

# More professionalism, less populism: How voting makes us stupid, and what to do about it

Jonathan Rauch and Benjamin Wittes

## INTRODUCTION: THE CULT OF DEMOCRATIZATION

“Americans—especially, but not exclusively Trump voters—believe crazy, wrong things,” runs a post-election Washington Post headline. The article, by columnist Catherine Rampell, worried about polls showing that more than a third of the public (and about half of Republicans) believe that Barack Obama was born in Kenya and that Hillary Clinton was involved with a satanic pedophilia ring (“Pizzagate”)—among many other things. “To me, they’re terrifying,” Rampell wrote of the public’s misconceptions. “They result in misused resources, violence and harassment, health risks, bad policy, and, ultimately, the deterioration of democracy.”<sup>1</sup>



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Political scientists might be excused for emitting an exasperated yawn. The literature on voter ignorance is one of the oldest, best established, and most dismaying in all of political science. Every so often, journalists and commentators dip into it and emerged “terrified.” In recent years, however, a wave of research has shown ignorance and irrationality to be even bigger problems than previously believed, and has cast new doubt on standard remedies. Neither theory nor practice supports the idea that more participation will produce better policy outcomes, or will improve the public’s approbation of government, or is even attainable in an environment dominated by extreme partisans and narrow interest groups.



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Such scholarship has not shaken the faith of many commentators and reformers that increasing popular involvement in politics and government is the remedy for the ills of our political culture—the chicken soup of political reforms. Unfortunately, the country and the political-reform community have come to expect far too much from increased political participation. Participation is effective only when supplemented by intermediation, the work done by institutions (such as political parties) and substantive professionals (such as career politicians and experts) to organize, interpret, and buffer popular sentiment. In this essay, we argue that restoring and strengthening political institutions and intermediation belong at the center of a modern political-reform agenda. More specifically, we advance the following contentions:

- Always empirically questionable at best, the populist-progressive idea that more participation will reliably improve either the products or the popularity of governance has taken a pounding in recent years, to the point where it is basically untenable. The populist model assumes that voters are better informed, more rational, and more engaged than is the case—or ever will be.
- Even implausibly well-informed and rational voters could not approach the level of knowledge and sophistication needed to make the kinds of decisions that routinely confront the government today. Professional and specialist decisionmaking is essential, and those who demonize it as elitist or anti-democratic can offer no plausible alternative to it.
- Professional intermediaries make democracy *more* inclusive and *more* representative than direct participation can do by itself. In complex policy spaces, properly designed intermediary institutions can act more decisively and responsively on behalf of the public than an army of “the people” could do on its own behalf. Intermediated systems are also less likely to be paralyzed by factional disputes and distorted by special-interest manipulation than are systems designed to maximize voter participation and direct input.
- Nonetheless, the predominant ethos of the political-reform community remains committed to enhancing individual political participation. This is a costly oversight. Some populist reform ideas are better than others, but, as a class, they have eclipsed a more promising reform target: strengthening intermediating actors such as political professionals and party organizations.

James Madison and the other Founders were right to reject both direct democracy and elite rule. Instead, they insisted on a hybrid of both, believing that the two together would achieve better representation and better governance than either could achieve on its own. We believe that the country can benefit from relearning what they knew.

## **MORE PARTICIPATION CAN'T SOLVE OUR PROBLEMS (OR, IT'S SMART TO BE DUMB)**

The American Founders—at least, the prevailing ones—were not populists. They actually defeated the populists of their day, who broadly opposed the Constitution. Drawing upon ample historical experience, they worried that democracies were vulnerable to demagoguery and prone to instability. Although they insisted that republican government required direct public input, they also constrained and balanced that input. For example, the Electoral College, which today is a mere formal and mechanical structure in which the votes of the electors are predetermined by the popular votes of their states, was intended as a firewall against the popular selection of a dangerous or unqualified president. “A small number of persons,” writes Alexander Hamilton in *Federalist* No. 68, “selected by their fellow-citizens from the general mass, will be most likely to possess the information and discernment” needed to carefully vet a president. Expert electors would be advised by the people, but would use their discretion to ensure “that the office of President will never fall to the lot of any man who is not in an eminent degree endowed with the requisite qualifications.”

Writing only a couple of generations after the founding, Alexis de Tocqueville, still the greatest observer of American political culture, was similarly wary of populism. He famously concluded that tyranny of the majority represents the most fundamental threat to the American model. Popular opinion in the United States, he found, sweeps all before

it, not only politically but also morally. Regulating and moderating populist influence, he foresaw, would be our democracy's hardest challenge.

Despite many such warnings, successive waves of political reforms have increased the role of popular participation. The Senate became directly elected; the Electoral College became a rubber stamp; primary elections replaced party elders in the selection of party nominees; states embraced initiatives and referenda; campaign-finance rules sought to democratize and equalize political influence; the political parties' establishments went into a long, continuing decline. Assessing all those changes and reforms would require a book (actually, many books) and is not within our purview here. The point we wish to emphasize is that, for several generations, reform and rhetoric have been entirely one-directional: always more direct democracy, never less.

Just as important, if not more so, is that the moral valence of participation has, as Tocqueville predicted, swept all before it. Reputable people no longer express the distrust of direct democracy that the Founders consistently emphasized. Instead, what the political scientists Christopher H. Achen and Larry M. Bartels call the "folk theory of democracy" commands broad and usually unquestioning support.<sup>2</sup> The folk theory "celebrates the wisdom of popular judgment by informed and engaged citizens"; it assumes that, almost by definition, more public involvement will produce more representative and thus more effective and legitimate governance. In the folk view, the job of elected officials is to identify and embody the public's wishes, rather than to interpose their own judgment. The folk theory has animated successive waves of populist and progressive reform movements for more than a century, and the narrative it promotes—of a noble and wise public whose will gets frustrated by corrupt insiders—has triumphed to the point where "American political history has come to be celebrated as a long battle between ordinary people and a series of grasping oligarchies thwarting the popular will."<sup>3</sup>

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Because the folk theory is fundamentally inaccurate, it has a deep tendency to disappoint in practice. The trouble is that when it does so, write Achen and Bartels, the prevalent response is to apply even more pressure to "wrench American political practice into closer accord" with it. Reformers double down on "efforts ... to constrain or even bypass those whom the reformers blamed for their disappointment—professional politicians."<sup>4</sup>

The 2016 presidential campaign exemplified the cycle. Populist candidates of both right (Donald Trump, Ted Cruz, Ben Carson, and others) and left (Bernie Sanders) railed against a system "rigged" against the people, and the public punished anyone associated with professional politics. Trump emerged victorious in the electoral vote despite having lost the popular vote by a margin of almost 3 million votes, as well as being substantively and temperamentally less fit for the White House than any nominee in American history. Nevertheless, the Electoral College never seriously considered performing its original failsafe function, and it would have fomented a constitutional crisis had it tried. Effectively, all of the anti-populist buffers erected by the Founders against persons "not in an eminent degree endowed with the requisite qualifications" and against persons with "talents for low intrigue and the little arts of popularity" had been disabled or demolished.<sup>5</sup>

All of that would be fine if the real world comported with the folk-democracy story. Unfortunately, it does not. To begin with, the movement to push aside intermediaries, such as the smoke-filled rooms where party elders once brokered nominations and the closed committee meetings where members of Congress dickered, has not produced greater public confidence in the government's effectiveness or representativeness. To the contrary, public trust in the federal government began sinking in the 1960s, crashed in the 1970s, and in the present century has bumped along at rock-bottom lows.<sup>6</sup> In recent years, confidence in Congress, the most directly accountable branch, has fallen especially low. The democratizing reforms of the past couple of generations have indisputably failed to prevent or reverse the public's souring on politics and government, and they may have contributed to it.

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Meanwhile, changes reducing the scope of political intermediation have made both campaigning and governing increasingly chaotic. Candidate selection through direct primaries has turned out to advantage parochial, narrow, and extreme interests and politicians, at the expense of relatively centrist or compromise-minded candidates and citizens. Frequently, the parties are bit players in their own choice of nominees. Restrictions

on political money flowing to candidates and parties have increased the flow of money to unaccountable outside actors. Intrusive transparency requirements have reduced the scope for candid political negotiations, as has the insistence on transparency in congressional deliberations, a practice typified by C-SPAN.<sup>7</sup>

Even as experience has cast more doubts on the direct-participation model, scholarly research has amplified those doubts. For example, research on candidate selection has found that party bosses and smoke-filled rooms did at least as well, and probably better, at recruiting and selecting well-qualified candidates, and of ensuring competitive races, as has direct selection in primaries.<sup>8</sup> Research on political negotiation finds that transparency rules, while having their value, impose significant trade-offs in the form of reduced space for candor and compromise.<sup>9</sup> Research on campaign-finance reforms finds that they have tended to increase polarization by empowering disruptive and extreme outsiders at the expense of more compromise-minded party regulars.<sup>10</sup> Other scholarship suggests that the curtailment of backroom horse-trading and pork-barrel spending stripped legislators of important tools to make deals and build coalitions.<sup>11</sup> Though individual reforms have both pluses and minuses, the overwhelming trend has been toward disintermediation—reducing the role of parties, professionals, and experts. Evidence is piling up that the cumulative cost has been high.

Perhaps even more damaging to the disintermediating model have been developments in the literature on voter competence—or incompetence. Recent work includes such books as Jason Brennan's *Against Democracy* (2016), Bryan Caplan's *The Myth of the Rational Voter: Why Democracies Choose Bad Policies* (2007), and Ilya Somin's *Democracy and Political Ignorance: Why Smaller Government Is Smarter* (2013 and 2016), in addition to Achen and Bartels's important *Democracy for Realists: Why Elections Do Not Produce Responsive Government* (2016). Any of those books will provide a good overview of the literature. Taken together, they and other research in the same vein suggest several unsettling conclusions.

**Voters are very ignorant, and always have been.** In October of 2015, a survey by Fairleigh Dickenson University found that only a third of respondents could name the three branches of government. Only one of eight could name

the three branches, knew that the Republicans controlled the House, and knew that John Roberts was chief justice; a quarter knew none of the above.<sup>12</sup> Majorities don't know who has the power to declare war, the functions of the branches, or who controls monetary policy. The public wildly overestimates the crime rate and believes the government spends more on foreign aid than on Social Security or Medicare. In 2007, more than half said the Constitution establishes a Christian nation.<sup>13</sup> Such examples can be multiplied *ad infinitum*, and they aren't new. In 1964, only 38 percent knew that the Soviet Union was not a member of NATO, and in 1986, a majority could not identify Mikhail Gorbachev as the Soviet leader.<sup>14</sup>

**Voters are ignorant because they're rational, not because they're stupid.** Given the infinitesimal chance that their vote will decide the election, and given the considerable time and effort required to get up to speed, voters limit their investment in becoming knowledgeable. Analysts call this phenomenon "rational ignorance," and because it is rational, it is intractable. "A relatively stable level of ignorance has persisted even in the face of massive increases in educational attainment and an unprecedented expansion in the quantity and quality of information available to the general public at little cost," notes Ilya Somin.<sup>15</sup>

**Voters are irrationally biased as well as rationally ignorant.** If mistakes and misinformation were random, they might cancel each other out, allowing better information and rational judgment to prevail. Unfortunately, biases are systematic, not because voters are stupid but because, being human, they are subject to various kinds of cognitive distortions wired in by evolution. We *Homo sapiens* engage in motivated reasoning (rationalizing our pre-existing beliefs, often in the face of any countervailing evidence); we overestimate the likelihood of rare but prominently reported events (so-called availability bias); we seek out and overweigh information that confirms what we already believe (confirmation bias); and we're easily swayed by party and tribal ties, which matter much more than policy briefs and fact-checkers. We are myopic, basing our votes disproportionately on what happens just before an election. We reward and punish politicians for developments they cannot control (e.g., shark attacks and droughts, as Achen and Bartels show). We misattribute actions and outcomes that politicians *can* control.<sup>16</sup> Moreover, voter irrationality, like voter ignorance, is intractable because, paradoxically, it is in one important respect quite rational. Individual votes matter infinitesimally and becoming informed is expensive, and so it makes sense to treat voting as a way to express one's emotional state, declare one's group identity, or indulge one's prejudices. In that respect, voting is less like making a careful policy choice than it is like, as Jason Brennan puts it, "doing the wave at a sports game."<sup>17</sup>

**Providing more education or information isn't a solution (though it's worth doing anyway).** Some people, of course, do invest in civic and political self-education, but they tend to do so in the manner of hobbyists or sports fans, using information and reasoning skills as ammunition to support whatever view or group they're predisposed to support. "The more informed citizens are, the more they become reliable partisans," writes Lee Drutman of the New America Foundation.<sup>18</sup> Indeed, presenting people with true facts often has the perverse effect of making them adhere even more strongly to their own false facts. Because humans are ultra-social animals, wired for group solidarity rather than computational skill, we think, so to speak, with our groups.<sup>19</sup> This is not to say that providing better information and education is a bad idea—only that it will not solve the problem. As Lee Drutman writes, "It's finally time to make peace with a simple fact of political life: Informed, individualistic rationality is a chimera."<sup>20</sup>

**Even if voters were deeply informed and meticulously rational, elections still would not reliably tell us what the public thinks or wants.** The literature on voter irrationality and ignorance builds on a related literature called "public choice" (or "social choice"). Dating back to the early 1950s, public choice scholarship has established with mathematical precision that voting methods are manipulable. It also shows that, in most real-world situations, there

is no one “right” outcome that is independent of the method of voting used, and so even in principle, you often can’t know what “the public” thinks. Moreover, public choice also establishes that organized minorities can and do “outvote” disorganized majorities, and that latent majorities often fail to assemble in the first place. The upshot of public-choice findings is that voting is often less representative of public sentiment than are other, seemingly less democratic ways of making public decisions—for instance, through legislative give-and-take, which can balance many preferences, weigh preferences’ relative intensity and merit, and control the timing and sequencing of key decisions. “This does not mean that direct democracy should play no role in policymaking,” Maxwell Stearns writes. “But it does mean that it is important to consider the anti-democratic features of direct democracy rather than assuming that the mere fact of electoral voting renders the process democratic.”<sup>21</sup>

Even if one takes all this evidence together, one need not go as far as Achen and Bartels, who conclude that the folk theory of democracy is “in tatters”; that, “for thinking about democracy, rational-choice liberalism is a scientific error”; and that “election outcomes turn out to be largely random events from the viewpoint of contemporary democratic theory.”<sup>22</sup> At a minimum, however, the evidence compels conclusions that are uncomfortable for those who see more participation as an answer to the country’s political problems. Most voters are rationally underinformed, irrationally biased, and have no compelling reason to be otherwise; elections provide little by way of substantive guidance for policymakers; and, even on its own terms, direct democracy is often self-defeating and unrepresentative. Thus, there is no particularly good reason to believe that more participation will improve government performance, better represent the public interest, or make the public happier.

Assuming this is correct, it is tempting to conclude—as the Founders did—that the entire modern enthusiasm for expanding the franchise is a bad idea. Why not reinvigorate the electors in the Electoral College, restore the selection of senators to state legislative bodies, and limit voting to those the system can trust to make responsible decisions? A modern system, of course, would not limit the franchise according to invidious factors like race, gender, and wealth, and to avoid discrimination, it might not limit it at all. But well short of suppressing votes, perhaps we could at least do away with all this fretting about low voter participation. Perhaps we might at least curtail all these energetic efforts to encourage participation among those who rationally choose to limit their participation—or who opt out

altogether. After all, don’t such efforts merely encourage the lowest-information voters to increase their share of the electorate? If voters are, as we suggest, not merely ignorant but rationally ignorant, and if they are uneducable, perhaps the answer is to consider it a blessing if they stay home and watch TV.

Our point, however, is not that democratic participation is worthless. For one thing, the belief that limiting the quantity of voter participation would improve the quality of participation assumes some magic formula for deciding which voters are unworthy. There is no such formula, of course. In fact, there is no reason to believe that cognitive bias and motivated reasoning correlate with any

discernible demographic category. If anything, wealthier and better-educated voters are often more, rather than less, subject to partisanship, systematic bias, rationalization, and overconfidence in inaccurate beliefs.

We are not arguing here for complacency about voter participation, much less for restricting or limiting voting. We are arguing that participation is not enough, and that overinvesting in it neglects other, more promising paths.



Moreover, quite apart from the profound equity gains associated with the expanded franchise, broad voter participation provides a vital good to the political system that is not replaceable by other means: It provides the consent of the governed and the renewal of that consent on a regular basis. The broader the cross-section of people voting, the more meaningful the electorate's grant of consent becomes. Voters are not policymakers, but they are the force that gives authority to policymakers. Persistently low rates of voter turnout erode that authority.

In other words, we are not arguing here for complacency about voter participation, much less for restricting or limiting voting. We are arguing that participation is not enough, and that overinvesting in it neglects other, more promising paths. And specifically, we want to suggest that measures seeking to involve voters substantively in decisionmaking above and beyond choosing representatives will generally backfire, often against the values that those measures are designed to protect. In other words, the act of voting need not include voting *on policy matters*. It need not include the selection of candidates on whom to vote. And it need not include elaborate mechanisms for voters to stay involved once they have left the voting booth. Most importantly, it should not involve direct and immediate mechanisms of accountability by elected officials for individual decisions that they make. The act of voting is a delegation of authority, not a game of “Mother, May I?” in which the elected official should have to pause at every move to make sure the voter has okayed it.

## POLS AND EXPERTS ARE UNDERRATED

Even if voters were much better informed and more rational than the available evidence allows, their knowledge and sophistication would come nowhere near the level needed to make most of the public-policy judgments that confront the government on a daily basis. Those judgments entail knowledge of complexities, trade-offs, and specialized technical details that no one should expect, or even want, voters to possess. Like it or not, most of what government does simply must be decided by specialists and professionals.

Of course, specialists and professionals are subject to the same cognitive biases and shortcomings as all other members of the species. Being human, they certainly are not immune to ignorance, bias, partisanship, motivated reasoning, and the rest. Importantly, however, they provide a very different set of filters, because their institutional positions, personal incentives, and knowledge bases are different from those of the general public. The leaders of political parties or congressional committees need to

worry about the long-term health of their institutions, and so they often take a longer view. Party officials need to balance multitudes of interests in order to build effective and durable coalitions. Technical experts are well-informed on particular subjects and deeply invested in educating themselves and others about them. Career politicians are repeat players who have reputations to maintain and need to live with the consequences of their choices. Lawyers, who make much of the government run, constrain and regulate public decisionmaking.

The point is not that specialist or professional judgment is necessarily better than voter judgment, nor that specialists and professionals are better able to reach consensus (frequently, their views are all over the map), nor that they are free of corruption or self-interest. For the Founders to have been right in choosing a hybrid system, all that matters is that specialist and professional judgment be *different* than the judgment of the public—in much the same way

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that the judgment of the Senate is institutionally different from that of the House, and the judgment of the executive branch is institutionally different from that of the Congress. That is, it matters whether specialist and professional judgment would add useful information to the picture and, *in combination with public judgment*, tend to produce better decisions.

That said, modern anti-institutional populism, with its instinctive suspicion of anything or anyone deemed “elite,” often underestimates and unfairly denigrates how much intermediation has to offer—and how successful it has been.

Here it is worth distinguishing between two types of intermediaries, types that play very different roles in our democratic culture. The first is the *political* intermediary: people such as elected officials and political party professionals. These people’s job is to make political judgments on behalf of the electorate or to help candidates and politicians frame their—and the public’s—choices. A second type is the *substantive* intermediary: the technical expert or specialist whose job is actually to know things about the policy space in which the government acts. The lines between these two types are not bright ones; some people play both roles at once. But broadly speaking, the political intermediary stands in for the voter in deciding fundamental policy choices: Should Congress adopt the Affordable Care Act? Should it repeal and replace it? The substantive intermediary, by contrast, frames responsible policy choices and implements them in a fashion consistent with law and technical realities. Neither of these functions is one which voters can perform competently on their own.

To see vividly the successful interaction of voters, political intermediaries, and substantive intermediaries, let’s take a close look at the area in which our system functions at its least populist: intelligence oversight.

The intelligence oversight system has been largely immune to populist reform, but not because the area has lacked for reformist instincts. (It has actually seen a lot of reform over the years.) Rather, the very nature of intelligence makes it resistant to populism. The public has no access to the CIA and the NSA and their day-to-day work. In sharp contrast to the public’s regular interaction with law enforcement officers, members of the public don’t generally interact with intelligence professionals doing their jobs. And the oversight system for all of it is uniquely opaque. Intelligence oversight is technically dense across a number of different dimensions; some of the law at issue is arcane and unusually intricate, and much of the subject matter involves highly technical electronic surveillance taking place on complex computer networks. It also involves material that is nearly always classified at the highest levels. So while the activities of the intelligence community stoke all manner of public passions, the subject is simply not amenable to populist reform. There is just no way to involve the public in decisions that, by their very nature, have to be kept from the public.

The result is that reforms in intelligence oversight have empowered intermediary actors—politicians and experts—to stand in for the public. And these mechanisms have proven remarkably durable and effective.

The intelligence oversight system operates in all three branches of government. Within the executive branch, a series of compliance regimes, inspectors general, and Justice Department officials oversee operations, particularly those involving technical collection at the National Security Agency. Collectively, those actors investigate suggestions of misconduct, rigorously count more mundane compliance failures, and review activity for legal compliance—and they report errors both internally and to the other branches of government. They also build legal compliance into the very design of technical systems; to see certain data, for example, analysts often have to enter into computer systems the facts and analysis that would justify their access to the information they seek.



In the judiciary, the Foreign Intelligence Surveillance Act (FISA) Court both reviews applications for national security surveillance of U.S. persons and, more broadly, reviews the legality of surveillance programs taking place domestically but targeting overseas actors. The FISA structure does not merely put a federal judge between the intelligence community and electronic surveillance targets. It also creates bureaucracies within intelligence agencies that are designed to speak to that federal judge—bureaucracies deeply invested in keeping their agencies within the law and maintaining credibility before the judiciary. Representing the agencies before the court are Justice Department lawyers, who likewise act to keep the agencies in line. The system of judicial intermediaries thus dramatically reinforces and empowers executive-branch intermediaries, who have ongoing reporting obligations to the judicial branch.

The executive and judicial branch intermediaries are, generally speaking, substantive experts. But the intelligence oversight system uses political intermediaries too, particularly in Congress. The congressional intelligence committees review intelligence programs, get briefed on covert actions, and investigate major matters within the intelligence agencies—everything from torture to Russian hacking of the 2016 election. Unlike other congressional committees, they are staffed with intelligence community professionals cleared at the highest levels, and they have access to the most sensitive programs the government runs. The public never sees the vast majority of the work these committees do, but anyone in the intelligence community will tell you that fear of upsetting congressional overseers is a major restraint on intelligence community behavior. Note that the members of these committees are not specialists; they are just regular members of Congress. Their job is to stand in for the members of the public who cannot know what the intelligence community is up to, and to make major political decisions in the public's stead and on behalf of the rest of the legislature.

Most people who have engaged the congressional intelligence committees agree—notwithstanding the House committee's recent flap over the behavior of its chairman, Devin Nunes—that they function on average dramatically better than other committees do. The reasons are all related to their intermediary, non-populist nature. The professional nature of the staff reduces partisanship, for example. And the secrecy with which they operate discourages political grandstanding on the part of the members. A hearing of a normal congressional committee, which takes place in public, is a show whose audience is the public. Witnesses are chosen for C-SPAN. Questions are asked because they offer opportunities for theatrics and gotchas. By contrast, most intelligence-committee hearings have no audience beyond the staff and members. They are actually designed to convey information from the executive branch to Congress. They are arguably the only part of Congress for which hearings still consistently serve that role.

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While the intelligence oversight process is decidedly intermediary-based and non-populist, it has not proven itself remote from “the people” or incapable of responding to public concerns. To the contrary, it has proven over the years to be highly responsive to public sensibilities. In other words, if the populist anxiety is that relying on intermediaries

makes government distant and unrepresentative, the experience of the intelligence oversight process suggests otherwise.

The most recent example of this responsiveness is the system's response to the Edward Snowden revelations about NSA activity in 2013. The congressional oversight process was critical in helping the community weather the storm, as when the bipartisan intelligence committee leadership spoke up publicly in defense of the legality and propriety of NSA's programs. But the system also adapted relatively swiftly in response to the revelations and generated serious change. Congress passed the USA Freedom Act, substantially altering one of the key programs that Snowden revealed and generating new transparency with respect to certain categories of NSA and FISA Court activity. It is currently considering reauthorization of a much larger program, and further reforms are certainly on the table as it does so.

These adaptations are only the latest in a long string of legislative updates to FISA and other authorities—major changes to which took place at least in 1994, 2001, 2007, 2008, and 2012. This flurry of loving attention to the statutory scheme over time—legislative attention to make sure the statutory architecture of intelligence remains up-to-date as technology and public attitudes change—stands in sharp contrast to the more general environment of legislative dysfunction. In what should be a sharp challenge to reformers who believe that increasing public participation makes the policy process more responsive to public concerns, the portion of Congress that is least populist is exceptionally capable of actually responding to public concerns.

The long-term success of this oversight system is actually hard to overstate. America is a country, after all, whose popular culture produces movies like “Minority Report” and “Enemy of the State,” and whose civil libertarian culture is predicated on a deep suspicion of intelligence operations and government power generally. It is also a country with a history of genuine intelligence community abuses. Yet, even within the context of this culture, the oversight system allows the intelligence community the political and legal latitude to wield extraordinary powers.

And, amazingly, it does so with relatively high confidence from the population in general. The Pew Research Center has for more than a decade been polling Americans on whether they believe the government has “gone too far restricting civil liberties” or whether they believe the government has “not gone far enough to protect the country.” With the exception of a brief blip around the time of the Snowden revelations, many more Americans believe the latter than the former.<sup>23</sup> Although good data on public attitudes toward the intelligence community over time do not exist, this poll question—asked since 2004—suggests that majorities do not believe the intelligence community is out of control. At a time of rock-bottom confidence in public institutions, it is notable that the intelligence oversight system, a system with hardly a trace of populism in its design, actually works effectively at its core purpose: assuring the public that the intelligence community is doing its job within the law.

The system shows that when intermediation is designed and empowered carefully, it can accomplish in a durable and robust fashion many of the objectives that populist reformers purport to seek.

## **POPULIST REFORMS ARE OFTEN SELF-DEFEATING**

So where do we go from here? In light of the evidence, are there ways to make government more functional, politics more representative, and (one hopes) the populace better satisfied?

The conventional answer among reformers has been to double down on disintermediation. In the precincts of non-profit advocacy groups and elite opinion, as well as in mainstream politics, the disintermediation industry is alive and well. Many millions of dollars in grant money and countless advocacy hours support an ecosystem of reformers and proposals dedicated to the proposition that more direct democracy, more public participation, and more public information and transparency will ameliorate the country's political ills. Speaking broadly, these reforms fall into three buckets.

**Increase participation.** To elicit more voter participation, make voting mandatory (as in Australia); allow voting by mail, rather than requiring people to travel to the polls; move elections to weekends, when people will have more leisure to vote. To increase direct citizen input on policy, establish public advisory councils. To help people get informed and involved, promote “deliberative democracy.” To keep politicians in tune with the public, use internet tools and apps to provide real-time feedback on issues before Congress. And so forth.

**Equalize participation.** To make candidates less beholden to moneyed interests and amplify the voices of ordinary citizens, subsidize small donations by individuals. To reduce the role of special interests, restrict or ban “dark money” and independent political expenditures by super PACs and other private groups. To reduce partisan gerrymandering, establish independent commissions to draw congressional district boundaries. To strengthen the voices of outsiders and alternative political parties, adopt proportional representation. To help viable moderates survive in polarized electoral environments and one-party states and districts, use instant runoffs, ranked-choice voting, or nonpartisan primaries.

**Increase information.** To help voters identify and rectify special-interest influence, require disclosure of sources of unreported or disguised political spending. Because “sunlight is the best disinfectant,” further expose governmental and political activities and deliberations to public view. To make candidate platforms and promises readily visible and comparable, set up national issue websites. To help ensure people understand the system, improve civics education.

Volumes could be (and have been) written about all of those ideas. We support some of them (civics education and making voting easier, for example); are willing to experiment with others (ranked-choice voting, for example); and are skeptical of yet others (small-donor matches, nonpartisan primaries, deliberative democracy, and bans on private political spending, for example). Here, however, we wish to make the broader point that participation-based proposals, *as a class*, are at best incomplete and at worst counterproductive, because they are based on flawed premises.

First, the participatory model assumes that people want more politics in their lives, when in fact most people want less. Worse, it imposes unrealistic and often unfair burdens on people's time and cognitive bandwidth—imagining, for example, that they will spend hours poring over budget documents or attending community deliberations. Putting more information in front of already overloaded and cynical voters, in hopes that they will spend more time doing their homework, wishes away the whole problem: From the voter's point of view, uninformed voting is not only emotionally rewarding, it is rational. “The fatal flaw in neopopulist logic is assuming too much of individual citizens,” writes the political scientist Bruce Cain. “The dream of direct control—democracy unfiltered—is illusory. Faced with the core problem of not knowing enough or having sufficient time and interest to be experts in public affairs, voters in hybrid states depend upon a new professional class to set the agenda.”<sup>24</sup>

Second, and relatedly, tools like citizen councils and transparency inherently favor special interests that have strong motivations to exploit them, as well as political and social elites who have the skills and resources to embrace them. Cain writes:

As a result, democratic opportunities created in the name of the majority all too often serve the interests of the better organized, wealthier and more concentrated interests. Efforts to increase transparency, reform campaign finance, or regulate lobbying at the national level have done little to weaken the interest-group hold on politics at the federal level. And watching California's struggles [with ballot initiatives, which have become a playground for special interests], Americans sense that plebiscitary government can go horribly awry.<sup>25</sup>

Third, all of these participation-maximizing reforms, or at least almost all of them, assume that the locus of political reform should be to strengthen connections between *individual* voters and *individual* politicians—or worse, to

Decades of reforms that emphasize individualism at the expense of institutions have had the paradoxical effect of heightening partisanship while weakening parties, a recipe for polarization and chaos.

strengthen connections between those voters and specific classes of political decision. They therefore have the effect, intended or not, of weakening intermediating influences and institutions. Small-donor matches make candidates more independent of political parties and party grandees for funding; this facilitates candidate self-recruitment and effectively subsidizes extremist candidacies and renegade behavior in office. Open-door negotiations empower grandstanding politicians eager to veto agreements, often at the

expense of leaders trying to broker them. Proportional representation and nonpartisan primaries empower third (and fourth, fifth, and sixth) parties and further reduce parties' ability to select their nominees and defend their brands. Decades of reforms that emphasize individualism at the expense of institutions have had the paradoxical effect of heightening partisanship while weakening parties, a recipe for polarization and chaos.<sup>26</sup>

As we acknowledged above, in a democracy, public participation is to some important extent a public good in and of itself. We oppose voter suppression, literacy tests, and so-called epistocracy.<sup>27</sup> Voting should be easy. But again, it is important not to confuse increased voter participation in, well, voting, with increased voter participation in the rest of government. The problem with the populist model is fundamental and inherent: By itself, building more direct input from the public into the functions of government is likely to lead to more fragmentation, more stalemate, more flawed policies—and, counterintuitively, less effective representation.

Madison's insight in *Federalist* No. 10 is still as profound and relevant as ever: "It may well happen, that the public voice, pronounced by the representatives of the People, will be more consonant to the public good, than if pronounced by the People themselves, convened for the purpose." Unmediated democracy, in other words, is often less representative and less democratic. That is the paradox of populism.

True, Madison goes on to warn that "the effect may be inverted," and representatives may "betray the interests of the people." In a hybrid system, the question is one of balance—and, today, of rebalancing a system that has swung too far toward knee-jerk populism. To paraphrase Ronald Reagan: In this present crisis, disintermediation is not the solution to our problems; disintermediation is the problem.

## MADISON WAS RIGHT: THE CASE FOR THE POLITICAL CLASS

With all due respect to the many fine minds and good intentions invested in the populist and participatory models, we believe they are barking up the wrong tree. We believe the Founders got it right the first time when they established a hybrid system that mixes direct with indirect democracy, popular with professional decisionmaking, and individual with institutional elements. And we believe the best way forward is to rebalance the reform agenda away from direct participation and toward intermediation and institutions. Though we willingly acknowledge the importance of direct public input, we believe that the other side of the equation—intermediation by professionals, experts, and institutions—has been neglected and demonized. Too many reformers and intellectuals, and for that matter the broad public, have overlooked the indispensable role that parties and political machines and professionals play in organizing politics and “assembling power in the formal government,” as James Q. Wilson so elegantly put it.<sup>28</sup> They have neglected nonparticipatory models of decisionmaking such as the Supreme Court and the Federal Reserve Board, which not only do their jobs effectively but enjoy comparatively high standing in public esteem. They have reduced the space and scope of expert information-gathering and decisionmaking bodies such as congressional committees and subcommittees.

The political system is replete with opportunities to strengthen intermediation. The nominating system affords too little opportunity for input and influence by party professionals and career politicians. Campaign-finance regulations disadvantage political parties relative to individual candidates and outside actors. The congressional committee system has been hollowed out by reforms that pushed congressional decisionmaking both up to the very top and down to the very bottom. Tools that political brokers and leaders rely on to build coalitions and lubricate transactions—earmarks, pork, control of money and nominations, and more—have been eroded or even abolished. Private spaces for deal-making and brokering have shrunk, and the use of secrecy has been systematically delegitimized. Sunlight may be the best disinfectant, but C-SPAN is not. Yet we have asked an entire branch of government to conduct operations in a fishbowl, and the narcissists who make up that branch have readily agreed. The arrangement is congenial for the reformers and the narcissists, but it is too often dysfunctional. Meanwhile, Congress has dumbed itself down by shedding staff and expert advisers. The fishbowl is not merely a bad operating environment, it is one impoverished of expertise and capacity.<sup>29</sup>

It is important to see that intermediation by parties and professionals is not necessarily undemocratic or exclusive. To the contrary, when intermediaries do their jobs well, they consult a wide range of constituencies and build broad coalitions in search of candidates and policies that can unite the party, win a general election, and sustain power in office. Often, they will seek to mobilize latent constituencies, appealing beyond the relatively narrow confines of interest groups and

activists who turn out in primaries and lobby most aggressively. Party and professional input is especially important in candidate selection, because it is often *more* inclusive, as well as more deliberative, than is a primary electorate. Although vetting by party elders and sitting elected officials may at times limit voters’ options, it can also expand and improve those options by recruiting and supporting talent. And it provides an important measure of quality control, which is not something to be embarrassed about. Voters, like all consumers, make better choices when they have better options.<sup>30</sup>

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In hindsight, much of the populist criticism of “smoke-filled rooms” looks misguided, or at least exaggerated. Far from shutting the public out, party hacks in their heyday provided forms of political outreach that are sorely missed today—acting as “a veritable school of politics for working-class and minority voters,” writes Peter Skerry. “Party workers and leaders [had] incentives to get out the vote, be present in neighborhoods, contact voters, and be responsive to voters’ contacts. The result was, comparatively speaking, a highly participatory form of local politics.”<sup>31</sup>

Who, then, should be in charge: the voters, or the professionals? The answer, of course, is both. In a hybrid system, they are forced to consult each other, providing distinct but complimentary screens.

Political professionals, like voters, are imperfect. But they need not do their job perfectly so long as they do it accountably. To succeed, they need to present voters with candidates who can win on election day and govern once in office, and so they have powerful incentives to anticipate public sentiment and understand the needs of government—thereby contributing layers of insight and knowledge that voters themselves cannot provide.

Who, then, should be in charge: the voters, or the professionals? The answer, of course, is *both*. In a hybrid system, they are forced to consult each other, providing distinct but complimentary screens. One might have hoped that this point would be obvious. Alas, the vast bulk of reform energy today is focused on cutting professionals out of the picture.

Floating a detailed reform agenda is not within our purview here.<sup>32</sup> Our point, rather, is that there is no shortage of potential reform targets—after, crucially, practitioners, scholars, and activists set their minds to the task of strengthening institutions. A change of mindset, we believe, requires knowledgeable members of the reform community to be more forthright, both with themselves and with the public, about the limits of the participatory model. Lee Drutman states the case well:

For the good-government reform community, this suggests something...radical: giving up on the deeply held belief that American democracy can be solved by giving citizens more opportunities to participate by emailing Congress or voting, and an end to thinking all would be better if more people would just “get informed on the issues.”

A change of mindset likewise requires the donor community to cultivate and fund ideas and groups that approach political reform with institutions and intermediaries in mind. Although the thinkers cited here, and others, have made tentative first steps toward developing institution-oriented, intermediation-minded agendas for political reform, the institutionalist paradigm is embryonically underdeveloped compared with the dominant populist-individualist paradigm. Righting the intellectual imbalance requires activists, donors, scholars, and practitioners to devote time and attention to reform ideas that place parties and institutions at the center of the political solar system.

Above all, intermediation deserves a robust, unapologetic public defense, something it has not enjoyed for decades. No doubt, today’s populist climate of opinion is inhospitable to arguments supportive of political hacks and elite experts, but that is partly because the public hasn’t heard such arguments—at least, not recently.



Remember, too, that Tocqueville, even as he worried that anti-social individualism and majoritarian tyranny would unravel the American experiment, took hope from Americans' unexcelled capacity for building civic connections that act as go-betweens and social organizers. That is exactly what parties and political intermediaries do, when they work as they should: by gathering multiple (often conflicting) strands of public opinion, balancing multiple interests, injecting expert knowledge, taking a longer view, and then submitting the results to the American public. In asking the public and the reform community to reconsider the cult of participation and rediscover the value of intermediation, we seek only to recall what Madison taught: Intermediation strengthens democracy, and sometimes democratization weakens it.

## ENDNOTES

1. Catherine Rampell, “Americans — especially but not exclusively Trump voters — believe crazy, wrong things,” *Washington Post*, December 28, 2016.
2. Christopher H. Achen and Larry M. Bartels, *Democracy for Realists: Why Elections Do Not Produce Responsive Government* (Princeton University Press, 2016).
3. *Ibid.*, p. 53.
4. *Ibid.*, p. 50.
5. Alexander Hamilton, *Federalist* No. 68.
6. See, e.g., <http://www.people-press.org/2015/11/23/1-trust-in-government-1958-2015/>. And: <http://www.gallup.com/poll/5392/trust-government.aspx>.
7. For a detailed treatment of how the decline of intermediaries and parties has heightened political and governmental chaos, see Jonathan Rauch, “How American Politics Went Insane,” *The Atlantic*, July/August 2016.
8. Jamie L. Carson and Jason M. Roberts, *Ambition, Competition, and Electoral Reform: The Politics of Congressional Elections Across Time* (University of Michigan Press, 2013).
9. E.g., Jason Grumet, *City of Rivals: Restoring the Glorious Mess of American Democracy* (Lyons Press, 2014); Sarah A. Binder and Frances E. Lee, “Making Deals in Congress,” in Jane Mansbridge and Cathie Jo Martin, eds., *Negotiating Agreement in Politics* (a task force report of the American Political Science Association, 2013); Bruce E. Cain, *Democracy More or Less: The Quandary of American Political Reform* (Cambridge University Press, 2015).
10. Raymond J. La Raja and Brian F. Schaffner, *Campaign Finance and Political Polarization: When Purists Prevail* (University of Michigan Press, 2015).
11. See, e.g., Diana Evans, *Greasing the Wheels: Using Pork Barrel Projects to Build Majority Coalitions in Congress* (Cambridge University Press, 2004).
12. “Latest National Poll from Fairleigh Dickinson University’s PublicMind Examines the ‘Clueless Factor.’” <http://view2.fdu.edu/publicmind/2015/151014/>.
13. Andrea Stone, “Most Think Founders Wanted Christian USA,” *USA Today*, September 13, 2007, reporting a poll by the First Amendment Center.
14. For reams of such material, see, e.g., Ilya Somin, *Democracy and Political Ignorance: Why Smaller Government Is Smarter* (Stanford Law Books, second edition, 2016), chapter 1.
15. *Ibid.*, p. 21
16. An analysis by Achen and Bartels “implies that 2.8 million people voted against Al Gore in 2000 because their states were too dry or too wet” (p. 135).
17. Jason Brennan, “Trump Won Because Voters Are Ignorant, Literally,” *Foreign Policy*, November 10, 2016, <http://foreignpolicy.com/2016/11/10/the-dance-of-the-dunces-trump-clinton-election-republican-democrat/>.
18. Lee Drutman, “Ballot Pox,” *Chronicle of Higher Education*, October 23, 2016.
19. See, e.g., Achen and Bartels, especially their 10th chapter, “It Feels Like We’re Thinking: The Rationalizing Voter.”
20. *Op. cit.* Drutman is summarizing the implications of Achen and Bartels’s book, not necessarily endorsing it *in toto*.
21. Maxwell L. Stearns, “Direct (Anti-)Democracy,” *George Washington Law Review* 80:311 (February 2012), pp. 368-369.
22. Achen and Bartels, pp. 298, 216, and 1-2. Our colleague Thomas E. Mann provides an admirable review of Achen and Bartels in *Too Much or Too Little Democracy? Some Reflections on ‘Democracy for Realists’* (Brookings policy report, June 13, 2016).
23. Lee Rainie, “The state of privacy in post-Snowden America,” *Pew Research Center*, September 21, 2016, <http://www.pewresearch.org/fact-tank/2016/09/21/the-state-of-privacy-in-america/>.
24. Bruce E. Cain, *Democracy More or Less: The Quandary of American Political Reform* (Cambridge University Press, 2015), pp. 195 and 70.
25. *Ibid.*, pp. 195-196.
26. Jonathan Rauch’s *How American Politics Went Insane*, cited above, explores in detail the downside of excessive political individualism.
27. “Epistocracy,” per Jason Brennan in his book *Against Democracy* (Princeton, 2016), would accord more electoral

weight to the better informed: for example, by providing additional votes to people who pass knowledge tests; by supplementing universal suffrage with an elite council that could veto laws; and by consulting computer simulations of how well-informed electorates would behave. We regard such ideas as fanciful and ill-advised. We acknowledge with interest Ilya Somin's suggestion that shrinking and decentralizing government would reduce the impact of voter ignorance by expanding the relative scope of "foot voting," by which Somin means the exercise of individual choice about where to live and what to buy—decisions that people tend to be well-informed about. (Somin, *Democracy and Political Ignorance*, op. cit.). The idea of greatly shrinking and decentralizing government, however, opens its own Pandora's box of practical problems and ideological controversies.

28. James Q. Wilson, *The Amateur Democrat: Club Politics in Three Cities* (University of Chicago Press, 1962).
29. Paul Glastris and Haley Sweetland Edwards, "The Big Lobotomy: How Republicans Made Congress Stupid," *Washington Monthly*, June/July/August 2014.
30. We might add that, historically, though to a much more limited extent today, party organizations act as connectors that bring ordinary people into politics.
31. Peter Skerry, "Political Institutions and Minority Mobility in the USA," in *Ethnicity, Social Mobility, and Public Policy: Comparing the USA and UK*, ed. Glenn C. Loury, Tariq Modood, and Steven M. Teles (Cambridge University Press, 2005), p. 6.
32. For more on reforms, see Jonathan Rauch, *Political Realism: How Hacks, Machines, Big Money, and Back-Room Deals Can Strengthen American Democracy* (Brookings, 2015). Also, e.g., Cain (op. cit.); La Raja and Schaffner (op. cit.); Richard Pildes, "Romanticizing Democracy, Political Fragmentation, and the Decline of American Government," *Yale Law Journal* 124:3 (December 2014).

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