Epistemic Democracy, Corruption and Human Well-Being

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The real epistemic problems in democracies

The central ideas behind epistemic conceptions of democracy are to a large extent based on the notion that political (or democratic) legitimacy will be achieved if the process of representative democracy also produces “good outcomes” (Estlund, 2011). The central idea is that we as citizens (and scholars of democracy) have reason to demand more than that the decisions that are produced by the democratic polity are carried out in a manner that is in line with correct democratic procedures. In addition, two other demands should according to scholars of epistemic democracy also be fulfilled, namely that the decisions produced by a democratic process also are “fair” and “right” (List and Goodin 2001, Cohen 1986, Estlund 2008, Schwartzberg 2015, Holst 2014).

The problem of “fair” can be illustrated by the raise of the human right agenda as a social movement but also as a field in political theory (Donnelly 2007). There are certainly numerous ways of how to interpret this remarkable change in the international political landscape (cf. Neier 2002), but it seems safe to state that one important implication is that the Human Rights agenda

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1 One of the most common approaches in the literature about the problem of epistemic democracy has been focused on the alleged inability in a system of representative democracy to handle the “aggregation of preferences” so that it will result in decisions that are not only acceptable from the perspective of the established procedures of representative democracy but that they are also representing the will of the voters (List and Goodin 2006). The main problem held forth in this literature is the well-known Arrow impossibility theorem, stating that when voters have three or more distinct alternatives, no ranked order voting system can convert the ranked preferences of individuals into a community-wide (complete and transitive) ranking while also meeting a number of criteria that are the basis for a democratic voting procedure. Following Arrow, some rational choice theorists inspired by William Riker’s Rochester school, denied value to voting. Based largely on Arrow’s theory, Riker’s (1982) Liberalism against Populism, declared democratic voting impossible, arbitrary and meaningless. Cohen’s 1986 article that coined the term “epistemic democracy” was largely written as a response to Riker and the Rochester School (Schwartzberg 2015). Largely accepting Riker’s critique of populist democracy “in the abstract”, Cohen argued that an epistemic conception of democracy required, inter alia, “an independent standard of correct decisions—that is, an account of justice or the common good that is independent of current consensus and the outcomes of votes”. However, as argued by Mackie, Arrow’s independence condition, which is central to approach, is not theoretically justified (Mackie 2003, 123-157). Moreover, it is rejected by almost all human subjects as shown in behavioral social choice experiments (Mackie 2014). Empirically, that is in “real politics” voting cycles are almost completely absent, or trivial among the preferences of mass voters (Mackie 2003, 86-92; cf. Regenwetter et al. 2006). Mackie also show that they are empirically undemonstrated (Mackie 2003, 197-377, see also Wittman 1995) in actual legislatures. I thus agree with Mackie (2014) that the “social choice” problem a la Arrow and Riker is one of the most overblown and irrelevant discussions in the social science to ever have taken place (the Thomson Web of Science database shows that some 1500 published articles for the search terms “arrow” and “theorem”).
sets limits on what is to be seen as acceptable decisions and policies even if these are decided by a procedurally correct and legitimate democratic process. An example of this can be found in the area of development policy. While democracy aid has become a major thing for many donors, the terms “democracy” or “democratization” are nowadays almost always accompanied by the term “human rights”, clearly indicating that the aid and development community is not content with only “representative democracy”. From the many theories of justice in political philosophy, many more and different ideas of what should count as “fair” can certainly be deduced.

The problem of demand for decisions to be “true” can be illustrated by the policies against the HIV-AIDS epidemic disease launched by the then democratically elected President of South Africa Thabo Mbeki. Although these policies where decided and implemented in a system that followed all reasonable demands for being in line with correct standard procedures for a decision making in a representative democracy, they were for sure not “true” in the sense that they were not in line with the knowledge about the causes and possible prevention of this disease produced by the established international scientific medical research community. According to a conservative estimation, the policies launched by the South African government in this area caused the premature death of some 340,000 individuals (Chigwedere et al. 2008; Nattras 2008). However, it is not necessary to look at a new democracy like South Africa to encounter this problem. During almost five decades, the scientific evidence that treatment with methadone was an effective cure against heroin addiction was disregarded by Swedish politicians and especially their policymakers in the National Board for Health and Welfare2 for ideological and political reasons (Heilig 2016). It seems like to group of civil servants in the National Board for Health and Welfare that dealt with this problem had been recruited not because of their competence in this field but instead because for their ideological commitment to a socio-cultural (as opposed to a medical) perspective on this problem (Johnson 2003, Heilig 2016). The very strong restrictions against using methadone to cure heroin addicted person was first lifted in 2015 although the medical evidence that this cure would save lots of lives had existed for decades. The result of this was “dire for a great number of drug users, many of whom died unnecessarily having been denied treatment” (Johnson 2007).

In most democracies, what should be counted as “true” in medicine and other sciences is usually left to the academic community but in many cases social scientist and also political philosophers (cf. Wolff 2011) are called in to provide knowledge that can inform decisions about public policies. In sum, it is certainly easy to come up with example of decisions that an ever so

2 In Swedish “Socialstyrelsen”.
procedurally democratic correct Parliament in theory could produce that most of us would simply reject and find illegitimate because the decisions in question would be in a clear conflict with what we believe is “true” or “fair”. As stated by Goodin (2004:99), “outcomes that are undeniably democratic can be palpably unjust”. It should be underlined that the epistemic problems are not about ideologically or materially generated differences in interests. There is no independent standard of fairness and no available “evidence based” knowledge for deciding if a state should spend more money on pensions or child allowances. In addition, democracy requires that the loosing minority is willing to accept decisions in cases like these because they perceive that procedural justice in the decision making process has been respected (Esaiasson 2010). Instead, the epistemic problem of democracy concerns decisions that we genuinely would think are “false” or patently “unfair”.

As stated above (see footnote 1) much of the discussion of epistemic democracy has been focused on a problem with little or no “real-life” (or “real politics”) relevance, namely the problem of “cyclical majorities” that is supposed to lead to inconclusive and arbitrary outcomes from standard voting procedures. This has largely been a purely deductive theoretical operation and when confronted with empirics hardly anything has survived (Mackie 2014, 2003, Wittman 1995). One problem, pointed out by for example Schwartzberg (2015) is that the discussion of the epistemic problem of democracy has largely been decoupled from empirical research. Schwartzberg states that “because the viability of epistemic democracy as a normative strategy depends on its capacity to be realized in practice, testing the core mechanisms over a range of domains is essential”. If there has been any such discussion, it has been confined to the “input” side of the democratic system in the sense that focus has been of the capacity of representative democracies to reach “fair” and “true” decisions in their parliamentary institutions. However, as is well-known from the large literature about policy implementation, what is decided in a Parliament or by the central government can be something that is very different from what is actually implemented by the state and its administrative agencies (Saetren 2005). For citizens in general, the latter must be what is most important since this is how they actually are affected by what governments do. I have so far not come across one single analysis in the epistemic democracy approach that focus on this latter problem, that is, to what extent democratic states can implement policies that are “true” and “fair”.

My argument is thus that the focus on the “input” side in this discussion is largely misplaced, both from a theoretical and a normative perspective. The important epistemic problems in current democracies lay elsewhere. Firstly, democracies sometime delivers policies that threaten
human and or civil rights” in the sense that these policies are “illiberal” (King 1999, Hansen and King 2013, Zakaria 2003). Secondly, democracies, to a surprisingly large extent, seem not to be able to implement policies that increase human well-being in terms of for example standard measures of population health (the problem of “true”). As I will show, these problems are related because high levels of corruption in the state’ administrative agencies are generally detrimental for the capacity as state has to implement policies that can increase human well-being.

**Do democracies deliver policies that are epistemically fair?**

There are unfortunately a number of current examples in which governments and parliamentary majorities that have come to power in a procedurally acceptable way infringe of civil liberties. It is not necessary to go to the developing world to find examples of this. There are several current examples of this problem in a number of industrialized and fairly prosperous countries such as Hungary (Kornai 2015), Poland (Ascherson 2016) and Turkey (Turam 2012). Without denying the importance of central civil liberties, the fairness problem I want to use in this analysis is, however, of a somewhat different type and builds on recent a work showing a connection between political corruption and human rights. The basic and fairly novel idea is that corruption in many cases should be seen as a violation of human rights (Boersma and Nelen 2010, Bohara et al. 2008, Pearson 2013, de Beco 2011). This line of reasoning is that the right not to be discriminated by public authorities, the right not to have to pay bribes for what should be free public services and the right to get treated with “equal concern and respect” from the courts are in fact not very distant for what counts as universal human rights. This is based on the notion that what people in general perceive as corruption is not confined to bribes. Instead, what is thought of as corruption is various forms of favoritism related to the public sector in which money is not involved. Examples as when a small business person can only get a contract if she has the “right” personal connection in City Hall or when jobs in the public sector are reserved for those belonging to the “right” political party. And as stated by Goodin, “the antithesis to justice is favouritism” (Goodin 2004, 100). It can be added that the preamble to the Council of Europe Convention on Corruption states, “Corruption threatens the rule of law, democracy and human rights”. Thus, democracies that cannot get corruption under control can be seen as violating the principle not to produce outcomes that cannot be judged as “fair”. It should be added that corruption in pure economic terms increases unfairness because it hurts poor people more than middle- and high income earners (Kaufmann, Montoriol-Garriga, and Recanatini 2008). Moreover, in a high corrupt society it will be difficult to get acceptance for the type of
social policies that alleviate poverty because a large part of the electorate will distrust the agencies of state to implement the policies in an impartial and competent manner (Rothstein and Uslaner 2005, Svanfors 2013).

The epistemic problem for democracies here is that empirically, the correlation between standard measures of the level democracy and the level corruption is far from straightforward and positive. As the figure below show, the relation between corruption and democracy it is U- or J-shaped implying that quite a number of autocracies have managed to get corruption under some control while a large number of democracies have failed to do so (Chang, Golden, and Hill 2010, Chang and Golden 2007, Sung 2004, Charron and Lapuente 2011, de Sousa and Moriconi 2013). Thus, not all democracies are equally blessed with the mechanisms that curb corruption and enable a state’s administrative capacity. To visualize this, the graph below plots the level of democracy, on one hand, and another widely used measure of corruption, namely Transparency International’s Corruption Perception Index, on the other.

**Figure 1 Level of Democracy and Level of perceived Corruption**
In the top right corner, we find consolidated democracies, like the Scandinavian countries, New Zealand, Australia, Canada, and Japan, where democracy is rated as both very free and fair, and where we also observe low corruption. In the top left quadrant of the graph we find autocratic and semi-autocratic regimes like Singapore, Qatar, and The United Arab Emirates. Simply put, the introduction of democracy is not a safe cure against corruption. Moreover, corruption is also high in a number of well-established democracies such as Italy, Greece and Spain (Charron, Lapuente, and Rothstein 2013). The amount of money and influence of special interests in the United States have made some scholars define it as a country with a high level of corruption and what economists label organized “rent-seeking” (Zingales 2012, Wedel 2014, Teachout 2014).

Even a country like Sweden, usually known as one of the most “clean” states, has had a number of corruption scandals in local government (Citron 2014) as well as in state-owned (or state controlled) companies (Hedelius 2015, Bodin and Öhman 2014).

From the epistemic perspective, a very problematic result is that the “accountability mechanism” in representative democracy that is to be secured by “free and fair” elections seems not to work as the theory of representative democracy assumes. That is, voters are often not punishing corrupt or dishonest politicians. Instead such politicians are quite often re-elected. For example, at this moment in time (April 11, 2016) news from Peru says that Keiko Fujimoro is likely to win the Presidential election. She is the daughter of the country’s former President Alberto Fujimore who is serving a 25 year prison sentence for being responsible for one of the most severe and well-documented large scale corruption cases in modern history (McMillan and Zoido 2004). This example can be multiplied, albeit in most cases not on this magnitude. To conclude so far, it seems safe to state that if minimizing corruption as a part of human right is taken as the empirical test for democracy’s ability to produce outcomes that are fair, we are facing a miserable result. There are for sure a quite a number of “old” elite democracies that are able to hold corruption under control but in most of these cases, the sequence was not that democracy came first and worked as a cure against corruption. In Britain, Germany, France, Denmark and Sweden for example, the historical record shows that the sequence went in the opposite direction (Harling 1996, Weis 2005, Rothstein 1998, Teorell and Rothstein 2015, Rothstein and Teorell 2015, Frisk Jensen 2008). These countries first managed to get corruption under reasonable control, and it was after this was achieved that they became democracies. However, the United States is an example that the opposite sequence is possible (Fukuyama 2014a). In a highly (or maybe even medium level) corrupt society, democratization may result in pervasive clientelism (Szwarcberg 2015, Keefer and Vlaicu 2008), brutal civil wars (Lapuente and Rothstein 2014, Chayes 2015) and/or manipulation and thereby de-legitimation of elections (Norris 2015). Democratization
before ensuring state capacity may also impede production of public goods needed for producing human well-being because lack of state monitoring capacity will spur free-riding, for example large scale tax avoidance (D’Arcy and Nistotskaya 2015). As argued by Fukuyama, many democratization scholars and large parts of the aid and development policy regime have been either naïve or blinded by ideology in taking for granted that “all good things” can go together, in this case democracy and the administrative capacity of states to actually deliver policies that increases human well-being (Fukuyama 2014a, b).

Do democracies deliver policies that are epistemically true?

In order to answer the question if democracy is able to deliver policies that are “true” we have to come up with some idea of what this “true” could mean. In one of the most cited volumes about representative democracy, Manin, Przeworski and Stokes (1999) stated that this political system is based on the idea that “if elections are freely contested, if participation is widespread, if citizens enjoy political liberties, then governments will act in the best interests of the people”. Thus, the question about “true” should be related to empirical investigation if policies that can be said to be “in the interest of the people” are actually implemented.

In the so called “mandate” model of representative democracy, parties present programs and platforms (bundle of policies) and argue how these would increase citizens’ welfare. Citizens evaluate ex ante which of these are most likely to be beneficial for their welfare and when elected the politicians implement the policies that will be beneficial for the well-being of the majority. Political parties seeking power will thus launch and implement welfare enhancing policies. In an alternative theory, known as “retrospective accountability”, voters evaluate ex post the performance of the political party or parties that have held power and if found wanting because being unable to increase the citizens’ welfare, the incumbents will be voted out of office.

Knowing this, both incumbents and opposition will produce and implement welfare enhancing policies. In this theory, democratic elections serve as an accountability mechanism that prevents politicians from implementing policies that are detrimental to the well-being of the majority of the population. In both cases, however, the idea is that procedural fairness will result in outcomes that are in line with “the best interests of the people”.

Joshua Cohen seems to be the one who coined the term “epistemic democracy”. One of the epistemic requirements according to him was the capability of representative democracy to ensure “that the basic institutions that provide the framework for political deliberation are such
that outcomes tend to advance the common good” (Cohen 1986:31). Thus, all decisions in a
democracy must not be in accordance with what we have reason to believe is “the common
good” for us to accept them, but there should be an overall such tendency. Cohen also, and this
is of course the central point in the epistemic notion of democracy, argued that there had to be
an “independent standard” of what should be seen as a “correct decision” which implied that we
should operate with “an account of justice or the common good that is independent of current
consensus and the outcomes of votes” (p. 34). Simply put, we should not accept whatever
decisions a procedurally correct democracy delivers based on the notion that procedural fairness
has been upheld. We should have some form of independent evaluation if the decisions are in
line with “justice” and the “common good”. This is of course highly problematic from a
normative perspective because we have to ask who would be the right persons or expert for
deciding what is “justice or the common good” irrespectively of what a democratically elected
assembly may have decided. At least, this is a proposition that invites a fair amount of expert
based paternalism in politics. This is not a theoretical problem. For example, in their definition of
what should be defined as “good governance” the experts (mostly economists) at the World
Bank has included “sound policies” (Kaufmann, Kraay, and Mastruzzi 2005).

However, if Manin, Przeworski and Stokes are correct, we do not need any such “independent
standard” for judging if the democratic system produces policies that are in the “common good”.
Instead, we have reason to expect that the system of representative democracy is in line with the
demand for “true” in the sense that it is able to deliver policies that are “in the best interest of the
people”. A reasonable interpretation of what this means is that the welfare of citizens should
increase. This is a demand that we can evaluate from an epistemic point of view if we can come
up with a measure of “welfare” as a common good that we can agree upon. My suggestion for
such a measure is based on the capability approach to social justice launched by Amartya Sen
(Sen 2010). This approach to justice is built on three basic ideas. The first is that the freedom to
achieve well-being is of central moral importance and the second is that this requires that the
individuals have resources that can be converted to capabilities. The third idea is anti-paternalism

\[^{3}\text{Strong judicial review as in the United States can be said to function as such an “independent evaluation” by experts of the decisions taken by the democratic process. However, from an epistemic perspective, the record of the U.S. Supreme Court is nothing but appalling given the huge number of 4-5 decisions and the politicization of the appointments of the judges. The reason is probably that a) law is not an empirically evidence based science and b) the justices have no commonly accepted theory about social and political justice to work from and c) the politicians can in the long run not avoid the temptation to politicize the court. As Holmström (1998) has shown, systems like this in reality becomes politics by unelected people.}\]
in the sense that it is not the professional philosophers that as expert decide what these capabilities shall be used for. Instead, it is the individual herself that is to convert these capacities to real opportunities to do and be what they themselves have reason to value (Sen 2009, Robeyns 2011, Wells 2012). This has been translated into various metrics of what should count as “human well-being” and has been influential for the well-known United Nations Development Program’s index of human well-being. This is not the place for a lengthy discussion or comparison of these metrics. Instead, the theory (and also I) assume that most of us would prefer to live in a country where few newborn babies die, where most children survive their fifth birthday, where almost all ten-year olds can read, where people live a long and reasonably healthy life, where child deprivation is low, where few women die when giving birth, where the percentage of people living in severe poverty is low, and where many report being reasonably satisfied with their lives. We may also like to live in a society in which people think that general ethical standard among their fellow citizens is reasonably high, implying that they perceive corruption to be fairly uncommon and that they think that “most people in general” can be trusted (Holmberg and Rothstein 2015).

With this metric in hand, it is possible to empirically evaluate how well representative democracies perform in producing policies that increases human well-being by launching policies that de facto have a positive effect (“true”) on the various measures of human well-being. Unfortunately, the news are for the most part not reassuring. In an article published in *The New York Review of Books* in 2011, Amartya Sen compared “quality of live” in China and India. As is well-known, Sen has several times hailed the democratic system in India, not least for being able to prevent famines. In this article, he reaches the conclusion that on almost all standard measures of human well-being, communist and autocratic China clearly outperforms liberal and democratically governed India (Sen 2011). This applies, inter alia, for infant mortality, mortality rates for children under the age of five, life-expectancy, immunization of children, basic education of children, poverty rates and adult literacy. Sen comments on, but presents no explanation to why India’s democratic system does so poorly when it comes to improving human well-being for its population compared to autocratic China.4

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4 Economists have for long studied the relationship between democracy and economic growth. Economic prosperity can to some extent of course improve human well-being. As could be expected, the results point in various directions (Doucouliagos and Ulubasoglu 2008). In a recent paper, Acemoglu et al (2014) summaries much of this research and also produces new data showing that “democracy produces growth”. However, their measure of democracy includes not only “free and fair” elections and political rights, but also a number of variables related to state capacity and the quality of government institutions such as for example the rule of law and other civil liberties. Moreover, in the appendix to the report, the authors state that most of the positive effect for economic growth comes from the state capacity and
The problem with dysfunctionality in the electoral accountability mechanism has recently been underlined in an empirical study based on survey data for four states in southern Africa. The authors’ findings are both surprising and normatively disturbing: They state that:

a powerful normative justification for democratic government is that voters can hold politicians responsible for service delivery. And by rewarding good service, democracy should have positive effects on human development. Our analysis of four of Africa’s most robust democracies, with a focus on South Africa, demonstrates a pattern that cuts exactly against this grain: Voters who receive services may in fact be more likely to punish, and those who receive fewer services are more likely to stick with, the incumbent (de Kadt and Lieberman 2015).

They authors find the same negative result when analyzing local elections in South Africa. Local politicians with a known track record for improving basic public goods, in this case water provision, sewerage, and refuse collection, are punished by the voters. They also show that one reason for this surprising result is that voters perceptions of the high level of corruption is what makes them disappointed with incumbents although the latter has improved service delivery (de Kadt and Lieberman 2016).

This problem can also be seen when comparing small countries. Jamaica and Singapore both achieved independence from British colonial rule in the early 1960s. They then had about the same size population and were both very poor. If the typical social scientist at that time would have predicted the situation for these two countries fifty years later, a fair guess is that he or she would have painted a very rosy future for Jamaica but a much bleaker one for Singapore. Jamaica then (as now) had large areas of arable land, important natural resources (bauxite), is located close to one of the world’s most important export markets and could have developed a huge tourist industry, especially since Cuba went out of this business at that time. Everyone in the country spoke English and very few ethnic-religious cleavages existed. Singapore, on the other hand, had no natural resources, no arable land, is far away from major export markets and had very problematic ethnic-religious divisions. The situation today, however, is completely the reversed of what would have been expected in the early 1960s. Singapore has nine times the GPD/capita than has Jamaica and hugely outperforms Jamaica on all standard measures of human well-being.

quality of government type of variables (Acemoglu et. al 2014, appendix A6, p. 36). By not separating variables measuring electoral-representative democracy and state capacity or quality of government, their conclusion, that democracy causes growth, suffers from a very problematic conceptual inconsistency.
The problem is that according to the best measure of democracy that I have come across, Jamaica has since independence been counted as a democracy while Singapore has never been close to being regarded as a democracy (Werlin 2007, Rothstein 2011) (Werlin 2007, Rothstein 2011, ch. 9). The question is if these two comparisons of cases showing that autocracies can outperform democracies are to a least some extent matched by available cross-country statistics.

In a cross national comparative empirical analysis, Holmberg and Rothstein (2015) examine the relationship between democracy and more than thirty standard measures of human well-being and development, including some related to the potential for public goods provision, such as the capacity for taxation. Ranging from 75 to 169 countries, depending on variable, the study shows either weak, no, or even negative correlations between the level of democracy and the various measures of development. Plotting the level of democracy against the United Nations’ Human Development Index (HDI), which aggregates life expectancy, literacy, education, and income, into one score, illustrates the absence of any clear relationship in the figure below.
Halleröd et al. (2013) further add to the dismay of the lack of positive effects of representative democracy on development outcomes. Their study starts with a measure of child deprivation in 68 developing countries, with data for the access to safe water, food, sanitation, shelter, education, health care, and information. The data covers seven data-points for more than two million cases (children). Their analyses show no positive impact of democracy on any of the seven aspects of child deprivation, even when controlling for GDP per capita, while QoG has a significant impact on four of the measures of child deprivation (Halleröd et al. 2013). One argument against this is that it is unrealistic to expect high capacity of new democracies. We should only find a positive effect if we take into account the “stock” of democracy (Gerring, Thacker, and Alfaro 2012). This argument turns out to be valid in large-n analysis but there are numbers of cases where democratic rule has been established for several decades but still score surprisingly low on measures of human well-being. India became a democracy in 1948 as did the southern regions in Italy. Jamaica has been a democracy since the late 1950s. An especially troubling case is South Africa where a number of measures of human well-being, such as expected living and maternal mortality, are worse now than in 1994. In sum, the picture is this:
Representative democracy is not a safe cure against severe poverty, child deprivation, high levels of economic inequality, illiteracy, being unhappy or not satisfied with one’s life, high infant mortality, short life-expectancy, high maternal mortality, lack of access to safe water or sanitation, low school attendance for girls, systemic corruption or low interpersonal trust. In sum, if the “independent standard” against which we should evaluate the epistemic qualities of existing democracies is the system’s capacity to deliver human well-being, the results are not impressive.\(^5\)

The reasons for why representative democracy often fails to deliver increased human well-being are manifold (for an excellent summary of the literature see Gerring et al. 2015). Here I will concentrate on one factor that has received substantial empirical support, namely what has been termed “quality of government” (Rothstein and Teorell 2008). The argument, in short, is that delivering policies such as universal health care, universal education, sanitation, immunization, social insurances and physical infrastructure are large, complex and complicated operations that require considerable administrative competence and capacity. This is the case whether or not the state itself is the producer of such policies or if they are contracted out to private or semi-private producers. In the latter case, high capacity and competence is required for enacting and monitoring contracts. In addition, in both cases, there is ample room for corruption and other forms of malfeasance, for example nepotism, clientelism and of course outright bribery. As Francis Fukuyama (2014 a and b) has argued, the large majority of political scientists that study developing countries and development concentrate their efforts on issues related to democratization and pay little or no attention to issues related to state capacity. From an epistemic “true and right” perspective this is problematic because as argued above, it is variables

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\(^5\) Using a new dataset, Gerring et al (2015) argues that repeated “free and fair” elections but few other ingredients of democracy (like citizens empowerment, participation, the strength of civil society) have an effect on human well-being measured as infant mortality. This can very well be the case, but they do not take into account the results from the “Electoral Integrity Project” showing that the ability for a country to produce “clean” elections depends on the existence of a reasonably competent and uncorrupt election administration which is not likely to be found in a highly corrupt or low state capacity country (see Norris 2015). In relations to human development, elections are thus to be seen as an epiphenomenon. As argued by Fukuyama, western powers thought that elections would do the “thing” in countries like Afghanistan and Iraq, but they didn’t. What the western power had not realized that organizing reasonably legitimate elections is a simple operation compared to building state capacity and high quality of government (Fukuyama 2014). While an election administration to a large extent can be almost instantly imported, state capacity has to be built over a long period. In sum, clean election as such are not likely to be the root cause of human well-being because they are likely to depend on high state capacity both for their existence and for the implementation of the policies they decide. A quote from the former Danish Prime Minister now General Secretary of NATO, Fogh Rasmussen, can illustrate this point. “What we aimed at the Iraqi people also got. We were successful in carrying out referendums about a new constitution and a democratic election for a government that everyone has recognized as free and fair. But I have honestly to admit that I underestimated the strength of religious fanaticism that fight against freedom and democracy. Like many other westerners I believed that that demand for democracy and freedom was so universal and strong among all kinds of people, that the foreign troops would be received with open arms as liberators” Danish daily newspaper Politiken, August 9, 2007, my translation.
related to state capacity such as rule of law, control of corruption and administrative capacity, and not democratic rights that have positive correlations with almost all standard measures of human well-being. One could of course argue that the reason for democracy is to create political legitimacy and not “true” and “fair” outcomes but the results stay the same. When people around the world make up their mind if they perceive that their government is legitimate, factors such as the rule of law, control of corruption and administrative effectiveness turns out to be more important for them than their democratic rights (Gilley 2006, 2009, Linde and Dahlberg 2016, Dahlberg and Holmberg 2014, Gjefsen 2012, Seligson 2002). As Gilley (2006:58) points out, “this clashes with standard liberal treatments of legitimacy that give overall priority to democratic rights”. To conclude so far, from the perspective of human well-being understood as the practical implication of Sen’s capability approach, the general idea in epistemic democracy that “democratic decisions rightly oblige us because they are likely to be correct” (Schwartzberg 2015:188) seems simply untrue or at least it has yet to be proven.

Is deliberative democracy the solution?

The discussion of how to increase the epistemic quality of democracies has to a large extent been centered on various forms of increasing the amount and quality of deliberation in the decision making process (Miller 2003, Schwartzberg 2015). Not only does deliberation treat citizens respectfully by giving each one a “fair say” in the democratic process, but it is assumed to be, by contrast with bargaining, random selection or mere voting, the best way to identify the common good (Fishkin and Ackerman, 2004). Invoking various psychological and social mechanisms, deliberative democrats have long asserted that the public exchange of reasons in support and against available options among citizens enjoying equal status tend to make participants more able to identify the common good and more willing to vote in a way that promotes it.

While there is, from a normative perspective, much to be said in favor of deliberative decision making, in large scale democracies the suggestions that have been launched are so far quite unrealistic and even utopian (for example (for example Fishkin 2009, Ackerman and Fishkin 2004). While some of these suggestions may work in prosperous and long-established democracies, it is hard to see how they could work in poorer countries with new and fragile democratic systems. Empirical evaluations of experiments in deliberative democracy points at a number of problems such as inequality between participants in making their voices heard and that some groups or individuals may come to dominate the forums for deliberation. The demand of citizens from this system may also be too high and there are questions about how sustainable
the processes for deliberation are (Fung and Wright 2001). Others have pointed out that there are also risks that “mass-deliberation” in political decision-making can have negative effects on the epistemic quality of the decisions. Marginalized groups can be left out and increased group polarization may occur creating problems of legitimacy (Ryfe 2005). In sum, for all its normative appeal, the proponents for deliberation as a realistic way for solving the epistemic problems of democracies have not proven their case. Landemore’s claim that democracies combining majority rule and deliberation are the best system for producing good outcomes, also seems empirically unfounded (Landemore 2013). This leaves us with a negative and normatively quite problematic conclusion. Representative democracy as we know it turns out not to have a good enough track record for the two issues raised in the epistemic approach to democracy, namely to produce decisions resulting in policies that are “true” and “fair”. The question is if we can find a solution to this not inconsequential problem.6

The meritocratic solution

For being able to handle the inability of many existing democracies to produce outcomes that are “true” and “fair”, at least two things are needed. One is of course knowledge and competence in the sense that a democratically elected government needs to have capacity to “know” what is “true”. Something must feed the system with knowledge of which type policies are most likely to increase human well-being (at a reasonably cost for the taxpayer one may add). The second demand is that the system should be institutionalized in ways as to minimize corruption and corruption related problems in order to secure fairness in the implementation of policies. Ober suggests a model he labels, “relevant expertise aggregation”. The idea is not that we can rely of any general experts in politics, but that there are experts in various relevant fields of knowledge that should be consulted for weighing and ranking various options which are then put forward for a democratic decision (Ober 2013).

In a number of articles and in a forthcoming book, Dahlström and Lapuente have, together with some colleagues from the Quality of Government Institute at University of Gothenburg, made a

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6 The “Santa Claus” perception of democracy that long has dominated in development studies and policies is now being replaced by a more realistic view. One example is the American Social Science Research Council which has recently launched a new large scale research program titled “The Anxieties of Democracy”. The program is motivated “by a concern about whether the core institutions of established democracies—elections, mass media, political parties, interest groups, social movements, and, especially, legislatures—can capably address large problems in the public interest” (see www.ssrc.org/programs/view/anxieties-of-democracy/).
strong case for the positive effects on controlling corruption of a meritocratic civil service (Dahlström and Lapuente 2016, Dahlström, Lapuente, and Teorell 2011, 2012, Charron et al. 2016). They argue that the preferred system is when the power of democratically elected politicians is balanced by the influence of a meritocratic civil service. The causal mechanism they identify is that these groups have different sources of legitimacy and that they are held accountable to different standards. Politicians in power base their legitimacy on the amount electorate support they can muster and also the support they get from party activists to which they are held accountable. Meritocratic civil servants and experts in government base their legitimacy on respect within their peer-groups to which they are held accountable. Dahlström and Lapuente argue that when groups with different sources of legitimacy have to work closely together, they will monitor each other and this “pushes both groups away from self-interest towards the common good”. Logically, this also implies that “abuse of power will be more common if everyone at the top has the same interest, because no one will stand in the way of corruption and other self-interests”. Thus, what determines success or failure in these two groups are very different. This elegant theory is supported by a wealth of both historical and large-n comparative empirical analyses. Empirically, meritocratic recruitment of civil servants, as opposed to political appointment, is found to reduce corruption. This remains true even when controlling for a large set of alternative explanations, such as political, economic, and cultural factors, that previously were seen as important for the functioning of the public sector. The conclusion is that a professional bureaucracy, in which civil servants are recruited strictly on the basis of their qualifications and skills, rather than their loyalty to the politicians, is a very important factor for handling the “fairness” question in the epistemic approach to democracy as it has been operationalized here. One mechanism behind this is that, when faced with corruption or inefficient management of public resources, it is easier for civil servants to protest or act as a whistleblower, than if he or she were dependent on and loyal to the politicians. The chance that someone exposes corruption or other forms of malfeasance is simply larger if the potential exposers is not dependent on those engaged in the corruption.

To this one should add that meritocracy, everything else being equal, increases the competence in the public sector and thereby state capacity. Using data from an Expert Survey for the study of the public administration in 126 countries carried out by the Quality of Government Institute find positive correlations between a measure of impartiality in the civil service and several standard measures of population health including the UNDP measure of human well-being (Rothstein and Holmberg 2014) A study of Peru and Bolivia finds that the implementation of aid programs can be seriously obstructed if there are high turnover rates among public sector
employees, especially if they are recruited on a political basis (Cornell 2014). The reason is that loyalty among politically recruited public officials lies with the appointing political party rather than with the public institution, and politically recruited officials are therefore often reluctant to take over the implementation of aid programs that have been established under the former government. This is problematic for development agencies, as the implementation timeline of aid programs does not correspond to the term of office of the elected government appointing public sector personnel. The simple correlation between meritocratic recruitment and corruption is, as shown in the figure below, quite impressive.

Figure 3. Meritocratic Recruitment and Corruption

![Figure 3. Meritocratic Recruitment and Corruption](image)

Sources: Meritocratic recruitment is taken from the QoG Institute’s Expert Survey (Dahlström et al 2011) and the measure of Corruption is from World Bank Control of Corruption Index 2010.

Interestingly enough, Dahlström and Lapuente do not find a positive effect of what is known as the “closed” Weberian system of public administration with special exams, isolation from the private sector by special employment laws and guaranteed life-long employment. Instead, it is “open” meritocratic system, such as in Australia, Canada and Sweden where employment in the civil service is open also for applicants also from the private sector and where there is not much difference in employment laws between the private and the public sector. The positive effect on

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7 Typical example are Germany and South Korea
controlling corruption comes only from meritocracy and a de-politicized civil service while the traditional Weberian closed bureaucracy fails to deliver. Empirically, the extent to which the civil service is politicized also in the OECD countries varies enormously. Figures are somewhat uncertain but the lowest seem to be Denmark where only about 25 “ministerial advisors” are exchanged when there is a change of government. In Sweden, it is about 200, in Italy about 1600. In the United States the number of “spoils” appointments are about 3500 and in Mexico about 70,000 civil servants have to leave their positions if there if a national election results in a change of government (Garsten, Rothstein, and Svallfors 2015). In most developing and possibly also in former communist countries, the figures are in all likelihood much higher.

However, it is not necessary to go to any of these countries to find negative examples of the effects of politization of the civil service. Even in low-corrupt Sweden we can find a telling case. In 2009, Vattenfall, a very large and state-owned Swedish energy company made public the decision to buy the Dutch energy company Nuon for 8.5 billion Euros. This was to become the largest business deal to date in the Swedish economy. This acquisition was supported by the then Minister for trade and industry as representing the Swedish state as the owner of Vattenfall. Five years later, this had become a major political scandal in Swedish politics for various reasons, not least because the prize paid by Vattenfall for Nuon turned out to be way far too high, about 30 billion Euros, a sum which then was more than a third of the total yearly budget for the Swedish state. The investigation of this affair by the standing committee for constitutional issues in the Swedish Parliament revealed that the two main proponents in the central government office were two politically appointed ministerial advisors belonging to the Ministers political party. Part of their motivation for the acquisition seems to have been that Nuon was not engaged in producing nuclear power, something that their party had been fighting against for decades. A British company that was Vattenfall’s plan B was producing nuclear power. The investigation further revealed that the highest ranked non-political civil servant at the department who was the expert on these issues warned Vattenfall, the Minister and her political entourage that the prize for Nuon was far too high, in fact just about 30 billion Euros too much. The investigation shows that her warnings were disregarded in a quite condescending way by the politically appointed ministerial advisors. Admittedly, this is just a single case, but it illustrates the potential risks with politicization of the civil service also in a “clean” country like Sweden in the sense that expert knowledge is disregarded for ideological and political reasons. The bill the Swedish taxpayers have had to pick of for this is far from insignificant (Garsten, Rothstein and Svallfors 2015 ch. 6).
Discussion

It is hard to imagine that it would be possible to come up with a perfectionist solution to the epistemic problem of democracy that would somehow guarantee against the decisions about public policies that were “unfair” or “untrue”. A more reasonable expectation is to find some acceptable institutional devices that would increase the tendency that the democratic system would produce policies that are based on established knowledge/science and that are likely to increase the overall fairness in society. Quality of Government has been conceptualized as impartiality in the exercise of public power (Rothstein and Teorell 2008, Rothstein 2014). For the recruitment and promotion of personnel to the public administration, this principle translates into meritocracy. Applicants should be appointed or promoted based on the factual competence for carrying out the job which of course excludes the importance of, inter alia, political connections. It is certainly possible to perceive meritocracy as a form of anti-democratic elitism. However, one could also interpret meritocracy is the opposite to elitism in the sense that if combined with a reasonably universal system for education, it should give individuals from all social backgrounds a fair chance for upward mobility. What is serving the existing ruling elite is when the possibility for upward mobility is reserved to persons from families with the “right” political connections. One part of what constitute democracy, namely “equal treatment” is thus built into the notion of meritocracy.

The empirical support for the positive consequences of meritocracy is strong and the theoretical argument for why this should be the case, as put forward by Dahlström and Lapuente, is logical and convincing. It should be underlined that the argument put forward for this solution to the epistemic problem in democracies is not “rule by experts” or “rule by the civil service”. Instead, this is more a “balance of power system” where opportunistic politicians are held in check by professional civil servants/experts and where unelected civil servants/experts are held in check by democratically elected politicians. Such a system could maybe be labelled “rule through experts”. One argument for the positive effect of deliberative processes in democratic decision-making is that when arguments have to be presented to an audience of equals for discussion, the arguments are usually “laundered”. The effect of such “laundering” seems to be that although self-interested can play a role, the argumentation must at least be dressed up to meet some standard for being in line with what can be considered as the “common good”. One could think of a similar effect in the “rule-through-experts” suggested here. If politicians have to present and defend their policy proposals for a meritocratic group of highly competent civil servants or experts, outright false or patently opportunistic positions are less likely to be put on the table.
Similarly, experts/civil servants are less likely to come up with policy solutions for which they believe the politicians have little chance to gain political legitimacy for. Alas, if as President Thabo Mbeki would not have been surrounded by his waste entourage of political cronies but instead had to listen to the advice of experts on HIV/AIDS, there is probably some chance that he would not have carried out the deadly policy he choose. Likewise, if the civil servants in the Swedish National Board for Social Affairs had been medical experts and not been recruited based on their political ideology and ideological positions in the issue of how to fight addiction to narcotics, many persons addicted to heroinism in Sweden would probably not have died prematurely.
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