–44), was the vehement lobbyism on the part of the European food industry to prevent a "traffic light" system for the content of fat, sugar, and overall calories in processed food. This information is already available, in small print, but a "traffic light" system would have made it more salient for consumers. Hence, one must suppose, the resistance.

[17] In this camp, prominent names are, for example, Caplan 2007; DeCanio 2014; Pennington, e.g., 2011; Somin, e.g., 2013, 2021; on the empirical side see, e.g., Achen and Bartels 2016 and Mason 2018. Jason Brennan's 2016 book summarizes many of the earlier debates; see also his recent proposal of "enlightened preference voting" (Brennan 2021). For a critical discussion see, e.g., Christiano 2019b, 2021; Bhatia 2019; and Reiss 2019. I take up this literature in Chapter 11.2.

countries with two-party systems, there has been a lot of discussion about polarization: about citizens behaving like fanatic sports fans who cheer for their team rather than carefully thinking about political issues and then casting their vote on an informed, reflective basis. The idea of "holding the powerful to account" hardly works if a population is divided into two camps who deeply resent each other and who would never vote for the other side, no matter how their own leaders behave in office. In fact, in some countries the media landscape is so bifurcated that citizens hardly ever get a chance to seriously consider the positions of the other side.[18]

But are these problems really new? Or have they existed ever since democratic forms of government came into existence, or since there was something one could describe as "public discourse"? Attempts to mislead the public have existed for a long time; for example, in the nineteenth century the Belgian reign in the Congo, which has become a symbol of colonial terror, was accompanied by a systematic misinformation campaign by the Belgian crown.[19] In the 1920s, Walther Lippmann and John Dewey argued about the existence of a democratic "public" and the state of its knowledge.[20] In the 1980s, social scientists explored the patterns of political controversies, which often concerned the publication and presentation of knowledge.[21] In many political struggles, knowledge gets weaponized in ways that do not conceptualize it as something to be shared—maybe even as a public good—but rather as something to be hoarded and instrumentalized.[22] What is hard to swallow is not this mere fact, but rather how widespread this phenomenon continues to be in our allegedly open, transparent, and democratic age, in which the internet places so many sources of information and knowledge at our fingertips.

Some commentators have, in fact, argued that we have reached a point at which knowledge no longer matters. The "tobacco strategy" playbook still held up the facade, in the sense that claims were made in the name of "science."[23] In recent years, however, more and more actors seem to have transitioned to complete cynicism, declaring truth irrelevant. For example, as Russell Muirhead and Nancy Rosenblum argue, many recent "conspiracy theories" do not even provide detailed *theories*; instead, they flourish on repetition alone, which the internet facilitates.[24] Some political advisers, for example Trump's ex-adviser Steve

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[18] See especially Benkler et al. 2018 on the United States; in Chapter 9.3.2 I discuss the role of the media for democracy.

[19] Barton and Davis 2018, 3–6.

[20] Lippmann [1927] 1993; Dewey [1927] 2016.

[21] See, e.g., Nelkin's 1984 volume on "controversies."

[22] See Davies on a military vs. a civilian understanding of knowledge (2018, esp. 139, 150).

[23] As Michaels laconically puts it, in the United States, "Industry has learned that debating the *science* is much easier and more effective than debating the *policy*" (2008, xi).

[24] Muirhead and Rosenblum 2019.

Bannon, declared the established media, with their commitment to factful reporting, their foremost enemies. One of his own strategies was to simply create more and more content that would obscure the line between truth and falsehood, leading to "a growing weariness over the process of finding the truth at all."[25] At the same time, politicians, civil servants, journalists, and maybe even ordinary citizens get more and more used to studies being skewed or facts being presented to them in a one-sided way.[26]

And yet there is not only shadow, but also light. For one thing, many of these phenomena are now being openly discussed, with more and more calls for transparency, accountability, and clear guidance concerning conflicts of interests and other ethical issues. For another, more and different voices have become audible in the public conversation: of women, of people of color, of all those previously excluded by visible and invisible barriers. In this respect, the internet, despite all its problems, seems to have fulfilled part of its promise. It has made the public conversation more polyphonic than ever. But this very fact has also led to irritation and resentment on the part of actors who might, in earlier periods, have been faced with less competition for attention. Metaquestions about the state of public discourse are, in turn, controversially debated in public. It seems that we might be in a period of transition, in which the deficits of previous periods have become painfully clear, but we have not yet been able to draw the right conclusions and to implement solutions.

It is this confusing and disconcerting state of the relation between democracy and knowledge that I take as my starting point. I use the term "knowledge" in a broad and general sense;[27] and my focus is on democratic capitalist societies as they exist in the "Western" world. I wish I could have written a book that would also take into account other parts of the world, but I do not feel competent to do so. Having spent only short periods in the Global South and relying mostly on Western sources, I would be presumptuous to claim a global perspective. What I can say with confidence, however, is that the problems of "the West"—where they mar different countries to different degrees—that I discuss in this book have global repercussions, not least through the ways in which they delay and obstruct collective action against climate change and other environmental problems. The need to bring the global economy onto a more climate-friendly path adds urgency to the topics about the relationship between democracy and knowledge that this book discusses.

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[25] Illing 2020; he speaks of "manufactured nihilism." For an example of a manufactured fake news story see also Robb 2017 on the "pizzagate" case.
[26] Michaels 2008, 55.
[27] Chapter 2 provides the theoretical background for the way in which I use this term.

1.2. The Argument in a Nutshell

This book discusses how knowledge—understood in a broad sense that includes theoretical and practical knowledge in various fields—is dealt with in societies that combine a democratic political system and a capitalist economic system, and how effective democratic self-governance can be ensured. In recent decades, a key argument in favor of markets has been that they allow for the efficient "use of knowledge in society," in the famous words of Friedrich August von Hayek.[28] The argument about the epistemic superiority of markets was a key element of the intellectual movement often dubbed "neoliberalism," though the term has, arguably, becoming a fighting word of limited analytic usefulness.[29] Even many critics of markets, who loathe their inegalitarian consequences, have accepted the idea that markets have a unique capacity to process information.[30] But this argument is far more limited in scope than is often assumed, and it cannot be applied to all forms of knowledge. Giving over too much knowledge to markets has made our societies vulnerable to various forms of manipulation, distortion, and exploitation.

The relation between democracy and capitalism gets out of balance if too much or the wrong form of knowledge is treated according to the logic of markets, rather than the logic of either expert inquiry or democratic deliberation. Complex modern societies need different mechanisms for dealing with knowledge, instead of relying on the market mechanism alone. It *is* true, as many economists have claimed, that many forms of knowledge that modern societies rely on are distributed to different agents and cannot easily be gathered for the sake of centralized decision-making. But this does not mean that markets are the *only* mechanism for dealing with them, nor does it mean that all forms of knowledge are *equally* difficult to gather. I distinguish three key mechanisms for creating, transmitting, and processing different forms of knowledge: markets, expert communities, and democratic deliberation. All can have a role to play in complex societies, but in recent years, the market has been given far too much scope—or so I will argue.

If too many processes that produce or transmit knowledge are handed over to markets, this usually does not lead to a situation in which all market participants benefit equally. Rather, the opportunities are grasped by the most powerful— and maybe also the most cynical—players. Given the democratic-and-capitalist constellation in Western democracies, these players are often corporations, with their deep pockets and sometimes ruthless commitment to profit maximization.

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28 Hayek 1945.
29 For a discussion and contextualization see, e.g., Biebricher 2019.
30 An interesting example is Carens 1981. In Chapter 4.2 I briefly revisit the debate about "market socialism" that tried to adopt the epistemic advantages of markets to socialist economic systems.

They typically have an interest in knowledge if it creates opportunities to increase profits. In contrast, if knowledge comes with responsibilities, or if it leads to questions about the legitimacy of one's behavior, they are keen to hide it, marginalize it, or shift the responsibility for it to other agents. In a way, this should not surprise us. Corporations are currently set up to maximize profits, and the narratives about their raison d'être have, for decades, focused on nothing else. The belief in the ability of markets to self-regulate—among other things because of their capacity to process knowledge—and the resulting cutback in regulation has given them free rein in many areas. For the way in which democracies deal with knowledge, however, this has been rather disastrous.

Democracies rely on knowledge, and they need what I call "epistemic infrastructure": institutions and social practices in which relevant knowledge can be created, checked, corrected, and passed on to decision-makers. Leaving all these processes to markets alone fundamentally misunderstands the nature and function of various forms of knowledge in modern societies. Markets *can* play a positive role with regard to certain kinds of knowledge, but it is far more limited than is often assumed, and, ironically, for them to play this role well, they need to be regulated in the right way. There is no "invisible hand" that takes on this coordination task on its own. And there is also no invisible hand in the alleged "marketplace of ideas" that would automatically create truth out of the unregulated cacophony of individual speech. The spheres in which knowledge is created and processed often depend quite heavily on regulatory frameworks, and also on a truth-oriented attitude among those acting within them.

We will never be able to achieve a situation in which the processes of knowledge generation are completely shielded from political struggles, nor do we need to strive for this. Values, interests, and facts are too intertwined to think that we could have something like "knowledge creation first, politics second," with knowledge creation concerning facts, and politics concerning values and interests. In the philosophy of science, the presence of values (though not necessarily political values) within processes of knowledge generation has long been acknowledged.[31] But this does not mean that we should give up the *ideal* of agreement on basic facts, even among those who disagree about values and about the *interpretation* of facts—for the alternative, ultimately, is a situation in which each political side has its own claims to truth, and its own methods for establishing facts, which makes processes of democratic deliberation and decision-making impossible. This may well be an appropriate description of the current state of certain highly polarized societies, for example, with regard to issues on which

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[31] See notably Douglas 2009 on the role of value judgments in the acceptance of evidence. On values in social sciences see, e.g., Sayer 2011; on why it would be wrong to try to ban values from science see also de Melo-Martín and Intemann 2018, chap. 9.

religious beliefs stand against scientifically established facts. It is, however, not a basis for democracy.

I discuss these questions from a perspective that I call "democratic institutionalism." It asks what institutions, both formal and informal, are necessary to secure the rights of citizens and to enable democratic life to flourish. While others, for example, Jack Knight and James Johnson,[32] have provided *justifications* for giving priority to democracy, I take the normative bases of democracy as given and ask how best to *realize* democratic ideals in concrete institutions and practices so as to ensure effective self-governance. In recent decades, political philosophy has, to a great extent, focused on principles rather than institutions. This is slowly changing, with researchers turning to institutions such as central banks, NGOs, and public bureaucracies.[33] I suggest the term "democratic institutionalism" as an umbrella term for exploring concrete institutions, or dimensions of institutions, from the perspective of political philosophy.

To provide a diagnosis of the status quo, I bring into conversation literatures on the epistemic properties of markets, on the epistemic properties of democracy, and on the social epistemology of expertise. In addition, I also draw on the history of ideas. We cannot understand where we currently stand without taking into account how ideas from the past have shaped current institutions and practices; this is why I combine systematic arguments and historical considerations. On that basis, I develop my arguments about how the situation could be improved. These concern the three knowledge processes I distinguished above: markets, knowledge generation in expert communities, and democratic deliberation. For each, I suggest a reorientation in line with democratic institutionalism: regulating markets such that their epistemic capacities actually come to the fore, implementing a trust-based "partnership model" between expert communities and society at large, and strengthening the epistemic infrastructure for democratic public discourse so that it can be protected against interference and that the promise of *all* voices being heard can be fulfilled. Strengthening the epistemic capacity of democracies, and reining in the power of markets and market actors, is a daunting task, but I take it to be a crucial element for strategies that want to address the much-decried "crisis of democracy." While epistemic questions are certainly not the only ones that matter for revitalizing democracy, they are central for the long-term legitimacy of democratic systems. And, as I will argue in Chapter 10, they provide additional arguments concerning another area in which reforms are urgently needed, namely the fight against socioeconomic inequality.

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[32]   Knight and Johnson 2011.
[33]   See, e.g., Dietsch et al. 2018; Rubinstein 2015; and Zacka 2017.

My argument relates to current debates about the epistemic qualities of democracies but takes a somewhat different perspective. In recent years, the debate about the relation between knowledge and democracy has often taken the form of exploring the epistemic advantages and disadvantages of democratic decision-making. As noted above, critics of democracy have drawn on empirical studies of voter knowledge (or rather, voter ignorance) and questioned the wisdom of universal suffrage. Defenders of democracy, in contrast, have pointed out the various ways in which democracy can aggregate and process the "knowledge of the many" through voting and deliberation.[34]

My approach takes democracy as a nonnegotiable normative starting point, but acknowledges that it can be instantiated in different forms for different kinds of decisions, through various forms of public participation, various ways of drawing on expert knowledge, and different ways of selecting representatives. Thus, I acknowledge that democratic decisions can have better or worse epistemic qualities, and, crucially for my argument, I assume that the extent to which democratic practices can unlock their epistemic potential depends on institutional and social practices. Different epistemic constellations (e.g., the presence or absence of highly specialized expert knowledge) make different institutions and practices more or less suitable for solving different policy problems. Empirical knowledge about how people actually behave, but also theoretical arguments about the nature of knowledge, can help us to arrive at realistic proposals for institutional reform.

Some thinkers see the current epistemic problems of democracies as a reason to call for *less* democracy: either for more expertocratic forms of governance or for a greater scope for markets.[35] My argument, in contrast, holds on to the normative premise of democracy, but asks how the relationship between markets, experts, and democratic practices needs to be recalibrated in order to achieve better epistemic outcomes.[36] Specifically, we must ask how to improve the "epistemic infrastructure" of democracy, in order to be better able to deal with various epistemic challenges—and also with the ways in which

[34] See in particular Landemore's 2013 book, which builds on earlier work by Josiah Ober (on ancient Athens and its epistemic practices, see 2010), Joshua Cohen (esp. 1986), Thomas Christiano, Carlos Niño, Jon Elster, Cass Sunstein, Gerald Gaus, Robert Goodin, Robert Talisse, Fabienne Peter, David Estlund (e.g., 2007), Elizabeth Anderson (esp. 2006), and Cheryl Misak. Landemore provides an extensive overview of these debates and responds to many points raised by critics. Some of them provided purely epistemic defenses of democratic practices; some combine epistemic and other (e.g., procedural) arguments. Within social epistemology, one finds discussions of democratic practices, for example, in Goldman 1999a, chap. 10, and Coady 2012, chap. 3.

[35] Brennan 2016 is an example of the former, Caplan 2007 of the latter camp.

[36] In this sense, I accept Caplan's charge of "democratic fundamentalism" (2007, 186), at least when it comes to the normative level. When it comes to concrete institutional solutions, I am, like many pragmatists, an "experimentalist" (see, e.g., Knight and Johnson 2011, esp. 43–50).

enemies of democracy might use epistemic weaknesses to undermine effective self-governance.[37]

My approach focuses specifically on the impact of market thinking and the deregulation of markets on expert communities and deliberative processes. I do not claim that this is the only factor worth considering, but I take it to be a crucial one, which has received relatively little attention in recent debates.[38] Some commentators focus on the influence of postmodern thinking and its critical stance toward the notion of truth, claiming that it paved the way for the rejection of expertise and for "post-truth" cynicism.[39] The extent to which post-modern thinking (or some watered-down and possibly misunderstood version of it) really had this effect is a question for future historians to answer.[40] But I am tempted to think that even if this influence exists, it probably pales in compar-ison to the influence of blind (or cynical) faith in the self-regulating power of markets and its impact on social institutions and public life. To provide an ex-ample, which I will take up again in Chapter 8: if citizens get used to commer-cial speech in the public realm (aka advertisements) being exempted from any expectation of truthfulness (because free market thinking rejects the regulation of advertising), how likely is it that norms of truthfulness can be upheld with re-gard to other forms of public speech? And isn't this likely to be a greater influence than the grip of postmodern thinking on a few humanities students, even if they go on to become powerful journalists? At the very least, this is a hypothesis that future historians might *also* want to explore, together with possible interrelations between postmodern and free market thinking.

Another candidate that is often put forward to explain the current conun-drum around knowledge and democracy is the internet.[41] For example, much debate turns around the question of whether the internet traps us in "filter bubbles," create by the algorithmic ranking systems of search engines and social

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[37] Ober has a similar aim, within his historical approach: "Because democracy is morally prefer-able to its alternatives, specifying the conditions under which democracies do well is a matter of great importance" (2010, pos. 279–80).

[38] One notable exception is Crouch 2016, who focuses on the problematic influence of promarket policies on public institutions, in areas such as education or health, which were influenced by assumptions about the market (or market-like institutional mechanisms) having beneficial epistemic features. On one specific problem here, namely the problematic effect of metrics and incentives, Muller 2018 provides an interesting discussion with numerous case studies. Mirowksi and Nik-Khah 2017 explore some of the relevant developments *within economics*, in particular the development of "market design."

[39] For a self-critical stance from within the camp of science and technology studies see Bruno Latour's famous 2004 paper; Blackburn (2021, 72) quotes a similar statement from Derrida. See also McIntyre 2018, chap. 6, for a discussion on postmodernism and truth, and Otto 2016, chap. 8, for a discussion of various influences, from psychoanalysis to Nietzsche and the history of "science studies" from Kuhn to Sokal.

[40] Rosenfeld, as one historian, is rather skeptical about the size of this influence (see 2019, pos. 1878–953).

[41] See, for example, Rauch 2021, chaps. 5 and 6.

media platforms.[42] But it remains unclear whether there is empirical backup for this specific claim. For example, various analyses of Twitter feeds show not filter bubbles but a "largely unencumbered flow of information across the entire user base."[43] On social media, individuals may indeed find their views confirmed by their social networks, but there are also countervailing effects, such as increased contact with content from the other side of the political spectrum.[44] Studies show that those parts of the US population that do *not* use the internet have undergone a greater polarization between 1996 and 2016 than those using it,[45] and that it is not true that social media drive internet users away from news exposure.[46] Claims about "echo chambers" or "filter bubbles" should thus be carefully qualified to match the existing evidence.[47] And of course, being well informed is not the *only* virtue that citizens in a democracy need.[48]

Human knowledge acquisition has always been vulnerable to individuals seeking information from those who are similar to them and confirm their worldview, which can lead to a fragmentation of discourse.[49] I do not want to belittle the dangers and abysses of online public discourse, in which false claims travel faster than true ones[50] and endless repetition can create a sense of legitimacy that spreads them further.[51] The mere availability of information, with little structure, few filters, and too little metainformation about the reliability of different sources, is obviously not an ideal environment for the way human

[42] The term "filter bubble" was popularized by Pariser 2011, while Sunstein 2001 used the metaphor of "echo chambers." Nguyen 2020a distinguishes them according to whether the major mechanism is the exclusion of certain voices or the exaggerated engagement with certain voices. Bruns (2019a, 29) distinguishes them according to whether the focus is on *connection* (echo chamber) or *communication* (filter bubble). But echo chambers also build on communication—if no sound is emitted, there can be no echo. For a recent overview of the philosophical debate see also Kiri Gunn 2021.

[43] Bruns 2019b. This statement is based on research on the Twittersphere in Australia (Bruns et al. 2017) and Norway (Bruns and Enli 2018).

[44] Flaxman et al. 2016. This study drew on the web-browsing histories of fifty thousand US-based users.

[45] Boxell et al. 2017.

[46] Stier et al. 2021.

[47] Bruns 2019b. As he notes, there is a risk that they detract attention from more urgent problems that deserve the attention of scholars and journalists.

[48] As Michael Hannon (2022) has recently pointed out, well-informed citizens can also use their knowledge to rationalize their own positions; he therefore calls for the intellectual virtue of "objectivity."

[49] Pariser (2011, 74) acknowledges this point, but holds that individuals would at least perceive the editorially selected content and see that it was considered newsworthy and important. For a formal model of social uptake of information see O'Connor and Weatherall, chap. 4; as they note, such a model does not even need to include emotions, identity claims, etc., but these can of course reinforce the divisions.

[50] See Soroush et al. 2018 on Twitter.

[51] Effron and Raj 2020, quoted in Illing 2020. See also Muirhead and Rosenblum 2019 on the dissemination of "conspiracies without theories" that are believed simply because they keep being repeated.

cognition functions.[52] All too easily, it can lead to blind herding behavior instead of critical, fact-based discussion.

My suggestion, however, is that many of the problems of "the internet" have to do with the way in which it has been conceptualized as a "marketplace of ideas" without any need for regulation. I discuss the problems of this metaphor in Chapter 6, and in Chapter 9, I point toward some feasible regulatory steps that could potentially address many epistemic worries about the internet—feasible, that is, if democratic citizens and politicians recognize the need to consider social media platforms and other digital service providers as part of the epistemic infrastructure of democracy, and to regulate them accordingly. Democracies can, and should, "reclaim the internet." But in addition to that, there are other, equally urgent problems about the epistemic division of labor between different institutions, and about how to protect these institutions from corruption and corrosion. It is these structural questions that my account focuses on.

1.3. Political Epistemology

This book is situated in "political epistemology," an emerging field in philosophy at the intersection of epistemology and political philosophy that analyzes the interrelations between knowledge and political practices and institutions. In the Anglophone world of analytic philosophy, epistemology had long been "quite abstract and ahistorical."[53] In the last two decades, however, "social epistemology" has sprung up, with Alvin Goldman's 1999 book *Knowledge in a Social World* paving the way.[54] Social epistemology, which has since then become a flourishing field of research, analyzes topics such as the role of testimony in the acquisition of knowledge, the social situatedness of knowledge bearers, and the functionality of specific epistemic processes, for example in courtrooms.[55] While some contributions remain at the high level of abstraction inherited from traditional epistemology, others look at concrete practical challenges and the possibility of epistemic improvements.[56]

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[52] For critical discussions see also Weinberger 2011 (who focuses on the crisis of knowledge caused by the transition from print to online) and Lynch 2016 (who contrasts superficial "google knowledge" with deeper forms of knowledge and understanding).

[53] This quotation is from Coady (2012, 2), who himself turned to social epistemology, but it seems hard to reject this characterization even though it comes from a critic.

[54] Another important early contribution was Williams's 2002 book, which presented a "genealogical" approach. It built on earlier work by Craig (1990), which had received little attention at the time; also worth mentioning is Kusch 2002. In Chapter 2, I discuss these contributions to the literature in some more detail.

[55] For an overview over important themes see, e.g., Haddock et al. 2010. Some issues in what goes under the title of "applied epistemology" also have a clear social dimension; see, e.g., the chapters in Lackey's 2021 edited volume with that title.

[56] Goldman has characterized such an approach as "ameliorative" (1999a, 282).

"Political epistemology" goes one step further and explores the specifically *political* dimensions of the social contexts in which knowledge is embedded or plays a role. As Hélène Landemore put it in a 2014 roundtable discussion: "What is . . . currently missing from both philosophy and political science . . . is a domain of research that would be devoted to the study of knowledge, individual and collective, from a specifically political perspective."[57] This has, arguably, changed rapidly, with many scholars doing exciting new work that falls under this characterization.[58] What spurred this interest was certainly not only internal developments within academic philosophy, but also recent historical experiences: the Brexit referendum, Trump's campaign and presidency—both potentially affected, though to an extent that remains controversial, by the "Cambridge Analytica" scandal[59]—and the spread of "fake news."[60] The relation between knowledge and politics suddenly seemed extremely urgent, leading to a number of popular audience books with titles such as *The Death of Expertise*[61] and *The Death of Truth*.[62]

In fact, the relation between knowledge and normative questions had long been an issue in feminist circles. The largest debate that has developed out of this tradition is that about "epistemic (in)justice," which Miranda Fricker's 2007 book made prominent.[63] Fricker focused on what it means to treat someone unjustly as a knower, and coined the terms "testimonial injustice" (for describing situations in which individuals are not taken seriously as bearers of knowledge because of identity-related prejudices, for example, against women as less credible than men) and "hermeneutic injustice" (for describing situations in which marginalized or oppressed groups lack the conceptual resources for making

[57] Althaus et al. 2014, 6. Previous uses of the term—but in different frameworks—can be found in Turner 2007, with the aim of shifting the literature on "the public sphere and democratic deliberation . . . in a more realistic direction" by "revealing how knowledge actually flows, how it actually aggregates, and how aggregation fails"; and in Shomali 2010 (esp. chap. 2), where the aim is to offer a critique of the "ontology of truth" (11).

[58] See notably the papers in two recent collected volumes, Hannon and de Ridder 2021 and Edenberg and Hannon 2021.

[59] For an account of what is known see, e.g., Cadwalladr and Graham-Harrison 2018.

[60] For a recent philosophical account see, e.g., Gelfert 2021; see also recently the essays in Bernecker et al. 2021. See also Levy and Ross 2021 for an account that raises some doubts about how many people really believe fake news.

[61] Nichols 2017.

[62] Kakutani 2018. A more academic account is provided in Rauch 2021 (with the subtitle "A Defense of Truth"); it rightly points out the institutional requirements for knowledge generation and the need to uphold them. From my perspective, however, Rauch does not do enough to acknowledge the ways in which many of these institutions have, in the past, been marred by various forms of epistemic injustice (see Chapter 2.4).

[63] Fricker had called for a political perspective on epistemically early in the debate; in 1998 she wrote that "epistemology will not be truly socialized until it has been appropriately politicized" (1998, 174). More recently, she has been criticized for not giving full credit to the work of (particularly black) women who fought for epistemic justice early on (Berenstain 2020), but her contribution to this debate remains nonetheless undeniable.

sense of their experiences).[64] Kristie Dotson has added the concept of "epistemic oppression" for describing constellations in which certain groups are systematically denied access to the use of epistemic resources.[65]

The debate about epistemic justice has turned into a vibrant field of research, with strong connections to feminist thought and debates about racial justice.[66] Once one starts looking at social and political processes through the lens of epistemic justice, it becomes impossible to "unsee" the many ways in which our epistemic world is marred by persistent inequities along lines of gender and race. And one can add socioeconomic class as a third line of inequity, a topic that has received little attention in the debate about epistemic justice so far, but that has been explored in various memoirs by individuals with a "working class" background.[67] The impact of socioeconomic differences on our position as knowers—including its intersection with categories of gender and race[68]—seems hard to deny. In a way, this returns questions about political epistemology to very early contributions from the nineteenth and twentieth centuries, when left-wing thinkers discussed questions such as the epistemic position of the proletariat and the role of ideology.[69] With Thomas Piketty and other economists having provided evidence that today's levels of inequality are reaching late nineteenth-century heights again, it is probably also time to return to questions about epistemic injustice with regard to social class.[70]

Another relevant debate—which is curiously disconnected from that about epistemic justice and political epistemology, though the mutual relevance should be obvious—is that about the epistemic qualities of democracy. I had already mentioned the interchanges between critics and defenders of democracy concerning its epistemic features. Among the defenders, deliberative democrats as are key group. The book can be understood as a contribution to "deliberative democratic theory" in a broad sense,[71] for one of the key assumptions of this field is the idea that deliberation, by gathering various

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[64] Fricker 2007.

[65] Dotson 2014; see also Pohlhaus 2017.

[66] E.g., Medina 2013; see also Kidd et al. 2017. Coming from a slightly different angle, and taking a more institutional approach, Kurtulmus and Irzik (2017) have suggested exploring the "epistemic basic structure" of a just society from a Rawlsian perspective (Rawls 1971).

[67] See, e.g., McGarvey 2017 and Morton 2019. On the relative neglect of research on class differences in political science see also Carnes 2018, 14 (his own research is, of course, an exception).

[68] This point has recently been reaffirmed by Collins (2017) in an insightful discussion of the concept of "intersectionality."

[69] See in particular Lukács [1923] 1971.

[70] Yet another dimension of epistemic justice concerns the *global* dimension and the fact that many knowledge systems remain entangled in their colonial past and prejudices against thinkers from the Global South. The research program of Epistemologies of the South addresses this issue; see notably de Sousa Santos 2014 and de Sousa Santos and Meneses 2019.

[71] I add "in a broad sense" because I consider *participatory* forms of democracy also as very important, not only from a power perspective, but also from an epistemic perspective (see esp. Chapters 9.3.3 and 10.4).

perspectives and exchanging arguments, can improve the epistemic bases for political decision-making. In recent years, there has been a "systemic turn" in deliberative democratic theory, which explores democratic deliberations in various spheres of society and the interactions between these democratic practices.[72] Within this literature, there is a small but interesting discussion about how expert knowledge can be communicated to citizens and integrated into democratic decision-making.[73] And coming from the other side, as it were, and also drawing on traditions of professional ethics, there has been some discussion about how experts can situate themselves vis-à-vis citizens and help strengthen democratic practices.[74]

An angle from which similar themes have been explored is the philosophy of science. Here, Philip Kitcher's work on the relation between science and democracy stands out. Kitcher developed the notion of "well-ordered" science for describing how science would ideally function within a democratic society, with the agenda for scientific research set by democratic discourse.[75] This account, however, while providing great inspiration for thinking about the deficits of the status quo, is situated on a high level of abstraction. For example, the existence of agents who are epistemically ill-intending—who want to deceive, obscure, or confuse—is never discussed.[76] Kitcher's account can certainly be helpful for thinking about actual epistemic institutions and practices, but it takes some more work to draw the lines to the murky waters of tobacco strategies and fake news.[77] Other authors, notably Mark Brown, Alfred Moore, and Zeynep Pamuk, have recently written about the relation between science and democracy, joining, in various ways, in the call for more interaction and participation between experts and citizens.[78] I draw on their work, especially in Chapter 8 on the role of experts, but

[72] See in particular Mansbridge et al. 2012.

[73] See, e.g., Christiano 2012b; see also—on a more applied level—Fischer 2000 on democracy and expertise in the context of environmental policy.

[74] See, e.g., Sullivan 2005 and Dzur 2008; Moore 2017 goes in a similar direction, though not using the vocabulary of professionalism. In Chapter 8 I discuss this literature in more detail.

[75] Kitcher 2001, chap. 10; 2011, chap. 5; cf. also O'Connor and Weatherall 2019, pos. 2797.

[76] For a criticism of Kitcher as failing to provide guidance for such cases—specifically with regard to the corruption of knowledge processes around drug admission—see Biddle 2007. See also Dupré 2016 on Kitcher, who, in the context of the discussion of science in democratic societies, argues that Kitcher did not sufficiently pay attention to inequality of resources (1999–2004), a point that Kitcher by and large accepts in his response (in Dupré 2016, 204).

[77] See also Douglas 2013, 905, for a similar criticism.

[78] Brown 2009; Moore 2017; Pamuk 2022. Pamuk (2022, 21) considers cases in which agents do not act in good faith as "practical" in contrast to "philosophical." I disagree—philosophy also needs to understand the problems and risks coming from practices that are "nonideal," especially if these might stem from, and are justified by, certain ideas (e.g., a certain understanding of markets or of freedom of speech) that in turn deserve philosophical analysis. In fact, Pamuk returns to risks of abuse and misbehavior several times in her book (e.g. 2022, 180), which shows that a complete separation is not plausible.

embed these questions into a broader perspective, with a focus on the problems caused by an overreach of market mechanisms.[79]

To be sure, philosophers are not the only group of scholars writing about knowledge, knowledge production, and its role in societies, democratic or otherwise. The history and sociology of science have flourished in recent decades, with "science and technology studies" as a new field that took the socially situated nature seriously from the start.[80] There is also a large literature on the nexus of science and policy,[81] and about science communication.[82] Reading around in these fields can be a healthy check on one's normative impulses as a political philosopher. They offer many reminders that the problems we currently face are older than we may think, and that they are intrinsically hard to address.[83] Nonetheless, I do want to keep my normative perspective in place and discuss normative arguments openly and explicitly; this is why I find unsatisfactory the purely descriptive, and sometimes outrightly relativistic, positions that one sometimes sees in these literatures.[84] Too much is at stake, when it comes to the relation between knowledge and democracy, to only describe phenomena without taking a stance on how things can go wrong and what might be done to improve them.[85]

1.4. A Note on Methodology

As the previous section showed, my approach integrates various fields of literature. I started out with a question—what is it that is going wrong in the relation between democracy, markets, and knowledge?—and I drew on whatever literature seemed relevant. In this sense, my account belongs to "nonideal" rather

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[79] In this respect, my perspective is similar to that in Melo-Martín and Intemann 2018, who start from the question of "normatively inappropriate dissent" (such as climate change denial), but argue that the question of trust between citizens and scientists needs to be understood in a broader context, taking into account factors such as the commercialization of science (chap. 8), and the role of value disagreements in politics (chap. 9).

[80] A good example is Jasanoff's 2004 edited volume.

[81] A prominent example is Pielke 2007 on scientists as "honest brokers."

[82] A recent overview of research questions can be found in National Academies of Sciences, Engineering, and Medicine 2017.

[83] A good example is Eyal 2019, who, starting from a similar review of the current evidence as mine, focuses on the complicated relation between scientific knowledge, policymaking, and the broader public. He emphasizes "the two-headed pushmi-pullyu of unprecedented reliance on science and expertise coupled with increased suspicion, skepticism, and dismissal of scientific findings, expert opinion, or even of whole branches of investigation" (2019, 4). He is critical of the very notion of expertise, but also sees current attempts to improve the situation as in turn problematic. As he notes toward the end of the book: "I did not write this book to offer a solution to the crisis of expertise. I do not have one" (142).

[84] See similarly Moore 2010 and Pamuk 2022, 15.

[85] See also Baker and Oreskes 2017. Like them, I cannot see the attraction of a position such as that of Fuller (e.g., 2018) who *endorses* a post-truth condition.

than "ideal" theory:[86] it asks why we ended up in the current situation, and about possible steps toward improvement. It can also be seen as part of the field of "philosophy, politics, and economics" or PPE, which tries to bring these different perspectives and disciplines together. In an ideal world, it would be not PPE, but at least PPESLPC, adding sociology, law, psychology, and communication studies, and who knows what else. I have tried to integrate insights from these fields where they seemed relevant. One challenge for such an interdisciplinary approach, however, is to find the right level of abstraction: one at which one can say something meaningful, which matters for the empirical world, and that is yet sufficiently general to provide insights beyond specific case studies.

My approach thus brings together topics, and develops perspectives, that cut across various disciplines and subdisciplines, with the aim to understand the bigger picture. I am convinced that in an intellectual landscape that is threatened by fragmentation and hyperspecialization,[87] such synthetic work adds value. However, it comes at a price that I am painfully aware of, namely the necessity of painting with a relatively broad brush. There are many fascinating studies of specific fields that I touch upon only superficially, from a bird's-eye view, as it were. My reason for doing so is that I am interested in connecting the dots, and this is only possible by not going into every detail at every juncture. In an academic culture in which there is a premium on ever-finer analytic distinctions and specializations, one of the roles that philosophy can play is to synthesize and to make the connections between different discourses explicit—or so I hope. With regard to the topic at hand, my own intellectual journey was one in which the weight and meaning of all the individual dots became clearer and clearer when I started to connect them. My approach thus complements more detailed, narrower studies by embedding them in a broader perspective.

In various places, I draw on historical arguments, or arguments from the history of ideas. These are not only interesting in themselves, but also help us understand the current situation by explaining how we got here. Moreover, I am convinced that the history of ideas can contribute to systematic arguments. If one understands where certain ideas come from, and what their original context was, this can make their contingency and potential fallibility visible in a unique way. While the combination of historical and systematic arguments has fallen out of fashion in some parts of academia, I am convinced that systematic discussions can be enriched by taking historical arguments into account—after all, the very concepts and worldviews within which we conduct today's systematic disputes have historical origins themselves, which are worth recalling.

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[86] For an overview see, e.g., Valentini 2012.
[87] This term is from Millgram 2015.

As indicated earlier, this book focuses on the "Western" world, for lack of a deeper understanding, on my part, of how democracy, markets, and knowledge interact in other parts of the world. I am fully aware that I thereby continue a kind of parochialism that all too often dresses up as universalism. I do not claim universalism, and I would love to hear from thinkers from other world regions how (if at all) the themes of this book play out there. And of course, I am also aware that "the West" is internally differentiated, with numerous cultural and institutional nuances between countries that may, on the surface, look rather similar. In fact, it was probably the comparison between several Western countries that stood in the background of my intellectual journey: the United States and the United Kingdom on the one hand, and Germany, France, and the Netherlands on the other. Those are the countries I know best, and whose media and political discourses I follow most closely. The institutional and cultural differences between them continue to fascinate me, and were one of the sources of inspiration for this book.

I am also very much aware of the specific historical situation in which I write this book. As noted above, questions about knowledge and its role in democracies, about a "crisis of expertise" and the "death of truth" sprang up massively during the Trump campaign and presidency. Climate change has raised the stakes for the relation between science and society. At the same time, more and more became known about processes such as lobbying, the "spinning" of political message, and the buying of experts in the last ten years or so. Many tactics have been uncovered; many strategists have rightly been blamed; court cases have laid open the extent to which certain think tanks and industry associations were mere vehicles of propaganda.[88] This may exacerbate a sense of crisis: "We're in a really bad place." But democracies probably were in this bad place for a long time without realizing it. The fact that these problems are now openly discussed makes me cautiously optimistic that it will be possible to address them.

My modest hope is that with this book, I can help to clarify some of the relations between different phenomena and defend my normative stance on these questions. Democracies need to keep epistemic primacy over certain crucial knowledge processes; otherwise unbridled capitalism will completely take over in ways that endanger not only social justice, but ultimately democracy itself. Some countries have already moved an alarmingly far way on this path, while others seem to have to be luckier with the systems of checks and balances that

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[88] This is to some extent the achievement of the many metasciences about knowledge that have sprung up: sociology of science, science and technology studies, various lines of research in psychology that analyze the acquisition of knowledge, the science of science communication, etc. On the one hand, one might see the expansion of metascience as a sign of crisis; on the other, it certainly helps to increase reflexivity and develop better strategies and institutions at the interface of knowledge and democracy.

they have inherited from the past, and therefore remained more stable in certain respects. This is also why the concrete political strategies that follow from my arguments need to be discussed on a more specific level, country by country and institution by institution. I hope that seeing them as part of the bigger picture will throw light on such concrete political struggles and may help to create a sense of solitary among those individuals and groups who are engaged in these struggles on so many levels.

1.5. Chapter Preview

Chapter 2 explains the notion of knowledge my account is based on, defending a pragmatic and socially situated account of knowledge.[89] I build on the tradition in epistemology that views knowledge as socially embedded, emphasizing the relation between knowledge (and ignorance!) and action, including the responsibilities that can flow from knowledge. I also explore some of the psychological mechanisms, such as denial, that complicate this nexus between knowing and acting. Finally, I draw on the literature on epistemic injustice and argue that a socially embedded view of knowledge needs to pay particular attention to unjust hierarchies (along gender, race, or class), which can translate from social to epistemic structures. In the conclusion, I draw the connection to politics, making clear why so much knowledge is, potentially, "political."

Chapter 3 explores three key mechanisms for how different forms of knowledge can be dealt with in complex societies: (1) markets as mechanisms for processing dispersed knowledge about preferences and production capacities; (2) democratic deliberation for knowledge that integrates various perspectives, values, and forms of knowledge and provides the basis for political action; (3) knowledge creation in expert communities for dealing with specialized knowledge that is, by definition, not available to everyone. For each mechanism, I also describe degenerated forms that look similar on the surface but do not fulfill the same epistemic function. My core thesis is that an epistemically well-ordered society needs to carefully delineate the uses of these different mechanisms in the areas for which they are appropriate, and protect them against internal decline and against the intrusion of other mechanisms. Chapters 7 to 11 will take up these mechanisms and discuss in detail how each of them should be seen from the perspective of democratic institutionalism.

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[89] As should have already become clear, I am not using "citizen knowledge" for designating a specific *kind* of knowledge (e.g., that generated through specific democratic processes); rather, my question is how democracies can deal with knowledge in its various forms.

Chapter 4 discusses how the market paradigm became so powerful, focusing on the socialist calculation debate and the Cold War context of the rise of free market thinking. I discuss how markets were idealized with regard to their epistemic qualities, and how this view was popularized in versions that were at the same time more simplistic and more radical than what their academic proponents had claimed. Other institutions were more frequently considered from the perspective of this market logic as well. Specifically, this involved an attack on public institutions that dealt with other forms of knowledge and a reimagination of deliberation as a marketplace by other means, to the detriment of the epistemic functionality of both. The account of these historical developments undergirds my claim that in the current situation, one of the greatest challenges for epistemically well-ordered democracies is the overreach of market thinking and market institutions.

Chapter 5 explores the metaphor of the "marketplace of ideas," focusing on arguments that compare the nature of knowledge to the nature of tradeable goods or services. I argue that in the most benevolent reading of this metaphor, it describes the exchange of ideas and arguments in settings that are comparable to sports tournaments, but with participants being truth-oriented rather than competitive all the way down. The basic, and correct, impulse against state censorship that is expressed in the "marketplace of ideas" metaphor can and should be grounded in other normative principles, notably freedom of speech. But this leaves questions about other forms of regulation, for example, of speech by corporations, widely open. I argue that these need to be decided on a case-by-case basis, depending on the functions of different forums of speech, rather than by drawing on a misguided metaphor.

Chapter 6 presents the approach that I take in the rest of the book for thinking about the "use of knowledge in society," which I call "democratic institutionalism." With this term, I describe a shift of attention away from questions of principles, toward questions about the realization of principles in formal and informal institutions. Such institutions need to be protected against corruption and corrosion, which means that citizens have individual and collective responsibilities to uphold them. I argue that the epistemic features of institutions are key for democratic societies, contrasting the truth-orientation of democracy with the deceptive and manipulative strategies of authoritarian regimes.

In Chapter 7 I argue that in order to fulfill their epistemic function—which continues to provide one of their central justifications, and is the basis for their economic function—many markets require more rather than less regulation: they require an "epistemic infrastructure" in which certain forms of knowledge are taken care of, so that the price mechanism can actually fulfill its own epistemic function. Moreover, for price signals to point to the satisfaction of meaningful human preferences, the conditions under which these preferences

are formed need to be taken into account, again leading to questions about regulation, for example, of advertising. Even the markets sometimes taken to be the paradigm of informational efficiency, financial markets, often fail to fulfill their epistemic function for lack of regulation. I argue that properly understood, the epistemic argument about markets is one for careful market regulation through democratic politics, not one for abolishing all government intervention.

In Chapter 8 I ask how knowledge held by expert communities—understood broadly, including, for example, also Indigenous and experiential knowledge—can be used in democratic societies. The basic challenge here is that such knowledge cannot be made available to all citizens, which raises questions about accountability. Building on recent accounts of "democratic professionalism"[90] and the role of experts in democracy,[91] I develop a "partnership model" for the relation between expert communities and society at large, which understands experts' responsibility for knowledge not in terms of reliability, but in terms of moral responsibility and trustworthiness. This approach leads to responsibilities not only for *individual* experts, but also for expert *communities*, with regard to the institutions and practices within which trustworthy uses of expert knowledge can be secured, in partnership with society as a whole.

How can the epistemic capacities of democracies, and in particular of processes of democratic deliberation, be strengthened? Chapter 9 argues that proposals to replace representative by lottocratic institutions are unlikely to address the epistemic deficits of democracies that we currently see, and instead emphasizes the need for rebuilding existing institutions, not least by pushing back against the influence of money on politics. To illustrate my claim, I discuss three sets of institutions—schools, the media, and civil society organizations and unions—with regard to their epistemic roles in democracies. I also discuss proposals for how the online public sphere could be made more amenable to deliberative processes, arguing that a key epistemic challenge (the lack of clarity about the sources and status of content) could be addressed by regulation that requires more metainformation for online content.

In Chapter 10 I argue that questions of social justice have an epistemic dimension: societies marred by high levels of inequality are more likely to lack the trust that is needed for successful epistemic processes in the democratic realm. They are more likely to be polarized and to let epistemic institutions decline for lack of public support. I also discuss the nexus with a social sphere that has, arguably, a particularly strong influence on social trust: the workplace. More egalitarian and more participative social practices, in which individuals encounter each other on eye level and can develop bonds of trust among each other, have a greater

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[90]   Dzur 2008, 2017, 2018.
[91]   Brown 2009; Moore 2017; Pamuk 2022.

likelihood of enabling individuals to "live in truth," which is a crucial precondition for democracy.

In the concluding chapter I defend democracy against a number of criticisms from the "realist" camp. Against the view that voters are nothing but incompetent "fans," and that the capture of political processes by private interests is inevitable, I argue that by taking a more socially embedded, institutional view of democratic life, we can see in what ways voters' ability to hold politicians to account can be strengthened. I also argue that rebuilding the epistemic infrastructure of democracy and reducing socioeconomic inequality, as defended in earlier chapters, are in fact crucial strategies for reducing the risks of capture and government failure. Finally, I defend a view of democracy as an experiment, in which the realization of democratic principles in practices and institution is an ongoing task.

2

Knowledge

Social, Practical, Political

2.1. Introduction

What does it mean to "know" something? We know that we exist, we know our names, we know how to ride a bike, we know the rough distance between our home and the city center, we know the name of the president of our country. But what is the common denominator of these phenomena? *How*, and how *well*, do we know them? Knowledge is one of the concepts that we use almost unthinkingly in everyday life and that seem to become more and more puzzling the longer we think about them. Philosophers have asked questions about knowledge since ancient times and continue to disagree about its nature and the conditions for acquiring it.[1]

If one wants to deal with knowledge from the applied, practical perspective that I take in this book, one needs to be able to base one's account on an understanding of knowledge that considers important developments in these discussions, without getting lost in detail. I provide such an understanding in this chapter. In particular, I argue that one needs a notion of knowledge that does not relativize, or completely give up, the notions of truth and falsehood, as is done in certain circles of science and technology studies. And one needs a notion of knowledge that takes the social situatedness of knowledge, and hence also

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[1] There are also other academic disciplines one could turn to; without a claim to completeness, let me list a few: sociology of knowledge (see, e.g., Stehr and Adolf 2018 for an overview), the sociology of science (e.g., Merton 1973; see Kaiser and Maasen 2010 for an overview), and more recently, and in complicated relations to these two, "science and technology studies" (STS) (e.g., Jasanoff et al. 1995; Hackett et al. 2008). Other relevant material is provided by psychology and social psychology (e.g., research on psychological mechanisms such as denial, which I discuss below), not to mention emerging fields such as "agnotology" or "ignorance studies" (on "agnotology" see, e.g., Proctor 2008 for a programmatic statement; for theoretical considerations see also Smithsons 2008; on "ignorance studies" see, e.g., Gross and McGoey 2015; Peels 2017; Peels and Blaauw 2017; or from a philosophical perspective, e.g., Denicola 2018), applied fields such as "knowledge management" within organizational or business studies (e.g., Nonaka and Takeuchi 1995; Probst et al. 2006; for a philosophical perspective see Herzog 2018, chap. 6), or economic models of asymmetric information in markets (which started with Akerlof's famous 1970 paper, cf. also Chapter 4.3). Curiously, many of these fields of research exist alongside each other (and alongside the philosophical debates) without mutual engagement.

the problems of social injustices that translate into epistemic injustices, seriously from the start.[2]

Thus, my aim in this chapter is to provide an understanding of what I mean when I speak about "knowledge" in the chapters to follow. I do not claim to develop a *theory* of knowledge in the sense of explicating the concept of knowledge. Rather, I describe a *perspective* on knowledge that sees it as embedded in real-life contexts and that, as such, is suitable for thinking about the practical and political dimensions of knowledge. I will draw on various philosophical accounts of knowledge, especially from the pragmatist tradition and from feminist philosophy. The aim is to get a sufficient grip on the unwieldy notion of knowledge that allows me to address the questions I am ultimately interested in: the role of knowledge in democratic and capitalist societies and the ways in which such societies can be better or worse at dealing with it.

In fact, from this perspective, knowledge is not a strange entity that would require complicated explanations. Constellations of knowledge and ignorance are the very water we swim in in our individual and social life—and even more so given that we have so many pieces of information, which can be turned into knowledge, literally at our fingertips, thanks to smartphones and the internet. The philosophical mainstream had, for a long time, started its reflections on knowledge by looking at individual persons who know individual facts.[3] But more recent discussions, many of which have been inspired by feminist approaches to epistemology, have shown that the *social* character of knowledge needs to be taken seriously. The old Aristotelian adage that man is a social animal was probably never truer, and more relevant, than when it comes to knowledge and ignorance. There is a very real sense in which we often know, or fail to know, *as groups*, not as individuals.[4] Emphasizing this social nature of many forms of knowledge and ignorance is an important step in the argument for why it does not make sense to use markets, in which individuals typically act on their own, as the foremost epistemic institutions.

It is in line with this perspective that I see knowledge (and ignorance) in close relation to action (and nonaction): knowledge enables us to act, but it can also put responsibilities on us. And yet the link between knowledge and action is not an automatic one: sometimes we act without knowing, and sometimes we do not act even though what we know suggests that we should. In such constellations, we may not even want to know—and we are very good at suppressing or pushing

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[2]   Readers who are happy to go along with my notion of knowledge can move directly to Chapter 3.

[3]   For a discussion of the historical predecessors (in Plato, Descartes, Locke, and Kant) see Zagzebski 2012, chap. 1.

[4]   For an argument along these lines from the perspective of analytic epistemology see also Miller 2015; from a nontraditional perspective see Kusch 2002. For an argument about *scientific* knowledge as collective knowledge see de Ridder 2014, and more generally speaking, many voices in feminist philosophy of science; see Grasswick 2018 for an overview.

aside what we know if it would bring us disadvantages. These are constellations that we experience at the micro level of everyday interactions, but they also occur at the meso level of organizational life and the macro level of politics. Making them explicit prepares the ground for thinking about the role of knowledge in markets and democracies.

I also hope to make clear, however, that it is precisely the social nature of knowledge and ignorance that creates the conditions for various forms of injustices, which, in recent discussions, have been summarized under a concept coined by Miranda Fricker: "epistemic injustice."[5] If one starts from the assumption that we acquire and hold knowledge as members of social groups, it comes as no surprise that injustices from the social realm often translate seamlessly into injustices in the realm of knowledge and ignorance. We know, or fail to know, from within certain social positions. Acknowledging this does not, in any way, imply that we should relativize or give up the notion of knowledge (or the notion of truth). But it adds a crucial dimension to understanding why knowledge and ignorance are, by their very nature, potentially political.

In the next section (2.2) I describe the way in which some epistemologists have shifted toward a socially embedded view of knowledge, which I endorse. This is the perspective from which I explore the relation between knowledge (and ignorance) on the one hand, and action (and failure to act) on the other (2.3). For doing so, it is crucial to consider the various psychological mechanisms that can interfere with the nexus between knowledge and action. In section 2.4, I develop this perspective on knowledge further by taking into account the literature on the differential social situatedness of bearers of knowledge, and the various forms of injustice that can flow from it.

My overall contribution, through the combination of these arguments, is to make clear that we cannot, need not, and should not think of knowledge as detachable from social processes. Hence, in the conclusion (2.5) I draw the connection to politics, making clear why knowledge is always, potentially, political—and why we nonetheless often have good reasons to erect barriers between epistemic and political processes. It is this fundamental tension that forms the background against which my further reflections on knowledge in democratic and capitalist societies needs to be understood.

Before I start, let me briefly explain my usage of terms. I follow conventional usage by distinguishing between information, knowledge, and expertise or expert knowledge. The term "information" denotes single pieces of evidence, presented without contexts and without a social context in which, for example,

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[5]   See especially her 2007 book (and note 63 in the introduction for some recent criticism). See also Kidd et al. 2017 for a rich array of perspectives on epistemic injustice, and the literature referenced in Chapter 2.4.

a dialogue about their meaning can ensue. "Knowledge" is different from "information" in that it is embedded in broader sets of beliefs that allow us to make sense of it, and in that it is usually (though not always) in the context of groups that we can confirm it.[6] If we have knowledge about a certain subject matter, we can easily integrate new pieces of information, which then become part of our knowledge, whereas the same pieces of information may look meaningless for those who lack the relevant background knowledge. While most examples that I discuss focus on "knowledge that," or factual knowledge, in many cases parallel arguments can be made about "knowledge how," or practical knowledge.[7]

Expert knowledge or expertise is a subspecies of knowledge: the term denotes forms of knowledge that are not easily accessible for laypeople.[8] The reasons why certain forms of knowledge are difficult to access vary: they can include the need to acquire certain skills or an understanding of theoretical knowledge, or the ability to undergo certain experiences. The paradigmatic example is scientific knowledge, but I want to understand the term "expert knowledge" more broadly and will say more about it in the next chapter. Expert knowledge is usually held by communities of experts, even though some forms of expertise—especially practical expertise or "know-how"—are achieved by single individuals. But these individuals are members of epistemic communities,[9] and, as most of them would happily acknowledge, stand on the proverbial "shoulders of giants."[10] It is the fact that one has to be part of such a community in order to acquire these forms of knowledge, and that this is neither feasible nor desirable for every member of

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[6] There is also a possibility of individuals *treating* what could be knowledge as mere information, e.g., because the pay little attention and thus do not see the significant of a piece of new evidence. I come back to that scenario in Chapter 9.4.

[7] There is a large debate about how "knowledge how" and "knowledge that" are connected (see Fantl 2017 for an overview). For my present purposes, I can remain agnostic about this question. However, there has been some debate how "implicit" knowledge can play a role in democracy; see, e.g., Benson 2018.

[8] Goldman (2001, 94) uses the term "esoteric knowledge" for knowledge that is difficult to access; my use of the term "expertise" or "expert knowledge" is interchangeable. I explore the notion in more detail in Chapter 3.4. It is worth clarifying already here that I take expertise is real, in line with, for example, Collins and Evans 2007, against approaches such as, for example, Eyal 2019, chaps. 1–2, who seems to see it as nothing but a social construct.

[9] The term was coined by Haas 1992, in a slightly more specific sense: he emphasized the power of groups of experts, who share certain believes and principles and act on them, in international politics. In the complexities of international politics, such groups can be crucial for framing issues, aligning potential allies, and preparing negotiations (Haas 1992, 2). See also Cross 2013 for a more recent debate and a call for a revival of the notion; she also points out that older notions such as Fleck's term "thought collective" or Kuhn's term "scientific community" go in a similar direction (Cross 2013, 141). I use the term in a loser and broader sense, describing groups of individuals who share specialized knowledge and/or acquire new forms of specialized knowledge together, without necessarily having a political agenda.

[10] For example, Albert Einstein wrote: "Many times a day I realize how much my outer and inner life is built upon the labors of my fellow-men, both living and dead" (1931, 3, quoted in Alperovitz and Daly 2008, 73).

society, that creates a number of challenges when it comes to the democratic use of expert knowledge, which will occupy me in later chapters.

2.2. Epistemology's Shift toward the Social

In the Anglophone philosophical debate about knowledge, the focus had long been on individual knowers and their ability to acquire "justified true beliefs," the traditional definition of knowledge. The type of knowledge under consideration was often captured in specific statements about facts, such as "Berta is in the next room" or "The cat is on the mat." In the second half of the twentieth century, various attempts were made to define the necessary and jointly sufficient conditions for an individual to have such knowledge. This was done by challenging the traditional definition through counterexamples, so-called Gettier cases, in which individuals seemed to hold justified true beliefs and yet one would not describe them as "knowing" something, for example because they acquired these true beliefs by accident.[11] In response, other authors refined or adapted the meanings of "justified," "true," or "belief." However, this back-and-forth seemed to deliver no definitive answers, leading to a certain exhaustion of that research program.[12]

One noteworthy feature of this discussion was that it started from individuals and their sense impressions. Critics rejected this "atomistic" picture of knowledge early on.[13] One obvious challenge is that knowledge of facts, such as "The cat is on the mat," requires an agent to understand what a cat is and what a mat is, and to have the linguistic means for describing them. It is also noteworthy that the person in these examples hardly ever seems to *act*: she seems to be sitting in the literal philosopher's armchair and observing the world, but never interacting with Berta or the cat. This "intellectualism" has been criticized as another limitation of this paradigm: it sets knowledge apart from the world and our ways of acting in it.[14] It also sets the individual knower apart from others: it makes it a puzzle how we can acquire knowledge from others, and how such "testimonial" knowledge is similar to, or different from, knowledge that one has acquired oneself.[15]

The move toward a different paradigm came notably from feminist scholars, who started from a more socially embedded view of human beings.[16] For

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[11] Named after Gettier 1963.
[12] For critical discussions see, e.g., Goldman 1999a, chap. 1; Coady 2012, chap. 1; Welbourne 1986, chaps. 1–3; or Craig 1990. Hannon 2019 provides an excellent discussion of the move from individualist to social epistemology.
[13] See, e.g., Grasswick 2004 for a discussion.
[14] See, e.g., Stanley 2005.
[15] For an overview of the discussion on "testimony" see, e.g., Lackey 2006 or Leonard 2021.
[16] See, e.g., Dotson 2014, 121, who draws in particular on the work by Nelson (especially 1990).

example, an early pioneer of this "social" perspective on knowledge was Lorraine Code, who in a 1987 book focused on "epistemic responsibility." A basic assumption of her account is that human beings are social animals, and that knowledge-seeking takes place in social contexts.[17] Sharing knowledge and information within trustful and trustworthy social relationships is the foundation on which epistemic communities stand. This social dimension of knowledge is far more central than suggested by its conceptualizing as "testimony," a kind of derivative from individualistic forms of knowledge. After all, the vast majority of the facts we know have been communicated to us by others: our date of birth, the names of certain animals or plants, and also, crucially, the categories and concepts we use for capturing our sense impressions.[18] It is *because* we are members of linguistic communities and socialized into certain cultural groups that we can know and express simple facts such as "Berta is in the next room" or "The cat is on the mat."[19]

Another earlier contributor to this social paradigm of knowledge, Michael Welbourne, pointed out that knowledge is "essentially *commonable*": it can be made "the common possession of two or more people by simple say-so, written, spoken or, in suitable contexts, gestural."[20] It is because knowledge is commonable that there is the "possibility of a common, public and objective world," Welbourne holds.[21] On this view, knowledge is simply our word for describing what happens when processes of communication about our shared human world go well. The concept of knowledge, for Welbourne, emerged as a metaconcept for describing such social processes.[22] This means that testimony, rather than being logically secondary, becomes the primary focus of reflections on knowledge.[23]

[17] Code 1987, esp. chap. 7, on epistemic communities. In her 2006 book she expanded this perspective toward an "ecological" view of epistemic responsibility.

[18] In this sense, the social paradigm of knowledge can be understood as having Aristotelian roots (see, e.g., Coady 2012, 1).

[19] On epistemic dependence see also Hardwig 1991 and Goldberg 2011; see recently also Miller and Freiman 2020 and Rolin 2021 on the need for trust (in science). Another angle from which one can arrive at this insight is provided by Zagzebski 2007 on "epistemic egoism," as well as her 2012 account on "epistemic authority" (for a critical discussion see Wright 2016). Code (1987, 189–93) goes one step further, arguing for the importance of "epistemological altruism" and the willingness to share knowledge with others.

[20] Welbourne 1986, 1. Note that this implies that Welbourne has to separate knowledge from belief, because "beliefs *as such* are not commonable, but they may be mistaken for knowledge" (3). One does not have to hold that *all* forms of knowledge are commonable; there might be exceptions (such as knowledge about states of one's own body); see also Code 1987, 91.

[21] Welbourne 1986, 6. Welbourne rejected attempts to *define* knowledge because he takes it to be a fundamental, irreducible concept. This "knowledge first" approach was later defended in detail by Williamson (2000), but arguably, the focus in these debates remained very much on the *metaphysical* nature of knowledge.

[22] Welbourne 1986, 94–95. He also reminds us that "if knowledge were not naturally communicable, there could be no secrets and no ethical problems about privacy, freedom of information and so on (74).

[23] For a discussion see also Kusch 2002, chap. 5. Goldman 1999a, one of the pioneering works in social epistemology, holds an interesting intermediate position because he seems to remain tied to

The dependence on the testimony of others may appear unappealing if one starts from a solipsistic image of the individual inquirer, who acquires knowledge on his or her own. But if one takes the social nature of human beings as starting point, then it appears in a different light: as a wonderful way in which the limits of individual cognition and individual skills can be transcended and we can mutually enrich one another's lives.[24]

Other thinkers in this tradition, notably Edward Craig and Bernard Williams, use genealogical methods for approaching the concept of knowledge, that is, fictitious historical accounts about how certain developments *could* have taken place, and more specifically how the concept of knowledge could have emerged. For Craig, the central notion that might thus have emerged is that of a "good informant": a member of the human species who reliably shares knowledge with others.[25] Because human beings live in groups, they can divide labor—including the labor of acquiring knowledge—between them. Sharing knowledge is useful for all kinds of practical tasks. This is why we need a concept of knowledge that allows us to pick out "good informants"; as Hannon argues in a more recent account, this is indeed the key function of the notion of "knowledge."[26] Williams expands this genealogical approach by providing a "state of nature" narrative in which a group of human beings live together and realize that their lives become easier if they pool knowledge. Each member makes "investigative investments,"[27] by finding out facts about certain issues, which he or she can then share with others, as part of an "epistemic division of labor."[28]

While the positions of these authors overlap to a great extent, there are also some interesting differences between them. These concern whether we can expect the successful transmission of knowledge to be the normal case, or whether it should be understood, in a stronger sense, as an achievement. Welbourne, while agreeing with the general thrust of Craig's approach, holds that the transmission of knowledge is even more basic and normal than the notion of a "good informant" suggests, because this notion seems to be based on the assumption that *not all* informants are good.[29] Williams, however, discusses some reasons

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the idea that knowledge is primarily held by individuals, even though taking the social contexts in which knowledge is generated seriously.

[24] A similar point—the fact that we cannot excel in all fields but can draw meaning from others excelling in them—is discussed in Gauthier 1987, chap. 11.

[25] Craig 1990, esp. chap. 9. Kusch 2002 similarly understands ascriptions of knowledge as forms of social status.

[26] Building on Craig, Hannon 2019 provides an account of knowledge that focuses on this notion: for him, the function of the concept "knowledge" is to identify reliable informants in a community of individuals who share knowledge, hence his "function-first epistemology." In contrast to Craig, Hannon does not rely on a genealogical account.

[27] Williams 2002, 87.

[28] Williams 2002, 43; see also Code 1987, 227ff., on the notion of "division of intellectual labor."

[29] Welbourne 1986, 127.

why this might not be so. Acquiring knowledge can be costly, and individuals might gain a practical advantage by concealing it from others. This means that individuals are often faced with a collective action problem: everyone can be made better off if the epistemic division of labor functions well, but for each individual there are incentives to "free ride" on the efforts of others, without contributing one's own fair share.[30]

For Williams the epistemic virtues of "accuracy" and "sincerity" provide remedies against these temptations, and thus create the possibility of stabilizing a reliable division of epistemic labor.[31] The acquisition of knowledge from others requires that certain social norms are in place and that individuals have internalized them.[32] But because we could not survive, as a species, without the knowledge sharing that these social norms make possible, human beings have good reasons for endorsing them, and this in turn means that we can usually rely on them being in place. When we approach a stranger and ask for directions, we usually except him or her to act as "good informant," rather than to deceive or mislead us.

As Craig had pointed out early in this debate, there is something specific about *humans* sharing knowledge: they can interact.[33] In contrast, a mere "source of information," such as a city map, cannot react to my question, for example when there is a potential misunderstanding or when the question is ambiguous.[34] When human beings interact in processes of knowledge sharing, they can collaborate: the informant can ask a follow-up question to make sure the information was taken up correctly by the person who asked for it, or add additional information in order to make sure the purpose of knowledge sharing can be reached.

This picture fits well with insights from neuroscience and biology about the ways in which humans function as a species. Human beings can communicate

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[30] Williams 2002, 58.

[31] Williams 2002, chaps. 5 and 6.

[32] This is one of the starting points of the literature on "virtue epistemology," which asks which virtues individuals should have to produce epistemically beneficial outcomes. See Roberts and Woods 2007 as an example or Turri et al. 2019 for an overview of the debate; Green 2017 is one of those who provide an explicitly *social* view of epistemic virtues. For reasons of consistency, I will not draw on virtue epistemological vocabulary and literature in my discussion, though many of my arguments could be reformulated in virtue epistemological terms. Given that I focus on social processes and institutions, however, the virtue ethical terminology—which, after all, remains tied to *individuals* as bearers of virtues—seemed not the best choice for my project (Anderson 2012 also speaks of possible virtues *of institutions*, but this is unrelated to virtue epistemology). For a self-critical take on "vice epistemology," from one of its proponents, see recently Cassam 2021, who points out that explanations in terms of class or ideology might often be needed to complement explanations in terms of epistemic vices.

[33] Craig 1990, 36.

[34] However, we should not underestimate the amount of knowledge that is stored in objects—not only explicitly "epistemic" objects, such as city maps, but also technical objects that we use on a daily basis, thereby also drawing on the knowledge that went into constructing them, without having to actively acquire it. For a discussion see Sloman and Fernbach 2017, esp. chaps. 5 and 7.

with each other in ways that are rare, and occur only in rudimentary form, in other species. Other species can use signals and certain "linguistic" means of communication, for example the famous "songs" of whales, but according to current science, these do not reach levels of complexity comparable to human language.[35] As cognitive scientists argue, it is the ability to share attention with others that enables human beings to cooperate and to share knowledge. Not even great apes can share each other's attention in the way that human children learn at an early age.[36] The result is that we human beings are animals who "actually enjoy sharing our mind space with others," as two cognitive scientists, Steven Sloman and Philip Fernbach, have recently put it.[37]

However, this picture may appear all too harmonious. Can we really assume that human beings are always, or most of the time, "sincere" and "accurate" and willing to share knowledge with others? What about situations of conflict or diverging interests? What if a piece of information matters a lot to me, but not very much to my interlocutor—can I be so sure that she has taken good care in acquiring it? As John Greco points out in a recent book, there is an interesting symmetry here: accounts that start from the individual knower make knowledge acquisition through testimony appear "too difficult," but accounts that start from a social view of knowledge might make it "too easy."[38] The latter seem not very well suited for certain situations, such as the questioning of uncooperative witnesses, in which it would be premature to call any claims one receives from others "knowledge."[39]

Greco provides an intuitively plausible solution to this problem: it depends on the situation! In some situations, what happens between individuals is indeed "a special sort of cooperation," based on trust, in which knowledge is successfully shared.[40] But when such trust is absent, we cannot understand statements by others as cases of "telling," and we cannot assume that knowledge has indeed been transmitted. In many cases, it is immediately clear which situation we

[35] In fact, the way in which humans can communicate with one another and share attention and intentions stands in stark contrast to our failure to understand other beings with whom this is not possible. As Thomas Nagel (1974) pointed out in his famous essay "What Is It Like to Be a Bat?," we cannot answer this question by looking at the brains of bats with the help of scientific methods. We would have to find ways to communicate with bats in their own language, read the poetry they write, understand what they consider meaningful or meaningless, etc.

[36] Sloman and Fernbach 2017, 115–16, quoting work by Tomasello and others. The "social brain hypothesis" attributes the increase of human intelligence in the evolution of our species to the life in groups and the cognitive demands of mutual understanding and knowledge sharing (Sloman and Fernbach 2017, 111–12).

[37] Sloman and Fernbach 2017, 14.

[38] Greco 2020, chap. 2. Greco connects this point to a number of debates in contemporary epistemology, such as reductionism vs. antireductionism, generation vs. transmission of knowledge, and the character of testimony.

[39] The example of uncooperative witnesses is discussed at Greco 2020, 32 and 42.

[40] Greco 2020, 18 and chaps. 2–3.

are in: when a mother speaks to a child, the child by default acquires knowledge from her. In contrast, in the case of uncooperative witnesses mentioned earlier, this cannot be assumed by default. Often there are social norms or cues that make clear what to expect.[41] And arguably, human beings are usually quite good at picking up such cues, especially if it matters for them to know whether or not they can rely on someone's claims.[42] Moreover—a point not discussed in detail by Greco—in many situations we can assume that the default is honest knowledge transmission because there are also formal rules, and checks by third parties, that aim at preventing deception or harmful negligence.[43] This certainly does not mean that we could forgo trust and trustworthiness altogether, a point to which I will come back throughout this book.[44] But it means that in many situations in which knowledge is practically relevant, we can indeed rely on more than just the goodwill of others to ensure their reliability as informants.

Greco's picture is extremely plausible, but it leads to an obvious follow-up question: How do we know whether we are in a situation of trust or in one in which we better not trust? The examples he uses in his book are reasonably clear—but what about situations in which we lack clear cues? Or what if, even worse, someone has an interest in deceiving us, and therefore falsifies cues that are meant to signal a situation of trust when in fact there is none?[45] As I will argue later in this book, this is a very real problem, especially in online contexts, and Greco's analysis helps us understand why it is so pervasive.

Does this social account of knowledge mean that knowledge is always held by groups, never by individuals? Such a claim would go too far; it is perfectly plausible to say that individuals, once they have acquired certain linguistic means, can acquire knowledge on their own, for example through sense perception—they can *see* that the cat is on the mat. Nor does it mean that it is *only because* knowledge is shared that it *is knowledge* (though this may be true for specific forms of knowledge that require confirmation by others). Different forms of knowledge can be acquired in different ways, through different methods, from simple and straightforward sense perceptions to complex scientific methods. Some can be

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[41]   See also Greco 2020, chap. 4, on the role of social norms and sensibilities.

[42]   The case against "gullibility" has recently been made in forceful terms by Mercier (2020, building on Sperber et al. 2010 on "epistemic vigilance"). He refutes numerous arguments for how easy it is to deceive or mislead human beings, based on the central argument that human beings have evolutionary acquired mechanisms of "open vigilance" at their disposal, which mostly work well, but can sometimes lead to mistakes (especially when they are intentionally exploited by others). His picture is one of social communities in which the sending of wrong signals is usually punished by other group members (see esp. chaps. 2 and 4). While refreshingly optimistic, his account seems to err on the side of *too much* optimism. In Chapter 9.4 I return to this topic in the context of epistemic questions about the internet.

[43]   Cf. also Goldberg 2011, 117, on the role of third parties for checking reliability.

[44]   See especially Chapter 8.3.

[45]   I have explored a similar phenomenon (misleading through social norms) in Herzog 2017c.

acquired and used by individuals on their own; others can be acquired and used by individuals but only if social processes in the background ensure the validity of the knowledge claims in question. In others—for example, most forms of scientific knowledge—the very methods to acquire knowledge require cooperation, so social collaboration, including mutual checks and balances, is inevitable.[46]

But it would be wrong to see a social perspective on knowledge as relying *exclusively* on mutual affirmation, and thereby as standing in contrast to an empirical orientation that is turned "outward" toward reality.[47] Rather, we acquire knowledge about this very reality while operating within socially acquired frameworks—with language as the most basic one—and more often than not, we do so in cooperation with others. Even when it comes to basic sense perceptions, we often rely on others for confirmation and stabilization. When we see something unusual that we take to be potentially important, it is natural to react by seeking confirmation from a second person, to make sure it was not just an optical illusion.[48] And many more complex methods for acquiring knowledge are inherently social in the sense that they rely on divided labor, often combining different forms of expertise, so that one individual could never acquire these forms of knowledge on his or her own.[49] And yet they are methods for exploring a reality that is more than a social construct, and this reality will, at some point, push back if we get it wrong.[50]

It is *because* reality pushes back relatively quickly if we develop wrong beliefs about it that many forms of everyday knowledge are completely uncontroversial. We acquire them, act on them, and share them with others. In fact, we do so almost automatically, and it would be hard to imagine our shared forms of lives if we could not rely on these processes to go relatively smoothly. But in areas in which knowledge is uncertain, or the methods for acquiring it are limited, it is possible that it will take some time before reality's "pushing back" happens. This means that individuals or groups can be stuck with wrong beliefs, despite working hard to acquire true knowledge, for considerable stretches of time.[51]

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[46] This is a point that feminist philosophers of science have long emphasized; see also Chapter 3.4.

[47] In theories of truth, this contrast is often captured by the labels "coherence theories" (which see truth in coherence with other beliefs) and "correspondence theories" (which see truth as correspondence with reality). For a helpful overview see Blackburn 2017, who defends an account of "controlled coherence." Kusch 2002, chap. 8, provides an argument why both approaches, as traditionally conceived, are marred by individualistic assumptions.

[48] This was shown in the famous Asch conformity experiments (Asch 1956), though as critics have remarked, one should not overinterpret the findings (which stem from a specific context and period). For a critical discussion see, e.g., Mercier 2020, 74–76.

[49] See especially Hardwig 1991 on the role of trust in the production of scientific knowledge. See also Rolin 2002 for constructive criticisms from feminist perspective; for a recent discussion see also Miller and Freiman 2020 and Rolin 2021.

[50] See also Blackburn 2017, pos. 281. For a defense, from a slightly different angle, of a minimal, but stable, notion of truth, see also Goldman 1999a, chap. 1.

[51] This is also why abstract claims that have no anchoring in people's everyday lives offer fruitful ground for manipulation and conspiracy theories (cf. also Mercier 2020, 61). While I suffer

Forms of knowledge for which reality does not "push back" immediately are often ones that we can acquire only through indirect methods, for example, through various forms of indirect measurement, as when early astronomers started to derive the course of the planets from the position of the stars in the night sky. And as the history of astronomy famously illustrates, wrong views, such as the geocentric worldview, can then persist for a long time. If the relevant group of experts holds on to such wrong views, it is likely that new evidence will first be read in ways that fit into the predominant paradigm. It takes brave newcomers to interpret the evidence differently: the Newtons and Galileos who dare to come up with completely new hypotheses, in this case the heliocentric worldview. Over time, it was this latter view that was confirmed by more evidence and adopted by the whole community of astronomers.

What this famous historical episode suggests is that when groups hold certain views that are insufficiently anchored in reality, then antagonistic strategies, which question and scrutinize received views, are crucial for breaking the consensus and ultimately improving the group's epistemic position. From the social perspective on knowledge that I have sketched, one can and should acknowledge that certain forms of scrutiny and opposition are needed for deepening our knowledge. Socrates's habit of poking holes in the apparently secure knowledge of his fellow Athenians is a famous case in which antagonism, followed by dialogue, was meant to create epistemic improvements.[52] Today, the pursuit of scientific knowledge is organized, in Robert Merton's famous words, as "organized skepticism," and only claims that survive intense scrutiny are accepted as "knowledge."[53] In debates between political opponents, and maybe also in well-designed courtroom proceedings,[54] there can be epistemic benefits from adversarial constellations, such as the uncovering of logical fallacies or of problematic premises in the other parties' arguments.[55]

However, the combination of these two facts—that we seek confirmation for knowledge from others, but that groups can also err—leads to a challenge about

an immediate disadvantage if I hold a wrong opinion about a mundane fact such as "There are roadworks and the buses run on a different schedule" (I get to wait for the bus in vain), I do not experience such an immediate pushback from reality if I believe that "Bill Gates has unleashed the corona virus." However, many claims that are relevant for politics are of a rather abstract kind, closer to the latter example than the former, or they come from experts and are difficult to grasp for laypeople (see also the next chapter). This is one root cause of the overall challenge this book tries to address.

[52] See also Code 1987, 56, on cases of "epistemic rebellion."
[53] Merton 1942.
[54] But see Goldman 1999a, chap. 10, on the adversarial dimensions of legal systems and how they often lead away from truth. Applebaum 1999 discusses some of the implications in terms of an "ethics for adversaries."
[55] On antagonistic mechanisms (competition, sanctions) for scrutinizing truth claims by experts see also Christiano 2012b, 40–42. To be sure, this does not mean that *all* forms of antagonism would be epistemically beneficial.

knowledge that is at once theoretical and very practical: the dilemma of dissent or disagreement.[56] When we see a majority hold a certain view, and a dissenter holding an alternative view, we cannot a priori assume that it is the majority that is correct. The dissenter may be a crazy conspiracy theorist, or she may be a scientific genius ahead of her time (it goes without saying that her opponents will paint her as the former, while she herself may want to appear as the latter). And while dissenters such as Socrates or Newton and Galileo were clearly committed to an overarching goal of achieving true knowledge, agents with less benign goals can also adopt the pose of rightful dissent, and it may be difficult for third parties to unmask their dishonest stance.[57]

To be sure, there are *some* things that can be said about what makes a consensus more likely to be correct.[58] If a consensus is a matter of social homogeneity or shared interests, then we are justified in being skeptical whether it is indeed the best way of capturing reality. If there are no opportunities for dissent *within* a group, or if dissent is ignored, this makes a consenting group less trustworthy.[59] Or, specifically in the scientific context: If all evidence comes from a small set of studies, conducted with the same methodology, then this is a less reliable basis than if there is a broad range of methodologies, all tried and tested, that arrive at the same conclusions.[60] Often, there is no one piece of evidence that would provide us with knowledge that would be certain once and for all (an *experimentum crucis*, as it had historically been called). Rather, there is a body of evidence that builds up over time and that at some point becomes so overwhelmingly convincing in support of a certain theory that alternative theories can be rejected with good reasons.[61]

This leaves us with a threshold problem: At which point should one speak about "knowledge," and when should one start basing one's actions on such claims?[62] In such situations—where we are getting closer and closer to knowledge, but uncertainty remains—the dilemma of dissent is particularly urgent. More generally speaking, when knowledge is uncertain, whether because of dissent or because evidence is only building up slowly, it is often difficult to draw the

[56] There is a large literature in (mostly traditional, and some social) epistemology on disagreement; see Frances and Matheson 2019 for an overview. Kusch 2002, chap. 10, discusses some recent proposals on how to deal with disagreement from his "communitarian" epistemological perspective.

[57] Alternatively, they may amplify the voices by those who honestly, but mistakenly, disagree, as was part of the "tobacco strategy" described in the Introduction.

[58] See, e.g., B. Miller 2013 for a discussion.

[59] See especially Longino 1990 on the conditions on scientific communities to acquire knowledge, which I also take up in Chapter 3.4.

[60] Cf. similarly O'Connor and Weatherall 2019, 115, who discuss the problem that funding is provided for many small-scale studies instead of a few thorough studies, which can lead to less certain states of knowledge.

[61] On the statistical character of scientific knowledge see also O'Connor and Weatherall 2019, chap. 1.

[62] On the threshold problem see also Hannon 2019, chap. 7.

right conclusions for action, and many forms of "epistemic politics" take place in this area.[63] I take it that the fact that this dilemma about dissent and uncertainty follows from the logic of the social account of knowledge, and that it can thus help us grasp the shape of real-life conflicts, is a strength of this approach.

2.3. Knowing and Acting

Many forms of knowledge have relevance for human action, and in what follows, I will focus mostly on these. This should not be understood as a devaluation of knowledge that is not "practical" or has no immediate application. We humans are a curious species; we care about how the universe came into existence, about what our ancestors did, and about many other things that have no direct impact on our daily lives.[64] And often, when new knowledge is being sought, we do not know beforehand whether, and in what ways, it might be relevant for us. Some of the arguments I put forward do indeed apply to all forms of knowledge that matter to us, in whatever ways, even though the primary cases of applications are forms of knowledge that are directly relevant for practical (and, more specifically, political) matters.

On the picture I have drawn so far, knowledge anchors us in our common world. What we know or do not know shapes our perspective, influences how we react to new information, and connects us to others. "Coming to know" something can therefore be an event, sometimes even a life-changing one: it can change our relations with persons and things and shift the frame of our responsibilities and our options for action. It is helpful to distinguish two ways in which knowledge is related to action: as a precondition for actions, and as creating responsibilities.

We could not "act" in a meaningful way if we did not know certain things about the world. On the one hand, we need to have certain forms of background knowledge in order to function as agents at all. Some of these are so basic that we may even hesitate to call them "knowledge." Wittgenstein has famously discussed some such examples in *On Certainty*: we have two hands, we have never been in the stratosphere.[65] We could not exist, let alone act, without such background assumptions in place, even though we have never explicitly "learned" them.[66]

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[63] In fact, here questions arise whether our very understanding of knowledge depends on how much is in stake in practical terms. See footnote 71 for some of the philosophical discussions around these questions.

[64] See also Kitcher 2011, 110–11.

[65] These examples are from Wittgenstein 1969, §250, §§218–22. For a discussion see also Medina 2013, 125–29.

[66] Hence the harmfulness of forms of manipulation that attempt to undermine individuals' self-knowledge and their knowledge about the world. The term "gaslighting" has been coined for

Greco describes them as a kind of "common knowledge" that we acquire "for free," as it were, by growing up as a member of a certain biological species and of a certain culture.[67] Doubting specific claims, or disagreeing with others—all this takes place against a background that we *cannot* doubt, or at least not without putting our rationality and our ability to act at serious risk.[68]

On the other hand, more *specific* forms of knowledge are a precondition for *specific* actions by which we pursue our goals or interests. Knowledge is instrumental for doing so—a dimension of knowledge that has, traditionally, been captured in the slogan "Knowledge is power."[69] Of course, different forms of knowledge create different kinds of power. What the term "instrumental" evokes, in particular, is the idea that by understanding nature, we can reach our goals by putting the "laws of nature" to our use. But there are also innumerable other ways in which knowledge is a precondition for action: knowing how to tell a good joke gives us the ability to cheer up a friend; knowing that there is a city marathon allows us to plan ahead for the weekend without being frustrated by blocked roads. Knowledge is directly connected to one's capacity to navigate the world around oneself and to live a life according to one's plans.

The relevance for the pursuit of our own goals is one of the key factors that determines which knowledge we are likely to acquire. We are, after all, surrounded by endless amounts of information that could, potentially, become part of our knowledge. And yet not all information has the same psychological salience for us. Some pieces of information affect us deeply, while others remain at the periphery of our vision. This happens already at the level of sense perception: the human brain has an astonishing ability to focus on what it processes as relevant, while other information is faded out.[70] But it also holds at a more general level: when human beings have certain interests, whether material or otherwise, they are likely acquire the knowledge relevant for pursuing them. Many individuals go to great lengths acquiring specific forms of knowledge, not only in

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describing forms of manipulation that attempt to undermine another person's sense of their own sanity; see, e.g., Berenstain 2020.

[67] Greco 2020, chap. 6. Greco discusses this Wittgensteinian "hinge knowledge" in connection with the notion of "procedural knowledge" from cognitive science.

[68] This does not mean that *all* claims that we acquire in this quasi-automatic way are correct—the ones stemming from our culture might, for example, contain racist or sexist assumptions that urgently need to be challenged. I come back to that point in the next section.

[69] In the West, the origins of this idea are seen as rooted in sixteenth- and seventeenth-century Enlightenment thought, where the phrase *ipsa scientia potestas est* can be found in Bacon and was taken over by Hobbes and others.

[70] An illustration of this human ability is the famous experiment in which test persons are asked to watch a videoclip of a group of basketball players and count the passes between them. In between, an individual in a gorilla costume walks across the basketball court. But when asked whether they noticed the gorilla, many individuals say no—they were too busy counting passes! For a perceptive discussion see Felin 2018.

their work life—where this is often part of their responsibilities, a point to which I come back below—but also in their private lives, because they pursue certain hobbies or have interests that are tied to their sense of identity, for example, with regard to their family history. When knowledge is connected to our goals and interests, it becomes emotionally salient for us, and it stands out from all the other forms of information or knowledge that we might, in theory, acquire.[71]

An implication of this instrumental function of knowledge is that when we have a responsibility to act, we often also have a responsibility to acquire relevant knowledge. If I made a promise to visit my elderly aunt in hospital, I have a responsibility to find out how I can get there. Failing to acquire knowledge that is necessary for an action that one has a duty to perform can result in "culpable ignorance."[72] It is a common moral accusation that someone "should have known" something.[73] This holds in particular when an agent holds an official role, for example as doctor or clerk, that includes role responsibilities to acquire (and regularly update!) certain forms of knowledge.[74] But such epistemic responsibilities, connected to moral or other responsibilities, are also part of our everyday life and our private social relations, and we can be blameworthy for failing to acquire relevant information or knowledge if that leads to a failure to do what we have a responsibility to do.[75]

However, the link between knowledge and responsibility can also function in the other direction: knowledge can create responsibilities to act. This is the second way in which knowledge relates to action that I want to discuss. If a person knows something or knows how to do something, this is often a good reason to assign responsibilities to her. Knowledge is, after all, a capacity, and capacities can be bases for assigning responsibility.[76] The most obvious cases in which this

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[71]   In fact, some philosophers have argued that even what *counts* as knowledge has to do with our practical goals. This thesis has become known as the "pragmatic encroachment" thesis (see notably Stanley 2005). If the stakes of knowing something are high, the threshold for when an agent can be said to know something is different from when the stakes are low: as Stanley discusses in a famous example, what it means to "know" the opening hours of the bank is different depending on whether or not one has important payments to make. The equivalent of that thesis in the philosophy of science is Heather Douglas's (2009) argument that where we draw the line when evaluating scientific evidence and considering it sufficient or insufficient depends on what is at stake (for example, it is different when human lives are at stake).

[72]   See Smith 1983 and 2014.

[73]   See Goldberg 2015 for a discussion of such cases.

[74]   See also A. Buchanan's account of an "ethics of believing" as an element of "practical ethics"; as he emphasizes, it is not only a matter of individual responsibility or virtue, but also of "*institutional epistemic virtues and vices*" (2009, 285).

[75]   The notion "epistemic responsibility" is sometimes used in the literature on epistemology (e.g., Code 1987; Corlett 2008 and the literature quoted there). But it is usually understood as a *purely* epistemic virtue, discussed in the context of intention and responsibility. To use an illustrative example from Code (1987, 74): the members of the Flat Earth Society deserve censure for lack of epistemic responsibility, even though their beliefs may be irrelevant for practical questions. As Code acknowledges, however, moral issues connected to false beliefs often overshadow the purely epistemic problems.

[76]   See, e.g., Miller 2001 on "capacity" as one of the principles for assigning responsibilities.

happens are emergency situations: when I come to know that someone is imme-
diately at risk of being harmed and I can prevent this from happening, I should
take the relevant steps. And often these steps consist precisely in sharing knowl-
edge with that person. Friends plan to go swimming at the beach, and you know
that this is dangerous today because of the high tide? Warn them! A tourist ur-
gently needs to see a doctor and you, as a local, know how to get there? Give
directions! In everyday moral life, these are common experiences.

Sometimes, however, the responsibilities that can result from coming to know
something go further than just sharing information with others. They might put
real burdens on agents. Take, for example, the case of an employee in a public
institution who realizes that one of her colleagues has misallocated funds—does
she have a duty to report this?[77] Or, to take an example from private life: if I come
to know that a lone distant relative is in financial distress, I might have a respon-
sibility to support her. What these cases have in common is that the agents in
question might often secretly wish they had never learned these facts, which
would have "spared them the trouble" of figuring out what to do and taking ac-
tion. Ignorance would have been a justification for not doing anything, at least in
cases in which there was no antecedent responsibility to acquire the knowledge
in question.[78] This is why ignorance can play such an important role in our moral,
political, and legal life—and why agents may have an interest in constructing an
appearance of ignorance.[79]

These ties between knowledge and responsibility, however, are also one of the
reasons why individuals sometimes react to new information in ways that may
seem puzzling if one focuses exclusively on the epistemic level. Individuals some-
times try to adjust their web of beliefs and the ensuing responsibilities, not by
accepting new responsibilities that flow from newly acquired knowledge, but by
shoving aside, or blocking off, new information. In fact, psychological research
confirms that individuals also try to avoid or suppress information that would
challenge them not in the sense of creating practical responsibilities, but "only"
in the sense of being in tension with their sense of identity and group member-
ship. This line of research comes under various labels, such as "motivated rea-
soning" or "denial."[80]

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[77] The debate about whistleblowing has recently also been taken up in business ethics and philos-
ophy; see Ceva and Bocchiola 2019 for an overview.

[78] This does not mean that we could never be responsible without knowing—there might well be
responsibilities that we fail to realize; for discussions of examples of "responsibility without aware-
ness" see Sher 2009.

[79] The alleged "ignorance" about the harmfulness of tobacco, as discussed in the Introduction, is
an example of that mechanism. See also Davies and McGoey 2012 on how claims about ignorance of
financial risks were used by financial institutions, after the financial crisis of 2007, to reject charges of
culpability for the crash.

[80] On motivated reasoning see, e.g., Kahan 2013; for philosophical reflections see recently Ellis
2021. Such cases are different from classic akrasia, or weakness of the will: there, the assumption is
that an agent knows exactly what she should do but lacks the willpower to do it.

In a recent book, Adrian Bardon discusses the psychological research on these topics from a philosophical perspective. He explains that a speaker is in denial with regard to the rejection of a claim if she "(a) has little reason, all things considered, to believe the claim; (b) has been exposed to good reasons, all things considered, to doubt it; and (c) has some emotional need to believe it that accounts for the belief (i.e., if the emotional need weren't there, the belief wouldn't be either)."[81] Denial can be a reaction to cognitive dissonance, the state of mind, often experienced as unpleasant, that results from receiving information that contradicts one's previous beliefs.[82] Denial usually takes place on a subconscious level, through various biases that affect the way in which human beings process new information. A whole range of psychological experiments and studies have explored how these biases function.

For example, there is "confirmation bias": we seek out information that confirms our own views, rather than contrary evidence.[83] There is the tendency of "selective exposure": we prefer sources of information that are more likely to confirm our views.[84] There is even active "information avoidance," when we simply do not want to receive evidence that would force us to rethink our settled views.[85] Emotional coloring, group membership, and identity can play an important role in these processes.[86] So can interests in a more material sense—Bardon quotes Upton Sinclair's famous quip, "It is difficult to get a man to understand something when his salary depends on his not understanding it."[87] Even well-meaning individuals can fall into these traps; they are not a matter of intelligence or education. And while we can often recognize the resulting blind spots in others, we tend to be blind toward our own biases.[88]

Whether or not denial is problematic, from a moral perspective, depends, of course, on what is at stake. It may be an endearing quirk that Uncle Toby refuses to believe that his cat likes her food just as much when she is fed by another person. But when denial concerns an agent's responsibilities toward others, for example responsibilities that come with her occupational role or with her role as a citizen in a democracy, it can be far more problematic. The possibility of denial means that simply *providing* individuals with information may be insufficient for

[81] Bardon 2019, 3–4. See also Cohen 2001 for analysis and discussion of (mostly historical) examples.

[82] Bardon 2019, 7, 25.

[83] Bardon 2019, 31.

[84] Bardon 2019, 33–34.

[85] Bardon 2019, 35.

[86] Bardon 2019, chap. 1 and *passim*.

[87] Bardon 2019, 23.

[88] Bardon 2019, 48. However, it is also worth pointing out that a number of studies that seemed to show that people did not care very much about truth or falsehood, and that confronting them with facts that they did not like would "backfire," have not been reproducible. See Engber 2018; these methodological controversies will certainly continue.

them to acquire knowledge. And it opens the door to forms of manipulation or deception that play into the hands of people's emotional or material needs. Many recent episodes of "epistemic politics"—for example the unwillingness of Trump followers to believe charges against him—can be understood better if these psychological mechanisms are taken into account.[89]

What these connections between knowing and acting imply is that we should not understand knowledge—at least most forms of knowledge—as sitting in some separate sphere, divided from our goals, interests, and responsibilities. Knowledge and ignorance matter to us because they tell us not only what to think or not to think, but also what to do or not to do. And if we do not like what they tell us we should do, we sometimes react like the little kid who closes her eyes or covers her ears to make the things she sees or hears "go away" because she does not like them. But if the claims in question really are knowledge, they are about a reality out there that will, at some point, push back. We better keep our eyes and ears open!

The arguments presented so far should also make clear why I have no sympathies for approaches that try to complete avoid (or "deconstruct") the notion of knowledge or related notions such as "truth" or "fact." This does not mean that one needs to call the *outcomes* of democratic processes "true" in a strict sense; many writers want to resist this claim and instead speak of "reasonableness," the avoidance of failures, or some other evaluative term.[90] But note that this is compatible with holding that the assumptions that *enter* the democratic process can be true or false in a stronger sense: as specific claims that have been established by trustworthy methods. The *interpretations* of such claims can be so complex, involving different weighing decisions and value judgments, that one might want to speak about more or less "adequate" or "plausible" interpretations. But at the very least, democratic societies need to be able to call out falsehoods or interpretations of reality that are completely out of sync with what we know about the world.

One can, and should, admit that the ways in which notions such as "truth" or "knowledge" have been historically used have often been overblown, and that insufficient attention has been paid to their social embeddedness and to the time and effort it often takes to arrive at them.[91] Our claims to knowledge or truth are often far more fragile than we would like them to be; they are the result of social processes of evidence provision and justification, which vary enormously

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[89] Cf. Bardon 2019, chap. 2, on climate change denial.

[90] See, for example, Fuerstein 2021 on Dewey's position in this regard (and the whole special issue on pragmatic accounts of truth and democracy [Lever and Gerber 2021], which discusses Deweyan and Peircean perspectives).

[91] For various arguments against epistemic relativism from a "communitarian" perspective see also Kusch 2002, chap. 19.

from field to field and whose self-correcting features do not always work as they should. Moreover, claims to truth or knowledge cannot, *on their own*, justify political decisions—for that, they always need to be combined with value judgments, and often, different forms of knowledge need to be brought together as well.[92]

But we should not, and indeed cannot, give these notions up. Bruno Latour, the doyen of science and technology studies, made a famous U-turn, or at least a defensive retreat, with regard to the realism of certain claims (even though he continued to avoid the term "truth"). In his earlier work, especially in his ethnographic studies of laboratories, Latour had cofounded a strand of research that emphasized the ways in which knowledge claims are socially constructed, which was often understood as saying that they were *nothing but* constructs, determined by power relations and historical path-dependencies. But in a 2004 paper, Latour emphasized that in his research, "the question was never to get *away* from facts but *closer* to them, not fighting empiricism but, on the contrary, renewing empiricism."[93] He had realized, with horror, that climate change deniers and others had made use of his work to throw doubt on scientific evidence.

In our individual and shared lives, we cannot forgo notions such as "knowledge" or "facts" or even "truths," even if we reject reading them with capital letters and are content with modest, pragmatic versions of them. We can also grant that in different areas of life—take astronomy, child rearing, and environmental policy as examples—we need different types of "truth," based on different methods of inquiry in different combinations. But as individuals and as societies, we cannot act if we do not know, and agree, at least roughly, on what we know. If we want to act together as members of a democratic polis, who use arguments and not manipulation or mere force to convince our fellow citizens, then we need to be able to draw on such concepts. Or as Hélène Landemore puts it: " 'truth' (whether it is called that or something else) . . . forms the unavoidable normative horizon of human discursive exchanges. It is a concept without which we could not make sense of ourselves as dialogical and rational creatures."[94]

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[92]   See also Vogelmann 2018, who uses Rouse's notion of a "nonsovereign" understanding of truth. However, Vogelmann is willing to use the term "truth" for claims for which I would not consider it appropriate (e.g., speaking of different "truths" in the debate about how many people attended Trump's inauguration, or in discussions about "political correctness" at universities). In such cases, I would suggest restricting the term "truth" to specific data points or facts that can be established by trustworthy methods, while holding that the sum of these data points or facts can be *interpreted* in more or less adequate ways.

[93]   Latour 2004, 231 (see also footnote 39 in the Introduction). This does not mean, of course, that the issue would be settled in STS. On the contrary, there have been fierce debates, in particular with regard to public communication in the face of climate change denialists and others who care little about "renewing empiricism." For a recent contribution see, e.g., Baker and Oreskes 2017.

[94]   Landemore 2017, 285. For discussions that defend such a position, from slightly different theoretical perspectives, see also Goldman 1999a, chaps. 1 and 2, on "veritism," and Code 1987, chap. 6, on "normative realism" as a core value of epistemology. For a Peircean justification of the unavoidability

And yet there is one key element in the critical attacks on the traditional account of knowledge that continues to be relevant. Critics have pointed out that what counted as knowledge, traditionally, had often been produced by privileged groups, excluding women, ethnic and religious minorities, people from lower classes, or whoever else was not considered worthy of being a bearer of knowledge.[95] And all too often, knowledge that lacked official credentials, such as experiential knowledge or the knowledge of Indigenous communities, was not even recognized *as* knowledge. If one defends a social understanding of knowledge, as I do, then it is crucial to also take into account how the hierarchies and injustices of the social world have shaped the generation and transmission of knowledge and continue to do so. By this, I do not only mean the ways in which knowledge, including scientific knowledge, has been used to oppress disadvantaged groups. Rather, I also mean the ways in which the very creation and distribution of knowledge are influenced by the structures of the social realm, many of which are unjust. In the next section, I therefore turn to writers in the traditions of feminism and racial justice who have explored these connections.

2.4. Epistemic Injustice

If one starts from the premise that knowledge is held by human individuals in social contexts, it is a natural implication that it matters, for knowledge, *where* in society individuals stand, and *how* they are socially embedded. Different people have different perspectives; they learn and experience things differently and see new evidence through different lenses. This raises questions not only about the role of different cultures, but also about positions of privilege and disadvantage in society. How do individuals' perspectives, and what they come to know, differ? And how can societies make sure that unjust social structures do not translate into unjust *epistemic* structures?

In the debate about racial justice, this was a topic early on. For example, W. E. B. Du Bois has famously argued that the members of ethnic minorities develop a "double-consciousness," a "sense of always looking at one's self through the eyes of others, of measuring one's soul by the tape of a world that looks on in amused contempt and pity."[96] According to Du Bois, black people in the United States *have* to take into account how whites—the dominant group—see them;

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of truth see Misak and Talisse's summary of their view in 2021. I get back to the importance of truth for democracy in Chapter 6.5.

[95] See, e.g., Shapin 1994 on the history of the Royal Society and the importance of trust among "gentlemen" for this phase of the history of science.

[96] Du Bois [1903] 1996, chap. 1. For a discussion see, e.g., Medina 2013, 44f. and 104f.

otherwise they could not navigate their lives in society. White people, in contrast, do not have to ask themselves in the same way how black people see them. But this in fact leads to a sort of blindness. As Charles Mills has argued, in particular, white individuals see the social reality in a distorted way. Without such an "agreement to *mis*interpret the world,"[97] which looks away from the effects of their action on nonwhite people, white people could not have maintained the "cognitive and moral economy" that enabled them to participate in the practices of colonialism and slavery.[98]

Privileged individuals, whether racially or otherwise, can afford to keep blind spots or biases. Disadvantaged and oppressed groups, in contrast, suffer the consequences of the gaps in their knowledge, and hence tend to be more aware of the views of others. José Medina calls this a "meta-lucidity" that understands not only the social world, but also the attitudes and cognitive structures of the different individuals and groups that form it.[99] In his arguments, he draws not only on thinkers of racial justice, such as Du Bois, but also various strands of feminist thought, which has long asked questions about knowledge and ignorance and their interrelations with gender relations.

One prominent strand of theorizing came to be known under the label "standpoint theory." Drawing on Marxists arguments about the role of proletarians in capitalist societies, it describes the idea that oppressed and marginalized groups, such as women in patriarchal societies, can know things that the members of the dominant group do not see.[100] Therefore, when trying to understand the social world, and especially its power relations, one should start from the perspective not of the dominant group, but of marginalized or suppressed groups.[101] In its beginnings, standpoint theory was very much focused on the social position of women as such; later, especially thanks to the work of Patricia Hill Collins, it also took up questions about the relation between gender and other dimensions of disadvantage and oppression, such as race and class.[102]

Standpoint theorists emphasize that a disadvantaged social position does not *automatically* provide a group with a clearer vision. Rather, this is an achievement that results from group processes and political struggles in which the members of a group liberate themselves from conventional notions and ideologies that

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[97] Mills 1997, 18. See also Medina 2013, chap. 3.

[98] Mills 1997, 18–19; see also Toole 2021 on "white supremacy" as an epistemic system.

[99] Medina 2013, see esp. 187–96.

[100] For a good overview of standpoint epistemology see Bowell 2011. For overviews of feminist epistemology in general see Grasswick 2018 and Anderson 2020; on the early history of feminist standpoint theory see, for example, Hekman 1997 (from a postmodern perspective) or Wylie 2012 (from a nonrelativist perspective); for a recent take see Toole 2022.

[101] E.g., Harding 1993, 56.

[102] See Collins 1990; for reflections on how "intersectionality" was mainstreamed but lost most of its critical edge, see Collins 2017.

they had previously internalized.[103] It takes active work, which often takes place in groups, to liberate oneself from such views. Once one has achieved such a standpoint, one sees the many biases, and gaps and distortions in the production of knowledge, that practices of oppression have created and continue to create.[104] There is a very real sense in which such a standpoint can then be described as a form of expertise: it is a form of knowledge that those who have not undergone these experiences and undertaken these efforts do not have.[105]

Thus, taking lines of privilege and disadvantage into account when thinking about which knowledge does or does not get produced, and which groups are likely to have blind spots or to know certain things better, is an important task for everyone who understands knowledge as socially embedded. But what happens when such knowledge *has* been produced—is it actually taken up? And are members of oppressed groups taken seriously as participants in processes of knowledge creation? In recent years, the paradigm under which these questions have been discussed was "epistemic injustice," a concept introduced by Miranda Fricker.[106] She uses it to describe situations in which individuals are not treated fairly in their role as bearers of knowledge, or in which the epistemic resources in a society are unequally distributed, such that certain groups are better enabled to make sense of their experiences than others.

Fricker uses the terms "testimonial" and "hermeneutic" injustice for these two constellations. In cases of "testimonial injustice," individuals are not taken seriously as bearers of knowledge, because of an "identity-prejudicial credibility deficit."[107] As she illustrates by help of examples from literature and history, women and people of color were often not believed when they had things to say, because of prejudices about their alleged incapacities and deficits of character, for example when women were described as "irrational."

In cases of "hermeneutic injustice," there is a "structural prejudice in the economy of collective hermeneutical resources,"[108] which leads to the inability of certain groups to express their experiences and to criticize social practices. Fricker uses the example of the invention of the term "sexual harassment" by feminist activists as an illustration for how new concepts have to be shaped in

[103] See, e.g., Harding 2004, 9.

[104] Hence, another line of feminist epistemology concerns "epistemologies of ignorance," which explore systematic gaps in our knowledge that follow existing patterns of privilege and disadvantage; see, e.g., Tuana and Sullivan 2006. Many cases can, for example, be found in the area of medicine (see, e.g., Criado Perez 2019, Part IV, on medicine and *passim* on data gaps about women).

[105] Collins and Evans (2017, 100–101) even hold that many classic case studies in the social studies of science can be understood as forms of epistemic injustice, because "experience-based expertise has been excluded or denied."

[106] Fricker 2007; see also Kidd et al. 2017 for a broad range of perspectives on epistemic injustice.

[107] Fricker 2007, chap. 1. See also Pynn 2021 for a reading that sees testimonial injustice as a form of "degradation."

[108] Fricker 2007, 1.

order to articulate experiences that the socially dominant groups does not, and often does not want to, see.[109] She perceptively illustrates the wider psychological effects of such epistemic injustices; for example, she discusses a passage from Simon de Beauvoir's autobiography in which she describes how Jean-Paul Sartre's aggressive style of discussion led her into self-doubt and despair.[110] Even Beauvoir, one of the most brilliant thinkers of her generation, was not immune to the prejudices against women that were also embodied in Sartre's behavior toward her.

Fricker's account led to a wave of interesting contributions on these phenomena, which discuss them both from an ethical and from an epistemological perspective. Most of them continued to focus on gender and race, although the conceptual framework can just as well be applied to, say, the prejudices against individuals from a lower socioeconomic background who struggle to be taken seriously and to feel at home in academic settings.[111] José Medina, for example, has argued, against Fricker, that not only a *lack* of credibility, but also an *excess* of credibility—which is typically ascribed to privileged groups—is an epistemic injustice, a failure of "proportionality."[112] Kristie Dotson has suggested social exclusions concerning the *production* of knowledge as a third form of epistemic injustice, "contributory injustice."[113] An additional helpful distinction, which Fricker drew in later work, is that between "discriminatory" and "distributive" forms or dimensions of epistemic injustice.[114] The former concerns the relation to individuals, who are not believed, or lack hermeneutical tools. The latter concerns the "unfair distribution of epistemic goods such as education or information."[115]

Such epistemic injustices can and often do coexist with equal formal rights for all members of a society. Discriminatory forms typically function via internalized social norms and prejudices that may appear "natural" to individuals, and distributive forms often follow suit. They are transmitted to us by our cultural environment and can function at a level that almost resembles that of the Wittgensteinian undoubtable certainties I have discussed above. *Of course*, we have two hands, *of course*, a scientist is white and male, *of course*, the kids in the poor neighborhood

[109] Fricker 2007, chap. 7.

[110] Fricker 2007, 51–52.

[111] From a sociological perspective, Bourdieu's work on "habitus" grasps these phenomena very well (e.g., 1984).

[112] Medina 2013, 59–62.

[113] Dotson 2012; see also her 2014 account of "epistemic oppression" (on that notion see also Pohlhaus 2017) as well as Catala's 2015 account of "hermeneutical domination." In a similar vein, Hookway 2010 has introduced "participatory injustice," as exclusion from various processes of knowledge production.

[114] Fricker 2013, 1318–19. Her overall goal, in this article, is to connect epistemic justice and nondomination.

[115] Fricker 2013, 1318.

go to a run-down school—these kinds of assumptions often shape the thinking and behavior of individuals without them being explicitly aware of them. And when individuals benefit from holding such beliefs, which is typically the case for those who belong to the privileged group, mechanisms of denial, as also discussed earlier, can kick in when they are confronted with countervailing evidence or arguments.

This is why active contestation is needed in order to change such views and the ensuing practices. This point has long been emphasized by feminists and other critics, and it is also crucial for my perspective on knowledge. For example, Nancy Fraser, in a discussion of the Habermasian theory of deliberative democracy, has emphasized the need for "unruly practices," "oppositional discourses," and "counterhegemonic publics" in order to give women and minorities the opportunity to exchange their views and to gain a voice in the public.[116] Medina uses the metaphor of "epistemic friction" for emphasizing that different perspectives need to be brought together in order to uncover blind spots and to increase our hermeneutical sensitivities.[117] The responsibility to teach oneself other perspectives lies mostly with the privileged, he argues. But this responsibility should not only be understood as an individual responsibility: as Elizabeth Anderson has emphasized, it is also a responsibility of institutions to fight epistemic injustices on a structural level.[118]

Let me emphasize once more that attention to such injustices, and to the role of epistemic standpoints, does not mean that we should give up notions such as "knowledge," "fact," or even "truth." To be sure, some defenders of standpoint theory have, in a postmodern vein, called for abandoning such concepts and for replacing them by a picture of competing narratives.[119] Others, however, have insisted that we need to stick to these notions *precisely* to call out unjust and inaccurate representations of reality. It matters, for example, that white people accept as a matter of *fact* that nonwhite individuals have often been discriminated against—this is not just one narrative that competes with others. This is why Mills warns against the temptation of a "democratic relativism" in which all positions would be equally valid, which would make it impossible to fight problematic forms of hegemony.[120] Or to put it in another pair of concepts he uses: diversity of perspective is needed, but fragmentation is a danger.[121]

To summarize the implications for my perspective on knowledge: in thinking about knowledge, we need *at the same time* an orientation toward evidence and

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[116] Fraser 1990.
[117] Medina 2013.
[118] Anderson 2012.
[119] See, e.g., Hekman 1997; she refers, for example, to Donna Haraway's work.
[120] Mills 1988, 256.
[121] Mills 1988, 258–59.

facts, *and* an awareness of the ways in which our cultural inheritance and on-going patterns of unjust social exclusion might create biases in the collection and interpretation of evidence. This is not only a moral imperative, but also an epistemic one: the more perspectives have been incorporated into a view, the more likely it is that blind spots and distortions have been uncovered and corrected.[122]

Once one gives up the impossible Platonic dream of a kind of detached, superhuman form of knowledge, this double attention to empirical realities *and* to possible distortions because of the impact of social structures on knowledge production is not at all surprising. We do not have a God's-eye view, but we have our human views, on a horizontal plane, as it were, which allow us to mutually support one another and to improve what we know—at this works best, with the greatest likelihood of avoiding errors, if we let everyone participate on an equal footing. This is what knowledge is; there is no need to look for deeper metaphysical or ontological foundations. But we must not stop searching for possible blind spots and distortions that could have corrupted our processes of knowledge generation. For many practical and political questions, it matters that we get the best possible version of knowledge that is available to us, and it would be irresponsible to aim for less than that.[123] Our best strategy for attaining it is to get all perspectives on board, and in particular to pay attention to perspectives that have historically been marginalized or excluded.

2.5. Conclusion: The Epistemic Is Political

In this chapter, I have drawn on various strands of social and feminist epistemology to provide a socially embedded perspective on knowledge that emphasizes its connection to action and to moral responsibility, and that is attentive to the ways in which social injustices translate into, and are in turn reinforced by, epistemic injustices. This account of knowledge makes clear why knowledge is always, at least potentially, political: very often, it matters for how we govern our collective affairs.[124] Politics influences knowledge: it determines whose knowledge is taken into account, and whether resources are provided for closing knowledge gaps. Or as Patricia Hill Collins puts it: "Hegemonic epistemologies are not situated outside of politics, but rather are embedded within and help construct the political."[125] And knowledge influences politics: it

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[122] This point has also been by many feminist epistemologists; see, e.g., Harding 2004, 10–12; in the context of feminist philosophy of science see in particular Longino 1990.

[123] To be sure, this may not hold in emergency situations in which it only matters that the knowledge is *good enough* to base actions on it.

[124] On the political nature of knowledge see also Kusch 2002, 162–65.

[125] Collins 2017, 118.

can shift responsibilities, support or undermine political programs, and motivate agents to political action or fail to do so.

My understanding of "political" is nontechnical. It roughly follows classic definitions by Weber, Arendt, and others, who understand it as the striving for various forms of power, in order to shape the public order of societies.[126] Usually, I use it in order to refer to "official" politics, which takes place in institutions such as parliaments, ministries, or city councils, and in the general public, where it takes the forms of protests, demonstrations, op-eds, and so on. However, many of my reflections about the nexus between knowledge and politics have an everyday equivalent when one thinks about the "political" dimensions of, say, workplace relations (where one might use terms such as "office politics"). In all these contexts, we find "epistemic politics": forms of politics in which it is knowledge itself that is politically contested, in contrast to forms of politics where the facts are uncontested and the political struggle turns around values and interests.

Often, however, it is deeply problematic when processes in which knowledge is acquired and transmitted get "politicized" in the wrong way. We often *should* separate questions about what we can know, and questions about how to act, as much as is possible, because it is in our own best interest to first get the best possible grip on reality and then to decide what to do. But it is not a natural state that knowledge is separated from practical entanglements. It is, on the contrary, an outstanding social achievement, the result of careful institutional design, accompanied by the right ethos, which can lead to more or less "nonpolitical" knowledge creation.[127] This social achievement is at risk if we assume that knowledge creation would somehow automatically and unproblematically lead to knowledge claims that stand apart from the realm of practical and political considerations, and hence pay no attention to, and are unwilling to protect, the processes it takes to generate the best humanly available forms of knowledge. For often, it is by consciously creating barriers between knowledge creation and political struggles that we can hope to achieve the best results.

The features of knowledge that I have discussed in this chapter all play a role in understanding its nexus in politics: the way in which it is acquired and confirmed in social processes; the way in which it can facilitate action, but also encounter denial precisely *because* it would require action if one accepted it; and the ways in which social injustices can translate into epistemic injustices that are also epistemically harmful. And because there is so much potential knowledge out there, but our human attention is limited, "epistemic politics" is not only about establishing knowledge as such, but also about directing the attention of

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[126] See, e.g., Herzog 2019, 9–13.
[127] I write "more or less" because I take a complete separation of facts and values to be impossible (and unnecessary). In Chapter 8 I come back to what this means for experts—who are tasked with knowledge creation—in democratic societies.

individuals and groups to it, and about framing it in ways that makes it salient for them.[128]

In the next chapter I describe some of the ways in which knowledge becomes active in society—through markets, expert communities, or democratic deliberation. All of them are potentially useful mechanisms, if applied to forms of knowledge for which they are suitable. But if they are misapplied to forms of knowledge that they are not suitable for, then this can easily lead to dysfunctional and unfair outcomes. This can happen *within* the institutions in which each of these mechanisms takes place, but it is often at the *interfaces* between them that things most likely go wrong. It is on the basis of the account of knowledge that I have presented in this chapter that I now turn to these three mechanisms.

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[128] On framing see, e.g., Lakoff 2004.

3

Markets, Deliberators, Experts

3.1. Introduction

Modern societies are epistemically complex: they constantly produce, transmit, and use various forms of knowledge. And they are far beyond the stage—if there ever was one—in which all relevant forms of knowledge could easily be shared by all members, on the paradigmatic Athenian agora (which, however, excluded slaves, women, noncitizens, etc.), or on an imaginary village square (where similar mechanisms of exclusion are likely to have played out). It is an undeniable fact that our societies practice a "division of epistemic labor."[1] This has many advantages, not only on the practical level, but also in terms of the possibilities for individuals with different talents and interests to find their place in this system of divided labor and to make the contributions that suit them best.

Two of the central mechanisms in which knowledge is produced, transmitted, and shared are the price mechanism in markets and deliberation in democratic publics. In recent years, there has been some debate about their comparative epistemic efficiency. For example, some have argued that in democratic processes, there are insufficient incentives for individuals to inform themselves because they do not receive immediate feedback.[2] Other have asked whether tacit knowledge can be processed only in markets or also in democracies.[3] But in these discussions, there was often insufficient attention to the different *kinds* of knowledge that are supposed to be processed by markets or democracy, and they have paid too little attention to forms of knowledge that cannot be managed well by either of these. And while some arguments from these debates remain relevant, I suggest broadening the view to include also mechanisms for expert knowledge,

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[1] This term is used, e.g., in Goldberg 2011 and Kitcher 2011, 21.

[2] See, e.g., Caplan 2007; contemporary defenders of markets on (broadly) Hayekian grounds also include Pennington 2003, 2011, 2016; DeCanio 2014; and Somin 2013, 2015. For a discussion and counterarguments see Elliot 2019a, who argues that humans are less than fully rational and often use heuristics in *both* markets and deliberation (9). Moreover, to the extent that individuals rely on implicit knowledge, they can do so both in markets and in voting procedures (though maybe not in verbal deliberation) (13).

[3] For critical discussions see Benson 2019 and Elliot 2019a. Tacit knowledge can be processed whenever individuals can *act on* and thereby *signal* tacit knowledge. But it will not be at the center of my discussion in what follows.

and to pay more attention to different types of knowledge that play different roles in our societies.

Thus, my key argument is this: in complex, large-scale societies, we need *different* mechanisms for processing *different* forms of knowledge, within *different* institutional settings. We need to be aware of the strengths and limitations of each and carefully protect them against two dangers: forms of institutional decay that keep the appearance in place but do not achieve the expected epistemic benefits; and the intrusion of *other* mechanisms, which cannot fulfill the same epistemic functions, into the institutions that host these mechanisms.[4] One of these mechanisms, however, has a systematic priority of the others, because it has features that the other two lack, and this also needs to be reflected in the institutional framework.

I will distinguish three paradigmatic epistemic mechanisms: markets, deliberation, and knowledge generation by communities of experts.[5] I describe each as an "ideal type" in the Weberian sense: not as a normative ideal (although they can also be treated as such in certain contexts), but as a pure type of a social mechanism that, in practice, can only be found in impure forms that approximate the pure type to a greater or lesser extent.[6] For each, I describe the ensuing social patterns and the kinds of knowledge that can be processed by them. I also discuss how each can degenerate into institutions that *look* like they would fulfill these epistemic roles, but actually fail to do so.

This tripartite scheme, despite its simplicity, can help us to make sense of many current phenomena that threaten the epistemic life of democracies. I the following chapters I will draw on this scheme to discuss the ways in which the epistemic capacities of democratic societies can be improved. Each of the three mechanisms needs to have its rightful place and needs to be protected from degeneration and abuse. I will focus in particular on the threat that comes from prioritizing markets (which, in practice, often went hand in hand with allowing their degeneration into epistemically dysfunctional forms). This, I take it, is the specific challenge of our current time, after several decades of "neoliberal" influence on our culture and our public institutions. In other periods, other imbalances between the three mechanisms might create other kinds of problems. In this sense, the three ideal types can be understood, more broadly, as mechanisms that matter for the epistemic life of many types of complex societies.

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[4] In this sense, my approach is similar to Walzer's 1983 account of different logics of different social spheres, but I focus on the *epistemic* dimension of institutions and, more concretely, and the *mechanisms* through which knowledge is processed in them.

[5] A similar tripartite schema is used in Fuerstein 2008 (which, however, I only discovered after having developed my approach independently).

[6] Weber [1904] 1949.

In the next three sections (3.2–3.4) I describe each of these three mechanisms, as well as some of the ways in which they can decay. For each, I ask how they relate to questions of epistemic justice, as discussed in the previous chapter. I also explain why some other candidates for epistemic mechanisms, for example, voting and integration through hierarchies, are not part of my scheme, or at least not on the same basic level as markets, deliberation, and expert communities. I then discuss (3.5) how the distinction of these three mechanisms can help us diagnose and explain epistemic dysfunctionalities, which happen not only when one mechanism is distorted or degenerates, but also when the interfaces between them do not work well or the wrong mechanism is used for forms of knowledge that it is not suited for. I conclude (3.6) by emphasizing the inevitability of epistemic complexity in otherwise complex societies.

3.2. Markets

One basic justification for markets, acknowledged by friends and many foes alike,[7] is their ability to "spontaneously" coordinate the behavior of large numbers of actors by transmitting knowledge.[8] The mechanism at work is the price mechanism: it embodies information that stems from the behavior of numerous individuals on both the supply side and the demand side of a market. The ensuing "play of forces" had already been described by Adam Smith, who discussed the way in which the price adjusts supply and demand to each other:

> The quantity of every commodity brought to market naturally suits itself to the effectual demand. It is the interest of all those who employ their land, labour, or stock, in bringing any commodity to market, that the quantity never should exceed the effectual demand; and it is the interest of all other people that it never should fall short of that demand.[9]

If, say, consumers' taste for apples declines, farmers cannot sell all their apples at the given price and need to lower it; in the next season, they will likely offer more pears or other fruit instead. No single human being could gather all the

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[7] An example for the latter category is Carens, who in his 1981 book provides a masterful discussion of how the *informational* advantages of markets could be used without accepting the inequality they create.

[8] The way in which knowledge is processed within firms (or "hierarchies," as economists call them [Coase 1937]) is fundamentally different from the epistemic processes in markets. Some companies have attempted to mimic market mechanisms within their internal structures, but this has often been unsuccessful; see, e.g., Phillips and Rozworksi 2019, 38–45, for a discussion of examples. I come back to hierarchies—and why they are not, per se, epistemic mechanisms, in Chapter 3.4.

[9] Smith [1776] 1976, I.VII.12; see also I.VII in general; "effectual" demand, for Smith, means that it is backed up by purchasing power.

knowledge that would be needed for accomplishing this coordination task, while it happens effortlessly through the price mechanism.[10] This is the basis for Smith's skepticism—and that of many economists after him—of government action that would require such epistemic capacities. For him, as an eighteenth-century thinker, it was a natural feature of the cosmos, which he saw as created by a benevolent deity, that human behavior could be coordinated through market prices, at least once obstacles such as monopolies or other remnants of feudalism were abolished.[11]

This Smithian argument has remained a core tenet of economics, though it took on different forms in different schools of economic thought. In the neoclassical school, the general equilibrium model contains a similar message about the absorption of all relevant information about supply and demand and their translation into an efficient equilibrium through the adjustment of market prices.[12] This model, which is taught in introductory classes to economics students around the world, is also at the core of the promarket arguments of the so-called Chicago school. In this and many related models, agents are represented as perfectly rational and markets as perfectly competitive—all deviations, hard to deny as they are in reality, are considered negligible from a theoretical perspective.[13] Chicago-style thinkers also successfully popularized this idealized picture of markets, for example in Milton and Rose Friedman's book-turned-TV-series *Free to Choose*.[14] Against the backdrop of the Cold War competition with Soviet Russia with its planned economy, the message that markets promised freedom *and* efficiency was probably too good to reject, and so it fell on fertile ground.[15]

Another strand of economic thinking, the so-called Austrian" school, with thinkers such as Mises and Hayek, emphasized in particular the *dynamic* aspects of markets. While the general equilibrium model is *static*—a snapshot of an equilibrium, as it were—real-life markets are in constant flux.[16] What Austrian thinkers focused on are the ways in which free markets allow for "disruptions," in processes of "creative destruction" through which outdated products or services are replaced by new, more innovative ones.[17] And it is because of that constant change that the adaptive coordination through the price mechanism is so urgently needed: it allows changes to be registered decentrally and in real time,

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[10] Smith [1776] 1976, IV.IX.51.
[11] For my reading of Smith see Herzog 2013, chap. 2.
[12] For a presentation see, e.g., Blaug 1997, chaps. 7 and 13.
[13] Friedman's 1953 methodology paper on "positive economics" played a crucial role here, because it denied that the assumptions of a model had to be realistic. For a discussion see, e.g., MacKenzie 2006, chap. 1.
[14] Friedman and Friedman1980.
[15] On the Cold War background see, e.g., Amadae 2003 and Ciepley 2006; see also Chapter 4.2–3.
[16] See in particular Lavoie 1985a; see also his 1985b, where he extends the argument to criticisms of partial forms of economic planning.
[17] See. e.g., Blaug 1997, chap. 14, for an overview.

whereas any attempts at centralized coordination would inevitably introduce delays and distortions. Moreover, local or tacit knowledge can be activated, for example, when entrepreneurs realize that they have the means to react to a demand not previously known to exist.[18]

Other strands of economic thinking share the basic idea that prices process information, but they do not see this as a matter of a natural design of the cosmos but as an achievement of institutional design. In the ordoliberal tradition, shaped by Wilhelm Röpke and Walther Eucken, great emphasis was laid on the fact that the "natural" tendency of many market participants, especially on the side of producers, is to *avoid* competition and instead to collude[19]—a point that Adam Smith had already warned against.[20] This worry was also shared by welfare economists, who theorized "imperfect" or "monopolistic" competition,[21] as well as other "market failures," such as externalities or public goods.[22] From their perspective, achieving efficient market outcomes is a matter of careful institutional design: only if the right rules are in place—and these go well beyond property rights and the enforcement of contracts—will markets be efficient. In a later chapter, I will discuss in more detail what this argument, which I endorse, means for the epistemic quality of markets today.[23]

Thus, the epistemic defense of markets is a key tenet of economic thinking, and one of the reasons why economists often take a promarket stance in public discourse.[24] One of its most famous expressions can be found in Hayek's 1945 paper "The Use of Knowledge in Society," which therefore deserves a closer reading for my present purpose.[25] Hayek starts from the premise that "economic problems arise always and only in consequence of change."[26] Markets can process "dispersed bits of incomplete and frequently contradictory knowledge" in a decentralized way, through the price system.[27] It is this local knowledge, in contrast to statistical or scientific knowledge, that is crucial for an economic system to run smoothly. Individuals develop new preferences, discover new things, change their plans—and so does everyone else around them. How can there ever be order in all these bustling activities, and how can individuals coordinate their

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[18] On the role of entrepreneurs in the Austrian account see in particular Kirzner 1973; 2018, 336–38.
[19] See notably Eucken [1953] 1990, 355–65.
[20] Smith [1776] 1976, I.X.51.
[21] See, e.g., Chamberlin 1933; Robinson 1969.
[22] See, e.g., Arrow 1969.
[23] Chapter 7.
[24] See Chapter 4.3.
[25] On its intellectual origins in the "socialist calculation debate" see Chapter 4.2. In the following paragraphs, I partly draw on Herzog 2020.
[26] Hayek 1945, 523.
[27] Hayek 1945, 519.

actions? For Hayek, it is the price mechanism that delivers individuals the information they need:

> There is hardly anything that happens anywhere in the world that *might* not have an effect on the decision he [the individual] ought to make. But he need not know of these events as such, nor of *all* their effects. It does not matter for him *why* at the particular moment more screws of one size than of another are wanted, *why* paper bags are more readily available than canvas bags, or *why* skilled labor, or particular machine tools, have for the moment become more difficult to acquire. All that is significant for him is *how much more or less* difficult to procure they have become compared with other things with which he is also concerned, or how much more or less urgently wanted are the alternative things he produces or uses. It is always a question of the relative importance of the particular things with which he is concerned, and the causes which alter their relative importance are of no interest to him beyond the effect on those concrete things of his own environment.[28]

The price system thus provides individuals with a real-time set of information about their options. It works as "a kind of machinery for registering change," in Hayek's words.[29] Another, related metaphor for the market that Hayek's argument suggests is that of a system of communicating vessels: demand goes up somewhere, and the change in pressure travels through the whole system, communicated by price changes, so that, for example, "the users of tin" learn that "some of the tin they used to consume is now more profitably employed elsewhere, and that in consequence they must economize tin."[30] If the price for another unit of tin is too high for the specific aims and purposes of an agent, he or she will not buy it, and, by doing so, send the information about his or her opportunity costs to the whole system, where it is registered, aggregated with other information, and passed on, via the price mechanism, to other market participants.

This understanding of the epistemic power of markets became the core of an influential narrative about markets and their benevolent effects on society.[31] In the process of becoming a popular narrative, many of the details, as well as the differences between neoclassical, Austrian, and welfare economics, were lost. Like the metaphor of the "invisible hand," and often in conjunction with it, this narrative was often used to argue for free markets *tout court*, no matter what

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[28]   Hayek 1945, 525.
[29]   Hayek 1945, 525. It is noteworthy that Hayek here uses this metaphor, even though he was generally critical of mechanistic models (as he saw them in general equilibrium theory) that would be insufficient for capturing the dynamic processes of spontaneous orders, in his view.
[30]   Hayek 1945, 525.
[31]   See also Rodrik 2015, 169–70, on economists standardly taking a promarket stance in public discourse.

Hayek and other early defenders of the epistemic argument actually held.[32] This picture of the market as a mechanism that adjusts to new information in real time was later also applied to financial markets, where it found its expression in the famous "efficient market hypothesis." It holds that financial markets incorporate all available information about the assets traded in them, with the implication that no individual trader could "beat the market."[33] If there were information available that financial markets failed to incorporate, then arbitrageurs could make money by exploiting it, and by doing so, they would bring the market back into an equilibrium in which all information is indeed reflected in prices. As John Kay describes this idea:

> Interest rates are expected to rise, Procter and Gamble owns many powerful brands, the Chinese economy is growing rapidly: these factors are fully reflected in the current level of long-term interest rates, the Procter & Gamble stock price and the exchange rate between the dollar and the renminbi.[34]

The status of this hypothesis, however, is notoriously contested, not least because there are nontrivial methodological questions about how to test it empirically. Numerous studies have tried to shed light on its adequacy and the deviations from it in real markets that one can empirically observe.[35] But despite these empirical and logical problems, this idea is at the basis of many pricing models that continue to be used by financial market practitioners.[36] It also provides the justification for considering financial markets a kind of predictor of the developments of the real economy, whose trends politicians and the public therefore watch anxiously.[37] There is, again, a gap between the sophisticated treatment of financial markets by economists, and the popular narrative about their information-efficient nature.[38]

What kind of knowledge can be processed by market prices? By focusing on the market process, one zooms in on issues of *allocation* of goods and services, both in order to produce and in order to consume them. The knowledge that gets processed concerns, on the one hand, consumers' preferences, mediated by their purchasing power and willingness to pay, and, on the other hand, producers'

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[32] Hayek emphasized the need for the state to ensure the rule of law, and he also accepted the legitimacy of certain welfare state institutions, in the sense of providing a minimum income for everyone (see, e.g., Hayek 1979, 55).

[33] Fama 1970. For critical discussions see, e.g., MacKenzie 2006, 29–30, 65–66; Kay 2015, 68–70, Herzog, forthcoming; see also Chapter 7.2.5.

[34] Kay 2015, 69.

[35] See, e.g., the papers in Lo 1997 on stock markets.

[36] MacKenzie 2006.

[37] See also Kay 2015, 4, 248–50; for a critical discussion see also Herzog, forthcoming.

[38] On the narrative of efficient financial markets, in the context of general considerations about the role of narratives in the economy, see also Shiller 2019, xix.

possibilities of offering certain products and services, mediated by knowledge of the production costs and the desire for a certain profit margin. As instances of such knowledge, Hayek, in his 1945 paper, provides various examples, including knowledge about available means of transport, opportunities for arbitrage, information about "a machine not fully employed," about "somebody's skill which could be better utilized," and "a surplus of stock which can be drawn upon during an interruption of supplies."[39]

Individuals often receive quick feedback when acting upon such knowledge: they see that their decisions satisfy their preferences or fail to do so, or that they can make a profit or loss with a certain product or service. Especially when they make many repeated decisions, they can thus optimize their strategies, trying out new things from time to time and quickly adapting them when better options become available. Such trial-and-error strategies are less feasible when market participants have to make decisions the results of which show up only much later, such as buying a house or investing in a new production plant.[40]

A great strength of the market mechanism is that there are incentives for individuals to reveal their knowledge through their behavior.[41] This stands in contrast to many *strategic* situations—for example, in political negotiations—in which it is wise *not* to let the other side know what one's true preferences or production capacities are. A perfectly competitive market that clears on the spot leaves no room for such maneuvers. If prices are not sticky—as many models assume—individuals adapt their behavior instantaneously, whenever their preferences or the circumstances change. They stop buying items that do not satisfy their needs and stop selling items that do not provide them with optimal gains, maybe switching to the production of other items. If they have motivational problems, for example, falling into denial about the fact that there is no demand for their products, markets reveal to them, sometimes in quite brutal ways, that they better accept this fact.[42]

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[39]   Hayek 1945, 522.

[40]   See Benson 2019 on "low feedback goods."

[41]   This also allows for activating "tacit" knowledge as described by Polanyi 1958; see, e.g., Lavoie 1985b, 56–64.

[42]   The fact that there are incentives to reveal one's knowledge is sometimes brought forward as an argument in favor of prediction markets: markets in which one can bet on certain outcomes and earn money if one's prediction turns out correct (see, e.g., Wolfers and Zitzewitz 2004; Sunstein 2006; Bragues 2009). Prediction markets are a fascinating phenomenon, but their usefulness for democratic decision-making is limited—they do, after all, depend on there being *other* mechanisms through which certain events come about, and then predict the outcomes. Moreover, they can be plagued by insufficient incentives or challenges concerning how to operationalize future outcomes (see Bragues 2009, 100–102). Democratic decision-making, in contrast, is often precisely about defining possible outcomes, and it might involve forms of knowledge that are *not* dispersed among a wide range of individuals (which is the scenario for which prediction markets seem suited best). For discussions of prediction markets from a social epistemology perspective see, e.g., Landemore 2013, 173–84; Lynch 2016, 121–23; and Servan-Schreiber 2018.

It is also worth noticing, however, which forms of knowledge do *not* get processed well through the price mechanism. As mentioned earlier, Hayek was keen to emphasize the importance of dispersed, local knowledge, against those who want to rely on statistical or scientific knowledge for running an economic system. But that leaves a crucial question unanswered: What, then, about the processing of scientific knowledge or other forms of expert knowledge? Market prices do not seem the right mechanism for dealing with it, because scientific knowledge, like other forms of expert knowledge, creates asymmetries between those who have it and those who do not. To be usefully applied, expert knowledge often has to be explicitly shared; it cannot simply be transmitted through changes in market prices. In fact, some commentators have suggested that it is misleading to say that market prices "convey" or "communicate" knowledge. Rather, they serve as "knowledge surrogates," because they allow individuals to coordinate their behavior *without* knowledge being shared: "When we 'use' a price, we don't know what others know, rather we simply are able to act *as if* we knew what others knew."[43] The knowledge sits in the system, as it were, rather than being explicitly held by any individual or group of individuals.[44]

Moreover, note that the agents in Hayek's famous paper do not seem to care about the *causes* of price changes—whether tin becomes more expensive because of social unrest in a tin-producing country or because of a competitor buying up large quantities cannot be read off the price signal, even though it is, arguably, quite relevant for an agent who produces goods from tin. Nor do these agents seem to care about *moral* questions that could arise with regard to the goods and services they buy, for example whether or not they have been produced in compliance with fair working conditions.[45] The market price would forfeit its function as a quick and efficient signaling device if it were to include such information—its usefulness consists precisely in reducing multiple forms of information to one single, quantitative indicator.

Ironically, *knowledge itself* cannot so easily be shared as a product within such market processes, as most economists would happily acknowledge. Market participants cannot know beforehand whether a piece of knowledge is worth a certain price. But once the supplier has shared it with the potential buyer, the buyer has it—and can then pretend that she did not consider it sufficient quality and refuse to pay for it. Moreover, many forms of knowledge have features of a common good, in the sense that they can be shared without becoming less.[46] Thus, they tend to be undersupplied in free markets because once they have

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[43] Horwitz 2004, 314. See also Benson 2019, 430 for a discussion.
[44] But it is by *observing* the system that some knowledge can be made explicit—that, at least, is the claim of many economists; see Davies and McGoey 2012 for a discussion.
[45] Herzog 2020 discusses this point in more detail.
[46] See also Radder 2017 for a discussion of implications for scientific knowledge.

been made public, everyone can use them. To make knowledge tradeable and to put a price on it, it needs to be turned into a good that can be held by specific individuals. This typically happens through intellectual property rights—one of the many legal instruments, beyond the price mechanism, through which the use of use of knowledge in society is facilitated, but sometimes also obstructed, a point to which I come back in a later chapter.[47]

What about epistemic justice in markets? In principle, the fact that it is *only* the relation between supply and demand that determines market prices means that markets should be "genderblind" and "colorblind." Many models or discussions of markets speak of "market participants" in a general sense, even including legal persons on the same level as human persons from different backgrounds. It should not matter to which social category a person belongs, as long as he or she plays by the rules of the game and is willing to pay the right price. In reality, however, economists have built a whole field of research ("economics of discrimination")[48] on the empirical fact that many individuals *do* prefer trading with certain market participants (e.g., those of their own race) rather than others. Moreover, a key condition for being able to participate in the "communication" through the price mechanism is that an agent has sufficient purchasing power at her command.[49] Therefore, markets can often end up "discriminating" by social class in the sense that they give more weight to those with more money.[50] Moreover, in many markets money that can be spent on advertising, lobbying, or legal action gives some agents a head start over others. Such inequalities, however, are often hidden behind the general narrative about the epistemic benefits of markets.

Before moving on to other mechanisms, let me describe some of the ways in which market practices can degenerate into constellations in which not even the basic mechanism of knowledge transmission through prices functions. A first, seemingly trivial point is that if markets are marred by monopolies or cartels, the competitive dynamics of the price mechanism may no longer work—and hence, their signaling function is also inhibited. Different economic schools react differently to this point: while ordoliberals and welfare economists would argue for market surveillance and antitrust legislation, some Austrian economists continue to think that it is best if other market participants take on existing players.[51] This position is not very plausible, however, if existing market participants

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[47] Chapter 7.2.6.
[48] See in particular Becker 1971.
[49] See also Benson 2019, 427, who also refers to O'Neill 1998.
[50] Poorer individuals might still benefit from innovations that were first introduced for richer groups being later adopted more widely, when their costs fall. But whether or not this happens, and how long it takes, seems to depend very much on concrete constellations. Here, my focus is on the immediate effect of where markets allocate capital for innovation. See also Greenhalgh 2005 for a discussion.
[51] See, e.g., Kirzner 1963.

become so powerful, for example because of network effects, that they can suppress any form of competition, using strategies such as simply buying up new companies that might challenge their position.

A second key question is whether market participants *only* pursue their self-interest *within* markets, while accepting the social reality around themselves—the rules of markets, the behavior of other agents, and so on—as given. Often, they do not only *react* to this social reality, but instead try to influence it in their own favor. This can happen by trying to manipulate the preferences of other market participants, either by rather harmless forms of persuasion through advertising, or by more problematic forms of psychological manipulation or even blackmail or coercion. By assuming that individuals' preferences are externally determined, many economic models have kept a blind spot when it comes to such processes: markets are described as helping to satisfy independently given preferences, which precludes all questions about how these preferences might be shaped by other market participants in the first place.[52]

A second form of degeneration occurs when the ruthless pursuit of self-interest also plays out in attempts to manipulate the legal framework within which markets take place—a problem that has been discussed in political economy and public choice theory, and to which I will come back in a later chapter.[53] While some economists use this as an argument for keeping market regulation as minimal as possible, this argument fails to be convincing for regulation that even someone like Hayek would have found legitimate, for example consumer protection.[54] In the introduction, I have described some such processes, which played out precisely in the fields of knowledge that might be used for market regulation. When such maneuvers are successful, and, as a result, markets are inadequately regulated, what their prices reflect may not be what really matters—a point to which I will come back in Chapter 7.

3.3. Deliberation

Deliberation means the exchange of perspective, ideas, and arguments among equals who are motivated to arrive at true conclusions. Participants are meant to listen to the other side and, in Jürgen Habermas' famous words, let the

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[52] Economists have often emphasized that watching what people actually *do* in markets—their "revealed preferences"—is the best basis for understanding and predicting their behavior (for the theoretical foundations see Samuelson 1938, 1948). In Chapter 7.2.2 I discuss some problems with this approach.

[53] Chapter 11.3.

[54] Hayek's overall position is not as radical as that of some of his followers; for example, he readily acknowledged the justifiability of certain information requirements and consumer protection mechanisms (1979, 62).

"persuasive force of the better argument" decide.[55] Deliberation can aim at a consensus, or at a clarification of the dissensus to prepare a vote,[56] or at a compromise that all sides can accept. In a way, it is the most natural form of sharing knowledge among humans: it is "talking to each other" going well, undistorted by manipulation, strategizing, or unequal power.

Deliberation has a natural connection to democracy. Its exclusion of all irrelevant social hierarchies, and the pure focus on arguments, fit well with the assumption of the equal moral status of all individuals, which many theories of democracy start from. Many theorists of democracy have made deliberation a key element of its normative justification.[57] As John Dryzek recently put it: "Deliberative democracy now stands at the core of democratic theory."[58] Rawls's idea of "public reason" played an important role for this development: in public discourse, citizens should justify their concerns in terms of publicly acceptable arguments instead of drawing on arguments from their specific "comprehensive doctrines" held only by smaller communities.[59] Probably even more important was the influence of Jürgen Habermas. He developed the notion of a "public sphere" in which citizens discuss issues of common concern,[60] and he theorized "communicative" in contrast to "instrumental" action and their role in different social spheres.[61]

Deliberation can, of course, also take place in exclusionary or otherwise nondemocratic ways—but then it robs itself of its most promising features: it is precisely the wide plurality of perspectives that gives deliberation its greatest potential. Sometimes, it might seem as if full inclusion might not be needed for deliberation to be successful—it might be enough to receive feedback from a small group, or collect a number of data points, and to extrapolate to the population as a whole. Pragmatic limitations, for example, time pressure, might in fact force us to adopt such practices. And yet we often cannot know beforehand whether the problem at hand is one in which this is a sufficient strategy; at a minimum, channels for feedback and communication need to remain open (a somewhat limited, and yet practically important, form of "inclusiveness"). In this sense,

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[55] Habermas 1990, 159.

[56] Knight and Johnson (2011, 168) emphasize that "political argument" can have the role of "structuring disagreement," which is important in order to prevent voting paradoxes (or manipulations of voting procedures based on them).

[57] Of course, it has older roots—ancient Athens is often taken as a paradigm (see, e.g., Ober 2010; Nawar 2021), and John Stuart Mill and John Dewey were important pioneers (see, e.g., Chambers 2018). For overviews of contemporary deliberative democratic theory see, e.g., Gutman and Thompson 2004; Goodin 2008; Dryzek and Niemeyer 2010; Bächtiger et al. 2018.

[58] Dryzek 2017, 611.

[59] Chambers 2018.

[60] Habermas [1961] 1989.

[61] Habermas [1981] 1984.

the argument for full inclusion is based, to some extent, on the impossibility of knowing what kind of problem we have in front of us.

If deliberation is inclusive, this increases the chance of bringing all relevant perspectives to the table, to find better or "more reasonable" solutions.[62] Excluding certain individuals or downplaying their contributions, for example, because of their gender, race, or class, is therefore in fundamental tension with the idea of deliberation—and yet it is a common experience, which those on the disadvantaged end of various lines know all too well, while it often remains a blind spot for more privileged participants.

From an epistemic perspective,[63] deliberation has a number of unique features. A first point is the ability to collect arguments and sort good from bad ones. By the confluence of a plurality of perspectives, and given the willingness to let the arguments speak, good arguments can win over bad ones, and partial or one-sided perspectives can correct each other.[64] This also allows for weeding out factual or logical errors.[65] It is more than mere aggregation: arguments can be *weighed* against each other, by discussing their logical relations and their relative strengths in a qualitative assessment. In fact, some theorists have argued that human reasoning capacities are at their best when used in such argumentative settings, together with others, because this is what they evolved for in the history of our species.[66]

A second important epistemic feature is the flexibility that deliberation thereby offers: it allows for the possibility of creating something new, or completely changing directions. Deliberation goes beyond algorithmic, predictable ways of dealing with established problems. In deliberative processes, *new* problems can be articulated; the discussion can change course by reconceptualizing a problem; participants can realize that new arguments, or new forms of knowledge, are needed.[67] Instead of being limited to an instrumental rationality in which the goals are determined elsewhere, deliberation can challenge both the means and the ends for addressing a current problem—or it can completely redefine the problem.[68]

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[62] Habermas [1981], 97.

[63] These are the *epistemic* goals of deliberation; there might also be goals that are not directly epistemic, at least not in the sense of aiming at "truth." For example, Hannon (2020a) has recently discussed the way in which deliberation can foster "empathetic understanding" that might have indirect beneficial epistemic effects. In addition, there might be purely moral effects, such as an increase in social cohesion, but I here do not focus on these.

[64] See also Landemore 2013, 96–97.

[65] Rizzo and Whitman (2019, 215) quote various studies that show that when individuals work in groups, this can reduce the error rates in standard cognitive bias tests—presumably because individuals discuss the problems in these groups; i.e., they deliberate.

[66] Landemore 2013, chap. 5; see also Mercier and Landemore 2012 on the "argumentative theory of reasoning."

[67] Cf. similarly Landemore 2013, 111–16, who uses this point as the basis of an argument for including all citizens, on an equal footing, in deliberative processes.

[68] On the reflexivity of democracy, in contrast to markets, see especially Knight and Johnson 2011.

If one asks which *kinds* of knowledge can be processed by deliberation, a third crucial strength of this mechanism comes to the fore: there is no principled limitation to the kinds of knowledge that it can process.[69] Deliberation flourishes on different perspectives being brought together, and diversity makes it less likely that the participants remain stuck in one worldview or ideology, or overlook obvious blind spots.[70] Different forms of knowledge and expertise, based on different experiences or methods of exploration, each of which is by definition limited, can be brought together. Precisely because of its lack of a fixed "method," deliberation is the only approach we have for integrating vastly different bodies of knowledge. "Let's sit down together and talk it through" is therefore our best approach for dealing with complex, multifaceted problems or situations in which there are conflicts of interests.[71]

Thanks to these features, deliberation can also deal with complex problems in which the descriptive and the normative level are hopelessly entangled.[72] It has sometimes been suggested that citizens or their elected representatives should decide about political *ends* and listen to experts when it comes to the choice of *means*. For example, Thomas Christiano describes the relation between citizens and experts as one where citizens are in the "driver's seat" and experts follow suit.[73] This is an attractive model, and it seems to map nicely onto the distinction between normative issues, to be decided by politics, and descriptive issues, on which the relevant experts are supposed to provide explanations. But it is undermined by the fact that in many cases, the normative and the descriptive dimensions of problems are hard to disentangle, with ethical values having an impact on the exploration of empirical facts and the choice of methods, and different kinds of values playing different roles in the decision-making process.[74] Often, a more integrated approach is needed, and deliberation that involves

[69] Some critics have argued that deliberation cannot incorporate tacit knowledge, but see Benson 2018 for an argument to the contrary.

[70] Much has been made of the "diversity trumps ability" theorem (Hong and Page 2004), a mathematical theorem that shows that under certain circumstances, more diverse groups can outcompete expert groups. But it remains controversial how to translate the assumptions of that theorem to the political context. For a positive perspective see Landemore 2013, chap. 4; for a more critical reading of how much the "diversity trumps ability" theorem really says see, e.g., Grim et al. 2019. But arguments for diversity can also be made independently; see, e.g., Bohman 2006 and Fuerstein 2021. Serrano Zamora (2022) has developed a Deweyan argument for diversity and maximal inclusion based on the need to *articulate* social problems (before one can even move on to finding solutions).

[71] As Benson 2019 argues, as such it is also particularly suitable for "low feedback goods": goods where the quality of our decision-making about them only shows much later or in blurred signals. However, it is not clear whether deliberation is *always* suitable in conflict situations (see also Mendelberg 2002, 160–61).

[72] These are sometimes described as "wicked problems" (a term from the literature on design thinking); for a discussion see, e.g., Brown 2009, 11–12.

[73] Christiano 2012b; for a critical discussion see Lafont 2020, 176–79.

[74] On values in science see notably Douglas 2009.

experts *and* political representatives, and maybe also citizens themselves, is the best strategy.[75]

It is, however, important to work with a wide understanding of what counts as a "contribution to the debate"; otherwise one runs into the charge that deliberative democracy is an elitist theory that projects the philosophy seminar room out into the open.[76] A broad range of utterances can be used to contribute, in good faith, to deliberative processes: artistic interventions, expressions of emotions, street protests, and even certain antagonistic forms of intervention such as civil disobedience.[77]

This point had been made early on in the debate about deliberative democracy, with feminist scholars, in particular, criticizing an overly rationalistic understanding of deliberation as being inimical to the aim of full inclusion of all social groups.[78] They also argued that individual and group interests should not be categorically excluded from deliberation, as long as individuals or groups present them fairly and respectfully.[79] What is particularly noteworthy, in this context, is the power of stories, whether in poems, novels, or movies. Such artistic forms do not provide the kinds of widely shareable arguments that one could directly put forward in public discourse. But they can make it possible for citizens to understand the perspective of others in ways that may be far more difficult to achieve through other means. They can thus help to create empathy between different groups, and lead to a better mutual understanding of the reasons that stand behind their positions.[80]

These features distinguish deliberation from markets and expert communities as mechanisms for dealing with knowledge. Deliberation aims at arriving at a shared picture of reality, at least one in which it is clearly understood what the lines of disagreement are. This makes it fundamentally different from markets, which aim at the allocation of *different* goods and services: the point of the market mechanism is that all market participants get what they prefer most, which is fundamentally different from deliberation, which presents arguments in order to convince others to accept them, to arrive at shared ground. Deliberation

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[75] Douglas's 2021 account of science advice in democracies requiring accountability to scientific peers, to advisees (i.e., politicians), and to citizens can be understood in this way.

[76] For criticism along these lines see, e.g., Shapiro 1999.

[77] Such forms have been theorized in particular by "antagonistic" theories of democracy that contrasted their approaches with deliberative ones (see, e.g., Laclau and Mouffe 1985). But deliberative theorists have taken on many of these points, now understanding contributions to debates in a much broader sense. Dryzek (2017, 629) concludes that "Mouffe's critique was plausible two decades ago, but deliberative democracy has changed, not least in taking on a more contestatory hue."

[78] See notably Young 2000 and Fraser 1990.

[79] Fraser 1990. Mansbridge et al. 2012 and many other later deliberative contributions accepted that point.

[80] See, e.g., Polletta and Gardner 2015 on the role of narratives and storytelling for deliberation, in the context of social movements; see also Hannon 2020a for the potential of deliberation to create or increase empathy.

is therefore suitable for addressing questions about the *frameworks* of markets, which, by definition, need to be shared.[81] It is also different from knowledge creation in expert communities: while deliberation also takes place *among experts*, discourses in expert communities typically start from specific premises and take specific methodologies as given, in order to answer specific questions.

In addition to its epistemic benefits in a narrow sense, deliberation also has an important legitimating dimension that derives from these. A decision can be seen as legitimate if all arguments, from all sides, have been put forward and seriously considered. Those who disagree with the final results can nonetheless see them in a different light than if the same results had just been decreed one-sidedly, without any discussion, because their quality could then not be judged and opportunities for epistemic (or other) improvements might have gone unused.[82]

A key question, however, is whether deliberation can reach these potentials in practice—or whether its real-life instantiation is likely to be corroded or corrupted into something quite different from the ideal and unable to reap its epistemic benefits. This question continues to divide friends and foes of deliberation, and both camps draw on a plethora of empirical studies that attempt to show them right. In a 2006 paper, Cass Sunstein provides a helpful summary of the main lines of criticism.[83] A first risk is that deliberation might amplify human biases, which are stronger in groups than when individuals are on their own.[84] Moreover, the "common-knowledge effect" describes the problem that deliberators, for example in juries, tend to focus on what all group members know, instead of bringing out additional knowledge that only some have.[85] There can also be "cascades," either informational or reputational, that lead people not to reveal the information they might have, but instead to "go with the crowd."[86] These effects can lead to groups becoming more polarized after deliberation than they were before, either because they learned new arguments that support their previous views, or because they give in to social pressures, or because the individuals with the most extreme views are most confident.[87]

The defenders of deliberation, however, have also provided numerous studies that show that these effects do not necessarily occur. James Fishkin and his collaborators have pioneered a type of experiment often described as

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[81]   Cf. similarly Knight and Johnson 2011, esp. part II, on the role of democracy for ensuring the conditions under which other institutions, including markets, can work well.

[82]   See in particular Cohen 1989 on the legitimacy of democratic deliberation.

[83]   See also Mendelberg 2002 for an overview of both benefits and risks of deliberation.

[84]   Sunstein 2006, 197–98.

[85]   Sunstein 2006, 198–200.

[86]   Sunstein 2006, 200–203.

[87]   Sunstein 2006, 203–4. Talisse (2019, chap. 4) adds the mechanism of "corrobation": simply by seeing that one's views are popular among group members, individuals might become more strongly convinced of them.

"minipublic": a setting in which a group of people, randomly drawn from the wider population, come together and deliberate about specific topics, for example, a policy proposal.[88] Such experiments have, by now, been run on numerous topics and in numerous places.[89] In them, various problems that might mar deliberation have been addressed. For example, critics hold that more informed and educated deliberators might dominate groups and thereby undermine the egalitarian aspirations of deliberation.[90] This can be addressed by providing all participants with a balanced amount of information before the event. Harmful group dynamics, such as the focus on shared knowledge or social pressures, can be minimized by the presence of moderators and a mixture of formats. Through this kind of experimentation, the strategies for reaching the aims of deliberation have become more sophisticated over time, and the repertoire of formats for "minipublics" is, by now, very well developed.

Many of these experiments proved predictions about potential dysfunctionalities, for example group polarization or the influence of socioeconomic inequalities, wrong: deliberators turned out to be open-minded, hear others out, and react to arguments.[91] A recent analysis of a large deliberative event in the United States, America in One Room, showed that deliberation in fact led to *de*polarization on many substantive policy questions, in areas such as immigration or economic policy.[92] Interestingly, it also led to "affective" depolarization: individuals ended up with more positive views of individuals from the other side of the political spectrum.[93]

Of course, this does not mean that deliberation *always* goes well. The settings in minipublics are highly unusual, with people taking time out of their busy lives and gathering in more or less neutral spaces, with the support of facilitators, moderators, and subject experts. Moreover, individuals who are opposed to deliberation would very likely not respond positively to an invitation to a deliberative event; in this sense, a certain degree of self-selection is at play.[94] Nonetheless, the numerous experiments with lottocratic deliberative assemblies and minipublics show that deliberation is more than a utopian ideal, and that charges about citizens' general inability to deliberate are unfounded.

A key question, however, is whether deliberation also takes place outside such special venues, in people's normal lives. An important step in the development

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[88] Fishkin 2018 provides a good overview of this line of research.

[89] Fishkin 2018 provides various case studies.

[90] See, e.g., Mendelberg 2002, 166–67.

[91] See, e.g., Fishkin and Luskin 2005; Fishkin 2018. E.g., studies of minipublics find no systematic movement toward the positions of male participants, as one would expect if these groups had informal power over the group process (Fishkin 2018, 77).

[92] Fishkin et al. 2021. The event took place in 2019, with a random sample of 526 registered voters.

[93] Fishkin et al. 2021, 1478–79.

[94] See also Mutz 2006, 60; she also raises a number of other methodological criticisms but which seem less weighty.

of deliberative democratic theory was the so-called systemic turn, which took a broad perspective on different kinds of discourse, from everyday talk to parliamentary debates, also including certain forms of antagonistic or even instrumental talk, as long as their role within the overall system contributes to the latter's deliberative function.[95] A key question then becomes the division of labor between different discourses: how can they "mutually influence" each other and contribute to the system as a whole?[96] And while not all parts of such a system need to be deliberative,[97] the overall character of the system needs to be permeated by a deliberative culture.[98]

Jane Mansbridge and her coauthors, in a seminal piece on deliberative systems, suggest three functions for deliberative systems: an epistemic, an ethical, and a democratic one. While the first concerns knowledge, the second and third concern relationships of mutual respect and inclusion between equal citizens.[99] However, as John Dryzek has argued, the evaluation of deliberative or other practices cannot remain limited to the deliberative system, but also needs to include its contributions to the capacity of the polity as a whole: How do these practices support the latter in addressing its problems and solving them in a democratic way?[100] A key question, from that perspective, is how deliberative venues and practices are connected to the state and its institutions for legislative and executive decision-making.[101]

An equally important point—to which I will also come back in a later chapter[102]—is the extent to which citizens are *willing* to deliberate or have incentives to do so. As described above, one need not completely exclude questions of interests from democratic deliberation—politics *is* in part about interests, and it is important to clearly articulate them and to understand what is at stake for different groups. The challenge for deliberative practices is to do so *without* taking recourse to manipulative or coercive strategies. However, one should not underestimate the fact that deliberation can develop a "pull" of its own, in the sense that it can be a valuable and enriching experience for participants. If participants can anticipate that deliberative practices will be fair, they may well volunteer their time and energy, as many individuals in fact do, in various contexts in their private lives, their workplaces, or civil society

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[95] The term "deliberative system" is from Mansbridge 1999a, see also Parkinson 2006 and Mansbridge et al. 2012.

[96] Mansbridge 1999a, 213.

[97] Mansbridge et al. 2012, 3. However, as critics have pointed out, this should not be understood as holding that a deliberative system could consist exclusively of nondeliberative acts that would somehow add up to deliberation, or to an equivalent of it (Owen and Smith 2015).

[98] See similarly Dryzek 2017, 622–24.

[99] Mansbridge et al. 2012, 9–11.

[100] Dryzek 2017, who distinguishes between "system" and "polity."

[101] Mansbridge et al. 2012, 9.

[102] Chapter 11.2.

organizations. But of course, the background conditions can make it more or less likely that individuals will engage in such ways—and an important strand of the argument of this book is to argue that they need to be improved.

Nonetheless, the risk of social hierarchies creeping into deliberative practices remains real. There are simply too many ways in which implicit biases, cultural hierarchies, or motivated reasoning can enter human conversations. Individuals from disadvantaged backgrounds, or who are simply less confident or less inclined to join shouting matches, can feel alienated by the harsh tone that prevails in many real-life conversations, especially in the online world. Feminist writers on deliberation have long emphasized that minorities might need their own spaces, protected from outsiders, in which they can exchange their views, articulate their problems, and prepare themselves, if they wish, for participation in the discourses of the broader public. Nancy Fraser has suggested the term "subaltern counterpublics" for describing "parallel discursive arenas where members of subordinated social groups invent and circulate counterdiscourses, which in turn permit them to formulate oppositional interpretations of their identities, interests, and needs."[103] "Subaltern counterpublics" can also serve as an arena for creating and sharing knowledge about mechanisms of exclusion and oppression and possible ways for overcoming them.

The need for counterpublics is particularly urgent when public discourses are corrupted by individuals or groups with vested interests, who pretend to participate in deliberation while in fact exclusively pursuing strategic interests. It can be very hard to distinguish honest from dishonest attitudes in deliberative contexts, and dishonest participants can use numerous strategies for cloaking their contributions as genuine worries or objections. They can, for example, use rhetorical maneuvers for presenting different options in a certain light, or try to play on the implicit biases or the short attention span of other participants. Thus, clever strategists can abuse deliberative settings precisely because other participants are willing to open up and be honest—a form of vulnerability that can make deliberative processes a battlefield of manipulative strategies that are diametrically opposed to the spirit of deliberation, and yet very difficult to spot as such. In such situations, groups that are at an unjust disadvantage, or that have been historically marginalized, may be dismayed at the very thought that *they* are supposed to play fair when others have failed to do so in the past, and often continue to do so.

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[103] Fraser 1990, 67. Of course, it is a difficult question which of these "counterpublics" one should see as legitimate and valuable. As Fraser herself points out, some of them are "anti-democratic and anti-egalitarian" (1990, 70), and of course the form of, and the rhetoric around, "counterpublics" can, and have been, highjacked by dubious groups, e.g., white supremacists. In their case, however, the argument that their specific forms of experience lead to specific insights is highly questionable.

Let me conclude this section by pointing to two related mechanisms, which often work in conjunction with deliberation, and yet need to be clearly delineated from it: hierarchies and voting. Formal hierarchies, as one finds them in bureaucracies and workplaces, almost always come with power differentials, and all the more so if there are no mechanisms of counterpower for workers, such as codetermination rights.[104] To fulfill their tasks, hierarchical organizations rely on the knowledge of their members. They often use complex processes of "knowledge management" and consultation processes that are meant to elicit information and knowledge from individuals. But the very fact that they take place within hierarchies often undermines the deliberative quality of such processes. As the saying goes: "The boss only gets the good news." Other hierarchies, for example, along lines of gender or race, can compound the difficulties for open, honest conversation in such contexts.[105] Employees often realize that such "deliberations" are a mere sham, and react by holding back information or otherwise acting strategically, because they feel the need to protect their own interests, and often legitimately so. This is what often turns conversations within workplace hierarchies that are meant to be deliberative into a degenerate form in which half-truths and strategic communication dominate over honest exchanges and the joint search for solutions.[106]

The second mechanism I wish to delineate from deliberation is voting. Some minipublics culminate in a vote, in order to arrive at a decision. And of course, voting continues to be a key mechanism in democracy in general. Some theorists have discussed it from an epistemic perspective as well—shouldn't it also be seen as a prime mechanism for gathering the "knowledge of the many"? The "Condorcet Jury Theorem" provides an elegant mathematical argument for that argument: if there is a group of people who on average are more than 50% correct in picking one out of two possible answers (in a jury, the question being "guilty" or "not guilty"), then a simple majority vote, in which individuals cast their votes independently and nonstrategically, is more likely to be correct than a verdict by one single person.[107] In order to gather certain forms of knowledge from individuals, under certain conditions, voting seems a good candidate for an epistemic aggregation mechanism.[108]

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[104] I here assume that bureaucratic hierarchies are important mechanisms of *coordination*, but not, in and of themselves, *epistemic* mechanisms. I have discussed their normative dimensions in detail in Herzog 2018.

[105] See Herzog 2018, chap. 6, and Gerlsbeck and Herzog 2020 for discussions.

[106] In Herzog 2018, chap. 10, I argue that this challenge leads to an argument in favor of workplace democracy.

[107] For presentation and discussion (including discussions of versions with less strict assumptions) see, e.g., Goodin and Spiekermann 2018, Part I.

[108] For a detailed discussion see Landemore 2013, chaps. 3 and 6–7.

These conditions, however, are not always fulfilled. Political voting processes are rarely about one specific proposal, which would be addressed purely from an epistemic (rather than an interest- or identity-based) perspective. More often than not, in political votes different issues are clustered, for example, via party platforms, and citizens are motivated to vote out of a mixture of epistemic and other considerations. Most importantly, however, it is often *because* there are previous processes that have deliberative features that citizens can come to form opinions about political questions at all. Such deliberations, for example, in the media, among friends, and in online forums, can clarify what is at stake in a decision, and weed out bad or irrelevant arguments. But here is a twist: many of these processes of deliberation happens publicly, and as such, they can reduce individuals' independence from each other. They might listen to the same news channels, read the same media, and discuss proposals among themselves—and while this can have clear epistemic benefits, it puts at risk the mutual independence that is at the core of the Condorcet Jury Theorem.[109]

My suggestion, therefore, is to see voting not as an epistemic process, but rather as a decision-making process. The better the epistemic processes of deliberation *before* voting—including, where needed, the transmission of relevant expert knowledge to the broader public—the more likely it is that votes will be epistemically efficient in the sense that individuals are well informed about the subject matters at stake. But in votes, interests and identities often play a role as well, and this can be perfectly legitimate. Politics is about more than "getting things right," although "getting things right" often is a necessary condition for being able to, say, fight for one's legitimate interests. Moreover, voting has other justifications beyond the epistemic dimension. Most centrally, it expressed the equal standing of all citizens in decision-making, and as such confers democratic authority on those elected to office.[110]

This is also why it would be wrong to claim that deliberation is *all* that matters for democracy. The rule of law matters, the equal standing of citizens matters, fair procedures matter. But when *epistemic* problems need to be addressed, deliberation has a specific place. It helps discover and articulate problems in the first place, and it accompanies, and contributes to, the search for solutions. And together with other mechanisms, it is crucial for ensuring the accountability of those who hold democratic power or other forms of power in society. If democratic deliberation, in public and private arenas, is undercut, democratic processes risk becoming empty shells in which nothing but power struggles take place.

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[109] Anderson 2006, 11–12. In this sense, The Condorcet Jury Theorem has a greater similarity with markets and the kind of knowledge that is dealt with there, particularly in the sense that it is an *individualistic* conception of knowledge that informs both approaches.

[110] See, e.g., Christiano 2004.

3.4. Knowledge Generation in Communities of Experts

The third mechanism I here want to distinguish is the generation of expert knowledge in specific communities, typically on the basis of specific methods that are meant to answer specific questions. Expert knowledge, as I here understand it, is of a fundamentally different kind than the dispersed knowledge, based on preferences and profit opportunities, that markets can process. The latter form of knowledge is, almost by definition, spread out evenly: every individual knows his or her own preferences best; every supplier knows what he or she has to offer. Expert knowledge, in contrast, is distributed unevenly: for every type of such knowledge, there are certain individuals who know more than others, or who have developed greater practical skills than others.[111]

What distinguishes expert knowledge from the kind of knowledge that is typically dealt with in democratic deliberation is not that it is of a fundamentally different kind,[112] but that it is highly specialized. This specialization directly implies that it usually cannot serve, on its own, to answer policy questions because these are based on facts *and* values, and almost always touch different issues at once, and so have to integrate different bodies of specialized knowledge. And it implies that it is not immediately accessible for everyone: one needs to be a member of the relevant expert community, and possess the relevant background knowledge, to understand its methods and ways of acquiring knowledge. A spatial metaphor is that of different niches, which are populated by groups of individuals, but never by society as a whole, or of a landscape with different hills.[113] A key question that these metaphors suggest is how expert knowledge can be transmitted from these niches, or down from these hills, into the open space of the shared public, where joint decisions need to be taken.

When expert knowledge is at stake—whether in the form of scientific knowledge or in the form of certain practical experiences or skills that only certain communities have—it does, by definition, not make sense to claim that all voices should count equally. Some individuals know more than others or are more experienced and hence better at certain tasks than others. Denying these facts would rob us of the numerous theoretical insights and practical advantages of divided labor.[114] As Collins and Evans put it: "To take it that the epistemological landscape

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[111] Philosophers have used different approaches for spelling out how exactly to understand the superior knowledge or know-how of experts, a point to which I come back below. For a discussion of different approaches see, e.g., Baghramian and Croce 2021, 446–503.

[112] This point has been emphasized by Serrano Zamora and Santarelli 2022, in the context of the involvement of experts and laypeople in discussions about public health measures in the corona crisis.

[113] See also Nguyen 2020b, who uses the metaphor of "cognitive islands." I prefer "niches" or "mountains" because it suggests that in most cases there are interconnections with the mainland (though the chain may be long).

[114] See also Coady 2012, 31.

is without a vertical dimension is to abandon responsibility for the world we live in."[115] This is all the more the case because we have long used practices and technologies—for example, nuclear power—that are only feasible because of expert knowledge. These technologies and practices have consequences the responsibility for which we cannot simply disown; even if we wish to dismantle and discontinue (some of) these practices and technologies, experts need to be called upon to guide that very process.

It is telling that even from the most radical of perspectives, the existence of knowledge differences is recognized. Even anarchists, who reject most forms of authority, grappled with, but grudgingly acknowledged, the legitimacy of *epistemic* authority. Take the following passage by Mikhail Bakunin, in which he is obviously torn between his desire for independence and his acknowledgment of the dependence on the epistemic authority of others:

> Does it follow that I reject all authority? Far from me such a thought. In the matter of boots, I refer to the authority of the bootmaker; concerning houses, canals, or railroads, I consult that of the architect or the engineer. For such or such special knowledge I apply to such or such a savant. But I allow neither the bootmaker nor the architect nor savant to impose his authority upon me. I listen to them freely and with all the respect merited by their intelligence, their character, their knowledge, reserving always my incontestable right of criticism and censure. I do not content myself with consulting a single authority in any special branch; I consult several; I compare their opinions, and choose that which seems to me the soundest.[116]

While this passage sounds rather optimistic (maybe too optimistic) about the author's ability to judge the competence of experts, he sounds more modest a bit later in the text:

> I bow before the authority of special men because it is imposed on me by my own reason. I am conscious of my own inability to grasp, in all its detail, and positive development, any very large portion of human knowledge. The greatest intelligence would not be equal to a comprehension of the whole.[117]

And he adds, interestingly, a note about how a "fixed, constant and universal authority" would be impossible, because knowledge is too differentiated:

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[115] Collins and Evans 2007, 139. This is a "realist" conception of expertise, in contrast to one that understands it exclusively as a social construct (e.g., Eyal 2019).
[116] Bakunin 1973, 132.
[117] Bakunin 1973, 132.

This same reason forbids me, then, to recognise a fixed, constant and universal authority, because there is no universal man, no man capable of grasping in all that wealth of detail, without which the application of science to life is impossible, all the sciences, all the branches of social life.[118]

Another way of putting this point is to say that in the modern world, with its divided epistemic labor, the very idea of an all-wise Platonic philosopher-king has become impossible. Even if one puts aside questions about democratic legitimacy for a moment, it is clear that one would need a Platonic *committee*, composed of individuals with very different forms of expertise, who might have to draw on yet other experts if they encountered challenges beyond their own expertise.

To acquire expert knowledge, one needs to become a member of the relevant group of knowledge bearers, for which I will use the term "epistemic communities."[119] A novice learns from experts and is socialized into the mores of the relevant epistemic community. Often there are rites of passage, combined with tests of a candidate's abilities. In the premodern era, for example in medieval scholarship and proto-science, epistemic communities were often shrouded in secrecy, with strict tests of loyalty for new members, not least because of fears that specialized knowledge would fall into the "wrong hands."[120] Some vestiges of these older practices may still be present today, but on the whole, the ideal has shifted to one of openness among the members of epistemic communities, and also, to some extent, toward outsiders.[121] Nonetheless, for most outsiders even completely transparent practices do not lift the veil behind which such forms of knowledge are hidden—without the relevant training and acquisition of skills, which often take many years, one simply cannot make sense of the information that is being shared.[122] Other, more active strategies are needed to make certain forms of knowledge as "accessible" as is realistically possible.[123]

But what is the criterion for which groups count as "epistemic communities"? Philosophers have defined "expertise" in different ways, some focusing on the

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[118] Bakunin 1973, 133.

[119] This term was coined by Haas (1992) in the context of international governance; see n. 9 in Chapter 2 on the background. In certain cases—e.g., when the knowledge concerns local knowledge of an Indigenous community—individuals are born into such communities.

[120] Eamon 1985, 322–27, 329–32.

[121] With regard to science, this ideal of openness stems from the sixteenth and seventeenth centuries. See, e.g., Eamon 1985, 321–36. Merton 1942 captured this idea by describing "communism," or "the common ownership of goods" as one of the four pillars of the scientific ethos.

[122] One interesting debate, in this context, is whether expertise shapes the perception of individuals in such a way that they really perceive the world differently, such as when a wine expert can taste differences between what appear to be the same tastes for laypeople (see, e.g., Conolly 2019 for a discussion). If this is the case, then even the very sense perception of experts is different from that of nonexperts, making successful communication between them even more difficult to achieve.

[123] See Chapter 8.

idea that experts hold more true beliefs, in their domain of expertise, than lay-people,[124] and others on the function of experts vis-à-vis laypeople[125] or their ability to *increase* knowledge through research.[126] Scientific experts, for example, follow specific practices in order to understand certain phenomena through a variety of systematic methods and practices.[127] However, there is a risk of equating "expertise" too quickly with "science" or "academia," a move that I want to avoid in my understanding of expertise, and hence also in the criteria one adduces for it.

Harry Collins and Robert Evans, two sociologists of science, suggest that the best criterion for expertise is experience, which can deliver specific forms of insight.[128] One strength of this proposal is that it acknowledges that there are many different forms of experience, and hence many different forms of expertise, in different epistemic communities.[129] Colins and Evans convincingly argue that our understanding of what "expertise" consists in needs to be broad and multifaceted, going far beyond academic scientific knowledge. They quote famous cases from science studies, for example the experiential knowledge of AIDS activists in the early days of medical research into this disease,[130] as forms of expertise that were, at first, not recognized as such, but that turned out to make vital contributions to the understanding of the phenomena in question. Another example is the local knowledge of sheep farmers in Cumbria, which Brian Wynne analyzed in a famous case study: in the aftermath of the Chernobyl nuclear catastrophe, when lamb meat was at high risk of being contaminated, it took quite a while before the scientists sent by government to evaluate the situation understood and appreciated the form of expert knowledge that these farmers brought to the table.[131]

Nonetheless, experience alone is also insufficient to adjudicate all controversial cases, and to distinguish, for example, evolutionary theory from intelligent design theory, or astronomy from astrology, or alternative healing methods from established medical science. Collins and Evans suggest that in such cases, a decisive criterion is whether or not an epistemic community aims at the "preservation

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[124] Such an account is defended in Goldman's 2001 paper, which was one of the first accounts to problematize the relation between experts and laypeople. In Goldman 2018, he has moved closer to an account focusing on the *function* of experts vis-à-vis laypeople.

[125] Goldman 2018.

[126] Croce 2019. For additional ways of categorizing "expertise," from the perspective of science and technology studies, see Grundmann 2017.

[127] Given my social conception of knowledge (cf. Chapter 2), my account is here best compatible with accounts such as that of Longino that emphasize criteria such as spaces for open critique, a culture of taken critique seriously, a shared understanding of standards, and "tempered equality," i.e., attention to all voices moderated by levels of competence (2002, 128–35).

[128] Collins and Evans 2004, 67ff.

[129] Collins and Evans 2004, 23.

[130] Collins and Evans 2004, 52–53, 67–72, 137–38.

[131] Wynne 1989. I come back to this example in Chapter 8.5.

of discontinuity" with the established body of science.[132] If an epistemic community is genuinely interested in creating and using knowledge, its members should be willing to enter into a dialogue and build bridges with other epistemic communities that explore the same issues through other methods. Even if a community of, say, traditional healers relies on completely different methods, which may also include certain forms of tacit knowledge, its members should be interested in exchanges with those who explore the same or similar phenomena through more conventional forms of medical research. Communities driven by other motives, in contrast, often want to stay apart. This means that some parts of alternative medicine, which ultimately aim at understanding human health in a holistic way, can indeed count as "expertise," while others, which reject all insights of the medical mainstream and insist on "discontinuity," cannot.[133]

One might want to add a second criterion: epistemic communities need to be able to show some kind of success, appropriately defined for their respective field, in using their methods to enlarge their knowledge. This puts into question approaches whose hypotheses are, in principle, untestable, or which fail to show success despite extensive and serious testing.[134] For example, there is no need to continue testing for the hypothesis of the earth being flat, with so many practical endeavors having been successfully built on the hypothesis that the earth is a globe.

These criteria do not decide all controversial cases, and there is always likely to remain a gray area—if only because knowledge develops over time and because for some self-declared epistemic communities it is *not yet* clear whether to count them as such. But they do include most scientific approaches as well as practice-based forms of expertise, not only with regard to practical skills, but also with regard to experiences such as, say, that of living as a nonwhite person in a rural area, as articulated by the relevant epistemic community.

In their paradigmatic (and as such also rather idealized) form, epistemic communities act as the guardians of specific forms of knowledge or know-how. Their members practice trustworthy communication, both among themselves and toward third parties who rely on them. In some areas, where nonexperts are particularly dependent on the knowledge of experts and vulnerable to its abuse, this imperative of trustworthiness is captured in the ideal of professionalism, as exemplified, for example, in the Hippocratic oath taken by medical doctors. This

[132] Collins and Evans 2007, 132.
[133] Collins and Evans 2007, 133. In a later book (Collins and Evans 2017), they argue that accepting the values behind science is a moral choice (a position they call "elective modernism"). But I find this too weak an argument: we have good *reasons* for accepting these values if our aim is to understand reality—and *this* is why we should hold up the moral values that make scientific enquiry possible and justify trust in its results.
[134] To be sure, testing does not have to take the form of double-blind experiments—this is neither feasible nor appropriate for all forms of expertise.

oath codifies the expectation that when a doctor speaks *as a doctor*, he or she can be trusted to do his or her best for the health of patients.

But it is not only laypeople who depend on the trustworthiness of experts—it is often also the community of experts itself. In his classic paper "The Role of Trust in Knowledge," John Hardwig points out that modern research is such highly divided intellectual labor that scientists need to rely on one another's trustworthiness.[135] In many fields, for example particle physics, scientific papers are written by huge teams of several dozens of researchers who all contribute specialized knowledge or skills. The coauthors cannot fully control what each of them contributes. To collaborate successfully, they need to trust each other—hence the need for "research ethics."[136] Traditional epistemological theories, with their focus on individual knowers and their reserve toward testimony, can hardly grasp what is going on in such collaborative endeavors.[137] As Hardwig puts it: "Modern knowers cannot be independent and self-reliant, not even in their own fields of specialization. In most disciplines, those who do not trust cannot know."[138]

Historically, for many epistemic communities, social positions played an important role in ensuring trustworthiness. As historian Steven Shapin argued, the notion of the "gentleman" was key for seventeenth-century circles of natural scientists, because the honor code for gentlemen was tied up with the expectation that they would speak the truth and could, hence, be trusted.[139] In contemporary science, and also in many other epistemic communities, one finds instead a combination of institutional checks and balances, and reliance on the good character of their members.[140] This reliance concerns not only individuals' testimony about specific issues, for example the statistical analysis that is used in a multiauthor paper. It also concerns, in turn, practitioners' conduct in the very institutional mechanisms that serve to test the reliability of findings and to minimize the impact of cognitive biases: for example, peer review, randomization in experiments, and replication studies.[141] While institutional structures and formal control play an important role in ensuring epistemic quality, the "moral

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[135] Hardwig 1991; see also his 1985 paper on epistemic dependence. For a more detailed discussion of the notion of trust see Chapter 8.3.

[136] Hardwig 1991, 705–7.

[137] For discussion see also Greco 2020, chap. 8, who derives a generalized argument about the role of trust for knowledge from the case of "big science."

[138] Hardwig 1991, 693.

[139] Shapin 1994. As he discusses (chap. 2), being a gentleman required no great riches, but a sufficient fortune for being financially independent.

[140] Hardwig 1991, 700.

[141] See Ahlstom-Vij 2013, chap. 6.3, on how such practices aim at counteracting cognitive biases. Ahlstrom-Vij discusses such practices under the heading of "epistemic paternalism," i.e., "the idea that we are sometimes justified in interfering with the inquiry of another for her own epistemic good without consulting her on the issue" (2013, 4).

character" of individuals continues to matter. In Hardwig's words: "Institutional reforms of science may diminish but cannot obviate the need for reliance upon the character of testifiers. There are no 'people-proof' institutions."[142]

Given the importance of trustworthy collaboration for the generation and verification of many forms of expert knowledge, it is a genuine question whether such knowledge can be said to be held by individuals rather than by the communities in question.[143] Many historians of science have underlined the curious fact that many inventions have been made almost simultaneously, but independently, by several scientists.[144] This points to the fact that epistemic communities develop knowledge *together*, so that achievements by individual members are less important than what the group achieves as a whole. Moreover, economic historians have shown that the technical innovations and the economic growth of the last centuries were, to a great extent, due to the *interaction* of various forms of knowledge by various individuals, who together were able to come up with innovations and breakthrough discoveries.[145]

What about the incentives question—is the use of this form of knowledge so well aligned with incentives as in the case of market processes, as modeled by economists? Here the picture is decidedly more mixed. With regard to the *acquisition* of knowledge, we can distinguish cases in which the relevant experiences happen "on the job," as it were, when an individual, as part of an epistemic community, goes about his or her daily tasks, sharing experiences with colleagues and articulating new insights that others can confirm or reject. In other cases— with science being the most prominent one—the acquisition of knowledge is the very purpose of the activities of the epistemic community. In neither case can or should we expect complete disinterestedness on the part of practitioners: they may have a burning interest in finding out certain things, but they may also have career interests in confirming or rejecting specific hypotheses, to receive their peers' recognition or to make financial profits. A key question is whether or not the community as a whole is sufficiently oriented toward knowledge and willing to allow reality to "push back" even if this does *not* further the interests of some

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[142] Hardwig 1991, 707; see also Rolin 2021. I will come back to this point in Chapter 8.3.

[143] See B. Miller 2015 for an overview of the recent debate about the sociability of knowledge and a defense of group knowledge; from a nontraditional perspective see also Kusch 2002. Cf. also Chapter 2.2.

[144] E.g., Alperovitz and Daly 2008, 9 and chap. 3 for details and examples. See also Mazzucato, who holds that "the dominant narratives about innovators and the reasons for their success fundamentally ignore the deeply collective and cumulative process behind innovation" (2018, 192).

[145] Cf. in particular Mokyr 2002, who discusses the "Industrial Enlightenment" as shaped, among other things, by the interaction and positive feedback between practical knowledge and theoretical knowledge about underlying causes and mechanisms. This positive feedback loop was facilitated by open forums, for formal and informal, for knowledge sharing and standardized methods for creating, applying, and sharing knowledge.

or all members. Many norms of scientific integrity concern this very question and can, mutatis mutandis, also be applied to other epistemic communities.[146]

When it comes to the *use* of expert knowledge, the incentive question is often even more complex. Sometimes, epistemic communities have an interest in sharing their knowledge, because their own interests are also concerned—take, for example, medical researchers and their knowledge about a pandemic that they themselves are vulnerable to. But in other constellations, the alignment is less straightforward. For example, an individual medical doctor may face a conflict of interest between the best advice for a patient and his own financial interests and may be tempted to, say, use more diagnostic tests than necessary.

This possible discrepancy between the incentive structures and the "right thing" to do is particularly difficult to control by formal means because experts can always claim to have acted in good faith. This is why an ethos of knowledge, as mentioned earlier,[147] is so important: it can provide a counterforce to the pull of financial incentives. But it is not the only factor that influences what situations knowledge bearers experience, individually and collectively. The incentive structures they face are, to a large extent, man-made, and when they pull experts in the wrong direction, this raises the question of how they can should be changed. Ideally, the incentives create what Talcott Parsons has called "integrated situation," in which "the [professional's] 'interests' in self-fulfillment and realization of goals are integrated and fused with the normative patterns current in the society."[148] Unfortunately, not all epistemic communities find themselves in such "integrated situations," and financial or career incentives often pull individuals away from the responsible use of knowledge. Arguably, one of the reasons for this state of affairs is that epistemic communities have been evaluated according to a market logic rather than a logic of expertise.[149]

With regard to epistemic justice, expert knowledge is marred by problems similar to those that afflict markets and deliberation: officially, social status should play no role, but de facto discrimination along lines of gender, race, and class continues to play a role in many epistemic communities. With regard to Western science, historically only few individuals—most of them male, Christian, and relatively well off—had the free time and education that were required for participating in scientific endeavors, and only a subset of them had access to networks such as the Royal Society.[150] But this is for the worse for the pursuit of knowledge: as numerous feminist philosophers of science and feminist

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[146] In Chapter 8, I come back to this question from the specific perspective of norms for experts in democratic societies.

[147] See Chapter 2.5.

[148] Parsons 1939, 45; for a discussion (in the context of banking) see also Herzog 2017b.

[149] Cf. Chapter 4.4.

[150] See, e.g., Shapin 1994 on the historical background.

epistemologists have pointed out, more diverse viewpoints can help researchers to see phenomena from different angles and to uncover blind spots.[151] When claims to knowledge have been scrutinized from a variety of perspectives, their credibility is higher than if they have only been discussed from a more limited number of perspectives. The advent of women in scientific fields has, time and again, lead to the correction of one-sided research paradigms; for example, it has led to the exploration of female birdsong, which male biologists had long assumed not to exist.[152] Hence, epistemic functionality and epistemic justice, in the sense of access for individuals from all backgrounds, pull in the same direction: toward an incorporation of the full diversity of a society into its various epistemic groups.[153]

A second way in which unjust social hierarchies can translate into epistemic injustice with regard to expert knowledge concerns the question of *which* forms of knowledge are accepted as expertise. The social status of "expert," and the prestige that comes with it, have often been reserved to forms of knowledge that are pursued by those who are already high up on the ladder of social esteem. Often, epistemic communities that used methods coded as "male" got more attention than those using methods coded as "female," for example when it comes to the high status ascribed to mathematical tools (typically coded as "male" in the West), in contrast to qualitative forms of research (often coded as "female"). Or take the difference in the perception of medical experts (historically a male community) and experts in patient care (who were historically usually female). Given the many epistemic injustices that we have gradually become aware of, it is an open question how many other forms of knowledge we continue to overlook, because they are hosted in epistemic communities that have been historically marginalized, but which could teach us important insights about the subject matters at hand.[154]

The existence of numerous and diverse epistemic communities, not all of which receive the recognition they deserve, raises a number of challenging questions for democratic societies: How to make sure that the equal standing of all members of society, and the ethos of equality, are not undermined by the

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[151] The literature is too broad to be summarized here; important contributions came from Elizabeth Anderson (e.g., 1995), Heidi Grasswick (e.g., 2011), Sandra Harding (e.g., 1986, 1991), Helen Longino (e.g., 1990, 2002), Miriam Solomon (e.g., 2001), Nancy Tuana (e.g., 1989), Alison Wylie (e.g., 1996) and many others. An accessible overview of the main arguments can be found in Oreskes 2020, chap. 1.

[152] See Haines et al. 2020. As they show, the gender of researchers does indeed make a difference to the ways in which birdsong is explored.

[153] To be sure, for certain epistemic communities this imperative either does not make sense (e.g., because certain forms of *local* knowledge can only be held by the local communities) or is ruled out by other normative concerns (e.g., it would not be morally legitimate to infect individuals with certain disease for the sake of having a more diverse epistemic community of patients).

[154] Cf. e.g., Medina 2013, chap. 6, on Foucault on counterknowledge.

fact that there are all these highly differentiated communities, with their different forms of knowledge and different skill sets? How to make sure that epistemic authority is duly recognized, but its bearers do not overstep its boundaries? How to decide which epistemic communities to involve, in what form, in processes of democratic decision-making? It seems clear that epistemic communities have certain responsibilities toward society whenever the knowledge or skills they possess matter for issues on the political agenda. But how can societies ensure that these processes work well? In later chapters, I will get back to some of these questions, and the dysfunctionalities that can arise if they are not carefully addressed.

Expert knowledge, important as it is for our societies, also has its own forms of degeneration that can lead to dysfunctionalities and injustices. I here focus on three forms: self-referentiality within epistemic communities, insufficient independence from other goals, and the absolutization of expert knowledge in contexts of political or societal decision-making.

Epistemic communities are human communities—and as such, the pursuit and application of knowledge that happens within them can be driven by all kinds of conscious or unconscious motives. One that seems particularly problematic is that the very pursuit of knowledge becomes distorted by the social mechanisms of a community, for example by a search for status or recognition by peers.[155] While a certain degree of competitiveness in the pursuit of knowledge may be helpful, spurring researchers to give their best,[156] too much competitiveness, or competitiveness along the wrong lines, can be harmful. It can entice knowledge seekers to aim at low-hanging fruits instead of addressing questions that would require more sustained engagement, or it may even entice them to cut corners and violate standards of good epistemic practice.[157]

Another form of distortion arises in precisely the opposite way: not because of too much focus on the *internal* social dynamics of an epistemic community, but because of too strong a focus on *external* goals. As noted earlier, financial interests or political leanings can distort processes of knowledge generation, not necessarily in the sense that individual researchers cynically decide to go for money or power instead of truth (although that can also happen), but in the sense that they are subconsciously influenced by biases, or that whole fields of research get distorted because some but not other lines receive external funding.[158] In the biomedical sciences, the so-called funding effect has been empirically

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[155] As such, the search for knowledge in a community can lose the "continuity" with other epistemic communities, as described above.

[156] See Kitcher 1990 for a model of how competition between researchers pursuing different hypotheses can promote knowledge generation.

[157] See, e.g., Sarewitz 2016 or Edwards and Roy 2017 on dysfunctional incentives in academia.

[158] Holman and Bruner 2017 provide a model of such processes, which explicitly assumes that all researchers act in good faith.

established: research funded by interested parties, such as corporations, tends to come to the conclusions that the funders hope for.[159] In other areas, fears of politicization or online slander can hinder the open pursuit of knowledge.[160] It can be a very challenging task for epistemic communities to keep sufficient distance from legal battles and public controversies, in order to sufficiently buffer the pursuit of knowledge while at the same time not walling themselves completely off.

Last but not least, a third form of degeneration takes place when expert knowledge—and specifically, scientific knowledge—is absolutized and taken to be all that matters for decision-making, especially in the political realm. This problem is usually discussed under the label of "technocracy" or "expertocracy." Historically, it was not always considered a problem; over long periods it was rather seen than a desirable goal—and up to this day, some writers continue to defend it.[161] The idea that those "in the know" should govern has a venerable tradition; over many centuries, it was the predominant view that "the many" were unable to govern themselves precisely because they lacked knowledge and wisdom. This line starts—at least!—with Plato's philosopher-king, who faces the challenge that those who do not know do not even know that they do not know, and can hardly be convinced to obey those who do know. This, at least, is one way in which one can read his famous allegory of the cave.[162]

In more recent decades, it was not so much philosophical wisdom, but rather scientific and technical knowledge that seemed to offer an attractive alternative to democratic decision-making. The role of the "science adviser" became a familiar figure in Western democracies, especially in the second half of the twentieth century.[163] In the United States, forms of collaboration between scientists and politicians during World War II—and also the controversies around them—continued into the 1960s and 1970s. The Federal Advisory Committee Act of 1972 required that scientific advisory committees be "fairly balanced in terms of points of view represented and functions to be performed."[164] And yet these processes were often politicized, with "publicly dueling experts" becoming "the norm."[165] In Sheila Jasanoff's famous words, scientists became "the fifth branch"

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[159] Some studies of this type are Stelfox et al. 1998; Knoepp and Miles 1999; Mandelkern 1999; Vandenbroucke et al. 2000, Bekelman et al. 2003; and Montgomery et al. 2004. For discussion see, e.g., Michaels 2008, 144. On the commercialization of science and its problematic effects on trust see also Melo-Martín and Intemann 2018, chap. 8.

[160] Wenner Moyer (2018) reports that researchers in the field of vaccination medication who wanted to publish studies about potentially negative side effects saw themselves confronted with high levels of resistance from colleagues. For a discussion of similar challenges in the climate science community see Kloor 2017.

[161] Among the most famous, or infamous, recent defenses of expertocracy are Brennan 2016, 2021; for a critical review see Christiano 2019b.

[162] Plato, *The Republic* [e.g., 1992], 514a–520a.

[163] See, e.g., Douglas 2009, chap. 2, for a historical account.

[164] FACA statute, quoted in Jasanoff 1990, 47.

[165] Douglas 2009, 42.

of government.[166] "Technocratic" elements also play a role in other parts of the political systems of democratic countries, most notably in central banking.[167]

My point is not to reject all these practices—scientific knowledge can and often should play a role in political decision-making. What *is* problematic, however, is, first, the assumption that it is scientific knowledge *alone* that should be counted as expertise, and, second, the assumption that expertise *alone* could decide questions that are, strictly speaking, beyond its scope. Political decisions can never be based on descriptions of facts, mechanisms, or causal relations alone; there always also needs to be a premise that concerns the goals that are to be pursued, which, ultimately, needs to be based on certain values or interests.[168] The latter need to be combined with descriptions of facts to arrive at guidance for action, and factual experts are not experts *in this* regard. A corollary of this point is that politicians cannot delegate the responsibility for political decisions to experts alone; they are the ones who are ultimately accountable to citizen.[169]

Admittedly, there can sometimes be cases in which the normative premises are crystal clear, so that it may *look* as if it were expert knowledge alone that allowed for decisions, and maybe even rightly so—as when, at the beginning of the Covid-19 pandemic, in some countries everyone was listening to the virologists and epidemiologists, creating an impression of expert rule. But there was indeed a normative premise, namely the imperative to save lives by stopping the spread of the virus and preventing an overload of healthcare systems. When the pandemic unfolded, it quickly became clear that the situation was not as straightforward—more values turned out to be at stake, and different forms of expertise, for example in child psychology concerning the effects of school closures, had to be taken into account to make decisions. The ultimate responsibility for making such decisions lies not with experts, but with elected politicians and the democratic public, even though they often can and should draw on insights from experts.

3.5. Epistemically Well-Ordered Societies

The basic thesis of this chapter—which arguments in other parts of the book undergird—is that complex societies need all three epistemic mechanisms. The production, transmission, and application of knowledge cannot be left to only

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[166] Jasanoff 1990.

[167] For a critical discussion see, e.g., Dietsch et al. 2018.

[168] See, e.g., Pielke 2007, 13, who points out that the venerable is-ought fallacy stands behind this problem.

[169] See also Melo-Martín and Intemann 2018, chap. 9, on the confusion between scientific controversies and value differences in politics.

one of them, maybe least of all to the market.[170] But in order to be what I call "epistemically well-ordered," societies need to be clear about which mechanism is appropriate for which field. When their different logics interfere, this can all too easily undermine their epistemic functionality. All three mechanisms need to be carefully institutionally hedged in order to unfold their epistemic potentials, and be protected from various forms of decay and corruption. All of them can, when so hedged, play a productive epistemic role, if they are applied to the kind of knowledge for which they make sense.[171]

However, deliberation possesses a distinctive priority as an epistemic mechanism. This argument can be made on a purely epistemic, and also on a broader democratic, level. To start with the second point: Knight and Johnson have provided a convincing argument that the "reflexivity" of democracy puts it in a special position with regard to the possibility of choosing between different institutional solutions, and monitoring the preconditions for them working well—a function that neither markets nor other institutions can fulfill.[172] This argument can draw support from the epistemic priority of deliberation. What gives it priority over markets is the ability to put up for discussion the frameworks within which markets take place, which have a decisive impact on whether they actually achieve the epistemic (and thereby, efficiency-enhancing) goals that their defenders ascribe to them—an argument that I will discuss in more detail in Chapter 7. What gives it priority over knowledge generation in expert communities is the ability to integrate different forms of knowledge and also to challenge their claims, for example, by questioning the assumptions on which they are based or the appropriateness of the processes through which they were created. Deliberation has the highest degree of flexibility and open-endedness: it can come to all-things-considered judgments, but it can also challenge its own functioning, for example by asking whether other voices need to be included in a certain discussion.

One central problem that the distinction between these three mechanisms brings to light, and which epistemically well-structured societies need to carefully address, is that of the relations between these three mechanisms. How can expert knowledge that is relevant for market participants be brought to them?

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[170] In fact, the epistemic function of *markets* might be the least important—if it could be replaced by other mechanisms, e.g., computerized logistics systems, that would also match products to consumers. Whether or not such systems could be as epistemically successful as well-regulated markets remains an open question at this stage; for an interesting discussion see Phillips and Rozworksi 2019. But this still leaves open questions of whether certain forms of economic freedom, or other kinds of arguments, could justify the existence of certain (well-regulated) markets.

[171] See, e.g., Elliot 2019a, 14–15, on the point that markets bias social decision-making toward problems of material scarcity and have an inbuilt commitment to *individualist* in contrast to *social* decision-making. For many decisions, however, the question *is* precisely whether or not to adopt collectively binding mechanisms, e.g., legal regulations, or not (Elliot 2019a, 16).

[172] Knight and Johnson 2011, Part II.

What role should market signals play in democratic deliberation? How can specialized expertise become part of a "deliberative system," but without turning democracy into technocracy or expertocracy? It is at these interfaces that many things can go wrong, epistemically speaking—not only because of lack of attention and care to the relevant institutions, but also because agents with malicious intentions can try to manipulate these interfaces in ways that serve their own interests. These interfaces are likely to be particularly vulnerable to manipulations and distortions because the protection measures that exist *within* the realms in which the three mechanisms have their places are not effective there. Therefore, from the perspective of "democratic institutionalism," which I develop in Chapter 6, particular attention needs to be paid to these interfaces, to prevent corruption or corrosion.

Epistemic injustice, the problem of unjust exclusions or degradations of individuals based on gender, race, class, or other prejudices, can take place in the context of all three mechanisms, even though the form they take can be slightly different. In that sense, it would be misleading to think that one could fight epistemic injustice by switching from one epistemic mechanism to another, even though this might, in certain contexts, be a successful strategy. Sometimes, the formal and informal institutions of one mechanism happen to be more advanced, with regard to epistemic justice, than those of others, and in such a situation, giving this mechanism more space may increase epistemic justice. Without epistemic justice, however, the epistemic authority and the legitimacy of all three mechanisms is diminished, or can even be completely undermined. Hence, in all considerations of epistemic mechanisms, questions about past and present forms of exclusion and unjustified inequality need to be taken into account.

3.6. Conclusion: The Epistemic Complexity of Modern Societies

In this chapter I have distinguished three basic mechanisms for dealing with knowledge in society: markets, deliberation, and the practices of expert communities. I have discussed what forms of knowledge each can deal with, how it relates to epistemic justice, and how its mechanisms can degenerate into mere sham versions. I have also argued why I see neither bureaucratic hierarchies nor voting procedures as epistemic mechanisms on a par with these three basic mechanisms. For societies to be well ordered, each of these mechanisms—and their various subforms, which I here have not discussed for reasons of scope—need to be in the right place: upheld by stable institutions and protected from corroding or corrupting influences. In addition, the relations and transmission

mechanisms between them need to be clearly defined and protected against abuse or manipulation.

In recent decades, it was in particular the excessive use of market mechanisms, instead of either expert communities or deliberation, that created problems. In the next two chapters, I discuss how the narrative about the epistemic capacities of markets became so powerful. First, I delve into some history of ideas (Chapter 4), to explain how the market model came to be seen as the best processor of knowledge and was also misapplied to many institutions in which expert communities had traditionally been hosted. Then, I dissect a metaphor that has proven immensely powerful and that has led to massive misunderstandings of how to think about public discourse: that of the "marketplace of ideas" (Chapter 5).

4

The Rise of Free Market Thinking

4.1. Introduction

From the perspective of future historians, it will maybe be considered a curiosity of intellectual history that so many thinkers, commentators, and politicians from the 1980s onward put their faith in free markets. A narrative about the powers of free markets had made its way from small academic circles—where they were treated with much more nuance—into the broader public, breeding distrust toward all nonmarket institutions. When conservative governments came into power in the United States and the United Kingdom, "Reaganomics" and "Thatcherism" were implemented on the basis of these ideas—with one famous (or well invented) scene having Margaret Thatcher's reach into her briefcase, put Hayek's *The Constitution of Liberty* on the table, and declare, "This is what we believe."[1]

The belief in free markets and the ensuing onslaught on nonmarket institutions were key factors in unsettling the epistemic order of many societies—or so I argue. To undergird this claim, this chapter traces some of the intellectual origins and philosophical arguments that underlie the rise of free market thinking in the second half of the twentieth century.[2] My focus will be on epistemic arguments: arguments that turn on the alleged ability to markets to deal efficiently with knowledge. This is certainly only one of the many strands of the package of ideas and practices have been summarized under the label of "neoliberalism."[3] My aim is not to provide a comprehensive account,[4] but rather to focus on some core elements that help explain why the epistemic defense of markets could develop such a seductive force. For I take it that epistemic arguments were crucial for this overall narrative to succeed: they bridged the gap between claims about benefits for the common good and demands for "economic freedom" and the minimization of government activity. They thus gave the defenders of the

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[1] See e.g., Ranelagh 1991, ix, quoted in Shearmur 2006, 309.
[2] This is in line with historiographic research; as Burgin (2012, 7) notes, the historiography of the "conservative turn" of the 1980s by now widely acknowledges the role of "ideas and intellectuals."
[3] I will use the term in its contemporary usage, which is somewhat different from the original meaning, as introduced in 1938 in the Colloque Lipmann. As noted in the introduction, the term has been somewhat overused by critics and has become a fighting word, which is why I put it in scare quotes.
[4] For accounts see, e.g., Harvey 2005; Brown 2015; and Biebricher 2019.

"system of free enterprise" the opportunity to speak in the name of consumers, citizens, and society as a whole, rather than as mere lobbyists of corporate interests.[5]

In the next section (4.2) I situate the debate about the epistemic features of markets in its Cold War context. I discuss how the so-called socialist calculation debate had set the tone for defenders of markets to play their epistemic card. This is followed by a discussion of how the narratives provided by the epistemic defenders of markets became part and parcel of popular narratives about the blessings of the free market and of the "free enterprise" system (4.3). Free market thinking—often in diluted or exaggerated forms that economists themselves would not have supported—was also applied to institutions for which the epistemic arguments made little sense, for example, public administrations, and this led to various distortions (4.4). I conclude by pointing out how an absolutized market view makes democracies vulnerable and fragile because it undermines epistemic infrastructures that they need to rely on for democratic practices to be meaningful and to function well (4.5).

4.2. The Epistemic Underpinnings of Free Market Thinking

It is impossible to understand the rise of market thinking in the "West" in the second half of the twentieth century without taking into account the Cold War constellation and the "system competition" between "planned economies" in Soviet Russia and its sphere of influence, on the one hand, and the "free enterprise system," led by the United States and its sphere of influence, on the other. This context allowed commentators in the West to draw a stark contrast, along a number of dimensions: individual versus collective, liberal versus illiberal, decentral versus centralized, pluralism versus homogeneity, market versus state, freedom versus coercion.[6] Markets could thus be presented as beacons of freedom and individuality, while centralized decision-making, for example, in the context of the New Deal in the United States, was framed as creating a slippery slope toward illiberalism.[7]

Over time it also became clear that the market-based systems in the West did indeed contribute to raising the living standard of the population.[8] No hard

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[5] See similarly Glickman 2019, 44, 57.

[6] See, e.g., Ciepley 2006.

[7] See notably Hayek's 1944 *The Road to Serfdom*, which reached a large audience through the *Reader's Digest* (see Burgin 2012, chap. 3, on the public reception). On the New Deal as a target of free market rhetoric see Glickman 2019, e.g., 8, 44, 80.

[8] To what extent this was really a result of markets as such, or rather of markets *together with other institutions* (e.g., unions, public welfare systems, etc.—not to mention questions about the exploitation of natural resources and international trade relations still shaped by colonial power structures) is a question I here will not address because my focus is on how the debate was led. It seems hard to

choice needed to be made between freedom and prosperity; in a free market system it seemed that one could have all good things together. Even concerns about social justice, for example, a Rawlsian focus on the worst-off members of society, seemed to speak in favor of a free market system, because the "growth of the pie" provided the financial means for a more generous welfare system than the Eastern planned economies could afford—or so some commentators argued.[9]

But how did markets achieve this greater prosperity? Here, many commentators would point to their epistemic features as a key element of their explanation. Markets could not only draw on individuals' motivation to better their position, but also activate their knowledge, and coordinate the behavior of numerous individuals through the information-processing offered by the price mechanism. In the previous chapter, I have drawn on Hayek's 1945 article in which he articulates this point. Behind it, however, stood a much longer debate about the possibility of efficient allocation in planned economies and in free market systems. The socialist calculation debate started in the 1920s and ran until the 1940s.[10] It was started by a short essay by Ludwig von Mises entitled "Economic Calculation in the Socialist Commonwealth."[11] In it, Mises reacted to other thinkers of his day, for example Otto Neurath, who were optimistic about the possibilities of socialist planning.[12] Mises, in contrast, was convinced that only a market economy, with private property of the means of production, allowed for "rational economics."[13]

At the core of Mises's argument is the problem of how the values of different goods can be estimated and how resources—in particular capital goods for production—can be allocated to different users on a nonarbitrary basis. For him, market prices serve as reference points that incorporate the "valuations of all participants in trade," with money as a unit of calculation that cuts across the heterogeneity of goods.[14] In a socialist system, in contrast, there is no rationale for the coordination between market participants, especially the producers of "unfinished goods and production goods,"[15] because they cannot rely on market

deny, however, that markets played *some* role in the increased prosperity in Western countries in the post–World War II years.

[9] Arguments along these lines have, for example, been made by Tomasi 2012. For critical discussions see, e.g., Arnold 2013 and Reiff 2012.
[10] For discussions, on which I draw in what follows, see Lavoie 1985a and 1985b (esp. chap. 3); Davies 2018, 153–167; and Peart and Levy 2018; see also Mirowski and Nik-Khah 2017, chap. 5.
[11] Mises [1920] 1990.
[12] See Davies 2018, 153.
[13] Mises [1920] 1990, 17.
[14] Mises [1920] 1990, 10–11 (the quotation is on page 10).
[15] Mises [1920] 1990, 19.

prices. Instead, for economic decision-makers there can be "only groping in the dark,"[16] Mises held.

Mises's essay sparked a fierce debate between opponents and defenders of socialism. Various proposals that came to be summarized under the label "market socialism" were brought forward.[17] They turned on ways in which socialist planners might mimic the market mechanism—especially the allocative function of capital markets—in ways that would be at least as good as, or maybe even better than, capitalist markets. The most famous of these models was the so-called Lange-Lerner model, which assumed markets for labor and consumer goods, and a centralized allocation mechanism for capital using a trial-and-error process.[18] However, Mises and other defenders of free markets remained skeptical. Hayek's 1945 essay came to be seen as the most famous defense of markets on epistemic grounds, but it grew right out of these earlier debates.[19]

The argument about the epistemic benefits of markets fitted hand and glove into the Western narrative about individual freedom and individuality. Together, they offered a flattering self-image for the West: market societies are dynamic and change according to the wishes and preferences of their citizens, and there is always room for new ideas to be turned into products or services, to increase welfare. This is a point that both Hayek and Mises emphasize: the coordination through market prices allows dealing with *change* in ways that planning can never mimic. "Economic problems arise always and only in consequence of change,"[20] Hayek wrote, and Mises admitted freely that "the static state can dispense with economic calculation."[21] But he immediately added that this was only a theoretical possibility, because in real life, things change all the time and require adaptation. The point was thus not to try to arrive at a static market equilibrium through some nonmarket mechanisms; the point was that no nonmarket mechanism could deliver the *dynamic* efficiency of "rivalry."[22]

The picture drawn by Mises, Hayek, and the economists who followed in their footsteps also seemed to contain a deeply egalitarian, almost emancipatory message. Everyone's actions are reflected in the ever-shifting web of trading

[16]   Mises [1920] 1990, 23.
[17]   Cf. e.g., Peart and Levy 2018 for an overview.
[18]   Peart and Levy 2018. For a detailed account of Lange's model see, e.g., Steele 1992, chap. 7.
[19]   Some commentators have seen major differences between Mises and Hayek concerning the epistemic role of markets. For example, Salerno (1990, 58) points out that Hayek's focus is on the problem of transmitting information to a centralized planner, while Mises focuses on "calculation" in the sense of ascribing values to heterogeneous goods. Salerno notes that this difference is important because later commentators thought that the Hayekian, but not the Misesian, version of the problem might be overcome by technology (1990, 63–64). But see Horwitz 2004 for a convincing discussion as to why their positions are in fact very close to each other; Lavoie 1985a agrees with such a reading as well.
[20]   Hayek 1945, 523.
[21]   Mises [1920] 1990, 22.
[22]   This point has been emphasized in particular by Lavoie 1985a, who frequently uses this term.

relations that is kept together by the price mechanism. It is noteworthy that Mises and Hayek speak about economic agents as if they were all of one kind, in ways that suggest that consumer, producer, and investor are comparable roles.[23] Everyone can take part in the market, and everyone's knowledge counts. In financial markets, everyone has a chance to place a bet on future developments, and everyone's voice adds to the final result—or so this picture seems to imply. All decisions that individuals make, as market participants, seem happy, honest choices, never painful compromises or psychologically taxing dilemmas. A single newcomer who bets against the markets may make big profits if she, rather than all the established investors, gets it right, and everyone might be that newcomer one day.

This individualistic picture of economic agents as bearers of knowledge could tap into older cultural reminiscences, notably the rejection of a type of institutions that had, for a long time, served as reservoirs of knowledge, but also massively constrained individuals' freedom: the European guilds.[24] In the Middle Ages, craft guilds appeared around the year 1100 and spread quickly, as did merchant guilds.[25] Their self-understanding was that of ethical communities, with an emphasis on mutual aid and mutual obligations.[26] They established and enforced rules and standards for their respective occupations, including rules about apprenticeships and access to journeyman and master positions.[27]

Some commentators have seen them as key institutions for the "reproduction of the skilled workforce," which supported "the type of tacit, embodied, and incremental innovation typical of most industrial development before the Industrial Revolution."[28] But the basis for such a positive picture is thin; the negative picture that has long prevailed has, on the whole, been confirmed by historical research.[29] Guilds took harsh measures to exclude nonmembers from markets,[30] going to great lengths to secure "guild compulsion" in their regions to limit competition.[31] The picture of a fossilized economy in the grip of powerful oligarchies stands in stark contrast to that of an open market society in which

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[23] See especially Mises [1920] 1990, 20.

[24] See, e.g., Black 1984; Epstein 1995; and Ogilvie 2019.

[25] Ogilvie 2019, 9. I here focus on craft guilds because they obviously have to do with various forms of professional knowledge. For Ogilvie's discussion of merchant guilds see her 2011 book, which arrives at similarly skeptical conclusions regarding the benefits of these guilds as her 2019 book does with regard to craft guilds.

[26] Black 1984, chap. 2; see also 69–70.

[27] Black 1984, 24–6; Ogilvie 2019, esp. chap. 3.

[28] Epstein and Prak 2008, 23.

[29] See in particular the work of Ogilvie: in various studies, and recently in a magisterial book, she has analyzed a rich set of data, both quantitative and qualitative, about guilds in Europe, AD 1000–1880.

[30] See Ogilvie 2019, chap. 3, on religious minorities and illegitimate children, and chap. 5 on women.

[31] Ogilvie, 86–93, 154–5.

all individuals can choose the occupation they like and buy and sell goods and services as they see fit. The negative picture of powerful market agents colluding for their own benefit had long dominated the public imagination, with Adam Smith, in a memorable phrase, speaking about their "conspiracy against the public."[32] The guilds were rejected together with many other things feudal, and all institutions that might be seen as partial functional successors of the guilds, such as professions or chambers of craftsmen, could be put in a bad light simply by being likened to them, rightly or wrongly.

Last but not least, the decentralized processing of knowledge in markets could appeal to notions of value pluralism, and to the imperative for a liberal state not to take substantial position that would give preferential treatment to the values of some subset of citizens over those of others.[33] If everyone can buy and sell as they like, like-minded individuals can deal with each other, while those with different values can abstain from doing so and find their own niches. For example, in a free market there would many different cultural products on offer—plays, novels, or shows for every taste (at least according to theory).[34] Given the contrast with the totalitarian system in the Russian sphere of influence, it was easy to argue that it was the free market that allowed for value pluralism and individuality, whereas planned economies would impose an ideologically driven, homogeneous cultural program upon citizens.

4.3. From Academic Discourse to Popular Narrative

This picture of free markets as efficient mechanisms for eliciting and transmitting knowledge has been immensely powerful in the cultural imagination of the West. But in the 1930s and 1940s, the defenders of free markets saw themselves as a small, beleaguered minority. Many of them had recognized that a nineteenth-century version of "laissez faire" was no longer possible,[35] and yet they emphasized the need to give more space to free markets, and warned that limiting economic freedoms would, in the end, also lead to restrictions on other freedoms. This was the position of many members of the Mont Pelerin Society, which Hayek started in 1947, and which, over the years, became a powerful mouthpiece of free market thinking.[36] The rhetoric, however, of "free enterprise"

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[32]   Smith [1776] 1976, I.X.72.
[33]   See in particular Ciepley 2006.
[34]   As a matter of fact, mass culture often dominates niches, and nonmainstream artists often have a hard time surviving in markets—a point that critical theorists have long noted; see, e.g., Horkheimer and Adorno 1947, chap. 4.
[35]   Glickman 2019, 5–6.
[36]   See, e.g., Stedman Jones 2012 and Burgin 2012 on the history of the Mont Pelerin Society.

being under threat continued to be used long into the second half of the twentieth century, when this threat was no longer credible.[37]

In the transition from academic discourse to popular narrative, many of the nuances were lost.[38] For example, the differences between Austrian economics, with its emphasis on change and "spontaneous order," and neoclassical economics, with its focus on equilibria, was not part of the popular discourse in defense of free markets. In fact, already in 1949 commentators were complaining about the vagueness of the term "free enterprise," which was often used as equivalent for any promarket, antigovernment position.[39]

The translation from academic discourse to a broader audience sometimes happened through academic economists themselves, especially Milton Friedman.[40] But it also happened through other writers and commentators, for example Leonard Read, who wrote the famous text "I, Pencil," in which a pencil tells the story of how it was produced in a series of market transactions.[41] Think tanks and philanthropists provided funding for organizing events and printing books and pamphlets.[42] And, maybe inevitably, the message was watered down: from nuanced, and sometimes outrightly ambiguous, attitudes toward markets among the first generation of Mont Pelerin Society members, to a triumphalist "nothing but markets" attitude in which all other positions were presented as contrary to common sense.[43] Nonetheless, the ambiguities in the writings of some of the authors probably helped facilitate this transition: they allowed them to retreat to more nuanced positions in academic discourse and yet delivered enough fodder for simplifying popularizers.[44]

Let me illustrate this point with two examples about how the free market narrative became disconnected from academic discussions in economics (more examples will follow in the next section). A first one concerns the role

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[37] This is a point that Glickman (2019, esp. 31–33) emphasizes.

[38] Of course, economics is not the only academic field from which distorted and simplified narratives seep into public discourse. In fact, the incentives in science communication often push in this direction: the media want simple narratives and metaphors, and what ends up in headlines is often deprived of any nuance and qualification. In Chapter 8, I suggest a "partnership model" for the relation between expert communities and society at large that can hopefully, to some extent, help solve these problems.

[39] Glickman 2019, 9.

[40] For details see Burgin 2012, chap. 5.

[41] Glickman 2019, chap. 6, provides a close reading of this text.

[42] Burgin 2012, esp. chap. 4.

[43] On the early discussions in the Mont Pelerin Society see Burgin 2012, chaps. 1–3.

[44] Glickman (2019, 126) speaks of a "rhetorical dance" of officially rejecting "laissez faire" and yet condemning all concrete proposals for government intervention; Burgin (2012, 92) similarly notes the ambiguities in Hayek's writing about "how to reconcile all the positive programs he apparently condoned with his stark warnings about the dangers of planning and the unacceptability of a middle way." An illustrative example can be found in Hayek (1976, 112), where he acknowledges that societies have "numerous networks of . . . relations that are in no sense economic" and yet insists on the "cash nexus" being the most important social bond.

of companies, which are internally structured as bureaucratic hierarchies. Economists have argued for decades, based on theories about the transaction costs of market exchanges, that certain activities will be "integrated" into hierarchies, while others will be bought from the outside.[45] The ensuing legal structures of corporations, sometimes with millions of employees, can be extremely powerful, not only economically, but also societally and politically— and yet, in popular discourse about markets and "free enterprise," this power is mostly ignored.[46]

A second example concerns the role of information asymmetries in markets. In 1970, economist George A. Akerlof published a paper entitled "The Market for Lemons," in which he discussed the problems that arise when a product has features that are hard to check (such as the quality of used cars), which can even lead to markets breaking down.[47] Those traders who sell high-quality cars cannot reliably signal this quality to their customers, which is why the latter's willingness to pay is lowered. Such "information asymmetries" mar many real-life markets: maybe more often than not, it is a challenge for buyers to understand which offer is actually best.

To be sure, sometimes there can be solutions internal to markets that address information asymmetries. Israel M. Kirzner, an Austrian free market thinker, has emphasized the role of entrepreneurs in discovering and closing information gaps.[48] Akerlof himself discussed a number of potential mechanisms, such as guarantees, brands, chains, or licensing.[49] Some of these can emerge from market processes, while others require—or are in fact instantiated by help of— government interventions. In any case, new epistemic questions arise: about the legal structures of guarantees and about the honesty of advertisements (which is needed for brand building). In a later chapter, I will return to these.[50] Here my point is to illustrate that within academic economic discourse, there was indeed an awareness that markets do not always function on their own—but this discussion hardly made it into the public narrative about "free enterprise."

In a 2015 book, economist Dani Rodrik discusses this strange discrepancy between academic research in economics and the public promarket attitude that many professional economists show.[51] He suggests that "economists feel

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[45] Notable contributions to this debate include Coase 1937; Simon 1951; and Williamson 1985.
[46] See, e.g., Glickman 2019, 20.
[47] Akerlof 1970.
[48] Esp. Kirzner 1973.
[49] Akerlof 1970, 499–500; on the role of brands see also Kreps 1990.
[50] Chapter 7.2.2.
[51] See also Caplan 2007, 184–85, on the lack of market fundamentalism within the economics profession (though his standards for what would count as such are somewhat different from mine); he notes Mises and Rothbard as the most notable exceptions.

proprietary" about understanding "how markets work" and fear that the general public is ignorant about this:

> Supply and demand, market efficiency, comparative advantage, incentives— these are the crown jewels of the profession that need defending from the ignorant masses. Or so the thinking goes. Promoting markets in public debates has today become almost a professional obligation. Economists' contributions in public can therefore look radically different from their discussions in the seminar room.[52]

This is a plausible explanation for why economists have rarely publicly questioned the almost unqualified endorsement of markets that came to dominate political thinking. Today, after various financial crisis and with the climate crisis looming large, they may not be so widely endorsed any longer. And yet economists' earlier support of markets has left its imprint on numerous institutions and patterns of thought and behavior. It is to these effects—and in particular their *epistemic* dimensions—that I turn next.

4.4. Institutional Consequences of Market Thinking

As a result of the shifts in popular perception that I have described in the last section—and certainly also as a result of other changes and power shifts that I here cannot analyze for reasons of scope—the relation between markets and other institutions in developed economies changed.[53] Instead of acknowledging the need for a plurality of epistemic institutions, the vision of one epistemic superinstitution—the free market—became dominant. This paradigm suggested that whenever possible, market mechanisms should be used to allow for the processing of decentralized knowledge, without taking care to distinguish between different forms of knowledge. Focusing on markets could be presented as an emancipatory move that liberated individuals from the grip of institutions that had, in the past, claimed to know better—a flattering move that ascribed "sovereignty" to "consumers" not only in the field of consumption, but also in fields such as healthcare and education, which had previously been conceptualized as hosting authoritative expertise. Praising the free market

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[52] Rodrik 2015, 170; see also 192. Rodrik's more general topic is the failure, on the part of economists, to distinguish between models and reality and to choose the right models for analyzing different phenomena.

[53] As my focus is on developed economies, I here remain agnostic as to the effect of the "Washington consensus" on developing economies. While many commentators have been critical of its effects (see, e.g., Rodrik 2015, 159–67, on its different effects in different countries), a recent paper (Grier and Grier 2021) finds a small positive effect in terms of economic growth rates.

sounded antitechnocratic and antipaternalistic, and as such it could also pick up cultural developments in the wake of the 1968er movement.[54]

One strategy that followed from this worldview was to build new markets were none had existed before. For example, the Chicago derivatives exchange was established by followers of the University of Chicago's free market style of economics. Milton Friedman was not only the intellectual godfather, but was actually invited to write a paper that would explain the point of such an exchange.[55] More generally speaking, financial markets grew massively, with more and more, and more and more complex, financial products that were meant to contribute to "financial deepening."[56] Another strategy was to privatize previously public institutions, for example public utilities providers, or to establish "private-public-partnerships."[57] The hope was that market mechanisms would increase efficiency and increase customers' choice.

But maybe the most important strategy, from an epistemic perspective, was the application of the market logic to public institutions, a strategy that came to be known under the label of "new public management."[58] This approach applied various ideas from the management of private companies and from market design to the public sector. It introduced not only a "customer orientation" that might have been quite foreign to parts of the civil service, but also a complete reorganization of work. Some roots of these ideas can be traced back to Taylor's "scientific management" of the 1930s: standardized tasks, clear lines of responsibility, economies of scale through routinization.[59] Central among the ideas emphasized by new public management were the control of costs, accountability and transparency, and the use of the market mechanism.[60]

Radical defenders of markets would probably simply have argued for the *abolition* of many public institutions, for example by replacing public schools with vouchers that could be used in a private market for education.[61] The approach of new public management was less radical, and yet it was permeated by the same values and assumptions as popular free market thinking. "Efficiency," "innovation," "competitiveness," and "productivity" were key ideas.[62] Often the introduction of reforms went hand in hand with other trends, such as the call for smaller government[63] and the hope that by decentralizing public services and

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[54] On the confluence of 1968 culture and capitalist thinking see, e.g., Boltanski and Chiapello 2005, esp. Part II.

[55] MacKenzie 2006, 147.

[56] See Turner 2016, chap. 1, for a discussion.

[57] See, e.g., Crouch 2016, chaps. 3 and 4.

[58] It was codified in texts such as Osborne and Gaebler's 1992 *Reinventing Government*; for discussions see, e.g., Power 1997, 43, and Crouch 2016, 67.

[59] Muller 2018, 33

[60] Power 1997, 43.

[61] Burgin 2012, 183.

[62] Pollitt 2016, 431.

[63] Hood 1991, 3.

introducing competition between them, one would achieve more efficiency and a better use of resources.[64]

In fact, however, it was often *simplified* economistic thinking that was applied to public institutions. Its prescriptions were often based on crude versions of "principal-agent theory," building on the assumption that individuals need to be motivated through financial incentives to do what an organization wants them to do.[65] This can be seen in the case of two features of new public management that were particularly harmful for the epistemic life of institutions: the focus on extrinsic motivation, and the use of indicators.

One of the great risks of using financial incentives, in order to motivate individuals, is to crowd out individuals' *intrinsic* motivation to do a good job. This phenomenon has long been explored in psychological research: when receiving external incentives, individuals' intrinsic motivation to do something because they think it is the right thing to do or because it is fun or part of the job can be massively decreased.[66] Economists also acknowledged this problem and captured it in elegant mathematical language, though relatively late: a 2003 paper by Roland Bénabou and Jean Tirole suggests a model in which providing an explicit (e.g., financial) incentive sends a signal, for example about the attractiveness of a task or the perceived ability of the worker, which has an effect on the confidence and motivation of the worker.[67] As a result, financial incentives may be "only *weak reinforcers* in the short term" and, in addition, have "*hidden costs*, in that they become negative reinforcers once they are withdrawn."[68] But these complexities were often ignored in practice. Civil servants and professionals employed by public institutions, who had previously received a fixed salary and for whom promotions were often a mere matter of age, saw themselves confronted with the expectation to "reach targets" and sometimes risked serious disadvantages if they did not do so.

But of course, this approach presupposes that one can get a clear sense of what it means to "fulfill a task"—and this is where indicators come in. For example, hospitals were evaluated according to patient numbers and average length of stay; schools were evaluated according to average grade scores and numbers of dropouts. Indicators mimic market prices, in the sense that they create comparability, and individuals are supposed to adapt their behavior to them. Of course, they do not follow a direct logic of supply and demand, but their introduction was often motivated by a hope that they would provide measurability and objectivity and thereby, like market prices, contribute to the efficiency of

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[64] Hood 1991, 4.
[65] For a critical discussion see, e.g., Ghoshal 2005.
[66] Muller 2018, 53–54; for a background in "motivation crowding theory" see, e.g., Frey 1997.
[67] Bénabou and Tirole 2003.
[68] Bénabou and Tirole 2003, 492.

organizations.[69] Often they were also used to compare and rank different organizations, for example all hospitals in a country. Like market prices, comparisons and rankings based on indicators were meant to spur competition between organizations, again contributing to efficiency.

Indicators require standardization across cases, in predefined categories into which actual cases, in all their variety, are then put.[70] As such, indicators—like market prices—necessarily abstract from a plethora of aspects and reduce all cases to a few dimensions.[71] Sometimes this works: some activities can indeed be measured reasonably well, so that indicators capture what really matters about the tasks at hand. But often indicators might not measure what matters most about the activities in question. Economists have long recognized that they can thereby lead to distortions. A 1991 paper discusses a constellation in which agents have different tasks, or one task with different dimensions, and argues that "an increase in an agent's compensation in any one task will cause some reallocation of attention away from other tasks."[72] After discussing various constellations, the authors conclude that "the problem of providing incentives to agents and employees is far more intricate than is represented in standard principal-agent models."[73]

This point had also long been recognized in other social sciences. The problems created by the introduction of indicators that only partially capture complex social realities have been so widely observed that there is not only one, but two, "laws" about it. The first is called "Campbell's law," after an American social psychologist who, among other things, analyzed police governance. It holds that "the more any quantitative social indicator is used for social decision-making, the more subject it will be to corruption pressures and the more apt it will be to distort and corrupt the social processes it is intended to monitor."[74] The second is named after British economist Charles Goodhart, who worked on monetary policy, and is formulated as "When a measure becomes a target, it ceases to be a good measure."[75] The basic problem is that what is measured is not an independent natural reality, but a *social* reality in which actors anticipate that

[69]   See Porter 1995 for a historical account of how numbers were seen as trustworthy and often used to create the impression of trustworthiness, by drawing on the apparent "objectivity" of numbers, which seem to stand (or should one say: float?) above the human battles of interests and intrigues. On the trend to use quantitative evidence for policy decisions see also Rottenburg and Merry 2015; as they point out, numbers create the impression that one can understand social processes from afar without the need for local knowledge, a factor that plays a big role in an increasingly globalized world.
[70]   Rottenburg and Merry 2015, 12–15.
[71]   See also Crouch 2016, 2, 73.
[72]   Holmstrom and Milgrom 1991, 26.
[73]   Holmstrom and Milgrom 1991, 50.
[74]   Campbell 1976, 49.
[75]   Quoted in Muller 2018, 20.

there will be processes of measuring and change their behavior accordingly.[76] A prominent example discussed by Campbell is a police department that was evaluated according to the ratio between submitted and resolved cases. This not only led to attempts to have as few cases as possible submitted, but also to a distorted distribution of efforts, toward cases that would be easy to resolve and thereby make the statistics look good.[77]

Despite this awareness of potential problems in academic circles, the use of incentives and indicators became widespread. It raises a number of issues, many of which have to do with the epistemic life of organizations—and it is these that I will here focus on. Crowding out intrinsic motivation is a general problem, but it is particularly relevant for knowledge-intense tasks. For such tasks, individuals need to volunteer their full knowledge and expertise, and it can be very hard for third parties to evaluate whether they have done so or have opted for the minimum that the indicators let them get away with.

Additional epistemic problems can arise from the competitiveness that results when individuals or organizations are pitched against each other in a race for the highest score. This can undermine their willingness to share their insights with others and to communicate openly—again, a problem that can be particularly detrimental to knowledge-intense organizations. For example, scientists might be driven toward secrecy and strategic communication if they see their colleagues mostly as competitors. Such an attitude fundamentally contradicts the ethos of science as a communal endeavor,[78] but it can all too easily result if scientists are measured along such indicators and must compete for funds, and if there is no strong culture of scientific integrity that works against such competitive strategies.[79]

With regard to indicators, the epistemic situation is particularly difficult when tasks are complex and multidimensional; this is, again, often the case with knowledge-intense activities. As historian Jerry Z. Muller, who has put together a plethora of examples for this effect, puts it: "What can be measured is not always what is worth measuring; what gets measured may have no relationship to what

[76] Muller 2018 lists various forms that these behavioral changes can take. For example, the practice of "creaming" means that individuals deal with easy cases first, in order for their statistics to look good, while "difficult" cases would require more care (2018, 2; see also 117–18 on "case selection bias" in medicine). Another strategy is to lower quality standards in order to increase the number of cases that "pass" a certain test or quality control (24). Sometimes, the figures are changed, e.g., by omitting data points that would lower the score (24). Such "massaging" of numbers may not (only) happen consciously; there may also be implicit, unconscious biases that lead individuals to dismiss certain cases as "outliers."

[77] Campbell 1976, 50–51.

[78] Cf. Merton 1942 on "communism" in science.

[79] It can, in fact, also lead to the encouragement of misbehavior. See, e.g., Melo-Martín and Intemann 2018, 109–13, on how scientific misconduct can contribute to undermining trust in science.

we really want to know."[80] If indicators are nonetheless used, an epistemically insidious constellation can arise. The official numbers look good—but the reality behind them can be altogether different. For example, "cases" are dealt with in sufficiently high numbers, but the quality of treatment declines. Individuals employed in the respective institutions may see no choice but to play along because their jobs depend on success in the "numbers game." As Colin Crouch notes, the media can play an unholy role as well, because they often report on indicators as if they were scientific facts, not taking into account the statistical problems that often exist, and not including critical discussions of how the numbers were created and what they express.[81]

It might be thought that these kinds of problems mostly take place within specific organizations over a relatively short amount of time. But they can also occur on a much larger scale, with massive social implications. Here is one example that one can read as a case of Campbell's law: Cathy O'Neil discusses the effects that college rankings had on colleges' strategies of attracting students and rising in the rankings.[82] She points out that the proxies used for ranking the quality of different colleges did not include one key variable: tuition and fees.[83] Therefore, colleges had reduced incentives to keep these affordable and might take steps—such as building fancy sports facilities—that drove them up. The way the rankings were constructed, this argument suggests, contributed to the increasing costs of attending college, with far-ranging repercussions for equality of opportunity, household debt, and social justice. Moreover, various details of college rankings—especially the inclusion of "future earnings" of graduates—create incentives against serving lower-income students, who might not only be less likely to graduate because they must hold down jobs while studying, but who are also less likely, for lack of family connections, to land highly paid jobs after graduation.[84]

This is not to say that such effects will *necessarily* arise. Sometimes, a strong ethos oriented toward the purpose of an institution can counteract the pressures that come from numbers, even in knowledge-intense institutions. Anthropologist Johanna Mugler provides a fascinating case study of how legal prosecutors in

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[80]   Muller 2018, 2.
[81]   Crouch 2016, 80–81. Another set of questions—not purely epistemic ones—arises from the processes of *setting* targets (Crouch 2016, 68): Who has the power to do so, and who controls them in turn? Targets, indicators, and audits do not, by themselves, necessarily invite discussion, deliberation, and feedback about the actual processes, and might end up being a replacement of honest feedback rather than a tool for it (cf. similarly Power 1997, 127). This is particularly problematic if trust is undermined and conflicts are exacerbated (Muller 2018, 39). Moreover, the costs of all the auditing processes and the collection of figures should not be underestimated, in terms of both employee time and financial costs, e.g., for external audit firms (Muller 2018, 170).
[82]   O'Neil 2015, chap. 3.
[83]   O'Neill 2016, 59.
[84]   Muller 2018, 81–85; Crouch 2016, 86–87.

South Africa dealt with "the stats" while at the same time keeping up high pro-
fessional standards. As she emphasizes, the need to "improve the stats" was fre-
quently mentioned in conversations between prosecutors.[85] At the same time,
they were committed to high-quality work, which they understood in a much
broader sense.[86] The senior staff of these legal institutions equally emphasized
that what mattered was fulfilling the mission of their institutions, not increasing
the numbers of cases as such.[87] Nobody would gain recognition from peers and
managers by producing high numbers of cases; rather, one would gain it by using
the legal tools at one's disposal wisely and effectively.[88] All in all, the "power of
'numbers'" was "counteracted by alternative expressions of accountability like
professionalism, ethics, responsibility and liability, and by the numerical compe-
tence of actors who are much more aware of the constructedness and construc-
tiveness of quantifications than critics have often claimed," Mugler concludes.[89]

It is not without irony that "knowledge by numbers," while modeled on a
crude and simplified vision of markets, seems to work best when the actors in-
volved in its creation do *not* act as the narrow-minded utility maximizers that
this vision is built on—but rather as thoughtful, ethical agents who understand
the mission of their institution, including its ethical dimensions. This also means
that the arguments I have discussed should not be understood as a call to get rid
of all indicators. If treated in the right way, they might be a useful tool for un-
derstanding developments in organizations, and not least for uncovering, and
addressing, structural problems or cases of fraud. But their risks need to be well
understood, and they must not be mistaken for a one-size-fits-all tool for solving
epistemic or other problems in public organizations.[90] The more knowledge-
intense institutions are, the riskier it seems to apply a simplicist market logic or
indicator logic to them, despite its apparent superiority in terms of activating
knowledge.

However, as the examples cited above show, and as even fierce critics concede,[91]
indicators *can* be kept in their place through the right countermechanisms, such
as a strong professional culture. But here a last way in which free market thinking
has had a negative effect on the epistemic life of democracies comes into play: its
attack on a professionalism. On a practical level, this often happened by a gradual
defunding of the public institutions in which professionalism had traditionally

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[85] Mugler 2015, 86.
[86] Mugler 2015, 88.
[87] Mugler 2015, 89.
[88] Mugler 2015, 96.
[89] Mugler 2015, 79.
[90] As to concrete proposals, Muller (2018, 16) suggests a "checklist" for when and how to use met-
rics, while Crouch (2016, 82), drawing on a proposal by Goldstein and Myers (1996), suggests a "code
of ethics for performance indicators." Power already called for more reflection and reflexivity in the
"audit society" in his 1997 book (138–46).
[91] E.g., Muller 2018, 8, 109–10.

had its home.[92] On an intellectual level, it happened through various attacks on the logic of professionalism as outdated, guild-like bastions of privilege whose members were not willing to face the harsh winds of market competition.[93] From that perspective, requirements such as those of getting a license for practicing in certain jobs appeared as nothing but a form of rent-seeking. Maybe in some cases this was indeed an appropriate diagnosis—but in others, for example, in medicine, the knowledge differentials are so large, and the stakes so high, that a wholesale rejection of the principles of professionalism is misguided. In Chapter 8 I will, instead, draw on proposals to revive professionalism and other forms of expertise, in a democratic spirit.

If public organizations that host complex forms of knowledge and skills are run by a logic of indicators or directly privatized, those who suffer from the consequences are often the most vulnerable members of society. More privileged families can buy private health insurance and send their children to private schools or universities. They have the financial resources to do so, and the epistemic resources to make informed decisions. But in a democratic society, this raises troubling questions about fairness and about equal opportunities to participate in social, political, and economic life. If democratic societies are serious in their commitment to such principles, they need to be particularly attentive to the effects that institutional changes can have on the most vulnerable groups.

4.5. Conclusion: The Fragility of Marketized Democracies

In this chapter, I have discussed some of the reasons for the attractiveness of the market paradigm and some of its effects on institutional life in the second half of the twentieth century—focusing, all along, on the epistemic dimensions and emphasizing the difference between sophisticated academic debates and crude public messages. My claim is not that *all* developments that were fueled by market thinking were necessarily for the worse; certainly not all institutions that were remodeled by "new public management" had worked perfectly before. But the vision of the market as an all-encompassing, efficient knowledge-mechanism in which everyone can participate, and in which all forms of knowledge can be optimally processed, is nonetheless highly misleading and dangerous. It led to an exaggerated suspicion toward all nonmarket institutions and downplayed the importance of other institutions and practices for processing other kinds

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[92] See, e.g., Crouch 2016, esp. chap. 3.
[93] Dzur 2008, chaps. 2 and 3 discusses these criticisms by authors such as, for example, Eliot Freidson, Magali Sarfatti Larson, and Ivan Illich. See also Chapter 8.

of knowledge. By suggesting a facile equation of the pursuit of private interests and the public good, it might in fact also have contributed to legitimizing highly problematic practices, such as the weaponization of knowledge that I have described in the introduction.

If one believes in a vision of society as nothing but a great marketplace, in which all forms of knowledge are efficiently processed, all *other* institutional structures that would deal with *other* forms of knowledge seem superfluous, even detrimental. Epistemic infrastructures for markets, or institutions in which expertise is hosted, seem negligeable or harmful. Even democracy itself comes to be understood as nothing but a market by other means, with voting being modeled on the same account of human nature—as narrowly profit-maximizing—and then being criticized for not being as good as markets.[94] The fact that citizens can also deliberate, and that many of them are experts in specific areas that also matter for political decision-making, is simply not part of the picture. The same holds for fact that for citizens to be able to deliberate *well*, there is a need not only for schools (to provide them with basic knowledge) and reliable media (to provide them with the necessary information), but also for spaces in which deliberation can take place. The acquisition of information of individuals qua political citizens is seen as a purely private affair, more or less on a par with finding out which brand of yogurt one likes best. The possibility that *public* institutions, or institutions with a partly public mandate, are needed for the shared pursuit of knowledge and for the provision of information, is not taken into account.[95]

In the second half of this book, I will provide an alternative vision: one in which the responsibility for knowledge, political and otherwise, is understood as a common affair of democratic citizens and societies are "epistemically well-ordered." I will argue for cutting back the role of markets to what they can realistically live up to, embedded into, and complemented by, other epistemic institutions. Before I turn to this task, however, I engage with another way in which market thinking has been taken into an epistemic direction. I explore the metaphor of the "marketplace of ideas" and the way in which it misunderstands the nature of public discourse and the legitimacy of regulation. Modeling public discourse on markets seems to grasp an important intuition, but it also leads to the risk of misunderstandings and to misguided policies that do more harm than good, or so I will argue in the next chapter.

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[94] See note 17 in Chapter 1 for references; in Chapter 11.2 I take up this topic again.
[95] This criticism is related to the criticism Brennan's epistocratic approach in a review by Christiano (2019b), who charges him with insufficiently taking into account of the epistemic division of labor in democracies.

5

What's Wrong with the "Marketplace of Ideas"?

5.1. Introduction

This chapter is about a metaphor that lies right at the intersection of economics and epistemology: the "marketplace of ideas."[1] It immediately evokes visual associations: a farmers' market, with stalls full of fruits and vegetables and buyers and sellers haggling over prices, or the pit of a stock market, with frenzied shouting and running, illuminated by countless computer screens. The metaphor suggests lively activity, vivid participation, and exchange—and the idea seems to be that just as with goods and services, the better offer wins out, in a kind of sorting process in which good ideas are picked over bad ones, maybe even leading to something worthy to be called "truth." With its focus on spontaneity and exchange, the idea is related to, but not structurally identical with, the epistemic defense of markets that I discussed in the last chapters. Here, the point is not so much that markets process dispersed knowledge, but rather that *in a process that somehow resembles the market process*, truth wins over falsehood.

If the claims implicit in the metaphor of the "marketplace of ideas" were correct, then many issues that I discuss in this book would simply not arise: laissez-faire would lead to truth. But unfortunately, things are not so simple. In this chapter, I discuss several reasons why the metaphor fails: systematic epistemic deficiencies (i.e., it does not work well as a metaphor), historiographic inadequacies (i.e., the historical authors quoted in its support meant something different), and normative indeterminacy (i.e., contrary to its standard use, it does not help us in determining what *should* be done).[2] After briefly describing where the metaphor was claimed to come from (section 5.2), I discuss a number a number of problems with the items at stake. "Ideas" cannot be "traded" in a straightforward way, and it might not even be clear what "trading" them means—not least, and this is a point overlooked in the debate so far, because of

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[1] Another constellation is that of knowledge as a "commons," e.g., in the sense that what matters for democratic decision-making is the overall level of knowledge of citizens, but individuals may have insufficient incentives to contribute to it. I address worries about such a constellation in Chapter 11.2.

[2] I thank Ervin Kondakciu for suggesting this wording.

the psychology of "holding" or "giving up" ideas (5.3). Moreover, the metaphor is based on a historiographic misunderstanding: neither Milton nor Mill spoke about a marketplace; instead, they evoked pictures of a battle. Therefore, in the next section (5.4), I explore what shifting to the metaphor of a battle can tell us about the processes in which knowledge is generated out of ideas, and why it makes sense—if one wants to keep a metaphor—to shift to a metaphor of playful sporting competitions, in the plural, instead. This leads to some key questions that these various metaphors bring up: the role of motives, the legitimacy of regulation, and the temporal dynamics of knowledge generation (5.5). I argue that instead of assuming one big "marketplace" or "sports field," a better description of our reality, and also a normatively more adequate picture, is one in which the differences between discursive settings are taken seriously, and regulation differs depending on what the discourses in different fields aim to achieve. I conclude (5.6) by returning to some of the insights from Mill's historical text, which continue to be challenges today—and which show, if proof were needed, that reading the original texts is more productive than clinging to enchanting, but ultimately misleading, metaphors.

5.2. Historical Sources

In the Anglophone world, two historical sources are standardly cited for the metaphor of the "marketplace of ideas"—though, as I will discuss below, this is not quite justified.[3] The first is John Milton's 1644 treatise *Aeropagitica*, which argued against the compulsory licensing of books that the Parliament had introduced. As Milton wrote in a famous line: "Let [Truth] and Falshood grapple, who ever knew Truth put to the worse in a free and open encounter?"[4] The second quoted source is John Stuart Mill's 1859 *On Liberty*, which, in chapter 2, presents an extended argument against censorship. All opinions, even those that are clearly wrong, should be left uncensored, because the "collision with error" leads to "the clearer perception and livelier impression of truth."[5] Only when there is lively debate, Mill argued, can truth remain "living truth," instead of becoming "dead dogma." All truths need to be "vigorously and earnestly contested" to remain vivid in people's minds.[6]

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[3] My focus on this tradition alone (and even there, a very reduced selection of authors) is justified by the limited goal of my argument: I react to claims *about these authors* brought forward by later writers. Writing an intellectual history of metaphors for ideas in conflict would be a fascinating task, but it is beyond the scope of this chapter.

[4] Milton [1644] 1918, 58.

[5] Mill [1859] 1991, 37.

[6] Mill [1859] 1991, 69.

The metaphor of the "marketplace of ideas" has been particularly influential in US jurisprudence on free speech.[7] It was first used in a dissenting opinion in a 1919 Supreme Court judgment, in which Justice Oliver Wendell Holmes Jr. held:

> But when men have realized that time has upset many fighting faiths, they may come to believe even more than they believe the very foundations of their own conduct that the ultimate good desired is better reached by free trade in ideas— that the best test of truth is the power of the thought to get itself accepted in the *competition of the market*.[8]

Another representative quotation comes from a 1969 judgment:

> It is the purpose of the First Amendment to preserve an uninhibited *marketplace of ideas* in which truth will ultimately prevail, rather than to countenance monopolization of that market, whether it be by the Government itself or a private licensee. It is the right of the public to receive suitable access to social, political, esthetic, moral, and other ideas and experiences which is crucial here.[9]

Google n-gram shows a massive rise of use of the phrase "marketplace of ideas" since the 1960s.[10] Usually, the message carried by the metaphor was the same as the one that would often accompany discourses about all types of "marketplaces" in these decades: governments should keep their hands off these spontaneous processes, because they would, by themselves, lead to positive outcomes.[11] Truth does not need any help in winning over falsehood; it might even become stronger in the process—or so the standard use of the metaphor suggests.

And yet the metaphor as such is polysemic. A first way of understanding it is to focus on the exchange of ideas in public meeting places, such as the agora in Greek city-states, or the village square, which both also happened to be marketplaces. But taken in this sense, the metaphor is not very instructive because it says nothing about the *mechanism* it is meant to describe; moreover, it seems to lose relevance for today, with such traditional "marketplaces" being replaced by malls and online shopping.[12] A second way in which the metaphor

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[7]   See, e.g., Bosmajian 1992, chap. 3, and Brietzke 1997 for an overview.
[8]   Holmes 1919, quoted in Goldman 1999a, 192. Emphasis added.
[9]   *Red Lion Broadcasting Co. v. FCC*, 390, quoted in Goldman 1999a, 193, emphasis added. On the historical context of Holmes see also Healy 2014; I would like to thank Colin Hickey for drawing my attention to this book.
[10]   See https://books.google.com/ngrams, search term "marketplace of ideas." Last accessed June 12, 2022.
[11]   On the historical origins of ideas about self-governing systems and "invisible hands" see, e.g., Sheehan and Wahrman 2015; on the development of market thinking in Smith and Hegel, see Herzog 2013.
[12]   See also Bosmajian 1992, 60–62. One might, of course, ask further questions here, about what is being lost if there are no such public marketplaces any longer, with the opportunities they offered for

has sometimes been understood is as a more literal "market"—for newspapers, TV programs, or other media through which ideas can be communicated.[13] Some commentators have focused on the competition, or lack thereof, in, say, the market for local newspapers, and have criticized monopolistic tendencies in the provision of news.[14] Arguably, however, this has changed with the arrival of the internet. While the *platforms* on which online communication takes place show similar tendencies toward monopolization, what happens *on* these platforms is, arguably, a relatively free exchanges of ideas. Whether or not it has led to truth winning over falsehood, however, is precisely the question.

In what follows, my focus will be on a reading of the metaphor that looks at the *process* that, allegedly, leads to true knowledge, out of the ideas brought together by individuals in something like a market. However, when one starts thinking about the analogies between market processes and the processes in which ideas are exchanges and knowledge is generated, it quickly becomes clear that there are more differences than similarities. In fact, in academic debates the metaphor has long been criticized. As two commentators have held: "At best the metaphor is incoherent, at worst pernicious, as when it encourages us to believe that true ideas will always triumph in any contest with falsehood."[15] And yet it continues to be used, both in academic and in nonacademic discourse.[16] In the next sections, I argue that it cannot be defended, neither as metaphor nor as claim.

5.3. Why the Metaphor Fails

A market consists of the buying and selling of goods by large numbers of buyers and sellers—at least this is the paradigmatic form that markets take. The idea that drives many usages of the "marketplaces of ideas" metaphor is that there is a spontaneous, quasi-automatic adaptation of supply and demand in which better offers win over worse ones, leading to efficient outcomes. Something similar is, supposedly, happening in the "marketplace of ideas": an "invisible

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citizens to meet each other. In Chapter 9 I will discuss the need for an "epistemic infrastructure" for democracy, and one might well ask whether "marketplaces" in the literal sense should be seen as one element (though I do not discuss this question in particular).

[13] Cf. e.g., Schmuhl and Picard 2005, 145, who read it as exclusively related to "the media."

[14] E.g., Ingber 1984, 38–39; Schmuhl and Picard 2005, 148; Bosmajian 1992, 71. This Wikipedia article provides an overview of the concentration of media ownership in many countries: https://en.wikipedia.org/wiki/Concentration_of_media_ownership (last accessed June 12, 2022).

[15] Sparrow and Goodin 2001, 54; see also Ingber 1984, who calls it a "legitimizing myth"; Bosmajian 1992; Brietzke 1997; Goldman and Cox 1996; Goldman 1999a, chap. 7; O'Connor and Weatherall 2019, pos. 2683–96.

[16] For a recent example see Hazlett 2020, who does not question the metaphor (even though the arguments he makes do raise questions about its appropriateness).

hand"—to evoke another powerful metaphor—guides the process, so that no visible interferences are needed. But how good is the analogy between markets for goods and markets for ideas? In what follows, I discuss several ways in which this analogy fails, with implications for the overall message that "spontaneous" processes could sort truth from falsehood.[17] I argue that this message is indefensible, especially given the psychology of what it means to "trade" ideas. While some arguments have already been brought forward in the literature, I add new perspectives on the psychological dimensions, on the differences between allocative efficiency and the outcomes of knowledge processes, and on the temporal dynamics of epistemic processes.

First, what is being traded? When a good or service is traded in a market, it needs to be "commodified": it needs to be understood as a separate item that can change hands for money.[18] Some might object to the very idea of a "commodification" of knowledge that the metaphor suggests, holding that knowledge should never be a mere "market product," bought and sold (and maybe speculated with) at will.[19] But even on a much more pragmatic level, there are challenges to thinking about "ideas" as such tradeable items. Tradeable items need to be separable from each other; ideas, in contrast, always stand in connection with other ideas. They can only be understood as part of broader bundles of assumptions, vocabularies, and argumentative structures. This is why Robert Sparrow and Robert Goodin suggest that there are "network effects" between ideas, because their value depends on their connection to other ideas.[20] Network effects, however, are a challenge for competitive markets: they often push them toward monopolies.[21] This throws first doubts on the idea that an unregulated market of ideas would indeed be efficient.

Moreover, ideas have some characteristics of public goods: if one "gives away" an idea, one does not thereby lose it.[22] As commentators have pointed out, even if more and more people share an idea, it does not lose its value, and the marginal costs of handing it out are often close to zero.[23] We might try to exclude others from an idea by keeping it secret—but then we cannot at the same time offer it

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[17] In discussing these arguments, my focus is on the *epistemic* dimension of the alleged marketplace of ideas. There can also be other failures of such a market, e.g., moral failures that harm individuals through racist utterances that go unchecked (see, e.g., Brietzke 1997). But such problems are not, logically speaking, failures *of the metaphor*—sadly, other markets can and often do also accommodate racist preferences (as prominently discussed by Becker 1971).

[18] Cf., e.g., Polanyi 1944.

[19] Cf. the debate about the "limits of the market"; see, e.g., Radin 1996; Satz 2010; and Sandel 2012 (although "knowledge" is not explicitly discussed there).

[20] Sparrow and Goodin 2001, 50–51.

[21] Sparrow and Goodin 2001, 50–51.

[22] See also Goldman 1999a, 203.

[23] Goldman and Cox 1996, 25–26.

in the marketplace to other potential buyers.[24] All these factors mean that the language of "trading" does not make much sense; what we usually say is that we "share" ideas.[25]

Let me add some additional problems. One is that even if one *wants* to get rid of an idea, this cannot easily be done—our memories are not under our conscious control, and ideas might come back and haunt us even if we wish we could have "sold" them without a remainder. Moreover, not all ideas can simply be "shared": some are hard to acquire because they require understanding other concepts or arguments or having had certain experiences. One can hardly "pick them up" in the way in which one picks an apple from a fruit stall. This leads back to the questions about expert knowledge I have discussed in previous chapters: if it takes years of training to acquire certain ideas (or certain forms of practical knowledge), the proposal that such ideas could simply be made available to all citizens is naive. Instead of "trading" them, a relationship shaped by professional responsibility is required—or so I will argue in a later chapter.

This leads to a second set of questions: what would the analogy to "trading" be? A first point to note here is that the *preferences* individuals are assumed to have in markets concern the single-minded pursuit of their interests. Neither altruism nor the willingness to pursue common interests has a place in paradigmatic models of market competition.[26] But what, then, are individuals' preferences in the alleged "marketplaces of ideas": to maximize truth or to receive something else? Do individuals maybe seek "comfort and reassurance,"[27] or even "drama, sex, violence, and comedy," as some commentators have suggested?[28] If this is what they seek, this is what the market process will likely provide—and that means that it may lead to many things apart from truth.[29] If individuals are *partly* interested in truth and partly in other items, one would expect a "market" process to provide a mixture of truth and other things. But individuals may then not be able to sort out the truths from the mixture on offer,[30] and they might pick

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[24] What can be done—but what requires complex legal arrangements—is to exclude others from making *use* of an idea. This happens through IP law, through which certain ideas do indeed become tradeable. But note that this requires state action first; a mere reliance on an "invisible hand" is insufficient; see also Chapter 7.2.6.

[25] See also Sparrow and Goodin 2001, 50.

[26] Note that the single-minded focus on *economic* interests also implies that there are no ulterior motives, such as *ideological* interests—another way in which this model is unrealistic. See also Goldman 1999a, 212–13; Brietzke 1997, 965.

[27] Sparrow and Goodin 2001, 52.

[28] Otto 2016, 154.

[29] See also Goldman 1999a, 197, and Goldman and Cox 1996, 17–18.

[30] Cf. also Goldman and Cox 1996 (referring to Baker 1978, 976) and Ingber 1984, 15, on the challenges of eliminating distortions or the emotional "packaging" of ideas.

up falsehoods on the way.[31] In any case, it is not the market process as such that sorts truths from falsehoods for them.

What commentators have failed to discuss, however, is that the metaphor of a "marketplace of ideas" suggests that individuals are eager to offer and receive ideas, and voluntarily part with ideas that are defeated by better ones. But not all ideas are such that individuals would simply want to trade them away, as if they were some random market products. Some ideas, beliefs, and convictions are part of individuals' identity—giving them away means cutting out chunks of the fabric of emotions, convictions, and memories that make up one's self.[32] Neuroscientists have found that the human brain reacts to information that challenges individuals' "deep convictions" in the same areas that are also responsible for the human sense of identity and for negative emotions.[33] The instinctive reaction to certain pieces of information or certain kinds of arguments is not to welcome them with open arms, if only the price is right, but to become defensive. Changing one's views can be a years-long, painful process, nothing like the "exchange" of goods and services in a market in which one stands back from one's transactions and remains the same person as before.

Because of this unwillingness to give up certain ideas, one might not get a marketplace, but rather shouting games between fragmented and polarized groups that share certain ideas within the group but are unwilling to "exchange" them with out-group individuals. Instead of even inspecting the other sides' "wares," many individuals seem annoyed by the mere fact that views contrary to their own ones are on offer. Describing US public discourse, and in particular many people's reactions to expert claims, Tom Nichols speaks of "a solipsistic and thin-skinned insistence that every opinion be treated as truth."[34]

But note that even if all individuals *were* purely truth-oriented, the analogy with a market process of trading continues to be misleading—again a point not yet noted in the literature on the marketplace of ideas. Truth, the presumed outcome of the marketplace of ideas, is the same for everyone, at least in principle. As such, it is fundamentally different from tastes or preferences. One of the great advantages of markets is that they can offer a *variety* of options, for individuals with different preferences, and allow them to exchange goods and services so that everyone finds whatever is the best fit. With the marketplace for ideas, however, it is different: what one hopes for is a process in which a common ground is established, because truth "wins" and is accepted by everyone. The idea is *not* that

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[31] There is evidence from psychology that when one hears false messages, it can be hard to ignore them (see, e.g., the literature on "mental contamination" quoted in Sorial 2010, 180–82 and the psychological studies quoted in Schauer 2017, 24).

[32] See similarly Nichols 2017, 66, and Stanley 2015, 186.

[33] Resnick 2017.

[34] Nichols 2017, 25. In Chapter 11.2, I come back to problems of polarization, as they have been discussed in particular with regard to US voters.

bad arguments and wrong hypothesis find their eager buyers, in some market niche, but rather that they are weeded out and rejected once and for all. What one hopes to end up with is not a *distribution* of *different* things, but a position that can be widely shared, because all good arguments have been integrated in it and it has been defended against all relevant objections. And yet, for many areas, the picture of different suppliers catering to different purchasers seems to be a more adequate description of the current reality, especially when one considers online discussions and the fragmentation of discourse into various online forums.[35]

Given these disanalogies, it should not come as a surprise that the metaphor of the marketplace of ideas leaves open some of the most urgent political questions around public speech. In this sense, my conclusion is that the metaphor is normatively indeterminate. While the metaphor has often been used, especially in US contexts, to argue against government regulation regarding the provision of ideas,[36] it is not clear that this follows. After all, many markets for goods and services do require regulation,[37] and some commentators have in fact argued *for* regulation on the basis of the market analogy.[38] Just like other markets, the marketplace for ideas might exhibit "market failures"[39] or create "negative externalities"[40] that require government intervention. But how should one decide what counts as "market failure" or "externality," and what is part of the normal market process? As a matter of fact, in almost all countries there are restrictions on the supply of certain kinds of "ideas," for example, through libel law or bans on child pornography.[41] But the marketplace metaphor in no way helps to decide *which* speech should be regulated and in what ways—a point to which I come back below.[42]

One issue in particular has raised questions about the need for regulation: the lack of a level playing field, which can mar both markets in goods and services and markets in ideas.[43] On the one hand, this inequality concerns the market

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[35] I come back to the specific problems of online discourse in Chapter 9.4.

[36] A study by Napoli (1999) on the use of the metaphor by the Federal Communications Commission for the period 1956–98 undergirds this claim.

[37] See also Baker and Oreskes 2017, 4 (with regard to the scientific community).

[38] Ingber 1984, 5 (who is critical of this approach). Or see Goldman and Cox 1996, 10, on the suggestions by legal scholars Fiss and Sunstein. Bosmajian (1992, 49) mentions the case of White in *Red Lion Broadcasting Co. v. F.C.C.*, on the constitutionality of fairness doctrine in journalism—there, the marketplace metaphor was used to justify governmental regulation, to prevent monopolization.

[39] Cf. Coase 1974 on the parallels with regard to market failures.

[40] Goldman (1999a, 201) suggests that "we might consider untruthful statements as acts of "pollution" and interpret regulation of such statements as the use of government power to try to reduce such pollution" (cf. also Goldman and Cox 1996, 23–25).

[41] See, e.g., or Goldman 1999a, 205–7, and Hazlett 2020, 117 (on the United States, which goes further than most countries with the emphasis on free speech).

[42] Sparrow and Goodin (2001, 55) suggest the metaphor of a "garden of ideas" instead of a "marketplace," holding that this suggests the "possibility that, while we have good reasons to be cautious in doing so, intervening in the competition between ideas may at least sometimes prove productive." But this shift of metaphors does nothing to resolve the question of *when* intervening is justified.

[43] See also Brietzke 1997, 961–63, and the literature quoted there.

players: they have unequal financial power and thus unequal opportunities to "buy" or "sell" ideas.[44] But arguably, ideas themselves (and, by implication, their suppliers) are also unequal: ideas that are more emotionally appealing, fit more neatly into existing narratives, or are simply easier to grasp usually find more "buyers." And of course, the spontaneous appeal that an idea has with a particular audience is no criterion for its truth; sometimes, it is precisely the true claims that are least popular. But whether or not (and if so, in what ways) government regulation could help establish a "level playing field" is far from clear—what would it even mean to make certain ideas more attractive? Once more, the metaphor raises more questions than it answers.

5.4. Markets, Battles, or Sport Games?

Why, then, would thinkers like Milton and Mill come up with such a weird metaphor? Was it mere rhetorical flourish? In fact, the ascription of this metaphor to Milton and Mill is a misattribution, which academics have copied from each other and thereby created a narrative of its own. The associations evoked by Milton and Mill are those of competition in battlefields or sporting contests rather than marketplaces; none of them speaks explicitly about a "marketplace of ideas."[45] Milton in one place explicitly rejects such rhetoric: "Truth and understanding are not such wares as to be monopolized and traded in by tickets, and statutes, and standards. We must not think to make a staple commodity of all the knowledge in the land, to mark and license it like our broadcloth and our woolpacks."[46]

The metaphor of exchanges of ideas as competitive battles continues to be used. "Argumentation as war" is one of the key examples in Lakoff and Johnson's *Metaphors We Live By*.[47] Many commentators have criticized this metaphor, which seems to suggest that argumentation is about winning or losing, rather than about both parties gaining from the exchange of arguments and perspectives.[48] It is crucial, however, to read the metaphor with precision: it is meant to be a battle of *ideas*, not of individuals. Ideas are abstract entities, and

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[44] See also Gordon 1997, 239; Goldman and Cox, 27; Brietzke 1997, 963–65, who also mentions that the rich can engage in rent-seeking activities (e.g., "closing information markets to rival ideas" [965]).

[45] For Milton, see in particular Bosmajian 1992, 52–53; for Mill see Gordon 1997. Bosmajian 1992, 53–56, traces the misattributions, which started with Holmes (including one to Jefferson that also occasionally occurred in American legal scholarship). Brietzke 1997, 953–54, also notes that Milton was not completely opposed to censorship (e.g., he regarded it as legitimate for blasphemy).

[46] Quoted in Bosmajian 1992, 55.

[47] Lakoff and Johnson 1980, quoted in Dutilh Novaes 2020b, 20. See also Cohen 1995.

[48] See the discussions in Dutilh Novaes 2020b and Kidd 2020 (and the literature referenced there); Kidd takes a more conciliatory stance toward the metaphor than others.

so the question becomes how the struggle between them can be instantiated in real life.

If read in this way, the metaphor has interesting implications, and we can, in fact, gain some interesting insights on the preconditions of discourses leading to the truth. For a battle of *ideas* can only take place if *individuals*, as the bearers of ideas, behave in certain ways—and these are precisely *not* purely combative (or, for that matter, commercial). Instead, individuals need to be willing to let the ideas engage with each other, and to go where these encounters take them, even if means that their own ideas suffer a blow or are completely defeated. In other words, while they may certainly enter the exchange with the hope that their ideas will win and try to present them in the best possible light, this must not be their only motive.

If one wants to keep a metaphor in place, let me suggest one that might express this idea better than that of a "battlefield": that of a sports contest. But for that metaphor to make sense, the sports contest needs to be understood as one that is not only about winning, but rather about excelling at certain techniques, providing a "good game," and maybe also having fun together.[49] Understood in this way, this metaphor underlines that individuals need to have a sense of sportsmanship: they need to respect the integrity of the contest and its rules, treat their opponents with fairness, and be willing to accept defeat where appropriate. The benefit they receive, even if their own ideas lose, is an increase in insight, if truth indeed wins over falsehood.[50]

In fact, my proposal can be supported by returning to the historical texts by Milton and Mill. According to Philip Kitcher, Milton assumed that the "encounter in which Truth and Falsehood grapple, must be fair and open," and that the evidence for and against a certain proposition must always be evenly evaluated.[51] Mill similarly states that "only through diversity of opinion is there, in the existing state of human intellect, a *chance of fair play to all sides of the truth*."[52] He admonishes his readers to follow the advice of Cicero to always

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[49] The sense of "fun" must, however, not take away the serious pursuit of the goal—like all metaphors, this one also has its limits. In private communication, Colin Hickey has suggested "scrimmage" (a team playing itself for the sake of training) as a possible instantiation of the right mixture between intention to win and attention to sportsmanship and quality.

[50] Recently, some authors have tried to argue that certain individual features that are usually described as epistemic vices (such as overconfidence or excessive steadfastness) might have a positive function in processes of group reasoning (e.g., Hallsson and Kappel 2020). However, the conditions under which this can be the case are unlikely to hold in many real-life situations. See Tanesini 2020 for a discussion; as she points out, with such epistemic vices there is a risk that epistemic diversity is "entrenched rather than transient" and thus does more harm than good overall (243).

[51] Kitcher 2011, 179. Kitcher is concerned with the lack of a level playing field between an ignorant public and competing "experts" (from which laypeople might also be culturally alienated); the members of the public can therefore be deceived by constructing what only *appears* to be a "free discussion"—and in the end, their freedom is threatened rather than strengthened by this "free discussion" (181–83).

[52] Mill 1991 [1859], 65, emphasis added.

study one's "adversary's case with as great, if not with still greater, intensity than even his own."[53] For ideas to have a fair battle, the individuals who carry them into it need to have an ethos that complements the will to win with a generous amount of sportsmanship—so much that, in case of doubt, one's will to let truth win over falsehood is stronger than one's attachment to the ideas one brought to the sports field.

This also means that the social settings in which contests of ideas take place must not be organized in *too* competitive a way, because this would undermine the ethos of sportsmanship, which creates a cooperative basis for the competition itself.[54] If the competition of ideas turns into a competition of individuals or interests, this can lead to strategic behavior, such as hiding arguments or stealing ideas from others. Such maneuvers can be highly detrimental for the search for truth; they can, for example, delay the rejection of falsehoods or lead to the unjustified exclusion of highly promising ideas.[55] The result can be suboptimal allocations of intellectual energies and resources, or even preventable harm to those who suffer from uncorrected falsehoods.

Thus, my claim is that if one searches for a metaphor that captures the attitude individuals should have when entering what is so misleadingly labeled the "marketplace of ideas," it is the comparison with sports that is more helpful. But for such a sports tournament of ideas to take place, high demands are put on individuals: instead of maximizing their own gains, as the marketplace metaphor suggests, they need to be sufficiently detached from their ideas to give them up if they turn out to be defeated by better ones. It is only when these conditions hold that the "competition of ideas," as one might then call it, has a chance of bringing us closer to the truth.

5.5. Different Fields, Different Rules

The metaphors of the "marketplace of ideas," of "competitions of ideas," or of "tournaments," like all metaphors, shed light on certain aspects of reality at the neglect of others. In this section I want to make explicit some aspects that the

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[53] Mill 1991 [1859], 54.
[54] As noted by the participants in a discussion of this chapter at the University of Utrecht (and staying within the metaphor of sports): the audience needs to cheer for good play, not for fouls.
[55] Arguably, some of these effects can be seen in contemporary academia, where the incentive structure and the culture in many fields puts too much emphasis on competition, and too little on cooperation. See, e.g., Edwards and Roy 2017 for a critical discussion. Kitcher 1990 argues that under certain conditions, competition between research teams can lead to better outcomes that full cooperation, but his model depends on specific assumptions and does not amount to a rejection of at least *some* cooperative relations. Dutilh Novaes (2020b, 28) refers to the protocol of "adversarial collaboration" for resolving conflicts between ideas, in a way that combines competitive and collaborative elements.

discussion so far has brought to the fore. I argue that a number of systematic questions need to be answered for the different fields on which ideas encounter each other. Importantly, however, there is no reason to think that they need to be answered in the *same* way for *all* fields. On the contrary: often, they need to be, and in fact are, answered differently. Different kinds of sports tournaments, after all, also take place on different fields, with different kinds of rules and different ways of determining success. Arguably, one of the ways in which the powerful rhetoric of a "marketplace of ideas" has been harmful is precisely that it has obscured these differences, suggesting that all discourses should be treated the same. I develop the parameters of these decisions that arise from the previous discussion, because it is by focusing on these parameters that we can get to the real questions of institutional design concerning different "competition of ideas."

A first set of questions concerns the role of the motives and intentions (or "preferences," in the economistic language of the marketplace metaphor) of individuals: are they driven by a desire to find the truth, or do they have a stronger desire to defend their own ideas? The question can be asked on a descriptive and on a normative level: what *is* the case, and what *should* be the case? It may be tempting to think that individuals should *always* be oriented toward the truth, but this reaction is too quick. For one thing, truth orientation can only be a normative requirement if there can be truth about a matter. We smile at the toddler who wants to know whether chocolate or vanilla ice cream is *truly* better, but the question is a serious one when there is disagreement about whether or not certain areas are such that there is a truth of the matter or not.[56]

For another thing, even if there may be an abstract "ought" with regard to truth orientation, one needs to have a closer look at the social settings in which certain exchanges of idea takes place, to see whether it can be realistically expected from individuals. For example, if crucial interests such as one's physical integrity or the pursuit of important life goals are at stake, it may be problematic—even from a normative perspective—to expect individuals to be oriented toward nothing but the truth. Lying or otherwise obfuscating the truth may even be morally excusable. This means, in turn, that in settings in which it is important that individuals *be* truth-oriented, potentially distorting factors are, as far as possible, removed. For example, it is easy to postulate that scientists should always be willing to give up hypotheses that are contradicted by new evidence—but if not only one's reputation, but also one's position and income depend on the ability to defend certain hypotheses, one should not be surprised that some are unwilling to do so. What should be a friendly tournament characterized by an ethos of sportsmanship

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[56] Religion is an obvious case in point.

can then indeed become more battle-like—and this may have detrimental consequences for the pursuit of truth.[57]

A second set of questions concerns the legitimacy of regulation—and this offers the opportunity to respond to a potential objection. As I have argued above, the marketplace metaphor leaves this point open, even though it has mostly been used for arguing against regulation. It is worth noting that in contexts in which conduciveness to truth is paramount, such as court proceedings or research institutions, speech is, as a matter of fact, highly regulated.[58] Typically, this regulation concerns not so much *what* can be said, but rather consists in strict procedural rules about *how* things are to be said, for example, how arguments are supposed to build on each other or who can speak in which order. But most scenarios in which the "marketplace of ideas" is evoked concern public discourse in a broader sense—and the question is precisely whether or not regulation can be appropriate here, and if so, of what kind. This question has been controversially discussed by defenders and critics of (various forms of) "free speech."

The basic problem here is, in fact, analogous with the other regulations of marketplaces: on the one hand, the system as a whole might deliver better outcomes when it is regulated more strictly; on the other hand, there are individual rights that must not be violated. In fact, the conflict is here sharper than in the case of other marketplaces. In the latter, what is at stake are individual economic rights—to trade with one's property—whereas in the "marketplace of ideas," what is at stake is the individual's freedom of speech. Arguably, the latter has a deeper justification, and a closer connection to democratic self-governance, than any economic right.

To be sure, if the *only* justification for the freedom of speech were its role in maintaining a marketplace of ideas, the argument would become circular: if this marketplace is a fiction anyway, then why support the freedom that makes it possible? But this is not the case. There are other, arguably more important, reasons for protecting this freedom (together with the freedom of the press and other freedoms of expression). Some of the most important arguments concern autonomy, democracy, and toleration, and for all, there is an extensive debate, which I cannot summarize here.[59] Judith Lichtenberg is certainly correct when

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[57] Relatedly, Hazlett 2020 discusses the role of "intellectual trust" in exchanges of ideas; he continues to use the metaphor of the marketplace of ideas, which is somewhat strange because it deviates from standard models of markets, in which strategic rather than trusting behavior is assumed. But of course, real-life markets do often function better with at least a modicum of trust.

[58] See also Williams 2002, 217; on the court system see also Goldman and Cox 1996, 29–31. If one wants to keep the "marketplace" metaphor for such systems, one might want to think about them as "markets" in the sense that Polanyi 1944 has described, namely as carefully legally and socially constructed entities. I thank Michael Frazer for putting the point this way.

[59] See van Mill 2021 for an overview; for arguments concerning autonomy, see, e.g., Brison 1998; Shiffrin 2011, 2014; and Gelber 2010; 2012; for an argument from toleration see e.g., Bollinger 1986; for the connection to democracy see famously Meiklejohn 1948 (but as Lichtenberg 1987, 337–38, notes, he neglects considerations of democratic *equality*); see also the classic Schauer 1984. Recent

she writes, after surveying the various values that commentators have based these freedoms on, "Any 'monistic' theory of free speech, emphasizing only one of these values, will fail to do justice to the variety and richness of our interests in free speech."[60]

Given this pluralism of values and given the plurality of settings in which speech takes place, we should not expect a one-size-fits-all solution. Just as there are different sets of rules for different markets, or for different kinds of sports competitions, in an epistemically well-ordered society different settings can, and often should, have different rules, giving different weight to these different values and to the importance of the overall quality of discourse. In some settings, the protection of participants from derisive and disrespectful comments is necessary and appropriate; in others, it may be necessary and appropriate to let such things be said (even though it may still be appropriate to morally blame those who utter them). In some, anonymity may be justifiable and even highly valuably; in others, regulation that requires individuals to reveal their identity may have the balance of arguments on its side.[61]

Let me here add one of the most misleading aspects of the metaphor of the marketplace of ideas, which is perpetuated in the sports metaphor: they both detract attention from the possibility of *malevolent* players, whose interest is not to trade or to play sports but to undermine the very activities in question. Whether it is the "tobacco strategist" mentioned in the introduction, or the operators of online "troll farms," their strategic interventions are not at all well captured by images of sunny farmers' markets or a happy game of football among friends. By evoking such metaphors, especially in the versions that suggest a laissez-faire approach, they insinuate that their own actions are of a kind with those by other participants with honest intentions. However, it is often not feasible to somehow force agents to reveal their intentions, which makes this a difficult terrain for regulation. And yet certain steps are possible to at least exclude the most egregious abuses. Regulation that would, for example, require online messages by electronic bots rather than human beings to be labeled as such is comparable to rules that protect markets against fraud, and rejection of it can certainly not be justified by referring to Milton or Mill.

Often, it also makes a massive difference *who* speaks. Many justifications for the freedom of speech, for example, those based on autonomy, refer to human

discussions include Kabasakal Badamchi 2021, who suggests a "double-grounded" approach to free speech that focuses both on autonomy and on democracy, and Bonotti and Seglow 2022, who suggest a "relational" defense based on mutual recognition and nondomination.

[60] Lichtenberg 1987, 334.
[61] This is an issue that Goldman briefly discusses (1999a, 216–17), together with whether it can be required to reveal conflicts of interest (financial or otherwise).

individuals. *Pace* some US legislation, it is not at all clear that corporations and other commercial entities need to have the same freedoms. Corporations, by definition, have economic interests; their intention is to generate profits.[62] They do not have the same kinds of political, cultural, and expressive interests that human beings have. To be sure, this does not mean that corporations should have no freedom of speech at all. But when weighing different arguments, their interests in free speech cannot be assumed to have as much weight as those of human individuals. This means that the regulation of advertising,[63] or of professionalized (in contrast to private) climate change denialism,[64] or of speech by pharmaceutical companies on the effects of drugs,[65] may be perfectly legitimate.

Rather than drawing a false analogy from human speech to corporate speech, a key question for many fields of discourse is whose speech might, *as a matter of fact*, be excluded, even though these individuals or groups have justified claims to speak and to be heard. In many fields, formal and informal practices create barriers for members of minority groups, or of groups that have not traditionally been part of these discourses. While regulation is not the only possible response to such problems, and not always the most effective one, it can sometimes contribute to bringing in more perspectives. Such regulation usually concerns the broader framework rather than specific utterance: it is what Lichtenberg calls "structural regulation."[66] It can include, for example, regulation of the ownership structure of media companies, support for news outlets that cater to minority communities, or subsidies for public broadcasting organizations that represent a plurality of voices. If this takes place within a democratic system with checks and balances and the rule of law, the risk of sliding into state censorship—which Milton and Mill were most worried about[67]—is minimized.

It is also important to note, however, that not all discourses are, or should be, truth-conducive—and hence, it is imperative to also leave room for other kinds of exchanges. What matters is that individuals know what kind of setting they

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[62] To be sure, corporations often hire individuals to express their views as if they were their own. But regulating *that* practice—for example by requiring transparency about the flows of money—is not a violation of free speech.

[63] For a study of the legislation of commercial speech (in advertising) in the United States, Germany, and Israel see Assaf 2007, who shows the dazzling variety of possibilities of how regulation can take place and how it can be justified.

[64] See Hodgetts and McGravey 2020 for a proposal to ban professional (in contrast to private) climate change denial and how such a ban could be integrated in the US free speech regime.

[65] See Cortez 2017 for a proposal for how the FDA could regulate the speech of pharmaceutical companies in order to prevent strategies that aim at misleading the public.

[66] Lichtenberg 1987, 354.

[67] On Mill see also recently Kelly 2021, which captures this point by saying that Mill was "concerned with the sociological problem of elites that emerge from mass politics who claim to be moral and epistemic elites" (50). See also the recent special issue on Mill and free speech edited by Turner (2021); the contributions by MacLeod (2021) and by Bell (2020) are particularly relevant in the current context. On the historical lines between Bentham and Mill on free speech see also Niesen 2019.

are in: what they can expect from it, and what the appropriate norms of behavior are. In fact, many problems in public discourse, and the controversies around them, concern a lack of clarity about the kind of discourse one is in, or issues concerning the *transitions* between different discourses. For example, when statements are taken from the sphere of an expert community to public discourse without being properly contextualized and explained, abuse can easily happen. Arguably, it is the confusion, whether intentional or unintentional, of the rules of different settings of discourse that creates many of the epistemic challenges our societies face today. By creating more clarity about the boundaries, and about the norms that hold in different settings, many problems would become more manageable.[68] This is why I see the clear delineation and demarcation of different discourses as a key question for an epistemically well-ordered society.

Related to this is my last argument, namely the different temporal dynamics that characterize different spheres of discourse. In some spheres, it makes sense to speak of an increase in knowledge and a reduction of falsehoods over time. For example, we now *do* know more about the causes of climate change than in the 1970s. In other spheres, it seems much harder to expect progress; instead, there are multiple values at stake, between which new compromises need to be sought by each consecutive generation. But again, it matters which is which: in a sphere in which we *can* expect progress it does not make sense to keep repeating arguments that have already been decisively refuted. The earth is not flat, and scientists do not have any responsibility to "prove" this again and again.[69]

To be sure, this shifts the conflict to the metaquestion of which discourse is which—but at least in some cases, this is something on which it might be easier to come to an agreement. Certain questions clearly *are* scientific questions; others clearly are not, and while there may be a gray area in between, it is often helpful to clarify the status of those that are black or white. This can help to avoid clear misapplications of arguments about the nature of different spheres of discourse. For example, the "fair balance doctrine" in journalism—which has been justified by referring to the preservation of the "marketplace of ideas"[70]—is misapplied when it concerns the topic of climate change, which is scientific, not political, in nature. And yet, it was applied to that topic for years, leading news outlets to always invite both a defender of anthropogenic climate change and someone who rejected it. Still in 2017, this doctrine motivated the *New York Times* to hire a climate change skeptic, a move that rightly drew a lot of criticism.[71] This was,

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[68] This is a point I take up in Chapter 9.4 when it comes to online public discourse.
[69] Cf. similarly Goldman 1999a, 213, where he notes that allowing unlimited repetitions of certain viewpoints cannot quite be what the defenders of a marketplace of ideas meant. To be sure, an exception needs to be made for pedagogical contexts; there repetition is needed because each new cohort of students needs to learn about certain things.
[70] Cf. note 38.
[71] Baker and Oreskes 2017, 1.

in my reading, a confusion of different fields of discourse: while "always showing both sides" is the appropriate strategy for questions of values and interests, for scientific issues that have reached a level of certainty as high as that concerning anthropogenic climate change, it is simply a mistake. While it remains speculation whether the metaphor of the marketplace of ideas had play any direct role in this decision, this broader way of thinking about exchanges of ideas should have become transparent as what it is—a misleading image.

5.6. Conclusion

In this chapter, I have discussed some of the misunderstandings, and misapplications of arguments, that flow from the metaphor of the market-place of ideas. To be sure, I have nothing against rhetorical flourish, and some applications of this metaphor may be perfectly harmless. But once one looks into the details of what it would mean to "trade ideas," the lack of fit becomes evident. Historical authors to whom the metaphor has been ascribed in fact did not use it. They rather used the analogy with battles or sporting competitions, but between ideas, not individuals. Instead of letting a picture hold us captive, as Wittgenstein put it,[72] we need to ask substantive questions about specific contexts in which ideas are exchanges: questions about the motives of participants, about the appropriateness of regulation, and about the temporal dynamics in different fields.

These temporal dynamics can create a challenge when we want politics to be based on the best available insights in an area—a point that Mill, for one, was well aware of. It is often necessary to act, individually or collectively, on the basis of knowledge that is not yet established beyond doubt (i.e., where we know far less than what we know about anthropogenic climate change, where doubt is no longer reasonable). Mill wrote that "in the meantime we may rely on having attained such approach to truth, as is possible in our own day,"[73] and apparently did *not* think that this was a matter of "robbing the human race; posterity as well as the existing generation"[74] of dissenting opinions. Basing current decisions on the current state of the art is *not* the same as suppressing serious, methodological research about potential shortcomings or biases of this state of the art.[75] But in practice, this balance can be hard to find, especially if certain actors have strategic interests in denying the reliability of the state of the art.

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[72] Wittgenstein 1958, 115.
[73] Mill 1991 [1859], 41.
[74] Mill 1991 [1859], 37.
[75] It is a different question of whether one should continue to *fund* such research; this should be decided upon inner-scientific criteria.

There is a second noteworthy reminder that we can take from Mill. He strongly warned against individuals accepting truths merely as traditional claims that are handed down to them without explanations, so that they may become "dead dogmas."[76] This warning reminds us that accepting something as true and accepting it as the kind of "living truth" that matters for one's life are different things. Mill recommended certain pedagogical strategies, such as Socratic dialectics and medieval *disputationes*, as methods for bringing certain messages home in a deeper sense—a kind of staged sporting competition, if one likes, that can have great pedagogical value, but that is at a far distance from questions about whether long-refuted falsehood should be allowed to circulate without any check in public discourse.

True statements, as such, do not automatically bring the kind of reflection and acceptance that would lead to a genuine "appropriation," in the sense that certain contents become part of the sets of convictions that guide one's actions. But this problem of denial cannot be resolved by the alleged gymnastics of a marketplace of ideas—for even if certain ideas are under massive pressure, this does not imply that those who defend them will truly take the arguments to heart, let alone change their behavior. The debate around climate change provides many sad examples. This problem, however, needs to be addressed without being misled by a metaphor that mischaracterizes the nature of ideas and knowledge and directs attention away from the most pressing question.

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[76] Mill 1991 [1859], 53. This is how Mill saw the fate of certain Christian teachings in his day.

6

Democratic Institutionalism

6.1. Introduction

How should democrats think about the epistemic life of their democratic-capitalist societies, without falling prey to naive rejections of knowledge differentiation on the one hand, or giving in to technocratic or radically pro-market approaches on the other? In this chapter, I describe my approach for doing so, under the heading of "democratic institutionalism." Its core intuition is simple: it asks which institutions and practices are needed, in complex, modern societies, to uphold citizens' equal freedom and to enable an inclusive, stable democratic life. Some such institutions immediately come to mind: courts that ensure the rule of law, mechanisms of political representation, a media system that spreads reliable information, and so on. "Democratic institutionalism" asks how such institutions should be designed, and how they can be preserved over time, under changing circumstances in which institutions also need to change to stay true to their function. It also asks what this means for the responsibilities of individuals, both as citizens and in their more specific roles as jobholders. Crucially for epistemic questions—and this is my core claim in this chapter—democratic institutionalism requires the acknowledgment of a notion of truth, however modest and pragmatic.

By concentrating on institutions, formal and informal, democratic institutionalism shifts the focus away from the discussion of normative *principles* that the mainstream of political philosophy has been mostly occupied with during the last decades.[1] But it thereby connects to older traditions of political thinking. Ancient political thought drew on numerous institutional considerations, for example about the rise and fall of city-states and empires.[2] Thinkers from Machiavelli onward, both within the "republican" tradition and outside of it, worried about the corruption of institutions.[3] At least since Montesquieu,

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[1] See also (from a critical perspective) Waldron (2013) on "political political theory"; on the debates about ideal versus nonideal theory see Valentini 2012; on the debates about political realism see Rossi and Sleat 2014 for an overview; both challenge this mainstream, in somewhat different ways.

[2] See, e.g., Aristotle, *Politics* (1998), Books IV–VI.

[3] Machiavelli, *Discorsi* (1965). See, e.g., Blau 2019 on the problem of "cognitive corruption" in Machiavelli, Hobbes, Bentham, and Mill.

questions about "mixed constitutions" and the "separation of powers" have been part and parcel of the Western canon of political thought.[4] Thinkers such as Hegel, Dewey, and Arendt wrote extensively about the institutions of their time.[5]

Of course, both are needed: the discussion and justification of principles and the analysis of the institutions through which they can be realized. We need to have a clear sense of normative principles in order to think critically about institutions, and the latter can, in turn, throw light on, and thereby help refine, normative principles. In fact, in recent years, there has been some renewed interest in institutions. In social ontology, Seumas Miller has developed a theory of institutions based on a theory of collective action.[6] In democratic theory, coming from the pragmatist tradition, Knight and Johnson's work on the primacy of democracy over other mechanisms of decision-making is an important contribution to institutional thinking.[7] Below I describe my account in relation to these accounts and point out what is different.

In the next section (6.2), I describe this shift from principles to institutions in more detail. Then I discuss a crucial concern for democratic institutionalism: the complex relation between institutional functions and individual rights (6.3). Section 6.4 addresses the problem of stabilizing democratic institutions over time, arguing that a conception of democracy as a "way of life" can be understood as a way of ensuring that a democratic ethos is maintained from generation to generation. I also draw the line from democratic institutionalism to democratic deliberation, arguing that while they might appear to stand in tension with each other, they are not only compatible, but necessarily interrelated. This is followed by my argument that democratic institutions, and the democratic ethos they both build on and in turn nurture, are inconceivable without a notion of truth—as can also be seen by the fact that many dictatorships have tried to attack and undermine citizens' sense of a shared common ground of truth on which their *res publica* can stand (6.5). I conclude by previewing how

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[4] Montesquieu, *The Spirit of the Laws* (1949).

[5] Hegel, *Philosophy of Rights* (1991); Dewey, e.g., *The Public and its Problems* ([1927] 2016); Arendt, e.g., *The Human Condition* (1958). Some of these names might evoke the suspicion that one would smuggle in metaphysically problematic entities, which some of these authors—at least according to some readings—relied on. But democratic institutionalism does not rely on any kind of organicist conception of the "body politic" or the "spirit" of a people or any other metaphysically weird entities. It is not committed to the existence of collective phenomena such as "group agents," nor does it have to reject them. I have sympathies with S. Miller's (2009, chap. 1) suggestion to adopt a "relational individualism," which can capture all seemingly collective phenomena that are needed. In any case, democratic institutionalism requires no metaphysical commitments that would be more demanding than those of other theories.

[6] S. Miller 2009. Despite being called a theory of "justice," Michael Walzer's *Spheres of Justice* (1983) could also be described as a normative theory of institutions: he describes different social spheres and the internal logics that their institutions should follow.

[7] Knight and Johnson 2011.

the perspective of democratic institutionalism informs the arguments about the epistemic life of democracies in the chapters to come (6.6).

6.2. From Principles to Institutions

All generalizations about "the" questions that occupy a certain discipline run the risk of being too blunt. And yet it seems fair to say that the liberal-egalitarian mainstream of political philosophy[8] since the 1970s, with its focus on justice, has dealt mostly with questions of principles: Which principles should govern the distribution (of which goods?) for a society to be just? Questions about institutions took a back seat; the authority of the state was standardly assumed, but the specific role and task of different institutions *within* the state were rarely spelled out.[9] Because of the focus on the distribution of rights and benefits, some commentators have also argued that this strand of liberal-egalitarian theorizing has paid insufficient attention to the duties or responsibilities that fall upon individuals, as citizens or in more specific roles, to uphold state institutions.[10]

A second strand of theorizing that has picked up speed in recent years is (neo-)republicanism, with its focus on freedom as nondomination.[11] Writers in this tradition have analyzed different forms of domination, thereby arguably bringing the discussion somewhat closer to concrete institutions and practices. And yet, institutions—and the responsibilities citizens might have in sustaining them—have rarely been the main focus of this approach.[12] However, theorists both from the liberal-egalitarian and the republican camp have, in recent years, moved somewhat closer to analyses of institutions, a move that went hand in hand with the move toward more "nonideal" theory.[13] They have critically explored institutions and practices, from central banks[14] to humanitarian NGOs[15] and "street level bureaucracies,"[16] by methods that go beyond abstract theorizing and

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[8] In some countries, "political theory" has a distinct character that differs somewhat from political philosophy. Often, it has a stronger focus on the history of ideas, or it draws more on "continental" than on "analytic" authors (see Owen 2016 for a discussion). However, empirically informed discussions of institutions are not too frequent in political theory either.

[9] See also Knight and Johnson 2011, 14–16, with a similar critique of the Rawlsian paradigm.

[10] For some reflections on this topic, including some of the historical lines behind it, see, e.g., Moyn 2016; from the perspective of moral philosophy see, e.g., O'Neill 1993.

[11] For a recent overview see Lovett 2018.

[12] A possible exception is the discussions of virtues of politicians, by writers who seem to have at least certain sympathies for republicanism, such as Sabl 2002 and Philp 2007.

[13] For an overview see Valentini 2012.

[14] See, e.g., Dietsch et al. 2018.

[15] Rubenstein 2015.

[16] Zacka 2017.

take up insights from various empirical approaches.[17] The interest in institutions thus seems to make a comeback.

A third strand of political philosophy is democratic theory (and one of the curiosities of the discipline, probably best explained in terms of the sociology of academia, is that there is relatively little exchange between theorists of justice and theorists of democracy). Here one of the most important developments in recent years has been the turn to a "systemic" perspective,[18] which has indeed brought questions about institutions closer to the center of attention. John Dryzek, one of the proponents of deliberative democratic theory, has suggested a further turn, from the "system" to the "polity" and its "normative integration," which suggests that institutions might get more attention in this field in the future.[19] Moreover, the various experiments with lottocratic "minipublics" or other new forms of citizen participation also suggest that today's generation of democratic theorists has left the realm of abstract principles behind.[20] The work of Knight and Johnson, which compares different institutions with regard to their ability to self-monitor and to realize their supposed principles, arguing for the "primacy of democracy," is probably the most detailed institutional discussion in recent years.[21] Like my account, they start from the recognition that democratic self-government requires "the existence of certain material and institutional conditions."[22]

I suggest the term "democratic institutionalism" as a label for making this movement toward institutions explicit. It asks which institutions a society needs to protect the equal freedoms of its citizens and to ensure that they can decide about their common affairs together, in democratic practices.[23] The notion of institutions I draw on is broad and general, defining the "rules of the game" of a specific social sphere, which are often administered through specific organizations. A good starting point is Douglass North's famous description of institutions as "the humanly devised constraints that structure political, economic and social interaction."[24] Importantly, he emphasizes that they can be formal ("constitutions, laws, property rights") or informal ("sanctions, taboos,

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[17] On the methodological innovations here see also Herzog and Zacka 2019; Longo and Zacka 2019.

[18] See notably Mansbridge et al. 2012.

[19] Dryzek 2017.

[20] I discuss such proposals in Chapter 9.2.

[21] Knight and Johnson 2011.

[22] Knight and Johnson 2011, ix.

[23] For a somewhat similar approach see also Guerrero 2017, who speaks about "political functionalism" (coming from the debate about methodology of political philosophy). He emphasizes the need for context-specificity when evaluating the legitimacy of political systems

[24] North 1991, 97.

customs, traditions, and codes of conducts").[25] The rules of many games are not written down (or only in rudimentary form); what matters is how individuals behave in their daily routines and practices and what expectations they have toward each other's behavior.[26]

Organizing and running a society[27] in democratic ways presupposes balancing two kinds of considerations. On the one hand, institutions that *enable* the equal freedom and democratic participation of citizens need to be maintained over time. On the other hand, it must be ensured that these very institutions do not *in turn* threaten citizens' freedoms or their democratic rights. The age-old solution to this problem is accountability through "mixed government," with checks and balances and a separation of powers.

Different institutions contribute to the overall goal of maintaining this balance, in different ways, fulfilling specific tasks. The rule of law provides individuals with protections for central freedoms; institutions of public education enable individuals to acquire the skills necessary for navigating a life that they can truly call their own and for actively participating in democratic life; civil society organizations and political parties provide the entry points for citizens' engagement for participating in decision-making over common concerns.[28] Democratic elections and other accountability mechanisms, in turn, ensure that power is exerted in nonarbitrary ways, and that it is ultimately kept in the hands of those over whom it is exercised. And, in a reflexive loop, they allow citizens to decide for themselves about how exactly to define the functions of different institutions, and how to develop them further when circumstances change. It is the unique ability of democratic institutions to ensure such reflexivity—to "monitor whether the conditions necessary for effective institutional performance are being adequately fostered and sustained"—which, according to

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[25] North 1991, 97. See also Scott 1998 (esp. chap. 9) on the need for abstract, formal schemes to be accompanied by informal practices, based on local knowledge and judgment, in order to remain livable.

[26] Below I will also describe Francesco Guala's and Frank Hindrik's "rules in equilibrium" approach (Guala 2016; Guala and Hindriks 2015, Guala and Hindriks 2021), which builds on North but integrates insights from other theoretical strands.

[27] My focus will be mostly on institutions within one society. But democratic institutionalism is not necessarily tied to nation-states as units of analysis. To be sure, there needs to be a "demos"—but it can, for example, consist of the transnational employees of a corporation. It should be openly admitted, however, that democratic institutionalism does not have magic answers to the challenges of international coordination and the prevention of harms on a global scale, just as little as other theories of democracy do. With regard to many issues, there are huge international collective action problems. I take it, however, that countries that are run according to truly democratic principles are more likely to be cooperative players on the international scale than others. In that sense, strengthening democracy "at home" can also be a way of contributing to justice and democracy on a global scale.

[28] Political parties have recently received some degree of attention among political philosophers and theorists (e.g., White and Ypi 2016; Müller 2021).

Knight and Jonson's argument, provides a key normative argument for the priority of democracy.[29]

Democratic institutionalism thus acknowledges the need for the complexity of democratic institutions from the start; it should not be confused with state planning or other top-down approaches. Conceptually, it starts from the functions that institutions need to fulfill so that free and equal citizens can live together in peaceful and democratic ways. As such, it is not a priori committed to specific strategies of implementation; all depends on the conditions of the society to which it is applied. Applying it to large-scale, modern societies under conditions as we know them is likely to lead to certain classic government functions that need to be fulfilled "top-down," such as a monopoly on the use of force and certain mechanisms for conflict resolution. But depending on the concrete historical and cultural circumstances, democratic institutionalism can flexibly endorse a broad variety of institutional solutions, bottom up, top down, or something in between. There can be principled reasons for wanting *some* functions—for example, the rule of law—to be fulfilled by formal, top-down institutions, others—for example, certain forms of civic friendship that matter for social cohesion—by informal, bottom-up ones. But there are also problems the solutions to which can take *either* a top-down *or* a bottom-up form, or something altogether different. This includes mechanisms that allow for goals to be achieved indirectly, without this being part of individuals' intentions, as can be the case in markets.[30]

Which institutions does "democratic institutionalism" focus on? Some of the contributions that I would group under this label focus on specific institutions or organizations (maybe ones that are seen as standing in the most urgent need of repair); others focus on dimensions of institutions (as this book does, including their epistemic dimensions). Some institutions are clearly at the center of what it means for a society to be democratic, such as the rule of law and nondiscriminatory voting rights. Others may seem less central, but their role in the interplay of institutions is crucial for other institutions to function well. Yet others, for example certain traditional practices, may not be strictly necessary for a democratic society, but societies happen to have them, and so they should be organized in ways that are in line with democratic values. What matters, however, is to look at all these institutions in a holistic way, in the sense that their interrelation with the institutional framework as a whole is taken into account. It is their overall role within a democratic society, and their contribution in maintaining it, that the democratic institutionalist perspective is interested in.

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[29] Knight and Johnson 2011, 5; see also 20 and 23, and chap. 4.
[30] See also Guala and Hindriks 2021, 2036, on the point to include institutions whose "collective end" does not figure in the "mental states of their participants."

To be sure, the very question of which institutions to focus on and how to define their role is itself a matter of political contention. Institutions do not fall from the sky (or have models in some Platonic heaven of ideas that we could simply copy). They have grown historically and are often internally complex and contested. Their current form is the outcome of political and social struggles, many of which are ongoing. These struggles can be painful: they concern individuals not only as citizens, but also as members of institutions, and their professional identities as, say, a doctor, can hang on how a hospital, as part of a healthcare system, understands its missions and organizes its internal processes. What the "right thing to do" is, in such struggles, is often highly context dependent and may require messy compromises.

And yet those are struggles are unavoidable and maybe even worth having in a democratic society. In a world in which circumstances—social, political, technological, ecological, and so on—change, institutions need to change as well to stay true to their function. Ideally, struggles about the purpose and meaning of institutions are about how best to realize the vision of a democratic society in and through them. But in real life, they are often also defensive struggles that aim at protecting institutions against nondemocratic assaults that want to undermine or corrupt them. When circumstances change quickly, for example, because of technological shifts, such struggles can be expected to intensify, and it can take more efforts than usual to maintain an institutional framework that realizes democratic principles.

The orientation toward the vision of society as a *res publica* of free and equal citizens gives democratic institutionalism an explicitly normative thrust. This differentiates it from approaches in social ontology that aim at analyzing the nature of institutions in a descriptive manner. Take, for example, Francesco Guala's and Frank Hindrik's account, one of the most comprehensive recent attempts to theorize institutions.[31] It starts from basic insights from game theory about various kinds of coordination problems. Unifying rule-based and equilibrium-based approaches, it understands institutions as rules that are "backed up *by a system of incentives and expectations* that motivate people to follow the rules."[32] The resulting "rules in equilibrium" approach can explain why institutions exist and why they can be both stable (once they are in an equilibrium) and fragile (when a shift to a new equilibrium happens).[33]

But this approach is silent on the *normative* quality of institutions—it can be applied to deeply problematic institutions, such as child marriage, or to highly

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[31] Guala 2016. This study partly builds on joint work with Frank Hindriks (Guala and Hindriks 2015; see also 2021) and integrates earlier work by authors such as David Lewis, Margaret Gilbert, John Searle, and Douglass North.
[32] Guala 2016, xxiv.
[33] Guala 2016, 128.

desirable ones, such as a pluralistic and critical media landscape.[34] With the focus on social coordination as such, Guala (and those with similar approaches) refrain from asking further questions about the *function* of institutions, their contributions to a just and democratic society, and the quality of these contributions.[35] For example, a healthcare system might successfully coordinate the behavior of doctors, nurses, and administrative staff in the sense that everyone knows what they are expected to do and that their roles and tasks complement each other. But they might do so in ways that are better or worse at fulfilling the *function* of healthcare, that is, caring for patients. They might, for example, be in a "bad equilibrium" in the sense that everyone does just the bare minimum they can get away with without getting sanctioned, and patients pay the price in terms of low quality of care, long waiting lists, and so on.[36] Such a healthcare system would fall under Guala's notion of an institution, just as much as one in which all members *really* care for the good of patients and have the resources, structures, and organizational culture that are required for this task.

An approach from social ontology that is closer to "democratic institutionalism," and from which I have taken some inspiration, is Seumas Miller's "teleological" approach to institutions, "according to which all social institutions exist to realize various collective ends, indeed, to produce collective goods."[37] For Miller, these collective goods are varied, including, for example, security or the provision of material goods.[38] Even though he does not explicitly tie these various collective goods back to the basic question of how to enable the equal freedom of citizens in a democratic society, the functions he discusses are compatible with such a further layer of justification.[39] Like my approach, Miller's recognizes that there can be certain moral constraints on institutions, based, for

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[34] Guala holds that institutions are always "better than chaos" (2016, 5), but that claim seems too broad to be defensible. A phase of chaos may sometimes be a necessary step in the transition from existing institutions to better ones. What is correct, though, is that if chaos continues for a longer period, this usually means that it becomes impossible to protect individual freedoms and democratic structures.

[35] Guala 2016, 78. See also the recent paper by Hindriks and Guala (2021), in which they distinguish between an "etiological" and a "teleological" approach to institutions. They emphasize that their approach is not "moralized" in the way Seumas Miller's approach is—as they say (2035): "An etiological function explains the existence and persistence of an entity. In contrast, a teleological function concerns what it is good for, the purpose that it serves or its significance." In this sense, "democratic institutionalism" is "teleological," with its teloi in turn derived from democratic principles.

[36] This might be blameworthy, but it might also be caused by factors that individuals cannot be held responsible for, such as chronic understaffing or lack of resources.

[37] Miller 2009, 1.

[38] Miller emphasizes (2009, 4) that collective goods have the properties of "joint activity," of availability "to the whole community," and of the fact that they "*ought* to be produced (or maintained or renewed) and made available to the whole community because they are desirable (as opposed to merely desired) and such that the members of the community have an *(institutional) joint moral right* to them." The third condition could be fleshed out in terms of democratic institutions, but also in other terms.

[39] Miller sometimes (e.g., 2009, 5) refers to the value of autonomy.

example, on natural rights and duties.[40] But there is also a form of normativity intrinsic to institutions, which derives from the function or functions that are ascribed to them within the division of labor of the institutional framework as a whole. As Miller puts it: "The extent to which actual institutions fail to serve these collective ends is the extent to which they are in need of redesign or renovation."[41] Below I will come back to this "need of redesign or innovation," which is a key question for democratic institutionalism as well.

6.3. Institutions and Individual Rights

Democratic institutionalism shifts the focus away from individuals, toward institutions. Institutions are, by definition, collective entities, and this may raise worries: worries that individuals, with their rights and their dignity, might become a mere afterthought, that they might be seen as mere means for upholding institutions as ends. This would, in fact, be a massive misunderstanding, against which I wish to defend my approach. It is one of the key concerns of democratic institutionalism to protect individual rights, for *all* members of society. But it is based on the conviction that given the kinds of creatures we human beings are, and the kinds of social realities we live in, this precisely requires taking institutions seriously.

A first point to note is that the upholding of individual rights is the very purpose of many democratic institutions. The most obvious case in point is the legal system, which protects individuals' rights against infringements. But other institutions also contribute to providing individuals with rights, or to enable them to *do something* with their rights—what some authors would describe as forms of positive freedom. For example, an educational system enables individuals to make better use of their rights to political participation, and also of their right to freedom of occupation and other economic rights.

Second, it nonetheless needs to be acknowledged that there *can* be tensions between certain institutions and certain individual freedoms. Indeed, this is the structure of many political conflicts in contemporary democracies, and legislators and courts need to carefully balance the imperative to uphold institutions and the individual rights of citizens against each other. For example—to pick a case that directly concerns epistemic issues—as discussed in the last chapter, the right to free speech may sometimes, such as in cases of hate speech, clash with the imperative to maintain the institution of a public discourse that does not undermine, and ideally supports, forms of democratic

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[40] Miller 2009, 3, 11.
[41] Miller 2009, 3.

engagement in which all members of society can have their voices heard. Other institutions may limit individuals' freedoms to do what they like with their property (e.g., if that would undermine well-functioning markets), or to work in a certain profession (e.g., if lack of qualification would put the stakeholders of that institution at risk).

One way in which this weighing *cannot* be done is by relying on some independently defined delineation of a "private" versus a "public" realm. As Raymond Geuss has shown, this delineation can be understood in several ways, with different rationales behind them.[42] Calling something "private" implies that it should be protected from state interference. But, as feminist and many other theorists have long held, "the private" can itself be "political." Geuss points to Mill and Dewey as two authors who understood private action as action that only affects a person herself, whereas public actions affect others.[43] Such a definition might be criticized for its vagueness, because it can be unclear what the consequences of an action are, and deciding which consequences deserve to be counted in turn contains value judgments.[44] But this is precisely the point: a democratic society needs to debate what it delegates to the "private" realm and what it considers "public" and therefore in need of regulation.

Another question, which is related to that of individual rights, is also worth briefly commenting upon. Does what I have said so far put democratic functionalism in the camp of perfectionism, in the sense that it has an underlying account of the good human life that it seeks to promote? Perfectionism, to be sure, comes in many shades, with varying degrees of plausibility.[45] The most important objection against perfectionism is the risk of violating state neutrality: a liberal state should not prefer one set of values over another.[46] But this, as such, does not exclude the possibility of some degree of perfectionism with regard to values that are broadly shared. A key candidate for such a value is autonomy, in the sense that individuals should be able to decide about the more concrete sets of values that they want to pursue in their lives.[47] Many existing practices, for example many forms of public education, can be understood as following a weak liberal perfectionism.

Democratic institutionalism does share some positions with such a form of liberal perfectionism. It acknowledges that one cannot run a "republic of equals"[48] without citizens who agree on certain basic values and who are willing to live up to them (although the point is not so much to "perfect" certain virtues,

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[42] Geuss 2001.

[43] Geuss 2001, 41–42.

[44] Geuss 2001, 42.

[45] For an overview see Wall 2017.

[46] See, e.g., Dworkin 1978.

[47] E.g., Raz 1986.

[48] This phrase is from the title of Thomas 2017.

it is often only to reach a threshold of sufficiency). The charge of non-neutrality, however, does not hold water, because democratic institutionalism is not a doctrine about the priority of certain values over others (apart from the priority of democracy, which it indeed needs to endorse). It concerns the conditions of the possibility of *all* members of society, with their different value systems, living together in a democratic way, and of upholding the infrastructure, material and immaterial, that makes this possible.[49] Of course there can be disagreements about which institutions are needed for this, especially when it comes to drawing the boundaries between necessary and less necessary institutions. But the possibility of disagreement about the boundaries does not undermine the possibility of agreement about the core.

Democratic institutionalism certainly puts more emphasis on the responsibilities of citizens than many contemporary theories of justice. These responsibilities often arise from, and make concrete, *moral* responsibilities that human beings have toward each other, for example, not to harm each other and to ensure that everyone's basic needs are met. The institutional structures of a society transform such general imperatives into concrete duties, for example, to contribute to the maintenance of a social safety net and public institutions through one's tax payments. Many of the concrete responsibilities are then tied to specific roles, in public or private offices. What matters is the division of labor: between institutions and the citizenry at large, but also between different institutions and, within them, between their different roles and functions. Rather than worrying about perfectionism, what democratic institutionalists need to worry about is whether this division of labor is organized in a fair way, fulfilling all crucial functions without overburdening certain individuals or groups. It is in badly organized institutions, or when necessary institutions are lacking altogether (e.g., when there are no welfare institutions that ensure that everyone's needs are fulfilled), that some individuals end up facing huge moral burdens.[50]

Last but not least, does democratic institutionalism contain a problematic element of paternalism? This charge is also one against which it can and should

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[49] In this respect, it is similar to Dworkin's (1985, chap. 11) defense of support for the arts in a liberal state. While liberal states should remain neutral with regard to specific forms of art, they can and should support a framework in which individuals can experience different cultural objects and have meaningful choices between them.

[50] I come back to the problem of dividing responsibilities at the end of the next section. The division of labor is, admittedly, only an answer for problems that can be dealt with *within one republic*. There are remaining challenges that concern global problems or problems at the boundaries of republics (e.g., concerning the rights of refugees) for which it may be hard for democratic societies (if they are even willing to do so) to arrange a fair sharing of burdens. This can leave citizens with a greater responsibility to prevent harm on an individual basis. Commentators disagree on how far these responsibilities can go, with a moderate position presented by, e.g., Murphy 2000; the adherents of effective altruism take a more demanding stance (see, e.g., Pummer and MacAskill 2020 for an overview).

be defended. It *does* acknowledge that human decision-making and behavior is often strongly shaped by institutional contexts, hence those who design institutions have power over others, which can include the paternalistic power to sometimes protect individuals "against themselves" through regulatory measures. But this is precisely why the design of institutions, as well as their interplay, needs to be democratically controlled. In a genuinely democratic society, a certain degree of collective self-binding, under jointly shaped and controlled institutions, should raise no normative worries. It is when societies become highly unequal, or when experts reign without a democratic self-understanding and accountability, that paternalism (or worse forms of control) become real threats. In later chapters, I return to these topics.

6.4. Self-Stabilizing Democracy

One central dimension of democratic institutionalism, which is rarely discussed by approaches that focus on principles, is attention to the stability of institutions over time. Even if a society had, at point t = 1, a set of perfect democratic institutions, these can lose their abilities to secure individual rights and to enable a flourishing democratic life over time, at t = 2, t = 3, t = 4, and so on. If the decay is not stopped, at t = 10 a country might be deeply unjust and undemocratic, with corrupt institutions, threats to individuals' rights, and a complete breakdown of citizens' trust in each other and in democracy. The attention to possible causes of decay is something that modern political thought has not exactly put center stage, although for premodern thinkers it was a crucial part of their reflections on politics.[51] With the approach of democratic institutionalism, I want to bring this question center stage: how can citizens make sure that their democracy remains stable over time?

Seumas Miller helpfully distinguishes between the "corrosion" and the "corruption" of institutions. Corrosion describes the decline of institutions without the involvement of a "corruptor," and without the corruption of individuals qua holders of institutional roles.[52] It can happen as a side effect of negligence, or of insufficient funding, or of other forms of carelessness. "Corruption" is different in that there is an active will to corrupt, often—but not necessarily—for the sake of private gains. In recent years, there has been renewed interest in the notion of corruption in political theory, notably through the work of Emanuela Ceva and Maria Paola Ferretti. Their approach focuses on the misuse of public power by surreptitious actions that violate the "logic of mutual accountability"[53] and go

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[51] E.g., Machiavelli in the *Discorsi* (1965).
[52] Miller 2009, 161, 169.
[53] Ceva 2018; see similarly Ceva and Ferretti 2017, 2018, and Ferretti 2018.

"against the rationale of the public order."[54] Similarly, Ivar Kolstad speaks of corruption as a "violation of distributed ethical obligations for private gain."[55]

However, these accounts remain formal in the sense that they require an account of what the "rationale of the public order" and the "distributed ethical obligations" actually are. As Adrian Blau puts this point, "Corruption is a 'derivative' notion: one's broader normative commitments affect what one sees as corrupt."[56] Therefore, the direct discussion of the function of concrete institutions, or of dimensions of institutions, that the democratic institutionalist perspective provides can be seen as complementary to these discussions of corruptions.

By adopting a holistic perspective, democratic institutionalism can also address the question of whether or not the corruption or corrosion of a concrete institution is normatively problematic. Some institutions might fulfill only marginally relevant functions or functions that are better served by other institutions. Social, cultural, and technological change can make some institutions redundant, and painful as this may be for those who work in them, it need not be a problem for the democratic character of the society as a whole. Other institutions, or clusters of institutions, in contrast, are such that their corruption or corrosion threatens the fulfillment of crucially important functions; even the very fabric of society may be at stake. Often, however, when processes of corruption or corrosion set in, it is the equal freedom of the most vulnerable members of society that takes the first hit. In this sense, attention to their fate is not only an imperative of justice for democratic societies, but also has a "canary in the coal mine" function: when the rights of the most vulnerable members are violated, this might indicate greater problems in the institutional structures that have not yet surfaced in other places.

Such an understanding of "corruption" and "corrosion" might invite the question of whether it isn't the case that the current "Western" model of liberal capitalism, *as a whole*, is corrupted (or at least corroded). Doesn't it undermine the conditions of the possibility of peaceful human life on earth, through its harmful effects on the climate and the environment, and, even worse, doing so at the costs of many individuals in poorer parts of the world? I am tempted to say that this indeed the case, and that in rebuilding our democratic institutions, one of the greatest current challenges is to do so in a way that embeds principles of sustainability and global justice on all levels of economic and other practices. To

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[54] Ceva and Ferretti 2018, 217. They have recently summarized their account in Ceva and Ferretti 2021; here they speak of corrupted use of office power when officeholders' "action in their institutional capacity is sustained by an agenda whose rationale may not be vindicated as coherent with the terms of that power mandate" (7).

[55] Kolstad 2012, 204. Recently, Kidd (2021) has suggested the term "epistemic corruption" for cases in which institutions fail to fulfill their epistemic functions, based on considerations from vice epistemology and treating institutional ethos in an analogy to individual character.

[56] Blau 2019, 203. See also Philp 2002 for a broader discussion.

start to discharge this huge task, however, it is a crucial first step to ask questions about the functions that economic and other institutions are supposed to fulfill in a democratic society. We cannot continue to answer questions about economic functions by a standard referral to a traditional notion of "economic growth" or "preference satisfaction" without digging deeper into what this growth is supposed to achieve, or where these preferences come from and what justifies them.[57] Democratic institutionalism can, and needs to, take the ecological constraints of our life form and the challenges of global justice seriously.

One challenge with regard to the prevention of corruption and corrosion is the interrelatedness of institutions. If a society is in a stable equilibrium, there can be positive reinforcement and learning processes between institutions, while a negative equilibrium can be a trap from which it is extremely difficult to exit. If, for example, a society has an active, engaged citizenry, a pluralistic and high-quality media landscape, and norms of truthfulness in public life, these factors can mutually reinforce each other. Citizens who are interested in democracy are more likely to be a good audience for diverse media and demand high quality from them; they will react with outrage if politicians or other public figures try to lie to them. But unfortunately, the opposite also holds: if a society finds itself in a bad equilibrium, the different elements can also mutually reinforce and stabilize each other. In a society with low levels of civic interest, diverse and high-quality media outlets are less likely to find customers, and there might be far less attention to the speech norms of public discourse. Of course, this is a highly stylized picture—real societies are likely to have a mixture of both (or indeed consist of two camps in which different norms hold).[58]

This interrelatedness of institutions needs to be part of the picture when one considers their development over time: changes in one institution that may seem negligible when considered in isolation may be much more harmful if one considers their potential implications for the institutional framework as a whole. Conversely, problems in one institution might be mitigated, or even completely compensated for, by other institutions. While this adds a degree of vagueness to prescriptive proposals, it also has the great advantage that citizens can find different institutional responses to the concrete challenges they are confronted with. If one set of institutions seems beyond repair, it might make more sense to focus on others that could take on the former's functions as well. Again, judgments about the best strategy cannot be made in the abstract but depend on the concrete contexts in which citizens act.

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[57] Cf. also Chapter 7.3.

[58] Cf. Benkler et al. 2018 on the United States. Note, however, that Rothstein and Uslaner's 2005 findings on high-trust vs. low-trust societies suggest that many societies are indeed in a positive or in a negative cycle of what seem to be mutually self-reinforcing institutional mechanisms (see Chapter 10.3 for more details).

When thinking about the risks of corruption and corrosion, it is crucial to consider not only the formal structures of institutions, but also their informal structures—sometimes captured in terms such as "culture" or "ethos." Like individuals who suffer from dementia but want to protect their independence, institutions can sometimes be surprisingly adept in presenting a decent-looking facade long after they have stopped to function properly.[59] Or they may fulfill their functions, but in ways that are in deep tension with a democratic spirit, thereby hollowing out the democratic character of society.[60] For example, formal rules of fairness in the recruitment of public employees can go hand in hand with blatant forms of discrimination against the members of certain groups.[61] This is why democratic institutions need to be inhabited by a critical number of democratic individuals who are willing to raise their voice if violations of the democratic ethos happen.[62] John Hardwig's memorable line that there are no "people-proof institutions"[63] applies here as well: ultimately, it is individuals who need to keep up the right spirit within institutions and organizations.

This last point leads to a broader question about the *kind* of democracy that my approach of democratic institutionalism envisions. There are, after all, competing accounts of what democracy is about and how it should be implemented: from "minimalist" accounts that focus on the electability of elites to "maximalist" accounts that see democracy as a "way of life," as Dewey had put it.[64] One can, of course, provide independent (normative and empirical) arguments about which form of democracy is most desirable and realistically attainable—and this is likely to have implications for which institutions one considers most central to democracy, and might thus lead to different versions of democratic institutionalism.[65] But from the perspective of democratic institutionalism, there is a

[59]   On "permanently failing organizations," see Meyer and Zucker 1989.
[60]   Cf. also Warren 2004 on corruption in democracies, which he defines as "a form of duplicitous and harmful exclusion of those who have a claim to inclusion in collective decisions and actions" (329).
[61]   Medina's notion of "epistemic resistance," the shared epistemic responsibilities to "confront internal and external resistances" (2013, 52) and to develop "self-knowledge and knowledge of others" (54) can be understood as responding, among other things, to such forms of discrimination and exclusion.
[62]   How high this number needs to be is hard to determine in the abstract. It seems plausible that a majority of democratically minded employees in, say, a public office, can keep up its democratic character against a few indifferent or even antidemocratic ones. But much depends on the concrete context.
[63]   Hardwig 1991, 707.
[64]   Dewey 1939; for an overview of theories of democracy see, e.g., Christiano 2018. Talisse (2021) rejects the Deweyan formula as perfectionist and therefore incompatible with modern pluralism (and hence argues for a Peircean approach to democratic social epistemology). But I take it that there can be a version of this understanding of participatory democracy that allows for sufficient pluralism (while acknowledging the hard questions that arise if, for example, religious communities verge toward the illiberal) and only draws on a weak notion of "human flourishing" that is compatible with a plurality of "conceptions of the good." See also my discussion of perfectionism in section 6.3 above.
[65]   Cf. for example Baker 2007, chaps. 6ff. on different theories of democracy and their relation to media, which can be understood as different forms of democratic institutionalism.

pull toward more "maximalist" accounts that argue for active citizen participation in all areas of life. This pull stems from considerations about stability over time: "Minimalist" accounts face a key challenge concerning the ability to maintain and nurture democracy over time. If a democracy consists in nothing but certain formal institutions, the problem that institutions are not "people-proof" looms large: corrosive effects, the sheer "ravages of time," but also active attempts at corruption might undermine these minimalist structures.[66]

Democracies need citizens who are willing to defend them against such threats. This requires that they remain attentive to changes and developments that might threaten the democratic character of their society's institutional framework. Attacks on core democratic institutions—"corruption"—need to be met with public resistance. And seemingly small shifts that might lead to more pronounced changes—"corrosion"—need to be made an issue in public debates and mitigated. This does not mean that citizens would have to be actively on guard all the time, worrying about the quality of their institutions in the small hours of the night, as it were (though having a few such citizens might be quite useful for democratic societies). As described above, what one usually sees, in democracies that one can describe as stable, is a division of labor, in which many individuals and groups, within various institutions, play their role to uphold the democratic institutional framework over time and thereby fulfill their responsibilities toward others. Individuals can participate more or less actively in these processes, depending on their personal situations and their interests and worldviews, as activists in environmental NGOs or in the running of local sports clubs, in political parties or in civil society organizations that serve as watchdogs for the media.[67]

In addition, there is a residual responsibility for citizens, which I want to describe with the help of an—admittedly imperfect—analogy. The professional responsibility of a doctor is to take good care of patients and to help run the hospital he or she works in well; maybe there are some additional responsibilities such as contributing to science communication or reaching out to specialists when rare new symptoms are discovered in a patient. Other than that, in their spare time, doctors are free to pursue whatever other life plans they have. But when, say, a doctor is traveling on an airplane and another passenger suddenly has health problems, a steward might make the famous call, "Is there a doctor on board?" Part of the ethical responsibility of a doctor is to make himself or herself

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[66] Cf. also Talisse 2019, 55–56, on the pull toward more comprehensive forms of democracy. A similar argument has been provided by Kitcher 2021, chap. 4, who discusses the move from a "shallow" to a "Deweyan" form of democracy.

[67] Elliott 2019b has suggested that by becoming specialized in what he calls "issue publics," the epistemic burdens on citizens are also reduced. Civic life has, arguably, always depended on such a division of labor.

available in such situations, to protect the life and health of the injured person as well as possible.[68]

In a similar way, citizens might be called upon to do an extra shift, as it were, when there is some immediate threat to their democratic institutions that needs to be averted, or a harm that needs to be avoided. This imperative, and the ways of living up to it, can take on different forms. It can consist in an employee in a public administration discovering corrupt practices and deciding to become a whistleblower in order to stop them.[69] Or it can be expressed in the decisions of ordinary citizens to take to the streets when there are major threats to central democratic institutions. But often, there is a collective action problem: it is not clear who will step forward, and there is no steward making an explicit call. This is one of the unavoidable challenges that come with the call for protecting institutions: institutions are our tools for solving collective action problems, but the metaproblem of how to protect institutions constitutes yet another collective action problem. To be sure, there can be additional institutional layers—for example, advisory boards or supervising bodies—but one runs into a regress problem with them as well: they again require engaged and committed citizens who are willing to insist on democratic and functional standards even in the face of resistance. In the end, the responsibilities of individuals come back in; democracies cannot function without democrats.

This argument about the need for an active citizenry also explains how I see the relation between institutions and democratic deliberation, as I had described it in Chapter 3. Institutions are sometimes understood as the opposite of deliberation: institutions include fixed rules, while deliberation is messy, flexible, and open-ended; institutions provide stability, while deliberation allows for change. And yet these contrasts are precisely why institutions and deliberation need to work hand in hand. Without an institutional framework, deliberation is unlikely to get off the ground—not only in the sense that a basic framework that ensures peaceful coexistence needs to be in place for people to talk to (rather than to shoot at) each other, but also in the sense that the more specific forums in which deliberation take place are institutionally created. One might even want to describe the cultural habits of engaging in deliberation—rather than in purely strategic communication—as an informal institution that can be present or absent in societies.

On the other hand, institutions without deliberation are empty, formal shells that are likely to become dysfunctional over time. It is, after all, their very fixity that makes institutions, especially formal ones, vulnerable. In a social world

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[68] This responsibility can be understood as based on the *capacity* to save lives (see, e.g., Miller 2001, 460ff., on capacity as a basis of responsibility).

[69] On whistleblowing see also Ceva and Bocchiola 2019.

that is constantly in flux and changes in many ways, institutions need to adapt in order to be stable—in the famous words from *The Leopard*: "Everything needs to change, so everything can stay the same." It is citizens' participation in deliberation—in a broad sense, including forms such as artistic expressions, spontaneous outbreaks of protest, and forms of online communication that may seem chaotic at first—that enables societies to adapt their institutions, in small and large ways, to changing circumstances. What democratic citizens need to take responsibility for is to ensure that the democratic *values* that these institutions are meant to realize remain the same, or that institutions are updated when they turn out to have only insufficiently realized these values.

6.5. Truth as Precondition of Democracy

My democratic institutionalist perspective assumes that citizens, together, can agree on certain truths and falsehoods.[70] Being able to agree on a common approach to reality, at least with regard to core issues of public life, is a condition of the possibility not only of public deliberation, but also of the functioning of many other public institutions. There may be disagreements at the margins, which democracies that are otherwise epistemically well functioning can easily negotiate. But central democratic practices, such as holding the powerful to account, require a sense that certain things can be agreed upon and certain falsehoods can be recognized as such, whether one uses the term "truth" or not.[71] This holds for institutions in the sense of, say, "the legal system" or "political representation," but it also holds within the concrete organizations in which the functions of these organizations are realized, for example a court or a parliamentary commission.[72]

In fact, the very idea of a republic, as something that concerns the "common affairs" of citizens, does not make sense without a conception of truth. Without some agreement on what counts as adequate description of reality, one cannot speak of the citizens' "common affairs." Instead, one slides down into a world of deception and illusion in which one loses the ground on which citizens, as equals, can stand. Practices of democratic accountability and institutions of checks and balances fall apart if there is no possibility of "speaking truth to

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[70] In fact, most other approaches to democracy need to make the same assumption, even if they may not make it explicit. For a historical account of the relation between truth and democracy—which focuses mostly on the dialectic between "commonsensical" and "expert" truths—see Rosenfeld 2019.

[71] Cf. similarly Knight and Johnson 2011, 27, on the pragmatist commitment to "antiskepticism."

[72] Of course, such concrete institutions can fail to be truth-conducive in various ways, depending on their role and function. For example, Fricker (2020) has recently discussed the "institutional epistemic vice" of "inferential inertia," which describes the lack of action after having received salient information that requires action. In earlier work (Herzog 2018, chap. 6), I have also discussed some of the concrete challenges for dealing with knowledge within organizations.

power."[73] It is, hence, not surprising that many nondemocratic, illiberal regimes have used attacks on truths, and strategies to undermine the common sense of reality of their citizens, as means for preserving their power.

A powerful account of such strategies can be found in the Czech dissident (and later president) Václav Havel's description of what it meant not to be able to "live in truth."[74] When, in 1989, he was, once again, condemned to a term of imprisonment, he gave a speech in which he reflected on the crippling effects of the "post-totalitarian system" in Czechoslovakia. Under this regime, individuals had to profess their adherence to the system; for example, a greengrocer had to put up a banner with the slogan "Proletarians of all countries, unite!" in his shop window. By such small acts, individuals held up a system in which the urge toward truth and freedom—including their own urge—was constantly repressed. The human desire for dignity and moral integrity was undermined and "living in truth" was made impossible. What this resulted in, Havel writes, was a "life in a lie," a mere "pseudolife." Whenever the urge toward truth broke through, whether in the desire of young people for authentic aesthetic experiences in underground music, or in the stubbornness with which an engineer stuck to his professional judgment about a technical issue, the system oppressed it, perceiving, quite correctly, that the desire for "living in truth" might unravel the structures by which the members of the society held one another prisoner while being themselves imprisoned by these structures as well.

A similar description of the power of truth and knowledge can be found in Williams's account of Primo Levi's experiences under fascism.[75] Levi described how studying chemistry, with its stern orientation toward scientific truth, acquired a "new dignity and majesty" that shone all the brighter in contrast to the fascist indifference to truth. Williams explicitly connects truth and freedom in reflecting on Levi's experience: "To be free, in the most basic, traditional, intelligible sense, is not to be subject to another's will. . . . Levi's scientific inquiry could express freedom in contrast with arbitrary will, and truthfulness in contrast with deceit, and both for the same reason, that the truths of nature have no will, and in discovering them the virtues of truth are on their own, together with insight, experience, and luck."[76] Williams also quotes George Orwell's famous line from *1984*: "Freedom is the freedom to say that two plus two equals four. If that is granted, all else follows."[77] If taken literally, this statement may be criticized as naive: after all, many totalitarian regimes made extensive use of scientific (and thereby also mathematical) truths to pursue their murderous goals. But read in a

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[73] This phrase was first used in a 1955 Quaker pamphlet, but the idea is of course much older.
[74] Havel 2018.
[75] Williams 2002, 144ff. For a recent commentary see also Greene 2021.
[76] Williams 2002, 145.
[77] Williams 2002, 146.

more metaphorical sense, this line captures the thought that by acknowledging that two plus two equals four, a regime acknowledges that there is something to which it must bow, a reality it cannot simply manipulate. And once this is acknowledged, truth and knowledge in other areas of life cannot be suppressed so easily either.

"Living in truth" and sharing knowledge—not only the mathematical kind, but also many other forms—with one's fellow citizens is thus more than a practical necessity. It is part of what it means to live a human life, one that is not crippled by constant self-doubt, or the constant need for self-censorship and self-suppression. It is this kind of life that democracies can make possible for their citizens, but that it also requires from them.[78] It means being able to enjoy the sharing of one's mind with others, for instrumental as well as intrinsic reasons. If citizens are not able to stand in these kinds of relations to one another, it is unlikely that they can develop the modicum of trust between each other that is needed for acting together.[79] This is why sidelining questions about truth is such a powerful weapon in the hands of dictatorial regimes.

To be sure, this does not mean that one would have to rely on a simplistic notion of truth or knowledge. As I have described in Chapter 2, one can and should acknowledge that there are different perspectives on issues, that values and facts are often intricately intertwined, and that it may often be easier to agree on falsehoods than on truths. In fact, the ways in which various forms of epistemic injustice lead to a silencing of the voices of certain groups is itself deeply at odds with the vision of democratic life I have here depicted. It is both morally *and epistemically* wrong if certain groups are taken less seriously than others or if they cannot access relevant epistemic resources, and it exposes them to a risk of domination because their voices are not heard.[80]

One can and should also acknowledge that there can be fierce battles about which truths are *relevant* for democratic politics—but here, as in so many other areas, battles around the edges should not blind us to the fact that there is a core that democrats can agree on. Democratic societies can, and do, decide which forms of knowledge are needed, for which policy areas, and how to integrate various forms of expertise into democratic life. Whether it is rules about the use of evidence in legal procedures, or expert reports commissioned (and critically read) by parliaments—there are many tried and tested mechanisms for integrating knowledge into politics. The contrast with the hostility to truth in many dictatorial regimes can serve as a reminder of why we need this notion, or some

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[78] See also Muirhead and Rosenblum 2019 on how "new conspiracies," with their "assault on reality" (9), therefore threaten democracies.

[79] On trust see also Chapter 10.

[80] Fricker 2013, 1324–27; Fricker also discusses how the ethos of institutions needs to uphold epistemic justice (1327–31).

functional equivalent, despite all the ways in which it has been abused in the past. And from this insight, democratic institutionalism leads to the question of how the epistemic preconditions of truth-friendly democracy can be ensured, a topic that I will take up in the chapters to come.

The citizens of democracies need to be able to discuss, passionately, about facts and values, opinions and interests. But they need to do so against a shared horizon, with a shared view of those parts of reality on which agreement can be found through clearly established methods. Discussions can only get off the ground if *some* assumptions are shared and if the participants, or combatants, argue *about the same things*. Specific facts, assumptions, and hypotheses can be a matter of debate. But this only makes sense if other facts, assumptions, and hypotheses are shared. It is not in order to suppress, but precisely in order to enable, a broad pluralism of perspectives and a healthy, vigorous debate, that democracies need to share the ground they stand on.[81]

Hannah Arendt discussed this role of shared assumptions by famously contrasting the light of the public with the darkness of the private realm:

> Our feeling for reality depends utterly upon appearance and therefore upon the existence of a public realm into which things can appear out of the darkness of sheltered existence. . . . there, only what is considered to be relevant, worthy of being seen or heard, can be tolerated, so that the irrelevant becomes automatically a private matter.[82]

What matters is not only that things are seen, and hence known, but also that we know that others see and know them as well.[83] For Arendt, the public is the realm where individuals can show themselves in their individuality.[84] But this can only happen against a background of shared facts that creates the stage, as it were, on which individuality can appear. As she puts it in her elevated style: "Conceptually, we may call truth what we cannot change; metaphorically, it is the ground on which we stand and the sky that stretches above us."[85] And even though Arendt is also keen to emphasize that politics is *not only* about truth, and can never be reduced to it, it is a *conditio sine qua non* for democratic debate.[86]

Arendt also makes clear that one should not think that truth, once discovered, is simply there and needs no protection from humans, as it were. This is Arendt's reading of the sentence in Jefferson's Declaration of Independence, "*We*

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[81] See similarly Nanz 2012, 19.
[82] Arendt 1958, 51, see also 28, 64, 71–72, 119, and Part II in general.
[83] Arendt 1958, 50.
[84] E.g., Arendt 1958, 41, 49.
[85] Arendt 1967, 88.
[86] For a discussion of some of her more controversial statements about the relation between truth and politics see, e.g., recently Sari 2021.

hold these truths to be self-evident."[87] While Arendt is confident that the truth has a tendency to win out in the long run, because its anchoring in reality gives it an advantage over lies and PR maneuvers, she insists that "facts need testimony to be remembered and trustworthy witnesses to be established in order to find a secure dwelling place in the domain of human affairs."[88] We cannot rely on facts to simply speak for themselves, and to be heard in the chatter of opinions (and, today, in the waves of internet memes). Rather, a republic needs those who actively hold up truths and pronounce them.

A key function of shared truths, in a public sphere that is known as such to all citizens, is to hold the powerful to account. Such accountability requires temporal coherence as well as the publicity of a realm that is open to viewing from all perspectives. By letting the past be forgotten too quickly, powerful players can reduce the risk of being called out for abuse of office. The same risk arises if the public is fragmented into subgroups that do not recognize each other and do not trust each other and who can therefore be misled into believing different stories, making accountability more difficult to achieve. The intimidation of those who try to reveal such abuses has, time and again, been a strategy of the powerful to escape public censure. It is no accident that democracies celebrate whistleblowers and investigative journalists. They are the ones who take personal risks to uncover abuses of power, which is often a precondition for legal proceedings.

6.6. Conclusion

In this chapter, I have described "democratic institutionalism" as an approach to theorizing institutions according to their contribution to ensuring the equal freedom of citizenship and the flourishing of democratic life. I have described the shift from principles to institutions and the way in which a focus on institutions can deal with questions about individual rights. Democratic institutionalism directs our attention to risks of corruption or corrosion and asks how democracies can remain stable over time. And it cannot exist without a notion of truth, which allows citizens to understand their *res publica* as one in which they govern their common affairs.

This task of keeping the institutions that democracies need alive and of adapting them to changing circumstances is what I discuss in the next chapters—with the focus on the *epistemic* dimensions of institutions. I will first discuss how to look at markets from the perspective of democratic institutionalism, shrinking the claims about their beneficial epistemic features, which have so often been

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[87] Arendt 1967, 62.
[88] Arendt 1969, 6; for commentary see, e.g., Nanz 2012.

exaggerated by free market ideologues, to a reasonable size. Then I will suggest how democracies can deal with the challenge of unequal expertise without giving up their egalitarian normative commitments. And in the final chapters, I will turn to the epistemic infrastructures and the distributive structures that can provide democracies with a reasonable chance to keep their epistemic life well ordered, and defend my insistence on the feasibility and normative desirability of democracy against various objections.

7

Putting the Market in Its Place

7.1. Introduction

In Chapter 4 I have discussed how the free market paradigm, with its claims about the epistemic benefits of markets, has taken hold of the collective imagination and influenced the deregulation of markets, as well as the governance of public institutions. According to a central argument by their defenders, markets allow for the decentralized processing of knowledge, and market prices provide a reflection of the underlying economic realities, in ways that no other mechanism could provide. But there is a sad irony here: this very argument, by supporting the deregulation of markets and the dismantling of various epistemic support structures, has contributed to making markets *less* epistemically functional. By "epistemic functional" I mean that an institution reflects the type of knowledge that it is meant to reflect, without systematic distortions. A failure of the epistemic functionality of markets means that their price signals lead to socially inefficient allocations of goods or services. A well-known example is the failure of market prices for many goods, for example, airline tickets, to fully reflect the costs of CO_2 emissions, in terms of their contribution to anthropogenic climate change and the harms it causes.

In this chapter, I argue that instead of using epistemic arguments for deregulating markets, this line of argumentation needs to be turned on its head. It is only when markets have been carefully designed and regulated—not least with regard to their epistemic features!—that their epistemic benefits can be reaped. And of course, claims about these epistemic benefits undergird claims about the efficiency and welfare enhancement that defenders of markets standardly put forward. For if the knowledge-processing features of markets fail, they cannot deliver an efficient allocation of capital, goods, or services.

Arguments for the regulation of markets are often put forward on the basis of values such as social justice and the common good. But I suggest that we can, in fact, meet the epistemic defenders of markets on their own grounds: for markets to live up to the promise to efficiently process decentralized knowledge, certain conditions need to be in place, and this often requires regulation, or the supplementation of markets with other institutions. Rather than *assume* that the conditions for markets to function well, epistemically speaking, are more or less

in place, they often need to be carefully created and maintained.[1] And this in turn requires other mechanisms of knowledge production and especially the integration of expert knowledge into democratic deliberation.[2]

From the perspective of democratic institutionalism, markets are one possible institutional arrangement that can fulfill certain societal functions, including epistemic ones.[3] But they are only justifiable if they indeed fulfill these functions, which in turn have to be justified in terms of the contribution to the overall structures of a society in which individuals' rights are protected and democratic live can flourish.[4] Of course, the epistemic function of markets is not the only consideration that matters for deciding whether to install and how to design them. For example, many arguments speak in favor of including *distributive* concerns into the design of markets, an approach that has been called "predistribution."[5] Sometimes, such concerns may pull into a different direction than the epistemic concerns I here focus on. But it is noteworthy that they can often go hand in hand because many epistemically dysfunctional markets are also distributively unjust, allowing powerful or ruthless players to exploit other market participants.

This coincidence should not surprise us—and it explains why the regulation of markets, and the epistemic processes on which it is based, are highly contested territory. All changes in the legal framework of markets, for example regulatory changes that result from new insights about the toxicity of certain substances, have implications for who benefits from the ensuing outcomes. And with so much money at stake, economic actors can anticipate that expenses for lobbying are a good investment: if they can bend the rules in their own favor, every market transaction that will take place within these rules later on will provide them with a surplus. The larger and more powerful certain economic actors are, the better can they play this game.[6] Thus, if the democratic structures that set the rules of the economic game, including the involvement of experts in regulatory actions,

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[1] This is in line with ordoliberal and welfare economic approaches, as discussed in Chapter 3.2, which hold that markets need to be *created* by the law. Outside of economics, this perspective has been emphasized in particular by economic sociologists in the tradition of Polanyi (1944).

[2] The latter will be explored in more detail in the next chapter.

[3] This is what distinguishes my approach from "market design" as understood by economists. There is the focus is exclusively on efficiency, which is much narrower than the democratic institutionalist perspective. For a critical discussion of "market design" as a (self-ascribed) task of economists see, e.g., Mirowski and Nik-Khah 2017; see also Davies and McGoey 2012 on how "neoliberal" (in contrast to Austrian) economists trust not in markets as such, but the economists who design them. Because my focus in this chapter is on *epistemic* features of markets, which are closely related to how economists understand efficiency, there is a certain degree of overlap with the "market design" perspective, but it comes from a different normative angle.

[4] See similarly Knight and Johnson 2011, esp. 52–71, on the need to secure the conditions for markets to function well, which neither markets themselves nor other decentralized institutions can do.

[5] See, e.g., Hacker 2020.

[6] See also Reich 2015 for various examples in the United States.

are vulnerable to such distortions, we should expect a double tendency: more unequal outcomes, which benefit those who are already in stronger starting positions, and lower epistemic functionality, because the conditions that would secure the epistemic benefits of markets are a casualty of these lobbying efforts.

In the next section (7.2), I discuss a number of dimensions of the institutional settings of markets that are currently far from ideal with regard to their epistemic features.[7] These include the basic question of whether or not to use markets at all; whether consumers can satisfy their own preferences in markets (in a more-than-tautological sense); the presence or absence of epistemic infrastructures for markets; the regulation of markets to reflect true costs to society; the regulation of financial markets; and last but not least the ways in which knowledge itself is made a market product through intellectual property rights. I argue that democratic politics needs to establish, or re-establish, what I call the "epistemic primacy of politics": it needs to set the rules of markets such that knowledge is dealt with in the right ways, and to do so, it in turn needs enough, and sufficiently undistorted, knowledge to inform politics (section 7.3). This also means that market-based indicators, such as the gross domestic product (GDP), cannot have the last word when it comes to the evaluation of politics. I conclude (7.4) by emphasizing the pro tanto nature of these arguments and arguing for the need of a holistic perspective that also takes into account the quality of other epistemic institutions.

7.2. The Need for Reforms toward Epistemic Functionality

When using the term "economic functionality," in what follows, the core idea is that market prices should reflect underlying relative costs and reliably indicate where capital, goods, and services should be allocated, in an undistorted way. This is, after all, the central epistemic function of markets, and if they fail at it, the case for using markets, rather than other institutions, is massively weakened.[8] This standard is more demanding than Pareto efficiency as it is usually understood. Pareto efficiency indicates that there is no waste from unused trading opportunities, but it says nothing about the distributive outcomes and about whether or not the functional requirements of markets in a more comprehensive sense are met. For example, many economic models that use Pareto efficiency as

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[7] Focusing on markets means that I do not discuss knowledge issues that arise within the structures of market *players* such as corporations, but I have done so elsewhere. See Herzog 2018, chap. 6, and Gerlsbeck and Herzog 2020 on the epistemic advantages of democratic structures within organizations, including business organizations.

[8] To be sure, this also depends on what alternatives are available and on other normative principles—all of which need to be evaluated, ultimately, from the perspective of democratic institutionalism (see Chapter 6).

a criterion for evaluating markets take human preferences as given. This creates a blind spot with regard to the relation between this notion of preferences on the one hand, and actual human needs and wants on the other.[9] Pareto efficiency, as such, is therefore often used in ways that cannot distinguish between markets that cater to real human needs, and markets that cater to desires they themselves have created, a problem that I discuss in more detail below.

This notion of "epistemic functionality" should not be taken as an ideal that can be perfectly realized by simply twisting market regulations a little bit here and there. Markets are complex institutions, meant to deal with complex realities—this is their very strength if they function well, after all. What we can nonetheless easily identify are cases in which the current social reality clearly and massively deviates from the functionality that markets are supposed to provide. I will discuss a number of such cases, without a claim to completeness, and in full awareness that each of these fields is complex and deserves more in-depth treatment.[10] My aim in presenting them together is to show in how many ways the idea that markets would "self-regulate" is misguided and leads to institutional arrangements in which the epistemic benefits of markets are unlikely to be reaped.[11]

7.2.1. Are Markets a Good Idea at All?

From the perspective of democratic institutionalism, markets make sense when the point is to allow the communication of a specific kind of knowledge through prices: knowledge about individual preferences and about the ability of companies to provide goods and services, including new innovations. In markets, these forms of knowledge are activated by appealing to individuals' self-interest and by allowing competition between them—but this can, in certain constellations, have negative side-effects on *other* epistemic functions of institutions, for example, because it hinders trustful collaboration.[12] Thus, the first question to ask is this: Are the tasks at hand of the kind that markets can address well, or might the advantages of the market mechanism be overshadowed by negative side-effects?

This question is more specific—and more pragmatic—than the debate about whether certain goods should or should not be "commodified," or whether the

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[9] See Chapter 7.2.2 below.

[10] The references in the following sections point to more detailed discussions.

[11] To be sure, this does not mean that there could not also be forms of market regulation that would be epistemically (or in other ways) dysfunctional. But the legitimate criticism of these does not imply that markets without *any* form of regulation would be epistemically optimal.

[12] Cf. Chapter 4.4.

subjection to the market logic would undermine their intrinsic value.[13] But I venture the guess that for many of the goods that have been controversially discussed in this debate, epistemic questions are one of the relevant dimensions (in addition to questions about weak agency, harms, etc., which Debra Satz has masterfully discussed).[14] For example, take surrogacy: an expecting mother might simply *not know* in advance how she will feel toward the baby that she has contracted to give away. Or take an example of services that have, in many countries, been put under strong market pressures, but which critics argue should not be commodified: healthcare. Patients certainly have a general preference to be healthy, but they are often unable to *know* which therapy is most likely to work for them. Conceptualizing patients as consumers neglects the massive asymmetry of knowledge between laypeople and medical experts.

If certain goods or services are such that the market mechanism can communicate the relevant knowledge about them, then competitiveness needs to be ensured, to make sure that the price mechanism can do its work. The epistemic argument becomes inapplicable when there are monopolies or cartel structures in which consumers have no real choice, or producers cannot experiment with new methods and new products.[15] In such "markets," the argument that individuals will reveal their knowledge by going to the transaction partner who offers them the best deal does not make sense.

Some defenders of markets assume that monopolies are no real challenge for the efficiency of markets, as long as there is "free entry" for competing entrepreneurs,[16] and therefore no government policies to "create or maintain competition" are needed.[17] This is a legitimate theoretical argument, but it is questionable to what extent it applies in practice. In many markets which high capital investments are involved, network effects play a role, or first-mover advantages are strong, "free entry" is simply not given. Moreover, if the regulatory authorities allow large firms to buy up new firms that might be competitors, this undermines the competitive logic as well. It changes the incentives for entrepreneurs from "offering good value for money and thereby conquering market share" to "becoming sufficiently dangerous to the incumbent to be bought up by them," which does not automatically benefit consumers.

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[13] See, e.g., Radin 1996; Satz 2010; Sandel 2012.

[14] Satz 2010.

[15] See also Teachout 2020, chap. 1, on monopolistic tendencies in markets for agriculture and in social media and how they hinder innovation.

[16] The theory of "contestable markets" (Baumol 1982) holds that as long as new entrants *can* come into a market, they will be in a competitive equilibrium. On the role of that argument in the United States for allowing the rise of monopolies such as Amazon, see Khan 2017.

[17] Kirzner 2018, 305–7 (quotation from 307); see also Burgin 2012, 173, on Friedman's rejection of antitrust policies.

Thus, as a simple matter of consistency, regulatory authorities need to make sure that *if* one wants the price mechanism to play a role, for epistemic or other purposes, it *actually* needs to play that role. This means that they need to carefully watch whether market participants have a real choice, whether there is genuine competition,[18] and whether it is possible for newcomers, who might have innovative novelties to offer, to enter these markets. The possibility of innovations reaching customers is, after all, a central aspect of the information-processing features of markets.

7.2.2. Which Preferences Do Markets Satisfy?

A second set of questions turns around the question of what it means that markets "satisfy individuals' preferences." Theoretical models of markets standardly assume that the preferences of market participants are exogenous: that they are given independently, without any influence from *within* markets. Individuals form their preferences in ways that are not part of the model and "reveal" them within markets through their purchasing behavior.[19] This assumption has long been criticized: it fails to take into account how preferences are shaped, and it omits other factors that enter into human decision-making, for example, commitments.[20]

Taking "preferences" as given can create the impression that the satisfaction of preferences is, in and of itself, good. The examples given often imply that these preferences concern the satisfaction of basic needs (e.g., food) or different cultural tastes (e.g., a plurality of cultural goods, such as movies or novels). Economists sometimes hold that by taking preferences as given, they are honoring individuals' autonomy, an argument that is also expressed in the term "consumer sovereignty." But what if consumers are not so sovereign, and markets do not aggregate information about independently given preferences but about something quite different?

Opening up the black box of preference formation raises tricky questions. How sovereign are individuals when they make buying decisions? Can we second-guess whether they are acting in their own best interest? But if one takes "revealed preferences" at face value, one runs an opposite risk: that of failing to note the ways in which social circumstances, or specific individuals or organizations, might exercise problematic forms of pressure on the processes of preference

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[18] One problematic example of prices that do not signal actual costs to society are low-price strategies that aim to push competitors out of markets, to acquire a monopolistic position.
[19] Samuelson 1938, 1948.
[20] E.g., Sen 1977.

formation.[21] Moreover, the term "preferences" makes no distinction be-tween whimsical desires for luxuries and urgent physical needs for goods and services that are crucial for physical survival and for participation in society. And of course, the very question of what counts as "luxury" or "necessity" has itself a social index and varies from context to context.

To be sure, questioning the authenticity of preferences does not imply that *others* would be able to understand an individual's preferences better. Even though certain behavioral tendencies, for example, to act more short term than one would wish,[22] have been well established by empirical research, this does not mean that governments could easily determine what people's "true" preferences are, and paternalistic measures might all too easily erase opportunities for learning and experimentation through which individuals could develop some-thing like "authentic" preferences in the first place.[23]

But the *conditions* under which preferences are formed can be more or less supportive of individual autonomy. If we imagine a scale that has on one end a completely autonomous individual and on the other end a person whose be-havior is completely determined by external influences, then the circumstances under which individuals make decisions can move them more to the left or to the right on that scale. Social contexts and institutional conditions make it easier or more difficult for individuals to develop preferences that they can reason-ably call "their own," even though they will never be *completely* free from social influences.

One version of the latter scenario—of strongly externally induced preferences—is particularly relevant for the current discussion: one in which these preferences are induced by *markets themselves.* In such a situation, the nor-mative weight of the argument that markets "satisfy preferences" is hollowed out, because markets then satisfy preferences that would not be there without them—and whether or not a scenario with or without such markets is preferable must be decided on independent grounds. As societies, we have become used to the assumption that "more preference satisfaction is always better," but in times of ecological crisis and enormous socioeconomic inequality, this is an assumption we might have to rethink, to make judgments case by case.

There are concrete regulatory questions concerning the conditions under which individuals form their preferences, of which I will discuss two, focusing, again, on the epistemic dimensions. The first concerns the extent to which the process of preference formation is protected from wrong or misleading

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[21] For a critical discussion, in terms of "need interpretation," see, e.g., Fraser 1989; for a critical perspective from the social sciences see George 2001, who discusses the topic in terms of "preference pollution."

[22] See e.g., Kahneman 2011.

[23] See also Rizzo and Whitman 2019, chap. 7.

claims—that is, the regulation of advertising—while the second concerns the extent to which market participants are required to provide certain information that they would rather conceal.[24]

From an epistemic perspective, advertising is a double-edged sword. On the one hand, it provides potential customers with information about the features of products and services. Without the possibility of advertising, entrepreneurs may never reach the customers who might get interested in their products, especially if the latter are new and individuals might not even know that they exist.[25] On the other hand, advertising can also mislead market participants, provide false information, or distract them from the actual features of a product by appealing to their hidden fears and desires.[26] Given the sheer amount of advertising in our societies,[27] it is not surprising that there exists a complex debate about the ethical desirability and permissibility of different forms of advertising, distinguishing, for example, persuasive from manipulative advertising.[28] Often, advertising works with psychological tricks, promising higher self-esteem or respect from others, to sell even the most trivial products.[29]

Like most features of markets, advertising can be regulated in different ways—from a laissez-faire approach that allows anything that is not forbidden for other reasons (e.g., because of libel laws), to strict regulations concerning the truthfulness and appropriateness for different age groups, as well as the overall amount of advertising in the media and in public spaces. If one sees markets as having a specific function in society, for which they need to have certain epistemic features, then it is clear that a specific type of regulations is beneficial: those that make sure that consumers are not manipulated or misled when forming their preferences, and those that make sure that market competition functions sufficiently well. Where exactly to draw the line, and how to adjudicate specific cases,

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[24] A related debate concerns the extent to which "nudging" by the government might be justified in order to help people follow their own preferences. This is a complex debate on its own (cf., e.g., Rizzo and Whitman 2019 for a critical discussion of "behavioral paternalism"). Here I want to emphasize only one point, which has also been put forward by Schmidt: government nudges might serve as a counterweight to nudges by private companies, who might "influence people through uncontrolled and oftentimes opaque nudges" (2017, 413). Government nudges can be more transparent and hence less problematic in terms of "alien control" (404).

[25] On the role of advertisement for entrepreneurs see also Kirzner 2018, 241–45. Concerning the problem of deceitful advertisement, he sees the responsibility mostly with consumers themselves, which is problematic given that the latter are often in no position to verify advertisement claims.

[26] For a critical discussion see, e.g., Akerlof and Shiller 2015, chap. 3. They understand advertisement as one strategy of "phishing" in markets: of trying to create situations that, rather than providing benefits to both sides ("win-win"), "are in the interest of the phisherman, but not in the interest of the target" (2015, xi).

[27] Mercier (2020, 141) notes that in 2018, "more than half a trillion dollars was spent on advertising worldwide."

[28] See, e.g., Levitt 1970; Santilli 1983; Goldman 1984; Waide 1987; Philips 1994; Lippke 1999; Attas 1999.

[29] For critical discussions see, e.g., Wu 2016 and Akerlof and Shiller 2015, chap. 3.

is something I here cannot discuss.[30] But it is hard to resist the conclusion that many countries in which free market thinking has been dominant have not hit this balance very well.

From an epistemic perspective, a central question concerns the extent to which advertising is expected to be truthful. Advertisements often use widely exaggerated or metaphorical claims, a practice called "puffery," which, in contrast to misleading advertising, is legally permitted in some countries, for example, the United States. Its legality is based on the assumption that individuals will not take such claims literally or act on them.[31] This assumption, however, is contradicted by empirical evidence that shows that consumers *do* in fact react to puffed statements.[32] Even though some consumers may indeed recognize puffery as what it is, others are more vulnerable and take it at face value.[33] This practice thus also raises issues of fairness: is it legitimate for companies to make false statements that better-informed or more reflective consumers will not believe, but others will fall prey to? Even sophisticated consumers suffer from such strategies, however, because they have to double-check which advertisements to take seriously. In an analysis of the treatment puffery in US law, legal scholar David Hoffman argues that it should be understood as causing a negative externality: it creates "informational burdens currently borne by buyers, without compensation from sellers."[34]

As an aside: "puffing" could also be epistemically problematic because it might have ripple effects on individuals' expectations and social norms about the truthfulness of public statements. After all, the "marketplace" in which advertising is shown is often also a "marketplace" in the sense of a public space in which individuals encounter each other, not exclusively as market participants, but also in many other social roles. If one category of speech that takes place in this public space is exempt from standards of truthfulness, what does this mean for how individuals see other types of speech? Many individuals have become cynical about advertising claims and rightly so—but what if this cynicism spills over to other forms of public speech, where it may undermine open and honest dialogue? As noted in the introduction: those who are looking for explanations of the kind of "post-truth" cynicism that has been diagnosed in many countries[35]

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[30] Assaf 2007 discusses the regulation in the United States, Germany, and Israel in a comparative perspective, showing the great variety of possible regulation.

[31] Hoffman 2006.

[32] Hoffman 2006, 138ff., summarizes various studies as having demonstrated that "puffing statements are believed on their own terms and lead some individuals to further imply facts about the puffed speech that are untrue" (139). He also notes, however, that "the persuasiveness of puffing claims is intensely fact specific" (141).

[33] Hoffman 2006, 145.

[34] Hoffman 2006, 146. In response, he suggests increasing enterprise liability by reversing the burden of proof, so that companies would have to prove that there were no false facts, that they had no intention to mislead, and that consumers did not rely on the claims (147).

[35] E.g., Nichols 2017; Kakutani 2018.

should probably consider all the false promises and exaggerated claims of advertising as a possible contributing factor, a point that seems to be absent in the debate so far.

Advertising has always been a battle for human attention.[36] In recent years, this battle has shifted, to a great extent, to online platforms (thereby undercutting traditional business models of media companies, a topic to which I come back in Chapter 9.3.2). Here an additional worry is the "microtargeting" of individuals, which tries to anticipate their most intimate fears and desires on the basis of their digital footprints. Many commentators have discussed how to deal with this phenomenon in the context of *political* advertising, which is indeed an important question for democracies.[37] But the debate should also cover the legitimacy of microtargeting for commercial purposes. To what extent are individuals supported in making well-informed decisions, and to what extent are they seduced to give in to irrational cravings or lulled into thinking that consuming certain products would fulfill deeper needs for meaning or belonging? The epistemic relation between advertisers (supported by online platforms) and consumers is currently highly asymmetric: consumers often know very little about the psychological toolkit that advertisers draw on, while the latter can use rich and detailed data about the former. This question touches more normative dimensions than just the epistemic one, to be sure. But if the aim is to regulate markets and advertising such that individuals can follow their own, independently formed preferences, the current situation in the online world is far from ideal.[38]

A second set of regulatory questions concerns requirements on *sellers* to make certain pieces of information, for example potentially toxic ingredients or details about the production process, available to potential buyers, even though they might prefer to keep them hidden.[39] Here several challenges arise. One is the well-known tendency of companies to react to such regulation by hiding relevant information in small print, which overburdens many consumers and in fact leaves them less informed than if a few crucial pieces of information had been clearly visualized or presented in bold print.[40] Another is the question

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[36] See Wu 2016 for a history of modern advertisement.
[37] See also Chapter 9.3.2 below.
[38] Cf. also Wu 2016 on the historical battles around the regulation of advertisement.
[39] See also Rizzo and Whitman 2019, 417–19, who acknowledge the possibility of providing people with information, emphasizing the importance of presenting information such that it can be interpreted correctly by receivers.
[40] A telling episode that illustrates this phenomenon is reported by Crouch (2016, 43–44). The European Union tried to introduce a "traffic light scheme" for content of fat, sugar, and total calories in food products. But lobbyists from the food industry fought these proposals tooth and nail and derailed them. The information that a traffic light scheme contains already has to be provided, but the food industry anticipated that big red dots (for high fat, sugar, or calorie content) would be perceived differently by consumers (see also footnote 16 in the introduction).

of *which* information needs to be provided, as a basis for consumers to form their preferences. For example, information about the working conditions of the producers of electronic gadgets, or about the CO_2 emissions of products, is rarely made available. The assumption seems to be that it is inappropriate for consumers to have *moral* preferences on which they would like to act in markets, rather than merely consumerist ones. But this is an unargued-for assumption, and it leaves consumers who *are* interested in the social and environmental impact of products at an informational loss.[41]

One way in which such additional information can be made available to consumers is through labels. These exist in some markets, for example, as voluntary labels for fair trade products or, in some countries, as mandatory labels for the energy footprint of household electronics. Voluntary labels are often issued by coalitions of producers, NGOs, unions, or other associations, who, together, verify the information at stake. For consumers, this is a useful service: it allows them to make quick decisions without having to go on a complicated quest for information about production conditions, which would not be feasible for most consumers.

But how far can labels go in improving the epistemic conditions for consumers' preference formation? Political scientist Gordon Bullock has explored how well so-called eco-labels function, based on a data set of 245 product labels and corporate social responsibility ratings, and he paints a mixed picture.[42] Labels, he points out, fit very well with the "ideology of information" that has prevailed for a few decades, and which assumes that providing more information can "transmit knowledge, catalyze change, and improve social conditions."[43] Information provision empowers consumers, strengthening their ability to choose, without getting the government involved—or so this story ran.[44] But there are also many critical voices who see these labels as elements in strategies of "greenwashing," which might even prevent more effective regulation.[45]

Bullock's analysis points to a number of challenges for such approaches. For example, many initiatives are opaque with regard to the power relations between different parties.[46] The quality of information and the suitability of the chosen methodologies vary widely between initiatives, with room for improvement for many.[47] They could be strengthened by measures such as standardizing reporting, the use of clearer language when presenting statistical results, and transparency about data, methodologies, and quality assurance.[48] Bullock also looks

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[41] I have discussed this example in Herzog 2020.
[42] Bullock 2017.
[43] Bullock 2017, pos. 634.
[44] Bullock 2017, pos. 697.
[45] Bullock 2017, pos.709.
[46] Bullock 2017, pos. 2497.
[47] Bullock 2017, chap. 4.
[48] Bullock 2017, pos. 3336–31.

into studies that try to evaluate the benefits of eco-labels, and which confirm, for example, that organic farmers do use lower amounts of pesticides than traditional ones.[49] But the market share of products with eco-labels tends to be very small compared to markets as a whole, leaving a question about the effectiveness of such initiatives.

A basic problem that remains unresolved by the labels approach is that consumers who want to make informed buying decisions might be overwhelmed. As philosopher Jonathan Benson puts it, with a wink but pointing to a real problem:

> An environmentally minded consumer . . . would have to search out information about nearly all their market transactions to determine their effect on low feedback environmental goods. The reverse of Oscar Wilde's quip that socialism would take up too many evenings with meetings is that free-markets [*sic*] would take up too many evenings with research.[50]

Ironically, such individual search activities would not even be efficient—once found out, individuals could share the information with others at no costs to themselves. This is one of the reasons why it does not make sense to leave these epistemic tasks to individual consumers. Instead, we need to also consider the epistemic infrastructures of markets, in the sense of other institutions taking on certain epistemic tasks—the point to which I turn next.

7.2.3. Which Epistemic Infrastructures Do Markets Need?

A third area in which free market ideology has drawn a misleading picture concerns the existence of epistemic infrastructures, provided by private or public institutions, that take care of certain epistemic tasks and allow consumers to focus on price and quality.[51] If one only looks at customers grocery shopping in supermarkets, the epistemic argument may seem approximately true: individuals choose between products, thereby sending signals to producers about which offers they like best. But one must not forget how much is going on behind the scenes to enable these smooth and effortless market transactions. Many markets for food products are highly regulated, for example with regard to hygiene standards and admissible ingredients. These regulations embody massive amounts of knowledge about food production, the health effects of

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[49]   Bullock 2017, pos. 5479, referring to Blackman and Naranjo 2012.
[50]   Benson 2019, 435. Low-feedback goods are goods the features of which are not immediately visible to consumers.
[51]   This section follows Herzog 2020; some ideas are also presented in Herzog 2021d.

various toxins, and the features of different products.[52] When new scientific insights come to the fore, regulatory agencies update the regulatory framework—at least if they are functioning as they should, rather than being corrupted by private interests.[53]

More generally speaking, it is simply false to ascribe *all* epistemic tasks of markets to price signals alone. Market participants often go to great lengths to gather more information about products, in formal and informal ways. Especially in business-to-business markets, it matters a great deal that experts who trade in certain products can "talk shop" with each other.[54] Some of this talk may be strategic, but it can also include sharing information about technical details that is necessary for making market transactions possible. Other mechanisms include product reviews, forums for comparisons, specialized companies that offer advice, and so on—all ways in which buyers can learn more about the products in question than what is reflected in prices alone. Not all goods are, after all, what sociologists call "inspection goods," the quality of which can be immediately evaluated. "Experience goods" only show their quality over longer stretches of time, and for those who buy these goods it can be extremely important to rely on the experiences of others, transmitted by word of mouth or via websites, in order to receive information that goes beyond the price signal.[55]

The role of private and public institutions that provide market participants with additional information has been acknowledged even by thinkers who are otherwise quite opposed to government intervention. Hayek, for example, wrote that "it can hardly be denied that the choice of the consumer will be greatly facilitated, and the working of the market improved, if the possession of certain qualities of things or capacities by those who offer services is made recognizable for the inexpert though it is by no means obvious that only the government will command the confidence required."[56] The crucial question here is not the *origin* of the information (from the government or some other institution), but its reliability and trustworthiness, which is often a matter of independence from special interests. But as a matter of fact, many such epistemic infrastructures have in the past been provided by government institutions.

A well-functioning epistemic infrastructure takes many epistemic tasks off the table, because buyers know that with regard to a number of dimensions,

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[52] These infrastructures exist *in addition* to endogenous mechanisms in markets that provide information through channels other than the price mechanism (e.g., social encounters, brand building, and various information services). See Herzog 2020, 270–75, for a discussion; see also Chapter 4.3.

[53] In Chapter 11.3 I come back to the problem of such distortions, under the heading of "capture."

[54] See especially Granovetter 1985.

[55] On "inspection goods" vs. "experience goods" see Siamwalla 1978, quoted in Diekmann and Przeporka 2019. Siamwalla's examples are rice and rubber—the former can be evaluated by a quick inspection, whereas the latter shows its true features only after longer periods of time.

[56] Hayek 1979, 62.

all suppliers offer the same standard, and public authorities will make sure that new evidence is taken into account. The markets in question can then function in epistemically efficient ways *precisely because* they are not epistemically self-sufficient. Many of the markets that Western citizens experienced in the postwar era were of this kind—and maybe it was the very fact that their epistemic infrastructures worked reasonably well at the time that made the narrative about the epistemic powers of markets sound so plausible.

The narrative of markets as epistemically self-regulating has provided a pretense for pushing back against the institutions that help provide the epistemic infrastructure of markets, while the ideology of the "lean state" has put pressure on the funding available for them.[57] But many markets cannot function well without them; customers simply cannot judge certain features of products for themselves. The longer it takes for the true features of a product (e.g., the durability and hence security of materials) to reveal themselves, and the more difficult it is to detect them (e.g., the influence of toxic additives on health), the more important such "epistemic infrastructures" are.[58]

When important goods are at stake, for example, in the markets for health products or drugs, the public provision of such epistemic infrastructures is essential. Their institutions in turn need to be held to account by the checks and balances of democratic governance, including, where needed, the legal system. In other areas, private or semipublic systems may also provide solutions. But it is key that these agencies can work independently, so that their judgments are not distorted by biases toward those who pay for them. What is needed is a consistent design of institutions that avoids conflicts of interest and ensures that the knowledge and information provided are indeed trustworthy.

A negative example, of how *not* to design such an institutional framework, was the way in which rating agencies for financial market products had been set up, which led to their fatal role in the buildup of the 2008 global financial crisis. For many classes of financial assets there were legal rules that allowed only investment in assets with high ratings. These ratings were provided by a handful of private companies and paid for by the companies that issued the assets. In the past, these rating agencies had built up a solid reputation for bond ratings; both their customers and many external observers relied on this reputation and the competences it seemed to reflect.[59] But in retrospect, it is clear that the

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[57]   See, e.g., Reich 2015 for examples.
[58]   Cf. Benson 2019 on low-feedback goods.
[59]   Akerlof and Shiller 2015, chap. 2. This is another instantiation of information other than market prices—namely, reputation—playing a role for the decisions of market participants (in this case, a highly problematic one). For broader reflections on the role of reputation, online and offline, see Origgi 2018.

rating agencies gave too high grades to far too many products.[60] They were paid by the companies that created these products, and who had an interest in high grades, which pulled the rating agencies' judgments toward lenience, failing to reflect the actual distributions of risks. There was some soul-searching about this system after the 2008 crisis, and some additional transparency requirements were introduced—but it was not fundamentally challenged.[61]

For many domestic markets, epistemic infrastructures need to be repaired and strengthened. For example, individuals need to be able to receive reliable advice on financial products such as mortgages. And new epistemic infrastructures are needed for new products. Take, for example, the many new digital services that we use on a daily basis. It is often very difficult to understand what they do with user data (which functions as the means of payment); comparing them with regard to data security is an almost impossible task for end users. Here, independent and trustworthy organizations that monitor these markets are urgently needed.

Last, it is an open question how such epistemic infrastructures could also be installed for global markets. This concerns in particular environmental and labor standards, which are not only very lenient in many countries, but are often simply not enforced, so that the Western consumers who buy products are incapable of learning about their actual features. However, the appetite for international collaboration in this fields seems deplorably low. This means that consumers continue to live with the abstract knowledge that many of the products they buy probably have harmful social and environmental impacts, but with few possibilities of sending signals, through their purchasing behavior, that they would like to see these negative impacts reduced.

However, the *costs* for creating epistemic infrastructures around these global markets have fallen massively, due to technical developments. This means that there is some hope for improvement with regard to the transmission of information. In global supply chains, it is standard practice to track products by using QR codes; the identifiability of goods is thus much greater than it was only a few years ago. There have been various attempts to use technology to provide end consumers with additional information about products, so far without much practical success.[62] But in principle, actors from all over the world can easily

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[60] Behind this there is the problem of using models that did not pay sufficient attention to possible events in the "long tails" of normal distributions, which marred economic and financial theorizing as a whole.

[61] For a discussion see, e.g., de Bruin 2017.

[62] Watts and Wyner (2011) discuss the possibility of an app that provides additional information. Bullock (2017, 4435ff.) also discusses various attempts to integrate information about social and environmental dimensions of products directly into the browsing experience in online shopping (e.g., the GoodGuide project). But none of these projects made it into the mainstream, and some were soon discontinued. It remains to be seen whether there might be more successful models in the future.

connect through digital technologies—if they know how to find each other. It is not completely utopian to think that the members of a consumer organization in the Global North could have regular calls with labor representatives in the Global South, to hear about the implementation of labor standards or environmental regulation in the places in which goods are produced. This opens up opportunities for verifying claims and holding corporations and other players accountable.

7.2.4. Do Market Prices Reflect Costs to Society?

So far I have focused on regulatory questions that deal directly with the epistemic features of markets. But their epistemic quality is also influenced by their *general* regulatory framework. The lack of basic forms of regulation—such as Pigouvian taxes that correct for negative externalities—can mean that price signals fail to do the work they are supposed to do, namely, to allocate capital, goods, and services efficiently. To be sure, sometimes market failures, for example, information asymmetries, can be addressed by savvy entrepreneurs.[63] But this presupposes the possibility of reaping profits from these activities—and this is by no means always the case.

The most obvious case in point, which I already mentioned in the introduction of this chapter, is the lack of adequate prices to reflect the costs of CO_2 emissions on current and future generations, because of anthropogenic climate change. If CO_2 emissions were adequately priced (and the subsidies that the carbon-based energy industry receives were cut back),[64] this would most likely trigger massive shifts in consumption and production patterns. Companies would have to adapt their production processes and their pricing schemes. Consumers would have to rethink the allocations of their budgets. Thus, the forces of supply and demand would come into play, and—ideally—find an efficient allocation *within* the scope set by a smaller overall CO_2 budget, without externalities. In that sense, an act by the "visible" hand of states could indeed be followed by adjustments led by the "invisible" hand of the market mechanism.[65] Without such a regulatory act, however, there are only insufficient incentives for market participants to move into this direction.[66]

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[63] Cf. Kirzner 1963, 251–52, 301–5, 9; cf. also Kirzner 1973, 14–15, 36–37, 66–67.
[64] A 2015 IMF working paper estimated that these amount to 6.5% of global GDP (Coady et al. 2015).
[65] Obviously, I do not mean to suggest that a CO_2 price is the *only* political step that is necessary to address climate change. It is, however, the one that is most central if one thinks about the epistemic features of markets.
[66] Some incentives might arise from climate-conscious consumers or other market actors, e.g., re-insurance companies (but this can only be expected if damages done by climate events are insurable).

Various approaches have sprung up in recent years, especially in the context of sustainability studies, that try to capture the true costs of products and services, for example, "true cost accounting" or "life cycle analysis."[67] Some companies use them voluntarily and advertise this fact to consumers. Such approaches are also helpful for raising public awareness about the gap between the costs that market prices reflect and full costs to society. For example, a report on the "hidden costs of food" in the UK looked at categories such as "natural capital degradation," "food consumption-related health costs," "biodiversity & ecosystem service loss," but also "farm support payment & regulation."[68] My point is not to endorse this particular version of accounting (I am, in fact, in no position to evaluate its details compared to other calculations). But what such reports make clear is that the idea that market prices have an epistemic function is seriously flawed if they fail to reflect such externalities.

This is a point on which economists and ecologists should be able to agree; proposals for CO_2 emission pricing have, indeed, long come from economists.[69] If market prices send the wrong signals about costs, this creates inefficiencies—but of course, certain market players benefit from these inefficiencies and fight tooth and nail against regulatory changes. And they can draw on promarket, antigovernment sentiment and rhetoric to spread the message that government action for the sake of the climate needs to be resisted. Moreover, unless such steps are accompanied by corrective distributive policies, economically disadvantaged groups may face additional burdens that they may rightly see as unfair.[70] So an unholy alliance can form between the vested interests of certain corporations and the resentment of disadvantaged individuals who fear additional financial burdens—and both can point to the allegedly intrusive interference of the state in the "free" market if the myth of markets as natural phenomena with automatic epistemic benefits is perpetuated.

7.2.5. What Do Financial Markets Reflect?

In many democratic-cum-capitalist societies, financial markets have taken on an important place in public discourse.[71] Their movements are constantly reported in mainstream media, and they are often treated as indicators of how "the

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[67] A website that provides an overview and various resources is Center for Sustaining Agriculture and Natural Resources, Washington State University, http://csanr.wsu.edu/tca-resources/higher-ed-pubs/ (last accessed June 12, 2022).

[68] Sustainable Food Trust, https://sustainablefoodtrust.org/wp-content/uploads/2013/04/Website-Version-The-Hidden-Cost-of-UK-Food.pdf, 9 (last accessed Jan 12, 2022).

[69] See, e.g., Nordhaus 2008.

[70] This was a key motive of the "yellow vests" movement in France in 2019.

[71] This section follows Herzog (forthcoming).

economy" is doing. For example, right before the great financial crisis of 2008, stock exchange prices seemed to send the signal that the economy was in good shape—a "collective declaration of safety being issued by the financial market indicators," as one commentator put it.[72] Even outside of such massive bubbles, however, it is questionable whether financial markets should be granted the status of predictors of developments in "the economy."

Financial markets are special in the sense that what is traded in them are expectations: expectation about future cash flows from assets, with the expected amount multiplied by the likelihood of it actually materializing.[73] According to influential theories—notably the so-called efficient market hypothesis, popularized by Eugene Fama in the 1970s—financial markets incorporate all information that is available about the assets that are traded in them.[74] For example, if news breaks about a slowing down of the demand for cars, this typically shows in an immediate drop in the stock prices of car companies. This is why financial markets are often treated as epistemic tools for understanding where the real economy is going. High stock prices are taken as a sign that a government's economic policies are successful and that it therefore deserves to be re-elected.

However, the efficient market hypothesis is notoriously contested.[75] One might say that it is "just a model," at quite some distance from reality. But it is this model that reality needs to approximate if financial markets are to be useful heuristics for developments in the economic system as a whole. If the efficient market hypothesis were true, however, no (risk-adjusted) profits could ever be made by trading in financial markets, because markets would always *already* be efficient, and the most profitable strategy would be to simply follow the market as a whole. But this cannot be true either: *someone* has to do the trading that incorporates new information into market prices.[76] There is thus a "logical contradiction" here, as economist John Kay puts it: "If all information were already in the price, what incentive would there be to gather such information in the first place?"[77] And as a matter of fact, trading does happen, and some traders do make profits, sometimes spectacular ones.

One possible explanation for this strange state of affairs is that financial markets are in fact governed not by one logic—that of attempting to anticipate future cash flows—but by at least two logics. The second one is a self-referential

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[72] Farlow 2015, 222.
[73] See also Kay 2015, 60, 64–65.
[74] Fama 1970. For critical discussions see, e.g., MacKenzie 2006, 29–30, 65–66; Kay 2015, 68–70.
[75] Cf. also Chapter 3.2 on its methodological paradoxes. Various attempts to test it (or models based on similar frameworks) empirically have tended toward its rejection but run into complicated methodological problems (see MacKenzie 2006, 89–94). In any case, these empirical studies have not undercut the use of such models in the performative ways that MacKenzie describes.
[76] Grossman and Stiglitz 1980.
[77] Kay 2015, 70; see also Lomansky 2011, 150–51.

logic that has been aptly described as the logic of a "beauty contest" by John Maynard Keynes: a contest in which one has to guess who will be chosen as the most beautiful candidate and this is determined by who gets most votes. It therefore matters what the other participants think, not what a "true" judgment of beauty would be.[78] The beauty contest logic explains why there can be booms and busts in financial markets that are disconnected from underlying developments, or at least massively exaggerate them.[79] Keynes also described the "animal spirits," the psychological movements that can hold financial markets in their grip in such periods and lead to even greater deviations from the underlying economic phenomena.[80]

Researchers have tried to synthesize these different views on financial markets. The "adaptive market hypothesis," developed by Andrew W. Lo, draws on evolutionary biology and psychological research to explore when traders behave like the rational agents modeled by neoclassical economics, and when they are driven by emotions such as greed or fear.[81] It could be argued that financial markets *sometimes* reflect real economic developments, and *sometimes* other mechanisms. But as of now, it is not possible to tell which phase is which, and this fact makes havoc of the idea that we could draw on financial markets as predictors of economic realities.

Moreover, in a recent paper on the US stock market, economists Frederik Schlingemann and René Stulz show that in contrast to the 1970s, today there is a disconnect between the companies that have the highest capitalization on stock markets and those that provide most employment or score highest on indicators for contributions to GDP.[82] As they note, a main reason for this divergence is the decline of manufacturing; manufacturing companies both had reasons to be listed on the stock market (to raise capital) and employed considerable numbers of people. For other industries, it may not be necessary or advantageous to raise capital on stock markets. From that perspective, one might wonder whether stock markets as we know them were simply valuable in a certain historical period but might wither away and be replaced by other mechanisms in the distant future. But I take it that in the near future, we will see financial markets continue to exist.

However, from an epistemic perspective the idea that financial markets are *automatically* epistemically efficient is problematic—as long as there are also speculative or sentiment-driven traders, markets can form bubbles, and at any

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[78] Keynes 1936, 156; see Kay 2015, 1–3, 73, 87, 97, for discussions.
[79] See also Kindleberger 1978. A bigger question, from which I here abstract for reasons of scope, is whether the *whole* capitalist economic system is necessarily prone to booms and busts, as Minsky (1986), for example, has argued.
[80] Keynes 1936, 161.
[81] See Lo 2019 for a summary.
[82] Schlingemann and Stulz 2020.

given moment in time, one does not know whether this is the case. Instead of assuming automatic epistemic benefits of financial markets, we should ask how they might be designed such that they fulfill the epistemic (and other) functions they can reasonably be expected to fulfill, and which justify their existence in the first place.[83] This is not so much a matter of "more" or "less" regulation, but rather of how the regulatory framework assigns rights and responsibilities, and what incentives this creates for market participants.[84] From this perspective, it is desirable to reduce trading that is merely speculative and contributes to the "beauty contest" logic. To put it metaphorically: those traders who only look sideways to their fellow market participants do not look to the underlying assets. Their trading behavior has little to do with information about the underlying assets, and it can create the misleading impression that the economy is in a worse or better shape than it actually is.[85]

Regulation that slows trading down and prevents mere "momentum trading," such as a "Tobin tax,"[86] might reduce the resulting epistemic distortions (whether or not these can ever be *completely* prevented is a question on which I here remain agnostic).[87] Regulation could also reduce the conflicts of interests that can arise in financial intermediation, for example, between traders and investors or at broker-dealer companies, who trade for others but also for themselves,[88] and which can introduce additional logics into financial markets (e.g., "overtrading" that produces fees for traders but is harmful for investors).[89] This also concerns the role of the rating agencies, which I have mentioned earlier, and for which conflicts of interest continue to exist. In the aftermath of the 2008 financial crisis, numerous problematic practices were revealed, for example bankers creating the impression of being fair and independent advisers to clients while at the same time shortchanging them.[90] And yet remarkably little has been done to change the system.[91]

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[83] To be sure, their justification might also be doubted for other, nonepistemic reasons, e.g., because one considers the private ownership of productive assets to be problematic in the first place. My discussion here is in "nonideal" territory; whether or not a perfectly just society would contain financial markets is beyond its scope. Let me note, however, that a "property-owning democracy" could, presumably, contain financial markets, so the question of how to regulate them might remain relevant for ideal theory as well.

[84] For reasons of scope, I will not here discuss the regulation of financial or monetary institutions; on central banks and the epistemic challenges they raise see, e.g., Heldt and Herzog 2022.

[85] And of course, it is also harmful in a broader sense if there are financial crises that trigger economic crises or otherwise harm the economy.

[86] Tobin 1978; for discussions see, e.g., Reddy 2005; Kay 2015, 273–74.

[87] This might to a considerable extent depend on whether researchers manage to uncover early signs of bubbles. If so, the relevant indicators would certainly receive attention from traders—and regulators could also use them as a basis for intervention, e.g., slowing down trading in markets in which the likelihood of a bubble hits a certain threshold.

[88] E.g., Kay 2015, 29, 198–99, 283, 287.

[89] Arjaliès et al. 2017.

[90] See, e.g., Tenbrunsel and Jordan 2015 on the resulting ethical problems.

[91] On the lack of legal enforcement against responsible individuals see also Reiff 2017.

Regulatory steps in these directions would help to reduce some of the epistemic distortions that mar financial markets as they exist today and thereby contribute to their epistemic efficiency. Whether such steps would be sufficient is hard to say, but moving in this direction would probably help. However, addressing the *internal* epistemic problems of financial markets is hardly enough. If there are epistemic distortions in *other* parts of the economy, financial markets will reflect these as well. All the problems discussed above—the role of advertising, which overshadows questions about real needs; the lack of epistemic infrastructures that allows problematic business models to go forward; the externalization of costs, such as CO_2 emissions, because of insufficient regulation—are also reflected in how financial markets evaluate businesses.[92] Thus, even well-regulated financial markets would not play an epistemically valuable role in an otherwise badly regulated market economy with numerous epistemic and other distortions. In the end, it is the market system as a whole that needs to be scrutinized with regard to its epistemic functions.

7.2.6. How Is Knowledge Traded in Markets?

Finally, there are markets for knowledge itself, in the form of intellectual property (IP). To be sure, this is a huge and complex field, and a large literature exists on it, mostly within legal scholarship. In the context of my current discussion, my aim is limited: I want to show how the claim that I have already defended in other contexts—that the influence on powerful players on the frameworks of markets leads to epistemic and functional distortions—also plays out in this area. To make this point, it is helpful to distinguish the basic justification for IP from the concrete form that IP systems have taken in the last decades. IP has existed for a long time,[93] but in recent years, its extent and nature have shifted, in ways that, in the eyes of numerous critics,[94] disproportionately benefit IP holders at the cost of the public. IP regulation and litigation have become one more battlefield in which powerful corporations struggle with less powerful competitors and the (usually also less powerful) representatives of other societal groups—and all too often, the more powerful ones win.

IP encompasses several legal mechanisms, most centrally patents and copyrights, which regulate the access of third parties to scientific or artistic innovations. Various justifications have been brought forward for IP

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[92] Cf. also Greenhalgh 2005 on the insufficiencies of financial markets in supporting green technologies and innovations that would cover the needs of the poor.

[93] A brief historical account can be found in Moore and Himma 2018.

[94] See the references in footnotes 94–125 below.

protections:[95] some are based on the authorship of individuals and the work they have put into creating something;[96] some are based on a consequentialist rationale that emphasizes the need to offer incentives for the creation of knowledge or innovation in the first place.[97] The former have some plausibility for artistic work that is actually done by a single human being.[98] But for the contexts of industrial research and development, for example, in the pharmaceutical industry, it is the latter justification that is more relevant, for this work is done with a clear intention of making profits, often by large groups of individuals none of whom can claim exclusive authorship. Hence, in what follows, I will focus on this consequentialist justification.[99]

The basic consequentialist rationale for IP builds on the fact that knowledge has certain features of a public good: once it is shared, it cannot be taken back, and the original owner cannot control what others do with it. But if agents anticipate that others might benefit from the knowledge they create, this can prevent them from generating knowledge in the first place, at least if their motivation for doing so is to benefit economically from their work.[100] To make it rational for creators of knowledge to invest time and energy in such work, they need to be given the right to draw some benefits from it.[101] The solution is to create a temporary monopoly on the *use* of the relevant content, in exchange for the creation and publication of that very content. This is precisely what patents, for example, do.[102]

From that perspective, the regulatory challenge for democratic societies is to design IP laws that find the right balance between benefits for knowledge creators, so as to incentivize them, and benefits for society, as the ultimate recipient of benefits. Stronger IP protections might create more incentives for knowledge creators, but they also mean that society has less access to innovations.

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[95] The tripartite distinction between personality-based, consequentialist, and Lockean justifications can be found in Hughes 1988 and Moore and Himma 2018.

[96] E.g., Moore and Himma 2018 for a brief discussion; Moore 2001, esp. chaps. 5–7, for a detailed defense.

[97] E.g., Boyle 2008, chap. 2

[98] This is not to imply that copyright did not have any relevance for the corporate sphere—take, for example, the copyright of blockbuster movies or Disney figures (Drahos and Braithwaite 202, pos. 2607ff.). For a critical discussion of current copyright practices (in part because of corporate lobbying, in reaction to the perceived "internet threat" of content being multiplied by users online), see Boyle 2008, chaps. 3–4.

[99] This is also the large majority of cases. Pistor (2019, 115) cites the case of the United States: between 2002 and 2015, 43.5% of patents went to foreign corporations and 44.1% to US corporations.

[100] For a critique of the assumption that economic motives are the only motives for the creation of knowledge see, e.g., Hubbard 2011.

[101] Although it may be objected that this stretches the meaning of the term "knowledge" too far, I will include artistic creation in the following discussion. The mechanisms of copyright function in the same way for novels and nonfiction books, and there have also been attempts to use copyright for things such as software. Moreover, many works that may have started out with an artistic intention end up as the input of various forms of economic production.

[102] For accounts and overviews of the legal details see, e.g., Moore 2001, chaps. 1–2 and Boyle 2008, chap. 1.

More precisely, society has to pay monopoly prices for longer, and as long as the patents hold, future cohorts of innovators cannot draw on the patent-protected innovations and develop them further.[103] Weaker IP protection might mean that fewer individuals become knowledge creators, but it also means that society can benefit from the knowledge that *does* get created sooner.

There are many reasons to think that many current IP systems do not strike a good balance here.[104] Experts describe the private appropriation of knowledge through IP rules as "extractive," allowing powerful corporations to increase their profits at the cost of wider society.[105] This development has often been discussed under the headline of the "tragedy of the anti-commons."[106] The "tragedy of the commons"[107] describes a pattern in which shared property without clear governance mechanisms can be overused; from this perspective, it seems to follow that individual property rights lead to a more efficient use of resources.[108] But could there also be too many individual property rights, such that the allocation becomes inefficient because not enough knowledge is shared? Or more concretely, could too much patenting harm the exchange of knowledge and thereby hinder the progress of research? While this question is still controversially discussed,[109] there are numerous indications that in many countries, IP regulations have created such an "anticommons" situation.[110]

One point is that patents are meant to make knowledge public, in exchange for a temporary monopoly.[111] But for economically oriented actors, it is apparently quite tempting to reduce the accessibility of patented knowledge by using vague language or hiding important details.[112] Another trend is that IP protection has been granted for content that does not at all seem to justify the condition of adding to the knowledge base of humankind; examples reach from tablets with rounded corners to "sealed crustless sandwiches."[113] While this case may

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[103] To be sure, there are ways to alleviate this problem, e.g., by making licensing easier or even mandatory. This would fall under the broad category of "weaker" IP protection.

[104] Most discussions focus on the US system, and I will also do so—as will become clear below, it is precisely part of the problem that many countries had to accept the principles of US IP law.

[105] Mazzucato 2018, chap. 7. On the US pharmaceutical sector see also Dana Brown 2019, 5.

[106] See, e.g., Boyle 2008, 49–50; Biddle 2012. The original article on the "anticommons" is by Heller and Eisenberg 1998; see also Nelson 2004.

[107] Hardin 1968.

[108] "Seems," because this argument excludes the possibility of installing other governance mechanisms. As the work of Elinor Ostrom (e.g., 1990) and her colleagues has extensively shown, this is a realistic possibility for many "commons."

[109] Biddle (2012) provides a detailed discussion of the empirical evidence that has been brought forward for and against the "anticommons" thesis, criticizing some of the methodological choices and critically scrutinizing what these studies do or do not show.

[110] For a critical take on IP from a Foucauldian perspective, see also recently Hull 2020.

[111] Boyle 2008, 6; he adds "at least in theory," indicating some skepticism about the realities of IP practice.

[112] See, e.g., Drahos and Braithwaite 2002, pos. 1467ff. Private conversation with practitioners has confirmed that this seems to be a common practice.

[113] The first example is quoted in The Economist 2015 (referring to a patent held by Apple), the second in Boyle 2008, xi. Boyle (chap. 1) discusses numerous other examples.

seem ridiculous, but relatively harmless, other extensions of patentability are more worrying: not only "inventions," but also "discoveries," can be patented, independent of immediate "practical and commercial utility."[114] In such cases, not only the commercial use of knowledge, but also purely scientific inquiries may be blocked. Moreover, IP has become a field of strategic action for companies, in ways not at all anticipated by the original rules. Commentators increasingly observe strategies such as the buying up of firms for the sake of preventing competition with one's own patented products, or "strategic patenting" in order to block competitors from developing alternative technologies or products.[115] So-called patent trolling goes even further: it consists in the acquiring patents not for using the protected knowledge, but simply for suing competitors and imposing fines on them.[116]

The strict and long IP protection that currently exists in many countries can contribute to making markets less competitive,[117] because it raises entry barriers and can give companies a competitive advantage.[118] In this sense, it is an instantiation of my earlier point in this chapter: *if* one wants to draw on the epistemic mechanisms of the market, one needs to ensure that they do indeed function well. In industries with strong network effects, such as many digital industries, patents can provide a decisive first-mover advantage that leads to markets being dominated by a few powerful firms.[119] Many industries in which IP plays a central role are highly concentrated, for example the seed industry with its so-called Big Six.[120] Initiatives such as the "open source" movement with regard to software and the "open seeds" movement with regard to seeds for staple foods try to counteract these tendencies, in collaboration with the groups that suffer most from them, such as, in the seeds case, organic farmers and Indigenous people.[121]

It would be bad enough if these tilted legal frameworks only marred the United States and Europe. But through a number of internal treatises and World Trade Organization rules, IP law has been imposed worldwide—including on

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[114] Cf. Mazzucato 2018, 206, on the expansion of US patent law, referring in particular to the Bayh-Dole Act of 1980.

[115] Mazzucato 2018, 206–7.

[116] Mazzucato 2018. She quotes research that estimates that billions of dollars are wasted, every year, on patent litigation based on trolling.

[117] On the general shift in Chicago-style economic thinking, from a focus on competitiveness and social welfare toward a focus on efficiency in terms of welfare economics only without condemnation of monopoly per se, see Hull 2020, 43–44.

[118] Cf. The Economist 2015 (with regard to Google's patent for its search algorithm).

[119] See also Mazzucato 2018, 215ff.

[120] See Blasiak et al. 2018, referring to Jefferson et al. 2015.

[121] https://osseeds.org/about/, last accessed May 20, 2023. The European open-seeds initiative can be found at http://www.opensourceseeds.org/en, last accessed May 20, 2023. The phenomenon to which critics refer to as "biopiracy" is not limited to seeds. It can also concern Indigenous medical knowledge, which has been patented, often without compensation for those who had traditionally used it and suddenly found themselves confronted with a ban on using it. See, e.g., Dana Brown 2019, 21.

countries where the social, economic, and cultural conditions are very different. Again, the impact of lobbyism on the framework of markets has proven harmful. As legal scholars Peter Drahos and John Braithwaite show in a detailed historical study, the United States and to some extent the European Union have put pressure on poorer countries to accept their own understanding of IP, and in doing so were in turn influenced by some powerful US companies that wanted to shield their IP-protected products.[122] And in the international contexts, IP law has come to play another problematic role: companies can use license fees for transferring profits between subsidiaries in different countries as a strategy to minimize taxes. While one may object that this is nothing one should blame IP for, it contributes to the impression that IP has become one of the fields on which powerful corporations with sophisticated lawyers and tax advisers strive for profits at the costs of the broader public.

To be sure, the urgency of changes to the IP system depends on which kind of knowledge is at stake—reforms with regard to the patent system for drugs are, obviously, much more important that those concerning, say, entertainment. The global undersupply with life-saving drugs is massive; with estimates of about ten million needless deaths per year[123]—and potentially even higher if the corona pandemic is taken into account. As philosopher Justin Biddle puts it: "This situation represents one of the greatest collective moral failures of our time, and IP is at the center of it."[124] Among specialists, the problem has long been known, with regular calls for reform.[125] Even *The Economist*, not exactly known for critical scrutiny of commercial policies, acknowledged the problem, with an article entitled "It Is Time to Fix Patents."[126] The legal and economic analysis is thus clear: IP law has gone too far in privatizing knowledge, at the cost of the broader public. It is the political will within countries, and the appetite for political collaboration at the international level, that is missing for bringing about change.

7.3. The Epistemic Primacy of Politics

Describing all these epistemic—and other—failures of markets leads to an obvious question: why should one think that they are worth endorsing at all? Why not simply think about a society without markets? Can't their alleged epistemic benefits be reached by other means, for example through ever more sophisticated

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[122] Drahos and Braithwaite 2002, see also Pistor 2019, 120–26.

[123] Biddle 2015, 155, referring to Grover 2009, 7.

[124] Biddle 2015, 155.

[125] See, e.g., Hubbard and Love 2004.

[126] The Economist 2015. For a general argument on how the "knowledge economy" could be unleashed (with patent reform being one element of a strategy) for the benefit of society as a whole, see also Unger 2019, who calls for an approach he calls "inclusive vanguardism."

technologies based on Big Data?[127] I will not answer this question here, because doing so would require taking into account far more considerations than just epistemic ones—about individual and collective freedoms, about the nature of property rights, about the control of economic and political power, about central versus decentral decision-making, about the psychological and social effects of standing in exchange relations with others, and so on. But I want to underline one implication of my discussion: *if* one wants to defend markets on epistemic grounds (as a basis for claims about efficiency), one has to endorse the claim that it is possible to regulate them in ways that do in fact bring about these epistemic benefits.[128] Very often, it is only thanks to regulations that markets can sufficiently approximate the models described in textbooks, with their beneficial epistemic features.

Of course, all evaluations of *concrete* institutions—not abstract ideal types, but actually existing institutions at a certain time, in a certain place—ultimately need to be comparative. Democratic politics may be marred by incompetence, corruption, and capture and may end up being in too bad a shape to regulate markets well or to offer public provision. Other institutions may then be better able to fulfill certain tasks, for example, concerning the provision of healthcare. Sometimes, these institutions may be markets, and sometimes, this may work reasonably well for those with sufficient purchasing power. But it remains highly questionable whether markets, on their own, can provide access to essential goods, such as healthcare, for *all* members of a society. At the very minimum, they need to be combined with redistributive measures, for example, vouchers for those with insufficient financial means, as some of their defenders have indeed argued. But that is already a form of regulation, and likely to raise more regulatory questions (e.g., about the suppliers with whom the vouchers can be used). Whether or not such a system could do a better job, in a concrete institutional setting, than the direct provision of goods by public institutions remains an empirical question. But there is no reason to think that just because a concrete institutional solution contains more market elements, it is per se better or more epistemically efficient. Moreover, given that many Western societies are not per se materially badly off (though there are obviously huge *distributive* questions), the value of economic efficiency might, at this point in history, have less weight,

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[127] Cf. Phillips and Rozworksi 2019. Defenders of markets on epistemic grounds (e.g., Lavoie 1985b) would here argue that this is impossible because markets allow the discovery of *tacit* and *new* knowledge. Whether this argument still holds given the possibilities of Big Data analysis is a question I here cannot discuss; it would presuppose answering deeper questions about what "tacit" and "new" really mean.

[128] This argument runs in parallel with the more general argument that a market economy is only justifiable in conjunction with a strong state that remedies its inevitable deficiencies and takes on socially necessary tasks that markets cannot fulfill, such as the provision of a legal framework and of public goods.

compared to other values, than it had in times or places with massive material scarcity.

The social-democratic tradition has long argued for the "primacy of politics" over markets.[129] One can argue for this point from a purely normative perspective, on the basis of the fundamental values of equality and inclusion that democratic politics embodies. In addition, as mentioned earlier, Knight and Johnson provide a convincing pragmatist argument for such a primacy: only democratic institutions are able to reflexively ensure their own functioning, and to monitor other institutions with regard to the realization of the values they are supposed to realize.[130] If one recognizes that markets are not natural phenomena but socially, legally, and institutionally constructed, the need for this construction to happen in line with democratic principles becomes immediately obvious. But I would hold that it is not only this primacy of politics that is needed in order to secure the epistemic functionality of markets (together with other desiderata, such as the prevention of domination and of unjust distributive outcomes).

There also needs to be an *epistemic* primacy of politics, in the sense that certain forms of knowledge need to be handled by democratic politics first. Such knowledge is needed in order to make a series of decisions: whether or not to have markets in a certain area at all, and if so, how to regulate them, what epistemic infrastructures to create, and what forms of IP to allow in them.[131] For these purposes, we cannot simply assume, as Colin Crouch puts it, that "the knowledge necessary for satisfactory choice lies in the market process itself."[132] We need to stop treating markets as almighty creators of knowledge and take a closer look at how this knowledge can be created in the first place, to have an independent measuring rod for evaluating the epistemic functionality of the market mechanism.

What does the "epistemic primacy of politics" mean in practice? For one thing, it requires governments to have access to forms of knowledge that are needed for regulating markets—and they need to be able to get it from sources that are *independent* of markets or market actors. For example, knowledge about the health effects of certain products needs to come from independent scientific organizations, not from food corporations or researchers sponsored by them. The public funding of science costs taxpayers' money, but without it, the regulation of markets gets caught in a self-undermining logic: if the knowledge needed to rein in powerful market players is provided by these players themselves, no wonder

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[129] See Berman 2006 on the history of this idea.

[130] Knight and Johnson 2011.

[131] Cf. also Elliot 2019a on the logical primacy of democracy that can decide *whether or not* to have markets in certain areas, while the reverse is not the case.

[132] Crouch 2016, 11.

the ensuing legal framework is tilted in their favor.[133] Thus, in addition to various other arguments in favor of publicly funded research and academic freedom,[134] a practical and political argument can be made from the need to keep markets (and market actors) in check. In complex societies, in which market actors use sophisticated forms of specialized knowledge to provide goods and services, public authorities need to be able to match their levels of knowledge and expertise, which they can often only do in collaboration with scientific experts.

A second implication of the epistemic primacy of politics is that political decisions must not, maybe unintentionally, be distorted because the indicators used to evaluate policies are based on market outcomes. If the latter is the case, they might suffer from the very distortions I have discussed earlier, for example insufficient considerations of CO_2 emissions and other negative externalities. This is not merely a theoretical problem. One of the most frequently used indicators of economic success in market economies is GDP, which, roughly speaking, captures the sum of market transactions.[135] Its introduction was a contingent historical development; some of the theorists who came up with GDP calculations during World War II even warned against using it as a general measure of economic well-being.[136] What it includes and excludes does not reflect the whole economic reality of a country in a way that would make it a particularly useful, let alone fair, tool for measurement.

For example, as Mariana Mazzucato discusses, in recent decades many transactions in the financial sector have been included in the GDP.[137] Historically, they were considered part of the costs of doing business: necessary conditions for productivity, but not productive contributions in and of themselves. The change started around 1970[138] and accelerated in the 1990s and 2000s, "just in time for the 2008 financial crisis," as Mazzucato drily notes.[139] One implication of these measurement decisions is that increasing household debt—which is often seen as problematic because of greater economic instability and greater financial stress on families—makes GDP rise, because of the higher payments to banks it brings.[140] Mazzucato urges us to rethink the relation between "productive" and "unproductive" parts of the economy, which had been evaluated very differently by different historical thinkers. For example, according to standardly used

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[133] For a defense of the public funding of science along broadly similar lines see recently Pamuk 2018 and 2022.

[134] See, e.g., Wilholt 2012 for an overview of the debate on academic freedom.

[135] For its history see Lepenies 2016; for a general critique see also Mazzucato 2018.

[136] Lepenies 2016, chap. 4.

[137] Mazzucato 2018, chaps. 4 and 5.

[138] Mazzucato 2018, xiv.

[139] Mazzucato 2018, 108–9.

[140] Mazzucato 2018, 109.

measures, many government activities are seen as "unproductive," despite the obvious value they create for society.[141]

Another problem with GDP as an indicator for economic policy is that it does not say anything about the *distribution* of transactions across the population. A growing GDP can be composed of shrinking incomes and lower consumption for vast parts of the population, and increases in other parts, for example, the financial sector. As Will Davies argues, such a constellation occurred in the UK in the years before the Brexit vote and had concrete political consequences: the discrepancy between the happy-go-lucky messages about a growing GDP and the economic pain and desperation in regions with high unemployment might have contributed to the alienation between the political class and its "experts" on the one hand, and these suffering parts of the population on the other.[142] As he notes, "Experts and policymakers can talk about things like unemployment or the environment, but they will never know how it feels to be unemployed or live in a rural community amidst nature."[143] According to standard economic theory, he points out, a growing GDP and low unemployment should lead to rising wages—but wages did not rise, which indicates that the official numbers did not fully capture the situation.[144]

The use of the GDP in politics may have had its justification in eras in which a growing GDP was correlated with other positive outcomes, such as higher life expectancy or better health outcomes. But it is not at all clear that this is still the case in capitalist and (formally) democratic countries today. For example, the life expectancy for certain demographic groups in the United States is falling, caused in part by what Anne Case and Angus Deaton have called "deaths of despair" (from drugs, alcohol, mental diseases, etc.).[145] It is thus high time for democratic politics to draw on additional measures of well-being, which are better in line with democratic values. The focus on GDP alone is at odds with the imperative to understand and address the economic situation of *all* members of society. For example, regional disparities in job opportunities—with jobs being evaluated not only according to income, but also security and other qualities—should be an explicit focus of politics, but GDP cannot make it visible.[146] Similarly, other important economic indicators, for example the unemployment rate, need to be evaluated critically for what they do or do not capture about the economic situation in a country, and to what extent they are thus in line with democratic values.[147]

[141] Mazzucato 2018, chap. 8.
[142] Davies 2018, 61ff.
[143] Davies 2018, 61.
[144] Davies 2018, 82.
[145] Case and Deaton 2020.
[146] Davies 2018, 85–86.
[147] For example, the way in which it is measured, in many countries, often does not count those who have given up looking for a job and often also does not capture underemployment (people

Democratic politics needs a knowledge base that allows it to focus on what matters about the economic system, given the values and principles it is committed to. It cannot allow its views to be distorted by relying on indicators which implicitly privilege certain groups over others, or which have systematic blind spots. The public focus on well-known, seemingly objective figures can be dangerous if these figures are no longer adequate to capture the economic realities.[148] This is all the more important in times in which there are suspicions, by parts of the population, that those in power do not understand them and are part of an "elite" out of touch with reality. This, to be sure, is populist rhetoric, and it can lead onto dangerous slippery slopes. But it has a true core, insofar as the use of distorted indicators, and the overreliance on statistical figures without a grounding in qualitative knowledge, can lead to distorted policy decisions. To address this issue, an honest reckoning with the indicators that are used to discuss the economic situation, and their blind spots, is needed.

Often a key question will be who is allowed to participate in the relevant discussions, and to whom politicians and regulators are willing to listen. The excess of corporate lobbyists in Washington, Brussels, and other capitals is notorious, as are the difficulties civil society organizations and other groups face in getting access to decision-makers. And in the past, questions about market regulation often did not receive much public attention—a fact that changed, to a certain degree, with the public debates and rallies about international trade agreements in Europe in 2013 and 2014. But more public attention is needed, for many of the seemingly "technical" questions that regulators decide about. It is an area in which institutional innovations, for example experiments with citizen assemblies and collaborative formats with various kinds of experts, are urgently needed. Democratic societies cannot afford to neglect the epistemic processes that inform market regulation and must not risk having them distorted by the vested interests of the very players that are supposed to be regulated. Too much is at stake, in terms of democratic legitimacy, to let these processes happen under the radar of public attention.

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working fewer hours than they would like to), let alone the nonmaterial quality of jobs (Davies 2018, 79–83). Moreover, it has a time lag that can be highly misleading, as Paul Krugman pointed out in an op-ed in September 2020, when the statistics indicated an increase in jobs, but which was from mid-August, when the latest developments of the pandemic had not yet manifested—and it overshadowed the problem that jobs for low-skill workers were still not increasing.

[148] See also Linsi and Mügge 2019 on the data concerning international trade; as they argue, shifts in business models have moved established indicators further and further away from capturing what really matters for policy decisions about foreign trade.

7.4. Conclusion

In this chapter I have argued that the argument about the epistemic benefits of markets can be undermined by a whole range of problems: the use of markets in areas where negative side-effects might outweigh the epistemic benefits; the distortion of preferences through misleading advertising; the lack of epistemic infrastructures; the lack of regulation of externalities that distorts price signals; and speculative elements in financial markets that undermine their epistemic functionality. Moreover, the use of knowledge in markets, in the form of IP rules, can be distorted if these are too generous to the producers of knowledge, at the costs of society as a whole. All these points sustain the argument that markets work well, epistemically speaking, not despite of, but *because of*, careful regulation. Hence, the primacy of politics needs to be secured, which in turn requires an *epistemic* primacy of politics: the ability to draw on independent sources of knowledge about the economic realities of a society.

The arguments discussed in this chapter are all pro tanto arguments for the reregulation of certain markets, addressing them from an epistemic perspective. For concrete policy decisions, other normative arguments matter as well, which can pull in the same direction—which is likely, given that epistemic functionality has often fallen victim to deregulation for the benefit of corporations, at the costs of society—but can also pull in other directions. Moreover, comparative judgments need to be made, between the quality of different institutions (e.g., markets or public provisions) that can realistically be expected.

Ultimately, democratic societies need to make decisions about market regulation with their full set of values, and the best empirical evidence about the functioning of different institutional solutions, in mind. In debates about market regulation, they need to be aware of their distributive implications, and hence of the existence of vested interests. This is also why all claims about the epistemic benefits of markets need to be carefully scrutinized and tested, as far as possible, against the existing empirical evidence of who actually benefits. All arguments in favor of markets deserve to be countered by the question *cui bono?*—"Who benefits from these markets?" Defenders of markets like to raise this question when public institutions are being proposed, but it applies to markets, and the details of their regulation, just as well.

However, all the steps toward improving the epistemic functionality of markets that I have here discussed can only be expected if the democratic system and the system of knowledge production by experts are not corrupted in their epistemic functions. This is what I turn to in the next chapters, discussing, first,

the role of experts in democracy (Chapter 8) and, second, steps for strengthening the epistemic infrastructure of democracies (Chapter 9). In the last chapters, I turn to the overall structures of a society that make it more likely to create and maintain the epistemic preconditions of democracy (Chapter 10), and I defend democracy against a number of criticisms (Chapter 11).

8

Experts in Democracies

8.1. Introduction

In modern societies, we are eminently dependent on the knowledge of others. Instead of being Renaissance people (if there every were any), we modern human beings are "hyperspecializers," at best "serial" ones if we manage to acquire deeper expertise in a few different areas over the course of a lifetime.[1] For everything else, we rely on information, knowledge, and expertise from others. We do so not only as individual patients, homeowners, or users of electronic tools, but also as democratic citizens who want health policies, safety regulations, and environmental politics to be in line with the best and most up-to-date evidence. Our individual and collective lives are entangled with various practices and technologies that depend on expertise. Even if we decided to get rid of certain specialized practices or technologies, we would depend on experts for unwinding and dismantling them.[2]

But how can the inequality that results from this dependence on expertise be squared with an ethos of equal democratic citizenship? This tension seems to be at the root of some of the resentment that has, in recent years, been expressed against experts, culminating in the claim, made during the Brexit campaign, that "people have had enough of experts."[3] And yet a life without experts would probably be describable by the famous Hobbesian phrase about life in the state of nature: "solitary, poore, nasty, brutish, and short."[4] One of the advantages of leaving the state of nature is indeed that individuals can dare to specialize, which would be too risky in a state of nature precisely because of the dependence on others that it creates. Normally, individuals gratefully receive the benefits of specialization and accept the dependence on experts it implies. Survey data confirm that trust in at least certain kinds of experts, such as medical staff and scientists, while varying between countries, has not declined overall.[5] Maybe the resentment against experts—insofar as it is a genuine, and not just fueled by populist

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[1] See Millgram 2015 on "serial hyperspecialization."
[2] A concrete example, mentioned in Chapter 3.4, is the dismantling nuclear plants.
[3] Cf. Chapter 1, n. 1. On resentment against experts more broadly speaking see also Nichols 2017.
[4] Hobbes [1651] 1994, i.xiii.9.
[5] See, e.g., the 2018 Wellcome Trust Monitor.

rabble-rousers—has to do more with dysfunctional and corrupt practices and distorted relations between experts and society than with the fact of expertise as such.

Democracies need to find ways of living with experts,[6] or, as Philip Kitcher has put it, they need to know "how to integrate the plausible idea that, with respect to some issues, some people know more than others, with a commitment to democratic ideals and principles."[7] Markets cannot solve this problem. The mechanism through which they aggregate and transmit knowledge, while plausible for dispersed local knowledge, is difficult to apply to expert knowledge, with the asymmetries it creates. Many expert communities have in fact been hit hard by free market thinking; the expectation that they could be governed through market mechanisms, or simulated mechanisms based on proxies and quantitative targets, has often done harm both to the experts and to those dependent on their knowledge. What is needed, instead, are alternative institutional solutions that take this specific form of knowledge seriously, all while recognizing the challenges it creates for the ideal of democratic equality.

In this chapter I propose such an alternative, which I call the "partnership model" between experts and societies. One of my sources of inspiration comes from thinkers who have recently called for a revival of professionalism. Albert W. Dzur, who developed the concept of "democratic professionalism," based it not only on theoretical considerations, but also on empirical case studies of professional communities that realize democratic values and principles. He started from the question of how to revive deliberative democracy and increase citizen involvement, with a focus on professionals who work directly with citizens, in institutions such as schools, courts, and prisons. My own interest comes from the challenge raised by the basic tension between democratic equality and differential expertise, from a perspective of democratic institutionalism. I suggest that we can build on the notion of professionalism, but broaden it to include expert communities that bear other forms of knowledge, including Indigenous and local knowledge.

Another source of inspiration for my "partnership model" is the discussion about the relation between science and democracy within the philosophy of science.[8] Triggered in part by the skepticism about certain scientific claims, such

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[6] See also Guerrero 2016 on "living with experts," from a perspective of laypeople relying on expert testimony and facing problems of strategic distortions on the part of experts. His chapter is one of the few that take a decidedly "nonideal" perspective and consider real-life challenges, rather than more abstract questions of how to evaluate "peer disagreement" (for an overview see Frances and Matheson 2019). For similarly pragmatic approaches see also notably Goldman 2001 and Anderson 2011.

[7] Kitcher 2011, 20; see similarly Collins and Evans 2017, 139; Christiano 2012b, 28.

[8] Important contributions to this debate include Kitcher 2001, 2011; Brown 2009; and recently Moore 2017; Oreskes et al. 2019; and Pamuk 2022.

as the safety of vaccination and the anthropogenic causes of climate change, philosophers of science have considered what role scientists should play in democratic societies. My own approach differs, however, in that I do not think that the role of scientists is so special; the challenge regarding other forms of expertise is structurally similar. While scientists remain a paradigmatic case, I want to broaden the discussion, not least because I take it that the neglect of certain forms of expertise *outside* of science, for example, Indigenous knowledge, is part of the current problem in many countries. Moreover, my account focuses on *communities* of experts, because I take it that the production of expert knowledge is always a social matter.

The institutions and practices that I summarize under the "partnership model" are not merely theoretical blueprints. Many of them have existed or still exist, at least in rudimentary form, in some countries. But the role of such practices, and of the expert communities, in democratic societies, has not received the attention it deserves. This may have to do with hyperindividualistic assumptions about society, in which such communities, and the social roles within them, have played only a marginal role.[9] Moreover, the *normative* dimension of the work of experts has often been neglected, usually addressed only in specific discourses on professional ethics, disconnected from democratic theory. Free market thinking had little patience for the idea of epistemic communities, let alone communities that had, traditionally, been understood as "repositories of moral standards."[10] But it is such a model of expert communities that needs to be revived, and at the same time modernized and brought up to today's standards of epistemic justice. My "partnership model" focuses on the social structures of both expert communities and society at large, and it understands them in a moral, not purely functional, sense; moreover, I emphasize the need to live up to standards of epistemic justice that have, in the past, often been violated by expert communities.

In the next section (8.2), I describe the tension between democratic equality and unequal expertise in more detail, also focusing on some of the epistemic injustices it has historically been entangled with. I also describe various approaches that have suggested a revival of expert communities along explicitly normative lines. In section 8.3 I discuss why a model of "accountability," based on assumptions of self-interested behavior and incentives, is insufficient to ensure a constructive relation between expert communities and society at large. Instead,

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[9] See also Contessa, forthcoming, who suggests a "social approach" to trust in science, although it is, in his own words, "incomplete and underdeveloped." His key claim is that we need to assume a social epistemology *both* on the level of science *and* on the level of society, and that what matters is preserving the "socio-epistemic infrastructures" of society (cf. similarly my 2019 account of epistemic infrastructures, in this case for markets). Contessa mentions a number of points, with regard to scientific communities, that I also discuss in this chapter, while others are explored in the next chapter, e.g., in section 9.2.1 on schools.

[10] Collins and Evans 2017, 6.

a relationship of trust is needed. However, such trust can only be meaningfully placed in expert communities under conditions of *trustworthiness.* I argue for a partnership model between expert communities and society at large (8.4), which does justice to the specific forms of knowledge that expert communities provide. In the conclusion (8.5) I briefly come back to the alleged resentment against experts, arguing that such a partnership model is our best bet for alleviating it.

8.2. Expert Communities in Democratic Societies

A first point that needs to be emphasized when it comes to the relation between democracies and experts is that the relevant unit of analysis, on the side of experts, are communities rather than individuals. This has to do with the social nature of knowledge that I have discussed above.[11] Even though citizens may encounter individual experts, such as scientists who appear in the news, these have acquired their expertise by becoming members of epistemic communities, and they typically make claims based on collaborative work within them. As mentioned earlier, from an epistemic perspective it is a genuine question whether knowledge can ever be held by single individuals on their own.[12] For expert knowledge, this question is particularly relevant. It is usually knowledge that is based on jointly acquired insights, checked and verified by other experts. Decisions about what knowledge is worthy of being pursued, which methods are best for doing so, and what ethical standards to apply to research methods are also discussed and negotiated within expert communities.[13]

Certain groups of experts are formalized into professions. But the very status of professions is itself disputed.[14] When I speak about "epistemic communities," I use the term more broadly and loosely (although too much looseness can create practical challenges of its own, a point to which I come back below). Nurses and caretakers who have acquired practical skills also fall under that broad notion of "expert communities," as do Indigenous and local groups who have acquired forms of contextual knowledge, for example, about the natural environment in a certain region. Just like scientific knowledge, such knowledge or expertise is not easily accessible to outsiders but can be discussed, exchanged, and verified or rejected by other members of the relevant community. When we need to make decisions based on such expertise, it is natural to consult members of the relevant

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[11] Chapter 2; see also Chapter 3.4.
[12] See also Chapter 2.2.
[13] Arguably, citizens should have more of a voice in such decisions—a point to which I come back below.
[14] See, e.g., Abbott 1988.

community. If the stakes are high, we might consult several of them, to protect ourselves from the inevitable risk that one single individual might err.

Becoming a member of such an epistemic community is often more than a mere technicality for individuals; it can be deeply tied up with their identities. It is all too natural that those who work in a similar field, and who learn from each other and correct and improve each other's views, also get to know each other over their shared interests. The recognition one receives from one's peers within an epistemic community can be an important motivational force.[15] The social norms of such a community can stabilize certain practices, above and beyond formalized rules. In classical theories of the professions, this psychological dimension of belonging and the sense of accountability to one's peers were well understood. Imagining that one's peers—or even one's own "better self"— would frown upon unprofessional behavior can keep a person from deviating from required standards of care, at least as long as other pressures are not overwhelming.[16]

These psychological dimensions can be a resource for stabilizing good epistemic practices, for example, by instilling a sense of responsibility in a scientist to do her lab work with utmost care even when nobody is controlling her. But they can also stabilize more problematic social norms. In the past, the sense of shared identity of many epistemic communities was tied to social positions. Access to many such communities was only granted to individuals from the same socioeconomic and cultural background as the existing members.[17] The members of certain groups—and indeed even the broader societies in which they operated—would have had a hard time imagining that, say, a member of the epistemic community of surgeons would *not* be male, white, and from a privileged social background.[18] Feminist philosophers of science and historians of science, but also theorists of professionalism, have long pointed out the problematic ways in which membership was tied to social criteria, which had nothing to do with actual expertise.[19]

Expert communities are certainly not the only kinds of communities that are marred by this problem, and not all of them are marred by it to the same extent. But insofar as such forms of social exclusion continue to exist, they increase the challenge from a democratic perspective: how can laypeople be sure that the

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[15] See also Vähämaa 2013 for a discussion of "eudaimonic and social variables" of groups as epistemic communities. He lists "the desire for happiness, the maintenance of self-efficacy, group cohesion, and in-group communication, as a set of psychological and social standards" (4) and argues that these might even have primacy over "veritistic or analytical epistemic goals," but that the different kinds of goals can also be merged (10).

[16] Cf. Parsons 1939 on "integrated situations"; see also Chapter 3.4.

[17] See, e.g., Shapin 1994 on "gentlemen" in the Royal Society.

[18] On the pervasiveness of gender stereotypes and the ensuing social norms within academia see, e.g., Rolin 2002.

[19] See also Chapter 2.4 and the literature referenced there.

epistemic authority ascribed to an epistemic community is really rooted in *expertise*, rather than in some other forms of social power?

A related problem is that in the past the relation between *different* expert communities was distorted by various forms of social power. The same distortions sometimes still occur today. For example, those parts of the medical profession that were understood as "scientific" (and occupied by male practitioners) were considered more authoritative and received far more respect than those understood as "mere" care (and occupied by female practitioners).[20] Excessive trust in one epistemic community usually means an unjustified deficit of trust in *other* epistemic communities: if doctors' voices are given too much weight, those of nurses get unjustly neglected.[21] When social power overlaps with epistemic authority, there can all too easily be a shift from someone "being an authority," because of his or expertise in a certain area, to that person "being in authority," that is, being considered as having legitimate power over others, as R. B. Friedman once put this point.[22]

The traditional model of the "professions"—as formalized expert communities, traditionally in medicine, law, and the clergy, and widened toward other fields in the course of the nineteenth and twentieth centuries—was, arguably, deeply marred by these problems.[23] Especially since the 1980s, this led to various criticisms.[24] Professionals were seen as holding too much power over laypeople, concentrated in too few hands, with too little accountability. Critics also argued that professionals disabled citizens, instead of strengthening their participation in decision-making, and thus legitimized technocratic forms of governance. A key charge was that professions had managed to receive privileges from governments, which granted them monopolies over certain activities, at the cost of potential competitors and society at large. As a result, laypeople paid higher prices and had insufficient access to certain forms of expertise, the critics held.[25]

Some of these criticisms are merited. But do they mean that the professions should be dismantled altogether and replaced by market mechanisms—or that they need to be reformed along more democratic lines? As I have argued earlier, there are good reasons for thinking that "marketization" is an ill-advised

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[20] See, e.g., Rabe-Kleberg 1996 on the gendered dimension of professionalism, with many traditionally "female" occupations being described as only "semiprofessional."

[21] See also Medina 2013, 56–70 (who argues against Fricker's point that only credibility deficits, but not excesses, are problematic); see also Medina 2020 for a discussion of the relation between trust and epistemic justice.

[22] Friedman 1990.

[23] On the traditional model see, e.g., Abbott 1988. See also Chapter 4.2 on the guilds.

[24] See also Chapter 4.4.

[25] Such criticisms have been brought forward by authors such as Ivan Illich, Eliot Freidson (e.g., 1986), and Magali Sarfatti Larson (e.g., 1977). For an overview see Dzur 2008, chap. 3; see also Freidson 1984 and Larson 1984.

strategy for addressing the problem of expert knowledge. Instead, the role of expert communities needs to be brought in line with democratic principles. Eliot Freidson, one of the critics of traditional professionalism, puts the challenge well: "We must discriminate those claims to knowledge and skill that are genuinely valuable from those that are not, and create and maintain forms of institutionalization which allow both knowledge and skill to be used to mutual benefit while preventing their becoming a source of exploitation and injustice."[26]

Dzur, in his account of "democratic professionalism," provides a model for thinking about a productive relation between experts and citizens. After discussing both the traditional "social trustee" model of the professions and some of its radical criticisms, he proposes a model of "democratic professionalism" that integrates what is valuable from both previous models. At the core of this proposal is the idea that professionals "can serve as facilitators in a more active and engaged democracy,"[27] working *with*, not *against*, citizens. Dzur sees "task sharing" and "lay involvement" as key strategies for achieving this goal.[28] This is in line with recent proposals concerning the involvement of citizens in science, not just as collectors of data points in "citizen science," but also in decisions about what to do research on, or how to evaluate the thresholds for evidence or the relation between different kinds of knowledge. For such decisions are always value laden, and there is no reason to think that scientists themselves are in the best position to make them.[29]

But Dzur argues, convincingly, that such strategies have nothing to do with deprofessionalization. Instead of treating expertise as something to be hoarded by professionals for their own benefit, it can, at least up to a point, be shared with laypeople, who can gain "useful civil skills" in the process.[30] This, Dzur argues, is crucial for countering the criticisms of the professions: "Once it is understood that professionals can help mobilize and inform citizen participation inside and outside spheres of professional authority, many of the negative, counterdemocratic connotations of professionalism fall way."[31]

Dzur draws on a rich, though somewhat forgotten, tradition of thinkers such as Tocqueville, Durkheim, Dewey, Tawney, and Parsons to argue that professionals can help facilitate democratic deliberation and participation. But he also shows

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[26] Freidson 1984, 26. See similarly Hardwig 1994, 99, who formulates a maxim against such processes: "Do not permit expertise to be monopolized by the wealthy or powerful or to be used as a tool of oppression or exploitation."

[27] Dzur 2008, 105. See also Dzur 2017, 2018, and 2020.

[28] Dzur 2008, 255 and *passim*.

[29] Mark Brown 2008 discusses these questions mostly from the perspective of "representation" in science and in politics. Moore 2017 and Pamuk 2022 come from a deliberative and participative democratic paradigm, with a particular focus on how to deal with the problem of values in science from a democratic perspective. See also Herzog and Lepenies 2022.

[30] Dzur 2008, 3.

[31] Dzur 2008, 10.

that this ideal is not an empty utopia. He presents various examples, ranging from participatory models in journalism to bioethical consultations with citizens, which show that citizens and experts can indeed collaborate in ways that strengthen, rather than undermine, democratic values. A similar vision has been suggested by William Sullivan, who uses the concept of "civic professionalism."[32] His emphasis is in particular on the moral dimensions of the relations between the professions and society; as he shows, these moral dimensions had been overshadowed by an exclusively technical understanding of professionalism.[33] Being part of a profession, Sullivan argues, can offer a kind of meaningfulness in one's work that cannot be achieved if one understands one's activities simply as making money.[34]

While Dzur and Sullivan draw on similar traditions in the theory of the professions,[35] related arguments have recently also been brought forward from other perspectives. Albert Moore, coming from deliberative and epistemic democratic theory, argues for the need to integrate expertise—with the "inequalities in knowledge, experience and skill" that it brings—into reflections on deliberation and other democratic practices.[36] For him, the *critical* function of laypeople is a crucial element. Claims to expertise need to be subjected to "public scrutiny, criticism and judgment," he argues.[37] In a similar vein, Zeynep Pamuk has recently emphasized the need to involve citizens in decisions about what research to fund in the first place, because these decisions contribute to shaping policy agendas in the long run.[38] Both authors suggest that deliberative minipublics—in which members of the public become initiated, to a certain extent, in the fields in question and can form a bridge between experts and the broader public—can be additional instruments for mediating between groups of experts and the society at large, a proposal to which I come back below.[39]

In fact, the call for a revival of expertise cuts across the political spectrum. An author with decidedly more conservative leanings, political scientist Tom

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[32] Sullivan 2005.

[33] Sullivan 2005, 2ff. and *passim*; see, in particular, 65 and 137.

[34] Sullivan 2005, in particular, 15ff.; see also 38. This focus on meaning is not so central in Dzur's approach, but it could certainly also be a byproduct of "democratic professionalism" as he understands it.

[35] Dewey, with the vision he sketches in *The Public and Its Problems*, stands out among the thinkers both refer to. As Dzur summarizes it: "Dewey's contribution to this debate was to conceptualize the democratic professional, the applied social scientist, the engineer, the teacher, and the reporter who worked *with* rather than *for* the public, who *facilitated* public understanding and practical abilities rather than *led* the public" (2008, 5). For Dewey, *the* problem of modern societies is the fragmentation of the "public," which makes it difficult to articulate problems and to join forces ([1927] 2016, 161–70).

[36] Moore 2017, 3. While Dewey is among his sources as well, he also draws on Aristotle and Mill.

[37] Moore 2017, 7.

[38] Pamuk 2022, esp. chap. 2.

[39] Moore 2017, chap. 7; Pamuk 2022, chap. 4.

Nichols, has recently provided a similar defense of professional expertise and called for a rebuilding of trust between experts and the public.[40] His starting point is the denigration of scientists and other experts who once had enjoyed epistemic authority, and who nowadays stand in competition with fake news, false gurus, or laypeople who *take* themselves to be experts after ten minutes of Googling about a topic. Nichols holds that democracies need true expertise, but he does not want them to slide into technocracy. As he puts it, "In a democracy, the expert's service to the public is part of the social contract,"[41] but experts "need to remember, always, that they are the servants and not the masters of a democratic society and a republican government."[42]

It is probably no accident that we currently see these various calls for a revival of professionalism, after a period in which relatively little attention was paid to the role of expert communities in democracies. In fact, as sociologist Andrew Abbott points out, the death of the professions had been proclaimed many times, and the news of it has always turned out to be exaggerated: professionalism "again and again revives."[43] It is such a revival that is needed today, in a democratic spirit, to reverse the influence of market thinking. But it should be understood in a broader sense, encompassing not only the traditional professions, but also other epistemic communities.[44] From the perspective of laypeople, the challenges with regard to these epistemic communities run in parallel: they rely on their expertise, but cannot acquire it themselves.[45]

When defending professionalism or a model of epistemic communities similar to it, one should nonetheless recognize that it might function as a self-serving ideology.[46] This charge has accompanied theorists and practitioners of professionalism for a long time. For example, as Thomas L. Haskel reports, in the first half of the twentieth century, R. H. Tawney and other Fabians were "seen by critics as spokespersons of the class interests of 'salaried professionals

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[40] Nichols 2017.

[41] Nichols 2017, 215.

[42] Nichols 2017, 237.

[43] Abbott 1991, 35.

[44] This helps avoid the conundrum of how to define "profession," on which sociologists are notoriously in disagreement (see also Dzur 2008, 44; and Spillman 2012, 231, on whether businesspeople can be professionals). This disagreement may stem from the fact that sociologists have analyzed professions from a wide angle of different perspectives. There are also important structural differences between the organization of professions in different *countries*, e.g., a more state-focused organization in many European countries and a more independent organization in the United States (e.g., Abbott 1991, 27–28; Pfadenhauer and Sander 2010, 372; Stichweh 1994, 382–90).

[45] What *is* different is that some of the traditional professions have received too much epistemic authority, while others expert communities received too little. Rectifying that injustice is one of the tasks that expert communities and societies must tackle together, a point to which I come back below.

[46] This is particularly important because as an academic philosopher, I am myself a member of a certain epistemic community with a number of privileges (e.g., the opportunity to participate in public discourse).

and managers.' "[47] And Haskel himself notes about Tawney: "That an interest in gaining power or influence might be just as ugly as pecuniary lust seems not to have occurred to him."[48] In thinking about experts, such motives should certainly not be neglected. But my argument is not one about individual virtues, or about celebrating experts as altruistic heroes (although some of them undoubtedly are). Instead, I suggest focusing on the social structures within which experts operate and the ensuing incentive structures they face. To do so, I next turn to how to conceptualize the reliance on experts—as a matter of accountability or a matter of trust and trustworthiness.

8.3. Accountability or Trustworthiness?

Our dependence on the expertise of others can lead to unease: dependence creates power, after all—and what if this power is being abused? It is this impulse that rightly leads to questions about accountability and control. If experts are guardians of knowledge in their area of expertise, who guards the guardians? How can a democratic society make sure that it is not dominated by experts on whose expertise it depends?[49] It seems that one should think about mechanisms of control, of checks and balances, to hold accountable those with epistemic authority.

However, considering the history of the attack on professionalism and other expert communities, as I have done in Chapter 4, should give us pause. It was, after all, precisely the call for accountability, directed especially at nonmarket institutions in which expertise was hosted, that stood behind the introduction of indicator- and metric-based practices, many of which did more harm than good. And this should not surprise us: there are a number of reasons why "accountability" reaches systematic limits when it comes to expert communities.[50]

If accountability is understood as control by indicators, it can all too easily degenerate into a tick-the-box exercise, or even distort the practices it is supposed to hold to account, as described earlier. Such forms of accountability not only take away valuable time and energy from experts, but often alienate them from their tasks and undermine their intrinsic motivation, as discussed earlier.[51] But let us assume, for the sake of argument, that all parties understand that they

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[47] Haskel 1984, 192.
[48] Haskel 1984, 194.
[49] See also Brown 2009; Pamuk 2022, chaps. 1–2.
[50] There is a rich literature on "accountability" especially in political science; see, e.g., Grant and Keohane 2005; Ebrahim and Weisband 2007; Bovens and Schillemans 2014; and Hood 2010. However, the specific problems of specialized knowledge and the accountability of *experts* are rarely made an issue in this literature. Exceptions are Holst and Molander 2017 and Heldt and Herzog 2022.
[51] Chapter 4.4.

should not resort to such strategies, and that therefore the worst forms of mindless accountability exercises can be avoided. Also, again for the sake of argument, let us assume that there is a modicum of goodwill on the part of experts to comply with accountability requirements. Even under such idealized assumptions, there are several remaining challenges for accountability.

A first challenge arises from the impossibility of completely separating "facts" and "values" in the production of knowledge.[52] The methodological decisions that need to be made in processes of the creation and communication of knowledge, for example, when trading off the quality of positive or negative results, include value judgments. As Thorsten Wilholt has argued, when trusting scientists, one also needs to trust them to make these judgments in the right way.[53] It would be practically infeasible to require accountability for all these decisions, unless one would want to replicate every single step. The same holds for other forms of knowledge production, in expert communities other than scientists. It also means that proposals to involve citizens in processes of knowledge generation, valuable as they are, here run into real problems of feasibility.

A second, related challenge has to do with specialization and who is competent to judge, for example, when it comes to specific methodological decisions. This problem does not concern all expert communities to the same degree; much depends on their size and structure. But in highly specialized fields it can be a real challenge to find experts sufficiently competent to judge other experts. The reason why John Hardwig, in his famous 1985 paper, argued for the need for trust in science, was, after all, that many scientific endeavors require the collaboration of scientists and technicians with different specializations (theory, data preparation, statistical analysis, etc.) who are not able to hold each other accountable, for lack of familiarity with each other's methods.[54] His case study from particle physics may be an extreme case, but even in less specialized contexts, it is often not feasible for evaluators to acquire as much knowledge of the details of experts' work as the latter themselves have—for that purpose, they would have to spend as much time in the field as the experts in question have.

Why not turn to experts who work in the same field? This is certainly part of an answer, and many practices, notably peer review in science, try to do exactly that. But here a third problem arises. Sometimes the relevant niches can be extremely narrow, which means, in practice, that those who inhabit them are likely to know each other, or at least to know *of* each other. And all too often, there are institutional friendships or rivalries or favors that need to be repaid. Hence, various social factors can get into the way of independent, sober assessments of one's

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[52] This problem has been discussed mostly with regard to science (see in particular Douglas 2009); for the social sciences see Sayer 2011.
[53] Wilholt 2013; see also Rolin 2021.
[54] Hardwig 1985.

colleagues' work; similar problems can arise if the expert community in question is one formed around, say, knowledge of local wildlife. Onora O'Neill captures this problem well: "There is an old saying that those who know cannot judge fairly, while those who can judge fairly know too little to provide an informed judgement. This is no doubt an exaggeration, but the tension between informed and independent judgement is real."[55] It requires a firm ethos and a sense of professional responsibility, as well as the right social structures—a point to which I come back below—to navigate these tensions.

A fourth reason for caution when it comes to calls for accountability lies in the fact that the impetus behind such calls can in turn be abused by those whose aim it is not to enlighten, but to obfuscate. Charges of insufficient accountability can be used to discredit experts in the eye of the public. An example of such a manufactured "scandal" occurred in 2009, when emails by climate researchers at the University of East Anglia were leaked, probably on the initiative of climate change deniers. Quotations were taken out of context to create the impression that the researchers had manipulated data.[56] The leakers presented their case as a matter of unveiling unscientific practices; in other words, they claimed to hold the researchers to account. In fact, many populist politicians and media say that they tell the truth about how experts abuse their power, targeting expert communities. In such an atmosphere, even well-intended calls for accountability can go awry, because any form of criticism might deliver fodder to radical skeptics with motivated agendas.

To be sure, none of these arguments shows that accountability is impossible and should not be tried. Rather, I take it that they provide reasons to think that accountability needs to be combined with an account of trust and trustworthiness in the relationship between experts and society.[57] Accountability is often understood in an amoral sense, so that the only responsibility for those who are held accountable is to play by the rules (or not to get caught if one violates them). The assumption is that controls need to be sufficient so that the results will be reliable—whether the individuals in question have acted in good faith or not. A picture in which trust and trustworthiness are included, in contrast, is one in which the experts *themselves* are aware of their moral obligations to fulfill the expectations directed toward them. They accept that they deserve blame if they fail to be accountable or misbehave in other ways.[58] Instead of remaining in the

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[55]   O'Neil 2014, 184–85.

[56]   See https://en.wikipedia.org/wiki/Climatic_Research_Unit_email_controversy (last accessed June 12, 2022).

[57]   On the need to consider trustworthiness, not trust alone, see also O'Neill 2018.

[58]   I take it that Douglas's 2021 call for accountability of experts toward peers, toward advisees, and toward the broader public should be understood in this way.

rational-choice logic of accountability, I suggest understanding the relationship between expert communities and society as such a *moral* relationship.[59]

There is a complex discussion in philosophy about what trust is and how to conceptualize it.[60] I here focus on a few key arguments, which are shared by many participants in this debate.[61] As Annette Baier emphasized early on, trust, in contrast to reliability, is a moralized notion.[62] It involves the goodwill of the other person, rather than mere regularities of behavior. Baier illustrated this point with a memorable example: "Kant's neighbors who counted on his regular habits as a clock . . . might be disappointed with him if he slept in one day, but not let down by him, let alone had their trust betrayed."[63] As she emphasizes, trust makes us vulnerable to the discretionary power of others, because we *entrust* something to them, for example, when we entrust our health to a doctor.[64] When others fail to live up to such trust, we feel betrayed. Richard Holton has connected this dimension of trust to reactive attitudes:

> In cases where we trust and are let down, we do not just feel disappointed, as we would if a machine let us down. . . . We feel betrayed . . . betrayal is one of those attitudes that Strawson calls reactive attitudes . . . the difference between trust and reliance is that trust involves something like a participant stance towards the person you are trusting.[65]

Others, notably Katherine Hawley, have suggested replacing the central role of *motives* in our understanding of trust by a focus on the *commitment* of an agent not to betray our trust.[66] But it seems questionable whether we can leave out motives altogether when discussing trust. I may accept that my doctor is taking sufficient care in checking my symptoms, not because she cares very

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[59] Leefmann and Lesle 2020 provide a model of knowledge from expert testimony that does not rely on trust, but instead on the performance of experts. However, this model presupposes that laypeople can judge what successful performance consists in, which may be the case with regard to certain expert recommendations, but not for others (e.g., if the consequences only materialize in the long term). This approach therefore cannot function as a general model of the relation between experts and laypeople.

[60] See Simon's 2020 volume for a selection of recent papers; McLeod 2020 also provides an overview of the debate.

[61] However, for a recent, nonmoralized account of trust see Bennett 2021. His central case is that of a fading friendship, with the *roles* changing (from friend to nonfriend [520]; see also 524–26 on changing circumstances as a factor influencing trust). Given that experts usually do not stop being experts, I do not take this to be a central problem for trust in experts, even though one might imagine similar examples (e.g., someone shifting from science into esotericism).

[62] Baier 1986.

[63] Baier 1986, 235.

[64] Baier 1986, 239–40.

[65] Holton 1994, 66ff. See also Lahno 2020 for a discussion.

[66] See notably Hawley 2014, 2017, 2019. Hawley's declared motive is to also account for distrust; for a discussion of trust and distrust see also D'Cruz 2020; for an overview of various theories see also Goldberg 2020.

much about me, but because she feels a sense of professional duty or because she has internalized the values of being a "good doctor." In any case, however, there needs to be some *motive to keep one's commitment*, and not just to behave in outward conformity with it.[67] This means leaving the world of rational-choice modeling behind and entering a world of moral agents in their relationships with each other.[68]

It might be objected that this is a kind of "second best" approach: morality needs to step in because it is too difficult to control experts. But I would reply that the picture that focuses exclusively on accountability, in the sense of external control, is itself deeply problematic. It starts from an assumption of pure self-interest, rather than assuming at least a modicum of goodwill on the part of individuals, whether experts or others. It is not at all obvious that this is a psychologically realistic assumption.[69] However, whether second best or not: in the messy reality we inhabit, full control of expert communities is simply not an option. It would be overly costly and impractical to weave the net of control so finely that no abuse could ever take place. And such a fine net of control could all too easily undermine experts' willingness to do the right thing and lead to a cat-and-mouse game between experts and those who try to control them.

A more fruitful approach is to ask: How can a society and its expert communities, together, ensure that experts are *trustworthy?*[70] Calls to "trust experts," without an account of what justifies such trust, run the risk of returning us to a situation of one-sided dependence, with all the problems that this brings. A better model, more in line with democratic values, is to see experts and those who depend on them as forming a partnership, in which both sides have specific tasks and responsibilities. And it is a crucial element of a partnership that these tasks and responsibilities are a matter of discussion and mutual agreement. The dialogue between experts and society is key, as writers about "democratic" or "civic" professionalism emphasize. It is a responsibility that experts hold both individually and—maybe even more importantly—collectively, as communities.[71]

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[67] When there is a sufficiently high likelihood of violations being caught, that is. For an overview of criticisms of Hawley's account see also McLeod 2020.

[68] Arguments for conceptualizing the role between society and one set of experts, namely scientists, as one of trust, from the perspective of the philosophy of science, can also be found in Irzik and Kurtulmus 2019 and Whyte and Crease 2010.

[69] On nonfinancial motives in the world of work see, e.g., the summary of psychological studies in Pink 2011.

[70] This is also the impetus in de Melo-Martín and Intemann 2018. See also O'Neill 2020, 21, who formulates the challenge of "aligning trust with trustworthiness." Scheman (2020) provides a helpful discussion of some of the problems that can arise when prejudicial biases can distort this relation.

[71] I take it that we can ascribe responsibilities to collectives. This is, of course, a topic of debate in philosophy (see, e.g., Held 1970 for an early contribution and Smiley 2017 for an overview of the more recent debate). I also take it that if responsibilities fall on unstructured groups, there can be duties to *form* collectives (Collins 2013). Miller discusses joint *epistemic* responsibility (2015, 281). The responsibilities I will discuss in what follows are partly directly epistemic, partly moral, and partly combined.

The willingness to engage in this dialogue needs to be understood as a core dimension of what it means to be an expert.[72]

This does not mean that formal accountability would have no place in this picture. Good institutional design can, for example, make experts accountable to different perspectives, including perspectives based on experiential or local knowledge.[73] Moreover, like many partnerships, the one between experts and society is likely to function better if there is a legal framework in the background that allows sanctioning blatant forms of abuse. But, as in many partnerships, there needs to be an awareness that formal sanctions are a last resort and that the moral responsibilities that the partners have toward each other cannot be reduced to what is laid down in the law. Many legal regulations are difficult to enforce, if only for lack of clear evidence. What keeps them up is not so much their letter, but the willingness of all parties to follow their spirit. For example, it does make sense to put down formal rules about experts having to declare conflicts of interests. But such rules work best when they coexist with an ethos within an epistemic community that supports the underlying principles. Onora O'Neill calls such an approach "intelligent accountability": it does not assume that accountability could ever replace, but should work in tandem with, moral motives.[74]

As mentioned in an earlier chapter, when there are no countervailing incentives and the social norms of an epistemic community are in line with its moral responsibilities, this creates what Parsons called "integrated situations": situations in which "the 'interests' in self-fulfillment and realization of goals are integrated and fused with the normative patterns current in the society."[75] In other words, the normative expectations that a society has toward an expert community are aligned with the goals of its members, which are, at least in part, shaped by the values of the expert community in question. If this sounds weirdly circular, this is because there is indeed a self-reinforcing dynamic at work: it is *because* they share certain values that individuals uphold certain social norms, which form an ethos that orients expert communities toward trustworthy behavior. In the next section, I explore in more detail what such a partnership model can look like, and how it can react to some of the challenges

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[72] Thus, while I arrive at the same conclusion as Collins and Evans (2017), who also call for a moral responsibility of scientists (and other experts), I do not see it as a matter of *choice* to uphold certain values such as truthfulness within epistemic communities (Collins and Evans 2017, e.g., 40). Rather, this responsibility flows from the place and role of experts in societies and from the need to prevent domination or abuse based on their epistemic power.

[73] See, for example, Moore and MacKenzie 2020 on including various types of experts in policy advice committees and making their disagreement more visible. Pamuk (2022, 85–87) similarly suggests that minority positions should be made visible in science advisory committees.

[74] O'Neill 2013.

[75] Parsons 1939, 45. See also page 536: a profession needs to have "some institutional means of making sure that [its] competence will be put to socially responsible uses" (quoted in Dzur 2008, 46). Cf. also Chapter 3.4.

for the relationship between expert communities and society that we have seen in recent years.

8.4. The Partnership Model between Expert Communities and Democratic Societies

How, then, can such a trustworthy and trusting relation between expert communities and democratic societies be built? I argue for understanding relationship between expert communities and society as a partnership, in which both sides share responsibility for that partnership to function well. It implies a shared responsibility both for epistemic outcomes *and* for upholding the institutional frameworks and practices that lead to the best epistemic results.[76] If such institutional frameworks and practices are in place and the members of expert communities follow them, members of the broader public can trust them without risking naiveté or inviting problematic forms of domination by experts.[77] Thus, the norms and responsibilities I discuss in this section are ultimately based on the imperative to preserve democratic principles in the face of the functional necessity to generate, transmit, and apply highly specialized knowledge.

These responsibilities can be grouped into three large areas: the provision of expertise, the management of interfaces, and steps toward ensuring epistemic justice. For each, different epistemic communities, with their specific forms of practical or theoretical expertise, need to find their own forms; some of them are more relevant for some communities than for others. Ideally, expert communities and societies take on these responsibilities in a proactive way, to uphold trust before it can be undermined. This is advisable not least because of the asymmetrical nature of trust: it is "much easier to maintain than it is to get started and is never hard to destroy."[78] Thus, once the damage to the relationship between an expert community and a society has been done, it can be hard to overcome and can make it much harder to rebuild trust than it would otherwise be.[79] But unfortunately, with regard to certain issues and certain groups in society, this has indeed happened. Their relationship is a difficult one, for example because of past moral

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[76] Cf. similarly John 2018, 80, in the context of science communication: "A proper account of the ethics of science communication should move away from a focus on individual virtues to institutional structures."

[77] On the relation between trust and epistemic responsibility, on a more abstract level, see also Frost-Arnold 2020.

[78] Baier 1986, 242.

[79] One example are the long-term consequences of the claims about an alleged relation between vaccines and autism; this example is discussed in Irzik and Kurtulmus 2019, 1157–62.

failures on the parts of experts that other groups remember well.[80] In such cases particular care is needed to repair past injustices and to rebuild trust.

8.4.1. Providing Expertise

Although it may seem obvious that it is a responsibility of expert communities to provide expertise, it is worth emphasizing the moral dimensions of this responsibility within a democratic society. If individuals or groups, qua experts, are granted epistemic authority, they are granted a privilege that others lack. Hence, they have an individual and collective responsibility to make sure that they are in a good position to live up to these expectations placed on them qua experts.[81] On a practical level, this often means that individuals can only claim such epistemic authority after having gone through theoretical or practical training. Many expert communities use some form of certification or licensing to make sure that only individuals with the relevant knowledge and skills can call themselves experts.[82] Critics of the professions have often seen licensing as a form of artificial monopoly formation, but it is crucial for allowing outsiders to understand which qualifications a person possesses. If it did not exist, it is likely that some other form of evaluation mechanism would spring up; therefore, instead of trying to abolish it, a better strategy is to make it as functional as possible, excluding forms of epistemic injustice as much as possible.[83]

But it is often not enough to train individuals at a young age and to check whether they fulfill certain requirements. In many areas, expert knowledge develops over time, and individual experts need to make sure that they stay up to date, for example about research relevant to their practice. Spreading the word about such new developments is one of the tasks that expert communities— in the form of member organizations—typically undertake, for example, via newsletters and advanced training. More broadly speaking, the members of expert communities have a responsibility to support each other in the provision of

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[80] For example, Grasswick 2010, building on work by Scheman and others, discusses the example of the infamous Tuskegee medical experiments on black Americans.

[81] See also Hardwig 1994, 98. Cf. also Goldberg 2017 on "practice-generated entitlements" that lead to requirements that individuals "should have known" something; he discusses the example of scientists staying up to date with the most recent research in their field.

[82] See also, in the context of the ideal of "well-ordered science," Kitcher 2011, 148–51, on "certification" (which he relates to ideas, not individuals, but which is comparable on a systematic level). On the sociology (and some history) of the "boundary work" of science (as one form of expert communities) see also Gieryn 1983, who emphasizes its contested nature.

[83] One such an epistemic community is established, individual choice (e.g., of one's person doctor) can still have a place, because factors such interpersonal chemistry can also play a role in the relation between laypeople and experts. But this is different from *letting market processes decide* who should count as an expert.

expertise, for example by helping out with specific subforms of expertise or by offering a second pair of eyes for difficult cases.[84] In academic research, it is peer review that ensures that new results are put under scrutiny, and even though the reality of this practice in its current form has received well-deserved criticisms, the general principle remains central for ensuring that specialized knowledge is accepted only after careful evaluation by other experts.[85]

Expert communities can also support laypeople in understanding how to *recognize* experts. This problem has been variously discussed by philosophers: How easy or difficult is it for laypeople to recognize who is an expert in a certain area?[86] Elizabeth Anderson, for example, discusses how laypeople can evaluate the expertise, honesty, responsibility, and the degree of consensus of experts.[87] The challenge, however, is that at least some of the indicators for these criteria can be mimicked by malign actors. Expert communities need to speak out clearly against such abuses, for example, fake versions of academic journals or academic credentials. In dialogue with journalists or politicians, for example, they can flag existing malpractice and point to resources that help them distinguish genuine knowledge production from simulation. To be sure, this does not resolve the problem that sometimes, especially in the early phases of exploration, there can be genuine differences of opinion among experts—a point to which I come back below. But this is quite different from the disruptive maneuvers sometimes staged by interest groups to sow confusion. Fortunately, the awareness that such maneuvers sometimes happen seems to be growing among both expert communities and the broader public, so that the likelihood of their being successful should decline in the future.

Another dimension of the responsibility to provide expertise is making sure that there is sufficient internal diversity within epistemic communities, and of the right kind. As philosopher of science Helen Longino, in particular, has

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[84] In terms of virtue ethics, one can understand such practices and the accompanying virtues as "other-regarding epistemic virtues" (Kawall 2002); see also Lahroodi 2007 on the possibility of "collective epistemic virtues."

[85] See Bruner 2013 for a formal model of the "policing" of epistemic communities that draws on the notions of "altruistic punishment" and "opportunistic punishment." Such "opportunistic punishment" is crucial for detecting cheaters. Bruner identifies a cyclical pattern in which there are phases in which cheating is rare, so that policing efforts are not quite worthwhile, which then leads to increasing rates of cheating, which in turn makes policing efforts more worthwhile, etc. In real-life epistemic communities, numerous other factors (the gravity of mistakes, the power relations within communities, etc.) also influence the frequency and methods of "policing."

[86] See, e.g., Goldman 2001 (who framed the topic as the "novice-2 experts problem"); Anderson 2011; Kitcher 2011, 148–51; Irzik and Kurtulmus 2019; Baghramian and Croce 2021, 449–51; for a qualitative empirical study on how laypeople reason about the trustworthiness of expertise see Kutrovátz 2010. Lane (2014) turns to Aristotle and argues for the need to turn to "first order" instead of "second order" markers of expertise, focusing on epistemic virtues such as honesty and willingness to communicate uncertainty. But it is not clear whether behavior according to these virtues is less likely to be simulated than other credentials.

[87] Anderson 2011.

emphasized, it is through such diversity, which is channeled into constructive controversy and the active uptake of criticism, that scientific research can attain objectivity;[88] a parallel argument can be made for many other expert communities. The suppression of valuable internal dissent is a constant danger for expert communities, not only because of psychological mechanisms such as groupthink,[89] but also because in times of scarce resources or attacks from the outside, experts may feel a desire to close ranks and to defend their territory. One of Hardwig's maxims for expert communities reacts to these tendencies: "Create settings for experts that protect experts who take responsible but unpopular positions, and that minimize the temptations to abuse the power of expertise."[90] He goes even further, arguing that there is also a "responsibility to finance the education and information (through experts) of opposing and potentially opposing groups."[91] Hardwig also warns against the use of sanctioning mechanisms within expert communities, which can lash out at individuals who might make valuable, but unpopular, contributions.[92]

However, this internal openness and diversity, which is so valuable for epistemic purposes, is precisely what can make expert communities vulnerable to manipulation by vested interest, as in the infamous "tobacco strategy."[93] This seems to create an almost unresolvable dilemma: on the one hand, internal diversity and certain forms of disagreement are indispensable from an epistemic perspective, on the other hand, they open the doors to strategies that mislead the broader public. At the root of this problem is the fact that most forms of expert knowledge get established in social processes, in which, as I have argued earlier, we do not always know a priori whether it is the established epistemic community or the seemingly crazy maverick who is right.[94] Nonetheless, there are certain steps that epistemic communities can take to exclude certain obvious problems, for example those created by the trend toward the commercialization of research.[95] Full transparency with regard the sponsorship of research, or disclosure requirements for conflicts of interest, are clear examples of institutional changes that can and should be implemented.[96] Certain malpractices that have

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[88] Longino 1990; see also Rolin 2021.

[89] See, e.g., Janis's 1972 classic account.

[90] Hardwig 1994, 99.

[91] Hardwig 1994, 99.

[92] Hence, Hardwig's maxim to "never use rewards and punishments to stifle dissent within the community of experts" (1994, 98)—but which seems too simple when dissent is maintained for the wrong reasons and/or important goods are at stake, as in the tobacco debates cited in the introduction.

[93] See also de Melo-Martín and Intemann 2018 on the difficulties of distinguishing normatively adequate and inadequate forms of scientific dissent.

[94] Cf. Chapter 2.2. See also Levy 2019 on how the rejection of scientific findings can be explained by laypeople deferring to the wrong testifiers (of which mavericks can be one category).

[95] Melo-Martín and Intemann 2018, chap. 8.

[96] See also Michaels 2008, 245ff., who also suggests additional mechanisms for ensuring independence from industry funding.

become public, such as academics lending their names to publications produced by industries, with the sole aim of increasing the perceived respectability,[97] could simply be banned.

David Michaels, one of the writers who has contributed to uncovering the malpractices in the science-industry nexus in the United States, argues that a kind of "Sarbanes-Oxley for science" is needed: an act that creates accountability and clearly separates the tasks of different institutions, comparable to the act that regulated the banking industry after accounting scandals in the 1990s.[98] This is obviously relevant for areas such as biomedical research, where important ethical goods—human lives and health—are at stake.[99] Below I will say more about the challenges of "interface management" and how responsible communication and reporting can contribute to minimizing the risk of abuse.

What about society's side of the partnership with regard to the provision of expertise? It might seem that such partnership strongly relies on the functioning of the *internal* logic of epistemic communities, and that the first and foremost responsibility of societal actors therefore is to *keep out* of processes of knowledge creation and verification. This is not completely wrong. If societies need certain forms of expertise, they must make sure that epistemic communities have enough space for their internal processes to take place in the right way. At a very basic level, this means such processes of knowledge creation and verification need to be sufficiently funded. The more important certain fields of expertise are for public policy,[100] or for holding powerful private actors with their own expert communities to account, the more important it is to make sure that knowledge can be generated without distorting influences from interest groups.

In recent years, many expert communities have experienced massive pressures, stemming from calls for efficiency, reduction of staff, or funding structures that secure little base funding and instead install competitions for short-term funding.[101] Within academia, for example, this has, arguably, led to a rather dysfunctional "productivism" that counts success in numbers of publications or citations and leaves little time and space for riskier methodologies, replication

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[97] Reports about such practices can, e.g., be found in Biddle 2007.

[98] Michaels 2008, chap. 18. See also Otto 2016, chap. 12, for various proposals, in the context of the United States, for how to fight the misinformation that result from industry-funded obfuscation strategies.

[99] Michaels 2008, 253–55. See also Abbasi 2020 on the importance of avoiding conflicts of interest in context of the science-policy nexus around Covid-19 measures. On how to epistemically improve one specific interface—the panels that decide drug approvals in the United Stats—see Biddle 2007, who argues that as a counterweight to industry-sponsored scientists there need to be seats for independent scientists who speak on behalf of the public.

[100] See also recently Pamuk 2018, 2022 on justification of the public funding of science because of its importance for public policy.

[101] On pressures on professions in capitalist systems see also Dzur 2008, 76. On the problems in science see, e.g., Sarewitz 2016 and Edwards and Roy 2017.

studies, long-term projects, or collaborations with societal actors. In this situation, calls for scientists to shoulder additional responsibilities, such as communication with the broader public, are often met with a resigned shrug: there is simply no time. And if funding is scarce, but bringing in external funding is a precondition for staying in the game, it becomes hard to resist offers from problematic sources.

Thus, a key responsibility of society is to provide spaces for epistemic communities in which they are protected from dysfunctional incentives. Good regulation allows expert communities to carve out the spaces in which their practices of knowledge generation can flourish, at an arm's length from questions about the *use* of knowledge in society. This is not a call for a hermetically sealed-off ivory tower. But it is one for a separation of logics: the *generation* of expert knowledge is different from public discourse or from the play of market forces. Knowledge generation often requires some independence from political fashions and prevailing constellations of interest, and this holds both for academic research and for other forms of knowledge generation.

Let me emphasize once more this does *not* presuppose that science would be "value free" or that the *aims* of knowledge generation, in science and other fields, should be decided by expert communities alone. Although expert communities need to be able to follow their own logic for knowledge generation, they continue to be part of society, and it is in particular with regard to decisions such as those about research priorities that the relationship needs to be a collaborative one. John Dewey introduced a famous metaphor for the relation between experts and "the public": "The man who wears the shoe knows best that it pinches and where it pinches, even if the expert shoemaker is the best judge of how the trouble is to be remedied."[102] This metaphor suggests that, while experts have specific knowledge or skills, it is societies, via processes of democratic deliberation and decision-making, that say where this knowledge and these skills are most needed to solve practical problems.[103]

However, Dewey's metaphor is misleading in one important respect: it suggests that questions of ends—having comfortable shoes—and questions of means—using the shoemaker's skills to achieve this end—can be clearly separated. As I noted earlier,[104] they are often intertwined in more complex ways when it comes to knowledge and its application. To stick to the metaphor: the first strategy for mending the shoe may not work or may lead to other disadvantages; alternative strategies may deliver better results but cost more money; short-term and long-term ends may be in tension with each other, and different sets of means

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[102] Dewey [1927] 2016, 224. See, e.g., Dzur 2008, 119, for a discussion.
[103] Cf. also Kitcher 2011, chap. 5, on "well-ordered science" and Gimmler 2020 for a discussion of the notion of "relevance" in research from a pragmatist perspective.
[104] Chapter 3.4.

may lead to different compromises in that respect. This is why in the relation between experts and society an ongoing dialogue is needed, one that requires many different forums and opportunities for interchange. Another way of putting this point is that while some separation of logics is needed, expert communities and society have a joint responsibility for managing the interfaces between them, the point to which I turn next.

8.4.2. Managing Interfaces

I take the expression "managing interfaces" from Elijah Millgram's philosophical work on hyperspecialization.[105] As he describes it, what needs to be brought from highly specialized niches to the broader public discourse are not just isolated pieces of information. Limitations and qualifications of statements, as well as implicit assumptions or value judgments that have gone into their generation, often need to be communicated as well. For example, an important question about many experimental studies is to what extent their results can be transmitted to other situations— their "external" validity may not be obvious, even if their "internal" validity has been established by careful scientific methods.[106] If journalists, politicians, or members of the general public learn about certain claims only by receiving bullet points or an executive summary, such problems can be overlooked even though they may be crucial when decisions are based on these claims.

The complexity of these questions means that "interface management" cannot be reduced to simple calls for "more transparency." Without translators who can contextualize and explain documents or sources of evidence, mere public availability is of little use.[107] Onora O'Neill again puts this point pithily: "Material that is placed in the public domain may in practice be inaccessible to many for whom it might be useful, unintelligible to some of those who find it, and unassessable for some who can understand it."[108] Of course, this does not mean that transparency is wrong; indeed in many fields of expertise, more transparency would be an important first step. Sometimes, practices of knowledge generation lack transparency for problematic reasons, such as entanglement with commercial interests; requirements of transparency may then function as an antidote to the temptation to engage in problematic practices in the first place.[109] But when it

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[105] Millgram 2015, 15, 42, 98.

[106] I thank Hans Radder for mentioning this example. A detailed discussion of this challenge for social policies can be found in Cartwright and Hardie 2012.

[107] See also, in the context of government, Hood and Heald 2006 and Ruppert 2015.

[108] O'Neill 2020, 20. See also her previous work, e.g., 2002.

[109] See De Ridder 2013 for a discussion of secrecy in science. For a more critical take on transparency see also John 2018, who rightly notes that there are other values in science communication that matter as well (e.g., role responsibilities of members of a scientific community and the needs

comes to the management of interfaces, transparency is a necessary, not a sufficient condition. The co-responsibility of epistemic communities and society at large must go much further, both in the sense of providing interface management and in the sense of protecting these interfaces from abuses or manipulations. I start, again, from the side of expert communities.

A first, and maybe obvious, point is that experts need to proactively make knowledge available to a broader public if it is relevant for policy decisions or social practices. If, say, an Indigenous expert discovers evidence of a shift in the local fauna that points to dangerous pollution, it would be irresponsible to keep this information inside the epistemic community. This responsibility is most obvious when there is a concrete harm that needs to be averted.[110] Unfortunately, however, not all cases are so straightforward, for the reasons already described: processes of knowledge creation are complex, socially embedded processes, and not everything that seems to be important or alarming at first glance turns out to be so. Moreover, going public with what later turns out to be false alarm is unlikely to build trust in experts. Before going public, experts need to do their fair share to exclude errors, mistakes, or biases, which usually happens by turning to other members of the relevant epistemic community. But if such a community, for example, a specific scientific community, is marred by groupthink and sticks to prevailing opinions, it might not be easy to find other experts that take a potentially important piece of evidence seriously. There is no algorithm for how to make decisions in such cases—too much depends on what is at stake and the concrete situation of the expert.

But such cases, in which there is some immediate connection to important policy decisions, or important human goods such as life or health are at stake, are only the tip of the iceberg. The communicative channels between expert communities and society at large are, ideally, also open for more "everyday" updates, including findings that are of no particular relevance but are simply interesting and help the public to get a sense of how knowledge acquisition in various fields functions. In many societies, there are intermediate institutions—for science, for example, science journalists, organizers of science fairs, and so on—that facilitate such communication. Sociologists of science Harry Collins and Robert Evans have introduced the notion of "interactional expertise" for describing "the ability to master the language of a specialist domain in the

and interests of the audience. But his arguments are made mostly from a kind of "emergency situation" perspective (cf. esp. 83); he admits that if the public expects transparency, then not providing it would be problematic (84).

[110] For accounts of responsibility that can undergird such a claim, even independently from the perspective of democratic functionalism, see, e.g., Miller 2001, 460ff., on capacity as a basis of responsibility, and Wenar 2007, 5, on the responsibility for "averting threats to basic well-being," which he sees located in "the agent who can most easily aver the threat."

absence of practical competence."[111] Individuals with "interactional expertise" can play a key role for translating knowledge to broader audiences or to specific communities. In addition, there are also more and more opportunities for scientists to learn the basics of science communication. Not all experts need to engage in such activities, to be sure. What matters is that the overall communication channels are sufficiently open in both directions: for society to learn from expert communities, but also for expert communities to get a sense of what problems bother laypeople, what values they care about, and what knowledge they would like to see generated. In the spirit of "deliberative systems," I take it that one should not think about one optimal format for such encounters, but rather embrace a pluralistic account: different formats can play different roles for discussing value judgments and priorities, the strength of evidence for certain results, the relation between different kinds of knowledge, and their implications for policymaking.[112]

From the trust-based perspective I have suggested, the value of *direct* interaction between experts and laypeople is worth emphasizing. Trust, with its strong interpersonal dimensions, is often best built by direct encounters between human beings.[113] A recent study about science communication showed that scientists are often perceived as "competent" but not as "warm"—but both dimensions matter, according to empirical studies, for trust relationships.[114] In direct encounters, scientists can show that they are not simply knowledge-production machines, but human beings with a sense of responsibility, who care about their research and its impact on others.[115] Especially in societies in which the political climate is heated, personal encounters seem one of the best strategies for reaching out to those who might not otherwise be willing to listen

[111]   Collins and Evans 2007, 14.

[112]   Pamuk (2022, chap. 4) suggests revising the idea of "science courts" combined with citizen juries. While this proposal is interesting, I do not think that there is a one-size-fits-all format for the dialogue between expert communities and society, not least because the latter also includes so many different communities with different knowledge levels, interests, and political orientations. This is also my response to what she describes as the "paradox of scientific advice" (chap. 3): she sees scientific advice as torn between political neutrality (as a goal to approximate) and usefulness for policy (for which an explicit alignment with values can be useful). But different advisory bodies can play different roles at different points in time in the political process and at different places in the discursive landscape of a society. What matters is honesty about *what kind of science advice* is given in a particular case. Pamuk similarly argues for embedding these bodies in a broader political process (2022, 83–87), recommending also the publication of dissenting opinions to facilitate discussion, a line that Brown 2009 also endorses.

[113]   See also O'Neill 2020, 24.

[114]   Fiske and Dupree 2014. Research has also shown that scientists who communicate online and show pictures of themselves (not only their apparatuses or diagrams) are perceived as more trustworthy; see Jarreau et al. 2019.

[115]   Anderson 2020 quotes the following line (attributed to Teddy Roosevelt): "People don't care about what you know, unless they know that you care."

to experts.[116] They can also work against the sensationalist simplifications that often happen when expert knowledge is shared in commercial media.

In such encounters, however, there is often a tendency to fall into certain socially familiar roles—that of the "expert" as epistemic authority who speaks, and that of the "audience" that listens. But there are good reasons to try to overcome these scripted behaviors, and for the "experts" to listen more. Experts are, after all, only experts in one, often rather narrow, area; in all other areas, they are laypeople. Laypeople may in turn have knowledge or experience that can be crucial for addressing concrete problems—information that scientists have often overlooked or downplayed.[117] Therefore, a willingness to listen and show humility on the parts of experts can be a crucial step in developing a trusting, open atmosphere in which mutual learning can take place.[118]

But what about the really hard cases, in which experts disagree, facts and values seem inextricably interwoven, and yet the stakes are high and political decisions need to be taken? As noted earlier, such cases often arise because the evidence about phenomena can only be built up over time, so in early phases of research, uncertainty and disagreement are normal.[119] Moreover, many societal problems that require political solutions require drawing on *different* forms of knowledge. In the 1990s, Silvio Funtowicz and Jerome Ravetz coined the term "postnormal science" for situations in which the stakes are high but uncertainty is also high.[120] They recommend involving an "extended peer community" in such situations: not only scientists, but also citizens and various stakeholders.[121] Such problems need to be approached in an "issue driven" way, they argue. For example, concrete environmental problems in a region can be addressed by forming alliances between these different groups, with their different forms of expertise. What matters, however, and what is often the greatest challenge, is not the complexity of issues as such, even though one should certainly not belittle them. It is, rather, the intrusion of vested interest or power differentials, or the existence of historical injustices, that make a trustful exchange of arguments difficult. This means that the real problems often concern epistemic (or indeed general) *justice*—a point to which I come back below.

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[116] For an interesting case study see Anderson's 2020 report on Heidi Larson, the founder of the Vaccine Confidence Project. Among its strategies are not only the enlistment of local contact persons, but also direct engagement with communities.

[117] See also Moore 2017, 87–89, on the importance of lay knowledge; Whyte and Crease (2010, 415) discuss "unrecognized contributor cases" in which scientists have excluded lay knowledge as an example of how trust can be undermined.

[118] Dzur 2016; see similarly Dzur 2008, 62. On humility as a virtue for scientists see also Jasanoff 2007.

[119] Cf. also Chapter 5.6.

[120] See in particular Funtowicz and Ravetz 1993; for a discussion see Whyte and Crease 2010, 422–24.

[121] Funtowicz and Ravetz 1993, 752–54.

A key imperative for experts in such encounters, but also in their participation in public debate and in the media in general, is to only claim epistemic authority for the field they are experts in, and not to overstep the boundaries of their expertise. Unfortunately, the expectation that experts can speak about a far wider range of issues than they are really experts in is widespread in today's attention economy: those who are considered the "public faces" of professional groups, academic disciplines, or local movements are often asked questions about issues that are not even remotely connected to their areas of expertise.[122] Nathan Ballantyne has called the phenomenon of experts overstepping their legitimate epistemic authority "epistemic trespassing."[123] Epistemic trespassing is deeply inimical to a trustful *and trustworthy* relationship between expert communities and society at large. It contributes to the impression that experts are, in one way or another, worthier to be listened to than other citizens, instead of strictly limiting their epistemic authority to the area in which they really have expertise.

Moreover, epistemic trespassers lack the relevant background knowledge of the field they speak about, which means that they may not be aware of, for example, limitations of the studies that they have read. As Mikkel Gerken points out, there is an imperative for experts who speak outside their own domain of expertise to be transparent about this and to qualify their statements: in such cases, they have nothing to offer but their views as private citizens.[124] Other experts, who *do* have particular knowledge in that respect, might be better contributors to the debate on that topic; experts can, for example, point journalists to these colleagues. Moreover, experts need to be clear, when communicating with a broader public, about the limits and uncertainties that come with their specific methods of knowledge acquisition.[125] Ideally, they thereby also help build awareness, in the general public, about the revisability of many forms of knowledge and the need to bring together different forms of expertise for solving practical problems.[126]

What about society's role in managing the interfaces between specialized expertise and broader public discourses? For many practical issues, the relevant responsibilities fall on the media, but of course the wiggling room that media companies have, for example in funding science desks, in turn depends on the wider political and societal framework and the expectations and behaviors of media consumers. Playing a responsible part in the partnership for managing

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[122] See, e.g., Nichols 2017, 117ff., 188ff.

[123] Ballantyne 2019.

[124] Gerken 2019; see also similarly Hardwig 1994, 92.

[125] See Keohane et al. 2014, for detailed reflections on "honesty, precision, audience relevance, process transparency, and specification of uncertainty about conclusions" as five principles for science communication under uncertainty.

[126] On making citizens "good consumers" of science see Kitcher 2011, 187–92; on the need to explain the functioning of science to the broader public see, e.g., Solomon 2021.

interfaces creates a number of imperatives for how to report about specialized expertise. For example, many commentators have pointed out that the doctrine of "balance" in Anglophone journalism—which holds that both sides of a controversy should be heard—is not the right logic when it comes to reporting about expert knowledge.[127] It is, in fact, a good example of the confusion of the logics of different knowledge spheres that I discussed in Chapter 5: while "balance" is appropriate for the sphere of public deliberation, where values and interests are at stake, it cannot be straightforwardly applied to expert knowledge. With regard to the latter, journalists must attempt to report on the "state of the art" without biases, and while this of course includes hearing different voices from within a field, presenting them as "One side says A, the other side says non-A" is misleading. Instead, the audience needs to get a clear sense of whether or not a meaningful consensus is building on certain issues, ideally in a way that also makes clear that one cannot expect complete certainty from most methods of inquiry, and that knowledge claims may well have to be revised in the future.[128] To judge this, it is crucial for journalists to check whether different experts arrive at their concurrent judgments independently, or because they have been influenced by the same paradigms or thought leaders (let alone funders) in a field.[129] Journalists can also contribute to preventing "epistemic trespassing"; they need to check the credentials, but also possible sources of distortions, of experts.

If all relevant parties fulfill their responsibilities, they can protect the interfaces between specialized expertise and broader public discourse from distortions and manipulations. This requires clarity about the roles and positions of different individuals because the *appearance* of independent expertise is a favorite tool of those aiming to deceive. This in turn means that experts need to be clear on where they stand on certain issues. Roger Pielke has distinguished the roles of "issue advocates," who push for a certain issue (e.g., for better treatment of certain patient groups) and "honest brokers," who present different options and strategies without taking sides.[130] What is problematic are situations in which experts claim to be neutral but in reality push an agenda—because they believe in it or because they receive money for doing so or both. Pielke has called such behaviors "stealth advocacy": advocacy done by scientists who claim to be neutral.[131] While the primary responsibility to avoid "stealth advocacy" lies with experts themselves, journalists and other interlocutors of experts can play

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[127] E.g., Curran 2005, 130–31; Oreskes and Conway 2010, 215, 242.

[128] See also O'Neill 2018, 297.

[129] See, e.g., Goldman 2001 for a discussion of how the meaning of consensus can be undercut by experts not judging independently from each other.

[130] Pielke 2007, chap. 1.

[131] Pielke 2007, especially chap. 8.

a supporting role in critically scrutinizing expert behavior and calling out epistemic trespassing and unsubstantiated claims to neutrality. Moreover, they can play an important role in helping the public understand how knowledge generation in different expert communities works, why certain experts disagree, and what values stand behind, for example, certain funding decisions.

How can the dialogue between experts and the broader public happen in practice, apart from media reporting? When there are concrete problems, such as local environmental hazard, standard strategies are public hearings, roundtables, the involvement of expert advisory boards, and exchanges of views in local newspapers. In such situations, citizens can directly encounter the people that bring the abstract entity of "expertise" to society—at least if the processes take place openly, not behind closed doors. Where this is not feasible, for example, because the issue at hand is too delicate or the political atmosphere too charged, it can be an option to involve citizen representatives, maybe drawn by lot, in consultations. There are various examples for such processes, in fields from environmental policy to citizen journalism to bioethics and the search for a place to deposit nuclear waste.[132] They provide reason for confidence that such dialogues can indeed be successful.

With regard to problems with a more long-term time scale, or problems that concern societies at large scale, an attractive option for organizing a dialogue are minipublics: assemblies in which randomly selected citizens *together* with experts can reflect on questions.[133] Earlier I mentioned proposals to use minipublics to connect experts and citizens.[134] Philip Kitcher suggests that minipublics could play a role in setting the agenda of scientific research, as part of his vision of "well-ordered science" in democratic societies.[135] In a similar vein, Gürol Irzik and Faik Kurtulmus suggest that hybrid forums with citizens and scientists can discuss concerns about specific issues, such as vaccine safety, and also discuss the perception of their risks, possibly leading to a better alignment of the judgments

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[132] Examples can be found, for example, in Fischer 2000 and OECD 2020 (the latter focusing on minipublics and other forms of "democratic experimentalism"). Collins and Evans 2017, chap. 5, discuss a number of "institutional innovations" that go in this direction as well. Their own proposal (76)—an institution they describe as "owls," a committee that would translate scientific results (including the degree of certainty) to decision-makers in society—sounds somewhat centralistic and old-fashioned in comparison; the dialogue between citizens, experts, and decision-makers certainly has to take place in many different forums, on many different levels.

[133] In Chapter 9.2 I will discuss minipublics in more detail, arguing that some of the high hopes that have been put on them might overrate their impact. But for the specific task of connecting citizens and experts, I agree with those who see them as highly valuable institutional strategies.

[134] Brown 2009, chap. 10; Moore 2017, chap. 7. Cf. also Moore 2020, where he calls this the "participatory model."

[135] Kitcher 2011, 129, 164, 223–26; see also Pamuk 2022, chap. 4. Kitcher also suggests that they might help with controlling scientific expertise, but this proposal seems more problematic because citizens might have to learn a lot about the specific fields before they would be able to do so in a meaningful way.

of scientists and citizens.[136] Minipublics can play a role as trustworthy "proxies" for the citizenry at large: because they have been randomly selected, citizens do not have to fear any particular biases or vested interests.[137] They allow citizens to become semi-experts in the field under discussion, making "interface management" between experts and citizens more than a metaphor.

8.4.3. Working toward Epistemic Justice

In all these processes, expert communities and society at large carry a shared responsibility to ensure epistemic justice. This means fighting against prejudices or stereotypes, but also social practices or institutions that unjustly exclude certain voices, within epistemic communities, between epistemic communities, and in their interactions with society. As argued earlier, this is a matter *both* of justice *and* of ensuring the greatest likelihood of epistemic success.[138] With regard to academic research, the work of feminist philosophers and historians of science has done a lot to reveal the various ways in which universities and research institutions have excluded minority voices and often continue to do so.[139] At the same time, work on Indigenous knowledge and the decolonialization of scientific practices, for example, citizen science, shows how colonial patterns of thinking and behavior can be overcome and fair and productive collaborations can be formed.[140]

Another central question of epistemic justice is who gets admitted to epistemic communities: Does everyone with the necessary talents and interests have a fair chance? Given the historical pathways of many epistemic communities, it should not surprise us that the conventional understanding of the talents that someone needs to succeed in a certain community can be distorted by prejudices, for example, by emphasizing a certain one-sided understanding of "cleverness" that is associated with maleness, or by presupposing acquaintance with certain cultural codes that have nothing to do with the subject matter, but that privilege candidates from higher socioeconomic backgrounds. Such issues need to be discussed, and solutions found, within the relevant expert communities—ideally

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[136] Irzik and Kurtulmus 2019, 1155–56. For a similar proposal, though framed in terms of accountability, see Holst and Molander 2017.

[137] MacKenzie and Warren 2012. For a recent call for inclusive decision-making in the case of Covid policies see Norheim et al. 2021.

[138] Chapters 2 and 3.

[139] Cf. Chapter 2.4.

[140] See, e.g., Cohen et al. 2021 on colonial practices in Canadian community-monitoring projects, and Bhawra 2022, who suggests a "Bridge Framework" for decolonizing the collaboration between scientists and Indigenous communities in digital citizen science projects. Ludwig et al. 2022 offers a broad set of reflections, from the perspective of inclusive knowledge generation for development and innovation. Ottinger 2022 connects epistemic justice and responsible innovation.

not only by the few members of minorities who already made it inside, but by all their members—but also society at large. The latter can support expert communities in such internal efforts, but it has an additional responsibility with regard to ensuring epistemic justice. Epistemic injustices can also happen when certain expert communities, but not others, are recognized as such, and granted epistemic authority over their field of work.[141] Theorists of the professions have often emphasized the struggles of recognition that take places between these.[142] Social hierarchies and prejudices have played an inevitable role in these struggles and often continue to do so. The public recognition and perceptions of respectability of different epistemic communities differ in ways that hardly make sense if one focuses on social contribution and required expertise alone, and can, instead, be explained by broader social hierarchies. As with all epistemic injustices, this leads to both moral and epistemic dysfunctionalities.

Last, the responsibility to ensure epistemic justice is also relevant to how interfaces between expert communities and the broader public are managed. In citizen science projects, for example, there can all too easily be a preponderance of white, male, and highly educated participants.[143] Citizens from a lower socioeconomic status, in contrast, often lack the time or energy to participate in such projects or may feel alienated by the middle-class allure of such events. Here expert communities, especially those who have traditionally enjoyed high social standing and privileges, carry a special responsibility to work on building trust and increasing epistemic justice.[144] This holds in particular in situations in which members of minorities may have good reasons for being skeptical of experts' intentions, for example when there has been a history of abuse.[145] Experts need to understand the concerns and histories of such communities in order to build trust and to ensure that they can understand which knowledge is relevant for them.[146]

The shared responsibilities for providing expertise, managing (and protecting) interfaces, and fighting against epistemic injustice may seem daunting, for expert communities and societies alike. But in an epistemically well-ordered society, these burdens can be distributed onto so many shoulders that they become well bearable. In fact, the dialogue with the broader public can be an enriching and meaningful part of experts' jobs. It is when societies do not play their role in

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[141] This can be understood in parallel to the relation between epistemic trustworthiness and social position as discussed—though on the individual level—by Daukas (2006).

[142] See in particular Abbott 1988; see also Dzur 2008, 71–75, for a discussion.

[143] See, e.g., Edwards et al. 2018, 385; Haklay 2018, 56; Blake et al. 2020.

[144] See also Scheman 2020, 38.

[145] See, e.g., Grasswick 2010, 404, on the Tuskegee experiment in which black people were denied medical treatment, and its effect on the lack of trust between the scientific establishment and black communities.

[146] Grasswick 2010, 401–3; she draws on previous work by Scheman 2001.

the partnership with expert communities that the burden on those experts who try to make up for it can become difficult to bear. But this need not be the case if the challenges of integrating expert communities into democratic societies are recognized as such and given enough space in the institutions and practices of expert communities. With the ideological appeal of free market thinking ebbing away, more opportunities for building and rebuilding such partnerships will probably open up.[147]

8.5. Conclusion

In this chapter, I have discussed how expert communities should be integrated into the epistemic life of democratic societies, and what responsibilities this constellation creates both for these communities and for society at large. I have suggested a "partnership model" in which there is space both for functional differentiation—so that knowledge can actually be created, transmitted, and applied according to the internal logic of expert communities—and for interaction. This requires the right institutional framework, to keep out dysfunctional pressures or distorting incentives. And it requires an ethos among experts that acknowledges the moral dimensions of their work, but also the limits of their own contributions and the respect for other forms of knowledge. If expert communities and other groups collaborate, they can protect the "interfaces" between different epistemic communities and society at large from manipulative distortions, and they can contribute to reducing epistemic injustice, which is both ethically and epistemically harmful.

The vision that emerges from these arguments is one in which this balance between functional differentiation and interface management is ensured by many hands (instead of any "invisible hand") of experts and citizens alike. An epistemically well-functioning society is one in which epistemic communities, and especially those with important societal functions, are willing to fulfill their moral responsibilities, even when these are not fully covered by formal accountability mechanisms. Together, experts and nonexperts can ensure that *epistemic authority* does not turn into *authority over* others. In such a society, experts need not be perceived as part of a self-serving elite but can be seen, and can see themselves, as equals among equals. Whether this will be sufficient to overcome the resentment against experts that can currently be observed with regard to certain issues, and to heal the rifts between experts and parts of society that have historically been disadvantaged, is hard to tell, not least because populists and online

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[147] The recent interest in citizen science (see, e.g., Hecker et al. 2018) provides some reason for optimism.

trolls keep fueling distrust—but it is the best bet we have. However, in a later chapter I will argue that there are further arguments about socioeconomic justice that are also relevant for the trust relationship between experts, of all kinds, and laypeople.

Is this a utopian vision? I do not think so. The literature in science and technology studies provides numerous examples in which experts and laypeople managed to overcome the barriers between them and to build trust and mutual understanding. In one of the most famous case studies, Brian Wynne described the (mis)communication between sheep farmers and scientists, when, after the Chernobyl disaster, nuclear fallout threatened hill sheep farming in Cumbria.[148] The scientists involved dealt with theoretical models of risk but failed to understand local variabilities, on which the farmers, with their years-long, in-depth knowledge of the local landscape would have been a valuable source of knowledge. Scientists and bureaucrats, who were perceived as standing on the side of the government, used abstract and formal language, which seemed at a huge distance from the concrete and adaptable tasks of tending to sheep. At first, they did not take the forms of knowledge that the farmers held seriously. There was a "cultural chasm"[149] between different cultures of expertise: the informal, locally rooted, personal culture of the sheep farmers in contrast to the bureaucratic, formalistic, numbers-based culture of scientists and bureaucrats.

But a point that was not taken up so much in the academic debate was that the chasm eventually was bridged. The help of local farmer union officials, as "informally defined local mediators"[150] with legs both in the world of farming and in the world of public bureaucracy, helped rescue the process of communication. As Wynne also observed, personal encounters, with scientists coming to visit the farms more regularly, mattered enormously for building trust.[151] Similar lessons of "cultural chasms" being bridged, after hard work from both sides, can also be drawn from studies of the AIDS activist movement and many other cases of transdisciplinary knowledge generation.[152] In an epistemically—and otherwise—more just society, the chasms that need to be bridged would probably be smaller, and it would be easier for expert communities and laypeople to interact trustfully from the start. But even in the highly unjust societies we live in, such trust can be built, and experts can do their bit to nurture it by ensuring trustworthiness. The challenges our societies face leave us no choice but to keep trying.

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[148] Wynne 1989; see also Chapter 3.4. For a discussion see Moore 2017, 88–89. Another example, a collaboration between scientists and Inuits in northern Quebec, is discussed in Whyte and Crease 2010, 423–24.
[149] Wynne 1989, 37.
[150] Wynne 1989, 35.
[151] Wynne 1989, 37–38.
[152] On the case of AIDS see, e.g., Epstein 1996.

9

The Epistemic Infrastructure
of Democracy

9.1. Introduction

Defenders of democracy often distinguish between two kinds of arguments in its favor: intrinsic and instrumental. On the one hand, democracy realizes certain intrinsic values, such as the equal status of all citizens. On the other, it is meant to lead to certain beneficial outcomes, such as the possibility of ousting ineffective governments. This distinction partly overlaps with the distinction between "input" and "output" legitimacy (sometimes complemented by "throughput" legitimacy): democracy can create legitimacy through input procedures, such as the equal voting power of all citizens, or by bringing about good results (or through legitimate processes that mediate between these).[1]

The angle I take in this chapter—and in this book in general—does not see these different justifications as standing in tension with each other. I take it that we have intrinsic, "input"-based reasons for our societies to be governed democratically, on the basis of principles such as the equal moral standing of all human beings and the equal respect we owe to each other.[2] Taking this position as one's starting point, one can nonetheless ask how democratic procedures and institutions can be designed such that the outcomes are as beneficial as possible, in the sense that societal problems are articulated and solutions found, that the needs of all members of society are fulfilled in fair ways, and that societies can react to threats and challenges without giving up their commitment to democratic principles. Such a commitment leaves open considerable space for disagreement about the concrete institutions and practices that societies should use for addressing various social problems. Democrats can, and should, passionately argue about the best forms their institutions can take.

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[1] On input and output legitimacy see Scharpf 2003; on throughput legitimacy see Schmidt and Wood 2019.

[2] Worth making explicit here is my belief that it is, in principle, *possible* for democracies to function reasonably well. If, for example, democratic government were to systematically lead to famines (Sen 1981 has famously shown that the opposite is true), this might lead us to ask hard questions about the legitimacy of democracy. But democracies have been shown to meet this minimal threshold, arguably better than any other governance system. Above this threshold, the question becomes how to make them better.

Democrats can and should also argue passionately about the institutional framework that is needed to make sure that their societies function well on an *epistemic* level. This is the focus of this chapter: it does not make an argument for democratic procedures on the basis of their epistemic qualities as such—as others have done[3]—but rather asks how the institutional framework can be designed such that high-quality epistemic outcomes become more likely. I call these institutions the "epistemic infrastructure" of democracy: the institutions that democracies need to function well, epistemically speaking.[4]

The idea that democracy has certain preconditions to function well is not new. In the German-speaking world, it is often associated with the so-called Böckenförde dictum, named after a constitutional judge who held that democracy has preconditions that it cannot itself create.[5] I agree with the first part of that dictum, but not the second: democracy *has* preconditions, but at least some of these can, directly or indirectly, be created through decisions taken within democratic processes themselves. In doing so, one needs to shift from a focus on "atomistic" individuals and what they do or do not know, toward the social structures of divided labor in which knowledge is created, transmitted, and applied in practice. By focusing on the social structures in which well-informed, mature citizenship can be nurtured, the epistemic quality of democratic life can be supported.

The dire shape of many democracies in recent years has led to several proposals for how one could improve the quality of decision-making and the representation of individuals of all backgrounds in political processes. One type of reform proposal has been particularly popular among democratic theorists: lottocratic institutions, in which citizens are drawn randomly from the population as a whole and deliberate, in moderated meetings, about topics such as constitutional reforms or concrete policy decisions. While I share the normative aims of these proposals, I am not convinced that they can, on their own, bring the kind of epistemic upgrades that many democratic societies need. If new institutions are plugged into epistemically malfunctioning old ones, one cannot expect positive outcomes. Instead of hoping that new institutions alone can save democracy, it is at least as important to undertake the painstaking process of repairing existing ones. Moreover, epistemic infrastructures for *all* citizens are needed, not only for those who happen to be chosen for lottocratic participation.

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[3] Cf. also Chapter 1.2.

[4] Müller 2021 speaks of "Democracy's critical infrastructure" with regard to political parties and the media. I used the term "epistemic infrastructure" with regard to markets in a 2019 article, from which I have adapted it to democracy. Müller runs parties and media in parallel, as "intermediate institutions," and emphasizes their role in structuring political conflict, providing (or failing to provide) internal and external pluralism, and structuring political time.

[5] Böckenförde 1976, 60; he was referring mostly to religion; this is a position I do not endorse.

One central reason why many institutions that belong to the epistemic in-
frastructure of democracy have fallen into disrepair is free market thinking.
Institutions such as schools and universities have been reconceptualized in ways
that see them as preparing students exclusively for *economic* life—for their role as
market participants—but not for *democratic* life. In addition, the general call for
low taxes and small government has drained the capacity of many constituencies
to provide democratic institutions for their citizens. In other cases, the ex-
pectation has been that free markets could provide certain elements of this
infrastructure—which had previously been provided by public institutions—
without attention to the ways in which financial incentives would change the ep-
istemic quality of the services that would be offered.

The epistemic infrastructure of democracies needs to be considered in
a holistic way, taking into account the different epistemic tasks of different
institutions.[6] Moreover, when considering the epistemic dimensions of democ-
racy, what matters is not only that knowledge is made available on an intellectual,
cognitive level. At least as important is the question of how relevant forms of
knowledge can be *activated* through political action.[7] Describing the function of
such an epistemic infrastructure in these terms should be sufficient for throwing
doubt on the idea that any kind of epistemic "laissez faire" approach, along the
lines of a marketplace of ideas, could ever, on its own, fulfill these functions.

In the next section (9.2), I will briefly discuss some of the proposals for
lottocratic reform and explain why I take them to be insufficient for addressing
the current problems (and I hasten to add that many of their defenders would
probably agree). Instead of trying to increase the diversity of represented voices
only through additional instruments, also needed are efforts to increase the ac-
cessibility of existing representative institutions for people from all backgrounds,
and to keep the epistemic infrastructures of democracy in good shape. To il-
lustrate what this approach means in more practical terms, I then discuss, as
examples, three sets of institutions that, within democracies, need to be under-
stood as key elements of the epistemic infrastructure of democracy (and run
and funded as such): educational institutions, the media, and civil society or-
ganizations and unions (9.3).[8] While much more could be said about each of

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[6] This is an important line in Christiano's 2019b review of Brennan's *Against Democracy*: he
switches too quickly from a micro-view of how voters decided (based on evidence on lack of infor-
mation among voters) to the macro-perspective of how democracies as a whole function, epistemi-
cally speaking.

[7] Cf. Chapter 2.3 on the relation between knowing and acting. This aspect is oddly absent in many
debates about epistemic dimensions of democracy. One exception is Lafont's discussion of the need
for public deliberation on issues such as sexual and racial discrimination, in order to change behavior
on a large scale (Lafont 2020, especially 48–51).

[8] I do not claim that these are the only elements of a well-functioning epistemic infrastructure.
Other candidates are political parties or social movements. They can be analyzed with regard to their
epistemic benefits and failures as well, within the specific contexts within which they operate (e.g.,
different voting systems), but I leave this to the reader.

them, from the perspective of democratic institutionalism there are certain core functions they must fulfill, and I here focus on a further subset of these, namely their epistemic dimensions.

Finally, I turn to some considerations about the internet, again from the perspective of the epistemic infrastructure of democracy (9.4). While I cannot cover all aspects of "what's wrong with the internet," I will focus on one particular proposal that could bring improvements in its epistemic qualities: a requirement of a clearer demarcation of types and sources of speech, so that audiences can adapt their levels of trust. I conclude (9.5), however, by throwing doubt on some of my own arguments from an additional perspective: if societies become too unequal in terms of material positions or too fragmented into different socioeconomic milieus, repairing schools and improving the media landscape, including the internet, may simply not be enough. This will be the topic of the next chapter.

9.2. Lottocracy to the Rescue?

In recent years, there has been a lot of excitement about a new social technology of democratic participation: lottocratic experiments, in which randomly selected groups of citizens from all walks of life come together and deliberate about political questions. Such events have come to be known as "citizen parliaments," "minipublics," or "deliberative polls."[9] In contrast to *elected* political representatives—who, in many democratic countries, are disproportionately white, male, highly educated, and economically privileged—these groups of citizens are statistically representative of the population as a whole, both with regard to demographic features and with regard to political leanings. At the meetings, they receive detailed information about the subject matter at hand and then discuss it, guided by moderators or facilitators, often in a mix of plenary and small-group settings, with experts available for consultation. Sometimes the sessions culminate in a vote, sometimes in a report or a recommendation that is provided to a different democratic institution, for example, brought into a parliamentary debate. While some writers suggest such lottocratic assemblies as addition to existing institutions, others want to give them a far greater role in democratic life, maybe even replacing elected representation completely.[10]

For James Fishkin, one of the pioneers in this field, minipublics have an important epistemic function: having received balanced and comprehensive

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[9] Various proposals differ in the details of how they are designed. I here follow Fishkin's 2018 presentation in *Democracy When the People Are Thinking* (especially Part III.1), not only because of his pioneering work in this field, but also because it seems sufficiently representative to stand as *pars pro toto* for this line of research and experimentation.

[10] The latter holds in particular for Guerrero (2014) and Landemore (2020).

information and having deliberated in an egalitarian setting, citizens can create a "counterfactual representation of what the people *would* think, presumably under good conditions for thinking about issues discussed."[11] There is evidence that individuals do in fact often change their views when participating in such discussions.[12] To be sure, Fishkin is right to point out that a change of views, as such, does not show that the deliberation has been a success. But even if citizens do not change their views, these might still be better grounded after participation in a deliberative process. Other citizens can then follow the lead of those in the minipublic, because they know that the outcomes are the result of fair deliberation, based on thorough information, by a representative set of citizens.[13] In a similar vein, Michael MacKenzie and Mark Warren have argued that minipublics can play "trust-based" roles for society as a whole: they can serve as "trusted information proxies" for citizens and as "anticipatory publics" for policymakers.[14] The core argument here is that realistically speaking, citizens simply cannot participate in *all* political activities, and must therefore place their trust *somewhere*.[15] As McKenzie and Warren, together with many others defenders of minipublics, emphasize, one virtue of minipublics is that their members are unlikely to have vested interests, which mar many other political institutions.[16] This is relevant from an epistemic perspective because vested interests can distort epistemic outcomes in politics.

The high quality of deliberation in many of these events has led many commentators to hold that lottocratic institutions should supplement, or even in part replace, existing political institutions of representative democracy.[17] Fishkin, who had earlier proposed the idea of a "national caucus," now favors a "deliberation day," where the *whole* citizenry would come together, on one specific day every year, in randomly selected minipublics.[18] Another proposal is to permanently install lottocratic institutions in the political system. Alex Guerrero, for example, suggest single-issue legislative chambers of three hundred randomly selected citizens, which would work on specific policy issues, in staggered terms, meeting for two sessions per year.[19] He argues that this could improve the

[11] Fishkin 2018, 71.

[12] See, e.g., Fishkin and Luskin 2005; and generally, Fishkin 2009 and 2018.

[13] Fishkin 2018, 71.

[14] MacKenzie and Warren 2012; see also Moore 2017, chap. 7, as discussed in Chapter 8.4.

[15] MacKenzie and Warren 2012, 98–102.

[16] MacKenzie and Warren, 107–8.

[17] This, to be sure, raises new questions of legitimacy, which go beyond the epistemic side. For a defense see, e.g., Landemore 2020, chap. 4. Many defenders of minipublics, however, do not want to them to replace universal suffrage, in which the principle of "one person, one vote" is expressed, and I share the intuition that they should not do so, but only play a complementary role.

[18] See in particular Ackerman and Fishkin 2005.

[19] Guerrero 2014, 155–57. A similar proposal, but for a third chamber based on lottokratic selection, has been put forward by Nanz and Leggewie 2016.

responsiveness of governments to citizens and the quality of decision-making, especially by preventing the capture of the political system by special interest groups.[20] Lottocratic institutions are also a key element in Hélène Landemore's conception of "open democracy," which aims at a broader involvement of ordinary citizens in political decision-making and therefore sees random selection as an important principle that could correct many of the biases that elections introduce into political systems.[21]

But is this the way forward—or is it a kind of expression of defeat, having given up the hope that other reforms, which would repair the problems of existing democratic institutions, could be successful? And is it realistic that we can reap all these epistemic and other benefits from one additional type of institution without other reforms? One might, in fact, object that the comparison between existing institutions and minipublics is somewhat biased because of their different ages. Arguably, many institutions undergo a gradual process of erosion, in which their functionality declines, for example because self-interested parties find more and more loopholes and tricks for bending the rules in their own favor.[22] Lottocratic institutions, when freshly installed, would presumably be democratic institutions at their best, run by enthusiastic reformers with a high degree of commitment. Other democratic institutions, in contrast, such as parliaments, show the ravages of time. So at least part of the lure of lottocratic institutions may come from the fact that they would be newly installed and therefore not yet corrupted.

This newness may well speak in their favor, as a way of revitalizing the democratic life of societies.[23] But the question then becomes how they would fare over longer periods and how the interplay between lottocratic and other institutions would develop over time. In fact, a recent sociological study of facilitators and moderators of democratic innovations in the United States provides a sobering counterpoint to the enthusiasm about deliberative experiments in democratic theory. There is, by now, a whole industry—with professional associations,

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[20] Guerrero 2014, 142–44 and 174–76.

[21] Landemore 2020; for her, it is *necessarily* the case that elections favor the rich, the charismatic, etc. (e.g., 89). This is a point I am far less sure about, and hence my position is more optimistically reformist about elections than hers. In many other respects, I share the commitments of her conception of "open democracy."

[22] E.g., Hirschman 1970.

[23] Kuyper and Wolkenstein 2019 suggest the use of minipublics in particular in situations in which existing representative institutions fail to fulfill their functions well. But this proposal raises serious questions of feasibility: if existing institutions have become so dysfunctional, who can initiate minipublics, and how can it be ensured that their results will be implemented? An exception, however, could be constitutional crises in which lottocratic assemblies are asked to developed proposals for reform. Goldberg and Bächtiger 2023, in a survey study of views on the legitimacy of deliberative citizen forums, show that citizens are not generally in favor of strongly empowering such forums, another important data point for thinking about the role lottocratic elements can and should play in a democratic system overall.

annual meetings, and so on—of professionals facilitating participatory events across the country. These practices are not immune to routinization and instrumentalization.[24] A particular worry is that moderators and facilitators and the experts they invite have disproportionate power over the outcomes of such events, especially when it comes to abstract topics about which citizens have little previous knowledge.[25]

So how should one evaluate the arguments for lottocratic reform? First, let's take the argument from diversity. One of the strongest arguments for lottocratic institutions is that through their sampling techniques, they ensure the representation of the whole society, independent of gender, race, occupation, and status.[26] Those who argue for lottocratic institutions are critical of the lack of diversity within parliaments, and rightly so. Guerrero, for example, holds that lottocratic institutions would be "more likely to be an ideologically, demographically, and socioeconomically representative sample of the people in the jurisdiction."[27] But this raises the question of what could be done to also make parliaments themselves more representative. There are many reasons—including epistemic ones—for wanting parliaments to reflect, at least roughly, the demographic and ideological features of the population as a whole. If the aim is to get individuals from all backgrounds into representative institutions, couldn't this be achieved for parliaments as well?

Against this proposal, a critic might point out that what matters, at least for epistemic outcomes, is "inclusion of all perspectives" rather than "inclusion of all opinions, social groups or cultural identities," as James Bohman puts this point.[28] On the conceptual level, this is certainly correct. But diversity of backgrounds is often the best proxy for diversity of perspectives—not least because we often do not know beforehand which perspectives will matter for a certain issue. Therefore, the full "cognitive diversity" of a society should be present in institutions of political representation—and it needs to be maintained over time.[29]

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[24] Lee 2015, e.g., 18, 38ff., 171—and generally Part III, which is entitled "Civic Engagement as a Management Tool."

[25] Lee 2015, e.g., 85. Lee draws a nuanced picture of these professionals, who are very much aware of their own paradoxical role, and in particular their power in designing and accompanying citizen assemblies, town hall meetings, and other participatory formats. Nonetheless, the promise of descriptive representativeness seems not to be met. See also Jacobsen 2021 on the experiences of the German *Bürgerrat*. Landemore is more optimistic here (2020, e.g., 192). For a critical take on lottocratic institutional proposals, see also Landa and Pevnick 2021, who focus on the lack of accountability of lottocratic representatives to the whole population, and the different potentials for corruptive influences or capture on representative and lottocratic institutions.

[26] This is not 100% true, insofar as there remains an element of self-selection—but organizers can work against this.

[27] Guerrero 2014, 167.

[28] Bohman 2006, 175.

[29] See also Landemore 2013, 106–7; in her earlier book, she seems more optimistic that this is possible than in her 2020 book.

Jane Mansbridge discusses two arguments[30] for "descriptive representation" (i.e., of women by women, blacks by blacks, etc.) that have a clear epistemic dimension.[31] One is the improvement in communication in contexts otherwise characterized by mistrust between different communities, a problem that is pressing with regard to race relations in the United States.[32] The other is the importance of "innovative thinking in contexts of uncrystallized, not fully articulated, interests."[33] In such unclear situation, it is crucial that knowledge about the lived experiences of differently situated individuals is taken seriously in the discussion. Members of other groups, especially privileged ones who do not have to take on the perspective of others, might simply not understand why certain issues matter for less privileged groups[34] and hence not care to address them politically. Thus, it is desirable that the members of representative institutions come from all walks of life and reflect the demographic and ideological landscape of the wider society without major distortions.

Lottocratic reformers point out that their proposals would automatically ensure such representativeness, and this is one of their strongest points. But it is not the only possible direction of reform. It remains at least as important to think about ways in which existing democratic institutions can ensure more "descriptive representation"—at least as long as actual political decision-making (in contrast to deliberation and the formulation of recommendations) remains within the hands of members of parliaments. Mansbridge suggests various steps that could be taken to achieve this, from softer ones ("enabling devices" such as proactive training of candidates and provision of childcare facilities) to stricter ones (such as quotas). She prefers the former, because they avoid problematic forms of "essentialism" that would encourage individuals to see themselves mostly as members of specific groups rather than as equal citizens.[35] Such steps should be taken in parallel with experiments with lottocratic innovations. Political parties and NGOs can also take more active steps to recruit future politicians from diverse backgrounds.

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[30] Mansbridge (1999b, see also 2015) provides two more arguments, which are not directly epistemic: the importance of a social construction of all groups as "fit to govern" (against worries about second-class citizenship; see 1999b, 648–50), and the overall perception of legitimacy of decisions.

[31] Mansbridge 1999b; see also her 2015 follow-up on workers. Mansbridge is less convinced that workers should be represented by workers, arguing, among other things, that occupational positions are not innate and more fluid than gender or race. However, in societies in which class divisions get more and more entrenched and social mobility is in decline, this argument becomes less convincing (see also the next chapter on social structures). Moreover, Mansbridge notes that the representation of workers' voices through other institutions (e.g., unions and working-class parties) has decreased (2015, 266). Hence, I take it that the arguments for supportive measures that can increase representation from disadvantaged groups also apply to members of the working classes.

[32] Mansbridge 1999b, esp. 641–43.

[33] Mansbridge 1999b, 628.

[34] See also Chapters 2.4 and 10.2.

[35] Mansbridge 1999b, 652–53 and 637–38 on the essentialism problem.

However, such measures risk staying at the surface if another problem, of the "elephant in the room" type, is not addressed: the problem of money in politics, which is worrying for many reasons, including epistemic ones.[36] One of the key obstacles for diversity in representative institutions is that in many democracies, it takes massive resources to run for office.[37] Thus, candidates for parliament need to be either independently rich or rely on donations from rich individuals and organizations, which gives the latter power over agenda setting and deliberation.[38] This is an area in which, in many countries, reforms are urgently needed, not only from the perspective of diversity of representation, but also because the primacy of politics over the economic system cannot be maintained if those who are economically powerful can bias the political process in their favor.[39] Adding lottocratic elements to a system marred by these deeper structural problems (and in fact many others) is at a serious risk of failure, because those with more economic resources would probably do everything to influence decision-making at other steps, for example at the level of implementation.[40]

Let me add a few more points concerning representative diversity. First, I would like to extend Mansbridge's arguments for "descriptive representation" to expert bodies, for example, those that play a role in preparing political decisions, or to whom certain specialized policy areas are delegated. To be sure, the central criterion should be expertise—but from the group of potential experts, a broad variety of individuals from different backgrounds should be chosen.[41] In some

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[36] See also Goldman 1999a, 332, and recently Bennett 2020 (on the "public sphere" in general, from an explicitly epistemic perspective). For a discussion of one specific subproblem, that of campaign finance in the United States and the legal cases behind it, see, e.g., Attanasio 2018, chaps. 5 and 6.

[37] See, e.g., on the United States Landa and Pevnick 2021, 48. Other democracies have much larger amounts of public funding for parties. Norway, for example, had 64.0% government subsidies in 2021 (see https://www.ssb.no/en/valg/partifinansiering/statistikk/finansiering-av-politiske-partier, last accessed May 21, 2023).

[38] Christiano 2012a, 245. Christiano draws on empirical work, especially by Bartels (2008, chap. 9) and Gilens (2005) that confirms that US politics is more responsive to voters from higher income scales. For a take on the 2020 congressional election in the United States and the role of "big money" see Ferguson et al. 2021.

[39] In the United States, various constitutional features (especially the conceptualization of donations as "free speech") make such reforms particularly difficult. For discussions of previous reform proposals—from a rather pessimistic perspective—see, e.g., Issacharoff and Karlan 1999. Some proposals have accepted the impossibility of limitations and therefore suggested giving *all* citizens vouchers for political donations, to dilute the influence of richer donors (Christiano 2012b, 248, referring to proposals by Adamany and Agree 1975 and Ackerman and Ayres 2004; see also recently Bennett 2020, 14–16).

[40] One different kind of proposal has recently been put forward by Arlen and Rossi (2021): they suggest "plebiscitarian" institutions that are specifically meant to address oligarchic threats and the lack of representation of the lower classes. These might be an interesting tool (especially when a society is in a transitional period, out of a state with extreme socioeconomic inequality), but the influence on power dynamics is probably at least as important as epistemic considerations.

[41] This, of course, leads back to the question of how diverse expert communities are, which I discussed in Chapter 8.4.3.

cases, it might also be helpful to include nonexperts from diverse backgrounds into expert groups, to broaden the variety of perspectives and to include the practical experience that comes from living with certain institutions or under certain conditions—which is, as I have argued, itself a form of expertise.

A second point is that lottocratic institutions, while certainly having many epistemic benefits, can also have some disadvantages compared to old-fashioned parliaments. A limiting factor is time: often, they run only for very short periods, such as three weekends in a row. Professional politicians, in contrast, have more time to become at least partial experts on certain issues—a point that has recently been taken up by Dimitri Landa and Ryan Pevnick, who describe representative institutions as a form of "defensible epistocracy."[42] Their point is not that one could or should assume that elected representatives are more competent than other citizens *before* they enter politics; this would indeed be a problematic form of elitism.[43] Rather, once they enter office, they have more time to get informed because their political office is a full-time job (and the less time they have to spend on fund-raising, the more time they can spend on actually getting informed—another reason to limit the influence of money in politics). They can also draw on the various epistemic infrastructures that parties and parliaments offer, such as specialized libraries or information services.[44] In many parliaments, one finds a complex division of epistemic labor, with different members, together with their office staff, specializing in different policy areas, from agricultural politics to healthcare reforms.

What matters, of course, is that the epistemic processes through which members of parliament receive information are as undistorted and uncorrupted as possible, providing them with an honest picture of various policy options.[45] If this succeeds, the epistemic quality in terms of interactive expertise on the part of members of parliaments can be expected to be higher than in a lottocratic setting, in which individuals meet only over a short period of time. To reap the same epistemic benefits, proponents of lottocracy have to aim at more radical forms, such as permanent lottocratic institutions (with changing representatives, of course, but with longer tenure for each). Then, the same epistemic benefits from representatives getting knowledgeable about political issues could be reaped— but the question of the feasibility of such reforms becomes more pressing. More

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[42] Landa and Pevnick 2020. They distinguish a "pivotality" effect (each parliamentarian has more weight than each citizen, which changes the incentive structure) and an "accountability" effect (representatives are being held accountable and hence have incentives for "care and consideration" [5]) and also discuss whether more competent citizens would be elected as representatives.

[43] Cf. Landemore 2020, chap. 1, who discusses this position as held by some of the founding fathers of the United States.

[44] Cf. e.g., Tyler 2020.

[45] Cf. similarly Elliot 2019a, 10–11, who discusses how rent-seeking and bias might be prevented.

modest proposals, such as a few minipublics here or there, in contrast, may well be feasible but may not achieve the kind of change that their proponents hope for.

Finally, a key challenge for lottocratic institutions is that to be effective, their outputs need to be integrated into the broader institutional framework of a democracy. Robert Goodin and John Dryzek, in a 2006 paper, list and discuss several possible "pathways to influence," together with cases that exemplify them. These pathways reach from direct policymaking (e.g., preparing motions that are put to vote in a referendum) to "informing public debates" (which depends on media update) or "market testing" for policies (i.e., testing the water for new proposals).[46] Since then, the "systemic turn" in deliberative democratic theory has widened the understanding of the locations of deliberation, which makes it easier to theoretically integrate minipublics. As Andrea Felicetti and his coauthors put it, in a paper that discusses two recent examples: "In systemic terms mini-publics are no longer viewed as discrete entities, but as parts of an interconnected wider system composed of various sites for deliberation."[47] But theoretical integration does not ensure practical success, and, in practice, the question of how minipublics could be taken up and connected to broader discourses remains a challenge.[48]

Without successful integration into broader public discourse, minipublics are precisely that: "mini." There is a real risk that they are treated as a "shortcut," as Cristina Lafont has put it, and come at the cost of efforts to improve the wider political system in which *all* citizens can participate.[49] Theorists of participatory democracy, who emphasize the active engagement of the citizenry, have therefore been far less enthusiastic about lottocratic experiments than theorists of deliberative democracy.[50] Lafont illustrates the need for broader public discussion by pointing to issues such as the fight against discrimination and the move toward more sustainable ways of living, for which far-ranging changes of patterns of behaviors and lifestyles are needed.[51] For such policy areas, her argument is particularly strong: here it really matters that individual citizens not only "receive" knowledge in the sense of abstract information, brought to them via media reports (including media reports about minipublics), but that

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[46] Goodin and Dryzek 2006. See also Dryzek 2017, 626, and Parkinson 2012, 161–63, on the need for linking deliberative minipublics to other institutions.

[47] Felicetti et al. 2015, 428.

[48] See van der Does and Jacquet 2021 for a recent metastudy of sixty studies on "spillover" effects of minipublics in Western countries. Among participants, they find an increase in support for citizen participation in politics and for deliberation, as well as some degree of opinion change and knowledge increase; moreover, they draw a cautiously optimistic picture concerning positive effects on nonparticipants, though the findings are here less robust.

[49] Lafont 2020.

[50] Pateman 2012; see also Papadopoulus 2012, who warns that many new techniques of deliberation are used in contexts that are neither representative nor participatory (135, 144).

[51] Lafont 2020, 48–51.

new insights can "sink in" in ways that enable changes in their behaviors and political preferences.

This provides another strong argument for not focusing exclusively on lottocratic reforms, but also thinking about the epistemic infrastructure of a democratic society *as a whole*, in ways that reach all citizens. We cannot expect the integration of minipublics into the broader political landscape, and in particular into public discourse, to go well if so many other institutions are epistemically deficient. It seems likely that minipublics function best, and do most good, in societies that have a tradition of broad and inclusive public discourse, in which there is justified trust in expertise (and in public administrations),[52] and in which the media landscape is, all in all, functional.[53] One can well imagine that in a media landscape dominated by polemic, antidemocratic voices, and misinformation, minipublics would be ripped to pieces, with vicious attacks on members and ridicule of the outcomes—or they would simply be ignored, cutting off any broader debate about them.[54] Anticipating such mechanisms, citizens might not be very keen to get involved in minipublics in the first place, for fear of being attacked, or they might self-censor, undermining the very point of the deliberative setting.

None of these arguments amount to a rejection of lottocracy. Rather, I see lottocratic approaches as one among many tools of institutional design that democrats can draw on, with specific strengths and weaknesses. As numerous case studies have confirmed, among their key strengths are their high degree of mutual respect and their high deliberative quality.[55] And as I have argued earlier, they might be particularly valuable when it comes to policy issues for which specialized knowledge is needed, and where an average citizen would have a hard time understanding the position of different experts; the participants in a minipublic can then acquire "interactional expertise" and serve as trusted proxies for others.[56] If lottocratic institutions become a normal part of democratic life, they might have a positive effect in terms of capacity building, as more and more citizens get a chance to participate in them and to experience

[52]   Felicetti et al. (2015, 44) point out the need for "administrative competence and local expertise for effective implementation" as a crucial condition for successful lottocratic experiments.

[53]   Similar arguments can be made about referenda, another reform proposal that has received renewed interest in recent years. It seems that the higher the level of education, and the better the epistemic culture in a society, the more likely it is that referenda can be a meaningful supplement to other democratic institutions (which might be one of the reasons why they seem to function relatively well in Switzerland—for example, every citizen receives a booklet in which the arguments for and against a proposal are summarized in an accessible, but nuanced, way). But the more problems a democratic system already has, in these respects, the more likely is it that referenda will be abused by populists and demagogues.

[54]   See also Lafont 2020, 108.

[55]   Dryzek 2017, 614–15, who summarizes various studies.

[56]   Cf. Chapter 8.4; Moore 2017, chap. 7, provides a detailed defense.

deliberative practices firsthand.[57] But they cannot, and need not, replace reforms of other parts of a society's democratic system—both with regard to citizens' equal representation and participation, and with regard to the epistemic infrastructure of democracy. In what follows, I will focus on some such reforms, which would, hopefully, also facilitate the integration of minipublics into the broader institutional framework.

9.3. Epistemic Infrastructures for Democratic Citizenship

If democracy has epistemic preconditions for functioning well, then democrats have good reasons for endorsing the institutions that ensure that these preconditions are in place. All citizens need to have access to the institutions that enable them to get access to relevant forms of knowledge and to make informed decisions. By using the term "infrastructure," I emphasize the character of these institutions as conditions of the possibility of democracy. In Chapter 6, I argued that truth, however minimally and pragmatically understood, is an essential precondition for democratic institutions. In this section, I discuss, exemplarily, three sets of institutions that are crucial for making sure that democratic practices are sufficiently truth-conducive: schools, the media, and civil society organizations and unions. Building and maintaining them is an investment in the epistemic functionality of democracy, which provides citizens with social structures in which they can take well-informed decisions, drawing on reliable sources or using reliable heuristics.

These three sets of institutions also offer instructive case studies regarding the ways in which market thinking has, in many countries, invaded them, overshadowing their role for democracy. Such market thinking came in several forms: by conceptualizing school choice as a matter of market competition, with the assumption that such competition would lead to better schools,[58] but also by using indicators that were meant to measure success but instead lead to "Campbell's law" problems, along the lines discussed in Chapter 4.[59] The knowledge and skills taught in school were often understood exclusively from a perspective of turning students into future employees, rather than future citizens.[60] With regard to the media, a "market approach" was taken literally in many countries, in the sense that the need for public media was denied, probably helped by the idea

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[57] See also Felicetti et al. 2015, 444–45, on potential capacity-building effects, though they note that it is difficult to attribute effects to specific events.

[58] E.g., Friedman 1955.

[59] Chapter 4.4.

[60] While I do not discuss them in detail here, implications for higher education follow directly from my discussion of experts in democracies in Chapter 8.

that a "marketplace of ideas" would make sure that truth would win over false-hood. And civil society organizations and unions suffered not only from cultural shifts that discredited all "collectivist" endeavors, but also from outright attacks and the downsizing of the spaces in which they could flourish.

Instead of seeing schools, media, and civil society organizations—and, in parallel, other institutions that are relevant for the epistemic life of democracies—along market lines, I suggest seeing them from the perspective of democratic institutionalism, as parts of the epistemic infrastructure for democracy. To do so, there is no need to reinvent the wheel. Many schools, media publishers, and other epistemically relevant institutions continue to uphold such democratic ideals, sometimes under very difficult circumstances. We can return to such older approaches that have lost none of their relevance and that can be developed further for today's and future needs. Where some of them may need an update is the treatment of minorities, along the lines of "epistemic justice" I have discussed earlier.[61] But with regard to their democratic commitments, one can find outstanding examples that have weathered the challenges of the promarket era.

Before starting this discussion, let me note two general points about this perspective on the epistemic infrastructure of democracy. One is the importance of looking at institutions in an integrated way, taking into account their interrelations and the impact they have on each other. Epistemic institutions often work better or worse depending on how they interact with other institutions, epistemic or otherwise. Hence, what matters is ultimately the system as a whole—and to understand it, one also needs to understand its historical path dependencies and its evolution over time. It is also at the level of the overall system that the tensions that can arise between individual rights and institutional or epistemic quality, which I discussed in Chapter 6, need to be considered. Whether or not it is justifiable, for example, to limit the speech of certain individuals or groups in specific contexts depends to a great extent on their opportunities for speech overall, which in turn depends on the media landscape of a society.[62]

The second point is related: it is crucial not to start from an overly optimistic picture of the epistemic competences of *individuals*, but rather to take seriously the fact that epistemic processes in complex societies always presuppose a division of labor, in which individuals outsource a great many epistemic tasks to other individuals or institutions.[63] Individuals have their lives to live, and there is

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[61] Think, for example, about the stereotypical (but nonetheless often true) issue of the white and male focus of many unions and related organizations, e.g., union magazines.

[62] This is also why more concrete issues cannot be addressed at the level of generality I have adopted in this book—but I hope that my perspective can be applied to more concrete cases, such as, for example, the question of how to introduce more elements of democratic learning into the schools of a specific country.

[63] Cf. also Christiano 2019b, who responds along these lines to empirically based worries about voter ignorance.

only so much energy they can spend on the epistemic tasks that are relevant for democracy.[64] But this is no new feature of the current era—it was also the case in periods in which, at least in retrospect, democracy seemed to function relatively well, epistemically speaking. What matters is the right institutional framework, in which all epistemic tasks are taken on by trustworthy institutions on which citizens can rely, and in which citizens are, on the one hand, empowered vis-à-vis fake news and pressures to conform to prejudices, and on the other hand, understand the limits of their own knowledge and understand where to place their epistemic trust.

9.3.1. Schools for Democracy

The value of schools for democracy, epistemic and beyond, has long been emphasized. Schools are one of the places in which the values of a society are passed on to the next generation. Hence, the pedagogy and the learning goals of schools need to be in line with the democratic values of a society—a point famously made by John Dewey in *Democracy and Education*.[65] In a recent commentary, Patricia Hinchey aptly summarizes the core idea of the Deweyan approach:

> The kind of citizens that schools educate will shape the kind of society the country becomes tomorrow. If what we want are concerned citizens who believe they have a responsibility to contribute to their communities, who understand the dangers of shutting certain segments of society out of democracy's promise of fair opportunities for life, liberty and happiness, then teachers need to think deeply about what they do in their classrooms and why, about whether memorizing formulas is more important than learning to question the claims of politicians, ads or journalists."[66]

This view stands in stark contrast to a view of schools that focuses primarily on preparing children for the labor market.[67] Such an "economistic" view of schools is often criticized from a "humanistic" perspective that emphasizes educational goals such as individual development, human flourishing, and—a bit more old-fashioned—the acquisition of virtue. From the perspective of democratic institutionalism, however, such a "humanistic" perspective does not get it quite right. In fact, concerns about value pluralism and the individual freedom to choose

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[64] See also Hannon 2020b.
[65] Dewey [1915] 2018.
[66] Hinchey 2018, xviii.
[67] For a criticism see also Kitcher 2021, 51 and *passim*.

between different lifestyles put clear limitations on such "perfectionist" goals. Instead, another perspective is central: that of educating future citizens.[68] The key question, from this perspective, is this: What do children need to learn to become competent citizens so that they can maintain a democratic society (within which they can then choose from a plethora of lifestyles, driven by different value systems, in their private lives)?

The answer to this question has many dimensions (motivational, psychological, cultural, etc.), but I will here focus on the epistemic ones.[69] Importantly, the point is not so much to educate future citizens in ways that lead to optimal responses in surveys about factual political knowledge.[70] Rather, the point is to enable citizens to make use of the collective epistemic infrastructure of their society: to understand which heuristics to use, how to distinguish reliable from unreliable sources, and how to avoid risks of epistemic manipulation.[71] They need to know where to get political news from and be able to thoughtfully and critically receive and process the news that is relevant for making political decisions.[72] They need to learn to have discussions with people with whom they disagree, and how to engage in constructive exchanges from which both sides can learn.[73] And they need to know when and how to act on political knowledge and how to take steps that translate knowledge into action.

Of course, students need to learn how to distinguish true from false claims, in the online and offline world.[74] This also includes the ability to understand the basic principles of scientific knowledge creation and the meaning of statistics. Having such an understanding enables individuals to become capable recipients of science journalism and participants in dialogues with various kinds

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[68] See similarly Callan 1997, who defends the need for political virtues (especially "justice as reasonableness" [8]) against the charge of irrelevance in liberal democracies and explores the implications for democratic education.

[69] For a broader account of the goals of education, from a pragmatist perspective, see recently Kitcher 2021. Insofar as better epistemic skills can serve to rationalize one's own positions (and thereby contribute to polarization), as Hannon (2022) has pointed out, based on empirical studies, children also need to learn to be as open-minded and objective as possible when taking up new information, and to not focus on identity-protection in political debates.

[70] For a critical take on the research that attempts to demonstrate citizens' "political irrationality" via survey studies, see Friedman 2021; Tanesini 2021 also warns against quick conclusions on the basis of specific studies. See also Lupia 2016, from the perspective of civic education, on the deficits of many studies of "political knowledge."

[71] Studies show that a program of "inoculation" against digital "fake news" can be very successful in enabling individuals to detect them; in these studies, individuals practice manipulation themselves and thereby understand its mechanisms. See, e.g., Kozyreva et al. 2020, which discusses it together with other strategies to "boost" individuals' agency in digital environments, and Lewandowsky and van der Linden 2021.

[72] See similarly Kurtulmus and Irzik 2017, 139–40.

[73] See also Kitcher 2021, chap. 4.

[74] Goldman 1999a, chap. 9, discusses education from a "veritistic" perspective, asking how students can learn *true* claims, in the context of the debates about multicultural education. He rightly argues that there is no necessary conflict between a truth-oriented education and one that focuses on multiple perspectives and critical skills (see esp. 363).

of experts.[75] But at least as important is that they learn to recognize *relevant* information from among the flood of news items that one is confronted with, on a daily and hourly basis, and to know what to do with it (e.g., how to take political action after the abuse of office by a politician has been revealed). This means providing children and teenagers with the ability to choose where to put one's energies, both in terms of reading up news and in terms of engaging in political action—and this means understanding how one's values hang together with the concrete policy questions of the day.

Today, many educational practices seem to be stuck in a preinternet era, in the sense that they do not consider that many pieces of information are available at one's fingertips, just one mouse-click or smartphone search away.[76] What matters, though, is the ability to critically scrutinize such information, to place it in broader contexts, and to evaluate its significance. This requires the development of epistemic skills, but also of democratic and ethical sensibilities—for example, concerning possible threats to democratic institutions and the unfair treatment of fellow citizens—that have more to do with arts, humanities, and literature than with technical skills.[77]

Children and teenagers can learn the practices of deliberation and participation at school: respectful dialogue among equals who learn from each other despite differences in perspectives, finding creative solutions, or reaching acceptable compromises in teams, and putting decisions into practice together.[78] They can develop the ability to speak up for themselves, to find and raise their own voice, and to put forward their ideas, worries, complaints, or suggestions, in ways that can be taken up by others and lead to constructive debate. And they need to be able to do so across lines of gender, race, or class. Ideally, schools can be places in which individuals—children *and* parents—from various backgrounds meet

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[75] See similarly Kitcher 2011, chap. 7, and Kitcher 2021, chap. 7, who argues that science education in schools should enable those who do not show an interest in becoming scientists themselves to become good *recipients* of scientific research (and he hastens to add that this should be done in ways that do not channel people from certain backgrounds onto nonscience tracks, which is indeed a practical challenge here).

[76] See also Pritchard 2018 for reflections on the need to focus education on the acquisition of "intellectual character," given the possibility that the advent of "neuromedia" will make information even more easily available.

[77] Some philosophers use the term "understanding" for a deeper form of knowledge. See, e.g., Lynch 2016, who sees it as answering "why?" and not only "what?" questions (6 and 164–83). Understanding cannot be acquired by Googling—it is more than the sum of separate pieces of information and requires understanding structures, relations, and contexts (Lynch 2016, 165). Accordingly, it is intimately related to practical skills and to the ability to explain and teach others about a certain field (166–73). For detailed ethnographic accounts of embodied skills (combined with a passionate plea for creating room for such practices in society, beyond the digital sphere), see Crawford 2015.

[78] Algan et al. (2011) show that "horizontal" teaching measures are indeed positively correlated with high social capital (in the sense of a capacity to collaborate with others), across OECD and other countries.

and have natural opportunities to engage in discussions and to think about issues from different perspectives.

This has a lot to do with educational policies—including the regulation of private schools—but ultimately also with city planning and public budgeting. To put it polemically: it is not enough if the children from privileged white families read *Uncle Tom's Cabin* in their exclusive private school (or their public school in a neighborhood that only the rich can afford), to learn to sympathize with the wretched and poor, but never encounter kids from other backgrounds in their own lives. A typical dilemma for many privileged parents, however, is that public schools, with their more "diverse" constituencies, are often so underfunded that parents feel that they would have to sacrifice their children's education on the altar of democratic inclusion.[79] The best answer a democratic society can possibly give, short of banning all private schools and forcing all children into public schools no matter the quality, is to invest in public education, to increase the quality of public schools, so that parents feel no need to opt out.[80]

Schools can also be training grounds for democratic practices, including their epistemic dimensions. In an essay on the importance of democratic education in schools, educational scholar Wolfgang Edelstein distinguishes three ways in which such schools can prepare individuals for democracy: by "learning *about* democracy," "learning *through* democracy by participating in a democratic school community," and "learning *for* democracy," in the sense of understanding how "democratic forms of life" can be sustained and nurtured.[81] As concrete proposals for democratic practices at school, he discusses forms of democratic self-governance (e.g., classroom councils), social projects in which pupils can get involved, and forms of civic engagement where students volunteer.[82] Such democratic practices are particularly important for students to learn to get *practically* involved—to not only think and speak about democratic practices, but to engage in them, together with others.[83]

Running schools in this way may require more funding than running them as mere feeding institutions for labor markets. But for democratic societies, this is a necessary investment.[84] Their schools need to train students in practices of mutual understanding across different parts of society—for democratic reasons,

[79] For the debate in the UK see, e.g., Swift 2003.

[80] In fact, social norms that push parents to let their children go to public schools can be helpful—even if there is a risk of stigmatizing those who opt for private schools for good reasons.

[81] Edelstein 2011, 130.

[82] Edelstein 2011, 131ff. On the latter see also Dzur 2019 on Boyte et al. 2018. On the challenges of organizing moral dialogue in schools within diverse democratic societies see Callan 1997, chap. 8.

[83] A similar proposal is Kohlberg's approach of "Just Community Schools," which he pioneered in the United States and which were also tried out in other countries. See Power et al. 1989; for an adaptation to the German context see Oser et al. 2008. I thank Jacob Garrett for pointing me to this line of work.

[84] For a recent call to revive a democratic conception of schools see Levinson and Solomon 2021.

but also for epistemic reasons, because all citizens of a democratic society need to be able to engage with each other and exchange arguments and perspectives, not only those who share the same social background. But the more unequal a society, and the more educational credentials degenerate into tokens in the trade for economic advantage, the more difficult it is to maintain an inclusive democratic life in schools—a topic to which I return in the next chapter.

9.3.2. Media for Democracy

A second key institution for the epistemic life of democratic societies are the media. Without them, the notion of "public discourse" remains empty—such discourse needs a medium, or media, to take place. Jürgen Habermas has famously traced the development of the public sphere in the modern West, from the salons and coffeehouses of the eighteenth century to the mass media of the twentieth.[85] As critics have pointed out, however, his focus remained limited to forms of discourse and media that serve privileged groups, at the exclusion of women and working-class people. Their arguments show the need to broaden the notion of public discourse and to acknowledge the importance of "counterpublics" in addition to the one public sphere that Habermas described.[86]

To enable public discourse and to support the inclusion of marginalized or oppressed groups, the media in a democracy need to fulfill a number of functions. Again, a systemic perspective is needed: what matters is the overall system of different outlets and means of communication through which individuals can articulate their concerns, discuss and argue with each other, develop new ideas, and challenge established opinions and break taboos. Not every newspaper or media program needs to do all of these; some might not need to have a "deliberative" function at all and still contribute to the overall system.[87] And yet there are also limits to the usefulness, from a democratic institutionalist perspective, of, for example, hyperpartisan media and unregulated forums in which falsehoods and hate speech flourish.[88]

Media regulation in democratic societies takes place within a field of forces that it at least three-dimensional: what is at stake is individual freedom of speech, the overall quality of discourse, and the economic freedom of media companies. From a democratic perspective, the latter has the lowest priority—it should maybe not even be conceptualized as a goal or value, but rather as a side

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[85] Habermas [1961] 1989.
[86] Fraser 1990, see also Chapter 3.3.
[87] Cf. Mansbridge et al. 2012.
[88] See similarly Dryzek 2017, in which he suggests going beyond the "systems" perspective, to also integrate the "polity."

constraint, in the sense that without sufficient opportunities to cover costs, private media companies cannot remain in business. And given the core tasks of media in democracies, on which I will say more below, it does indeed make sense not to concentrate all media in the hands of public institutions, but to allow private initiatives. But this is a far cry from giving free rein to media companies to maximize their profits, in unregulated and often highly concentrated markets, as has been the case in many countries in recent decades.[89]

As mentioned in the introduction, it is sometimes suggested that the greatest threat the public sphere of democratic societies is the internet, with its distracting soundbites, cat videos, and hate waves on social media. But such criticisms of the media from a democratic perspective are much older. For example, in the introduction to a 2005 book on the press in the United States, Jaroslav Pelikan quotes the example of the legendary racehorse Seabiscuit, which in 1938, the year of the annexation of Czechoslovakia by Nazi Germany, got more news coverage than Roosevelt, Hitler, and Mussolini.[90] The 1947 "Report of the Commission on Freedom of the Press" noted that reporting was "twisted by the emphasis on firstness, on the novel and sensational; by the personal interests of owners; and by pressure groups."[91] It also noted that there was a disconnect with "the typical lives of real people anywhere," and decried "meaninglessness, flatness, distortion, and the perpetuation of misunderstanding."[92] Critics have long pointed out that the incentives for traditional newspapers led them to appeal to large, well-off audiences, because they bring most advertising income; there are far fewer financial incentives to provide news for less well-off groups or minorities.[93] When the internet started to develop, with blogs and other ungated forums for communication, many commentators were enthusiastic that there were now channels beyond the corporate media, with their dependence on advertising income.[94]

A second problem with blaming the internet is that the bifurcation of the US media system and the detachment of part of it from truthfulness started earlier, before the internet even existed, especially with partisan talk radio.[95] In a detailed analysis, Yochai Benkler and his coauthors distinguish between two

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[89] In fact, one might formulate a certain degree of resilience or stability as an additional criterion for a democratic media system: one would not want the whole system to be corroded if one TV sender, say, went rogue and spread conspiracy theories. Plurality of sources can be one way of achieving such stability.

[90] Pelikan 2005, xviii.

[91] Quoted in Benkler et al. 2018, 315. See also page 28 on other earlier media critics, including Neil Postman's famous 1985 *Amusing Ourselves to Death.*

[92] Benkler et al. 2018, 315.

[93] Baker 2002, Part I.

[94] E.g., Goldman 1999a, 186. Cf. Coady 2012, chap. 6, for a discussion of the blogosphere, which he defends against Goldman. On the early enthusiasm about the internet see, e.g., Lynch 2016, 134; on its advantages (but also from a critical perspective), see Baker 2002, pos. 3556–61.

[95] See Benkler et al. 2018. See also Otto 2016, chap. 7 on the antiscientific attitude of certain media, which also predates the internet era.

kinds of feedback loops in two media "ecosystems" that have developed in the United States: one that supports fact-finding and truthful reporting, and one that supports propaganda, sensationalism, and "fake news." In the fact-finding feedback loop, with its "reality-check dynamic,"[96] news outlets receive criticisms for wrongful reporting and thus have incentives to correct errors or distortions. The news outlets in this ecosystem, which can be found in the center-left political spectrum, are committed to journalistic standards with "truth-seeking norms."[97] In contrast, in the right-wing ecosystem, there is no such corrective mechanism: lies or misleading reports stay uncorrected, fueling feedback loops in which more and more partisan content, some of which is plainly false, goes unchecked by any "truth-telling brake."[98] The result is a high degree of polarization, with those consuming news from the right-wing ecosystem being "systematically disengaged from objective journalism and the ability to tell truth from partisan fiction."[99] On Facebook, the polarization is particularly strong, but the pattern is the same on Twitter and also when one analyzes cross-links between news websites.[100] The challenges that this constellation creates for democratic life and democratic governance are obvious: citizens from these two camps can hardly engage in meaningful discussions, because they do not agree on basic facts. There is a very real sense in which they live in different worlds.[101]

What is true about the "blame the internet" narrative is yet another problem: the traditional business model for newspapers and other print media has been eroded by the shift of advertising income to the online world. In the "good old days" of journalism, newspapers typically had two sources of income: subscription fees from readers and advertising income from companies. Together, these two sources could fund large editorial teams with the capacity to run in-depth investigations. Moreover, there was a market for various local and regional newspapers in which journalists could report about matters directly relevant to citizens' everyday lives, such as local politics or infrastructure projects. This system made it viable for newspapers to produce a broad variety of content that was based on more or less competent investigation and fact-based reporting.[102]

In the early days of the internet, many news outlets started putting content online for free, probably out a perceived pressure to go with the tide of the time.

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[96] Benkler et al. 2018, 77.
[97] Benkler et al. 2018, 31 and chap. 2. See also page 216.
[98] Benkler et al. 2018, 14.
[99] Benkler et al. 2018, 16, and chap. 3 on the "propaganda feedback loop."
[100] Benkler et al. 2018, 53–55, 281.
[101] A literary reflection on such a situation can be found in China Melville's novel *The City and the City*, a crime novel set against the background of two cities that exist geographically intertwined with each other, but completely segregated. Their inhabitants have learned to completely ignore each other, to "unsee" what is going on at the other side.
[102] Cf., e.g., Edmonds 2010.

But this helped create expectations, among readers, of a "for free" culture, which also threatened newspapers' second source of income, subscription fees. Many news outlets had to cut back staff; in many countries, local newspapers died out.[103] For example, in the United States, two-thirds of counties no longer have a daily paper.[104] One commentator calculated that Google's 2017 advertising income would have been sufficient to pay the salaries of three hundred thousand reporters.[105] Those newspapers that have survived this shift face stiff competition with other online providers and are under constant pressure to "chase the clicks," which puts journalistic standards at risk.[106] Various experiments, with a mix of for-free and for-pay content or voluntary donations by readers, are ongoing. But overall, the prospects seem dire for the free market provision of high-quality news and of investigative journalism that manages to hold those with political, economic, or other forms of power to account. Public provision, and provision by not-for-profit journalistic outlets, seem more urgent than ever.[107]

What then, are the functions of the media in a democracy? They flow from the epistemic needs of a democratic public and have long been discussed in journalism ethics; it is worth connecting them to democratic theory. In an insightful essay, "What Democracy Requires of the Media,"[108] communications scholar James Curran provides a helpful distinction between a number of functions, which I will here refer to as providing "a public space," "protected spaces," and "accountability."

The "public space" provided by media is the virtual agora of the republic: a place that is publicly visible and known as such by all citizens. It does not have to be provided by one single outlet; rather, it is a virtual space in which key issues for the public life of a society are reported and discussed, typically by several outlets. Curran calls this space the "core" of the media system, which provides "the central meeting place of society where different social groups are brought into communion with one another."[109] Here mediation between different groups can take place, which requires norms such as civility, empathy, mutuality, objectivity, a public interest orientation, democratic efficacy, and social inclusion.[110] It is here that the common ground for discussions between citizens can be created. For Curran, it should also "promote conciliation by supporting the rituals and

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[103] See Teachout 2020, chap. 3. As she underlines, this was not an inevitable development—it could have been prevented by market regulation (e.g., 69).

[104] Teachout 2020, 85.

[105] Teachout 2020, 74.

[106] Herzog 2021a.

[107] See also Cagé 2016.

[108] Curran 2005.

[109] Curran 2005, 124, 135; see also Freedman and Schlosberg 2017 with their "Manifesto for Public Knowledge."

[110] Curran 2005, 128.

procedures of the democratic system," for example, by encouraging citizens to participate in elections.[111]

This "public space" or "core" can be distorted in ways that threaten democratic life. For one thing, it can be fragmented or bifurcated in ways that undermine the very idea of a shared space, as described above with regard to the US media system. Another threat comes from practices that privilege certain groups (or the themes that concern certain groups) over others. This undermines the egalitarian principle of an equal moral standing of all citizens, independent of gender, ethnicity, or class. It is the plurality of voices and perspectives that gives citizens the best chance of getting a rich and nuanced picture of political issues.[112] Therefore, in the media landscape of democratic societies, there must be no "epistemic attention deficits" for certain groups, for example, those from lower socioeconomic backgrounds.[113] Thus, my claim is that the norms for this "core" are twofold: it needs to be a *shared* space, and it needs to be an *egalitarian* space in which the issues and problems of all members of society are discussed.

An example from the UK from 2019 illustrates the latter point. In the summer of this year, right in the middle of heated debates about Brexit, the numbers of deaths showed an unusual rise—life expectancy was, in fact, falling (and life expectancy has a strong socioeconomic bias, so this was likely to concern mostly people from lower socioeconomic backgrounds). But as one commentator pointed out, there was hardly any reporting about it—the debate about Brexit was taking up all space of public discussion.[114] For a democratic society that cares equally about all its members, a falling life expectancy should raise public alarm. Even though the importance of Brexit for public discourse in the UK is also obvious, it is a worrying symptom of a lack of media functionality, from a democratic perspective, if such an issue does not get public attention.

Access to this "public space" always has, and always will be, contested. It is a popular strategy in political battles to frame issues such that they do or do not seem to belong to the center of public attention, for example by describing them as "merely technical" or by claiming that they are just partisan issues when they in fact concern society as a whole.[115] In their gatekeeping role, journalists have to make sure that they do not include or exclude individuals for the wrong reasons. Functional considerations, such as a person holding a political office or

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[111] Curran 2005, 128.

[112] See also Bennett 2020, who derives an argument for the regulation of the public sphere from these epistemic desiderata.

[113] See Smith and Archer 2020. As they argue, such an "epistemic attention deficit is unjust in itself, but also causes indirect forms of harm if certain voices are not heard" (10).

[114] Dorling 2019.

[115] For example, as Otto notes (2016, 28), US Republicans have long framed climate science as "equated with Obama and socialism," instead of acknowledging that it concerns the country as a whole.

differences in expertise (along the lines described in Chapter 8) are legitimate reasons for selecting certain speakers, but other than that, a norm of equality holds. Celebrities, sports stars, or the offspring of "important" families may be presented on the entertainment pages, but there is no reason to give their voices more weight when it comes to political or societal questions.[116]

Critics might worry, however, that the call for such a shared public space might be an attempt to homogenize and to suppress plurality, in ways that are ultimately oppressive. In response, it is worth defending my argument against some potential misunderstandings. The point is *not* that there should be one and only one channel of information, let alone one provided by the government. A media system with various types of channels is far more likely to fulfill all the functions that the media have in a democracy, including the accountability function, about which I say more below. But within such a media system, there needs to be a shared public space that it also known as such. And within this public space, there must be enough room for the voices of less privileged individuals, who cannot buy access to voice in the way privileged individuals often can.[117]

Nor is the point to argue for more homogeneity than is needed to enable co-operation and the realization of democratic values through democratic practices and institutions. José Medina undergirds this argument by comparing the pragmatism of C. S. Peirce and G. H. Mead with that of William James. The former two, Medina argues, emphasized "the plurality of experiential perspectives, but nonetheless preserve[d] a commitment to unification, so that all available standpoints must ultimately be subsumable under a single perspective."[118] Such a "converging pluralism"[119] can be contrasted with a more radical pluralism (a "melioristic pluralism," in Medina's term),[120] which does not aim at "consensus and unification, but . . . coordination and cooperation." For the political realm, the latter kind of pluralism is probably all that we can hope for.

Such a pluralism allows for, and indeed calls for, differentiated publics in addition to the shared public—but it also asks about the connection between them, instead of remaining indifferent to fragmentation. Nor does the call for a shared public aim at excluding subversive forms of communication, such as comedy, parody, or satire—on the contrary![121] Such formats can flourish precisely when they have common references points, and they can play an important role for

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[116] See also Archer et al. 2020 on the injustice of giving celebrities too much epistemic credit. Cf. also Chapter 8.4 on the need to avoid "epistemic trespassing."
[117] See also Christiano 2012b; Bennett 2020.
[118] Medina 2013, 282.
[119] Medina 2013, 282.
[120] Medina 2013, 283.
[121] In fact, it is a sad reality that in some countries, the most "democratic" kinds of news programs, in the sense of democratic institutionalism, seem to be provided by comedians or in late night shows, in which politicians' statements are fact-checked and institutional scandals are uncovered.

the watchdog function of the media, as well as the mobilization of citizens. What matters, however, is that citizens know which kind of discourse is which: Where do they get the facts about matters, where are fiction or exaggerations mixed in? It is the former for which the "core" of the media system is so crucial.

A second function of the media in a democracy is to provide more specialized, protected spaces in which minorities can exchanges their views and articulate their positions. This corresponds to the function of "subaltern counterpublics" that Nancy Fraser emphasized in her discussion of how to broaden the Habermasian understanding of the public sphere.[122] Curran, in "What Democracy Requires of the Media," discusses the example of a black newspaper in Los Angeles that helped the community to articulate its political position.[123] Partisan media and adversarial media can "voice maverick or dissenting opinion"; they can "excite, involve and mobilize people" and even "foster republican virtues: critical independence and distrust of authority."[124] In contrast to the "core" elements of the media system, it would be inappropriate, and even dysfunctional, to expect norms of equal access and balanced reporting in this realm.[125] Different media have different tasks, and what matters is that the overall system ensures that all functions are fulfilled.[126]

What is also crucial, however, is that there are sufficient transmission mechanisms between such protected spaces and the broader public space. Not all discussion topics or suggestions need to move from one to the other—some concern only the internal affairs of a community, while for others there might be a sense that members are not yet prepared to carry them into a broader forum. But once issues that are relevant for society are ready to be articulated in public space, members of minorities need to have a chance to be heard there.[127] Often such transmission mechanisms are stronger for relatively more privileged groups, for example, providing easier access for white women than for women of color. Such unequal treatment is not only unjust, but also leads to epistemic impoverishment, as the public debate loses important sources of insight and inspiration.

The third function of the media, which can play a role both in the "core" and in more protected spaces of specific communities, is to hold the powerful to account. This "watchdog" function of the press has often been celebrated, not least because of its anticipatory function: knowing that certain words and deeds will see the light of the public and be discussed by all citizens might prevent them

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[122] Fraser 1990. See also Jaggar 1998 on the need for protected spaces for certain kinds of knowledge production.
[123] Curran 2005, 123.
[124] Curran 2005, 126.
[125] Curran 2005, 127–28.
[126] Curran 2005, 127–28.
[127] Cf. also Mansbridge et al. 2012 on the need for "coupling" between different parts of an epistemic system.

from being said or done in the first place.[128] The press needs to hold not only politicians, but also other powerful actors and institutions, to account.[129] But the media can only be expected to reliably fulfill this function if certain conditions are in place. For one thing, there needs to be a media landscape in which revelations of abuses of power are taken up, rather than being treated as mere soundbites that are quickly replaced by the next wave of the news cycle.[130] For another, it requires sufficient financial independence on the part of news outlets and a willingness to spend money on investigative journalism (which is inherently risky, because it often takes a while before it is clear whether an investigation will lead to something newsworthy). And it requires a journalistic ethos that dares to stand up to the powerful and does not give in to pressures or threats.[131]

What kind of media system can best secure these three key functions? A purely state-based system does not seem ideal from the perspective of the watchdog function, because there might be insufficient protection for journalists who want to hold *political* power to account. For the same reason, however, a highly concentrated corporate media system, which is entangled with other forms of economic power, is problematic: here a critical perspective on *economic* power is unlikely. Empirically speaking, mixed media seem better suited than purely private ones to ensure certain functions. As Toril Aalberg notes, in a summary of empirical research, public media "offer better political information opportunities than commercial media," for example because they offer more news programs.[132] They also have positive "ecological effects," in the sense that the media ecosystem as a whole is influenced by the presence of public broadcasters, with private media being more likely to also provide political news.[133] This, in turn, makes it more likely that those citizens who are not actively looking for political news nonetheless come across them.[134]

Thus, a mixed-media system, with a plurality of public and private outlets, for different purposes, is the best bet for democracies to ensure that the key functions of the media are fulfilled.[135] We cannot expect that such a system would develop simply by itself. But democratic politics can support it by an

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[128] For a discussion see, e.g., Baker 2002, pos. 652–81.

[129] See also Curran 2005, 129–30.

[130] In a lucid commentary on US president Trump's behavior during the 2020 corona crisis, Poniewozik 2020 noted that in his press briefings, Trump followed the script of "episodic production" instead of a "serial narrative." The consequence was that "all that matters is what happened in the latest installment," with "every episode" wiping "the slate clean, like a sitcom restoring the status quo." This channeled attention away from the blatant inconsistency in Trump's statements as the crisis developed. Previous announcements and policies became "last season."

[131] Herzog 2021a.

[132] Aalberg 2017, 21, drawing on work by Aalberg et al. 2010 and Esser et al. 2012.

[133] Aalberg 2017, 24.

[134] Aalberg 2017, 25.

[135] See also Curran 2005, 137; Baker 2002, pos. 1254–55.

approach of "structural regulation," and it should indeed do so. "Structural regulation" focuses on the structures of the system and, hence, is no threat to the freedom of the press.[136] Countries can, for example, subsidize minority media, secure a variety of ownership models for media, and support quality media by strengthening the rights of journalists vis-à-vis owners.[137] For public media, there are in turn questions about their democratic control. Given that one task of the media is to watch over—and if necessary, criticize, elected politicians—it makes sense to install alternative control structures, for example, via democratic councils (or, indeed, via lottocratic systems—here, there might be a good place for such institutional tools).

In the end, however, it is not the media system alone that matters, complex as it may already be, taken on its own. The media need to be seen, in turn, in their interplay with other institutions, which also fulfill a mediating function between government and citizens.[138] As with regard to schools, there is a danger of expecting too much from reforms in one part of the overall epistemic infrastructure. But the epistemic infrastructure of democracy is composed of these various interlocking systems, and their strengths and weaknesses, competences and deficiencies, need to be evaluated together. Nonetheless, in many countries, attempts to reform the media landscape are probably among the most urgent steps to be taken at this point.

9.3.3. Civil Society Organizations and Unions

Schools for children and media for grownups—is that all it takes, in terms of epistemic infrastructures for a democracy? Let me add a third type of institution, which can take on different forms in different societies, but which plays an essential epistemic role (as well as various other roles): "secondary associations," as theorists of democracy have called them,[139] such as labor unions and civil society organizations. Such associations can function as "schools of democracy," as Cohen and Rogers write with reference to Tocqueville.[140] Of course, such associations can also carry certain risks, for example, internal hierarchization and a lack of connection between leadership and members, but these risks can be reined in through institutional design that provides checks and balances.[141]

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[136] Lichtenberg 1987.
[137] Curran, 2005, 137, similarly Baker 2007; pos. 1350, pos. 1524–25. For the United States, Benkler et al. (2018, chap. 14) argue that what would really be needed would be center-right, truth-oriented news outlets.
[138] See also Curran 2005, 121.
[139] E.g., Cohen and Rogers 1993, 283; as they mention, these are described as "secondary" in contrast to the "primary" institutions of family, firm, and state (note 3).
[140] Cohen and Rogers 1993, 289–89.
[141] Cohen and Rogers 1993, 295–301.

I am here interested in their *epistemic* role: I see two main reasons why such "secondary associations" should be understood as part of the epistemic infrastructure of democratic societies.

The first is that, quite obviously, learning does not end when one leaves school. This is often said with regard to labor market skills, but it is also true for one's ability to be a good democratic citizen. New policy issues can open up, requiring citizens to familiarize themselves with new bodies of knowledge. Of course, expert communities and the media need to bring such knowledge to individuals. But often, true learning processes require opportunities for discussion and interaction, to understand how new information hangs together with, or challenges, one's existing knowledge, or to tease out the implications for one's own situation. Through discussions with others, individuals can come to understand the relation between different kinds of arguments, moving from crude intuitions about what is right or wrong in a certain policy field to more articulate positions. Alternatively, in cases in which they need to rely on others for detailed knowledge that they cannot acquire themselves, they can find new trusted sources and reliable heuristics, with secondary associations offering spaces in which individuals can encounter such sources. To be sure, there is also a risk of reinforcing partisanship: after all, such organizations have agendas and might have certain biases in, say, the choice of the experts they invite as speakers. But they are typically not the only source of information that individuals are exposed to, so that other sources can counter such influences. Ideally, individuals might be part of a diverse network of associations, such that they can pick up different positions and encounter different perspectives in conversations.

A second argument for the need for such "secondary associations" is that through their organizational structures, they enable citizens to *act* on their knowledge, for example by taking steps to address a problem in their neighborhood. Very often, this happens when individuals come together, confirming to each other that action is indeed needed, and overcoming the inertia or lack of courage that one can all too easily feel when one is on one's own in the face of a problem. Associations are therefore an important institution that helps individuals move from passivity and the guilty knowledge that they should do something—which can all too easily lead to rationalizations and suppression—to active engagement.

It might be said that this second argument is not, strictly speaking, an epistemic one: it is not about people acquiring knowledge, but about being motivated to do something based on their knowledge. In response, I might simply accept this charge and reply that here, the nonepistemic role of such institutions comes to the fore. But this "activating" role of secondary associations has at least two epistemic dimensions. The first is that associations provide opportunities for citizens to *get to know* that others share their views and are also willing to act on

them, thereby increasing the chances of successful engagement.[142] The second is that associations often serve as knowledge reservoirs about *how* to engage in successful action: over time, they acquire knowledge about organizing, striking, outreach, and so on, and new members can be socialized into the "how to" of such strategies.[143] Such experiential knowledge, some of which may even be tacit, gets lost when associations die, and new cohorts of citizens may have to painstakingly reinvent it.

Here a critic might object that if citizens want to engage in "secondary associations," this is well and fine, but there is no need for public support. This argument may appear convincing at first glance—after all, citizens *do* organize themselves for all kinds of purposes. But it fails to take into account the ways in which such associations serve as infrastructures for the epistemic empowerment of citizens. This is one of the ways in which they deliver a positive contribution to the functioning of democratic life (a "positive externality," one might say in economic terms).[144] This justifies public support, along the lines of the argument I have presented at the outset of this chapter: democratic societies need to pay attention to the conditions of their own functionality. But "support" does not necessarily mean that they receive subsidies from taxpayers' money (although this may well be justified in certain cases). Often it will simply mean *allowing* citizens to engage in such associations. In other words, it is a matter of removing obstacles. Such obstacles can include, for example, antiunion strategies by corporations, but also a sheer lack of time and energy on the part of citizens, which a regulation of working hours can address. Roger and Cohen also suggest involving such associations in institutional life by giving them certain public tasks, such as the enforcement of health and safety standards, for which local knowledge is crucial.[145]

What are the concrete forms that such "secondary associations" can take? Democratic societies should leave space for a great variety here, not least because different political concerns, which require different forms of knowledge, can be expected to require different forms of organization. "Civil society organizations" range from small local networks to established organizations with millions of members and huge bureaucratic structures. If run well, they can serve as important three-way conduits for knowledge between citizens, experts, and policymakers, thereby also supporting the "partnership model" between expert communities and wider society that I have described in the previous chapter. "Social movements" are equally varied in their forms: reacting to experiences of

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[142] One might say that they serve as "focal points" (in the sense of Schelling 1960) for citizens who have a hunch that others might want to get engaged on a certain topic as well.

[143] See, e.g., on the practices of social movements Serrano Zamora 2021.

[144] See also Cohen and Rogers 1993, 293.

[145] Cohen and Rogers 1993, 287.

injustice or other concrete problems, they are often laboratories of new epistemic strategies and practices.[146] Some of them are driven by a partisan logic, but the more they start from concrete problems, for example, safety or pollution issues in a neighborhood, the more they can also bring together individuals across the usual partisan divides.

In today's situation, however, one form of "secondary associations" deserves specific attention: unions. The reason for this specific attention is that they offer the potential to reach individuals from working-class and lower-middle-class backgrounds that might lack the time or resources to engage in other forms of social cooperation. I write "potential" because it is not clear that unions really do reach working-class people. As Rosenfeld writes with regard to the United States: "Today, fewer and fewer unionists are drawn from the working class. Left behind are the millions of nonunion, working-class Americans lacking the organizational ties to lift them into the political realm."[147] But where they exist, and where they do indeed reach working-class people, unions can provide valuable epistemic functions for them. As Christiano has emphasized in particular, in unionized workplaces employees are automatically tied into flows of information about many policy issues, and trained in argumentative and other epistemic skills that are useful in the political realm.[148] Unionization can also improve the representativeness of the political views of elected politicians: a recent study shows that states with higher union strength, citizens' opinions are represented more equally in politics.[149] Accordingly, strengthening unionization—especially in industries that are truly working class or lower middle class—can be an important strategy for achieving a better demographic representation in parliaments, as discussed above.[150]

To be sure, unions—like many other long-standing "secondary associations"—need to reinvent themselves in certain respects. The cliché of the white, male unionist has a true core.[151] Historically, the voices of unions would often leave out the perspectives of nonwhite or nonmale workers, let alone those of the unemployed. And yet the overall balance of unions is positive. As Rosenberg writes: "Stereotypical images of unions notwithstanding, for decades the labor movement was vital in supporting the economic and civic advancement of historically disadvantaged populations."[152] Today, unions are often at the forefront

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[146] This role for the articulation of problems has been emphasized in particular by Serrano Zamora 2021.

[147] Rosenfeld 2014, 180; he mentions churches as other conduits into political participation.

[148] Christiano 2019a; see also Kim and Margalit 2017 on how unions influence the views of their members. See also Chapter 10.4.

[149] Flavin 2016.

[150] See section 9.2.

[151] See also Rosenfeld 2014, 4.

[152] Rosenfeld 2014, 5; see also chaps. 5–6.

when it comes to progressive struggles. They also need to reinvent themselves, however, in the sense that the workers most in need of the epistemic and political benefits of unionization often work in sectors that are very different from the industrial or public service contexts in which unions have traditionally been strong: they work in the service industry, in the "gig economy," or in "platform"-mediated work.[153] This is where many struggles are currently taking place—and arguably, what is stake are not only better working conditions, but also important questions about societal and political inclusion and, ultimately, democratic participation. Unions can, potentially, be a crucial element of the "epistemic infrastructure" that enables these most vulnerable workers to make their voices heard and to fight for their interests in the democratic process.

9.4. Epistemic Upgrades for the Internet

The internet and its impacts on democracy are the subject of many debates, some of which I have mentioned earlier.[154] From the perspective of the "epistemic infrastructure of democracy," it is clear that this new medium, with its numerous applications and epistemic opportunities and risks, deserves to be taken seriously.[155] Here the point is not so much to repair a set of institutions that have been damaged by free market thinking. Rather, the internet became part of our lives in precisely the era in which the belief in free markets, and in the "marketplace of ideas," was strongest.[156] Given what we have learned about the effects of this new medium, the task for democracies is to ask anew how their overall epistemic infrastructure needs to be regulated and adjusted, such that all crucial functions that a media system needs to fulfill are indeed fulfilled while harm is avoided.[157]

Any regulatory proposal for the internet must find the balance between the overall quality of discourse and the freedom of speech of individuals.[158] This has, by now, been more and more widely acknowledged. For example, in the debate about the governance of internet platforms, Jonathan Zittrain distinguishes three phases: an early phase that focused on individual rights (1990–2010), a second phase of "public health" considerations (2010–2020), in the sense that

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[153] See, e.g., De Stefano 2015.

[154] For a recent report on mechanisms and problems see, e.g., Lewandowsky et al. 2020.

[155] I will bracket several other important questions that have been raised with regard to our more and more "digital" lives, such as the problem of privacy (e.g., Lynch 2016, chap. 5; Zuboff 2019; Herzog 2021b), and discrimination in algorithmic decision-making (O'Neil 2015; Herzog 2021c).

[156] See, e.g., Seymour 2019, 122 and 161.

[157] Cf. also Baker 2002, pos. 3535–36.

[158] In the previous section I also mentioned the economic viability of media publishers as a criterion. But given the exorbitant profits of the dominant internet platforms, this is less of a concern here.

the linkages between individual behaviors and overall risks and benefits were considered, and a third phase of "process" (starting circa 2020): here the question is how the governance questions that concern the overall quality of discourse on internets platforms can be proceduralized, such that the aim of "public health" is reached.[159] From my perspective of democratic institutionalism, this is indeed what is needed: institutional processes that achieve public health without violating basic rights of individuals. Earlier considerations about the regulation of the press, such as Judith Lichtenberg's proposal of "structural" regulation, point in a similar direction: the point is not to introduce censorship, but to make sure that the structures of the media landscape are such that key functions are fulfilled.[160]

A first point to note is that many rules that hold in the offline world fail to be enforced in the internet. A case in point is cyber harassment, the systematic attacking (abusing, threatening, etc.) of individuals through digital communication channels. The fear of being harassed can deter individuals, especially members of vulnerable groups, from participating in public discourse.[161] This is not only unjust in itself, but also reduces the epistemic benefits these discourses might have, because important voices are silenced.[162] This kind of harm is relatively easy to grasp in legal terms: it concerns the violation of individuals' rights in ways that are already illegal in many countries (e.g., as forms of libel). But the hurdles for legal prosecution can be high, and even in cases in which the evidence is clear, legal authorities might be simply overwhelmed and not have the resources to follow up on complaints, especially if attackers use the anonymity that the internet can offer.[163]

If one asks what "function" the internet is actually supposed to serve in a democracy—and, hence, what values should orient regulation—a basic point becomes clear: "the internet" is many things. A digitally based dieting app, a company web page, various social networks, Wikipedia, the paywalled online pages of high-quality newspapers—all this is "the internet." Very different forms of knowledge sharing and communication take place on them, which, in the offline world, took (and still take) place in rather different social settings, with different sets of formal rules, but also different social norms and expectations. As David Weinberger puts it, the internet "can't keep information, communication,

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and sociality apart."[164] Political postings, private photos, advertising that posts as cute-animal video, and so, all come along, in one's feed, as if they were of the same kind. And while some platforms have, arguably, turned discourse into a superficial hunt for likes and shares,[165] links on such platforms can take one as quickly to a thoughtful "long read" piece as to a distracting advertising video.

This fluidity of categories is one of the great allures of the web—but also an epistemic challenge. Different kinds of messages, pieces of information, and discourses are hopelessly mixed up.[166] And they not only stand next to each other for the audience to choose from, they compete for attention, with more or less aggressive attention-grabbing strategies.[167] This is probably also one of the reasons why many individuals feel overwhelmed by too much information.[168] And it opens the doors to manipulation and other epistemically harmful practices because it allows those who post to disguise something as other than what it really is: fake news as serious news, interest group messages as voices of concerned citizens, advertising as neutral reporting, social bots as real human beings. Many of the epistemic challenges of the internet that have become clear in recent years have to do with these digital possibilities of disguising identities and intentions.

In the offline world, human beings are relatively good at distinguishing different kinds of messages and adjusting the levels of trust appropriate in different situations. As Hugo Mercier has recently argued, this is what one should expect for "epistemic omnivores" that can gather and process very different kinds of information.[169] But it is far from clear whether our abilities are well suited for the digital environment—here we often lack clues or heuristics for making quick judgments about the reliability of sources.[170] Hence, my claim is that one key step for improving the epistemic benefits of the internet—without any risk of sliding into problematic forms of censorship—is to increase the availability of reliable metainformation: what category does a piece of content belong to?[171] And can the audience immediately pick up this fact?

[164] Weinberger 2011, 181.
[165] Cf. Nguyen 2021 on the "gamification" of communication on Twitter, which he reads as a narrowing down and distortion of the aims of communication, which are otherwise diverse and complex, and get reduced to the simplified chase for quick feedback that platforms like Twitter have taken over from the world of computer games, and which have considerable addictive potential.
[166] Cf. also Lynch 2016, 125ff.; he frames this problem as the lack of *structure* of knowledge on the web.
[167] Wu 2016.
[168] See, e.g., O'Connor and Weatherall 2019, pos. 297.
[169] Mercier 2020; the point about humans being "omnivores" with regard to information is made on pages 39–41.
[170] Mercier 2020, 59, acknowledges that there might be domains "that evolution and learning haven't equipped us to deal with," which is arguably applicable to the internet as we know it today; cf. also page 113, on the lack of cues in situations with large audiences, of which the internet is one.
[171] See also Brown 2021, 220–23, on transparency requirements on platforms and other regulatory steps of fighting harmful misinformation.

In print-based journalism, there are different sections of content, there is (or should be) a separation between editorial content and advertising,[172] and reporting and commentary are (or should be) marked as such. In the online world, these categories get blurred, and it is easy to mislead audiences by, for example, taking over a color scheme and font type that suggests serious news reporting and to use it for a different kind of speech, for example, propaganda.[173] Such acts of misleading could be prevented if it were made mandatory to provide clear metainformation about all content—for example, by a scheme of color codes that is easy to recognize for readers.[174] This could help them to choose what they want to read or watch in the first place, and to adjust their levels of trust and attentiveness accordingly.

It is a basic feature of human communication that we adjust these depending on whether we talk to a friend or a stranger, someone whose interests are aligned with our own or opposed to them, someone whom we have never heard of or someone who has a reputation to lose.[175] We may also adjust our own emotional settings, as it were, depending on whether we expect to enter a fierce courtroom debate or a friendly chat with neighbors.[176] In online communication, we often fail to make such adjustments because our feed delivers everything at our doorstep without differentiation. If content were clearly classified, and if financial sponsors were clearly visible as such at one glance, many epistemic challenges could be better met. These benefits would, I take it, not be outweighed by any rights on the part of those who post content—there simply is no moral basis for a right to publish advertising that pretends to be something else and not to let readers know, or to create the impression that a certain opinion is widely shared by sending out millions of automated social bots that pretend to be humans.[177]

Obviously, in democratic societies clarity about the source and nature of posts is particularly relevant for political advertising. Many countries have rules that require full disclosure of all financial ties when it comes to political advertising in other media—but not all countries have such laws for *online* advertising.[178]

[172] To be sure, this distinction can get blurred in print media as well.

[173] In the terms used in Chapter 2.2, drawing on Greco's work, the question becomes: Are we in a situation or trust or not?

[174] This can be understood as one step within a general approach that is informed by behavioral sciences and wants to enable individuals to be more autonomous in their use of the internet. See, e.g., Lorenz-Spree et al. 2020 on "cues," "nudging," and "boosting." I here focus only on the epistemic dimension, but the arguments for the other suggested interventions are also extremely strong, and they have indirect epistemic effects (e.g., by discouraging the sharing of unreliable news items).

[175] On the role of reputation see, e.g., Origgi 2018.

[176] This corresponds to the point made in Chapter 5.5 that there are different rules for different epistemic fields.

[177] On the need to mark social bots as such see also Pomerantsev 2020.

[178] In the United States, for example, this is not the case; the "Honest Ads Act" has been suggested to address this problem, in particular to fight interferences from abroad (see Benkler et al. 2018, 368). For reflections on how to regulate online speech in the context of US law see Wu 2018.

Here, in addition to transparency about *who posts* something, it can also be important to know *who sees* certain content. Many individuals probably approach political advertising with an implicit assumption that it is publicly visible, like a billboard on a public square: everyone can see it, and so if its claims are wrong, someone will point that out and one will probably hear about it. But as the Cambridge Analytica scandal has made clear, this is not how online political advertising (or, in fact, commercial advertising) functions.[179] In a nutshell, this company acquired access to Facebook profiles of citizens, analyzed data that allowed conclusions about their likely political leanings, concerns, and desires, and sent "microtargeted" messages to them.[180] These messages were tailored to trigger certain reactions among finely distinguished subgroups of society. At the time, nobody knew that this happened and that their colleagues or neighbors might see very different messages. This kind of fragmentation, no matter how effective it may have been in influencing people, is the extreme opposite of the kind of shared, open space, and the common light of the public, that Arendt and others theorized as a precondition for a *res publica*.

One might well ask whether such practices should be legal—at a minimum, the whole set of advertising messages should be made publicly available in a depository, with access for researchers and the general public, a proposal that Google said it would voluntarily implement.[181] This would also make interferences from outside the constituencies of elections visible.[182] But in addition, those who see such adds should receive a clear signal that they are seeing microtargeted political content. If this makes it unattractive for parties to use such strategies, all the better. Similar precautions are needed for other new technologies, which can also be epistemically harmful and undermine trust. For example, so-called deep fakes are manipulated videos in which speakers seem to be saying things they have not actually said.[183] Obviously, if such deep fakes circulated freely on the internet, this would undermine trust in *all* videos—and, hence, their use must be strictly regulated.[184]

More generally speaking, the *structures* of online communication, and specifically social media platforms, can be reformed in ways that enable more truthful communication and the conscious placing of trust. One of the great dangers of the mixture of truths and falsehoods in the online world is that not knowing

[179] For an account see, e.g., Cadwalladr and Graham-Harrison 2018.
[180] For example, during the Brexit campaign the "leave" camp apparently targeted ads about the EU being cruel to animals to Facebook-users that were categorized as "animal friendly." This example comes from Pomerantsev 2020.
[181] Benkler et al. 2018, 274, 371–72.
[182] Cf. Pomerantsev 2020, who mentions in particular Russia.
[183] For a discussion see Fallis 2021.
[184] Cf. also Fallis 2021, 639–41, on proposals to ban deep fakes; see also Nina Brown 2019 quoted there.

which messages to trust, individuals come to distrust *all* content.[185] However, both social norms and structural design elements can work against the spreading of falsehoods and against the tendency to only trust those in one's own network, which matters in particular for societies marred by high levels of partisanship.[186] Algorithms could show the "other side" on political issues[187] or provide links to correct information in case of factual issues on which false messages are spread.

Moreover, it is well known that individuals "in the heat of the moment" often act quickly and with insufficient attention to the consequences of actions. Take, for example, the risk of unintentionally sharing items that might be fake news, which others can easily misunderstand as endorsement. The design of the digital environment, and the information that is provided about items, can help users to understand the dynamics of information cascades and "empower people to make critical decisions for themselves," as commentators from social psychology put it.[188] Changes in the digital architecture could help make better decisions. One can imagine pop-up screens that ask a user, "Do you really want to share this?" or a distinction between a "sharing" and an "endorsing" button.[189]

Generally speaking, mechanisms that slow down the flow of information on the internet might support a more reflective and less emotionally driven attitude.[190] This could also make various online spheres more attractive for moderate, thoughtful users who might currently feel driven out, leaving the field to those with more extreme views and the outright trolls.[191] Or maybe ways could be found to separate online spaces in which individuals are willing to behave according to basic rules of civility from others, in which other rules hold and where certain darker sides of human nature find an outlet, but at a safe distance from the mainstream. Such systems could be worked out over time and improved based on the experiences of users, under the critical oversight of experts and democratic representatives.

Is it realistic to enforce such regulation? Doing so is unlikely to be successful unless politics takes on the power of the big corporations that function as infrastructures of online public discourse—not in the sense of cables and routers, but in the sense of entry points for communication (in the form of search machines) and spaces in which discourse takes places (in the form of social media).[192] If individuals want to use the internet, they can hardly avoid them,

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[185] Cf. also Rini 2021, who takes a rather pessimistic position on the possibility of regulating online discourse.

[186] See in particular Rini 2017.

[187] Cf. similarly Edenberg 2021.

[188] Lorenz-Spree et al. 2020, 1103.

[189] The experiments by Pennycook et al. (2019) indicate that even small primers for accuracy improve the likelihood of individuals sharing high-quality news.

[190] See similarly Rauch 2021, 169, 188.

[191] Haidt 2022.

[192] On the infrastructure perspective on online platforms see Plantin et al. 2018.

and many users rely heavily on them. A 2019 Pew Research Center study found that 55% of US adults say that they either "often" or "sometimes" get news from social media, eight percentage points more than in 2018.[193] And because of the network effects of social media, it is not surprising that the "markets" for these services—if one can even call them such—are dominated by very few players. When new companies enter these markets, the dominant players often buy them up, or copy their functions in their own networks. This is also what gives them such an impact on political discourse. As Zeynep Tufekci puts it: "These private platforms can make it easier or harder for political campaigns to reach such user information, or may decide to package and sell data to campaigns in ways that differentially empower the campaigns, thus benefiting some over others."[194]

Some commentators have suggested that these big conglomerates of companies should simply be broken up, by help of antitrust legislation.[195] But this does not, by itself, address the need for the regulation of speech that takes place *on* them. At the moment, in most countries, platforms are not legally liable for content.[196] This allows them to not take any responsibility for content that is posted on them, opening the door not only to misinformation, but also to hate speech and slander. With rising public pressures, they have started certain initiatives, such as internal fact-checking mechanisms and the flagging of false statements.[197] In mid-2020, some firms that regularly advertise on Facebook urged it to reconsider its general approach to the regulation of speech. And in early 2021, after the US Capitol was stormed by rioters who had communicated via social media, almost all platforms suspended the accounts of Donald Trump.

But this latter case makes one thing clear: the way in which speech on social media is regulated should not be in the hands of private companies alone. They might just as well, in a different political constellation, suspend the accounts of dissidents or of political parties who argue for higher taxes. There is an urgent need for legal regulation and public oversight, with checks and balances that

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[193] Quoted in Suciu 2019; the category "often" went up from 20% to 28%. The study also found that 62% thought that it was a problem that social media companies had so much control over news consumption.

[194] Tufekci 2014. On the platform's power see also Castells 2013, 45–47, especially his notion of "network-making power."

[195] Teachout 2020.

[196] In the United States, where many of the platforms have their headquarters, this follows from section 230 of the 1996 Communications Decency Act, which excludes liability for content. See, e.g., Benkler et al. 2018, 364. For a critical discussion see Franks 2019.

[197] Benkler et al. 2018, 366–67. For example, Facebook started a partnership with Science Feedback in 2019 to allow for fact-checking by highly qualified scientists; soon, however, climate change deniers found a loophole in Facebook's rules: they declared their contents as "opinions," which put them outside of the scope of fact-checking (Legum 2020). As reports by a former employee show, Facebook is also not doing enough to combat the distribution of fake news by illiberal regimes; see Wong 2021.

ensure the rule of law being applied to this area as well.[198] This may raise worries about undue censorship (or indirect effects such as companies "overdeleting" for fears of legal liability). But a well-functioning legal system, in which individuals can challenge corporate decisions (or indeed legal regulations), should be able to deal with this risk.[199] Here creativity in institutional design is called for, while inspiration can in part be taken from the oversight structures of public media in many countries. For example, it might be possible to involve users in the governance of online platforms, in a system with several chambers of elected representatives.[200] Other commentators have suggested that citizen juries or public libraries might play a role in evaluating which political ads are acceptable for which audiences on social media.[201] In this way, the value pluralism of modern societies could be acknowledged, and the common sense of citizens could be tapped for evaluating concrete cases.[202] This is the kind of proceduralization that would help to curb negative excesses of free speech in the digital public sphere.

It will certainly take some time—and probably quite some court cases—to find the right institutional structures, proceduralizations, and social practices, by help of which democracies can fit the internet to their functional requirements. In a best-case scenario, it becomes a productive element of their epistemic infrastructures; as a minimum, it is prevented from undermining the latter. There is no principled reason to think that this would not be possible. After all, each new medium in the history of humankind led to worries about the public order—starting with Plato's worries about the written word—and to initial disruptive effects. Societies can learn to live with new media, benefiting from their advantages and avoiding their pitfalls. "Technology is not destiny," as

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[198] See similarly Macedo 2022, who sees the Facebook oversight board as a good starting point and also emphasizes the need for data to be made accessible to independent researchers (509–10).

[199] Germany has recently introduced a controversial law that mandates the regulation of "unlawful" speech on platforms with more than two million users (Benkler et al. 2018, 362–65; O'Connor and Weatherall 2019, pos. 2744ff.). The law requires them to delete "manifestly unlawful content" (e.g., Holocaust denial, which is illegal in Germany) within twenty-four hours, and to also take action when there is no "manifest" unlawfulness but a suspicion; in such cases, the companies have seven days to address an issue. Companies must also install a complaints management system. This law was passed in 2017 after controversial debates; in 2020, various changes were adopted, for example the possibility of out-of-court settlements. It is thus too early to evaluate the results, but they will certainly be instructive.

[200] Engelmann et al. 2020.

[201] See for example the proposal by Zittrain (2019b), who suggests organizing citizen juries via public libraries, which enjoy high levels of trust in many countries.

[202] As Zittrain puts it (2019b): "Facebook needs a way to tap into the everyday common sense of regular people." Some commentators (or spokespeople of social media) might put forward the counterargument of business secrecy, but this is not a convincing objection. As Pasquale suggested early in the debate, business secrecy means that something should not be made public, not that it cannot be made accessible to anyone. His notion of "qualified transparency" suggests a balance between business secrecy and public accountability by drawing on groups of experts that would hold companies accountable (Pasquale 2015). This is particularly relevant for the algorithms that filter and prioritize items on social media platforms, which inevitably contain value judgments about content and thus should be scrutinized by independent experts (on algorithmic accountability see also Binns 2017).

Benkler and his coauthors put it.[203] But to address the challenges created by new technologies, political will is needed. Ultimately, it is a matter of the power relations between democratic politics and corporate interests.[204]

The potential to connect large numbers of individuals, for example in citizen science networks of researchers, volunteers, and hobbyists;[205] the sharing of creative and intellectual outputs and new forms of collaboration;[206] the joint creation of open-source software;[207] the "crowdsourcing" of information and ideas[208]—all these practices flourish thanks to the internet. It is by strengthening such participatory practices that online communication can become a real boon for democracy.

This also requires taking the reality of the internet seriously in other spheres of life—including education. As many commentators have emphasized, democratic citizens need to be "digitally literate." Often this is understood in a somewhat narrow, technical way. But individuals need to learn more than using a browser or dealing with an app. They need to know which sources to trust and where to be vigilant.[209] They also need to understand the addictive potentials of certain online platforms, the suitability of different media for different kinds of content, and the importance of *non*digital communication. Such education is particularly important in order to allow *all* citizens of a society to participate in online public discourse and other online activities on an equal footing, or as Lynch puts it: to enable everyone to have "the status of a full participant in the economy of knowledge."[210] Knowledge about the digital world is unequally distributed, with those from lower socioeconomic status or marginalized groups being less equipped.[211] However, despite many appeals to "bring schools to the digital age" (or whatever warm words politicians like to use), there is, at this point, little evidence about which educational strategies would work best to develop critical skills and about how to avoid side effects (e.g., a false sense of security that makes individuals all the more vulnerable to more sophisticated forms of deception).[212] Hence, more research and experimentation with different models and formats are urgently needed.[213]

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[203] Benkler et al. 2018, 381.

[204] The best bet, in terms of political actors willing to accept this challenge, is the European Union. See Bradford 2019, chap. 5, on the effects of its attempts to regulate the digital sphere, which has worldwide repercussions.

[205] E.g., Boyle 2008, 13.

[206] E.g., Boyle 2008, chap. 8, "A Creative Commons."

[207] Boyle 2008, chap. 8.

[208] Lynch 2016, 135; see also 141–42 (he also notes, however, that "crowdsourcing" often actually is "outsourcing," to cheaper, but often also highly skilled individuals).

[209] Cf. e.g., Weinberger 2011, 192.

[210] Lynch 2016, 146; Lynch connects this topic to the debate about epistemic justice.

[211] See, e.g., Hargittai 2010, a study on college students that relies on self-reporting data about internet knowledge.

[212] One exception is the research on "inoculation," which seems quite successful; see note 71.

[213] See also Lazer et al. 2018, 1095, and Benkler et al. 2018, 378–78.

How could all these measures be financed? a critic might ask. In response, I have a simple suggestion. Many digital companies have made huge profits from advertising in the past decades and continue to do so. To be sure, the link between advertising income and media provision that prevailed in the past was historically contingent. Nonetheless, we can return to it in some form or other by taxing some of the advertising income of online companies, especially the large platforms, and channeling this money into public funds that help improve the quality of the online public sphere.[214] But whether it is funded in this way or another is less important than the general point: democratic societies need to be willing to spend money on this issue. They cannot sit on their hands and watch silently while the conditions of the possibility of the kind of public discourse that democracies need are eroded.

9.5. Conclusion

In this chapter, I have discussed how the "epistemic infrastructure" of democracies can, and needs to be, upgraded for the digital age (or, for parts of it, returned to what it was in earlier periods, before the onset of free market thinking). I have argued that lottocratic institutions, for example, minipublics, can be an epistemically valuable tool but cannot replace other reforms of democratic institutions. I have discussed three important elements of the epistemic infrastructure of democracy, schools, media, and civil society organizations, which have, for too long, been understood and regulated mostly from the perspective of markets. Instead, we need to appreciate their key role for epistemically well-functioning democracies and run and fund them accordingly. I have also discussed some aspects of how the internet—which saw the light of the day at the height of the belief in an "invisible hand" in the "marketplace of ideas"—could be regulated in ways that would allow individuals and communities to benefit from its advantages while avoiding its harmful excesses.

More concrete proposals for reform have to be developed in concrete contexts: as proposals for certain countries or regions, with their specific histories and challenges. But it is not as if scarcity of proposals were the bottleneck—there are numerous educators, journalists, programmers, youth workers, and so on who know the problems on the ground and have ideas for how to address them. The bottleneck is the political will to give them the scope of agency, and the resources, that it takes to try out new things, and the support that is required to mainstream reforms that have proven successful. In the best of all possible

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[214] To be sure, there are also independent arguments for the justice of taxing online companies, which would have to be embedded in a broader discussion of tax justice in the digital age.

worlds, different proposals would reinforce each other, creating a positive dynamic of change that would reinvigorate democratic life and a democratic ethos in these institutions, and in all the others that so urgently need it.

However, I need to qualify my own proposals in an important way. The likelihood that such reforms will be successful in achieving their aims—or that they will even be started—seems all the smaller the more unequal societies are in socioeconomic terms. Even the best public schools, with a wonderful democratic ethos, will have a hard time instilling a sense of equality and respect among pupils if some of them grow up in luxury while others experience hunger and deprivation. And even the best media ecosystem and massively reformed social media platforms might not be able to facilitate deliberation at eye level if some individuals hold so much wealth that they can spend the equivalent of the lifetime salary of another person without even blinking. Socioeconomic inequality hinders egalitarian deliberation and is therefore harmful to the epistemic life of a democratic society. This is the topic to which I turn in the next chapter.

10

The Epistemic Benefits of Social Justice

10.1. Introduction

If a society requires truthful communication to run its affairs democratically, then it needs to take care of the conditions that need to be in place for this to be possible. In the last chapter I have already discussed what this means for key epistemic institutions such as schools and the media, and how the perspective of "epistemic infrastructure" can guide the regulation of the internet. I have ended on a note of caution, however: maintaining stable epistemic institutions and keeping epistemically (and otherwise) distorting influences out of democratic politics may become more and more difficult, the more unequal societies become in terms of wealth and income. The greater the socioeconomic inequalities, the more difficult it becomes for citizens to interact in a deliberative way, exchanging arguments on an equal footing. And the more their lifestyles, habits, and social circles move apart from each other because of socioeconomic differences, the less likely it becomes that they trust each other.

Rousseau has famously written that "no citizen should be so rich as to be capable of buying another citizen, and none so poor that he is forced to sell himself."[1] In this chapter I develop an epistemic version of this adage: no citizen should be so rich as to be able to silence others, and no citizens should be so poor as to need to self-censor or think it is not worth raising their voice because they will not be heard.[2] Only if that condition holds and if all members of society are capable, in principle, of entering into meaningful, trustworthy conversations, can differentiated societies fulfill the conditions for democracy to function well, epistemically speaking.[3] The less citizens are able to deliberate together, in contrast, the greater the risk that too many epistemic processes are taken on by markets or experts—or by an oligarchic elite.

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[1] Rousseau [1762] 2019, chap. 11 (p. 41).

[2] This, of course, relates to the notion of epistemic justice discussed in Chapter 2.4; the notion of epistemic silencing is explored, for example, in Dotson 2011; see also Catala 2015 on "hermeneutic domination."

[3] This is not to say, of course, that trust is *always* beneficial in democratic life—a healthy dose of distrust of the powerful is also crucial and is embedded in institutions such as regular elections and institutional checks and balances. For a discussion about the broader role of trust in democracy see, e.g., Warren 2018.

This argument is not about positively building conditions for epistemic trust, but rather about removing *obstacles* to trust and trustworthiness that can arise from social and economic inequality.[4] In this sense, it can also be understood as tackling an "ism" that continues to be a blind spot in many discussions about epistemic justice: classism. The notion of "class" is notoriously difficult to define,[5] and the situation is certainly more complex today than in the stereotypical nineteenth-century dichotomy between "the bourgeois" and "the proletarians." Individuals differ from each other along multiple dimensions, and these dimensions intersect in complex ways.[6] But differences in wealth and income continue to matter, and their importance has grown compared to the post–World War II decades. And while financial capital continues to play an important role, we have learned from Pierre Bourdieu to pay attention to several additional dimensions of capital as well: human, social, and symbolic.[7] These tend to be distributed unevenly across classes, with the privileged often hoarding advantages. The testimonies of individuals from a low socioeconomic background entering more privileged social circles paint a vivid picture of the forms of epistemic injustice that one experiences if one fails to wear the right clothes, moves in the wrong way, or speaks with the wrong accent.[8]

The arguments I will discuss in this chapter add up to an indirect argument for social justice, in the sense of a reduction of socioeconomic inequality. At its core is the idea that the trust that is needed to rely on others' testimony—which is inevitably a requirement in highly differentiated societies—is more likely to be justified, and to remain stable over time, in more egalitarian societies, in which there are multiple networks and points of encounters between citizens.[9] Arguments for social justice can be made in several ways. Some are straightforward arguments about which distribution of resources (or other "currencies" of justice) would be just. Others are indirect: more equality is beneficial for x, x is valuable, so that is a pro tanto argument for more equality (only pro tanto, because there might be other ways of reaching x, or reaching x might be in tension with other goals). Such indirect arguments have been made on the basis of a number of dimensions, for example lower crime rates and better physical and mental health, which have been shown to correlate with lower socioeconomic

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[4] To be sure, they are not the only obstacles. Polarization between opposing camps might also arise in more egalitarian societies, e.g., because of ethnic or religious differences. However, my focus is on Western societies, and this is arguably not their greatest problem. An exception is the form of polarization along partisan lines that many countries, especially the United States, currently experience, which I take up in Chapter 11.2.

[5] See, e.g., Wright 2000 for a conceptual proposal.

[6] On intersectionality see famously Crenshaw 1991; for recent critical reflections that emphasize the importance of its socioeconomic dimensions see Collins 2017.

[7] Bourdieu 1986.

[8] See, e.g., McGarvey 2017; Morton 2019—and many of Ken Loach's movies.

[9] See similarly Talisse 2019; I take up his arguments in Chapter 11.2.

inequality.[10] My claim in this chapter is that an argument of this kind can also be made along epistemic lines: more equality is beneficial for social trust, and social trust supports the kind of epistemic trust that is needed to maintain the institutions and culture that an epistemically well-functioning democracy requires.[11] In particular, trust is essential when individuals need to rely on others not only to get informed about certain issues, but to actually *act* upon the knowledge shared by them.

In the next section (10.2) I discuss some of the social preconditions for epistemic trust, starting from the juxtaposition of two extreme scenarios and then discussing various mechanisms that undermine trust in conditions of large socioeconomic inequality. Then I zoom out to the macro level, drawing on empirical studies but also offering independent arguments about what kinds of social structures can strengthen epistemic trust (10.3). In addition, I present an argument about a specific social sphere that has, arguably, a strong influence on how individuals encounter each other and whether they can acquire the epistemic habits and capacities of responsible citizens: the workplace (10.4). I conclude by returning to Havel's notion of "living in truth" as a precondition, both existential and pragmatic, of democracy (10.5).

10.2. The Social Circumstances of Epistemic Trust

To start the discussion of epistemic trust, let me present a thought experiment of two extreme cases, Alphaland and Betaland. Alphaland has a long tradition of egalitarian thought and culture, and in more recent years has gone to great lengths to stamp out sexist, racist, or otherwise inegalitarian ideologies and practices. Material and conditions and lifestyle do not vary very much between richer and poorer members of society.[12] Their kids go to the same well-funded

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[10] For an overview based on international comparisons see Wilkinson and Pickett 2009, see also recently Malleson 2023.

[11] On social trust in the United States, see recently Vallier 2019. He focuses on the justifiability of institutions, but underplays, in my eyes, the role of social justice. In Vallier 2020, chap. 6, he explicitly rejects egalitarian measures, at least coercive ones, because these would not be considered legitimate—a claim that may hold in the United States, but might not generalize to European and other countries. He is skeptical of existing research on the causes of inequality and its distorting influence on politics (175–76 and 181–82) but accepts the empirical fact that high inequality is correlated with lower social trust. He clearly prefers noncoercive to coercive redistributive measures against inequality, but his position remains somewhat unclear; among other things, he calls for more empirical research on the relation between redistributive taxation and trust (185). Overall, he sees a capitalist economy with a welfare state as the institutional order that can best be publicly justified (e.g., 207), but he does not take into account the additional arguments about epistemic trust that I put forward in this chapter.

[12] Expressed in the vocabulary of current theories of justice, distributive justice is here not only understood as requiring some "sufficietarian" threshold below which nobody should fall, but as

public schools, supported by social norms that slightly frown upon the few existing private schools. There are many points of contact between people in different occupations, in a vibrant and multifaceted public life: sports associations, choirs, volunteer fire brigades, cultural and religious associations. Individuals are used to engaging with each other, participating in discussions, voicing their opinions, but also listening to other people's arguments, no matter what position someone holds on the income ladder.

In Alphaland, there is social mobility in the sense that children can move into different jobs than their parents, but this is seen not so much as "up" or "down" but rather as lateral movement, because there is no assumption that some jobs are "higher" than others, given that all are needed to keep society going. There are certainly some functional hierarchies, but they are not the same in all spheres of life. For example, the boss of a company might meet an employee in a "superior" role in another social sphere, for example, as elected head of a neighborhood association, or as leader of a sports team. Knowledge-based occupations, such as science, are just one more element in the network of occupations. Their boundaries are porous, and there are many collaborative projects between scientists and other groups. Different forms of theoretical and practical expertise are recognized as such, and expert communities are sufficiently funded to take on their responsibilities in communicating with the broader public. Every citizen is sufficiently well off and has enough free time to engage in political and civic activities or simply in shared hobbies, in which he or she can meet people from different walks of life.[13]

Betaland, in contrast, has much higher material inequality. What were, at first, mere differences in income have hardened into class differences with few points of contact. Different groups close themselves off from each other. While lip service is paid to openness and tolerance, there is enormous pressure on the kids of the "better off" to get into similar occupations as their parents and to find partners from the same social background. This is turn makes it harder for people from lower backgrounds to be socially mobile; in fact, they might also face social pressures, with regard to their choices of jobs and partners, to "stay with their own," which is why upward social mobility comes with enormous psychological costs.[14] Neighborhoods are segregated; school quality varies massively. Becoming a scientist, or working in another knowledge-intense occupation,

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regulating the overall pattern of distribution (as I understand also the Rawlsian projects, and as recent discussions about "limitarianism" have again brought to the fore, see, e.g., Robeyns 2019).

[13]   Oscar Wilde quipped that socialism takes too many evenings—but in a sufficiently affluent society, with a fair division of work (including care work), people might indeed have many free evenings in which they can engage in civic activities.

[14]   See Morton 2019 for a memoir about this issue.

is a career primarily open to children from privileged backgrounds (and such careers, in turn, are perceived as the best stepping stones into politics). These careers mostly take place in institutions that are perceived as "elite" and that interact almost exclusively with other "elite" institutions.[15] Only the more privileged people have free evenings in which they can engage in activities that bring them in touch with other parts of society; less privileged individuals need to use their "free" hour to work extra jobs to make ends meet. Social critics hold that certain parts of cities have come to resemble ghettos or slums, but there is little political will to address this problem.

To be sure, these two scenarios are extremes. Many societies exhibit some features of Alphaland and Betaland, lying somewhere in the middle or having regions that tend toward one or the other.[16] But my point, speaking from the perspective of democratic institutionalism, is this: we have good reasons to expect better epistemic relations among citizens in Alphaland than in Betaland. Where are people more likely to suspect strategic, self-serving communication instead of open knowledge sharing and genuine deliberation? Where is it more likely that scientific results are accepted (rather than seen as paternalistic, coming from "elites" that are not like oneself, and whose ranks nobody from one's own group could ever join)?[17] Where is it more likely that urgent information about the abuse of power in institutions that serve poorer parts of the population makes its way into public discourse and is taken seriously by politicians and public administrators?

Betaland is deeply epistemically unjust, in the ways described by Fricker and others: there are systematic prejudices about who is considered worthy to be listened to and to be trusted. In addition, different groups have unequal hermeneutical resources at their disposal for making their concerns heard.[18] While this may be a matter of gender and race, it is also a massive issue of class (and the former two are closely intertwined with the latter).[19] This society is also deeply epistemically dysfunctional, for a number of reasons. It is likely that important sources of information are being overlooked, because whole groups are not considered trustworthy bearers of knowledge by those in power. The

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[15] For a formal model that distinguishes between "masses" and "elites" and their epistemic interaction, from the perspective of "epistemic network injustice" (the unjust distribution of access to epistemically helpful peers, resulting in unjustly reduced political influence), see Spiekermann 2019.

[16] See recently Vallier 2020 for a discussion of the situation in the United States in terms of public trust, but with a stronger focus on polarization than on socioeconomic inequality; like my account, he emphasizes the role of self-reinforcing cycles (e.g., 5–6).

[17] See Otto 2016, 28, on the perception of climate science by parts of the Republican electorate in the United States, which he describes along similar lines.

[18] See Chapter 2.4 and the literature referred to there.

[19] As a logical possibility, we could image a society in which all discrimination along lines of gender and race *within* different social classes is eradicated, but classism is alive and kicking, hence the importance of taking it seriously as a separate category.

social structures are such that in many situations, individuals cannot expect trustworthy communication from each other—often so much is at stake that individuals choose to communicate strategically, and others anticipate this from the start (even in situations in which it is not the case).

What are the mechanisms that make honest, truthful communication so unlikely under conditions of great socioeconomic inequality? Most commentators agree that trust is a key condition for testimony: I can only acquire knowledge from a speaker I trust.[20] Catarina Dutilh Novaes has recently argued that such trust matters not only for testimony, but also for gaining knowledge through argumentation, because individuals need to be able to assume that others are arguing in good faith rather than opportunistically.[21] Relying on testimony or arguments from others exposes individuals to the risk of being (intentionally or unintentionally) misled or misinformed. In situations in which we have no reason to trust, we therefore adapt an attitude of "epistemic vigilance": we try to protect ourselves by, for example, double-checking all information.[22] But often, double-checking is not possible or is too time-consuming.

From the perspective of the poor and disadvantaged, honesty and trust with the more powerful are often risky strategies. In *Domination and the Arts of Resistance*, anthropologist James C. Scott describes how, in situations of great "disparity of power" and "arbitrarily" exercised power, the way in which the subordinates behave in public "will take on a stereotyped, ritualistic cast"—and "the more menacing the power, the thicker the mask."[23] Subordinates cannot afford to show their true feelings and opinions—their real faces instead of their masks, to use Scott's metaphor—if this might mean that they would be sacked from their jobs or punished in other ways.[24] This

[20] See, e.g., Faulkner 2010 on trust and testimony or McCraw 2015 on the structure of epistemic trust. See also recently Dormandy 2020 for an overview of the recent debate. For a more critical perspective, however, see Bailey 2018, who argues that by tying epistemic trust to empathy, we might be privileging those with whom it is easy (for us) to empathize, and that there can be reasons to epistemically trust even without empathy. This is true, but does not diminish the importance of trust for knowledge in general, and in particular with regard to expert knowledge (see also Chapter 8.3).

[21] Dutilh Novaes 2020a, esp. 221 and 223; she provides two arguments: "One is based on the idea that argumentation is a form of epistemic exchange and that all exchanges involve evaluations of trustworthiness; and the second one is based on an epistemic similarity between assertions and arguments, namely that receivers are not always in a good position to evaluate their truth/correctness" (223).

[22] Dutilh Novaes 2020a, 208, drawing on the concept of "epistemic vigilance" from Sperber et al. 2010.

[23] Scott 1990, 3.

[24] One might say that it would be unethical of the powerful to punish less powerful individuals in such a way, which is of course true—but unfortunately it is also more likely, the more privileged individuals are that they behave in unethical ways. This has been empirically confirmed in several studies, which looked, for example, at unethical behavior in traffic in correlation with the type of car and at the likelihood of study participant taking candy from a jar that was intended for others. For a good overview see Piff et al. 2016.

has a deep impact on their dignity, which is the normative focus of Scott's book.[25]

But—and this is my additional argument here—it also has epistemic implications. The concerns of the poor and subordinate in the societies Scott describes cannot be made public. If they tried to act politically in public, this could all too easily be framed (and treated), by the powerful, as the behavior of a "mob" or "rabble."[26] Even if the social differences are not as extreme, disadvantaged individuals often face huge barriers, including their own shame about their "lowly" background, when they consider entering public debate.[27] Thus, both on the micro level of one-to-one interaction and on the macro level of political voice and protests, the subordinate are silenced.

Moreover, economically and socially disadvantaged individuals are often also disadvantaged when it comes to *acquiring* knowledge.[28] Access to knowledge-intense occupations is often more difficult for them, a point to which I come back below. Researchers have also shown that in situations of poverty, many individuals show diminished cognitive performance, presumably because their mental resources are occupied by coping with their situation, for example by juggling different expenses.[29] In contrast, in societies in which more people are better off (or in which there is a better safety net, so that individuals need not worry so much), individuals face a lower cognitive load. One positive side-effect is that they have more time and mental space on their hands to get additional information about other issues, for example, political questions.

What about the rich, are they at least epistemically better off? In some respects, this is typically the case: they often have better access to higher education, they can pay for advisers or for better access to specific information, and they can make their voices heard in various ways. But there is a decisive disadvantage for them as well: the very fact of being privileged creates blind spots for them. As theorists of racial justice and feminist epistemologies have long argued, the oppressed need to understand the positions and perspectives of the privileged,

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[25] Scott 1990, esp. 7, 113–14.

[26] Scott 1990, 45–46.

[27] See also Birdsal 2001, 200, referring to Scanlon and Beitz.

[28] Some epistemologies even hold that the very acquisition of knowledge can become more difficult in high-stake situations. Stanley (2005) has famously argued that the higher the practical stakes, the higher the threshold for calling something "knowledge." If you need to know whether the bank is open on Saturday mornings because if you do not pay your rent tomorrow, you will be kicked out of your apartment, then you take more steps to make sure that you really *know* the bank will be open than if you just need to deposit a check that is not very urgent (Stanley 2005, 3–8). If one accepts this thesis, it means that the acquisition of knowledge even about simple everyday facts is harder for individuals from disadvantaged backgrounds, because it is more difficult for them to reach the threshold of what counts as "knowledge."

[29] Mani et al. 2013. For philosophical reflections see also Morton 2017; on neurological and psychological dimensions see Mullainathan and Shafir 2013.

while this is not the case the other way round.[30] Moreover, with subordinates not being honest with them, the privileged lack an essential source of feedback. Instead of challenging the perspective of the rich and powerful, those who surround them often (have to) become the kind of "yes-men" that have been described in the context of upper management in corporations.[31] If a class of "superrich" develops in a society, they are in a structurally similar position.

There are various pieces of evidence from psychological research that back up my arguments. For example, a fascinating study has shown that when individuals feel more powerful—a sentiment that was elicited by asking them to write about situations in which they felt powerful—they are less likely to accept advice from others.[32] Drawing on various fields of psychology, Ricardo Blaug discusses how unequal social roles, with unequal standing, can create epistemically dysfunctional patterns of behavior and expectations, which individuals slip into, often without being fully aware of doing so.[33] The more unequal societies are, the more likely will they provide roles that have a hierarchical index, which makes them epistemically harmful: instead of allowing for a honest sharing of arguments and perspectives, they invite strategic, and sometimes outrightly unjust, epistemic practices, such as a one-sided presumption of competence and the silencing of criticism. On the part of the subordinated, various psychological mechanisms, such as the use of cognitive schemas or "learned helplessness," can contribute to their own oppression.[34]

To be sure, in the history of ideas, these dynamics between the powerful and the powerless were well known. Corruption through power, including epistemic corruption, has long been a theme that republican, or republican-minded, thinkers have noticed.[35] Blaug quotes a line from Dewey as the epigraph of his book: "All special privilege in some way limits the outlook of those who possess it."[36] And Blau quotes a noteworthy passage from John Stuart Mill's *Considerations of Representative Government*:

> The moment a man, or a class of men, find themselves with power in their hands, the man's individual interest, or the class's separate interest, acquires an entirely new degree of importance in their eyes. Finding themselves worshipped by others, they become worshippers of themselves, and think themselves entitled

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[30] See Chapter 2.4. On the point that the rich are epistemically disadvantaged (in the context of the debate about epistemic democracy) see also Bhatia 2019.

[31] See Herzog 2018, chap. 6, for a discussion in the context of organizational ethics.

[32] Tost et al. 2012; other factors (e.g., competitiveness and confidence) mediated this correlation, and feelings of cooperativeness mitigated the tendency not to take advice.

[33] Blaug 2010. Blaug draws in particular on theories about cognitive tendencies, schemas, and biases, to explain the corruption of both elites and subordinates.

[34] Blaug 2010, 97–106. See also Philp 2007, 102, 107, who discusses the "arrogance of power."

[35] See, e.g., Blau 2019 for a discussion of Machiavelli, Hobbes, Mill, and Hegel.

[36] Blaug 2010, epigraph and p. 96.

to be counted at a hundred times the value of other people; while the facility they acquire of doing as they like without regard to consequences, insensibly weakens the habits which make men look forward even to such consequences as affect themselves.[37]

It is maybe a sad commentary on our time that these insights are as relevant as ever. The levels of socioeconomic inequality that many democratic societies currently see makes this way of thinking about power and its epistemic disadvantages relevant again.

It might be suggested that under such conditions, social trust, as a condition for epistemic trust, needs to be actively nurtured, for example, through programs such as role exchanges or encounters between individuals from different groups. It seems hard to object to programs that organize exchanges between poor and rich neighborhoods or that let managers work in care jobs for a week. But it is questionable how far such strategies can go; they hardly ever reach more than a tiny group of individuals and do not go on for a long period of time. Most other individuals are likely to trust mostly those who are in a relatively similar situation—their "social bubble," as this has come to be called—while doubting the honesty of those who speak from other socioeconomic positions. Clichés, fears, and stereotypes can become self-fulfilling prophecies if individuals realize that overcoming them requires too much energy. Therefore, my claim is that rather than trying to preach honesty and trust or working through occasional interventions such as artificially constructed encounters, policies should aim at removing the root causes of distrust and untrustworthy behavior: socioeconomic inequality.

10.3. Empirical Insights on Social Trust

What kinds of social structures in a society are likely to generate the epistemic trust that allows citizens to rely on others' testimony and to reap the epistemic benefits of honest deliberation? There exists a plethora of research on social trust, but of course one needs to be careful about what exactly it analyzes. Often it is based on comparisons between countries and correlates survey items such as "Most people can be trusted" (to capture "generalized social trust") with other features of countries' social structures.[38] The interest is thus not in the epistemic dimension of trust as such, but rather in other outcomes, such as economic

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[37] Blau 2019, 216.
[38] On different methodological approaches for empirically measuring trust see Bauer and Freitag 2018.

growth[39] or good institutions,[40] which have been found to correlate with social trust. Nonetheless, I take it that epistemic trust and social trust are related; this makes these studies relevant for my topic. The more citizens trust each other in general terms—as co-citizens, not just as members of a particular group[41]—the more likely that they can also trust each other *epistemically*, which should facilitate various processes of knowledge transmission.[42] In fact, the epistemic benefits of trust might be one of the causal channels through which trust contributes to some of the outcomes in question. Conversely, if democracies want to increase epistemic trust among their citizens, these lines of research indicate what direction their social policies should take.

Numerous studies have shown that greater social equality is correlated with higher scales of trust—just as one would expect, given the micro-level mechanisms I have described in the previous section.[43] In an important study, Bo Rothstein and Eric Uslaner looked at the willingness of countries to install inclusive welfare institutions, which are correlated with higher trust; this willingness is greater in countries with greater equality.[44] While other factors (e.g., having experienced a civil war) also contribute to the differences between countries, high inequality is a key factor for explaining low trust, and it is also correlated with greater corruption, which in turn has a negative effect on trust.[45]

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[39] For empirical work on trust and economic growth—a correlation that had been theoretically predicted for a long time, e.g., by Arrow 1972, Fukuyama 1995, and Putnam 2000—see in particular Knack and Keefer 1997; Alesina and La Ferrara 2002; and Algan and Cahuc 2013. As Algan and Cahuc 2013 also show, values for trust are to a great extent historically "inherited" and stable over time. Azmanova 2011 looks at another variable, namely "cosmopolitan openness" (discussing the example of the willingness to accept Turkey into the EU), arguing that a "political economy of trust" is needed to overcome fear of competition on the labor market.

[40] See, e.g., Chong and Gradstein 2007 on the "double causality" between good institutions and reduced income inequality. They model rent-seeking as one key causal mechanism. See also Savoia et al. 2009 for an overview of research on inequality and institutions (it's worth noting, however, that the ways in which "quality of institutions" is measured in this literature is by looking at institutions that would foster economic growth, not, for example, democratic inclusiveness).

[41] Cf. Mutz 2006 for a detailed discussion of the differences between in-group and cross-partisan political conversation. Cross-cutting, rather than in-group, political conversations have specific epistemic benefits (66–69). I take this issue up in Chapter 11.2.

[42] Trust *between citizens* is structurally different from *trust in representatives*, which is more ambivalent (for a critical discussion see, e.g., Budnik 2018). I here focus on the former.

[43] For an overview see, e.g., Wilkinson and Pickett 2009, chap. 4, which shows data for European countries and US states; for a detailed overview of the empirical research on trust, across various disciplines, since the 1970s see Uslaner 2018. In this research, a distinction is drawn between social and political trust; epistemic trust cuts across this divide, but what matters for my present purposes is mostly the former. Wilkinson and Pickett also discuss the question of causality (does inequality reduce trust or the other way round?; on that topic see also Vallier 2020, 184–85). Rothstein and Uslander 2005, 45, reject the reverse hypothesis, based on empirical data. Even if there is a reverse causality (and there might be mechanisms that go in both directions), however, from a policy perspective it makes sense to focus (also) on inequality, because it can be directly addressed through policy measures, whereas trust cannot be directly "engineered."

[44] Rothstein and Uslaner 2005, 44–47.

[45] Rothstein and Uslaner 2005, 54–55.

Low-trust societies can be stuck in a vicious circle (or "social trap" as Rothstein and Uslaner call it),[46] because there is no willingness to support social welfare programs in areas such as education or healthcare that might in turn foster trust and lead to other positive outcomes.[47] For high-trust societies, in contrast, there is a virtuous circle, consisting of "low inequality, high trust, honest government, and universal social welfare policies."[48] It is easy to see how such a virtuous circle can also include better epistemic relations between citizens: abuses of office are more likely to be uncovered because all voices are being heard, and the needs of all citizens are taken into consideration. Moreover, marginalized groups can more easily bring their hermeneutical resources to the table, and this can help rectify various forms of epistemic injustice.[49]

One epistemic dimension of these vicious or virtuous cycles has been explicitly analyzed: the provision of public education. As Nancy Birdsall, who focuses on developing countries, argues, inequality can "undermine the political process" and "undermine civic and social as well as political life."[50] One of the channels through which this relation is likely to operate is the "quality of publicly provided education," which is "inversely related to income inequality, controlling for average income."[51] In highly unequal societies, the rich tend to opt out of public education systems, relying on private institutions instead. This lowers their willingness to contribute to public education institutions through the tax system. In more equal societies, in contrast, more citizens use the public education system, which in turn stabilizes the willingness to pay for it with taxpayers' money.

Here a connection can also be drawn to social mobility.[52] Many empirical studies find that social mobility is strongly correlated with social equality. Andrew Walton and Valeria Camia, in a paper that discusses the preconditions for a Rawlsian society, draw on the so-called Great Gatsby curve, the empirical correlation that shows that social mobility tends to go hand in hand with equality, at least when one compares OECD countries.[53] If a society is highly unequal,

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[46] Rothstein and Uslaner 2005, 70–71.

[47] Rothstein and Uslaner 2005, 56. An additional effect of growing income inequality, which Voorheis et al. 2015 show for the US states, is greater political polarization (mostly because moderate Democrats are being replaced by Republicans, shifting the Democratic Party to the left).

[48] Rothstein and Uslaner 2005, 67. See also Walton and Camia 2013, 172; they use data from the World Value Survey for OECD countries to show a correlation between equality and interpersonal trust. They also find correlations between social trust and union membership as well as public education.

[49] See, e.g., Catala 2015 on the relation between epistemic trust in minorities and the reduction of "hermeneutical domination."

[50] Birdsall 2001, 4.

[51] Birdsall 2001, 24. As she adds, racial and ethnic heterogeneity can have a similar effect, because it also decreases trust between communities (24).

[52] See also Rothstein and Uslaner 2005, 47, on the importance of *both* economic equality and equality of opportunity.

[53] Walton and Camia 2013, 168, referring to Corak 2012. Social mobility is operationalized as intergenerational earnings elasticity. A recent paper, though, by Heckman and Landersø (2022)

then those who want to move up need to make much greater efforts *and* pay a higher price in terms of losses of relationships, connections, and so on. Their lives will often be distant from those of their family, both in geographical and in social terms.[54] They might have to actively "unlearn" certain social habits and learn new ones, and some of the knowledge and skills they might have warmly cherished in their original social context might become worthless or even problematic in their new environment.[55] In this sense, there is an epistemic burden as well as a psychological one. As I had emphasized earlier, the idea that parting with certain forms of knowledge and acquiring other ones would be as easy as trading in certain consumption goods is deeply misguided, a point that applies here as well.[56]

Social mobility, and the principle of equal opportunities that it embodies, is a value in itself, and, therefore, it provides the basis for another indirect argument against socioeconomic inequality. But social mobility is also likely to influence trust in a society.[57] Social mobility means that individuals from different backgrounds can access all kinds of jobs, in different parts of the system of divided labor. This is likely to increase the perceived closeness of different occupations. It means, for example, that individuals with a nonacademic background do not have to see scientific or medical experts as "others" who are completely disconnected from their own group—after all, their own children or nieces and nephews might become scientists or doctors, and they might have some academics in their extended family.[58] On the other hand, those in knowledge-intense occupations are more likely to treat "uneducated" individuals, who work in artisan or menial jobs or care work, with more respect, because they have family members who are themselves in such positions and they see the value of the expertise embodied in such occupations.

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compares the impact of *family* influence on children in the United States and Denmark and finds similarly strong impact. This might be understood as weakening the argument that social equality is beneficial for social mobility. The points about social and epistemic distance that I make in the following still hold, however.

[54] Cf. Morton 2019.
[55] I thank Johannes Steizinger for emphasizing this point; he adds the argument that some knowledge that is emotionally dear to people (e.g., because it allows them to create a connection to family members), such as knowledge about sports such as motorcar racing, can even be considered "toxic" in other social environments, because of its association with problematic forms of masculinity and the high environmental impact.
[56] See Chapter 5.3.
[57] I am, however, not aware of any empirical studies that would have looked specifically at the mechanism that I here discuss.
[58] This would be in analogy to the "contact hypothesis" that has been empirically confirmed with regard to race relations: the more individuals from different racial backgrounds encounter each other, the less prejudiced they are against each other (see Kelly et al. 2010, 301–8, for a discussion from a philosophical perspective). I am hypothesizing a similar effect with regard to individuals working in different occupations.

Moreover, social mobility allows individuals to have broader and more varied private epistemic networks. When encountering a problem that requires expertise, or when one has a question about a specific policy, it is a natural reaction to ask around in one's extended families or circles of friends. Even if nobody may be specialized exactly in the relevant area (e.g., a specific medical field), they may be able to recommend other sources of information, or to evaluate the trustworthiness of experts based on certain forms of intermediate expertise. But if a society is highly socially segregated, these are benefits that only individuals from privileged social backgrounds can enjoy with regard to "higher" occupations (and they might lack the relevant networks for menial tasks or other forms of work considered "lower" occupations). In more egalitarian societies with more social mobility, such "chains of trust," as one might call them, can reach all individuals more evenly.[59]

Another interesting question is the extent to which the members of a diverse society, coming from different social and occupational positions, have opportunities for encountering each other, in ways that could build trust through personal contacts. One might think that having many mixed neighborhoods could be a recipe for creating such encounters. But the empirical picture is more complex. As Alesina and La Ferrara find in the United States, living in a racially mixed community (or one with high income inequality) is correlated with lower trust, probably because there are in fact *fewer* encounters between people.[60] "Merely" living nearby, without actually meeting each other or engaging in joint activities, does not seem to do much work for mutual trust. But this does not mean that intelligent city planning could not create conditions for such actual meetings. For example, sociologist Richard Sennett has put forward the idea to locate schools at the intersection of different neighborhoods, so that children and parents can meet there and get to know each other.[61]

Some might suspect that questions about social trust would also lead into difficult territory, namely questions about ethnic homogeneity. Isn't trust often higher among ethnically homogeneous groups? And doesn't that mean that there is a trade-off between social trust (and all its positive correlates) and openness to migration? As Peter Nannestad discusses in a survey article on generalized trust, however, there are no clear empirical findings about the relations between ethnic homogeneity and trust.[62] He calls for more empirical research

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[59] An argument can also be made that market contacts in sufficiently egalitarian societies can contribute to mutual trust, because they allow individuals to develop "weak ties" (Granovetter 1973) with other market participants. But as Durkheim ([1893] 1933) has argued, market exchanges can only positively contribute to social coherence if there is not too much inequality; otherwise they can turn into one-sided power relations (see Herzog 2017a for a discussion).

[60] Alesina and La Ferrara 2002.

[61] Sennett 2018.

[62] Nannestad 2008, 425–28.

on the factors determining trust, a call that a more recent survey on the topic reiterates.[63] It seems safe to say, however, that even if ethnic heterogeneity had a negative impact, it would be only one factor among many and could probably be compensated for by other measures.[64]

A divide that has received quite some attention in recent years runs along a different line, namely a geographical one that has turned in a sociocultural one. As Will Davies notes, one of the features of the "knowledge economy" is that it tends to be centered around cities, opening up a "city-country" divide. It implies, according to Davies, that those who do *not* live in cities are all too often considered mere objects of research, instead of partners in conversation.[65] Much ink has been spilled about the real or apparent tensions between a cosmopolitan, liberal, highly educated elite that clusters in cities and a more nationalist, conservative, far less educated rural population for whom it is more and more difficult to enter positions of power and prestige.[66] In such a situation, it is likely that the knowledge of rural populations gets downgraded, despite its obvious value for environmental remediation and many other urgent societal problems.[67] Moreover, the likelihood that rural populations encounter an "expert" (according to the traditional understanding of the term) in person decreases. But without personal encounters, it becomes more difficult to build trust and to convey one's good intentions, and mutual suspicions and accusations—often sown by right-wing populists—can flourish. From a perspective of social trust, as a precondition for epistemic trust, it is crucial that there can be enough encounters between those who live in the cities and those who live in the countryside, in an atmosphere of mutual respect. Political parties, civil society organizations or unions can help facilitate such encounters, but there are also deeper structural questions, for example, about transportation infrastructure and measures to support job growth in rural areas.

Where do all these empirical studies leave us? One important message is the danger of countries being trapped in high-inequality, low-trust situations, with all the negative epistemic effects this can have. In this sense, the somewhat schematic contrast between Alphaland and Betaland in the previous section is not so schematic after all: there are indeed self-reinforcing mechanisms between the different features of societies that form virtuous or vicious cycles. But focusing only on the obstacles to reform in low-trust societies seems too fatalistic—and it would mean giving up hope for building the epistemic trust that is required

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[63] Dinesen and Sønderskov 2018, who see certain indications for a negative correlation.

[64] See for example Anderson's (2013) call for integration, especially at the level of schools; see also Callan 1997, chap. 7, with regard to school choice and diversity.

[65] Davies 2018, 85–86.

[66] See, e.g., Strenger 2019.

[67] Cf. also Davies 2018, chap. 8; see also Herzog 2023.

for democratic societies to work well, epistemically speaking. Instead, it is worth asking what steps can be taken that shift a country in the direction of Alphaland. Many countries that are formally democracies seem to be at some midpoint between the vicious and the virtuous circle right now, with some forces pulling toward more inequality, less trust, and ultimately less democracy, and other forces trying to resist these dynamics. An important message for these countries is that social inequality matters—for all kinds of reasons, but including also the epistemic conditions for a healthy democratic life.

10.4. The Epistemic Impact of Workplace Organization

In addition to these reflections on the macro level, it is worth briefly reflecting on the ways in which the social structures at the meso level—the organizations and institutions that shape citizens' daily interactions—have an impact on epistemic trust in a society. I will here focus on workplaces, because these are one of the most important social spaces in which individuals encounter other members of society, outside families and neighborhoods.[68] They are also spaces in which individuals from different social backgrounds and ideological camps who would never have met in their private lives can encounter each other. And in many societies workplaces also play an important role for integration across racial lines, at least more so than other social institutions.[69]

For these encounters to play a positive role for social trust, it matters how workplaces are organized. The building of mutual trust can be hampered, or even undermined, if the social spheres in which individuals encounter each other are structured in overly competitive ways. As Alfie Kohn, in a broad discussion of the problematic effects of competitiveness, argues, competitiveness undermines the kind of trust that is crucial for collaboration.[70] He emphasizes in particular the negative effects of schools that set kids up in competitive races against their peers;[71] such races are, by definition, zero sum, because they are

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[68] Of course, this raises the question of what to do about those who are involuntarily unemployed or cannot, for whatever reason, participate in the labor market. Part of a response to the former question could be a public job guarantee, as suggested, for example, by Tcherneva 2020. With regard to the latter, other forms of integration in civil society might can allow for experiences of equality and participation in decision-making. I take it, however, that as long as societies are organized such that most people have to work for a living, workplaces should not be neglected, even though other social institutions can play a complementary role.

[69] This argument has been put forward, in the context of the United States, by C. Estlund 2003; see also Mutz 2006, 2.

[70] Kohn 1986, quoting research by Tjosvold et al. 1984 and contributions by Deutsch 1973, 24, 68, and Johnson et al. 1983, 7.

[71] Kohn 1986. On the problematic effects of competitive "credentialism" for education (whose intrinsic meaning gets hollowed out) see also Deresiewicz 2014. For an economic analysis of the "rat race" structure of many social spaces see Robert Frank, e.g., 2011. From a philosophical perspective, see Hussein 2020 on what is wrong with "pitting people against each other."

about relative positions and about making it into the top tier.[72] This is harmful for the opportunities to build epistemic trust among children and teenagers and for enabling friendships and acquaintances across what will later be different occupations and professions. A similar argument can be made with regard to workplaces: if they are organized in ways that focus mostly on competition, it is harder for individuals to develop trustful relationships among each other. If, on the other hand, the focus is more on collaboration and on the complementarities between everyone's contribution, then there is a greater chance to build trust.

In addition to competitiveness, other dimensions of workplace organization matter as well: can individuals work together with others on an equal footing, or are there steep hierarchies? Is there room for discussions and for involvement in operational and strategic decision-making? To what extent can individuals develop the kinds of epistemic habits, or even epistemic virtues, that enable them to be active, responsible citizens in the political realm? Can they even learn democratic virtues and become familiar with democratic practices such as deliberations and participation?[73]

The ways in which workplaces are organized matters for the epistemic capacities of citizens in several ways. Thomas Christiano has recently taken up the challenge, described by Anthony Downs and others, that in societies with divided labor, different individuals are to different degrees exposed to flows of politically relevant information at their workplace. Moreover, they have different amounts of free time and different numbers of connections to well-informed individuals; all these mechanisms currently work to the disadvantage of the working class.[74] The fact that those in more privileged jobs—for example, "knowledge" workers in law or public administration—often *do* have more voice at their workplace contributes to their developing the hermeneutical resources for expressing their interests and concerns.[75]

But, Christiano argues, this is not a fact that has to be accepted as given, because the division of labor can also be organized differently. He emphasizes the

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[72] In fact, for the overall epistemic structures of a society it cannot but be harmful if education becomes a means for the status maintenance of the more privileged classes. Arguably, parts of higher education—especially so-called elite institutions—have come to play a crucial role for the reproduction of class differences. Credentials from elite institutions are coded as badges of achievements that play into a questionable ideology of meritocracy (on meritocracy as ideology see, e.g., Stanley 2015, chaps. 6–7; see also recently Sandel 2020). The fact that these universities function as credential machines almost exclusively accessible to the privileged might have contributed to distrust of science.

[73] Some commentators might question whether capitalist workplaces could ever live up to such an ideal. I take it, however, that strong codetermination and worker protection laws could at least get us closer to it. Another question is whether an economic system with fully democratized workplaces should still be called "capitalist"; in any case, the power relations between capitalists and employees would change massively.

[74] Christiano 2019a.

[75] Cf. also Fricker 2007, chap. 7, on hermeneutical epistemic injustice.

role of unions, which, as empirical research has shown, have a positive effect on the political representation of members of the working class.[76] Moreover, a stronger role for unions and more voice for workers in the running of companies (e.g., along the lines of the German codetermination model) can expose workers to more information and facilitate knowledge sharing among them, thus preparing them better for the epistemic life of democratic citizens.[77] In the previous chapter, I have already underlined the role of unions as conduits of information and as spaces for discussion. The more their role is integrated into workplaces, the more these benefits arrive automatically for individuals during their workdays.

The call for more voice for workers also has a psychological dimension. In hierarchical workplaces in which workers have few rights and their voices are not represented in the management of firms, there is often a culture of fear and self-censorship. A 2021 magazine piece was entitled "Imagine a Workplace Where You Could Actually Tell the Truth."[78] The authors, who come from the fields of medicine and psychology, argue that in many workplaces it is standard practice not to speak truthfully, starting from polite small talk without any expectation of honesty (e.g., when answering the question "How are you?"), up to major cover-ups. They report that many workers are fearful of telling the truth to bosses or colleagues. These individuals might not even *consider* being open and honest at work. This creates a dangerous dynamic of falling expectations of truthfulness, and hence also a diminishing understanding of truthfulness as a moral imperative. Countering this dynamic is a matter not so much of individual virtue, but of organizational culture and organizational structures, in order to create sufficient security for those who speak truth to power.

It is worth mentioning that workers, especially on the lower rungs of organizations, often do find ways of connecting and speaking truthfully among themselves, below the radar of official organizational communication. It is also questionable whether social spheres in which individuals with very different worldviews, lifestyles, and ambitions must cooperate can do without *any* white lies (if only about questions such as how one likes one's colleague's new haircut). But this is compatible with far greater degrees of truthfulness, and less fear, than what this article describes. If workers' rights are protected against abuse (e.g., against arbitrary dismissal), and if there exist structures of counterpower to management (e.g., in the form of workers' councils), honesty and openness are better protected—and with them, there are greater opportunities for building trust among individuals.

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[76] Christiano 2019a, 955–56. See also recently, on a more general level, O'Neill and White 2018 and Reiff 2020 on the role of unions for democracy.
[77] Christiano 2019a, 957–58.
[78] Taylor and Berg 2021.

Proponents of workplace democracy have long argued that democratic societies should have democratic workplaces, not least to prepare workers for the kinds of interactions that are needed in the political realm to run a society in a truly democratic way.[79] If individuals encounter each other as equals in their jobs and learn to make decisions in a democratic way, this is likely to have a positive effect on political participation. Some researchers have tried to empirically confirm or reject this "spillover" thesis, but these attempts did not deliver conclusive results and prompt various methodological questions.[80]

Nonetheless, it seems extremely plausible that the structure of workplaces matters for attitudes and behaviors in politics. A recent study in Germany used the construct of "industrial citizenship," conceptualized by survey items such as "Do I feel left out in decisions at work?" "Can I speak openly about workers' councils and unions without having to fear being disadvantaged?" "Can I solve problems at work together with my colleagues?" and "When I become active at my job, can I change things?" The researchers found that "industrial citizenship" was significantly positively correlated with prodemocratic attitudes, and significantly negatively correlated with attitudes such as sexism or racism.[81] It seems likely that the experience of trustful cooperation between individuals at work is one of the factors that influences these correlations.

My broader point is this: a society that wants to build and maintain epistemic trust between its citizens needs to make sure that trust is not a losing strategy, with those who trust less, and who do not communicate openly, ending up winning the economic game. If honesty is *not* the best policy and individuals know this, it is far less likely that they will enter into the kinds of open deliberations and honest forms of cooperation that a vibrant democracy needs. If all utterances are met with a suspicion of ulterior motives because there might be some economic gains at stake, then openness to different perspectives, and the building up of a shared understanding of the issues at hand, are hampered. If certain groups, such as minorities, fear, out of historical experiences, that they might be specifically targeted for manipulative or exploitative forms of exchanges, then one cannot expect them to enter the political arena with the same degree of openness as others (if they enter it at all). Thus, experiences of justice and injustice, honesty and dishonesty, in the economic realm, and in particular in the workplace, matter for what kind of relationships citizens can build among each other and for who trusts whom. And these, in turn, matter for the epistemic quality of democratic processes.

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[79]   See notably Pateman 1970 and Mason 1982.
[80]   For an overview see Carter 2006.
[81]   Decker and Brähler 2020.

10.5. Conclusion

In this chapter, I have provided an indirect argument, based on the need for epistemic trust in democratic societies, for social justice—both in the form of reduced overall inequality and in the form of a fair voice for employees at workplaces. This is no argument for absolute equality. But it is an argument for putting strict boundaries on inequalities and on forms of unequal treatment that might undermine the conditions of the possibility of citizens having a basic attitude of trust toward each other. Of course, there will always be crooks, tricksters, and con artists who will try to exploit the trust of others. But there is a massive difference between a society in which such cases are the exception (and the legal system takes care of them as best it can), and one in which all interactions between individuals start from the assumption that one has to fear dishonesty, and individuals are thrown back to a small circle of family and friends as the only ones whom they can trust.

The differentiations in the world of work, and the different forms of knowledge that come with them, make the citizens of modern societies dependent upon each other for specific forms of knowledge. They can organize their common life in ways that do indeed allow honesty to be the best policy, even regarding the communication between people from very different occupations and background—or they can fail to do so. A key question is how large the differences of power between individuals are: if power differentials get too large, then, for the reasons described earlier in this chapter, trust and honesty may no longer be the best policy. Paradoxically, trust can be built precisely by ensuring there is a certain amount of *distrust*, in the sense of answerability and accountability of the powerful toward those over whom they have power.[82] Unions and other organizations that form counterpower to corporate power play this role in the world of work; in other realms, it is played by civil society organizations, activists, or critical journalists.

Such trust can be particularly important in times of crises,[83] but it is also a general precondition for a democratic society. Using Václav Havel's memorable phrase, one can say that democracy is not possible without "living in truth."[84] There is an existential side to this claim, but also an eminently pragmatic and practical one. Many forms of communication and cooperation can simply not

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[82] See also Warren 1999.

[83] See Bollyky and Kickbusch 2020 on an argument about how societies could better prepare themselves for pandemics, which mentions the need for long-term investments in "government trust and social protections," which in turn "require sustained investment in civil society, scientific literacy, public education on the role of science in policy making, and adequate representation of public health specialists and regulators in decision making."

[84] See Chapter 6.5.

get off the ground if a society lacks a basic level of trust between individuals. This is why sowing distrust is such a popular strategy of demagogues and dictators—it keeps citizens from engaging in collective action and from holding the powerful to account, the one form of distrust democracies cannot do without.

11
Defending Democracy
Socially, Institutionally, Pragmatically

11.1. Introduction

Defenders of democracy are sometimes criticized as hopelessly naive human beings. "The best argument against Democracy is a five-minute conversation with the average voter," Winston Churchill is claimed to have said, though he probably never did.[1] Churchill's other famous quotation, about democracy being the worst form of government except all the others that had been tried, is authentic[2]—and yet it provides a distinctively unenthused defense. Given the current situation, and the daily dose of news about populists, scandals, and sometimes outright corruption that citizens of Western democracies receive, may indeed make one wonder: Is it still worth defending this form of government in any other way than just to say: dictatorships would be even worse?

In this concluding chapter, I take issue with this perspective and with various critics of democracy. In all fairness, these critics do not call for a complete overhaul of the democratic systems that have been established over the last decades and centuries. Instead, they want to cut back their scope and instead increase that of either experts (or better-informed citizens) or markets. And yet I find their proposals unconvincing. The thrust of my argument is that there are steps that we can and should take to improve the epistemic preconditions of democracy, thereby allowing both a *more democratic* and a *better*—in the epistemic sense—realization of democratic principles in institutional settings. Democracy is not a state of affairs that can be settled once and for all. It is an ongoing project in which societies can, and also need to, learn to live with new technologies and changing economic and environmental conditions. What can and should be criticized is that many democratic societies have not done enough to actively continue this democratic project in the face of such challenges.

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[1] https://winstonchurchill.org/publications/finest-hour/finest-hour-141/red-herrings-famous-quotes-churchill-never-said/ (last accessed June 12, 2022).
[2] https://winstonchurchill.org/resources/quotes/the-worst-form-of-government/ (last accessed June 12, 2022).

There is irony in the way in which certain critics blame democracy for ills that, if my analysis is correct, have arisen precisely because unchecked market dynamics undermine the conditions of the possibility of democracy—and then these critics suggest, as a solution, leaving *more* decisions to markets. But my point is not to question the intentions and motives of these critics (some of whom would certainly reject my diagnosis of the problems). One should credit them for having shaken up the debate and for having forced many unquestioning defenders of democracy out of what might indeed have been a certain "dogmatic slumber."[3] In their criticisms of certain current dysfunctionalities of nominally democratic forms of governance, one can hardly disagree with them.

Moreover, one should grant that a realistic view of what can be expected from democracy is important. But I argue that the debate about "realism" in democratic theory *lacks* such realism in an important sense. It has remained too fixated on individual voters: many critical arguments are based on surveys about voters' views and their behavior in elections. This leads to a strange lack of sociological embeddedness in certain arguments, especially from the libertarian camp, which can maybe be explained by an underlying methodological individualism that commentators might have inherited from the methodology of rational choice. In other cases, the *negative* effects of social embeddedness, in the sense of group identity and "fan" behavior, are taken into account, but the potential *benefits* from a social division of epistemic labor are not part of the picture. Taking a broader set of institutions and social practices into account, while certainly complicating the picture, also provides more potential for thinking about improvements.

In the next section (11.2) I engage with criticisms that focus on individuals and their ability and willingness (or lack thereof) to inform themselves about politics, engage in rational discourse, and participate in democratic practices. My response, in a nutshell, is that a more embedded picture of individuals can provide answers to many of these objections, even though the problem of political polarization, which seems to mar many countries with two-party systems, remains difficult to address. I proceed to discuss a problem that, in agreement with many critics, I see as a major challenge for democratic societies: the problem of capture (11.3). Rather than responding with a call for minimizing government, which is often not an option, I argue that it is precisely by strengthening the epistemic infrastructure of democracy and thereby empowering citizens, and by reducing socioeconomic inequality, that this problem can best be addressed. Democracy, I hold, is an ongoing experiment, and I point to some areas in which

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[3] Caplan (2007, chap. 8) speaks of the "religion of democracy," in the sense that democracy, as a principle of government, is unquestioningly accepted. I plead guilty of being an adherent of that religion but agree that more needs to be done to defend it with arguments.

more research and more practical experiments are needed to improve the ability of societies to run themselves on democratic principles (11.4). I conclude with a note of cautious optimism (11.5): a democratic ethos and habits of active citizenship might be self-stabilizing once the right conditions, including the right epistemic conditions, are in place—and once citizen get a taste of what democratic participation can really mean.

11.2.   Does Democracy Expect Too Much from Citizens?

Especially in US political science, the so-called realist critique of democracy has gained attention in recent years. It centers on problems such as citizen incompetence, harmful forms of partisanship, and the ensuing lack of accountability in democratic politics. The theoretical starting point for many theorists is Anthony Downs's argument in 1957 about the "rational ignorance" of voters: from a rational-choice perspective, it does not make sense for citizens to get informed about politics, because collecting information is costly, whereas the likelihood that one's vote will make a difference, especially in large-scale elections, is minimal.[4] Bryan Caplan, one of the economists who took this argument further, expanded it to say that in politics, with its low likelihood of individuals making a difference, people do not need to pay a price for holding on to cherished but wrong beliefs. The costs of errors vary from context to context, he holds: sometimes, for example, in certain consumption decisions, the costs fall fully and immediately on ourselves; sometimes they "fall upon strangers"—and democratic politics, for Caplan, is a case of the latter.[5]

This theoretical argument is in line with many empirical findings that show that "ordinary citizens" are often uninterested in and know little about politics.[6] As Christopher H. Achen and Larry M. Bartels summarize their influential study: "Most residents of democratic countries have little interest in politics and do not follow news of public affairs beyond browsing the headlines. . . . Mostly, they identify with ethnic, racial, occupational, religious, or other sorts of groups, and often—whether through group ties or hereditary loyalties—with a political

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[4] Downs 1957.

[5] Caplan 2007, 140–41; quotation from 121.

[6] See, e.g., Achen and Bartels 2016; Caplan 2007; Brennan 2016, and the literature quoted below. It is noteworthy that these studies come mainly from the United States, with only occasional references to studies from other countries (often other Anglophone countries). One qualification needs to be made specifically with Caplan's version of the argument: he bases his claims about lack of information among citizens on a number of economic theories, not all of which have aged well. For example, while economists had long rejected the minimum wage as harmful for employment (while citizens tended to see it as positive, which Caplan reads as their being "misinformed"), a more nuanced position has emerged, as can be seen by the awarding of the 2021 Nobel Prize in economics to, among others, David Card, who had challenged that assumption by using natural experiments.

party."[7] Instead of individuals sitting down and comparing party programs before elections, or at least taking stock of how well a government did in the last few years—so-called retrospective voting—many individuals vote according to group membership,[8] with a great majority simply voting for the party they have always voted for.[9] And while many individuals remain rather apathic with regard to any other political activities while doing so (the "hobbits," as Jason Brennan disdainfully called them), small minorities of loud activists dominate the public space, cheering for their own team like sports fans (the "hooligans," in Brennan's terminology).[10]

In fact, a widely observed feature of the US electorate is its deep division along party lines. This division is more than just political: it also influences where people live, what brands they buy, and whom they are willing to consider as a romantic partner (namely, someone from their own camp).[11] In earlier chapters, I have mentioned that the media landscape in the United States is similarly divided, forming two more or less closed, self-reinforcing bubbles with little interconnection between them.[12] Some social epistemologists have described the disagreements that have arisen between these camps, and their respective media landscapes, as forms of "deep disagreement," in which not only certain facts, but also the whole frameworks of justification (including their moral dimensions) and the epistemic standards themselves are at stake.[13]

This picture may make all calls for democratic engagement and deliberation seem hopeless. But an important qualification needs to be added, which is also confirmed by extensive empirical research. Most voters are uninterested in *ideology*: they are divided along party lines that have become lifestyles, but often without holding deep ideological convictions (maybe with the exception of a few, religiously loaded, issues such as abortion).[14] The groups who hold stronger ideological views are typically those who are more highly educated or who engage very actively in politics,[15] while the electorate as a whole is "awash with moderates."[16] In that sense, and given how much party politics has polarized over the decades, the surprising fact is how *little* ideological polarization has taken place among the population at large.[17]

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[7] Achen and Bartels 2016, 299.

[8] See Achen and Bartels 2016, chap. 8, on the "group theory" of democracy; see also Kinder and Kalmoe 2017, 136–38.

[9] Achen and Bartels 2016, e.g., 311.

[10] Brennan 2016.

[11] See Mason 2018, esp. 19–20.

[12] See Chapter 9.3.2.

[13] See, e.g., de Ridder 2021 and Lynch 2021.

[14] See in particular Kinder and Kalmoe 2017, who review—and by and large confirm—earlier evidence.

[15] Kinder and Kalmoe 2017, e.g., 8, 65.

[16] Kinder and Kalmoe 2017, 93.

[17] Kinder and Kalmoe 2017, 81.

These results might be seen in a negative or in a positive light: in a negative one, because one might complain that people *do not even hold* strong views, or in a positive one, because individuals might well be willing to change their mind if they have the opportunity to get more actively involved in nonpartisan democratic practices, such as deliberative events.[18] As Michael Hannon argues, the overall situation also provides reasons for thinking that survey results that show high degrees of polarization might have to be taken with a grain of salt: individuals might misreport their views out of a desire to express their attitudes and their belonging to one camp or the other.[19] If "politics resembles sports and voters are like sports fans,"[20] as many realist theorists of democracy hold, then it is probably not deeply held *beliefs* that individuals report in surveys, and they may well be willing to change their positions after participation in a reasonable discussion.

What is more unsettling, however, is that empirical evidence also shows that encounters that one could describe as "reasonable discussions" and that engage individuals *across* partisan lines are rather rare, at least in the United States. Moreover, they are statistically *negatively* correlated with political participation: the more active individuals are, the less likely they are to engage with individuals from the other political camp.[21] As Diana Mutz argues, this means that theories of participatory and deliberative democracy are in tension with one another: it is unrealistic to expect people to *both* engage in active cross-partisan deliberation *and* to participate in politics.[22] The mechanisms behind this phenomenon are likely to be both psychological and social: those who deliberate more might be less certain of their views or become convinced that the other side also has a point, and they might feel social pressure not to alienate their more diverse social environment by loud activism for divisive causes.[23] Speaking in terms of social network structures, Mutz concludes that "the kind of network that encourages an open and tolerant society is not necessarily the same kind that produces an enthusiastically participative citizenry."[24]

The obvious question, after reviewing this empirical evidence, is the following: Are these developments inevitable? Or could citizens in a democratic society with differently designed institutions and different social practices be more informed, less hostile to the other camp, and more willing to participate, even for the sake of political issues that are not highly partisan? It is this line of

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[18] Cf. Chapter 3.3 and the evidence quoted there.
[19] Hannon 2021.
[20] Hannon 2021, 304.
[21] See in particular Mutz 2006.
[22] Mutz 2006, 16.
[23] Mutz 2006, esp. 93, 112,
[24] Mutz 2006, 125. Cf. similarly Mason 2018, chap. 7, on partisan activism.

reasoning that I want to pursue, responding to the "realist" view of democracy with a number of points.

A first, very basic one is that the idea that in democratic politics, one's vote does not matter—which is the starting point of many realist arguments—is less convincing than it might at first appear. If one assumes that individuals vote in order to further *their own interests*, this may indeed appear to be the case: many government policies affect only certain groups and not others, and the costs and benefits of policy decisions are carried by millions of citizens. But one does not have to assume that citizens vote for their own private benefits alone; they might just as well vote in order to bring about what they take to be the best outcome for the country as a whole. Normative arguments[25] and empirical data[26] suggest that this is how one should conceptualize citizens' participation in elections, and that this is how citizens in fact understand it. If one takes the latter perspective, then voting does not at all seem irrational, given the large amounts of money (and the weighty nonmonetary outcomes) that are at stake if, for example, one candidate for the presidency has a high likelihood of going to war whereas another candidate would seek peace.[27] Moreover, it is debatable how exactly to calculate the likelihood of one vote making a difference—and under assumptions about likely outcomes and the distribution of votes that are often given for real-life elections, it is likely that the expected value of one vote is positive.[28]

This argument does not show much, however, about the ways in which individuals inform themselves about policy choices or fail to do so. In some cases—for example, if the election of candidate A rather than candidate B will lead to a war, one example used in the literature—the informational basis for arriving at the decision to vote may not be difficult to attain, but the argument would have to be expanded in order to include the costs of information acquisition for more complex cases and might easily get intractable. I mention it mostly to show that is possible to challenge one of the core assumptions of the "realist" framework on its own grounds, even without challenging its methodological individualism.

It is this individualism, however, that I see as the best lever for challenging these negative perceptions of democracy. Importantly, the point is not to challenge individualism on the *normative* level, in the sense that individuals have irreducible rights that deserve to be protected against collective decisions. The point is, rather, that *empirically speaking*, individuals are social creatures whose behavior is to a great extent shaped by their social contexts—a point that many

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[25] E.g., Goldman 1999b; Edlin et al. 2008, building on Edlin et al. 2007. In a similar vein, summarizing various lines of research from the perspective of effective altruism, see Wiblin 2020.

[26] See, e.g., Caplan 2007, 148–49.

[27] See, e.g., Barnett 2020, esp. 422–43.

[28] Barnett 2020 provides a model that proves this point.

realists would grant, but of which they only see the negative side, namely the current forms of group-based polarization. They do not do enough, from my perspective, to explore how different institutional settings, and different sets of social norms, can lead to different epistemic and behavioral outcomes.[29] Let me name three dimensions of these social contexts that I take to be crucial (and which relate to points I have made in earlier chapters).

The first concerns the ways in which the institutions of a society—what I have called the "epistemic infrastructure"—can support individuals in the finding and processing of information without overburdening them. Making sure that it comes naturally to citizens to inform themselves about important political issues, to hear divergent viewpoints, and to discuss about them with others, is a collective task that different members of a democratic society, in different institutional roles, can shoulder together. In a society with divided epistemic labor, in which we all depend on the knowledge of others, it is a shared task to organize this division of labor well.[30] This requires protecting epistemic institutions against malevolent attacks, but also against the kind of corrosion that can arise from a lack of funding.

If such epistemic infrastructures function well, citizens can easily access basic facts about politics and reliable sources for finding out more about a topic, and they can enter social spaces in which discussions and interactions with other citizens and with relevant experts take place. It is the breakdown of such a reliable epistemic infrastructure, together with the murky cacophony of voices in an unregulated online sphere, that leave citizens confused and exhausted and make them vulnerable to snake oil vendors and conspiracy theorists. In fact, I venture the guess that the *lack* of a reliable epistemic infrastructure and the ensuing digital information overload are among the factors that have prepared the ground for the forms of highly personalized populist politics that many democratic societies have experienced in recent years. In such a situation, it is psychologically all the more tempting to simply give up the attempt to form one's own opinion, and to fall for the candidate who claims most loudly to be on "one's team."

A second dimension of social contexts are the social norms that hold in a person's environment: they should, ideally, encourage open-minded epistemic efforts and well-informed democratic participation. Even though the recognition from one's peers may appear a "soft" incentive, it is probably, in many contexts, strong enough to counter the desire to cherish certain beliefs that one finds more attractive than the truth. If it is frowned upon by one's family members, friends, and colleagues, then holding on to false beliefs might not

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[29] Of course, such arguments are always arguments about the *likelihood* of individuals behaving in certain ways—not arguments that would provide necessarily and jointly sufficient conditions for behavioral change.

[30] See similarly Christiano 2021, 124.

be worth the price. Similarly, in situations in which democratic participation comes with some costs—for example, the effort to participate in an election or in a rally—social norms and expectations can provide the kind of counterweight that moves people over the line. If democratic participation takes place in social contexts in which one can enjoy the company of others, this adds an additional "pull" that can support individual motivation and allow sustained engagement— as can be seen in many social movements and political organizations in democratic societies in which this is indeed the case.

However, if individuals find like-minded others who share their *false* views, they can also get social recognition *for that*—and then social norms within *those* groups can also reinforce biased or wrongheaded behavior. It is through this mechanism that the internet, with the potential to connect those with crazy views of all sorts, can play a truly insidious role. Basic mechanisms of belief correction in response to social censure are disabled if individuals find others with the same false views in the digital sphere and can unite with them in the attitude "we against the rest of the world." Mechanisms of conspiracy theories combine with a social media logic that allows the sellers of snake oil to reach a broad audience, often under the radar of public discourse, for example in closed chat groups. This remains an ongoing challenge for democratic societies. It would be utterly naive to expect an automatic "marketplace of ideas" mechanism to induce self-correction of wrong views in these closed epistemic circles. A better approach would be structural regulation, for example, by limiting the user numbers for closed groups, so that messages sent in larger groups can be publicly scrutinized.

A third dimension of the social contexts of individuals concerns the amount of time, money, and space that individuals have available for informing themselves about politics, encountering other citizens, or engaging in democratic participation. This has, again, a lot to do with the economic system: How many hours of work does it take to make a living? Can one afford to live reasonably close to home (or is one forced into long commutes)? How much disposable income do individuals have for shared activities with others? Let me illustrate this point by reference to a proposal that was recently made by democratic theorist Robert Talisse.[31] Talisse describes how a certain kind of partisan attitude creeps into more and more social activities, including family dinners or other private festivities, creating a toxic "us versus them" atmosphere. As a countermeasure, he suggests civic activities in which individuals can encounter others without immediately picking up political fights, in cooperative projects. He writes:

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[31] Talisse 2019. His book's title, *Overdoing Democracy*, is slightly misleading because he criticizes specific forms of partisan politics rather than democracy as such.

> Volunteer to pick up litter in a local park or to teach someone to read at the public library. Sign up with a group that visits the elderly and infirm. Join a bowling team or book club. Register for a cooking class. Participate in a community organization. Begin following a local sports team. Organize a trivia night at a local bar or start up a group that supports local businesses. Audition for a local choir. It ultimately does not matter very much what you choose to try; the important thing is that you do something that you sincerely take not to be an expression of your particular political identity.[32]

This is a fair point, but it is made from a position of privilege. The quotation may sound almost cynical for the millions of citizens who can hardly make ends meet between the different jobs they work, while also taking care of children or elderly people and struggling with the bureaucratic pitfalls of welfare systems.[33] Many of these activities cost money, all of them cost time. And quite a few of them presuppose the existence of public institutions (parks, libraries, etc.) that are accessible to everyone—institutions that democratic societies need to be willing to offer, instead of replacing them by private, market-based institutions that are only accessible to those with the ability to pay. In addition, the question of socioeconomic stratification comes in again: in highly unequal societies, most social activities will take place in highly stratified social circles as well. And while left-wing and right-wing individuals might then, following Talisse's proposal, meet each other on neutral territory, as it were, they are likely to only meet others from the same socioeconomic background. For a truly democratic society, this is not enough.

Thus, I take it that by paying more attention to social contexts and socioeconomic conditions, we can counter some of the charges about uninformed, apathic, or hyperpartisan citizens that the "realist" critique raises. But what about Mutz's point about a possible trade-off between "hearing the other side" and political engagement? To some extent, this is a specific US problem, as Mutz readily acknowledges: while Americans do engage quite actively in political discussions compared to people in other countries, what is exceptional is the extent to which social networks are sorted into two camps and people talk politics mostly *within* these camps.[34] As a result, "American's political networks are . . . the most lacking in political confrontation."[35] The likelihood of meeting individuals from the other political camp is greatest in workplaces or work-related contexts, or in parent-teacher associations at schools.[36] One key question would thus be how

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[32] Talisse 2019, 163–64.
[33] Land 2019 provides an impressive account of the situation of a single mother struggling with these challenges.
[34] Mutz 2006, 49.
[35] Mutz 2006, 51.
[36] Mutz 2006, 2, 37, 146.

such cross-partisan encounters could be strengthened, maybe by using strategies such as the ones suggested by Talisse in conjunction with measures to reduce socioeconomic inequality.

Would this *necessarily* lead to a reduction of political participation, as Mutz suggests, based on her findings? Or could different social norms, with less pressure to justify oneself for political participation, bring about a situation in which the two are more compatible? Mutz herself mentions that in other countries, it seems easier for citizens to talk politics across partisan divides,[37] which suggests that the tension between cross-partisan discussions and political participation is not a fixed variable but depends in turn on social contexts. With different social norms and a different media landscape, it should be easier for individuals to know how "political differences should be handled respectfully in informal discourse."[38] Nonetheless, it is probably the case that the mindsets and social networks of the more deliberative and the more activist types vary. But this need not be a problem as long as societies have a reasonable mix of both.[39] Moreover, in societies with more political parties, political conflicts need not be as one-dimensional as the big divide in the United States and other countries with two-party systems. One can then more easily imagine citizens being activists in some areas of politics and engaging in cross-partisan deliberation in others.[40]

The alternative picture that I would like to set against to that of a deeply affectively divided citizenry, in which most people are ideologically rather indifferent and lack information, while small minorities of loud partisans dominate the political scene, is one of a relatively egalitarian society that offers multiple venues for encounter, both between like-minded people and across partisan lines—and in which citizens have enough time and resources for participating in civic life, both of the political and of the nonpolitical kind. Such a society might not even need the kinds of lottocratic events in which random people meet each other—because all members of society, including politicians, *do* meet other random people, from all walks of life, in their everyday life, at bakeries, children's playgrounds, public parks. But given that most democratic societies are at quite some distance from such a happy picture, lottocratic strategies might well be one of the steps of reform that can help bring people closer together again.

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[37] Mutz 2006, 143.
[38] Mutz 2006, 150 (see also 145 on the media landscape); see similarly Mason 2018, 130–33, who discusses more mutual contact and social norms against demonizing opponents as possible elements of an answer.
[39] See similarly Mutz 2006, 131, commenting on Mill.
[40] In addition, multiparty systems inherently rely on compromise and collaboration, as governments typically need to build coalitions. This is likely to have a certain disciplining effect on political rhetoric, as opponents during electoral campaigns know that they might have to collaborate after the election.

Another strategy that has gained more attention from theorists in recent years is to focus on *local* politics, and the possibilities of engagement and encounter in this context. Local politics often touch people's lives directly, so arguments about "not having an impact" do not apply. To be sure, aggressive partisanship can also poison local politics. And yet the fact that people encounter each other face to face creates the opportunity to replace the "us versus them" framing by a concrete engagement with the problems at hand and the attempt to find solutions that work for everyone.[41] The experiences from deliberative events, which can reduce both cognitive and affective distance, are encouraging in this respect: when they are "in one room," the willingness of citizens to engage with each other may be much greater than is often assumed.[42]

11.3. Minimizing Capture

The problem of citizens failing to hold politicians to account, as discussed in the last section, has a counterpart that is at least as problematic: the "capture" of political decision-making processes by private interest groups. Caplan makes this inverse relation explicit, noting straightaway that it has an epistemic dimension:

> The flip side of public ignorance is insider expertise. While the voters sleep, special interests fine-tune their lobbying strategy. Just as voters know little because it doesn't pay, interest groups know a lot because—for them—it *does*; hence the mantra of "concentrated benefits, dispersed costs."[43]

Caplan here refers to the tradition of "public choice," which analyzes political institutions, including the design of constitutions, from the perspective of rational, utility-maximizing actors. From this perspective, a key question is what the costs of collective decision-making are.[44] And these costs include not only the costs of collective decision—rather than decentralized decision-making or voluntary cooperation—as such, but also the costs that arise from the risk of collective decisions being biased toward the interests of powerful groups, or of other forms of government failure (e.g., through sheer incompetence). Powerful groups can lobby the government to provide them with special privileges, at the cost of society as a whole—a point that Adam Smith had already made and that many economists have continued to warn against.[45] And very often, this goes

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[41] See similarly Anderson 2021, 27.
[42] See Chapter 3.3 and especially the evidence from Fishkin et al. 2021.
[43] Caplan 2007, 97.
[44] See, e.g., Buchanan and Tullock 1962.
[45] Smith [1776] 1976, IV.8; see, e.g., also Hayek 1979, 89.

unnoticed because the costs that the general public has to pay are spread out, whereas the benefits to special interest groups are concentrated.[46]

What libertarian thinkers, and other critics of democracy who warn against capture, certainly get right is that there can be an unholy alliance between "big business" and state institutions. Through lobbying and other channels, business interests often find their way into government policies—also on the epistemic level. Mario J. Rizzo and Glen Whitman discuss the example of the nutrition guidelines published by the US Department of Agriculture, which, over decades, reflected less the result of objective scientific research on optimal food intake than the influence of different lobbying groups, for example, growers of grain, producers of dairy, or sellers of processed food.[47] What was presented to the public as objective advice about how to put together a healthy diet was, in fact, a form of government-sponsored advertising for certain product types. The widespread problems of obesity may, to a considerable degree, have to do with such misguided advice and similarly distorted processes in other areas of regulation and information.[48]

Another risk is the expansion of bureaucratic power in cases in which it does not serve the public good, out of the special interests of bureaucrats to maximize their budgets.[49] "Government failure" can take many forms, including alliances between technocratic bureaucrats and experts who fail to take into account the interests of all those who are affected by their decisions.[50] Failed or overpriced infrastructure projects speak volumes about these risks, and they are just one category of cases.

The question is, of course, what conclusions to draw from the undeniable existence of such problems. Libertarians and critics of democracy often call for the reduction of government activities. But the question is whether this can really improve the situation. Take the case of nutritional advice: if governments do not provide it, private companies or "consultants" will probably do so, and whether we can expect this to be better for consumers remains doubtful. The absence of government-provided information (or the setting of standards, etc.) does not imply that there will be no information (or no setting of standards, etc.). But there might be even fewer checks on the stronger players, who all too often win at the expense of the weaker ones.[51] In other words, many informational

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[46] See in particular Olson 1965.
[47] Rizzo and Whitman 2019, 326–29; cf. also Light 2004.
[48] Light 2004.
[49] This point has been emphasized in particular by Niskanen, e.g., 1971.
[50] Cf. also Christiano 2021, 118–19.
[51] This argument has also been made, in the context of debate about "nudging" by Schmidt 2017. Rizzo and Whitman (2019, chap. 10) reject this argument, but their argument for simply going with the defaults that happen to be in place is unconvincing because these often simply reflect past imbalances of power.

and regulatory tasks are collective *in nature*, in the sense that forms of "common knowledge," general rules, or social norms are needed. In such cases, it is unlikely that reducing government intervention is a good strategy: it will leave the task of setting these common standards to the most powerful actors, without *any* mediation by public administrators and with probably even fewer possibilities of democratic control. This argument applies also to the "epistemic infrastructures" of markets that I have discussed in Chapter 7: *not* providing them will only leave consumers more vulnerable, and although some pieces of information can be provided by market actors, public institutions and the watchdog function of a free press are also needed.

This leads to a second strategy: to reform the structures that make capture possible. As discussed in Chapter 9, this is one of the motivations behind the various "lottocratic" proposals we have seen in recent years: randomly selected citizens who stand under public scrutiny are less likely to be bought by special interests.[52] Although I have discussed earlier why I do not see lottocratic reforms as sufficient, I agree with authors such as Guerrero and Landemore that this is one of their strongest points. And I agree with the general approach of attempting to fight capture by trying out new institutional methods but *without cutting back democracy*.

I take it that in addition to lottocratic experiments, many other steps are also possible and necessary, such as increasing the involvement of independent experts and civil society organizations in legislative processes, to hold *both* public bureaucrats and lobbyists to account. Strengthening public-spirited experts and journalists, so that they are better able to fulfill their watchdog function, is another strategy. Individual citizens on their own, without organizational clout and specific expertise, are often powerless vis-à-vis the alliance of big business and public administrations. But if civil society organizations and experts pair up with citizens, they can well make progress—for example, by making public the influence of lobbying and spreading the word about it, just as Rizzo and Whitman have done.

And then there is, again, the question of overall economic inequality. If there were less money in the hands of rich "philanthropists," foundations, and corporations to be used for lobbying and related strategies, the problem of capture would shrink to a more manageable size. I therefore take it that any true opponent of capture needs to take questions of socioeconomic inequality seriously, as some authors in the "realist" camp indeed do.[53] Those who do not run into a problem of credibility: if one endorses democratic values, and if socioeconomic

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[52] See Chapter 9.2.
[53] See notably Achen and Bartels 2016, 325, who hold that "more effective democracy would require a greater degree of *economic and social equality*."

inequality leads to serious problems of capture, then one needs to accept that socioeconomic inequality has to be reduced. From the perspective of those committed to democracy, the argument to leave ever more space to markets is unconvincing, not least because it is precisely through unchecked market forces that we have arrived at the inequality that is undermining the democratic structures of many societies.[54]

Two points should be conceded, though. One is that complex forms of bureaucratic regulation often favor the educated and privileged, in ways that are ultimately inimical to democracy. Public bureaucracies often seem to be more motivated to cover any possible legal liabilities than to make their services user-friendly—including for users who might not be fluent in the main language, or have trouble dealing with legal jargon, or who simply have little time between their working hours and the care for their family to deal with public services. Here many practical improvements could be implemented relatively easily, without the need for big ideological arguments. The reduction of complexity could also, in certain areas, improve the chances to hold those in power to account; after all, if political processes are opaque, voters cannot easily understand whom to blame for existing problems.[55] But complexity is not always created by the decision-making processes; sometimes it lies in the nature of the problems at hand: in societies with a complex division of labor and with many different stakeholders, simplification of decision-making might lead to gross injustices or simply to bad decisions, for example if key information is not taken into account. The best approach with regard to complexity is thus not to minimize it as much as possible, but to find the appropriate level for each specific problem.

What also needs to be conceded is that the challenge of "Who guards the guardians?" can never be completely resolved. If scientists are enlisted to help with objective policy advice, then who can check whether they might have specific agendas or have received promises about future benefits from corporations? If journalists make this public, who can check whether they do so out a genuine motivation to serve the public or out of a drive to denigrate those who might speak against certain political proposals? If watchdog organizations spring up to comment on the ethical integrity of journalists, what might be their hidden agenda? There is no natural stopping point that would allow us to say, "Here we can end it," how we can be 100% sure that everything went well? Human ingenuity knows no limits when it comes to finding loopholes or other ways of

[54] A normatively consistent, but descriptively implausible counterposition would be to hold that markets *if done right* would not create such inequalities, and that it is only because of government intervention that markets create inequality. Historical evidence about the inegalitarian effects of markets—in very different cultural and political settings—speaks against that view; see van Bavel 2016.

[55] See also Achen and Bartels 2016, 319.

abusing existing institutions. Moreover, with knowledge evolving over time, what we are after is a moving target, because institutions and mechanisms of control have to adapt in response to new forms of evidence or new methods of inquiry. But this is no reason for despair; it is the human condition, and many institutions do a surprisingly good job of dealing with it. What it requires is an experimentalist attitude that accepts the fact that no set of institutions, least of all democracy, is ever "finished."

11.4. Learning to Rule Democratically

Democracy is unfinished business: in times of fast-developing digital technologies, global challenges such as global poverty and avoidable diseases in low-income countries, and the urgent need to address anthropogenic climate change, it would be naive to think that the current set of institutions is the best of all possible arrangements. The imperative to work on improvements also stems from the fact that in recent years, there has been a growing sensitivity to the many forms of inequality and exclusion that mar societies in which citizens are formally equal. Movements such as #MeToo and Black Lives Matter have made use of the—much-berated—social media platforms to find a voice and to organize themselves. But there is much more to do to change our political institutions and to take into account the third big line of disadvantage that is so often forgotten, social class.

I have argued, throughout this book, that improvements are needed with regard to the epistemic structures and practices of our societies, in order to maintain the commitment to a conception of truth, however minimal, without which democracies cannot function well. I have discussed various areas of reform, for example with regard to the re-embedding of markets and the provision of an "epistemic infrastructure" for democracy. Some readers may find these proposals too abstract. But this level of abstraction has a theoretical justification: the implementation of reforms along the lines I have suggested needs to be highly sensitive to contextual factors. Moreover, finding the right institutional solutions often requires more than theoretical arguments: it requires practical experimentation, learning processes, and adaptation in response to experiences.

An "experimentalist" spirit is sometimes evoked by defenders of markets as an argument in their favor: decentralized decision-making allows individuals to try out new strategies, without having to wait for their arguments to convince all other deliberators and for all objections and doubts to be cleared.[56]

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[56] In this sense, Müller (2019, 106) speaks of a "conservative bias" in deliberation, which might not be sufficiently open to radically new solutions.

Moreover, smaller units are often taken to be faster and better at correcting mistakes.[57] Sometimes, an argument for federalism is made on this basis: in federalist systems, different units can try out different policies, without the need for agreement beforehand. They can make use of diversity of values, but also of perspectives, to experiment with different solutions to problems or with completely new approaches.[58] A key question then becomes, of course, what counts as a "good" solution, and whether it indeed spreads to other contexts. Here, democratic decision-making becomes, again, unavoidable, in order to hear the voices of *all* concerned parties. Otherwise, what goes under the label of "experimentalism" can all too easily degenerate into the survival of the fittest (or the most ruthless or those best able to exploit others).

The democratic version of "experimentalism" acknowledges the political nature of experiments and of the judgments about them. It has deep roots in democratic theory, especially in the pragmatist tradition.[59] While one can also justify it on the basis of a certain understanding of freedom, a key justification is based on its epistemic benefits: it allows individuals and groups to try out different solutions to concrete problems, in different contexts. In this sense, experimentation is a form of inquiry, which many pragmatists have compared to scientific inquiry.[60] But here the aim is not to arrive at "truth" as such, but at better democratic institutions and practices. Practical considerations such as the rights and interests of all concerned parties, but also the feasibility of decision-making mechanisms (their "transaction costs," in economic terms), as well as the risks of corruption and abuse, remain central. Social movements play a key role in developing and refining the epistemic mechanisms that allow finding good solutions and compromises: they serve as laboratories for the articulation of problems and the deliberative (or other) mechanisms that can help solve them.[61]

A key step in learning from experiments, however, is to learn from failures—and this often does not work very well because failures are surrounded by shame and admitting them often has high costs for individuals. Here societies that are committed to democratic experimentalism can do better. In a fascinating discussion, Michal Shur-Ofry describes how "access to error" might be improved in order to support innovation.[62] This is not only a matter of publishing studies that failed to establish certain effects (with science, as it is currently organized, having a well-known bias toward the publication of positive results only), but also of being able to weed out wrong hypotheses faster, and of course it concerns not

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[57] Some arguments along these lines can be found in Somin 2015, 228–29, although the criterion he uses for "better" decision-making (higher degrees of economic freedom) might be challenged.
[58] See similarly Müller 2019, 114; on this being an argument for federalism see 146–52.
[59] Cf., e.g., Knight and Johnson 2011, esp. 45–49.
[60] Knight and Johnson 2011, 49.
[61] See in particular Serrano Zamora 2021.
[62] Shur-Ofry 2016.

only scientific knowledge but also other forms of expertise. Shur-Ofry suggests public "error repositories," calibrations in the systems of research funding, publication of near-miss cases, and changes in the cultural perception of error. Similar steps could also be taken with regard to democratic experiments, with honest reports about what worked and what did not, so that others do not have to repeat mistakes.

However, even the best democratic institutions and practices, developed after successful experimentation, will not be "people proof," and this holds in particular for the epistemic dimension of institutions and practices. In contexts of divided epistemic labor, trust remains crucial, and establishing a culture in which epistemic processes remain functional requires a minimum of cooperation from all participants. Without such an ethos, even the best institutional design is likely to falter. If, in contrast, such an ethos is present, it can probably repair many institutional shortcomings. More research into the preconditions and features of beneficial epistemic cultures, as they are appropriate for various epistemic institutions (or the epistemic life of nonepistemic institutions), can help us better understand what it takes to maintain such an ethos among citizens—at general level of public discourse, but also in the many more specific contexts in which citizens interact within public and private institutions.

11.5. Conclusion

In this concluding chapter, I have responded to some positions that take issue with proposals to strengthen democracy. The "realist" camp has illuminated the challenges of naive pictures of democracy that ascribe too much knowledge and ideological steadfastness to citizens, while the "public choice" literature has emphasized the risk of public decision-making being captured by private interests. Both provide reasons for concern, but in both cases, these concerns should be addressed by strengthening, rather than cutting back, democracy. Democracy is an ongoing project, and we need to get better at finding solutions to the various governance questions that it raises in its complex institutional settings.

For all these questions, the epistemic dimension is crucial: citizens need to have a reasonable chance to receive the knowledge that matters for decision-making, and there need to be the right networks of epistemic institutions and practices that can support individuals in this quest. Focusing on individual voters and their voting behavior or survey answers alone overlooks their social embeddedness and the potential for improvement in these social structures. The same holds for the risk of capture: here as well we need to ask which institutional designs can hold the powerful to account and prevent unholy alliances that pose

in the name of the common good but actually serve vested interests. And we need to address what remains the elephant in the room, if we want to save democracy: the huge socioeconomic inequalities that mar many nominally democratic societies after years of deregulation and policies based on free markets.

Is there any reason for optimism? The sense that our democracies need a "relegitimation," as Russel Muirhead and Nancy Rosenblum have put it, seems to be growing.[63] At the same time, the argument that markets are the best instrument for solving epistemic problems has lost its last bit of plausibility during the corona crisis. True, companies helped deliver vaccines, but this process was spurred by public money and relied on publicly funded fundamental research, and without political interventions, the economic consequences would have been disastrous in many countries. Returning to the right balance between public and private institutions, "the state" and "the market," is an urgent task for the years to come, but at least the legitimacy, and in fact necessity, of doing so, seem to be more widely accepted.

Moreover, many individuals seem to recognize that consumerism is no recipe for a meaningful life, and the awareness that climate change requires us to massively change our lifestyles seems to have finally been mainstreamed, thanks not least to Greta Thunberg and the Fridays for Future movement. Deep down, many of us probably know that we cannot simply "go on" as we did, that we need alternative models for the economy, but also for how we build, eat, move, live. *Acting* on this knowledge and carrying it into all spheres of our societies is maybe *the* key civic responsibilities of our generation.

My hope is that a more active civic life, in which our democratic values are better realized, can have a "pull" of its own and develop a positive, self-reinforcing dynamic of "democratizing democracy." If citizens experience that they have a voice and can use it to improve institutions and change cultural patterns, they may come to appreciate the process. The epistemic and political activities in question, such as articulating problems, finding allies, entering into dialogue with others, and looking for compromises, can be forms of human flourishing that give individuals a sense of agency and meaning. Using one's skills and one's knowledge for goals beyond the pursuit of one's own financial gains can be deeply satisfying, and the experience can motivate others to participate as well. Encountering others with different perspectives, coming together in deliberative encounters, exercising judgment, and developing solutions—this is the very opposite of being a passive cog in the wheels of mindless consumerism.

It may require a leap of faith to defend this claim, but I take it that once such a development has started, it may well become self-stabilizing. Good citizens can build good institution and breed good democratic habits, which have an impact

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[63] Muirhead and Rosenblum 2019, 158–65.

on the next cohorts of citizens—in a self-reinforcing cycle, which goes in the opposite direction of the self-destructing dynamics that all too easily kick in if no one feels responsible for institutions and practices, and everyone feels entitled to communicate strategically for the sake of their own interests. What matters is that democratic citizens see this as a challenge to be tackled, instead of hoping that markets (or experts, or any other agents) will handle the epistemic tasks of our societies. It falls on us to keep our democracies alive.

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