THEORIES OF INSTITUTIONAL DESIGN

CRITICAL ELITISM

Deliberation, Democracy, and the Problem of Expertise

ALFRED MOORE

THEORIES OF INSTITUTIONAL DESIGN

Series Editor ROBERT E. GOODIN

'In this illuminating book, Alfred Moore argues persuasively that democracy requires not only active participation, but also reflective judgments about expert authority by those who choose not to participate. *Critical Elitism* offers a nuanced and important contribution to the study of expertise and democracy.'

Mark B. Brown, *California State University, Sacramento*

Democracies have a problem with expertise. Expert knowledge both mediates and facilitates public apprehension of problems, yet it also threatens to exclude the public from consequential judgments and decisions located in technical domains. This book asks: How can we have inclusion without collapsing the very concept of expertise? How can public judgment be engaged in expert practices in a way that does not reduce to populism? Drawing on deliberative democratic theory and social studies of science, *Critical Elitism* argues that expert authority depends ultimately on the exercise of public judgment in a context in which there are live possibilities for protest, opposition and scrutiny. This account points to new ways of looking at the role of civil society, expert institutions, and democratic innovations in the constitution of expert authority within democratic systems. Using the example of climate science, *Critical Elitism* highlights not only the risks but also the benefits of contesting expertise.

Alfred Moore is a research fellow at Cambridge University, at the Centre for Research in Arts, Humanities and Social Sciences.

CAMBRIDGE
UNIVERSITY PRESS
www.cambridge.org

ISBN 978-1-107-19452-6

Cover image: Jose A. Bernat Bacete / Getty Images.
(Background image: Alamy Stock Photo).

MOORE CRITICAL ELITISM

CAMBRIDGE

Critical Elitism

Deliberation, Democracy and the Problem of Expertise

ALFRED MOORE
University of Cambridge

CAMBRIDGE
UNIVERSITY PRESS

CAMBRIDGE
UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

4843/24, 2nd Floor, Ansari Road, Daryaganj, Delhi – 110002, India

79 Anson Road, #06–04/06, Singapore 079906

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

www.cambridge.org
Information on this title: www.cambridge.org/9781107194526
DOI: 10.1017/9781108159906

First published 2017

A catalogue record for this publication is available from the British Library.

Library of Congress Cataloging-in-Publication Data
Names: Moore, Alfred James, author.
Title: Critical elitism : deliberation, democracy, and the problem of expertise / Alfred Moore, University of Cambridge.
Description: 1st Edition. | New York : Cambridge University Press, 2017. |
Series: Theories of institutional design
Identifiers: LCCN 2016049751 | ISBN 9781107194526 (hardback)
Subjects: LCSH: Democracy–Philosophy. | Expertise. | Elite (Social sciences) |
BISAC: POLITICAL SCIENCE / History & Theory.
Classification: LCC JC423 .M675 2017 | DDC 321.8–dc23
LC record available at https://lccn.loc.gov/2016049751

ISBN 978-1-107-19452-6 Hardback

Critical Elitism

Democracies have a problem with expertise. Expert knowledge both mediates and facilitates public apprehension of problems, yet it also threatens to exclude the public from consequential judgments and decisions located in technical domains. This book asks: How can we have inclusion without collapsing the very concept of expertise? How can public judgment be engaged in expert practices in a way that does not reduce to populism? Drawing on deliberative democratic theory and social studies of science, 'Critical Elitism' argues that expert authority depends ultimately on the exercise of public judgment in a context in which there are live possibilities for protest, opposition and scrutiny. This account points to new ways of looking at the role of civil society, expert institutions, and democratic innovations in the constitution of expert authority within democratic systems. Using the example of climate science, 'critical elitism' highlights not only the risks but also the benefits of contesting expertise.

ALFRED MOORE is a research fellow at Cambridge University, at the Centre for Research in Arts, Humanities and Social Sciences. He has published in a wide range of journals, including Political Studies, Critical Review, the Journal of Political Philosophy, Episteme, Economy and Society, and Public Understanding of Science, among others.

THEORIES OF INSTITUTIONAL DESIGN

Social scientists have rediscovered institutions. They have been increasingly concerned with the myriad ways in which social and political institutions shape the patterns of individual interactions which produce social phenomena. They are equally concerned with the ways in which those institutions emerge from such interactions.

This series is devoted to the exploration of the more normative aspects of these issues. What makes one set of institutions better than another? How, if at all, might we move from the less desirable set of institutions to a more desirable set? Alongside the questions of what institutions we would design, if we were designing them afresh, are pragmatic questions of how we can best get from here to there: from our present institutions to new revitalized ones.

Theories of Institutional Design is insistently multidisciplinary and interdisciplinary, both in the institutions on which it focuses and in the methodologies used to study them. There are interesting sociological questions to be asked about legal institutions, interesting legal questions to be asked about economic institutions, and interesting social, economic, and legal questions to be asked about political institutions. By juxtaposing these approaches in print, this series aims to enrich normative discourse surrounding important issues of designing and redesigning, shaping and reshaping the social, political, and economic institutions of contemporary society.

Other Books in the Series

Brent Fisse and John Braithwaite, *Corporations, Crime and Accountability*
Robert E. Goodin (editor), *The Theory of Institutional Design*
Itai Sened, *The Political Institution of Private Property*
Mark Bovens, *The Quest for Responsibility: Accountability and Citizenship in Complex Organisations*
Bo Rothstein, *Just Institutions Matter: The Moral and Political Logic of the Universal Welfare State*
Jon Elster, Claus Offe, and Ulrich K. Preuss, *Institutional Design in Post-Communist Societies: Rebuilding the Ship at Sea*

Adrienne Héritier, *Policy-Making and Diversity in Europe: Escape from Deadlock*
Geoffrey Brennan and Alan Hamlin, *Democratic Devices and Desires*
Eric M. Patashnik, *Putting Trust in the US Budget: Federal Trust Funds and the Politics of Commitment*
Benjamin Reilly, *Democracy in Divided Societies: Electoral Engineering for Conflict Management*
John S. Dryzek and Leslie Templeman Holmes, *Post-Communist Democratization: Political Discourses Across Thirteen Countries*
Huib Pellikaan and Robert J. van der Veen, *Environmental Dilemmas and Policy Design*
Maarten A. Hajer and Hendrik Wagenaar (editors), *Deliberative Policy Analysis: Understanding Governance in the Network Society*
Jürg Steiner, André Bächtiger, Markus Spörndli, and Marco R. Steenbergen, *Deliberative Politics in Action: Analyzing Parliamentary Discourse*
Bo Rothstein, *Social Traps and the Problem of Trust*
Jonathan G. S. Koppell, *The Politics of Quasi-Government: Hybrid Organizations and the Dynamics of Bureaucratic Control*
Mark E. Warren and Hilary Pearse (editors), *Designing Deliberative Democracy: The British Columbia Citizens Assembly*
Graham Smith, *Democratic Innovations: Designing Institutions for Citizen Participation*
Keith Dowding and Peter John, *Exits, Voices and Social Investment: Citizens' Reaction to Public Services*
John Parkinson and Jane Mansbridge, *Deliberative Systems*

Acknowledgements

This book could not have been written without the help, advice and support of a great many colleagues and friends. Most of the research and writing was done with the support of a Marie Curie research fellowship on 'Epistemology and Democracy in Complex Societies', funded by the European Community's Seventh Framework Programme (FP7/2007–2013) under grant agreement n° 237230. I must first of all give thanks to James Knowles and Graham Parkes for helping to make this possible and to Patrick O'Mahony for tireless support in thinking through and developing the substance and structure of the research project. I would like to give particular thanks to Mark Warren for providing guidance and encouragement throughout this project and for hosting me at the University of British Columbia's (UBC) Centre for the Study of Democratic Institutions. I would like to thank Michael M. Burgess, Kieran O'Doherty, Aubin Calvert, Michael McKenzie and everybody on the Face to Face research team for giving me my first direct experience of a deliberative minipublic in the field of scientific governance and to Peter Danielson for giving me space to work with the group at the W. Maurice Young Center for Applied Ethics at UBC. Invaluable support in putting together a workshop on Scientific Authority in Democratic Societies at UBC's Peter Wall Institute for Advanced Studies was provided by Rebecca Monnerat and David Moscrop, with thanks also to Emily Tector at Situating Science Canada for support in funding and publicising the event. I would also like to thank Archon Fung for hosting me as a Democracy Fellow at the Ash Center for Democratic Governance and Innovation at Harvard University's Kennedy School of Government during the autumn of 2012, where I found a rich, varied and engaging intellectual atmosphere. More recently, I have had the good fortune to work with a wonderful group of scholars in the conspiracy and democracy research group at the Centre for Research in the Arts, Social Sciences, and Humanities at the University of Cambridge.

I have benefitted from critical discussion and feedback on various papers and presentations that have become part of this book by a great many wonderful scholars, including John Beatty, James Bohman, Michael Burgess, Lisa Disch, Albert Dzur, Robert Evans, David Guston, Maarten Hajer, Sheila Jasanoff, Stephen Turner, Mark Warren and all the participants in the workshop on scientific and political authority at UBC. I would like to thank Clark Miller for inviting me to present part of this work at an interdisciplinary workshop on Epistemic Democracy at Arizona State University; to Henrick Friberg-Fernros and Johan Karlsson Schaffer and all the participants at their workshop 'Deliberation after Consensus: Democracy, Epistemic Quality and Public Discourse' at the Centre Franco-Norvégien en Sciences Sociales et Humaines in Paris; and to Cathrine Holst for inviting me to present at the conference 'Why Not Epistocracy? Political Legitimacy and the Fact of Expertise' at the ARENA Centre at the University of Oslo. For their collaboration in earlier work and their ongoing support, I want to thank Ingolfur Blühdorn, Kathrin Braun, Svea-Luise Herrmann, and Sabine Könninger. For comments and feedback on parts (and in some cases the whole) of this work I am grateful to André Bächtiger, Mark Brown, Sean Gray, Andrew Knops, Hélène Landemore, Melissa Lane, Stephan Lewandowsky, Michael MacKenzie, Nayanika Mathur, Valeria Ottonelli, John Parkinson, David Runciman and Mark Warren. I owe a debt of gratitude to John Beatty for being an invariably sharp, subtle and generous intellectual collaborator. Michael MacKenzie has, for his sins, read almost all of this work in its many stages of development and has been a patient and critical intellectual companion throughout this project. Mark Warren has read parts of the manuscript and various iterations of the overall argument and offered judicious and insightful advice on its development, as well as providing mentorship during, and beyond, my time at UBC. I want to thank Mark Brown for reading the manuscript in its entirety and giving valuable and detailed feedback. I want to express my gratitude to Robert Goodin and to John Haslam at Cambridge University Press for supporting this project and to the anonymous reviewers at Cambridge University Press both for their insightful criticism and useful advice on how to strengthen the manuscript. Any remaining mistakes, weaknesses and omissions are, of course, my own. Finally, I must thank my family, and Wendy in particular, for everything.

Contents

Introduction

A Crisis of Expertise?

We seem to be experiencing a crisis of expert authority. A consensus of scientists assures us that human activity is generating a global increase in temperature. Patient, careful research by communities of people who we might expect to know what they are talking about are telling us of climate change associated with our current patterns of production and consumption. Yet others are telling us this is a giant fraud, or at best a well-intentioned delusion. The contestation of the science of climate change speaks both to the projected consequences and to the material implications of the changes that may be needed to mitigate the threat. However, it symbolises a wider problem, to do with the capacity of empowered and critical citizens to challenge and contest expert knowledge. This can be a positive development. We might welcome the decline of deference to experts and the rise of questioning of authorised views of reality, and see value in a free and full contest among conflicting viewpoints. Yet it is also deeply disquieting. We might lament the apparent politicisation of expertise and the transformation of factual truths into mere differences of opinion, and emphasise the importance of deference to the well-grounded judgements of those who know what they are talking about. Hannah Arendt, in her essay *Truth and Politics*, captures something of this tension. 'All truths', she writes, 'are opposed to opinion in their mode of asserting validity' (Arendt, 2006: 235). They are implicitly positioned 'beyond agreement, dispute, opinion, or consent' (ibid.), and they thus seem to have 'a despotic character' (ibid.: 236). Yet at the same time, factual truths are incredibly fragile. While our time tolerates, and even encourages, diversity in philosophical or religious matters, 'factual truth, if it happens to oppose a given group's profit or pleasure, is greeted today with greater hostility than ever before' (ibid.: 231). She was disturbed by the way that 'unwelcome factual truths are ... transformed into opinions' (ibid.: 232). While she

had in mind historical facts, her unease about the fate of factual truth in the public realm resonates strongly with anxieties about scientific expertise today. These two responses capture an important tension within contemporary anxieties about the fate of expert authority in a democratic society. We clearly need scientific and expert authority in order to formulate considered collective judgements and carry out collective decisions. Yet public questioning, criticism and rejection seem to make such authority ever harder to sustain. In this book I will address the problem that expert authority poses for democratic ideals and practices, and the problem that democracy poses for the ideals and practices of expertise in government.

In its general outline, this problem is by no means new. In the nineteenth century, Alexis de Toqueville and John Stuart Mill grappled with the problem, to put it grandly, of the fate of the ideals of the Enlightenment in a modern, mass participation democracy. Enlightenment for them meant the rejection of authority in matters of beliefs, opinions and morals, and particularly the rejection of tradition and religion as guides to belief and action, as captured in Immanuel Kant's famous motto: 'Sapere Aude! Have the courage to use your own understanding!' (Kant 1991: 54). This spirit imbued the work of the early utilitarians, for whom reliance on authority amounted to 'mental slavery'. Tocqueville, however, noticed some difficulties for this view in the context of a democratic society. He argued that under the social condition of equality – which was more or less what he meant by 'democratic society' – people are not disposed to trust the authority of any man. His Americans did not readily defer to men of learning or to traditional religious authorities or political elites. Was this a case of Enlightenment heroes throwing off the yoke of 'mental slavery', rejecting dogmas and courageously using their own understanding? Not at all! Intellectual authority, Tocqueville wrote, does not – and cannot – disappear; it merely relocates. Tocqueville thus emphasised the unavoidability of what John Hardwig (1985) has called 'epistemic dependence'. But he added a democratic twist. Under America's condition of equality, Tocqueville argued, men look not to aristocracies or elites for the sources of truth, but to 'themselves or ... those who are like themselves' (de Tocqueville 1990: 9). That is, they switch the source of their reliance to 'public opinion', a far more tyrannical master, and thus the bonds of rank and privilege are broken only to be replaced by 'a new physiognomy of servitude' (ibid.: 11).

Mill voiced a similar concern in an early essay on 'The Spirit of the Age'. The authority of the man who knows what he is talking about, he worried, is widely being rejected only to be replaced by 'the authority of the person next to him' (Mill 1986 [1831]: 15). Mill thought that a vulgar version of Enlightenment might 'bid each man to look about for himself, with or without the promise of spectacles to assist him' (ibid.: 9). In this 'age of transition', as he put it, men certainly 'reason more' on the great questions of the human condition, but they 'may not reason better' (ibid.: 7). There are particular inquiries which may be undertaken into 'physical, moral and social truths' such that some can become 'masters of the philosophical grounds of those opinions of which it is desirable that all should be firmly persuaded, but which they alone can entirely and philosophically know' (ibid.: 12). However:

> The remainder of mankind must, and, except in periods of transition like the present, always do, take the far greater part of their opinions on all extensive subjects upon the authority of those who have studied them. (ibid.: 13).

Mill was primarily concerned here with moral knowledge.[1] But his reformulation of Enlightenment for an age of mass democracy prefigures a common idea today that deference to well-grounded claims to expert authority is a precondition for the exercise of public reason and political decision. And a common lament about contemporary democracy turns on the 'erosion' of expert authority (Kitcher 2011: 15–40) and the decline of public deference to hard-won expertise. The crisis of expertise, then, has to do with the apparent tension between the inequalities in knowledge, experience and skill that characterise expertise, and democratic ideals and practices of equality and contestation.

This presents a problem for developed democracies because governance in complex, technologised societies often involves both the authority of command and the authority of expertise. Complexity and interdependence have led to more and more of the consequential decisions of governments to be framed and constrained by claims to expertise and often delegated to those with epistemic authority on the questions at hand, leading one author to write of the 'rise of the

[1] Though we should note that while he regards the subjects of morals, religion, politics and social relations as 'infinitely more complicated' than the subjects of 'natural philosophy', he did not think they differed in kind (Mill 1977b [1859]: 244).

unelected' (Vibert 2007).[2] Standard-setting committees, for instance, make decisions with respect to, say, food safety, that carry the force of law yet are grounded in their specific expertise. These decisions can be highly consequential, and for this reason expert advisory committees have been suggestively described as a 'fifth branch' of government (Jasanoff 1990). Against the insistence that science and expertise merely provide neutral knowledge for policy, it seems that expert authority is often enmeshed with the practice of political authority, and that political contestation extends to expertise and scientific claims as readily as to the programmes and policies of political parties. It is in this context that problems of politicised expertise take on their salience.

The crisis of expertise that I refer to here is focused on expert authority as it bears on or is implicated in political authority.[3] In short, nobody worries about the authority of the physicists who tell us about the Higgs boson, but we do worry about the authority of climate experts and vaccine specialists. The complex of problems that have

[2] It is worth noting, however, that Frank Vibert's argument addresses a different problem to the one I address in this book. Vibert's argument is that institutions of unelected experts serve as information sources that are not tainted by the machinery of government, which in turn shows up politicians as opportunistic spinners. The public's deference to experts, on his account, is what feeds their cynicism with regard to elected politicians. My argument, by contrast, begins from the observation of a widespread *lack* of public deference towards experts, evidenced by political struggles over the science of climate change, vaccines, GMOs and so on. The problem, on my account, is how to conceptualise and construct expert authority in a context of widespread public capacities to challenge and contest it. A further difference is that Vibert's approach insists on a sharp distinction between value judgements and the empirical component of public policy, which frames expertise as standing outside politics. My aim, which I develop in particular in Chapters 3 and 4, is to draw on social epistemology and political theory to develop a democratic model of expert authority, in which public judgement is partly constitutive of expert authority.

[3] I share this focus with Turner (2003) and Brown (2009). Turner distinguishes five types of expertise, and focuses on those that are drawn on within government and public policy rather than on the expertise involved in what he calls 'science proper'. Brown gives special attention to the problem of expert advice in government, and develops in his book an account of the democratisation of expertise in terms of the multiplication of sites and modes of representation within expert practices. Dahl (1985) frames the problem of expertise in terms of the privileged position of policy elites, and Fischer (2000) talks about the problem of the dominance of expert discourses. By contrast, Kitcher (2001; 2011), Fuller (2000) and Greenberg (2001), for instance, are more concerned with the place of science proper within democracy.