

Review Essay

The Elephant in the Room

Against Democracy

Jason Brennan. Princeton, NJ and Oxford: Princeton University Press, 2017. 312pp.

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Unfortunately, any discussion of Jason Brennan's *Against Democracy* (2017), which seeks to make a case for epistocracy and against democracy, raises the "Don't think of an elephant" problem (Lakoff 2004). If you tell people not to think of an elephant, they immediately think of an elephant. If you tell people not to think about epistocracy, they will immediately think about epistocracy. And this is a pity, because epistocracy is a terrible idea, and nothing Brennan says proves otherwise.

Like it or not, however, both epistocracy and *Against Democracy* are currently enjoying a surge of interest. As Brennan gleefully notes in the preface to the paperback edition, the book has received widespread media coverage in many countries, is being translated into six languages, and led to Brennan writing "nineteen invited op-eds and magazine articles" and making numerous media appearances (Brennan 2017, vii; all subsequent citations will be to the text unless otherwise indicated). Brennan goes so far as

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to claim that “In political philosophy, epistocracy has reemerged as the main challenger to democracy’s throne” (15). It is therefore necessary, elephants notwithstanding, to detail precisely how unconvincing a case Brennan has made for his preferred political system.

Against Democracy, as its title suggests, endeavours to make a case against democracy and for epistocracy. The former “gives every citizen an equal basic share of political power,” while the latter “means the rule of the knowledgeable,” and distributes “political power according to competence, skill, and the good faith to act on that skill” (11, 14). Brennan associates having an “equal basic share of political power” with an equal share of political liberty, which includes “the right to vote, and the right to run for and hold offices and positions of political power” (9–10). Epistocracy, then, is basically about restricting the franchise, and denying “unqualified” citizens the right to vote. This is an important point to stress, as the term ‘epistocracy’ might naively be taken to mean whatever system does best from an epistemic perspective.¹ A system that gives the right to vote equally to people, regardless of how knowledgeable they are, is not an epistocracy, no matter how well it performs. “The major difference between epistocracy and democracy,” Brennan points out, “is that people do not, by default, have an equal right to vote or run for office” (208).

This point is clearest when Brennan discusses the various forms epistocracy can take (ch. 8). The clearest cases of epistocracy are the ones in which citizens only obtain the right to vote after taking some sort of examination. This exam might be offered to the entire citizenry, or to a random sample of it, as proposed by Lopéz-Guerra (2014). Alternatively, an epistocracy could grant additional votes to citizens demonstrating higher levels of voting, as John Stuart Mill proposed and as the United Kingdom practiced until 1948. Another possibility is the creation of an “epistemic council,” with a veto over processes enacted by elected legislatures. But the latter possibility, unlike the others, stubbornly insists upon granting equal political liberties to qualified and unqualified alike, and therefore only counts as a “borderline case” for Brennan, “not technically a form of epistocracy” (218).

Brennan’s argument for epistocracy is simple: it will lead to more competent government than democracy. Democracy, he contends, could conceivably have at least three types of value—*instrumental* (like a hammer), *symbolic* (like a painting), and/or *intrinsic* (like a human being). Everyone agrees that democracy has instrumental value—“It functions pretty well and tends to produce relatively just outcomes”—and so the only

question is whether it also possesses any value of the other two types (10–11). Brennan pointedly denies this, arguing that “democracy’s value is *purely* instrumental; the only reason to favour democracy over any other political system is that it is more effective at producing just results ... Democracy is nothing more than a hammer” (emphasis in original; 11; see also 14, 16, 139).

Brennan claims that he once shared the intuition that democracy must have noninstrumental value (112–13). In *Against Democracy*, however, he seems genuinely perplexed that anyone would see anything wrong with denying adult citizens the right to vote. This perplexity does not stem from a thoroughgoing commitment to instrumentalism. Brennan sometimes hints at such a commitment. At one point, for example, he contends that “Institutions are tools. Institutions that help us live together in peace and prosperity are good. Institutions that, compared to the alternatives, hinder us in doing so, give us little reason to support them, regardless of what they symbolize” (139). But officially, he remains “agnostic about whether any forms of government are intrinsically unjust” (14). Moreover, he has no trouble entertaining noninstrumental reasons for rejecting both theocracy (139) and monarchy (146). It is only noninstrumental reasons for democracy that he rejects, despite the near-universal agreement among liberal political theorists today that such reasons must exist.

Brennan devotes two chapters (chs. 4, 5) to consideration of possible noninstrumental reasons for democracy. Suffice to say this is completely inadequate as a case for rejecting a position held by virtually all contemporary democratic theorists. Brennan’s treatment of the topic, moreover, is tone-deaf in precisely the way one might expect from someone lacking any pro-democracy intuitions whatsoever. But Brennan bases his crusade against democracy on instrumentalist grounds, and so for the sake of argument, I shall consider his crusade on its own terms, by examining how good an instrumental case Brennan makes against democracy.

The heart of Brennan’s instrumental case is in chapter 2, entitled “Ignorant, Irrational, Misinformed Nationalists.”² Here Brennan rehearses the extensive empirical research conducted since the 1940s and 1950s (e.g., Berelson, Lazarsfeld, and McPhee 1954; Campbell et al. 1960) into “what typical citizens know and don’t know about politics” (25). The results have been clear and consistent: “When it comes to politics, some people know a lot, most people know nothing, and many people know *less* than nothing” (emphasis in original; 24). It is well known just how little most voters know about political

affairs; they are what Brennan calls “hobbits,” spending little time on public affairs and caring mostly about their own lives (4). They are ignorant not because they are stupid, but because they simply do not care (30). They are rationally ignorant, in the famous words of Anthony Downs (1957), because their votes have so little chance of affecting any election in which they participate (31).

The citizens that *do* care, moreover, are typically what Brennan calls “hooligans,” the “rabid sports fans of politics” (5). And like true sports fans, they have difficulty dealing with information unsupportive of their favourite teams; the forces that motivate people to engage in politics “only weakly discipline us to get our facts right” (36). There are many sources of cognitive bias, and they tend to lead hooligans into political tribalism. Again, according to Brennan, this form of irrationality is rational, given how little effect any one voter can have on electoral outcomes (48–49). (This point, it should be noted, is considerably more controversial than the comparable point about hobbits.)³ Very few voters are “Vulcans,” capable of approaching politics with cold rationality and scientific detachment” (5); instead, “nearly all citizens fall on the hobbit-hooligan spectrum” (x).

According to Brennan, the consequences of letting all these hobbits and hooligans vote are quite grim. “If *we*, the electorate, are bad at politics,” Brennan writes, “if we indulge fantasies and delusions, or ignore evidence, then people die. We fight unnecessary wars. We implement bad policies that perpetuate poverty. We overregulate drugs or underregulate carbon pollution” (emphasis in original; 24). “Democracy,” he adds later, in a less colourful passage, “as we practice it, is unjust. We expose innocent people to high degrees of risk because we put their fate in the hands of ignorant, misinformed, irrational, biased, and sometimes immoral decision makers” (230). Little wonder, then, that Brennan wishes to give epistocracy a try, widely-held pro-democracy intuitions notwithstanding. “We cannot let the country choke simply because people are sensitive about or have unjustified beliefs about their political competence” (123).

All of this purple prose suggests that democracy must be doing very poorly as a system of government. The evidence, however, is quite clear, and it is the exact opposite of what Brennan’s argument suggests. Take a simple short list of political systems in the late twentieth and early twenty-first centuries—the United States, Canada, most of Western Europe, Australia, New Zealand, Japan. And take any standard of system performance you like, in terms of either quality of life or quality of government. By any such reasonable standard, the highest-performing political systems in the history of human civilization have

been the systems on that list. Indeed, these systems are clearly the most *competent* ones that the human race has ever produced. And all of these political systems are democracies. Whatever the failings of individual voters, they have not prevented democracies from exceling better than any other political system.⁴

Granted, democracy is in no way a sufficient condition for competent government; the history of the past two hundred years is littered with dysfunctional democracies. And the case of Singapore seems to prove that democracy is not a necessary condition for high government performance either. Indeed, some political scientists have used Singapore to argue that factors other than democracy, such as impartial administration and the rule of law, explain the exceptional performance of the United States et al. (Rothstein 2011).⁵ But the lack of many examples like Singapore suggests it is a knife-edge case; it may be difficult to get high-quality government (including rule of law, etc.) with democracy, but getting it without democracy is virtually impossible.⁶ Moreover, the causal mechanisms that connect democracy (under the right circumstances) to high performance have yet to be fully specified (Wittman 1995; Oppenheimer and Edwards 2012). Most commentators agree, however, on a few relevant factors—e.g., that the openness of democratic societies, combined with the political resources they make available to the poorest (every citizen has a vote), help to prevent catastrophic outcomes like famines (Sen 1981). But whatever the causal story may be, this much can be said—if you want a competent government, all of human history says you want a democracy.⁷

And so, it is difficult to know what to think when Brennan says things like, “Given how little voters know and how badly they process information, it’s not surprising that democracies frequently choose bad policies” (196). A claim like this goes far beyond merely asserting that 1) voters are often ignorant and misinformed. It suggests that 2) electorates systematically make bad decisions when they go to the polls, and 3) that these bad decisions lead to bad policy outcomes. But Brennan offers no evidence that elections under universal suffrage select worse leaders than elections under restricted suffrage, probably because no such evidence exists.⁸ And as I just noted, the evidence in no way suggests that universal suffrage leads to poor policy performance—just the opposite, in fact.

To his credit, Brennan acknowledges the demonstrable system-wide competence demonstrated by leading contemporary democracies. He admits, for example, that “democracies do better than we might expect, given how misinformed and irrational voters

are” (174). This is an understatement, but Brennan does better when he acknowledges the “tight connection between democracy and liberal freedom”—“existing democratic countries tend to do a better job protecting citizens’ civil and economic liberty than nondemocratic ones, and liberal countries in turn tend to be more democratic” (77). He also admits that “Democracies tend to have peaceful transitions of power, tend not to engage in the mass murder of civilians, and rarely experience famines” (165). Indeed, he goes so far as to recognize that “the best places to live right now are liberal democracies” (8; see also 194–95). This is presumably why he declares at one point, “I’m a critic of democracy, but I’m also a fan” (ix)—a strange self-description for the author of a book entitled *Against Democracy*.⁹

At times, Brennan tries to find ways to object to universal suffrage despite its demonstrable correlation with competent government. He attempts, for example, to explain away this correlation by suggesting that “It also may be that the reason democracies outperform autocracies is not because the electorate is competent but instead because the electorate’s power is greatly limited” (165). Such efforts flounder on the lack of evidence that limited governments without universal suffrage do better than those with it. Brennan appears to recognize the limitations of this strategy, and so he does not employ it very often. He also suggests that overall system competence is irrelevant. It doesn’t matter, according to Brennan, if a democracy performs competently as a whole; that democracy deserves condemnation so long as the decisions made by the electorate—or for that matter, the decisions made by individual voters—are made incompetently (158–62). But this position is inconsistent with the book’s more purple passages. What happened to all those unnecessary wars and eliminable poverty that democracy was supposedly generating? It is also an odd position for an instrumentalist to take. Why worry about voters voting badly when there is no evidence these votes make governments perform badly? Indeed, what does it even mean to say that voters are voting badly if their votes do not negatively effect government performance in a measurable way?

But at other times, Brennan acknowledges the competent performance of democracies—he is a fan, after all, or so he claims—and simply expresses a desire to do better. Why settle for the good, after all, when you can have the better, if not the best? “Overall,” he writes, “democratic governments tend to perform better than the alternatives *we have tried*. But perhaps some of the systems we haven’t tried are even better” (emphasis in original; 8). Democracy, remember, is supposedly nothing more than a hammer, and so

“If we can find a better hammer, we should use it” (11). Again, this innocuous-sounding call for exploring new political alternatives is at odds with the over-the-top rhetoric to which the book regularly resorts—rhetoric like, “The only reason to put up with democracy ... is if we cannot find a way to make epistocracy work better” (143). It seems odd to talk about “putting up” with the most competent political system yet devised, and it seems even odder to talk this way if you claim to be a “fan” of democracy.

Brennan is no doubt right to insist that even the best-performing democracies could be improved in some ways. But why would anyone look to franchise restrictions as the path to improvement? It is important to stress how unattractive enfranchisement restrictions should look, from an instrumental perspective, to any disinterested observer, let alone a self-professed “fan” of democracy. Just as democracy has proven uniquely compatible with competent government, so have suffrage restrictions demonstrated no ability to improve competence. Such restrictions have been at the heart of political theory and practice since the dawn of politics. Consider, for example, Aristotle’s famous effort to distinguish the (competent) adult male citizen from the child, the woman, the slave, and the barbarian, all of whom fall short of competence in various ways. Most electoral systems throughout the history of the world have denied suffrage rights to many resident adults, and virtually all of them have invoked epistemic justifications for doing so. None of these systems have not been particularly competent, and most of them have been marked by grotesque injustice against the disenfranchised (Apartheid-era South Africa, the Jim Crow-era southern United States). Such restrictions fell away gradually in all of the most competent democracies in the world, with no obvious epistemic catastrophes resulting. Was 1960s Great Britain markedly less competent than 1760s Great Britain? I think not.

Brennan dismisses the real-world track record of franchise restrictions with a wave of the hand. It may be true, he remarks, that the Jim Crow-era southern United States “deprived blacks of the right to vote by requiring them to pass nearly impossible literacy tests.” But in those cases “Governments claimed these tests had an epistocratic purpose, when in fact they only had a racist purpose” (223), and therefore they apparently do not count as cases of epistocracy. It is unclear what to make of this casual dismissal of the evidentiary record. On the one hand, one might suggest that counting the Jim Crow system as an epistocracy would be just as unfair as counting the “people’s democracies” of the communist world as real democracies, as C.B. Macpherson bizarrely proposed (Macpherson 1972, ch. 3). But on the other hand, democrats who reject Macpherson’s

move can still point to numerous real-world examples of democracy in action. Brennan, on the other hand, apparently wishes to count *none* of the past cases of systems with limited suffrage as epistocracies. This smacks of the no true Scotsman fallacy—or in this case, the no true epistocracy fallacy. Why in the world should anyone expect suffrage restrictions in the future to work better than they have in the past?

But suppose Brennan is justified in pretending that no previous political system with restricted suffrage counts as an epistocracy, or provides any evidence for how an epistocracy would perform. That leaves Brennan with zero evidence—zero—as to how epistocracies perform. Brennan thus has to admit 1) that the most competent systems the world has ever known have been democracies, and 2) he can provide no examples of real-world epistocracies, let alone real-world epistocracies that outperform real-world democracies. And yet despite all this, Brennan somehow feels justified in concluding, “we have a strong presumptive argument against democracy and on behalf of epistocracy” (170). Brennan may be short of evidence, but he is not short on chutzpah.

Such chutzpah is on ample display when Brennan confronts various democratic reform proposals. Were Brennan seriously thinking about political institutions instrumentally, he would have much more reason to consider reforming democracy as it exists (which has a proven record of competence) instead of replacing it with epistocracy (which does not). But Brennan can scarcely be bothered to take such reform proposals seriously. Consider, for example, his treatment of deliberative minipublics—randomly-selected bodies of ordinary citizens tasked with resolving important political problems. Minipublics are designed, among other things, to enhance the epistemic performance of democracies—exactly the value Brennan claims to cherish. And at this point, there exists quite a record of successful experimentation with deliberative minipublics—witness, for example, their critical role in Ireland in legalizing marriage equality and repealing the constitutional ban on abortion (Farrell and Stone Forthcoming). But Brennan rejects deliberative minipublics because such institutions are “ripe for abuse” (66)—unlike franchise restrictions, say, which have never been abused. Just ask George Wallace, or P.W. Botha.

Brennan also claims that “the extant work on deliberative democracy is not promising” (67). With regard to deliberative minipublics, this claim is flat-out false, and merely serves to demonstrate Brennan’s staggering ignorance of the literature on the subject (Chambers 2018). And again, the extant work on epistocracy is either even less

promising (if past experience with franchise restrictions is counted) or non-existent (if it is not). This does not stop Brennan from cavalierly advocating experimentation with disenfranchisement (230). Brennan weakly tries to justify experimenting with a completely untested system by claiming that the founders of modern democracy were doing the same thing. “Three hundred years ago, early advocates of democracy were forced to speculate that democracy would turn out to be superior to monarchy” (206; see also 228–30). But this is a gross misreading of the historical record. The leaders of the American and French Revolutions did not see themselves as designing a totally new system *a priori*. They knew a great deal about the classical Athenian democracy, the Roman Republic, the Renaissance-era Italian city-state republics, and England’s experience with parliamentary elections. Brennan has none of this; he either (charitably) has nothing or (less charitably) has an evidentiary record saying the exact opposite of what he wants to hear.

In the end, all of Brennan’s posturing about instrumentalism is just a front. He does not support epistocracy because it would lead to more competent government; he supports it because he hates ordinary voters. Unfortunately, this is not hyperbole. According to Brennan, “I have grounds for hating most of my fellow citizens whenever they engage in politics” (236). Their irresponsible behaviour supposedly justifies such hatred towards ordinary citizens, even if they mean well (242–43). It is this hatred that has justified a crusade on Brennan’s part against ordinary citizens who dare to vote. In two previous books—*The Ethics of Voting* (2011) and *Compulsory Voting: For and Against* (2014)—and numerous other publications, Brennan has done everything he can to convince people that most voting is unethical, immoral, and probably fattening. In *Against Democracy*, Brennan proposes making it illegal as well.

Brennan’s hatred of ordinary voters, despite what he may say, is completely disproportionate to any evidence that these voters are harming him or anyone else. Brennan repeatedly compares voting to pollution. “Just as we regulate emissions in order to control air pollution,” he asks, “should we not regulate voting in order to control voting pollution” (53; see also 143–44). But in the case of air pollution, we can see both the micro-level (emissions coming out of tailpipes) and the macro-level (smog in Washington, D.C.) effects. In democracies, we can see the micro-level effects—there are ignorant voters out there—but the smog is nowhere to be seen. And yet Brennan hates these voters anyway.

There are many other signs that Brennan’s true motivations for disenfranchisement have little to do with instrumental considerations. As noted before, he

defines his preferred system—epistocracy—in terms of the limitations it imposes upon the franchise. Other systems—for example, a system with an “epistemic council” possessing a veto on the decisions of elected officials—do not properly count as epistocracies. Their competence level does not matter here for Brennan, only their failure to deny ignorant people the vote. Brennan also acknowledges that in democracies well-informed citizens often *de facto* have more policy influence than poorly-informed ones. There are many causes for this, including the growing influence of wealthier (and better-informed) citizens, something Brennan sees as “reason to celebrate” (198). But for Brennan *de facto* epistocracy is not enough:

A political system is epistocratic to the extent it distributes political power in proportion to knowledge or competence, as a matter of law or policy. This distribution has to be *de jure*, not merely *de facto*. Suppose a democracy with universal suffrage always elected the most competent people to run the government. While the most competent people would end up holding office, this system would still be a democracy, because by law it distributes fundamental political power equally. In contrast, in an epistocracy, the law does not equally distribute basic political power. (208)

Why should Brennan be satisfied with nothing less than the *de jure*, and not just the *de facto*, disempowerment of ordinary citizens? The only answer that makes sense here, I’m afraid, is because he doesn’t think they deserve the vote. At the end of the day, an epistocracy is right because it puts power in the hands of people who have a right to it, and Brennan is offended by the idea it should reside anywhere else. How *dare* those scummy little hobbits claim the right to vote? Much better if only they knew their place!

Epistocracy, as Brennan sometimes acknowledges, is not a new idea. But the true motivations behind it are also not new. When Plato wrote the *Republic*—perhaps the first major treatise on epistocracy—he articulated the resentment of a wealthy educated elite that despised the ordinary citizens of Athens. Imagine these farmers and laborers claiming to be *our* equals, they grumbled. Times may have changed, but the grumbling of the wealthy few about the claims of the humble many have not. And the basic case for epistocracy—let the better sort of people rule, and everyone will be better off! trust us!—has not changed either. Nor has the evidentiary justification for this case improved over the past two thousand years. And yet sadly, every once in a while a new epistocrat emerges,

and many people feel the need to take the case for epistocracy seriously yet again. This is both a pity and a mistake. In the end, Brennan is just an elephant. Do democracy a favour, and try not to think about him.

NOTES

1. Epistemic democrats believe that democracy is at least partially justified on epistemic grounds (Goodin and Spiekermann 2018). An epistemic democrat is therefore not the same as an epistocrat; indeed, the two categories are mutually exclusive. Some critics of epistocracy unfortunately run the two categories together.
2. The last word of the chapter title is a mystery to me. Does Brennan believe there are no ignorant, irrational, misinformed cosmopolitans?
3. Brennan relies heavily on Caplan (2006) here. Caplan's account of the forces making voters "rationally irrational" has been subject to serious critique (see, e.g., Elster and Landemore 2008).
4. Brennan acknowledges that contemporary social science investigation into voter knowledge and ignorance began in earnest in the 1940s and 1950s (ix, 25). Thus, the exceptional performance of these democratic systems took place side by side with the research documenting voter ignorance within those very systems.
5. Some commentators have touted China as a working alternative example of high-performance government (Bell 2015). But China has struggled to contain corruption and maintain effective rule of law, two factors that seem strongly correlated with sustained high performance. It therefore seems premature to tout China as a working alternative; anyone doubting this may wish to revisit the 1980s, when scores of commentators were predicting that *Japan* would soon supplant the United States as the world's economic superpower.
6. Brennan at one point imagines a fictional kingdom called Bungleland, which respects liberal rights and the rule of law but subject to the whims of a highly incompetent king (145). The important point to note about this example is that it is purely hypothetical; real-world political systems don't seem to work like this.
7. This conclusion still holds if premodern political systems are taken into account. The first great democracy—Athens in the fifth and fourth centuries BCE—was also one of the highest-performing political systems in the Mediterranean world (Ober 2010).

8. Brennan does hypothesize that “if voters tend to be ignorant, irrational, or morally unreasonable, this not only tends to result in bad choices at the polls but also to make it so that the candidates on the ballot are of bad quality” (158–59; see also 196, 238). But while he claims to have defended the point in chapter 2 of the book, repeated readings turned up no such defence either in this chapter or anywhere else in the book.
9. He also claims that “democratic theory needs someone to play devil’s advocate,” but he immediately adds that “Although I’m happy to play that role, in true devilish fashion I now doubt whether I’m defending the devil, and philosophers and political theorists are defending the angels” (xv).

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