



# Social Epistemology

A Journal of Knowledge, Culture and Policy

ISSN: (Print) (Online) Journal homepage: <https://www.tandfonline.com/loi/tsep20>

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To cite this article: María Pía Méndez (2022) An Epistemic Problem for Epistocracy, *Social Epistemology*, 36:2, 153-166, DOI: [10.1080/02691728.2021.1992531](https://doi.org/10.1080/02691728.2021.1992531)

To link to this article: <https://doi.org/10.1080/02691728.2021.1992531>



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Published online: 15 Nov 2021.



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# An Epistemic Problem for Epistocracy

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## ABSTRACT

Epistocracy, roughly amounts to distributing political power in accordance with each citizen's competence for political decision-making. The problem, epistocrats hold, is that most voters in democracies are *incompetent* to vote. A central element of this diagnosis is that bad outcomes are largely attributable to lay citizens' incapacity to choose the right means to foster their preferences. I call this the Preferences/Mean Discrepancy. Based on this diagnosis, most epistocrats argue that the best way to improve outcomes is by implementing some form of restricted electorate constituted by those deemed competent to vote.

In this paper I elucidate epistocrats' understanding of competence to challenge the epistocratic idea of improving outcomes by restricting the electorate. I argue that the restricted electorate would fail to be competent under epistocrats' own terms, because it is faced with an epistemic problem: The Information Gap Problem. Epistocrats most likely definition of competence seems to be to possess relevant information. However, a restricted electorate would be formed by a homogeneous elite, which would therefore have limited access to a key form of information, namely, lay citizens' preferences. This gap of information questions the competence of the restricted electorate and makes epistocracy unsuited to address the Preferences/Mean Discrepancy.



## KEYWORDS

Epistocracy; competence; democracy

## I. Epistocracy and the Search for Competent Voters

A series of unexpected political outcomes such as Brexit and the election of Donald Trump and Jair Bolsonaro have revived debates regarding democratic electoral bodies and their behaviour. More specifically, discussions seem to focus on the capacity of electors to make competent high stakes political decisions. This has fostered interesting discussions around ideas like technocracy (rule of experts), and epistocracy.<sup>1</sup> Of these, epistocracy is the most significant contemporary manifestation, and so it is what I focus my attention on here.

Roughly, epistocracy amounts to distributing political power in accordance with each citizen's competence for political decision-making (Brennan 2016a). There are different forms of epistocracy distinguished by their preferred way to implement a competence-led distribution of political power. The problem, epistocrats hold, is that most voters in democracies are *incompetent* to vote, which makes them support suboptimal or bad policies and candidates (Brennan 2018, 58). More moderate versions claim that, at the very least, some voters are notably more competent than others.

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A central element of this diagnosis is that the cause of bad outcomes is largely attributable to lay citizens' incapacity to choose the right means to foster their preferences (Brennan 2016; Ahlstrom-Vij 2019). I call this the Preferences/Means Discrepancy. Based on this diagnosis, epistocrats propose focusing on competence to improve outcomes.

I will assume that the epistocrats' diagnosis is right. Many people are indeed ignorant about a variety of topics, which can make them choose inappropriate means to achieve their goals. Nonetheless, this diagnosis is incomplete because it implies an overly simplified view of what we consider to be *relevant* information for choosing the right means. This diagnosis and most epistocrat's solution of restricting the electorate is crucially connected with their understanding of competence.<sup>2</sup>

Epistocrats have not paid sufficient attention to their definition of competence, making it somewhat difficult to track what they really mean by the concept, but its most likely definition seems to be to possess relevant information. I will argue that the restricted electorate would fail to be competent under this epistocratic understanding, because it is faced with an epistemic problem: The Information Gap Problem. A restricted electorate would be formed by a homogeneous elite, which would therefore have limited access to a key form of information, namely, lay citizens' preferences.

The Information Gap Problem aims to show that a restricted electorate would be capable of choosing appropriate *content* of means that could thus be better suited to achieve desired goals, but it would be ill-informed about most people's preferred *form* of means.<sup>3</sup> This content/form distinction wants to identify two kinds of information that should be deemed relevant for decision-making. The information required to choose adequate means is not only constituted by the content of the policies, but by the form that those policies and candidates will choose for enacting those goals, which I connect to lived experiences or experiential information. If the epistocratic project is not aristocratic in inspiration - as implied by most authors - and instead seeks to produce better outcomes for *everyone* (or at least most people) then this second kind of information - about preferred forms - is crucial.

The gap of information that I describe seems to question the competence of the restricted electorate and makes epistocracy unsuited to address the Preferences/Means Discrepancy. Consequently, I will show that the overall epistocratic project is mistaken in trying to improve outcomes via a restricted electorate.

My analysis will also show that we would be better equipped to address the Preferences/Means Discrepancy by focusing on improving the flow of information between all actors. If we grant the distinction I am putting forward here, (i.e., between content and form) of the means we choose, what we require is an improvement in the flow of information between all actors, so that lay people are less ignorant about content, and those better informed, including technocrats, can also be better informed about lay people's preferred forms of implementation.

The paper has three other parts. Part II begins by introducing epistocracy's main features as a general system and continues by considering its approach to competence. Part III moves on to provide two interpretations of competence. Part IV continues by describing the Information Gap Problem and showing that epistocracy's approach to competence is unsuited to overcome it.

## II. The Epistocratic System

### *A Brief Overview*

Epistocracy is a system that challenges universal suffrage. More precisely, 'A system is said to be epistocratic to the extent that the system formally allocates political power on the basis of knowledge or political competence' (Brennan 2016a). I will begin by introducing some of the main features of epistocracy. An important part of this introduction will be to explore Kristoffer Ahlstrom-Vij's comments on social deliberation. His view presents key concerns that motivate epistocratic projects

such as what I name the Preferences/Means Discrepancy. Section 3 will examine the epistocrats' understanding of competence in more detail. I will focus on Jason Brennan's account given its relevance for the literature on epistocracy.

Although there are different accounts of epistocracy, most views share a general argument. This argument begins by claiming that voters in democracies are ignorant, misinformed, or irrational concerning politics. An ignorant electorate tends to support suboptimal or bad policies and candidates, hence, epistocrats believe knowledge and wisdom are not salient features of this group.<sup>4</sup> This is problematic because politicians cater to the ignorant electorate, which means there is a high risk that they will indeed implement the bad policies preferred by the electorate (Brennan 2018, 58).

In order to address the problem of the incompetent electorate, epistocracy suggests identifying competent and incompetent citizens, usually by enacting some kind of voter qualification exam.<sup>5</sup> The latter involves presenting citizens with a set of questions on politically relevant matters, so that those who prove their qualifications by passing the exam can vote or have additional political powers to the ones offered to the unqualified citizens. Epistocrats hold this and other ways of testing the citizens would secure a politically competent electorate, and thus prevent undesirable outcomes such as passing racist laws.

### ***Kristoffer Ahlstrom-Vij: Concerns about Social Deliberation***

Starting from what he calls the 'fact of widespread incompetence' (Ahlstrom-Vij 2012, 199); Ahlstrom-Vij is sceptic of the aggregate competence of a deliberating group. He develops a critical analysis of social deliberation and suggests that the epistemic defence of democracy fails. His concerns provide relevant support to an epistocratic system, and therefore begin to describe the motivations behind epistocratic projects. I will briefly describe them here.

Ahlstrom-Vij (2012) argues that the widespread incompetence of the electorate has problematic consequences. Evidence from social psychology shows that social deliberation only favours the view of the majority. According to Ahlstrom-Vij, people are not moved by the arguments of an informed minority, which leads to two relevant consequences: it questions the epistemic benefits that come from social deliberation, and the capacity of a deliberating system to include epistemically important perspectives.

What matters is having a good number of well-informed people instead of the quality of the judgements that some minority of well-informed people can have, because most of the times, people are not moved by the better judgements (Ahlstrom-Vij 2012, 203–205). Accordingly, he claims this evidence questions both the alleged learning effect gained through deliberation, and the idea that aggregate competence is more 'remarkable,' which amounts to ultimately questioning the overall epistemic benefits of social deliberation.

Likewise, social deliberation also 'runs the risk of depriving the practice of epistemically important perspectives every time those perspectives are represented by a minority' (Ahlstrom-Vij 2012, 214). Ahlstrom-Vij holds, that not only does social deliberation not lead to outcomes that reflect the impact of well-informed people but can also deprive us of relevant perspectives if they belong to minorities.

To summarise, Ahlstrom-Vij argues that widespread ignorance has two crucial problematic consequences over social deliberation, namely, it turns it incapable of securing informed outcomes from decision-making and, at the same time, offers fewer chances for minority voices to be heard.

### ***The Preferences/Means Discrepancy***

Ahlstrom-Vij (2019) claims that what is problematic about having a majority of incompetent voters is that, although they know what their preferences are, they are ignorant regarding the best means to foster them. Moreover, they can even choose means that go against their preferences. But he is not alone in this assessment, Brennan (2016) also supports this view and states that 'we sometimes

mistakenly believe a policy will promote our favored outcomes, when that policy will in fact undermine those outcomes' (Brennan 2016, 50–51). This is what I refer to as the Preferences/Means Discrepancy.

In this section I will describe the problem in more detail and show how it seems to be at the heart of the epistocratic proposal. To do so, I will introduce Brennan's version of the problem, followed by a description of Ahlstrom-Vij's analysis.

Brennan identifies two kinds of preferences that people have when they vote, he calls them policy preferences and outcome preferences. The former are those policies that people want their candidate to support, the latter are the consequences they want their candidate to produce (Brennan 2016, 50). The idea he puts forward is that voters actually do have the common good in mind when they vote, but they do not always succeed at promoting it. What prevents voters from succeeding at promoting the common good is that they are mistaken about the policies that would indeed foster it. Thus, the problem does not lie on people's selfishness when they are casting their vote, instead, they are incapable of identifying the right means to promote their preferences.

So, for example, in 2008, Republicans sincerely believed cutting taxes and government spending would stimulate economic growth. Democrats sincerely believed increasing taxes and spending would stimulate economic growth. They can't both be right (Brennan 2016, 51).

People can have good outcome preferences, but that does not mean that they are competent enough to have good policy preferences (Brennan 2016, 51). This characterisation of citizens' preferences puts the Preferences/Means Discrepancy at the centre of epistocracy, because it has a crucial explanatory purpose; it shows the effects of incompetence over voting. Furthermore, it seems to give us relevant information about what it means to be incompetent.

Looking at the effect of public ignorance over voting serves Ahlstrom-Vij (2019) to argue that whatever view of voting one holds, public ignorance has a negative impact over the outcomes. Much like Brennan, a key part of Ahlstrom-Vij's analysis relies on the Preferences/Means Discrepancy.

Ahlstrom-Vij (2019) contends that there are two central views on the nature of voting, one of them holds that voting amounts to making a statement about the policies that reflect the general will or common interests of the people. If voters are adequately informed, their deliberation would lead to a decision that reflects the general will (inspired by Jean- Jacques Rousseau). The second view on voting defines it as expressing preferences (Caplan 2007). Because preferences cannot be understood as true or false, one could say voter ignorance is not a concern to those supportive of this view. However, Ahlstrom-Vij (2019) argues that preferences can be either bad or well informed, which affects their likelihood to come about or be frustrated.

For example, if we prefer a society where no one lives in economic destitution to one where some do, but have wildly inaccurate views about what political candidates or policies will realize the kind of society we prefer, then our preference might end up frustrated (Ahlstrom-Vij 2019, 4).

Hence, voter ignorance is relevant even if we think of voting as expressing preferences because, choosing the wrong means to foster those preferences due to ignorance, affects the quality of democratic decision-making. This is what I call the Preferences/Means Discrepancy and, according to Ahlstrom-Vij, what suggests considering forms of expert rule (Ahlstrom-Vij 2018, 11).

The Preferences/Means Discrepancy seems to be a crucial part of the argument that demonstrates both democracy's epistemic shortcomings, and the impact of voter incompetence. It helps epistocrats to make the case that a form of expert rule like epistocracy could allow a better approach to improve the quality of public decision-making outcomes. However, as I stated in the introduction, there is more to 'choosing the wrong means' than what epistocrats are able to identify. Even if we follow their own approach to the Preferences/Means Discrepancy as I have done in this section, we can see that it is a matter of content that epistocrats are concerned about, which connects to the caveat in my acceptance of their diagnosis on voter's ignorance. Voters are not ignorant about the form means should take, but about their specific content.

## **The Content/form Distinction**

Before moving on to analyse epistocrats' understanding of competence, it is important to briefly describe what I have referred to as the content/form distinction, given that it helps to shed some light on the Preferences/Means Discrepancy that we just discussed.

When we think about the best means to achieve a goal there are two things we should be thinking about: the content of the elected means and the form that they will take. By content I understand the specific or formal information required to identify the components of say a policy, and by form, I mean the approach of the implementation of that policy, or the experiential information that makes us prefer one sort of implementation over another.

In policy-making processes there is a design stage and an implementation stage. Usually for the latter, lay people are asked about their preferred ways to implement a project, because it is recognised that lay people's input is valuable because it contains good information on general ways to undertake practical projects. These general preferred approaches for implementing means are the kind of information that lay people do possess and, as I will argue later, has little overlap with what an elite group would choose. Accordingly, the Preference/Means Discrepancy that epistocrats rely upon for their argument can only be aimed at a content problem.

## **Epistocracy's Understanding of Competence**

Much has been said regarding both the benefits and shortcomings of epistocracy,<sup>6</sup> however, both supporters and detractors of the view seem to take for granted that there is some tacit understanding of competence underlying epistocratic proposals, but a brief look into the most popular accounts shows something different. Instead of providing a clear definition of competence, accounts of epistocracy either appeal to ignorance, irrationality, lack of information and incompetence interchangeably, or focus on offering features of an incompetent electorate. In this [section I](#) provide some examples of this under-specified approach to competence and analyse Brennan's treatment of the concept in some detail – due to his view's prominence the epistocracy literature. This analysis will show that, although competence is not clearly defined, epistocrats such as Brennan seem to be concerned about two things: epistemic virtues and information. Both elements will help us to elucidate likely definitions of competence, which will be discussed in Part III.

Let us begin by looking at some examples of epistocratic approaches to competence. Brennan (2011) uses 'epistemic competence' to describe one of the requirements for a citizen to be granted the right to vote. However, Brennan (2009) characterises what he calls *bad voters* without defining what he means by epistemic competence. Others like Ahlstrom-Vij appear to use 'widespread incompetence' and 'widespread ignorance' interchangeably. Ahlstrom-Vij (2012) claims '... The majority of the public is likely to be incompetent with respect to the issues of relevance to governance' (Ahlstrom-Vij 2012, 199) but to support this claim, he refers to evidence regarding political *ignorance*. In recent work (Ahlstrom-Vij 2019), he uses 'widespread ignorance' instead, and again refers to the same findings that supported his previous claim incompetence.

Additional examples are Jeffrey (2018), who uses political expertise, Caplan's (2007) focus on rationality, and how Umbers (2019) objects to Brennan's competence principle by identifying two different kinds of competence (individual and collective), which nonetheless do not add or question Brennan's understanding. I will move on now to analyse Brennan's approach to competence in more detail.

Jason Brennan (2009) describes incompetent voters or what he calls 'a bad voter' as one who votes *without sufficient reason* for unjust and harmful policies, or for candidates who might advance them. (Brennan 2009, 535–538). Brennan's proposal to address the problem of bad voters is to disenfranchise those who are proven not qualified to vote.<sup>7</sup> 'In contemporary democracies, citizens should have to possess sufficient moral and epistemic competence in order to have the right to vote' (Brennan 2011, 701). We can formulate this proposal as follows: citizen C can vote if and only if C is (i) sufficiently morally competent and (ii) sufficiently epistemically competent.

Brennan claims that the justification for excluding bad voters – a citizen that fails (i) or (ii) in the above formulation – is based on what he calls the *competence principle*. He argues that every citizen has the right to have a competent electorate making decisions, which trumps every citizen's right to vote. Therefore, the competence principle – our right to have a competent electorate – would be violated in our democracies due to the enactment of universal suffrage (Brennan 2011, 704).

Brennan (2011) suggests that one way to determine competence (he acknowledges there are other ways) could be subjecting every citizen to a *voter qualification exam*<sup>8</sup> '[This would be] akin to a driver exam, which tests generally relevant basic social science and basic knowledge about the candidates' (Brennan 2011, 714). Brennan's competence principle alludes to what he called the need for *voter's epistemic* competence. Nonetheless, when describing the object of voter qualification exams, he refers to excluding misinformation and *ignorance*.

In a more recent rendition of his account, Brennan (2016) claims that to advance his view of epistocracy he does not require more than 'relatively uncontroversial platitudes about competence' (Brennan 2016, 162). According to Brennan, what is required instead of a precise theory of political competence that draws a clear line between competent and incompetent voters, is to show that most voters are on the wrong side of that line (*ibid*). To support this claim, he takes four criteria used in medical ethics to determine a patient's competence to decide for herself and applies them to voters. These criteria are defined by Jillian Craigie (2011) as the 'standard criteria for competence.'

Patients must be aware of the relevant facts; they must understand the relevant facts; patients must appreciate the relevance of those facts for their own particular case; patients must be able to reason about those facts in an appropriate way (Brennan 2016, 162).

Brennan (2016) applies these criteria to voters stating that if they are ignorant of the relevant facts, lacking in knowledge about basic recent history, civics, the power of diverse offices and social science, all of which are required to evaluate a candidate's proposals or performance, then they are not competent. Likewise, voters ignore what the challengers want and who they are, and what would happen if they succeeded. All the above-mentioned shortcomings according to Brennan, make voters decide in an irrational way (Brennan 2016, 164). Consequently, Brennan outlines basic requirements for political competence.

A moderate position on democratic competence might hold that voters should do the following: Voters should act on widely available, good information, if not always the best information available anywhere. They should avoid mass superstition and systematic error. They should evaluate information in a moderately rational, unbiased way (. . .) at least with the degree of rationality a first-year college student brings to thinking about introductory organic chemistry. Voters should be aware of their limits, and thus always look for more and better information on any high-stakes decision (Brennan 2016, 165).

Looking at the general characteristics of epistocracy and Brennan's approach to the notion of competence showed that there are various ideas surrounding epistocrats' understanding of competence, but no straightforward definition (apparently, intentionally in Brennan's case). Brennan's approach to competence, nonetheless, includes two elements that seem to follow from the epistocratic project's concerns – as presented in sections 1 to 3. These are: epistemic virtues, and information. Having epistemic virtues to be considered competent would point at a very well-defined notion of competence, whilst possessing sufficient or relevant information seems to lead on the direction of a broader definition according to what Brennan qualified as 'uncontroversial platitudes.'

### III. Competence for Better Outcomes: Two Versions of Competence

In what follows I will offer two possible interpretations of competence for epistocratic projects: as a *reliable epistemic disposition*, and as possessing *sufficient information*. The first definition follows from the use of 'epistemic competence' we find in Brennan's proposal, and the second intends to capture both a less stringent approach to competence, as well as, a definition that could appeal to

epistocrats. I consider a third alternative to test the second version and conclude that the sufficient information version is the most suitable for the epistocratic project, since it does not lead to costly implementation or require unsavory justifications.

### **Competence as a Reliable Epistemic Disposition**

Brennan's reference to *epistemic* competence tracks the intuition that there is something like epistemic virtues involved in our notion of what it is to be a competent voter. Here, I examine an epistemic version of competence as a reliable epistemic disposition.

The importance of competence for epistemology has been the subject of significant debates in contemporary virtue epistemology.<sup>9</sup> These approaches focus on the intellectual virtues and vices of individuals and communities (Turri, Alfano, and Greco 2019). So, we could think of an epistemically competent agent as intellectually virtuous in some way, because she holds characteristics or virtues, 'which make for an excellent cognizer' (Turri, Alfano, and Greco 2019: n.p.). There are different ways of characterising epistemic virtues, they can include faculties like perception, memory and intuition – faculty virtues – or character traits (trait virtues) – such as open-mindedness and conscientiousness (*ibid*). Setting aside the debates on this matter, the important thing to note is that epistemic virtues are different from epistemic states like knowledge; they are the means to acquire them.

We can analyse in more detail how the understanding of epistemic competence as having epistemic virtues would fit Brennan's or any epistocratic proposal by looking at an approach from virtue epistemology such as Ernest Sosa's (2010) impactful view. Sosa describes competences as 'dispositions of an agent to perform well' (Sosa 2010, 465). As such, they have three components: constitution, condition, and situation. Applied to archery competence, for example, constitution is the seat of the archer's skill, the condition is to be awake and sober, and the situation would be normal winds and enough light.

If the requirement for competence of an epistocratic project is of the kind described by Sosa, as having the disposition to perform well, voters could require proving that they can choose the most optimal candidate, which Brennan stated is not what a citizen needs to do to be a good voter. Additionally, it is clear that a voter qualification exam is insufficient and inadequate to test the voters' competences under this definition. In order to test the disposition of voters to perform well, what would be required would be something like voting exercises evaluated through a period of time, to make sure their voting performance is not due to a lucky occurrence but to a *reliable* disposition to vote well. Agents would be unable to show their epistemic competence only by answering general questions about civic issues or economics, because these would assess their level of information on those areas, not their capacity to skillfully 'hit the target,' in this case, to reach an appropriate result. Landmore (2012) makes this point by stressing that possessing raw data about political facts is different from showing competence.

Furthermore, Landmore argues that the difficulty to establish the causal link between holding information of a certain kind measured by surveys and being competent lies on the fact that it is hard to think of a 'good empirical benchmark for political competence that would be distinct from a good benchmark for information level' (Landmore 2012, 276). Additionally, since electing representatives constitutes most of the voting instances in present democracies, it would be very difficult to establish what counts as performing well.

In light of the problems of defining competence as a reliable epistemic disposition – too difficult and costly to measure among other considerations – this version should be discarded as an option available to epistocrats.<sup>10</sup>



### **Competence as Possessing Sufficient Information**

Looking at the two proposals that I focused on to characterise epistocracy we can identify a concern for information. Although as I pointed out there is some inconsistency in the way that epistocrats refer to what counts as being competent, they do tend to stress that ignorance, as a lack of relevant information, is at the root of incompetent voting. Ahlstrom-Vij (2019) analysed the impact of ignorance over voting as well as Brennan (2016) mentioned a lack of information when applying the criteria used in medical ethics to voters.

Brennan (2011) also identified three kinds of bad electorate that he qualifies as the *ignorant* electorate, the *irrational* electorate, and the morally unreasonable electorate. This suggests that, setting aside the moral considerations, even his idea of epistemic competence addresses mostly ignorance, understood as a lack of appropriate information.

Additionally, the idea of a voter qualification exam is connected to the notion of assessing levels of information, because they test the citizen's capacity to answer information-related questions on economics and political information, rather than skills. In this sense, competence seems best understood as possessing information instead of virtues.

Finally, the Preferences/Means Discrepancy identifies precisely an issue with regards to information. What electors do not have is the right kind of information about the appropriate means to foster their preferences. As discussed, when I presented the content/form distinction, voters are ill-informed in terms of the content of policies that would be able to promote their goals, which makes them sometimes even choose those that are detrimental for them.

Let us assume then that what Brennan and others mean by requiring competence, is something like possessing sufficient information. What we need to elucidate now is the kind of information required. Consider that, as mentioned, one of the proposed methods by epistocrats to measure competence is a voter qualification exam, which should assess a defined set of contents. This seems to support the idea that ignorance is indeed a matter of content. One of the difficulties with this notion of competence in practice is actually determining which are the contents deemed relevant. Identifying the sort of information that makes a voter politically competent is at the base of the complexity of defining competence in the first place – as acknowledged by Brennan (2016). In addition, as pointed out by Ilya Somin (2019) we would have to determine *who* would define the content, which could make the test open to manipulations to serve the interests of a group – from the State to a non-profit organisation. However, determining the relevant content as well as devising ways to avoid manipulation are not unsurmountable problems, so these considerations do not put epistocrats under too much pressure.

Brennan (2011) has hinted at the content of a qualification exam as mentioned above and referred to 'basic social science' and 'knowledge of candidates' (Brennan 2011, 714). When sketching what he called a 'moderate position on democratic competence,' Brennan appears to lower the requirement by suggesting voters should 'act on widely available, good information' (Brennan 2016, 165) and not follow superstitions.

Ahlstrom-Vij, on the other hand, takes Bryan Caplan's (2007) conclusions about the irrationality of voters to object the 'miracle of aggregation' (Converse 1990). Caplan states that lay people's uninformed views about economics tend to lead in the same direction instead of pointing at different directions, which means that they do not get to cancel each other out. Ahlstrom-Vij argues that this could be generalisable to other domains such as politics. We can infer from this analysis that the sort of information voters should have can be compared to information on economics.

Civics, social science, or simply information regarding the specific candidate and 'widely available' information represent a very broad set of possible content that could be considered relevant. Social science information is certainly more demanding than acting on good available information, but what all of them have in common is that they refer to some kind of formal information, something that is to be obtained from external and reliable sources.

### ***A Third Option?***

An alternative definition of competence could be one that also understands it as possessing relevant information but adds a concern for specific values. After all, recall that Brennan (2011) does refer to being morally competent as part of the requirements to have the right to vote (Brennan 2011, 701). Thus, this understanding could identify a set of values, such as tolerance, honesty, or solidarity to ensure that voters are not going to act upon egotistic or intolerant reasons when they vote. This definition would account for epistocratic claims like Brennan's moral requirement. Nonetheless, as mentioned above, epistocrats start by acknowledging that even incompetent voters seem to have the common good in mind when they vote. Selfishness at least does not appear to be the problem. Likewise, an understanding of competence that seeks to assess moral character would be even costlier and more challenging than the reliable epistemic disposition alternative. But more importantly, it would put epistocrats under the obligation to argue that possessing relevant information and having a good moral character – here defined as being generous and tolerant – do not come apart. It is not controversial to affirm that we have reasons to believe that possessing relevant information for voting does not necessarily imply having a good moral character, which means that indeed these two requirements do come apart. Therefore, epistocrats supporting a definition of competence as possessing relevant information plus certain values, would be forced to either come up with a compelling argument that these two requirements do come together, or to find a way to identify the weightier of the two. In any case, it seems that this would lead to unhappy results and thus, does not represent an appealing avenue for epistocrats to pursue.

In conclusion, the definition that seems most likely to fit in epistocracy is the second alternative: as possessing relevant information. However, In the next [section I](#) discuss how such version still faces an epistemic problem that renders the whole project unable to fulfill its goal of improving outcomes.

## **IV. The Competence of the Restricted Electorate**

In this part of the paper, I introduce what I claim is an epistemic problem for competence as possessing relevant information, or what I call the Information Gap Problem. The latter states that, although a restricted electorate could be well-informed to choose the most appropriate content of the means to foster general preferences, it would be ill-informed about lay people's preferences regarding the form of those means, which would question the electoral body's competence given the information-based definition we identified for epistocracy.

I begin by introducing the Information Gap Problem in more detail and continue by analysing what it tells us about the relevance of lay people's information about means, as well as the conclusion we draw from the Information Gap Problem regarding the idea of competence. Finally, I analyse and draw conclusions concerning the epistocratic approach to competence in Section 3.

### ***The Information Gap Problem***

It has already been pointed out, especially by David Estlund (2008), that due to current persisting inequalities, a restricted electorate of the kind envisaged by an epistocratic system, would be constituted by an elite sharing particular demographic and socio-economic features. The latter, Estlund claims, faces the risk of reproducing the shared implicit biases of the restricted electorate's members. But a related negative aspect arises by considering Estlund's concern about biases. Acknowledging the likelihood of an elite to reproduce its shared biases implicitly grants that its homogeneity would also mean its members will have limited access to lay people's preferences.

A group of well-informed or highly qualified people would certainly be better at determining the appropriate content of means to promote general goals, but it seems unlikely that they would be capable of having access to the disenfranchised people's preferred form of means.

Following the analysis, I have presented so far, we can say epistocrats grant that incompetent voters have the common good in mind when they vote, but consider they lack the relevant information to choose the right means to foster it – the Preferences/Means Discrepancy. The restricted electorate instead is thought of as possessing the relevant information to correctly select the means to promote the common good. Thus, in both cases we have an electorate that has the common good in mind but in the latter case possessing relevant information – competence – allows for better outcomes. However, as the content/form distinction puts forward, choosing the right means to get good outcomes, also requires having the relevant information about most people’s preferred form of those means. This is precisely what the restricted electorate would lack access to, so even if the restricted electorate has the common good in mind, and thus we can imagine some overlap with regards to general goals, the form of the means we choose would certainly lead to much less overlap. The reason for this little overlap has to do with the different experiences of an elite group and lay citizens. How we want to implement a policy is inevitably connected with the way in which we live our daily lives. It has less to do with an intellectual process and more to do with the information that comes from lived experiences, where the ones connected to an elite group of citizens would surely differ from those of lay citizens. Accordingly, the restricted electorate’s lack of access to those preferences would constitute a serious gap of information.

### ***The Importance of Lay People’s Preferences to Improve Outcomes***

Let us go back to what the epistocratic project’s goal was: to improve the outcomes of our democracies. Accordingly, what is at stake is improving outcomes that affect citizens as a whole. One of the common complaints from lay citizens in contemporary democracies is that representatives are disconnected from common citizens’ realities,<sup>11</sup> which makes them oblivious to their concerns and interests. What the Information Gap Problem shows us here is somewhat related to that complaint. It claims that an elite, in this case of electors, would also be ‘disconnected’ from (here expressed as uninformed about) a crucial component of the outcomes we want to improve, namely, people’s preferences, which I have used as a term to refer to the form of the means chosen. Moreover, as explained above, the form of those means in the way they connect to lived experiences.

Standpoint theories in epistemology argue along these lines. They hold that people of specific social standing, have either epistemic privilege in accessing some truths, or that they at least have practical advantages to discover truths. ‘The scope of the claimed privilege includes the character, causes, and consequences of the social inequalities that define the groups in question’ (Anderson 2019: n.p.).

The argument from standpoint theories – either in the classic version about epistemic privilege in access, or the weaker notion of practical advantages to discover truths – supports the concern for the limited access of the epistocracy elite to the rest of the citizen’s preferences. The restricted electorate will have an also *restricted* access to the disenfranchised people’s preferences, because they are in this case the unprivileged group. It is therefore questionable that establishing the distinction between well-informed and ill-informed, and restricting our electorate accordingly would lead to better outcomes.

The restricted electorate could be well-informed about the most adequate content of the means to foster preferences in general, but it would certainly be ill-informed about lay people’s preferences in terms of the form that those means should take. There is a gap of relevant information that the elite electorate cannot fill, which could result in outcomes disconnected and inadequate to promote most people’s preferences. Recall the Preferences/Means Discrepancy and its centrality for the epistocratic project, the Information Gap Problem I have just described makes epistocracy unsuited to overcome it, because it only manages to shift the focus of the problem from lack of information regarding the content of the best means to foster outcomes, towards a lack of information about the form that those means should take.

### ***What the Information Gap Problem Tells Us about Competence***

One of the main conclusions that we can draw from the Information Gap Problem is that there is something amiss in the epistocrats' approach to competence if what they look for is to improve the outcomes of our democracies. If epistocrats believe that the problem lies in the lack of information, as I argued throughout this paper, then securing a better flow of information is a better option than restricting the electorate. The idea of restricting the electorate does not intend to improve the pool of electors but to choose a better one, hence, it does not provide a long-term solution like the focus on improving the flow of information does. A participatory arrangement where all actors in a democracy, namely, common citizens, representatives, technocrats, non-governmental organisations, and social movements could directly converse, would allow for this exchange or better flow of information. Currently most of our democracies prevent these discussions from happening, or at least do not promote them, especially in any legally binding form. However, there are good examples of participatory instances, such as: sortition legislature, Participatory Budgeting and Deliberative Polling<sup>12</sup> that prove to be promising examples – especially given that all but the sortition legislature have already been successfully implemented. Surely a long-term solution like this should be a preferable approach to improve outcomes.

One could argue that I have not engaged with another central concern for epistocrats: rational ignorance (Downs 1957). Maybe the whole point of having a restricted electorate is to address the issue that in our democracies common citizens prefer to remain badly informed, because it is too costly and time consuming to do otherwise, given the little impact that their vote can have. This lack of incentives keeps our electorate incompetent, therefore, the best approach is to focus on choosing a pool of electors that although faced with the same lack of incentives are not incompetent.

However, there are two important things to point out if this is the case. First, if rational ignorance is indeed one of the main problems for epistocrats, implementing a restricted electorate would, again, not solve the problem. Limiting the vote does not give any sort of incentive for electors to be better informed but actually makes things worse. Disenfranchised people would certainly lack incentives to become better informed. Second, what rational ignorance helps prove is that there is a problem with the little impact that voting has in our democracies. Facing the lack of incentives to be better informed should lead us to rethink the ways in which common citizens participate, in order to address the little capacity they have to make a strong impact. Deciding to restrict the electorate to face the problem of rational ignorance does not seem to do this.

Finally, an epistocracy that gives more power to an elite could, as we saw above, result in distorted outcomes that are disconnected from the disenfranchised citizens' preferences, which would be largely worse than finding other ways of providing appropriate information for all parties in our democracies. Improving our democracies through educational means and better flow of information amongst its members – as would occur in a participatory democracy – provides a safer, long term and more just approach to the problem of lack of information that has been framed as 'voter incompetence.'

## **V. Conclusions**

The idea of competence that epistocratic projects rely on has rarely been questioned or analysed in depth. Throughout this paper I examined what epistocrats mean by a competent electorate. I argued that their idea of competence relies on information. However, I showed how their approach to competence leaves out an important kind of information; common citizen's preferences – term that I used to refer to their preferred *form* of the means chosen to achieve their goals. This Information Gap Problem makes epistocrats unsuited to respond to the Preferences/Means Discrepancy; citizen's incapacity to choose the right means to promote their preferences, which is at the center of epistocratic concerns in the first place. A form of participatory democracy, which focuses on

improving the flow of information amongst specialists and common citizens, seems like a much better long-term option to improve outcomes in our democracies and mitigate the Preferences/Means Discrepancy.

## Notes

1. Estlund (2008), Fuerstein (2008), Landmore (2012) and Viehoff (2016) address the electorate's capacities from different perspectives. The clearest focus on this topic, nonetheless, can be found in Brennan (2009, 2012, 2014). Regarding technocracy, Esmark (2020), Bickerton and Invernizzi (2017), and Dargent (2015) develop views that also consider populism as the opposed phenomenon. Finally, epistocracy has its strongest contemporary exponent in Brennan (2011, 2016, 2018). Mulligan (2015) supports epistocracy, and Jeffrey offers what she qualifies as a version compatible with inclusion (2018). Moraro (2018), and Gunn (2019) respond by opposing to the notion.
2. The analysis of competence that I undertake here will not constitute the main goal or focus of this paper, it will be instrumental to the discussion about the restricted electorate's capacity to improve outcomes.
3. The content/form distinction is being used here in a particular way but does draw from some common uses in the philosophy of language where both elements are relevant to comprehend a statement.
4. As mentioned, there are more moderate versions, but all of them coincide in the idea that more competence should equal more political power.
5. Additionally, different forms of epistocracy result from each view's implementation of the distribution of political power guided by competence concerns. These include from voter qualification exams to lottery systems and veto power over passed legislation. For some examples of these see: (Caplan 2007; Mulligan 2018; Lopez-Guerra 2014; Brennan 2016)
6. See Mulligan (2018), Caplan (2007), Lopez-Guerra (2014) and Jeffrey (2018) for more views on epistocracy. For some interesting objections to epistocracy, see: Estlund (2008), Moraro (2018), Gunn (2019), Reiss (2019), Umbers (2019).
7. Brennan's (2009) initial claim is that although every citizen has the right to vote, if voting, she has a moral obligation not to vote badly (Brennan 2009, 545), because voting badly is to take part in a collectively harming activity, and each individual has a moral obligation not to participate in such activities. He concludes bad voters should refrain from exercising their right to vote, especially, since doing so does not amount to high personal costs (Brennan 2009, 535–538). However, later papers show and explain his transition towards this stronger view that requires forceful disenfranchisement.
8. In later work, Brennan's preferred form of epistocracy, as mentioned above, is what he calls *Government by Simulated Oracle* (Brennan 2016).
9. See Sosa (2010); Pritchard (2009); Miracchi (2014); Carter, Jarvis, and Rubin (2015).
10. It should be noted that a form of *very restricted* electorate could allow epistocrats to consider implementing more costly mechanisms.
11. In 2003 the *yougov* online polling organisation with a representative sample of 2.273 UK citizens showed that 72% of the sample felt disconnected from Parliament, and almost half of them (46%) reported feeling very disconnected from Parliament (Coleman 2005, 201).
12. A sortition legislature is a legislative body composed of common citizens elected by lot, which could be added to an elected legislature enjoying the same kind of attributions (see Gastil and Wright 2018). Participatory Budgeting consists of involving non-elected common citizens in the allocation of public resources (see Sintomer et al. 2012). Deliberative Polling is a type of minipublic (microcosm of common citizens) developed by James Fishkin (2018). It originated in the context of presidential primaries in the United States. The idea behind it is to generate a representative sample of the public, which is to deliberate extensively about the merits of the candidates, to make recommendations to the wider electorate according to the results of this deliberation.

## Acknowledgments

I would like to acknowledge the PG community of the University of Glasgow and my PhD supervisors Prof Ben Colburn and Dr Mona Simion for their useful comments on previous versions of the manuscript. I am also greatly thankful to both reviewers for their assistance in improving this manuscript, and most of all to the constant support and help of my partner Dr Joaquim Giannotti.

## Disclosure statement

No potential conflict of interest was reported by the author(s).

## Funding

This work was supported by the National Agency for Investigation and Development (ANID), former National Commission for Scientific and Technological Research (CONICYT) under Grant number 72170205.

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