

The Limits of Expertism

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Snježana Prijić-Samaržija's book discusses the epistemic grounding of democracy, stressing the epistemic role of experts in her political-epistemological favorite, the project of "reliability democracy". Her proposal, inspired by Christiano, lets citizens play an important role in setting the aims, whereas experts deliberate about means of reaching them. I argue that it is not easy to reach consensus about goals and values. What is needed is democratic deliberation in deciding, encompassing both experts and laypersons. We should retain the duality of less ideal deliberation in real world and of hypothetical contractualist deliberation, within moral-political thought-experiments, in the tradition of Habermas and Scanlon in the ideal theory. I leave it open whether our author might ultimately agree with this picture of reliability democracy.

Keywords: Democracy, epistemology, deliberation, experts.

1. An important defense of hybrid virtues

In the present paper I want to discuss the (2018) book by Snježana Prijić-Samaržija entitled *Democracy and Truth: The Conflict between Political and Epistemic Virtues*.¹ I find it to be a very important book, and a fine continuation of Snježana's work on social epistemology (I shall be using her first name, "Snježana", to refer to her, since we have been friends for decades.) The book is bringing together epistemic virtues and political goals, systematizing and presenting a lot of recent literature and offering an original view on the role on experts in public deliberation. (It should be translated into Croatian for home readers!). I am happy to be

¹ The paper was written for the issue of the *Croatian Journal of Philosophy* on political philosophy. Unfortunately, I made a technical mistake, and did not submit it for the issue. Snježana-Prijić did write some lines of reply (Prijić Samaržija 2020a), using the manuscript, and the reply appeared in the issue to which I did not contribute my paper on time. I thank her a lot, and I apologize for the mistake I made. So, the paper is appearing in the present volume.

able to discuss it with the author; we already had a round of discussion in Maribor, and it was extremely useful, to me, at least.

Here is then the preview. The first section gives a brief sketch of the views proposed in the book, concluding with one of the central issues from it, namely the role and the choice of experts. I argue that Snježana's proposal is opened to a difficult dilemma, worthy of addressing in detail. The second section contains a brief sketch of my contractualist proposal concerning the choice of experts and the nature of public deliberation. I leave it open whether the proposal is compatible with Snježana's views; this is in fact my main question for her.

In recent presentations, for instance in Maribor and Belgrade, both in 2019, she has placed her proposal in the political context of present "crisis of democracy". She listed the well-known symptoms, most of which we all recognize:

Radicalization, terrorism, fundamentalism, souverenism, xenophobia, nationalism, chauvinism...

Trump, Brexit, Orban... different kinds of populism.

Pseudo-science: anti-vaxxers, creationism, climate changes deniers, etc.

Too much democracy?

Too little (real) democracy?

We shall return to this context at the end of the first section and stay within it till the end.

The book itself begins with a telling quote by Emma Goldman, connecting an epistemic state – ignorance with a political dimension of violence: "*The most violent element in society is ignorance.*" (1910: 3). Ignorance comprises "reliance on stereotypes and prejudices, evident disregard for rational and responsible decision-making (...)", and an obvious lack of awareness about cognitive and evidential limitations, epistemic egoism and the like (Prijić-Samaržija 2018: 11). Snježana then notes: "Yet, while violence is consistently faced with unanimous condemnation, the ignorance from which it stems remains exempt from any kind of direct scientific scrutiny" (2018: 11).

Snježana then gives an excellent overview of the political epistemology in the last seven or eight decades, from Rawls to present-day thinkers. She criticizes political instrumentalism (which she ascribes to political philosophers from Rawls to epistemic proceduralism, consensualism, but also to postmodernism (authors like F. Peter, D. Estlund, P. Kitcher, and M. Fricker), i.e. reduction of epistemic virtues to political virtues. She is equally critical of epistemological instrumentalism, the view which favors reduction of political virtues to epistemic virtues (of truth) (e.g. epistemologists in standard analytical epistemology, from Goldman's very moderate stance to Neven Sesardić's radical versions. She talks of the anti – democratic character of both political and epistemological instrumentalism (mostly in chapter Four of the book). Her sympathies lie with what she calls "hybrid standpoint", favoring

harmonization of political and epistemic virtues instead of reduction.

So she criticizes both elitism (epistemic instrumentalism that prefers truth to justice) and egalitarianism (political instrumentalism, embodied both in epistemic proceduralism and consensualism); this is done in section 4 of chapter Two. Her preferences are with the hybrid standpoint, involving contextualism and localism. The main area of application of the standpoint is justification of democracy (Chapters Three to the concluding chapter Six). I think her discussion of hybrid virtues is highly relevant: it is an important defence of a plausible standpoint in political epistemology. Let me add that in my view this hybrid combination would work also on the critical side, for the purpose of criticizing given social arrangements for being both epistemically and politically bad; this would be an interesting line in critical social epistemology.

Let me note her attitude to Habermasian project of deliberative democracy; I shall express my partial disagreement in a moment. Habermas started his project of contractualist justification of politics by appealing to deliberation in idealized circumstances. But then in his work *Between Facts and Norms* (1992) he connected it to normal, non-ideal “deliberative politics”. To quote a standard reading of his final result, building on his notion of discourse, Habermas understands deliberative politics to refer to institutionalized discursive procedures of will formation and decision making within constitutional political systems (Deitelhoff 2018: 528).

Snježana notes that she accepts his consensualism, but rejects his picture of the procedure that is to lead to consensus:

The fundamental problem of Habermas’ consensualism, consensualist theory of making fair decisions, or his consensualist theory of justice, is its dubious application in conditions that are less than ideal. Achieving a rational consensus in idealized communicational circumstances – implying a sincere, tolerant, argument-based and informed, institutionally well organized and guided debate – is certainly an attractive and highly acceptable goal. However, any sub-ideal moral and epistemic circumstances render the concept of a ‘rational’ consensus entirely unclear. (2018: 168)

Finally, in chapter Six, Snježana opts for “reliability democracy” characterized by fulfilling five veritistic criteria that should guarantee the epistemic quality of a procedure. Here is her list, inspired by Goldman: (i) *reliability*, or the ratio of true and false decisions generated by this procedure; (ii) *power*, or total productivity in producing beliefs; (iii) *fecundity*, or the capacity of a social practice or institutions to solve the problems of interested citizens; (iv) *speed* or the time required (...); (v) *efficacy*; or the cost of achieving goals (2018: 202)

As can be guessed from what I said until now, I agree with a lot of what Snježana says. Most importantly, about truth being the goal of deliberation.

One of the main topics of the book is the positive role of experts in the social and political cognition, as typical for reliability democ-

racy. She borrows some ideas from Thomas Christiano on the division of epistemic labor, where lay-persons choose the aims of society, and experts decide about means. Here is Snježana's summary of her view from her recent paper discussing her book:

Although experts are conventionally excluded from democratic procedures out of fear of epistocracy, or of undemocratic elite privilege, I hold that the exclusion of experts is a conscious sacrifice of epistemic quality, and, consequently, of the best democratic decisions. If epistemic justification is required for justifying democracy, then excluding experts is just as undemocratic as excluding citizens. (2020: 59)

Finally, the relevant chapter of the book, culminates with the following statement:

So, in contrast to the reliabilist concept of externalism in which decisions are epistemically and democratically justified as long as there are reliable democratic mechanisms that produce truth-sensitive decisions, I would like to stress a certain need for more participation or for better epistemic and democratic access of citizens and policy makers to decisions. More precisely, while the responsibility of a reliability democrat would be to insure a reliable democratic procedure, the internalist approach, in whose favor I am arguing, stresses that it is necessary for citizens and policy-makers to understand why it is rational to rely on expertise and reliable democratic procedures and why it is rational to trust to these very procedures. Even if citizens and policy-makers cannot have full understanding or possess the total body of evidence to appraise the whole content of the experts' stances, their reliance or trust would be epistemically justified as long as they have enough evidence about the reliability of the procedures through which experts make their decisions. (2020: 216)²

So what is required is the division of roles: consensus is fine for ideal theory, for the non-ideal one we need experts (2018: 170). How are the experts to be chosen? Snježana proposes a consensual choice of experts. But what should the consensus be like? In the rest of this paper, I shall concentrate on varieties of consensual choice, and point to the deliberative procedure as a possible important context of such a choice.

So, how does the choice proceed? Here, there are different readings that are possible, and I shall concentrate on the two of them.

Reading one: the lay-population *as a whole* chooses the experts.

Reading two: various groups within lay population choose each their own expert(s).

² And she continues about the evidence of reliability of experts' procedures:

For instance, that could consist of evidence about the experts' moral and epistemic characters (or the reputation of the institutions), evidence about the contextual (conversational) circumstances that prevent deception, lying and incompetence or support trustworthiness, or even proof of the presence of Christiano's truth sensitive mechanisms such as solidarity, overlapping understanding, competition and sanctions. More precisely, the democratic division of epistemic labor needs to embrace more epistemic agency on the side of citizens: they should have an active role in assessing which particular experts deserve trust and whether reliable mechanisms truly preserve the experts' trustworthiness. (2020: 216)

Snježana's explicit formulations seem to go more in the direction of the first reading. She talks about consensus preceding the choice; but the choice is consensual, and grounded in the will of the whole lay population. She appeals to Rawls' idea of "overlapping consensus" preceding important decisions, and not following from them. In her proposal it is a consensus generated by "public debate and conciliation of all interested participants" (2018: 192); she sees her view as "a certain amalgam of Rawls's and Habermas' proposals" (2018: 192)

If the first option is her choice, then we have a point of disagreement: I would opt for the second option. Let me develop the matters using Snježana's characterization of our political context, namely crisis of democracy. It encompasses, as we noted at the beginning of the paper, phenomena like

Radicalization, terrorism, fundamentalism, souverenism, xenophobia, nationalism, chauvinism...

Trump, Brexit, Orban...different kinds of populism

Pseudo-science: anti-vaxxers, creationism, climate changes deniers, etc.

We, the truth-respecting theoreticians, have two options.

Option one, let experts have a final word both on goals-values and on means to reach them. Option two, citizens contribute their values, and decide about aims.

But, how do we arrive at a consensus about who is the expert on such situation(s), consensus that is to precede political deliberation?

Start with option one: experts alone are to decide. But then, who are the typical experts for goals and value? The usual criteria don't fare well with this question. Look at the list of criteria i.e. summary of the traits "usually associated with expertise" recently put together by Carlo Martini in his very informative (2020) overview on social epistemology of expertise. He notes that "[E]xperts back their judgments with arguments, and present evidence in support of their opinions (Martini 2020: 118). He calls this trait "objectivity". Further, that "/E/xperts have credentials, usually as a track-record of their experience in the relevant field. And also that "experts give judgments within their field of competence, they do not judge without qualifications on matters that are not in their field of expertise. (Martini calls it "Pertinence (domain)" (Martini 2020: 118).³ Can we really imagine laypersons from our surrounding reaching consensus about who is the expert on, say, morality of abortion? Perhaps doctors, but not priests, some average women might claim. The pregnant women themselves and no one else,

³ Further traits listed are social acclamation, unbiasedness. (i.e. "possession of content-knowledge; that is, information specific to the field in which they possess expertise." and meta-knowledge. ("Experts know how much they know and how much they do not know.") (Martini 2020: 118). Finally, they exhibit consistency and are also able "to discriminate between very similar but not completely equivalent cases" (Martini 2020: 118).

the more feministically oriented women would claim. Priests above all, our religious compatriots would say. No way, simple aggregation of lay votes would give nothing useful. On option two, citizens contribute their values, and decide about aims. Thomas Christiano proposed it and Snježana seems to agree with him.

citizens rule over the society by choosing the aims of the society and experts, along with the rest of the system, are charged with the tasks of implementing these aims with the help of their specialized knowledge. (Christiano 2012: 51)

We need experts on facts and this is obvious and quite trivial. But what about moral issues? We know that their bad mistakes are typical. Or at least, the disagreements are not easy to avoid. For the moment let us stay with Snježana's list and take xenophobia as a typical anti-democratic stance. Here is an example of a contrast in attitudes, characteristic for the present decade.

Many citizens of Serbia accept that their country should be hospitable (to non-enemies). Citizens and experts, say in Belgrade, further agree that refugees are not enemies. Therefore, Serbia is not being oppressive towards refugees that come from Macedonia, and want to continue towards Germany.

In contrast, many citizens of Croatia favor the value of safety. Citizens and experts agree that refugees are the threat to safety. Therefore, Croatia becomes oppressive towards refugees coming from Bosnia. Our former president said a year ago: you need some brutality to deal with them (and police brutality in this year, 2020, at the border with Bosnia, has become truly unbearable). So, both options look problematic. Looks like a dilemma for Snježana. What can be done? Snježana has interesting constraints on deliberation:

Our ongoing discussion about the epistemic justification of deliberative democracy has outlined several key conditions that should be incorporated into democratic procedures in order to ameliorate their reliability: (i) education – public discussions and exchanges of reasons should be based on educational and informative content that improves the participants' ability of conscientiously deliberate about various topics (ii) diversity – public debates should include citizens and experts with different perspectives who come from different communities and institutions, thus expanding the available pool of evidence (iii) non-egoism (inclusiveness, fairness, pluralism) – participants in public debate, both citizens and experts, must be aware of the cognitive constraints imposed by their presuppositions, world-views and value systems, come to terms with their capacity to understand certain topics and maintain a disposition of openness towards different perspectives (iv) institutional organization – public discussions and decision-making processes must be initiated, monitored and guided by relevant institutional procedures that guarantee adherence to prerequisites (i) – (iii). (Prijic-Samaržija 2018)

Some of these might help, in particular diversity and non-egoism. However, they are extremely demanding on ordinary citizens. To stay with abortion example, I find it very difficult to take the pro-abortionist per-

spective in my ordinary citizen role. And I don't think the difficulty comes from my egoism! A non-philosopher citizen, say a woman with firmly anti-abortionist stance, will find it even more difficult.

In brief, there is *no neutral, consensual* way to choose experts. Any final decision has to involve experts as well; if we want a kind of reliability democracy, we shall have to trust the interaction between the two, and respect differences in view where experts with a certain attitude are aligned with laypersons sharing the attitude. But then, the deliberation has to accompany the choice of experts, and cannot precede it.

2. *Could Deliberation Nevertheless Help?*

Snježana herself noted, and we quoted her, that consensus is fine for ideal theory, whereas for the non-ideal one we need experts (2018: 10). She then assumes that “any sub-ideal moral and epistemic circumstances render the concept of ‘rational’ consensus entirely unclear” (2018: 168). But why not look for parallels between the possibilities of ideal and of non-ideal theory; the two together might offer some hope to avoid the dilemma. Namely, there are parallels between ideal and sub-ideal constellations that enable us to do the following: first, we can project the notion of ‘rationality’ downwards, from the ideal to the sub-ideal: a sub-ideal constellation is ‘rational’ if it is sufficiently close to its ideal counterpart. Second, we can go into opposite direction, and ask about a sub-ideal constellation if it approximates its ideal counterpart.

Take the abortion example (we shall look at the other, xenophobia example few lines below). In non-ideal situation we shall have groups of similarly minded citizens, encompassing both expert and lay-persons. Religious Catholic Croats will normally side with local priests, feminist lay-persons will side with feminist lawyers and social psychologists, and so on. And the groups, each containing experts and similarly minded lay-persons will enter “network of discourses and bargaining processes” as Habermas calls them (1996: 320). We can then project the division right into the Ideal formulation: idealized representatives of each group would debate the relevant issue between them, and the debate, in favorite cases, will produce truth or some similar epistemic justification.

A similar picture is offered by Scanlon:

The central component of individual morality as I understand it – what I call the morality of what we owe to each other – is something we have reason to care about because we have reason to care about our relations with others in which justifiability of this kind plays an important role. There is, I believe a corresponding version of the morality of institutions, consisting of standards that institutions must meet if they are to be justifiable to those to whom they claim to apply. (2016: 20)

My proposal for answering Snježana's doubt is that we retain the duality of less ideal deliberation in real world and of hypothetical contrac-

tualist moral-political thought- experiments, in the tradition of Habermas and Scanlon in the ideal theory.⁴

Let me stay with non-ideal approximation for the moment. Take the relevant division of a given society, say the class, gender, ethnic, religion or any other and imagine the following:

Let each group have its own experts: workers get the class-conscious intellectuals, entrepreneurs get Nozickian neo-liberal experts to articulate their needs, and so on.

Think of a representative of each group: she is representing both its experts and its popular basis, and then imagine them interacting, mostly by debating. They search for principles that

“could not reasonably be rejected, by people who were moved to find principles for the general regulation of behavior that others, similarly motivated, could not reasonably reject.”, as Scanlon would put it (1998: 4). In the process the proposals are made by parties, each of which include both the ordinary citizens and the similarly oriented experts. Might this solve our dilemma? Or is it just a phantasy? Let me offer an extended example in favor of the optimistic answer. Start in a realistic spirit, with actual, non-ideal conditions. What do the efforts of increasing public rationality normally look like in such conditions? Start with Snježana’s examples of political irrationality, say xenophobia, and consider anti-refugee xenophobia spreading from Greece to Germany and all the way to Scandinavia.

Some efforts against it have been and hopefully more will be done within civil society, some on the higher, administrative level. Orthogonally to this division, there is also the width division, the national vs. the global. Combine the two, and you will get four pigeon-holes, which are drawn three lines below. There are well-known examples for each, some listed within the table:

⁴ Here we agree with Robert E. Goodin and Kai Spiekermann:

Theorists of deliberative democracy are undoubtedly correct in thinking that it would be better—in epistemic as well as in many other respects—if interpersonal interactions were governed by the high standards approaching Habermas’s ‘ideal speech situation’. A raft of small-scale experiments trying to do just that show that, after formal deliberations in which moderators enforce such rules, people’s opinions are different in all sorts of ways that would presumably make them more competent voters. (We are skipping here the footnotes of the authors-NM) Although those are highly stylized deliberative settings, they are not without real-world political relevance. Many of those same standards are written into manuals of parliamentary practice, after a fashion. Even where they are not, they typically figure at least in manuals of good manners. Of course, both sets of instructions contained are often honoured in the breach. Still, it may not be beyond hope that those ideals might be approximated in the real world, at least in certain settings. Whether those experiences and experiments can be scaled up to the societywide level is an open question. Our point here is simply that they do not need to be. The epistemic benefits that come from interpersonal interaction (two-way, or even just one-way) do not completely depend upon realization of those higher deliberative democratic ideals as a society-wide exercise—epistemically better though it would no doubt be, if that were realized. (2018: 134)

	<i>Narrow</i>	<i>Wide-global</i>
<i>Civil</i>	Croatian and Slovenian NGOs acting in favor of refugees	Red Cross helping
<i>Administrative</i>	Merkel inviting refugees to Germany in 2014.	UNHCR activities. Marakesh migration pact

However, this is only the beginning. The next important division concerns constructive vs. critical activities. The former are omnipresent, the later are more characteristic of intellectual and journalistic area.

Next, look at the motivation. We can follow Habermasian inspiration, and distinguish between more prudential, more moral, and more legal-cum-political motivation. Merkel's motivation for inviting refugees had a prudential component, German's need of skilled workers, but it might have also been prompted by her moral attitudes. Marakesh pact is formulated in legal-cum-political terms, but one can perhaps hypothesize some moral stance in the background.

Some actions will be exclusionary. On the positive side here is a bottom-up critical effort – bell-ing-the-cat: warn common people against the lies and injustices directed against the refugees by establishment agents. (The Bellingcat enterprise did similar actions supporting minorities and the like.)

What about experts and laypeople in this context? Some activities will demand experts, for instance critical journalist ones. Some demand collaboration between specialized experts and run-of-the-mill politicians. Others demand wide lay, non-expert engagement in order to succeed.

The hope is that there will be positive, virtuous circles along the line: experts will become more politically aware through their interaction with lay-people and vice versa. Next, that there will be positive, virtuous circles both in the top-down and in the bottom-up directions. And, most important for our purposes, there will be interaction between the pro-groups and anti-groups, which *might help towards more rationality* in political life.

Take any of the items on Snježana's list: radicalization, terrorism, fundamentalism, souverenism, nationalism, chauvinism, then Trump, Brexit, Orban...different kinds of populism, and finally pseudo-science: anti-vaxxers, creationism, climate changes deniers, etc.

For each of them we can find examples of interactions similar to the ones we listed for the case of refugees.

Call all these interactions "deliberative interactions". The hope is that they ultimately embody the requirements of deliberative democracy For instance, for fighting the climate change denying discussed in the context of Habermas and deliberative democracy see Emilie Pratico. Here is a quote:

Once the intricacy of the various modalities of reason that are at play in political problems becomes visible and, importantly, contestable through discourse, the Frankfurt School's insight that our fate is tied to that of nature

descends to street-level, so to speak. Indeed, through deliberation we reach a position whence we can see, not only that ecological questions are also questions of justice, but that it is by seeking political resolutions to such problems through discourse that we might reasonably hope to solve them at all. There is no ‘getting it right’ without ‘getting it fair’, too. (Prattico 2019)

Scanlon comes very close to the same general stance; in his paper on institutional morality he points to parallels between matters of justice and matters of “public policy” (2016: 18). Once Habermas and Scanlon are in play, we can pass to the other side of the matters. We have looked at debates in actual, non-ideal circumstances. But Habermas and Scanlon primarily offer an ideal-theoretic version of debating, which can be applied to the same issues. They ask us to imagine a social-contract scenario in which participants debate the burning issues; the new element is that the debating situation is somewhat idealized. We are asked to imagine the participants being more rational and fully informed. The propositions that such participants could agree upon would be written down in this hypothetical contract. (Habermas discusses the rationale for idealization, and a kind of parallel between the idealized and the real context in his (2001) dialogue with Thomas McCarthy).⁵

Imagine, to stay with our standing example, an idealized debate concerning refugees. In the debate refugees should have a representative, and potential host countries some representative as well, say one or two for, the rich and the middle. Now the representative, call them “the Rich” and “the Middle” are supposed to have full information; most importantly to know that, for example, Muslim refugees present no cultural threat to their countries. Next, they are supposed to be fully rational, capable of deriving consequences from initial premises.

We can imagine that ultimately the sides, the Refugees, the Rich and the Middle (representatives) might agree about a moderate right for the Refugees, for instance that the right of asylum is a defeasible human right (as Kieran Oberman proposes in his 2016 paper).

What would be the non-ideal counterpart of such agreement in our Croatian-Serbian example? One difficult to implement but easy to imagine solution would involve first, the coming of both countries under the same political umbrella, most simply, Serbia entering the EU. The next demand would be unifying the relevant legal arrangements. In the optimistic case, Croatian police would start following the same tolerant practice that Serbian police has been implementing in last five years in favor of refugees.

The hope is that there is *a significant parallel between the ideal and the non-ideal version of the deliberative ideal*. If the hope is realistic, as we hope it is, then Snježana’s doubts about the validity of rational deliberation in non-ideal situations can be laid to rest.

⁵ He concludes his discussion with the following telling statement:

...with idealizations we explain from a participant’s perspective the operations that actors must accomplish in their actual performance of certain everyday practices, namely those we describe as communicative action and rational discourse. (McCarthy 2001: 37)

3. Conclusion

Snježana's book is a highly original work, covering several fields within social epistemology, from the role of truth in social-political justification to the relatively detailed questions concerning epistemic legitimacy of democracy. Her final proposal of a version of reliability democracy, featuring important epistemic-political role of experts, is promising and applicable to the actual crisis of democracy that we all witness.

The present paper has concentrated on the role of deliberation and the choice of experts. Snježana seems to favor placing democratic deliberation at the beginning of the building of consensus, with the role of designating experts, who then make further, epistemically solid decisions concerning the problems at hand. She describes her project as a synthesis of Habermas and Rawls, but with firm reservations about Habermas' contractualist project.

In the paper I ask the natural question: why not think of deliberation in contractualist tradition, proposed by Habermas and Scanlon and occasionally either praised or criticized by Snježana? I propose that what Snježana rightly sees as "the fundamental problem of Habermas' consensualism", i.e. "its dubious application in condition that are less than ideal" (2018: 168) can be hopefully solved starting from the assumption that there is a parallel between the ideal and the non-ideal version of deliberative ideal. Authors like Gutmann and Thompson take deliberative democracy to be "an aspirational ideal" (2004: 37); the task is then to look at real-world, non-ideal approximations to the ideal, instead of separating the two by an iron fence. The issue of expertize then becomes part of the characterization of process of deliberation, which starts with expert-laypersons grouping around particular stances on particular issues, continues with debate and deliberation performed by disagreeing groups, led by their respective expert intellectual leaders, and hopefully converging towards a rational consensus.

So, let me conclude with a question for Snježana: How far would you agree with my picture? Or would you disagree completely and if yes, why?

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