

# Technocracy and democracy as spheres of justice in public policy

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**Abstract** There is a long-standing debate about the proper application of democratic versus technocratic approaches to decision-making in public policy. This paper seeks to clarify the debate by applying Michael Walzer’s notion of “spheres of justice,” wherein both democracy and technocracy could be seen as distinctive approaches to justice that need to be protected from the domination of the other. The paper shows how the debate on democracy versus technocracy has evolved in both theoretical and applied settings in a manner that reflects the “domination” of one approach by the other. It elaborates the argument through several concrete examples drawn from comparative politics, public policy, and public management. It then explores how the “spheres” approach implies the need for an interpretive mechanism in order to mediate the competing notions of justice in particular policy issues.

**Keywords** Democracy · Technocracy · Public policy · Policy analysis · Governance · Spheres of justice

## Introduction

In 1970, the Macau casino mogul Stanley Ho proposed to build a casino in Singapore. Lee Kuan Yew, then prime minister, rejected the idea on the grounds that it would corrupt the moral values of the city-state: “No, not over my dead body,” were his words (Sim 2013, 34). Thirty-four years later, in 2004, the Singapore government announced that it was considering casino proposals again. An unprecedented wave of opposition arose, including a civil society alliance and a petition campaign. At a public forum organized by the

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Institute of Policy Studies at the newly named Lee Kuan Yew School of Public Policy in late 2004, 52 % opposed the casinos on any grounds, while a further 30 % opposed them unless strong safeguards were in place (Institute of Policy Studies 2005). Still the government pressed ahead, making the case that this was not a question that required public consent. Prime Minister Lee Hsien Loong, Lee Kuan Yew's son, put it this way: "The casino is not an issue of national survival or sovereignty that deserves to be settled by a referendum...It is a policy matter" (Parliament of Singapore 2005).

In 2005, the government announced that casinos would go ahead. Lee Hsien Loong told parliament that while much of the population and cabinet had misgivings about the plans, casinos were essential to the long-term survival of the city's economy. This time, national survival was offered as a reason to spurn popular sentiments rather than empower them. "For the government, the key consideration is what serves our national interest in the long term," he said (Ministry of Trade and Industry 2005). Lee Kuan Yew defended his son's decision: "If I were the Prime Minister, and I was challenged...I would take every challenger on and set out to convince Singapore that this is right" (Lee 2015).

The casinos have been open since 2010. Social opposition has fallen by around half—only a quarter of respondents opposed them on any grounds in a 2013 survey, although opposition politicians continue to cite them as a major grievance (Wu and Chen 2015). The economic benefits have been significant, although China's crackdown on corruption and growing competition from Australia, Cambodia, South Korea, Macau, and the Philippines has reduced revenues—which in 2016 were expected to be 30 % below their 2014 peak. The Casino Regulatory Authority of Singapore is a model of efficiency and transparency. Problem gambling is deterred by a S\$100 (\$70) daily entry fee for Singapore residents. The National Council on Problem Gambling reported in 2015 that there were likely about 27,000 people with gambling addictions in the country. As of March 2016, the government had banned 48,000 citizens from the casinos because they receive financial aid, housing subsidy, or legal aid, or have declared bankruptcy. The country has been cautious about licensing junket operators, making sure they do not become sources of money laundering, organized crime, or prostitution as they are in Macau.

The Singapore casinos case starkly illustrates the differences between public policy-making by democracy and by technocracy. This is an ages-old debate, but it has been brought into sharper focus in recent decades by the simultaneous democratic and technocratic deepening of public life. In order to know whether the decision to privilege the technocratic approach was right in cases like the Singapore casinos, this paper borrows the concept of "spheres of justice" coined by Walzer (1983) to argue that the democracy/technocracy choice represents a genuine trade-off for public policy-making. As such, a key challenge is to prevent the domination of one approach by the other and to know when to apply each. It argues that an interpretive principle grounded in values of sanctity and care for the pluralism of a political community is needed to resolve the tensions. It shows how this principle could be institutionalized and what it means for public leadership.

## The technocracy/democracy debate

The democracy/technocracy debate is an ancient one concerning who should rule. The idea of moral experts as rulers—rule by the skilled (*techne-kratia* in Greek), rather than rule by the public (*dimo-kratia*)—is most closely associated among ancient writers like Plato. With

the mass incorporation of societies into modern states and economies in the early modern period, new challenges to technocratic rule arose (Bendix 1978). Beginning with the discussions of “industrial society” of the French aristocrat Henri de Saint Simon in the late eighteenth century and continuing through to the 1930s (Brandon 1933), arguments were made that even with democratic regimes, rulers would need to delegate many policy questions to technocrats.

The debate became more critical in the 1950s, as the rise of technocratic policy makers within the bureaucracy and other governance networks raised questions about democratic accountability (Hayek 1944; Bell 1973; Morgenthau 1946; Habermas 1972). This was in retrospect the heyday of technocratic policy-making, when significant safety improvements were made in the USA in areas like seat-belt laws and bans on leaded gasoline and coatings. Popular mobilization in the 1980s against a decadelong planning disaster in the Danish City of Aalborg has been widely cited as the turning point in the revolt against technocracy (Flyvbjerg 1998).

Since the end of the Cold War, the technocracy/democracy debate in public policy has intensified. On the one hand, the complexity, risks, uncertainties, value pluralism, and expectations of public policy have increased. This has led to new demands for “smart” public policies, which in turn has increased pressures for the sorts of data and validation-driven policy criteria associated with technocracy. The rise of evidence-based policy analysis, beginning in health care in the 1980s and then spreading to education, social work, crime control, and ultimately to policy analysis generally, was an attempt to respond to the critique of scientific management as being excessively deductive and context-insensitive (Boaz and Nutley 2009). The 2015 annual conference of the Association for Public Policy Analysis and Management in the USA was titled “The Golden Age of Evidence-Based Policy.”

On the other hand, arguments for “deep democratization” of policy-making have gained new momentum, strengthened by both practical shifts such as participatory governance practices, customer service-oriented public management, and informational transparency. Contemporary theorists worry that democratically elected leaders are too easily lured into the discursive world of technocrats (Heazle and Kane 2016; Boswell 2009). This has led to new demands for top-to-bottom democratic governance and policy-making, a universalization of local deliberative approaches characterized by one book as “Washington goes to Mr. Smith” (Leighninger and Bradley 2006).

The contemporary manifestation of an ageless debate can be seen in the pages of *Policy Sciences*, where a constant theme of contributions over the past decade has been the way in which increased participation and collaboration in policy-making has not fundamentally bridged the gap between democracy and technocracy. Fischer and Leifeld ask whether policy forums made up of both experts and citizens are “objectionable because a diffusion of responsibility takes place and elected politicians can no longer be held accountable for policy outcomes?” (M. Fischer and Leifeld 2015, 378). Edelenbos and colleagues show how interactive governance processes with expert input—a sort of micro-policy-making—can easily become divorced from traditional democratic decision-making, despite its attempts to be “participatory” (Edelenbos et al. 2010). A similar finding of “democratic forms but technocratic norms” emerges from Sam and Scherer’s study of the “consultocracy” appointed to oversee a stadium rebuilding process in New Zealand (Sam and Scherer 2006). Hendriks shows how in the design of policies for sustainability in the Netherlands “the dominant narrative, which espouses elite theory and technocracy, privileges epistemic matters over democratic considerations” thus raising long-term questions about legitimacy (Hendriks 2009, 362, 363). Reflective of this continual concern, Hajer espouses a “deliberative policy analysis” in which democracy can be baked into the technocratic cake (Hajer 2003).

Democratic and technocratic worlds have thus remained apart since the end of the Cold War, despite the universalization of democratic language. This means that democratic and technocratic arguments about public policies can diverge sharply. The fluoridation of drinking water, for instance, is increasingly rejected by citizens when given the chance to decide through referenda (Freeze and Lehr 2009). Yet, the technocratic arguments for water fluoridation have only strengthened since the debate first emerged in the 1960s (Copeland and American Water Works Association 2016; Crain et al. 1969). As the cleavages between democracy and technocracy widen, there is a need for a considered principle of knowing which mechanism to employ in a given instance.

## Spheres of justice

People construct reasons for favoring or opposing public ideas based on mixed moral intuitions, which Haidt has summarized as fairness, liberty, loyalty, authority, sanctity, and care (Haidt 2012). Such mixed moral claims explain why different spheres of society operate according to different rules. Walzer described these as “spheres of justice” in his 1983 book of the same name, borrowing Pascal’s notion of “spheres” of social life (Pascal 1670 (1961), 96). Walzer’s principle was: “No social good  $x$  should be distributed to men and women who possess some other good  $y$  merely because they possess  $y$  and without regard to the meaning of  $x$ ” (Walzer 1983, 20).

The “spheres of justice” approach is well suited to the technocracy versus democracy debate. This is not to make a foundational argument about why such a pluralistic approach is better than others. Rather, it is to make a pragmatic claim that in the world of public policy neither approach is waning, which suggests that they represent a moral dilemma rather than a moral failure.

Walzer’s principle of spheres can be translated into this debate as follows: Democratic choices over public policy should not be handed to public policy experts merely because they are public policy experts and without regard to the meaning of democracy. In other words, experts should not circumvent democratic procedures merely because they are “right” or are in possession of data or evidence-based solutions. By the same token, public policy analysis should not be put into the hands of democratic citizens merely because they are citizens and without due regard to the meaning of policy expertise. In other words, democrats should not take hold of important public policy issues merely because they have a majority or are on the side of “progressive opinion” or “the voices of the people.” Both approaches would allow one sphere to impose its logic and domination on the other.

So, we first need to elaborate what constitutes democratic justice and technocratic justice. We then need to show why attempts to impose the principles of one on the other are mistaken. Finally, we need to find principles and procedures that allow us to know when to apply one or the other.

## Justice in democracy and in technocracy

Democracy is grounded in two simple and elegant principles as described by Beetham (1999, 1–29). The first, “political control,” means that political power is actually exercised by the people, and only by the people. There are no kings, generals, vanguard parties, religious councils, business oligarchs, or military juntas that exercise power other than that

explicitly delegated to them by the people on an ongoing basis. Secondly, “political equality” means that in the exercise of that power, citizens are equals. There is no weighting of political power by education or income. Democracy appeals most strongly to the two of Haidt’s moral intuitions: fairness and liberty.

Democratic justice in public policy, then, entails a procedural solution: A public policy is just from a democratic standpoint if it reflects a process in which all citizens, situated equally, or their duly elected representatives, have participated in the decision. There is no agreement about what decision rules are democratic and what are not. Certainly, public policy decisions made by freely and fairly elected legislatures or executives, or by popular referenda, have been widely taken to be examples of democratic procedures. From this standpoint, Singapore’s decision on its casinos was undemocratic since Singapore’s legislature (and thus executive) is not chosen through free and fair elections. The opinion polls and the social movement showed that most people would have preferred no casinos.

The conception of justice in technocracy, by contrast, is rooted in the principles of logical inquiry and rational choice. One way that technocracy is often expressed in the modern world is in the language of contemporary policy analysis. The norms and assumptions that define “good” policy from the policy analysis perspective can be easily identified: They should be feasible; evaluable; benefit more than they cost; be effective in addressing some problem; be reasonably certain of success; be well grounded in evidence; and be amenable to monitoring and evaluation. Technocracy appeals to the two other of Haidt’s moral intuitions: the authority of and loyalty to the traditions of reasoned, rational inquiry that are at the heart of Enlightenment thinking.

To be sure, to say that technocracy is grounded in logic and reasons does not by any means imply that it is *in fact* more logical and reasoned. It may be grounded in as much emotion, habit, and prejudice as democratic choices. Rather, what is at stake is the process through which decisions are arrived at. Moreover, technocracy can be logical or reasoned about its implicit values and biases when it consciously seeks to surface multiple values at play in any one decision and to assign them explicit weights. It can then show how robust the solutions or evaluations are to variations in the weighting of values, along with variations in other assumptions (Bluhm and Heineman 2007; Heineman 2002; Fischer and Forester 1987). What often comes as a surprise is how weak those assumptions can be for a piece of analysis to be robust. Even with a wide range of cost and benefit assumptions and a wide range of value weightings, good public policies are still often discernible from bad ones.

For instance, Singapore’s casinos were conservatively predicted to add 0.5 % points to annual GDP growth in their first 5 years of operation. That is about \$1.5 billion in additional economic value-added in 2015 alone. On the other hand, in land-scarce Singapore, that same land and public investment could have been used for other economically productive activities (although the casinos generate three quarters of the resort revenues). So, 0.5 % points seems like a reasonable estimate of their benefits. On the costs side, if we take the 27,000 problem gamblers as the social cost of the casinos and if we assume that they are all problem gamblers as a result of the casinos (a very strong assumption), then the cost per addict in terms like lost work hours and higher child care would have to be \$55,000 in order for the casinos to be not worthwhile. But the range of estimates of annual costs of gambling in an economy like Singapore’s is roughly \$1000–\$10,000 (Walker 2007, 616; Walker and Kelly 2011). In other words, the \$55,000 break-even cost is well outside of the normal range of estimates. In order to claim that the casinos were not worthwhile, we would need to: (1) use an extreme value of social costs; (2) assign a greater weight to social costs than to economic benefits; (3) significantly increase the estimated number of problem

gamblers; and (4) assume that all problem gambling would disappear without the casinos. This back-of-the-envelope policy analysis shows how easy it would be for technocrats to conclude that the casinos were the right decision.

The casinos' example highlights how a public policy decision can be unjust from one perspective but just from the other. Democracy and technocracy are indeed separate "spheres" whose logics do not always overlap. There is often no "right" public policy. The next step is to show why the domination of one by the other would not resolve this moral dilemma.

## Technocracy as a solution to democracy

Historically, technocracy was seen as superior to democracy. Despite the rise of democratic domination arguments since the 1960s, this technocratic domination argument finds voice today in arguments for evidence-based and executive-led public policy leadership. These have been advocated by groups on both left and right to remedy the shortcomings of democratic governance, such as in works relating to climate change policy (Shearman and Smith 2007) and economic policy (Caplan 2007).

In the technocratic domination view, Jane Public is simply not capable of coping with many of today's complex policy challenges, because she lacks the requisite cognitive capacities and public orientation. As such, it makes sense to conditionally defer to policy analysts on most issues. For instance, in a 2015 survey, the Pew Research Center found a 51 % point gap (88 % of scientists vs. 37 % of the public) in beliefs about whether genetically modified foods are safe to eat (Pew Research Center 2015). The only way for policy analysts to arrive at a good faith argument for banning GMOs is to invoke the precautionary principle (Pechan 2011; Thayyil 2014). Yet, in less wealthy countries, such an approach would have grave consequences for food supply and nutrition. Thus, from the technocratic domination perspective, what is needed is public policy expertise and training, not deeper democratization.

It is important to note what the technocratic domination argument is *not*. For one, it is not a claim for a value-free or value-neutral public policy, which is a caricature of contemporary policy analysis. As mentioned, value surfacing and ethical valuation are key aspects of contemporary policy analysis. Second, the technocratic domination argument is not a claim for elite control of politics. In the real world, policy analysts are often the underdogs, arguing for sensible policies in the face of elite irrationality. Indeed, the modern incarnations of technocratic political movements see themselves mainly as populists, unleashing the power of the people—suitably aggregated and calculated through technocratic methods—to seize power from the hidebound elites of the old representative democracy system. In her recent book *Smart Citizens, Smarter State*, for instance, the NYU engineering Professor Beth Simone Noveck argues that new "technologies of expertise" can now be linked to citizen-generated data to reshape bureaucracies and make elected politicians less important (Noveck 2015). The *Boston Review* dubbed her proposal a "people's technocracy" (Mayersohn 2015).

Nor is this necessarily a claim for bureaucratic control of politics. With their emphasis on citizen participation and collaborative governance, bureaucracies may generate policies that are more "democratic" (aligned with the preferences of citizens) than politicians, who may have more technocratic or evidence-based agendas (Spence 2003; Krause 2013; Spicer 2010). Elected politicians may be more technocratic in their decision-making than unelected bureaucrats. Nor is this an argument for right-wing or conservative policies. Progressive left-wing ideas about climate change, public health, and inequality, for instance, are robustly articulated by technocrats.

Instead, the technocratic domination argument is simply about using the procedures of technocracy—embodying logic, rationality, and evidence-based reason-giving—rather than those of democracy—embodying political equality and public control.

## The critique of technocracy

From a Walzerian standpoint, the problem with the technocratic solution is that it takes the justice of public policy expertise and extends it into the sphere of democratic choice without regard to the meaning of democracy, which is *not* about logical or ideal policies, but about citizen status. In particular, it pays no attention to the democratic notion that a choice is not a democratic choice if it is not made through a democratic procedure, no matter how well it claims to track public preferences or interests. Walzer makes the familiar argument that while technocracy may be a useful *techné* or “technique” for getting things done, to borrow Plato’s word, it cannot decide what is to be done in the first place. Plato’s famous claim that the helm of a ship is best left in the hands of a skilled navigator ignored the question of where the ship’s passengers or owner wanted to go. “His *techné* is simply irrelevant to the decision that the passengers have to make,” Walzer wrote. While technical knowledge was “useful and even necessary in particular institutional settings” he wrote, it “is always limited by sovereignty, itself generated and informed by the larger knowledge of social meanings” (Walzer 1983, 286, 290).

This critique of technocracy, is timeless. Crick, in his 1962 book *In Defense of Politics*, devoted a full chapter to it. Technocracy, he said, or “scientism” was the idea that “all the important problems facing human civilization are technical, and that therefore they are soluble on the basis of existing knowledge or readily attainable knowledge” (Crick 1962 (1993), 93). Scientism was “attempts to apply science beyond its own sphere” (Crick 1962 (1993), 99), note the Pascallian reference. Engineers, bureaucrats, consultants, scientists, and especially academics were prone to claim that they knew what was best for society, if only society would put them in charge. Yet like Walzer, Crick argued that technocracy could not determine where the ship was going: “[T]hose in political societies who apply the technologist’s style of thought to the business of government have, in fact, taken for granted the political devices by which some things emerge as problems, and some other things are submerged as irrelevancies” (Crick 1962 (1993), 110).

The technocratic approach can fail, as Barr (2008) shows in a study of Singapore’s attempts to reform its health care funding, when technocrats assume goals that are not shared by the wider public. Thus, like democracy, technocracy needs to be confined to its appropriate sphere. It needs to be used as “counsel” rather than “guidance”. It can play a useful role in public policy by helping democratic citizens to think about their choices. But it can never replace their sovereignty. In the memorable words of Winston Churchill as relayed by his son, experts should be “on tap but not on top” (Churchill 1965, 127).

## Democracy as a solution to technocracy

For political theorists like Walzer and Crick, this approach—democracy for ends and technocracy for means—provided a neat solution. But for social and policy scientists, the world is not so straightforward. Means and ends are difficult to disentangle. If Singapore’s people had decided “no casinos” and then brought in policy experts to choose how to



develop integrated resorts, it would have raised a host of new “ends” questions. Are the resorts intended to capture new tourism or grab back tourism from gambling locations elsewhere? The experts might continually find themselves resurrecting gambling in some form. Even without that, they would have to answer a host of substantive questions about the economic, social, and environmental aspects of the resorts. There is never really a point where democratic citizens can just sit back and enjoy the ride. If experts are making the decisions, then those are no longer democratic decisions.

One response to this has been to argue that all public policy decisions must be made in a democratic manner. A typical assertion of this literature: “For public policy to ‘work’ in areas as broad ranging as environmental quality, education, public safety, health care, and many others, individual citizens must be actively engaged in both the design and implementation of public policy...[C]itizen engagement is absolutely vital to solving the complex and intractable problems we face” (Denhardt and Denhardt 2011, 432). A chapter in the *Oxford Handbook of Public Policy* worries that: “The development of specialized areas of policy leads to the dominance of expert knowledge over ordinary grassroots experiential knowledge and the demise of local knowledge and contextual experience” (Ingram and Schneider 2006, 180). Biesta advocates education policy analysis that is subject to “continuous democratic contestation and deliberation” because “the most important question for educational professionals is... not about the effectiveness of their actions but about the potential educational value of what they do” (Biesta 2007, 6, 7).

As these quotations suggest, the democratic domination argument is sometimes an instrumental one (democracy is a means to good policies) and sometimes a consummative one (democracy defines good policies). What both approaches share is a belief that everything goes better with democracy. They are based on the epistemological assumption that knowledge and the decisions that result are more valid, robust, context-sensitive, and legitimate when generated by the people themselves.

## The critique of democracy

From a Walzerian standpoint, the problem with democratic domination is that it takes the justice of democracy and extends it into the sphere of technocracy without regard to the meaning of technocracy. Technocracy is *not* about citizen status, but about ideal policies, and ideal policies should not be defined teleologically as those produced by democratic processes. This approach pays no attention to the technocratic notion that a choice is not an ideal choice simply because it has been endorsed by a popular mandate, however, institutionalized.

Moreover, claims that the democratization of public policy are more likely to generate ideal policies are often supported by cherry-picked cases. One can point to many instances where democratic citizens are consistently and clearly wrong about public policy issues. In the USA, according to the Pew Surveys, only about a third of the adult population believes that global warming is happening and that it is caused mainly by humans. For climate scientists, the percentage is well over 90 %. Or to take another well-known example, most Americans believe that the Ford Pinto subcompact car, which was sold in the USA from 1971 to 1980, was dangerous and exploded on rear impacts. In fact, the evidence is overwhelming that the car was as safe or safer than other subcompacts (Schwartz 1991). Caplan catalogs dozens of issues on which American citizens beliefs about economic policy issues are flatly wrong, such as the belief that minimum wage laws have no effect on



employment levels (Caplan 2007) when the consensus of economists is that they do (Neumark and Wascher 2007).

Just as Walzer offers a critique of technocracy, he also offers a critique of democracy. A “perfectly democratic” public policy decision he notes, “is likely to come closest to the wishes of those citizens who are politically most skillful” since democracy is at root about the art of persuasion by whatever means—sentiments, rhetoric, symbolism, or emotion. It was not likely that persuasion would be grounded in reason, the sort of reason that policy analysis excels at. “The casual or arbitrary exercise of power won’t generate self-respect; that’s why push-button participation would make for a morally unsatisfying politics” (Walzer 1983, 304, 310).

Likewise, Crick warned that democrats “forget that the first business of government is to govern, which may at times...call for the deliberate endurance of unpopularity.” Those elected to power needed to “mediate, compromise, and occasionally think of the interests of government.” Such a government would be informed in making public policy by an “aristocratic” principle of “experience, skill, and knowledge” as well as a democratic principle of popular consent: “It will always be possible to argue that more or less democratic institutions or democratic spirit is needed in any particular circumstance” (Crick 1962 (1993), 69, 71).

The force of these critiques is found in cases where public policy really has gone badly wrong as a result of excessive or misplaced democratic domination. Take South Africa. Progressives everywhere were in the forefront of the battle against apartheid. But the apartheid South African state was technocratic in many ways, which is why it had the highest standard of living in the continent and why hundreds of thousands of black Africans sought to emigrate to the apartheid state (Segatti 2011). Once apartheid was abandoned and a truly populist government installed in the form of the African National Congress, there were hopes that a new South Africa would be both democratic and technocratic. Yet piece by piece over the last 20 years, democracy has come to dominate technocracy in unjust ways.

At the macro-level, South Africa’s technocracy measured by the World Bank’s government effectiveness and regulatory quality indicators have declined steeply from their peaks in 1996 (from 79th to 65th percentile in the former and from 74th to 64th in the latter). Several micro-studies show why. For instance, about 35 % of households continue to use solid fuels (coal, firewood, dung, paraffin) for both cooking and heating. The health costs of using these without proper methods are steep—2500 lives per year or more. In 1998, the bureaucracy proposed a new policy to make solid fuels safe. But the policy has been ignored by politicians because solid fuels are symbolic of the apartheid era when only whites had access to electricity. Politicians refuse to fund programs for this “symbol of oppression,” write Matinga et al. (2014). The Department of Energy’s spending priorities, rather than being left to technocrats, were seized by democrats. The results will get worse with planned major increases in electricity prices. It is not reassuring that the main opposition to the ANC is no longer the technocratic Democratic Alliance but the populist Economic Freedom Fighters. South Africa’s democratic domination is worse than morally unsatisfying. It is deadly.

## Sanctity and care

So neither democracy nor technocracy always supplies the right answers to public policy questions, which is to say the answers that maximize public value or best reflect the fragile and plural public interest (see Table 1). Public policy questions are thus often choices about *how we choose* between democracy and technocracy in any given instance.

**Table 1** Comparing democratic and technocratic approaches to public policy

	Democracy	Technocracy
Values emphasized	Fairness and liberty	Authority and loyalty
Strengths in policy	Responsiveness, context	Effectiveness, efficiency
Language of domination	Progressive, popular	Evidence-based, expert
Policy situations to be used	Pluralism, ambiguity	Complexity, risk

Of course, as a practical matter, democratic principles *always* dominate in a democratic regime in the sense that the power to amend the constitution resides with the people. A sovereign people who organize themselves under a democratic constitution will need to act democratically in order to limit democracy to certain issues. Most democracies do this through constitutions that limit the scope of government action. As legislative matter, they also put a significant amount of public policy-making out of the hands of legislative control in areas like central banking or national security. On other issues, democracy and technocracy are both usually at work. Technocratic analysis informs democratic debates, while democratic sentiments shape policy analysis. Technocrats and democrats tussle for control.

Still, the messy reality of what Trappenburg (2000) calls “mitigated pluralism” should not obscure the conceptual question of which approach, in the end, should have the final say. Neither Walzer nor Crick provided detailed guidance about how the choice should be made. Walzer put his faith in simple deliberation and the “self-respect” of citizens (Walzer 1983, 310). Crick argued for an open-ended politics that was “tiresome, obstructive, and pettifogging” (148) in which major objections to any plan of action be heard and that “force great acts of innovation to explain themselves.” Like Walzer, he rests much of his argument on the moral self-respect of the majority “to set obstacles against itself developing illusions of infallibility and permanence” (Crick 1962 (1993), 148, 150).

In the field of governance, the concept of “metagovernance” has gained wide currency to describe the process by which a governance process is chosen. Kooiman and others have generally identified the democratic principle of “responsiveness” and the technocratic principle of “efficacy” as the overarching principles of metagovernance (Kooiman 2003, 171–188; Sorensen and Torfing 2009). Yet, this simply replicates the problem itself. Since both democracy and technocracy claim to be both responsive and effective, and since in practice they work in tandem on most issues, appealing to these principles is unlikely to guide public leaders in when to privilege one over the other. For this, public leaders need some set of interpretive principles that do not include either democratic (responsiveness) or technocratic (effectiveness) notions.

A clue may be provided by the remaining two of Haidt’s moral intuitions—sanctity and care. Applied to public policy approaches, sanctity and care relate to the plural nature of the public interest itself—the sanctity of pluralism in every political community and an ethic of care for this pluralism in making public policy choices. As an analogy, a doctor may follow her patient’s wishes (democracy), or she may make her own expert decisions (technocracy), but above all her duty is to recognize that different patients need different approaches and to “do no harm.”

Sanctity and care provide us with the sorts of interpretive principles that are needed to recognize the public interest as being found in either democracy or technocracy in any given instance. Seeking to interpret the public interest with an overarching concern with sanctity and care may explain why, for instance, central banking is generally left to technocrats. Given the complexity of monetary policy, there is a good argument that

technocracy is likely to respect and protect the public interest better than democracy, despite constant appeals to “democratize” central banks (Jacobs and King 2016). By contrast, in situations characterized by a high degree of technocratic uncertainty and high stakes for the public—such as urban redevelopment plans—democratic processes may be more respecting and protecting (Pereira and Funtowicz 2009; Funtowicz and Ravetz 1990; Farrell 2011).

One might say that in issues involving complex rationality, sanctity and care lead to technocrat solutions, while in issues involving plural rationalities, they lead to democratic ones. Complex administrative and regulatory legal cases are given to judges while criminal and civil ones can be handled by juries. Studies of Latin American show how technocrats come to power when there is complexity of the policy area and the need by politicians to show good policy performance. But technocrats are overthrown when there are multiple stakeholders or a lack of technocratic consensus (Centeno and Silva 1998; Dargent 2015).

From a public service perspective, the need for a contextual application of policy-making approaches through open-ended procedures means that a lot depends on training and leadership. Public leaders need to be ready to adjust decision-making processes in light of changing circumstances. In the words of Sørensen and Torfing, they must “possess a range of strategic and collaborative competencies in order to craft, execute, and revise their metagovernance strategies in a context-sensitive manner” (Sorensen and Torfing 2009, 254). In our context, this means that those with various forms of executive authority must be procedural agnostics—deploying public collaboration and legislative referrals on some issues but executive action and technocratic guidance on others.

To return to the case of Singapore, we might ask whether the casinos decision was correct from a sanctity and care perspective. Did the procedure through which the technocratic approach was chosen embody an ethic of care and the sanctity toward the political community? One of the reasons we have so much information on this decision is that it was so widely aired, debated, and delayed. There was much tiresome, obstructive, and pettifogging politics in how to proceed—especially compared to the usual technocratic domination in Singapore. Moreover, much of the democratic sentiments crept into the technocratic solution—strict regulation, monitoring, ongoing assessment, and public debate. So at the very least, the decision treated the political community with respect or sanctity. At the same time, given that both complexity and pluralism were high, one can argue whether suitable care was taken. By 2016, the technocratic case for the casinos had weakened to the point that one local business newspaper reported that “questions on whether Singapore was right to scrap its long-time ban on casinos and embrace gaming as an economic driver have resurfaced” (Hardasmalani 2016).

Whatever the answer in this specific instance, it shows why these two spheres of justice are essential together. Democratic sovereignty and technocratic expertise must coexist. The “justice” of each must be kept apart in order that it fulfill its role. Yet, they must also coexist as necessary conditions for the other. A healthy democracy requires a healthy technocracy and vice versa. These spheres of justice are separate but complementary, and either without the other is a big problem for contemporary policy-making.

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