

# Ivan Cerovac, Epistemic Democracy and Political Legitimacy

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*Ivan Cerovac, Epistemic Democracy and Political Legitimacy, Cham: Palgrave Macmillan, 2020, 242 pp.*

Ivan Cerovac (2020) re-examines the source of democracy's potential to create legitimate decisions. He defends an epistemic conception of democratic legitimacy and raises questions such as whether political decisions can be false or true, wrong or correct, and whether certain individuals in a political community can know better than others what the correct political decision is.

Cerovac adheres to a non-monistic position that locates democracy's potential to produce legitimate decisions both in its moral and in its epistemic qualities. He improves the existing debate by providing a thorough analysis and an elaborate critique of current theories of epistemic democracy. In addition, the book discusses the suitable division of political and epistemic labor and presents epistemic arguments for property-owning democracy.

There are six chapters in the book. The book is divided into two main parts: the theoretical framework (the first five chapters) and the institutionalization of epistemic democracy (the final chapter). Cerovac begins the first chapter with Rawls' liberal principle of legitimacy, which states that one cannot be legitimately compelled to do something until sufficient reasons are provided, reasons that do not violate one's reasonable moral convictions. He continues with an epistemic account of political legitimacy that typically revolves around three tenets. The truth tenet says that there is truth in politics, the knowledge tenet says that there are experts in politics, and the authority tenet says that experts should rule. Cerovac's strategy is to endorse the first two, but to resist the third tenet.

Cerovac begins the topic in Chapter 2 by criticizing and rejecting the pure epistemic proceduralism approach, which is based on Fabienne Peter's notion that democratic decision-making procedures have the capacity to produce legitimacy due to some moral and intrinsic epistemic qualities. Cerovac, on the other hand, contends that instrumental epistemic value is required to analyze and enhance our epistemic practices. He then moves on to Thomas Christiano's pure deliberative proceduralism, in which Christiano claims that an instrumental representation of democratic legitimacy is impossible since it would need public agreement on the quality of results. Cerovac disagrees with Christiano, stating that when he promotes a discussion about aggregative democracy, that is, when he says that a state with more prosperity is preferable than a state with less welfare, he is using instrumental arguments.

In the third chapter, in the context of the knowledge tenet, Cerovac illustrates the difference between pragmatist deliberative democracy and second-personal epistemic democracy. Pragmatic deliberative democracy proponents say that political decisions can be correct or incorrect and that the evaluation system should be assessed on its ability to produce correct decisions. We should support debating processes in a liberal society that fosters freedom of thought, expression, and the press because the public vote is the best way to make the proper judgments. Cerovac opposes this viewpoint, stating that while it is successful in defending the epistemic value of public deliberation, it is not always successful in defending the epis-

temic value of democracy. Then he returns to Fabienne Peter's new theory, second-personal epistemic democracy, claiming that she bases her account on the concept of epistemic peerhood, where epistemic peers are defined as people who are equally likely to make the correct (or incorrect) judgment. Due to a lack of public consensus on who the experts are, he considers Peter's notion of epistemic equality unconvincing. Cerovac wraps off the third chapter by suggesting that the knowledge tenet be validated.

In the next chapter, he argues that epistocracy, as the rule of those who know, cannot meet the liberal legitimacy criteria. Cerovac believes that we can't expect all reasonable citizens to consider the same group of individuals as (moral) political experts, and that any group's authority would be rejected by at least some reasonable citizens. He then moves on to Mill's scholocracy, a method of decision-making in which everyone gets at least one vote, but those with greater education have several votes. Cerovac also opposes scholocracy, claiming that it is fair to expect certain epistemically harmful characteristics (biases) in a group that is granted more political power. After discussing epistocracy and scholocracy, Cerovac proposes that the authority tenet be rejected.

The fifth chapter refers to the theory of Marquis de Condorcet, who claims that aggregative democratic procedures have superior epistemic quality than their deliberative counterparts if all political decisions can be expressed as binary choices, citizens act and vote independently (no pre-voting deliberation), and citizens make decisions at least a little better than random procedures. Cerovac claims that none of the three conditions are met in contemporary societies because not all political decisions can be effectively expressed as binary choices, citizens are not independent (they receive information from the same sources), and citizens are worse than random procedures, at least in some political issues and situations.

Cerovac's uniqueness and the point of his primary argument are best represented in the book's last chapter. Cerovac depicts a democracy in which voters elect political representatives (legislative government) after determining that the candidates are experts. His main claim is that experts exist in the case of descriptive issues and natural sciences, and we can publicly appoint such experts because reasonable citizens can agree on who the experts in these areas are. On the other hand, in the field of value sciences (politics, morals, and ethics), we cannot publicly decide because we disagree about who the experts are, and Cerovac proposes democratic procedure as the most impartial form of procedure in which citizens elect their representatives, who they think are experts. It is crucial that the experts do not rule on the grounds of their expertise, but because they are authorized by a democratic procedure that is then publicly justified. Cerovac's key assertion is that, in the case of descriptive theses and natural sciences, experts exist, and we may select them publicly since reasonable individuals can agree on who these experts are. On the other hand, in the field of value sciences (politics, morals, and ethics), we cannot publicly decide because we do not agree about

who the experts are. Cerovac's thesis is based on the epistemic division of labor presented in the book. As a result, Cerovac proposes that the process should not be one-way: experts should be able to assist citizens in selecting achievable and coherent goals, and citizens should be able to assist experts in developing policies and making choices.

Cerovac's theory, in my opinion, may encounter some difficulties. The first challenge concerns obviously unreasonable attitudes in crises. Take, for example, the current pandemic and the antivaccination movement. Here I will use Ingrid Robeyns argument about the capability to be protected against infectious diseases. According to Robeyns, not only do you need access to a vaccination, but you also need enough other people to choose to get vaccinated, because protection needs a specific minimum number of individuals to be vaccinated. In other words, my capability to be protected from the debilitating effects of *COVID-19*<sup>1</sup> will depend on others' choice to exercise that capability (to get vaccinated). Due to the lack of addressing experts in crisis situations and relying on the media, there is a lack of reasoning in democratic procedures. In a situation where the only prevention or reduction of a pandemic is responsible human behavior and vaccination, growing democratic decision-making can lead to dangerous situations such as the greater and faster spread of the virus. I agree with Baccarini's conclusion that the scientific community's voices form a succession of valid public judgments based on the complicated application of scientific results and methodologies. As a result, it appears that voices advocating for theses that contradict scientific results and methodologies can be legitimately dismissed. Therefore, it seems that in a crisis, communication between experts and citizens, as proposed by Cerovac, is difficult to implement.

The second challenge concerns the field of art. When we look at instances of publicly popular art or works that are considered as established art in democratic decision-making, Cerovac's argument becomes difficult. In Croatia, there is a well-known case of the *Kiklop* literary award given to Nives Celzijus, a Croatian singer, and her book, *Naked Truth*. While, on the other hand, the reading of literary works that are considered literary classics, such as Miroslav Krleža's works, are less and less quoted. It is common for valuable works to go unnoticed, while popular works that do not have to be valuable will be affirmed in society.

Brian Barry's liberal-egalitarian argument can also be used. Barry thinks art is very valuable. The state should support higher levels of art and valuable things so that they can be available to everyone, not just the privileged elite. What is valuable due to the egalitarian principle of distribution should be promoted and made available for everyone. If art were completely left to the market, then quality art would be available only to those who could afford it (in the case of tickets for theatres and museums). Determining valuable art on the basis of a democratic public voice is problematic because situations often arise in which irrationality in the choice of political values and irrationality in works of art are combined. I will mention just a few examples of such cases. The first example is Bertolt Brecht, a German

<sup>1</sup> Robeyns does not mention COVID as an example. I only use her argument about the ability to vaccinate.

writer who advocated anti-militarism and anti-nationalism. In his most renowned plays, he emphasized his opposition to the National Socialist and Fascist. The following example is Zoran Žmirić's "Patient in Room 19," an anti-war novel about the Homeland War between Croatia and Serbia. The idea is that someone who is strongly right-wing will be an opponent of these writers' values, since they will believe that their art is not something that should be supported by the public in terms of funding their performances/work. Today's entire production is based solely on interest in economic goods, and the problem is that citizens do not have access to valuable content. Thus, examples show the poor outcome of leaving decision-making to unfettered value pluralism of the Cerovac type.

To conclude, I loved Cerovac's book and found it quite valuable because it provides a thorough examination of existing epistemic democracy ideas. Nonetheless, using the examples of irrational attitudes in crises and Brian Barry's egalitarian argument for encouraging higher value art, I intended to draw out some potential challenges to Cerovac's thesis on experts.

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