

# The Effects of Competence-based Suffrage Restrictions: Toward a Full Accounting

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## Abstract

Democratic citizens often lack rudimentary knowledge about their political institutions, elected leaders, and the policies their leaders choose. Epistemic democrats contend democracies produce reasonable decisions despite the ignorance of the typical voter; against them, epistocrats claim that non-democratic regimes in which more knowledgeable citizens are put in charge would produce better decisions. We explain the shortcomings with the arguments on both sides. Epistocrats may be right that all else being equal, a more competent electorate would produce better decisions, and epistemic democrats may be right that all else being equal, a more diverse and inclusive electorate would produce better decisions. But all else is not equal, and neither camp provides arguments for believing that their favorite partial effect of restricting the franchise will prevail over countervailing effects. We explain why the total effect of such restrictions is theoretically indeterminate, and why more empirical evidence is needed.

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Most democratic citizens appear to be ignorant of crucial facts about the political systems in which they participate, the parties and candidates they vote for, and the policies their leaders enact. They lack the basic knowledge that one would need to form reliable judgments about the consequences of those policies. Some scholars trace democracy's ills to these well-known facts about "voter incompetence" (e.g., Achen and Bartels, 2016; Caplan, 2007; Schumpeter, 1942; Somin, 2013). Some press further—it has long been argued that ignorance and incompetence are sufficient reasons to exclude ordinary citizens from political decision-making (e.g., Plato, 1992, book VI), or at least to reduce their influence on political decisions (e.g., Mill, 1861, chap. 8). According to these "epistocrats", a non-democratic regime in which competent citizens have a monopoly on, or at least a greater share of, decision-making power would produce better decisions than a democracy that enfranchises everyone, competent and incompetent alike (for recent arguments, see Bell 2015; Brennan, 2016). So-called "epistemic democrats", drawing inspiration from ideas such as the "wisdom of the crowds" (Waldron, 1995, who traces this idea to Aristotle; Surowiecki, 2004) and the Condorcet jury theorem (Condorcet, 1785), counter that democratic regimes can have a tendency to produce good decisions even if typical voters are ignorant or irrational (Anderson, 2006; Cohen, 1986; Estlund, 2008; Goodin and Spiekermann, 2018; Grofman and Feld, 1988; Landemore, 2012; Ober, 2008, 2013).<sup>1</sup>

We show that recent arguments for and against competence-based franchise restrictions have taken an incomplete view of their epistemic consequences.<sup>2</sup> Start with arguments for restricting the franchise to competent citizens. Epistocrats overwhelmingly focus on typical voters' lack of social scientific knowledge and manifest deficiencies in their reasoning. They have thus limited their attention to what we might call *cognitive competencies*. Stated precisely, then, epistocrats

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<sup>1</sup>See Schwartzberg (2015) for a review of the literature on epistemic democracy.

<sup>2</sup>To avoid tedious repetition, "consequences," "benefits," and "costs" refer to epistemic consequences, epistemic benefits, and epistemic costs, unless explicitly stated otherwise.

conjecture that excluding cognitively incompetent citizens from the electorate will enhance group decision-making *all else equal*. But all else is not necessarily equal. The ability to acquire and deploy policy-relevant facts is not sufficient for recognizing policy-relevant reasons and giving these reasons proper weight. Other attributes typically ignored by a focus on “competence” matter too. These include: life experiences that draw attention to reasons that would go unrecognized by those who lack similar experiences, the ability to sympathetically identify with another’s plight, a disposition to care about others’ welfare, and so on. If cognitive competence is negatively correlated with these other attributes — we argue for the plausibility of this claim below — then excluding cognitively incompetent citizens from the electorate entails the exclusion of perspectives and dispositions that can improve a polity’s decisions. Epistocrats’ emphasis on cognitive competence is thus too narrow to determine the full consequences of competence-based restrictions on voting.

Epistemic democrats, for their part, highlight the benefits of including citizens with diverse perspectives and dispositions (esp. Anderson, 2010; Estlund, 2008; Landemore, 2012).<sup>3</sup> But their focus on mobilizing diversity is similarly too narrow to determine the full consequences of competence-based restrictions. A diverse and inclusive electorate plausibly improves collective decision making *all else equal*. But, again, all else is not necessarily equal. If increasing diversity in the electorate also decreases the cognitive competence of the electorate, then a full accounting of the consequences of competence-based restrictions (obversely, of increasing diversity) must attend to the possibility that the costs of limiting diversity are outweighed by the benefits of reducing the influence of ignorant and irrational citizens on group decisions.

To put the previous points succinctly, epistemic arguments for and against democracy have to this point concentrated on *partial effects* of competence-based franchise restrictions, but what

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<sup>3</sup>Epistemic arguments that appeal to diversity are sometimes contrasted with appeals to the Condorcet jury theorem (Estlund, 2008, p. 232). However, see Goodin and Spiekermann (2018, ch. 7).

matters is their *total effect* on the quality of decision-making. One partial effect of such restrictions will be an electorate that is more knowledgeable, by some measure; another partial effect is an electorate that is less diverse, containing a narrower range of the life experiences, moral dispositions, and abilities that can help one identify reasons for and against policies. The *total effect* of competence-based franchise restrictions depends on the relative magnitudes of these opposed partial effects.

We start by presenting empirical evidence that suggests, *pace* epistocrats, that enfranchising cognitively incompetent citizens can improve policy decisions. Probing further, we present several plausible mechanisms that can explain why both historically observed and hypothetical suffrage expansions can improve policy decisions while nonetheless enfranchising cognitively incompetent citizens. These mechanisms illuminate the thought that competence-based franchise restrictions can indirectly undermine the reliability of group decisions by decreasing beneficial epistemic diversity. Epistocrats have yet to demonstrate that the indirect costs of disenfranchising incompetent citizens do not outweigh the direct benefits of these restrictions. Yet this conclusion brings cold comfort to epistemic democrats. The mechanisms we present suggest an analogous challenge for epistemic arguments for universal suffrage, namely, that increasing diversity within the electorate can indirectly undermine the reliability of group decisions by diluting the beneficial influence of informed and rational judgments in the aggregate. Epistemic democrats, for their part, have yet to demonstrate that the indirect costs of increasing diversity within the electorate do not outweigh the direct benefits of eliminating competence-based franchise restrictions.

We conclude by marking the ways in which our comparison of the partial effects of competence-based franchise restrictions is theoretically indeterminate. The total effect of these restrictions is ambiguous in theory. We thus have no theoretical grounds for adjudicating among epistemic arguments for and against competence-based franchise restrictions. Settling this debate requires much more empirical work on the conditions under which diversity-enhancing initiatives and competence-enhancing initiatives pull in opposing directions, as well as the relative magni-

tudes of these countervailing partial effects.

### **An empirical challenge to epistocracy**

The epistocrat's position relies on two propositions. The first is that we should evaluate forms of government solely by their tendency to produce good policy decisions. We grant this premise for the sake of argument (but see Bagg, forthcoming; Christiano, 1996; Kolodny, 2014). The second key proposition is what we shall call the *epistocracy conjecture*: a non-democratic form of government in which competent citizens wield disproportionate, if not exclusive political decision-making power would produce better decisions than a democracy with universal suffrage. If these two propositions are true, it follows that we should leave political decisions to competent citizens and disenfranchise incompetent citizens, or at least reduce their influence on political decisions.

The immediate question, of course, is how we should determine which citizens qualify as competent and thus can be entitled to participate in political decision processes. As one recent epistocrat describes it, citizens in a "restricted suffrage epistocracy" would have to "pass a voter qualification exam" to gain the right to participate in elections.

The exam would screen out citizens who are badly misinformed or ignorant about the election, or who lack basic social scientific knowledge. The United States, for example, might use the questions on the ANES [American National Election Study]. Alternatively, the United States might require citizens to pass the citizenship exam, or score a three or higher on the Advanced Placement economics and political science exams. (Brennan, 2016, pp. 211, 212)

To "earn [their] license to vote," citizens would have to establish that they possess certain forms of political and scientific knowledge, as well as the ability to put that knowledge to proper use when making voting decisions (as indicated, perhaps, by their ability to "solve a number of logic

and mathematics puzzles” [ibid., p. 212]).<sup>4</sup> In short, epistocrats propose to restrict the suffrage to citizens who possess certain *cognitive competencies*.<sup>5</sup>

It might seem as though we can only speculate about the epistemic consequences of introducing voter qualification exams because such electoral rules have not been tried, at least not as epistocrats envision them (Brennan 2016, p. 205). Historically observed examples of franchise restrictions — those based on gender, race or ethnicity, religion, or property-ownership — are all different from what is being contemplated here. Even literacy tests, which in theory might proxy for the kind of competence tests that epistocrats favor, have historically been applied prejudicially, as means of disenfranchising citizens according to race. Yet this resignation to speculation is too hasty. As we now show, historically observed restrictions of the franchise offer a conditional test of the epistocracy conjecture, at least a strong version of it.

**Strong epistocracy conjecture:** The expected quality of the decisions produced by an electoral regime is an increasing function of the proportion of the electorate that would pass a voter qualification exam.

(We explain the sense in which this version is strong and consider a weaker version below.)

Studies of historically observed franchise restrictions provide a test of this strong conjecture because the removal of such restrictions plausibly decreased the proportion of the electorate that

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<sup>4</sup>Brennan’s emphasis on knowledge acquisition and reasoning ability is in keeping with other recent democracy skeptics such as Bryan Caplan (2008) and Ilya Somin (2013).

<sup>5</sup>To focus our discussion, we restrict attention in what follows to an “electoral epistocracy” whose institutions resemble those of the democratic regime with which it is being compared, but for its disenfranchisement of citizens who fail a competence test. Our arguments, or analogous arguments, plausibly apply to alternative models of epistocracy, such as the other models discussed in Brennan (2016) or the idealized model of Chinese political meritocracy defended in Bell (2015), but that is an issue for future research.

would have passed a voter qualification exam of the kind epistocrats favor, even if that was not their purpose. Imagine that a test with questions analogous to those from the ANES (questions like “What office does Jeff Sessions currently hold?”) or an AP economics exam (“Which of the following situations would necessarily lead to an increase in the price of peaches?”) had been given to all South Africans when apartheid was abolished. It is likely that blacks would have performed worse than whites, owing to deep social and economic inequalities between the two groups. Thus, one likely effect of removing the apartheid-era restrictions and enfranchising black South Africans was to decrease the proportion of the electorate that would have passed a voter qualification exam. If the strong version of the epistocracy conjecture is true, then the effect should have been to reduce the expected quality of political decisions. So what happened in this case?

Kroth et al. (2016) find that South Africa’s post-apartheid suffrage expansion (the first general election with universal suffrage was held in April 1994) improved black South Africans’ access to electricity. The authors find that, between 1996 and 2001, municipalities with larger populations of newly enfranchised voters saw greater increases in the percentage of households with access to electricity. A battery of placebo tests lends credibility to the claim that the correlation represents a causal effect of the enfranchisement of black citizens. It seems safe to assume that the expansion of the electrical grid to these municipalities was a beneficial policy outcome. If so, then the expansion of the franchise, even though it likely *decreased* the proportion of the electorate who would have passed a voter qualification exam, resulted in a better policy. Of course, policies affecting access to electricity are just one narrow policy domain, and one would like to know whether the result generalizes to other policy domains.

No other studies of the South African case exist to our knowledge,<sup>6</sup> but studies of several

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<sup>6</sup>We have restricted our attention to studies that make a credible claim to overcome reasonable concerns about omitted variable bias, which would apply to a simple comparison of policy outcomes before and after a change in the electoral rules. In the South African case, for example, it is likely that the social and political processes that led to the end of apartheid, and the suffrage

other historical cases show that franchise expansions have had plausibly beneficial effects in other policy domains. Vernby (2013), for example, studies the effects of the Swedish Voting Rights Reform of 1975, which gave non-citizen immigrants who had been in the country for at least three years the right to vote and stand in elections to municipal assemblies. He finds that, following the reform, municipal spending on education and family and social services increased in municipalities with larger shares of non-citizens in the electorate, suggesting that their enfranchisement caused the comparatively greater increase in spending.<sup>7</sup> Since the franchise expansion was prompted by a desire to improve the provision of education and social services to non-citizen immigrants (Vernby, 2013, p. 17), it seems likely that the enfranchised non-citizen immigrant population, owing to social and economic inequalities, would likely have scored worse on a voter qualification exam than the rest of the Swedish electorate, on average. If so, and if one believes that increased spending on education and family and social services was good policy, then the study is further evidence against the strong epistocracy conjecture.

Miller (2008) uses variation in the timing of women's suffrage laws in U.S. states to study the effects of extending the right to vote to women on child mortality.<sup>8</sup> The author finds that women's expansion in particular, also had their own effects on policy outcomes, which the naïve comparison would mistake for the effects of the suffrage expansion.

<sup>7</sup>The credibility of the estimate is helped by several robustness checks. An especially compelling placebo test is Vernby's estimate, using the same research design, of the effect of non-citizen share of the electorate on municipal investments in waste-handling facilities. Since these investments are likely to affect citizens and non-citizens in similar way — unlike spending on education and family and social services, where the different age distributions within the two populations would naturally result in different preferences — one would not expect enfranchisement to have any effect if the postulated causal mechanism is at work. The author finds no evidence of an effect on this outcome.

<sup>8</sup>Before the ratification of the Nineteenth Amendment in 1920, women had the right to vote in

suffrage was associated with significant declines in child mortality; the estimates imply that there were “approximately 20,000 averted child deaths nationwide each year relative to mortality before suffrage laws were enacted” (p. 1309).<sup>9</sup>

The Voting Rights Act of 1965 eliminated literacy tests that had been used in Southern states to disenfranchise blacks. Cascio and Washington (2014) look for evidence that this change in electoral rules shifted the distribution of state funds in favor of counties with larger black population shares (and thus larger population shares of newly enfranchised voters). They find evidence that shifts in the distribution of funds toward counties with higher black population shares were larger in those Southern states that had used literacy tests (Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Virginia), compared with those Southern states that lacked literacy tests (Arkansas, Florida, Tennessee, and Texas). This suggests that the elimination of the literacy tests affected the distribution of funds, directing greater shares to blacks. They also present evidence that these counties saw greater gains in the quality of schools for blacks and in school enrollment for black teenagers compared with their counterparts in states where no literacy tests had existed prior to the Voting Rights Act. Their results fit with those from Naidu’s (2012) study

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29 of 48 states, mostly in the West (Miller, 2008, p. 1291).

<sup>9</sup>Kudamatsu’s (2012) study of the effects of democratization—as opposed to the extension of the franchise within a democracy—on child mortality comes to a similar conclusion. Using survey data from sub-Saharan Africa, the author estimates this effect with variation in the survival of babies born to the same mother, before and after democratization, and finds that infant mortality dropped by an average of 1.2 percentage points as a result of democratization. Given its use of within-mother variation, the study design is arguably more credible than that in Ross (2006), which finds no effects of democratization on infant mortality but bases his estimate of the effect on cross-country variation and may therefore confound the causal effect with the effect of unobserved, time-varying country-level variables that influence both democratization and infant mortality.

estimating the effects of Southern blacks' disenfranchisement, through the voting restrictions implemented in the 1890s, on educational outcomes. He finds that disenfranchisement reduced the teacher-student ratio in black schools.

In all of these historical cases, the newly included groups were socially disadvantaged—victims of racial oppression, women, non-citizen immigrants. It is plausible to assume that these groups would have performed worse than the average member of the population on a hypothetical voter qualification exam of the kind epistocrats favor. Indeed, Brennan acknowledges as much: “if the United States were to start using a voter qualification exam right now, such as an exam *I* got to design, I'd expect that the people who pass the exam would be disproportionately white, upper-middle- to upper-class, educated, employed males,” owing to the “underlying injustices and social problems that tend to make it so that some groups are more likely to be knowledgeable than others” (2016, p. 228, original emphasis). It is all the more reasonable to suppose that, in historical situations marked by even deeper social inequality than the present, the disadvantaged groups targeted by historically observed franchise restrictions would have performed worse than the rest of the population on a hypothetical voter qualification exam. Under that assumption, the above studies all provide evidence against the conjecture that the quality of political decision-making is an increasing function of the proportion of the electorate that would pass a voter qualification exam of the kind epistocrats favor.

We should not overstate the evidence. Only a small number of studies provide credible estimates of the causal effects of franchise expansions or restrictions, and each study considers effects on only a few policy outcomes. It is of course possible that franchise expansions had undesirable effects on other policy outcomes, not considered in any of the studies. This observation raises a concern about publication bias, too. Would studies that failed to find effects of franchise extensions on these variables have had the same chances of being published? How many outcomes have scholars considered only to come up empty-handed and to relegate their null result to the proverbial file drawer? These are good reasons for caution in drawing strong conclusions from the existing

literature. But the evidence we have, whatever its limits, suggests that the strong epistocracy conjecture fails to hold generally. Put differently, the evidence shows that there are conditions under which the quality of political decision-making improves despite a decrease in the proportion of the electorate possessing the forms of competence tested by a voter qualification exam.

Epistocrats may object that historically observed suffrage restrictions were crude means of increasing the average competence of electorates. In the case of women’s suffrage, for example, the gender restriction excluded women who would have passed a qualification exam and included men who would have failed it. Thus, the studies we cite above provide no evidence against the epistemic benefits of imposing a well-designed voter qualification exam, such that all and only those members of the population who pass the exam are eligible to vote.

To clarify the objection and our answer, let  $N$  designate the set of all citizens, with  $E, E' \subseteq N$  designating subsets of the citizen population. Let  $U \subseteq N$  be the subset of citizens enfranchised under universal suffrage, and let  $C \subseteq N$  be the set of all “competent citizens,” those possessing the form of competence that an epistocrat’s favored qualification exam would measure. For any subset  $E \subseteq N$ , let  $v(E)$  be the expected quality of political decisions when the electorate is  $E$ , and let  $\pi(E)$  designate the proportion of  $E$  who are competent citizens. By definition,  $\pi(C) = 1$ ; we assume that  $\pi(U) < 1$ , that is, at least some people enfranchised under a democratic regime of universal suffrage would fail the epistocrat’s qualification exam. We can now distinguish two versions of the epistocrat’s conjecture. In addition to the strong version stated above, a weaker version is suggested by the anticipated objection to our argument:

**Strong conjecture:** for any  $E, E' \subseteq N$ , if  $\pi(E) > \pi(E')$ , then  $v(E) > v(E')$ .

**Weak conjecture:**  $v(C) > v(U)$ .

Under the plausible assumption that  $\pi(U) < 1$ , the strong conjecture implies the weak conjecture but the converse is false. Where the strong conjecture generalizes over all pairwise comparisons of hypothetical electorates, ranking them according to their proportions of competent citizens,

the weak conjecture merely advances a claim about one pair of possible electorates, ranking the electorate comprising all and only competent citizens against the universal suffrage electorate. Each of the studies surveyed above spoke to a pairwise comparison of a restricted and expanded electorate, but in none of the studies was the comparison between  $C$  and  $U$ , the two possible electorates that the epistocrat is most concerned to rank. The epistocrat may thus accept that the historical evidence conflicts with the strong conjecture yet maintain the plausibility of the weak conjecture. Since epistocrats' institutional proposal is just to substitute  $C$  for  $U$ , they are only committed to defending the weak conjecture, not the strong one.

In reply, it is hard to think of any reasons for accepting the weak conjecture that are compatible with the most plausible explanations for the evidence against the strong conjecture. To demonstrate this point, we now turn our attention to several causal mechanisms that offer compelling explanations of the findings from the surveyed studies — that is, mechanisms that can explain why decreasing the proportion of the electorate who would pass a qualification exam can nonetheless improve the quality of decision-making in certain cases. We then show that these mechanisms give us good reasons to question the weak conjecture.

## **Epistocrats: Beware of indirect effects**

### **Preliminary distinctions**

Say that a decision procedure is *reliable* if, for some policy domain, it tends to support a policy when the balance of relevant reasons weighs in its favor and it tends to oppose a policy when the balance of relevant reasons weighs against it. To be reliable, a decision procedure must duly account for the reasons that bear on policy choices in a domain and accord these reasons proper weight. Say that knowledge of a certain sort (e.g., knowledge of economics) or a certain cognitive skill used to acquire such knowledge (e.g., a skill at abstract reasoning) is a *relevant competency* if its mobilization by a decision procedure contributes to the latter's reliability.

Epistocrats tend to emphasize certain kinds of cognitive competencies — knowledge and skills that are acquired through study and scholarly (especially social scientific) inquiry. It is hard to dispute that these are relevant competencies. But, as epistemic democrats are quick to point out (e.g., Anderson, 2010; Landemore, 2012), epistocrats’ favored competencies are not the only relevant ones. Some competencies that are typically acquired from life experiences rather than study also contribute to a decision procedure’s reliability. To illustrate with an example, suppose a society is considering policies that would specify the conditions under which police officers can stop and interrogate a person for suspicious activity. To be reliable, the decision procedure must account for the full range of reasons for and against the candidate policies and accord them proper weight. Among the reasons against the stop-and-frisk policy are the various costs it imposes on the citizens whom the police confront. Given the limited powers of the human imagination, it may be that someone with first-hand experiences of being in this situation will more reliably appreciate those burdens and accord them the weight they are due. If so, then such experiences are an example of a relevant competency — a knowledge that, when mobilized, contributes to the reliability of policy choices in this domain.

Additionally, while the knowledge and reasoning skills emphasized by epistocrats may be necessary for reliable decisions, they are hardly sufficient. Concern for others’ well-being is not typically thought of as a competency, yet its mobilization contributes to reliable decisions, at least in certain policy domains. A person who is knowledgeable about economics and has advanced reasoning skills yet cares too little about others’ well-being is not disposed to treat the fact that a policy harms others as a reason to oppose it, or is not disposed to give that consideration the weight it deserves. A reliable decision procedure requires not only mobilizing knowledge about which facts count as reasons for and against policies, but also dispositions to respond to those reasons appropriately, to give them proper weight. We thus count dispositions to respond appropriately to reasons as relevant competencies.

With these distinctions in place, we now turn to two types of mechanism that could explain why

some historically observed suffrage expansions have had beneficial effects on policy despite plausibly reducing the proportion of the electorate that would have passed an epistocrat's hypothetical voter qualification exam.

### **The selection effect**

In the above cases of suffrage expansion, the newly enfranchised voters arguably were more likely to have certain relevant competencies (including certain dispositions) that made them more likely to recognize and respond appropriately to the reasons weighing in favor of the beneficial policy changes that came in the wake of their enfranchisement. For example, Miller's own explanation for her findings is that women were more concerned with children's welfare than men, so their enfranchisement implied that a greater proportion of the electorate demonstrated heightened concern for children's welfare (2008, pp. 1287–88, 1293–95, 1302f). Politicians duly responded to the shift in their electorates' preferences following women's enfranchisement. Plausibly, women were also more likely to have knowledge, through first-hand experience of bearing and raising children, of some of the reasons weighing in favor of the public health policies that politicians adopted following suffrage expansion. That is, their experiences as mothers gave them knowledge of relevant facts and their greater concern for children's welfare made them more disposed to respond appropriately to those facts. Such competencies were more important for reliably deciding among public health measures than knowledge of political trivia or of concepts like demand elasticity.

Kroth et al.'s explanation for the effects of black enfranchisement on electrification is that “voters desire for themselves and their community to have access to electricity” (2016, pp. 776) — and, they implicitly assume, voters are more concerned about their own communities' access than they are about others'. Thus, white voters were less likely than the newly enfranchised black voters to respond appropriately to the fact that expanding the electrical grid to give access to predominantly black communities would benefit those communities. That fact was a reason for expansion, and while white voters could have come to recognize that obvious fact, self-interested motives made

black voters more likely to respond appropriately to it than white voters. Similar mechanisms plausibly explain the effects of blacks' disenfranchisement in the American South after Reconstruction and the effects of their subsequent enfranchisement after the 1965 Voting Rights Act, as well as the effects of enfranchising Sweden's non-citizen population on funding for family and social services.

These are examples of a *selection effect* of franchise expansions: the franchise expansion selects for inclusion a group of individuals who represent a broader range of relevant competencies.<sup>10</sup> Put the other way around, franchise restrictions select for inclusion a group of individuals who represent a narrow range of relevant competencies and thus fails to mobilize a range of competencies that can improve the quality of policy decisions. Specifically, newly enfranchised (~~obversely, excluded~~) citizens bring with them experiences (e.g., as children's primary caregivers) that make them more likely to recognize certain problems that could be addressed with changes in policy. Additionally, they are especially disposed to recognize and give weight to reasons that are typically neglected by members of a restricted electorate. Even if white politicians and voters knew that African-American children would benefit from increased teacher-pupil ratios in their schools, or that black South Africans would benefit from improved access to electricity, they typically failed to give these facts proper weight in their policy choices.

A crucial feature of the mechanism underlying this selection effect is that disparate specific forms of knowledge, skills, and motivational dispositions are negatively correlated with each other within a population. As a result, citizens who would pass an epistocratic voter competence exam will tend to lack certain relevant competencies. Around the turn of the 20th century, for example, men were more likely to have the competencies that a voter qualification exam would have assessed, but women were more likely to have experiences and dispositions that made them able to

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<sup>10</sup>This clearly resonates with epistemic democrats' emphasis on mobilizing various forms of "epistemic diversity" in a population (e.g., Anderson 2006, 2010; Landemore 2012; cf. Hong and Page, 2004).

recognize and respond appropriately to the reasons justifying a more aggressive public health initiative. At the end of apartheid, white South Africans were more likely to have the competencies that a voter qualification exam would test for, but less likely to respond appropriately to certain kinds of reasons, namely considerations of how policies such as expanded electrification would benefit black South Africans. Thus, although the observed voting restrictions had the effect of selecting for one kind of competency, in doing so they also selected against other competencies that contribute to reliable decision making.

The selection effect sketched here plausibly explains the empirical evidence surveyed in the previous section, evidence that undermines the strong epistocracy conjecture. Yet notice that the selection effect also gives us a strong reason to question the weak conjecture. The weak conjecture is plausible only if one can reasonably dismiss the possibility of negative correlations between the competencies measured by an epistocratic voter qualification exam and other competencies that contribute to reliable decision making. But there are no general reasons for dismissing this possibility, as reflection on the preceding examples makes plain.

On the contrary, there are general reasons for expecting these negative correlations. Consider why some but not all citizens possess the competencies measured by a voter qualification exam. Their possession is not a random accident. If one has the competencies measured by the exam, it is due to some mix of personality traits, education and upbringing, and the social and political environments one inhabits. As Brennan puts it, “educated people expect other educated people to keep up with politics,” while “some people acquire knowledge just because they find it interesting” (2016, p. 36). One would expect the same features of personality, educational attainment, and social milieu that cause some people to find it rewarding to acquire these competencies — either for their own sake or as means of acquiring social prestige — to have other important effects, such as effects on occupation or income.<sup>11</sup> Thus, with respect to both the antecedent causes of the measured competencies and their other downstream effects, the people who pass a voter qualification

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<sup>11</sup>Christiano (2008) makes a similar point while discussing Mill’s plural voting scheme (pp. 120,

exam are likely to differ systematically from those who do not.

Owing to these systematic differences, citizens who would pass a voter qualification exam can be reasonably expected to differ from those who would fail the exam with respect to their propensities to recognize and give adequate weight to certain kinds of reasons bearing on policies that tend to affect the two groups differently. For example, someone who is or has been unemployed is, all else equal, more likely to be aware of and give adequate weight to important reasons in favor of government-provided unemployment insurance than someone who has never been unemployed. In general, those who benefit from (or shoulder the burdens of) a policy are more likely to be aware of its benefits (burdens) and to be disposed to treat those benefits (burdens) as reasons to support (oppose) the policy. In addition to the effect of self-interest, sympathetic identification with other members of a group who benefit from the policy may have comparable effects. Some mechanism along these lines presumably explains why, according to one analysis of recent survey data, 74 percent of the unemployed, but only 46 percent of those working full-time, agreed that the government has a responsibility to provide a decent standard of living for the unemployed (Weeden and Kurzban 2017, p. 74). The eligible voters under an epistocracy are less likely to experience unemployment; thus, they will be less likely to recognize the reasons for unemployment insurance and less likely to give them adequate weight in their deliberations. The logic of this example plausibly extends more widely.

An epistocrat might take us to be pressing what David Estlund (2008) calls the “demographic objection” to epistocracy. Brennan states the objection as follows:

Under any realistic epistocratic system, people who belong to certain already-advantaged groups are likely to acquire more power than people who belong to certain disadvantaged groups [because people who are already advantaged are much better informed than the disadvantaged]. An epistocracy is thus likely to have unfair policies

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121).

that serve the interests of the advantaged rather than those of the disadvantaged.

Brennan replies that

it seems, for starters, to presuppose that voters will each vote for their self-interest or for those of whatever group they belong to. But as already discussed. . . , that's false. Most voters vote for what they perceive to be the national common good. (Brennan 2016, p. 227)

But our challenge is not the the one Brennan considers, and his reply fails to answer our challenge. We are not claiming that voters invariably vote for whatever policies promote their own interests or the interests of the groups they identify with. Our claim is instead that the competencies that a qualification exam selects for will negatively correlate with other relevant competencies, such that the citizens who would pass the exam would be less likely to recognize and respond appropriately to certain kinds of considerations.<sup>12</sup> As a consequence, including only citizens who would pass the exam will lead to unreliable decision-making in some policy domains, especially those domains in which their limited perspectives would lead them to neglect numerous important reasons for or against specific policies. The influence of self-interest on one's attitudes is one factor — think

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<sup>12</sup>Our claim is similar to a version of what Estlund calls the “demographic objection” to Mill’s plural voting scheme (Estlund 2008, pp. 215–219). The most far-reaching version of the objection Estlund considers is that there may be unobserved variables that are both “epistemically distorting” and correlate with qualities like education or literacy (p. 217, 218). He does not endorse the objection, but considers it not unreasonable (it is, in his terminology, a “qualified objection” to plural voting). We are making the stronger claim that it would in fact be quite improbable if the narrow range of competencies measured by a voter qualification exam did not correlate negatively with at least some other competencies whose presence within the electorate affects a decision procedure’s reliability. The competencies that such an exam measures are not assigned at random to people, as we stressed above.

of Kroth et al.'s explanation for the effects of black enfranchisement on electrification. But it is not the only factor — think of Miller's explanation for the effects of women's enfranchisement on child mortality. Even if we conceded, for the sake of argument, that self-interest has a negligible influence on political attitudes, our selection effect would still provide a strong reason to question the epistocracy conjecture in both its weak and strong forms.

### **The treatment effect**

We briefly consider two other mechanisms that could plausibly explain the observed effects of suffrage expansions surveyed above. In contrast with the selection effect, the mechanisms we now consider involve a *treatment effect*: expanding suffrage beyond those who would pass a voter qualification exam causes those who would pass the exam to acquire additional competencies along relevant dimensions. Put the other way around: restricting suffrage to those who would pass a voter qualification exam causes eligible voters to have a narrower range of competencies than they would have under universal suffrage.

One's ability to recognize and respond appropriately to reasons for or against public policy options is, in part, an endogenous outcome of one's social and political environment and the incentives it creates. One reason is that in any electoral regime, the information that is readily available to citizens depends in part on the content of electoral campaigns and the issues they emphasize, which in turn reflects the incentives of political parties to win the votes of whomever has the right to vote. Change the electorate and one will change the information available to citizens and thereby the competencies that voters will acquire. Recall Miller's (2008) finding that women's suffrage increased public health spending as politicians responded to women's comparatively greater concern for public health issues. It is plausible to suppose that men were more likely to become aware of those issues after the suffrage expansion made infant mortality a salient topic for electoral campaigns. If so, then excluding women from the electorate not only *selected for* voters who would be, irrespective of the suffrage rules, less aware of the reasons in favor of increased spending on

public health, but it also *caused* the (male) voters to be less aware than they would have been had women been enfranchised. Call this treatment effect of a franchise restriction the *informational effect*.

There is some reason to expect that suffrage rules have a second kind of treatment effect. To account for evidence that white jurors on racially integrated juries “raise a wider range of issues, take greater care to make accurate statements, and correct efforts more often than whites in all-white juries,” Anderson (2010) proposes an “accountability hypothesis”:

the presence of racially diverse members in a working group of equals widens the range of people to whom each participant must justify their opinions and conduct and so motivates the participants to think more carefully about what they say and do *from what they anticipate are the perspectives of racial out-group members*. This inspires participants to be more thoughtful, to consider a wider range of information, to take more seriously concerns that would be dismissed in a more homogeneous group.

(Anderson, 2010, pp. 130, original emphasis)

We can easily imagine a comparable mechanism at work under universal suffrage. In addition to increasing their awareness of certain considerations, removing franchise restrictions may also cause members of a restricted electorate to be more likely to care and give these previously neglected considerations the weight they deserve, lest they be seen as morally deficient in the eyes of citizens they now feel themselves partly accountable to. Call this treatment effect of a franchise restriction the *motivational effect*.

Our claim that both effects will operate is admittedly speculative. It is hard to conduct quasi-experimental studies of the effects of franchise restrictions on voters’ information and motivations. Evidence for the two treatment effects in non-electoral domains (e.g., juries) is relevant but not dispositive. Despite these caveats, the hypothesized treatment effects are plausible enough for our purposes. Recall the larger structure of the argument. The empirical evidence surveyed from historically observed franchise restrictions conflicts with the strong epistocracy conjecture, leading us

to ask whether one could identify a plausible causal mechanism that would explain the empirical evidence without also providing reasons to reject the weak epistocracy conjecture. We have identified three plausible mechanisms to account for the evidence, and each provides reasons to challenge the weak conjecture. A perfect voter qualification exam — one that grants voting rights to all and only those who possess epistocrat’s favored cognitive competencies — would still fail to mobilize certain relevant competencies, by selecting against their inclusion or by creating an environment in which voters would predictably fail to acquire a broad range of relevant competencies.<sup>13</sup>

Here is another way to state our argument. Epistocrats limit their attention to a partial effect of restricting the suffrage to citizens who would pass a voter qualification exam. Specifically, epistocrats highlight a *direct effect* of such restrictions, namely the epistemic benefits of increasing the proportion of the electorate who are well-informed about relevant social scientific facts and are disposed to reason well about these facts. But if one believes that any one of our proposed mechanisms operates, then a full accounting of the epistemic consequences of suffrage restrictions must also consider their *indirect effects* — specifically, the epistemic costs of excluding a diverse range of relevant competencies. A compelling epistemic argument for restricting the suffrage to citizens with a narrow range of cognitive competencies depends on the *total effect* of such restrictions, which is some function of the relative magnitudes of the direct and indirect effects. Since we have provided evidence of cases where the indirect effect outweighs the direct effect, arguments for franchise restrictions that merely focus on the direct effect — as epistocrats’ arguments do — are

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<sup>13</sup>One could express skepticism about all three mechanisms. But if one wishes to maintain the weak epistocracy conjecture, one still must account for the empirical evidence surveyed above with some other mechanism that does not pose a challenge for the weak conjecture. This is necessarily a speculative enterprise. We should discipline it as far as possible with available evidence, but it is no devastating objection to our overall argument to point out the speculative nature of our claims about the mechanisms accounting for the historical evidence.

unpersuasive.

### **Epistemic democrats too: Beware of indirect effects**

The conclusion of the previous section might seem to bolster the epistemic democrat's position. Indeed, epistemic arguments for universal suffrage rely on mechanisms that, if not identical to the ones we present above, bear a strong resemblance to them (esp. Anderson 2006, 2010; Landemore 2012). But it would be too quick to use our argument to conclude in favor of universal suffrage.

These mechanisms explain why a competence-based franchise restriction could have negative partial effects on the reliability of a decision procedure. Disenfranchising people who fail a competence exam produces an electorate whose average member is less responsive to certain kinds of reasons that bear on the choice of good policy; all else being equal, that reduces the overall reliability of the decision-making procedure. But all else is not equal. Another partial effect of imposing the exam is that the average voter is now more likely to have the kind of basic knowledge and reasoning abilities that the exam measures; all else being equal, that improves the overall reliability of the decision-making procedure. In positing mechanisms that explain the first set of partial effects, we have not denied that competence-based restrictions would also have the latter partial effect. Our criticism of epistemic arguments for competence-based franchise restrictions was just that epistocrats have focused myopically on one partial effect of such restrictions, neglecting the possibility that the restrictions would also have other indirect costs, and thus neglecting the crucial comparison of epistemic costs and benefits. But it would also be a mistake to focus exclusively on the epistemic costs of franchise restrictions, neglecting their potential benefits and the comparison of the two.

In fact, epistemic democrats face a challenge that is analogous to the one confronting epistocrats. Let us first make explicit a feature of the mechanisms we have discussed: the epistemic costs associated with competence-based restrictions arise from their effects on the *proportion* of the electorate who have a certain disposition, life experience, or form of knowledge, not from

their effects on the *absolute number* of such voters. For example, the relevant effect of excluding women was not that one had zero women voters instead of 30 million women voters, but rather that zero percent of voters were women, instead of fifty percent of voters. In this respect, the mechanisms considered earlier differ from that associated with the ~~well-known~~ Condorcet jury theorem, in which absolute numbers matter. We flag that difference here because it means that, given our proposed mechanisms, excluding citizens from the electorate is epistemically costly only if doing so affects the proportions of different types of citizens within the electorate. The mere fact that the electorate is not as large as it could be is neither here nor there, as far as these mechanisms go.<sup>14</sup>

Next, recall the form of the arguments that appealed to those mechanisms. If one starts with universal suffrage and then institutes a qualification exam, one increases the proportion of voters who possess one valuable form of competence, while decreasing the proportions of voters pos-

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<sup>14</sup>See Goodin and Spiekermann (2018) for a recent sophisticated discussion of the Condorcet jury theorem and its refinements. As they note, in the classical framework of the theorem, large electorates will produce the right decision with near certainty, whether they comprise the entire population or some restricted subset thereof, so long as the average member of the electorate is more reliable than a coin flip and the other assumptions of the theorem hold (p. 236). Thus, the classical jury theorem does not explain why there might be non-negligible differences in the epistemic reliability of rival electoral regimes, all of whose electorates are sufficiently large, in absolute terms. What Goodin and Spiekermann call the “best responder corollary” might provide such an explanation (Dietrich and List, 2004; Dietrich and Spiekermann, 2013a, 2013b; Goodin and Spiekermann, 2018, sec. 5.3). But it could just as well yield an argument for restricting the suffrage. As they say, within that framework, it is “very much an open question whether a small group of experts or the whole electorate is more likely to perform better, epistemically” (p. 238), and the same goes for a comparison of universal suffrage with a competence-based restriction. See their sec. 15.5.3 and especially footnote 34 on p. 239.

sessing other valuable forms of competence, provided that the different forms of competence are negatively correlated. There is no reason to believe that, in general, the epistemic benefit from boosting the prevalence of one type of competence outweighs the cost of reducing the prevalence of the others. But an equivalent way to express that observation is to say that if one starts with an electoral epistocracy and then abolishes the voter qualification exam, then one decreases the proportion of voters who possess one valuable form of competence, while increasing the proportions of voters possessing other valuable forms of competence, provided they are negatively correlated. Again, there is no reason to believe that, in general, the epistemic benefit of increasing these other forms of competence outweighs the epistemic cost of reducing the prevalence of the kind that is measured by the voter qualification exam.<sup>15</sup>

Indeed, it seems improbable that, as a general rule, universal suffrage would strike the optimal balance between the tradeoffs we are exposing here. An institutional designer concerned to maximize the epistemic reliability of an electorate would try to assemble an electorate with the optimal distribution of the relevant competencies, taking into account the complex mechanisms through which the incorporation of more or less voters of a certain type could influence political decisions. Universal suffrage is an extreme solution to this problem, and it is not obvious why circumstances would conspire to make it the optimal solution. To elicit some intuitions, consider an analogy. Imagine that one is trying to assemble a panel of scientists who will advise a decision-maker. The problems that the decision-maker will encounter are unknown, but one knows that knowledge of various disciplines will be useful — physics, chemistry, biology, computer science, statistics, and so on. The optimal composition of the panel is unlikely to be a statistically representative sample of the population of scientists in these disciplines. If biologists make up a majority of the population, owing to the vagaries of universities' hiring practices and the availability of funding for biological research, that is no reason to think that biologists will make up a majority of the optimal panel of

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<sup>15</sup>Cf. MacGilvray (2014).

advisers. Analogously, if people with first-hand knowledge of poverty make up only ten percent of the adult population, that is no reason to think that, in the epistemically optimal electorate, only ten percent of voters would be drawn from this segment of the population. More generally, the fact that the adult population, which would be enfranchised under universal suffrage, has a certain distribution of types is itself no reason to think that the optimal electorate would have the same distribution of types.

To this observation, the epistemic democrat might reasonably reply that their ambition is not to show that universal suffrage is the maximally reliable electorate among all possible electorates, but only that it is more reliable than some restricted class of alternatives, including those that result from imposing epistocratic suffrage restrictions. But the reasons for skepticism given above arguably apply to those comparisons too. Consider again the analogy with the scientific panel. Why think that a representative sample from the population of scientists would provide more reliably sound advice to the decision-maker than a panel selected in a two-step process, in which one first draws a random sample of scientists and then excludes those who fail an exam testing basic knowledge of, say, statistics?<sup>16</sup> The representative sample *could* be better, owing to the kinds of negative correlations between different types of competence that we have discussed. But it need not be. Which panel is better depends on a complicated mix of contingent factors, like the kinds of problems the panel is likely to confront, the distribution of the different types of scientists within the general population, and, in particular, the patterns of correlation between the knowledge measured by the qualification exam and other kinds of competence.

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<sup>16</sup>Given the value placed on diversity in some epistemic arguments for democracy (esp. Landemore, 2012), it is worth noting that universal suffrage does not in general maximize *diversity* of the relevant types of voters. For example, if one ethnic group makes up a large majority of the population, then universal suffrage will produce a less ethnically diverse electorate than a suffrage rule that disenfranchises some portion of the ethnic majority.

How could epistemic democrats respond at the point? Notice that denying the postulated negative correlation between types of competence does not strengthen the epistemic case for universal suffrage — on the contrary, it only strengthens the case for epistocracy. Imagine, as the limiting case, that a voter qualification exam perfectly measures a narrowly defined form of cognitive competence that influences political judgments and attitudes but no other attributes of a person, and that the measured form of competence is as good as randomly assigned within the adult population. In this case, the citizens who would pass the voter qualification exam are like a random sample of the adult population but for their superior competence (as measured by the exam) and their political judgments, which show the effects of their superior competence. The citizens enfranchised under the epistocrat’s proposal would then be just as diverse as the general adult population with respect to any attributes not measured by the competence exam, and none of the mechanisms discussed earlier could explain why there would be epistemic costs associated with disenfranchising those who fail the exam.<sup>17</sup> The postulated negative correlation is thus not what underwrites the skepticism about universal suffrage. This negative correlation is what explains why the total effect of instituting the epistocrat’s favored suffrage restriction is ambiguous in theory, rather than being unambiguously positive. The epistemic democrat needs to explain why the total effect of such a restriction is unambiguously *negative*. Denying the negative correlation among different forms of competence does not serve that goal.

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<sup>17</sup>In this hypothetical scenario, the competence-based franchise restriction would produce an electorate that is similar to the electorate in López-Guerra’s (2014) model, where, prior to each election, citizens are first randomly selected to participate in a competence-building exercise, and only these citizens are allowed to vote in the election. In the latter case, institutions randomly assign competence to a subset of the population, and then enfranchise them and only them; in our hypothetical scenario in the text, “nature” randomly assigns competence to a subset of the population, and then institutions enfranchise them and only them.

Might the epistemic democrat conjecture that, in the case of those citizens who would fail the competence exam, the epistemic contributions of their life experiences and moral dispositions always outweigh the effects of their cognitive shortcomings? We submit that this claim is not credible as a general rule. For example, if we are deciding whether to make certain vaccinations compulsory, why think that the good intentions of anti-vaxxers would dominate the (negative) effects of their scientific ignorance on decision-making reliability? Even if one finds this conjecture *prima facie* plausible, the important point is that it remains a conjecture for which epistemic democrats have provided neither empirical evidence or strong theoretical arguments, so far as we can see.

## **Conclusion**

We have made two points about epistemic arguments for competence-based franchise restrictions. First, epistocrats must reckon with the evidence that, at least in some cases, historical franchise restrictions decreased the reliability of decision-making. That evidence is relevant, even if it does not speak directly to the assumptions of epistocrats' arguments, because the most plausible explanations for the historical evidence posit mechanisms that could also be expected to operate if the franchise were restricted on the basis of a competence test. Restricting the franchise to citizens who pass the test could be expected to produce an electorate in which certain competencies, not measured by the test, are underrepresented due to the selection effects of such a test — the abilities and knowledge that such a test would measure are not assigned at random, but are rather the product of hard-to-measure underlying traits and circumstances that in turn affect political opinions. And the competence-based restriction could also be expected to influence the information and dispositions of the “competent” citizens enfranchised by such a test, due to its treatment effects on political attitudes — the composition of the electorate affects the incentives of political parties to campaign on certain issues rather than others (the informational effect), and plausibly affects the peers to whom these competent citizens will feel accountable when adopting and defending their political positions (the motivational effect). Analogous mechanisms plausibly explain the effects of

historical franchise restrictions, and one could reasonably expect them to operate in an epistocracy too.

Our second point, building on the first, is that an epistemic argument for or against a competence-based franchise restriction would have to take into account the effects that operate through these mechanisms, and compare them with the direct effects of the restriction, operating through the reduction in the proportion of voters lacking basic factual knowledge or relevant cognitive skills. A persuasive epistemic argument must aim at a conclusion about the *total* effect of such a restriction, which reflects the relative magnitudes of these different partial effects on the reliability of the decision-making process. To date, epistocrats and epistemic democrats alike have merely emphasized their favorite partial effects without advancing any arguments that speak to the relevant comparison.

Any argument that would speak to a comparison of these disparate partial effects would have to be largely empirical,<sup>18</sup> and they would likely have to rely on controversial political judgments — neither of which describes existing epistemic arguments for or against democracy. They would have to be more empirically oriented because the total effect of any proposed deviation from universal suffrage depends on contingent circumstances, in particular the statistical associations between various forms of competence within the population of citizens. There is no theoretical basis for making general predictions about those associations. And they would likely rely on controversial political judgments because what counts as empirical evidence that suffrage restrictions lead to better or worse decision-making depends on judgments about which decisions are better or worse (Ingham, 2013). If one supports universal suffrage — or, for that matter, epistocracy — in advance of such evidence and independently of judgments about which decisions are the right

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<sup>18</sup>Our argument thus substantiates Schwartzberg’s (2015) assessment that a next step for work on epistemic democracy is “[empirically] testing the conditions under which groups of ordinary citizens are most likely to produce wise decisions” (p. 197).

ones, then one should concede that one's support is either unjustified or justified by non-epistemic considerations.

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