The Incompatibility of Moral Relativism and Brennan's Argument for Epistocracy

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Abstract

In Against Democracy, Brennan argues in favor of restricting suffrage, proposing epistocracy. He argues political power should not be held by incompetent and morally unreasonable people (i.e., the competence principle) and that epistocracy would create more just outcomes than democracy. However, Brennan assumes his argument is compatible with different meta-ethical frameworks. In this article, I examine the extent to which his argument is challenged by meta-ethical moral relativism, aiming to answer the following central research question: what are the repercussions of meta-ethical moral relativism for Brennan's use of the competence principle and the creation of just outcomes as an argument in favor of epistocracy over democracy? I argue that democracy better satisfies Brennan's own principles compared to epistocracy, for the epistocratic reliance on experts renders epistocracy inherently incapable of collecting sufficient information about moral facts from the right voting population.

Keywords

Analytical political philosophy; Democracy; Epistocracy; Jason Brennan; Meta-ethical moral relivatism

Introduction

Ever since Plato's *Republic*, the idea that democratic electorates lack sufficient (political) competence has been used to criticize democracy (Plato 2015). In his book *Against Democracy*, the political philosopher Jason Brennan articulates this issue by claiming that citizens can be biased, irrational, ignorant and morally unreasonable (Brennan 2016). Instead, he argues for epistocracy, a polity in which only a select group of competent and morally reasonable people can hold political power, including the power to vote; it aims to exclude people with bad moral or epistemic character (Brennan 2011, 701). In Brennan's view, democracy violates the competence principle, which holds that important decisions that affect others should be made morally and competently by morally reasonable, competent people. As citizens often lack sufficient political competency, the democratic belief in unrestricted suffrage (a form of political power in Brennan's view) violates this principle. In addition, Brennan thinks restricting suffrage will result in more just outcomes. It is for these reasons that Brennan argues epistocracy is less unjust compared to democracy.

However, Brennan does not give a clear account of the moral framework underlying his principles. He does not elaborate on what a 'just outcome' entails and takes it that moral reasonability can be "filled in by the truth, whatever that is" (Brennan 2011, 705). Brennan thereby assumes his theory is compatible with different meta-ethical frameworks, as long as these are compatible with his competence principle and instrumentalist views. But there are good reasons to believe that this assumption must be questioned. The way in which moral facts underlying moral reasonability and just outcomes are constituted meta-ethically influences how these moral facts can be discovered, which in turn impacts which polity will be most successful in acting in accordance with these moral facts. Importantly, meta-ethical models thereby also provide us with valuable insights about the locus of moral facts, i.e., who or what constructs moral facts. Brennan's argument heavily relies on experts to make normatively desirable, political decisions, but this claim could be challenged by meta-ethical frameworks that undermine the moral status of epistocracy's experts. As Brennan is a prominent philosopher within this advancing debate, it is crucial to explore this meta-ethical lacuna in his theory in order to see if experts can really be relied upon to take political decisions for us.

In particular, it is important to further explore meta-ethical moral relativism, a framework that has received increasing interest by meta-ethicists, political philosophers and political leaders over the past few decades (Gowans 2015, 10). Moral relativism is a second-order, meta-ethical framework that takes first-order moral judgments, principles and values (including concepts of moral reasonability and justice) to be valid only given some socio-historically contingent set of categories and assumptions (Accetti 2015; Gowans 2015, 1). Proponents of moral relativism

generally defend their framework by attacking the tenability of moral objectivisim, which arguably fails to sufficiently address objections to the existence of objective and universal moral standards. This paper focuses specifically on James Ryan's conception of meta-ethical moral relativism called 'societal relativism', taking moral facts to be relative to particular societies (Ryan 2003). Societal relativism is particularly interesting because it most directly challenges Brennan's reliance on experts, as it places the locus of moral facts in societies rather than single experts.

This paper aims to answer the following research question: what are the repercussions of meta-ethical moral relativism for Brennan's use of the competence principle and the creation of just outcomes as an argument in favour of epistocracy over democracy? The paper provides an internal, theoretical critique of Brennan's position by demonstrating that meta-ethical moral relativism significantly impacts the extent to which epistocracy can meet his normative principles.[1] My argument is structured as follows:

A1:   Societal relativism is true.

A2:   If both epistocracy and democracy fail both the competence principle, then the most just polity[2] is the one that will produce more just outcomes (Brennan 2016, 109).

Assuming A1 and A2, I argue for two claims:

P1:   Epistocracy and democracy both fail the competence principle.

P2:   Democracy will produce more just outcomes than epistocracy.

This leads me to the conclusion that:

C1:   Democracy is more just compared to epistocracy.

I argue that, whereas Brennan is right to say democratic electorates lack sufficient epistemic competence, epistocrats cannot be relied upon to make morally reasonable decisions in a morally reasonable way, for epistocracy's reliance on select groups of experts risks divergence from moral facts as constituted in societal relativism. Therefore, epistocracy and democracy both fail the competence principle in their own way (P1). Secondly, I draw on Thomas Christiano's minimalistic, yet essential, distinction between value-only-voting democracy and epistocracy to render epistocracy inherently incapable of becoming informed of the moral facts underlying just outcomes (Christiano 1996). After laying out the relative success of democracy and democracy's potential to improve on its epistemic competence internally, I come to believe P2 is also true. Consequently, Brennan's argument for epistocracy is incompatible with societal relativism, as it

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[1] With 'principles', I denote his competence principle and his instrumentalist view of creating just outcomes.
[2] The most just (or least unjust) polity is here solely defined in terms of its capacity to satisfy Brennan's normative principles and his own view of what a just polity constitutes.

implies that democracy is more just compared to epistocracy based on Brennan's own principles (C1).

Although the argument is primarily targeted at Brennan and epistocracy, its relevance extends to discussions on the broader role of (moral) expertise and political authority as well. Indeed, there is a vast literature on the epistemic qualities of 'experts' in light of political decision-making, especially in comparison to democratic groups. This paper enrichens this debate by demonstrating how the second-order, meta-ethical status of the first-order normative views of experts partially determines the desirability of expert political decision-making. It thereby emphasizes the importance of considering meta-ethical models when it comes to questions concerning *who* should decide on public policy, and emphasizes the role of societal views therein.

Exposition

Brennan's Epistocracy

As I draw on a broad set of political and philosophical theories, it is important to expatiate on them in further detail before elaborating on my argument, starting with Brennan's theory. Drawing on several studies about voter competence, Brennan suggests most citizens are ignorant, irrational and misinformed (Brennan 2011, 701). According to Brennan, citizens have the right that political power over them must be exercised competently. He defends this by introducing the competence principle, which holds that:

> "It is unjust to deprive citizens of life, liberty, or property, or to alter their life
> prospects significantly, by force and threats of force as a result of decisions made
> by an incompetent or morally unreasonable deliberative body, or as a result of
> decisions made in an incompetent and morally unreasonable way". (Brennan
> 2011, 700)

Democracy violates the competence principle because incompetent or morally unreasonable citizens have suffrage and therewith political power over others. Epistocracy does not violate this principle, as it denies suffrage to morally unreasonable and incompetent citizens. Brennan's second argument arises from his purely instrumentalist outlook of the justification of democracy. In Brennan's view, we should use whatever form of government that can most reliably track what "sorts of policies governments ought to implement or what outcomes governments ought to cause" (Brennan 2016, 13). He believes that restricted suffrage will produce more just policies as decisions are made by less incompetent and morally unreasonable people. Therefore, instrumentalist accounts of polity-justification also direct us to epistocracy; this is Brennan's second and last argument for opting for epistocracy over democracy.

Existing Critiques of Epistocracy

In response to Brennan's argument for epistocracy, a large set of theorists (especially proponents of democracy) have tried to contest his claim. Most counter-arguments challenge Brennan's argument based on epistemological grounds. For example, Landemore (2012) defends the epistemic competence of collective decision making based on the cognitive diversity of democratic electorates in her book *Democratic Reason*. She argues that large, diverse groups of citizens are generally more capable of making correct decisions than small groups of experts. Similarly, Christiano disagrees with Brennan, as he believes that expert knowledge is not always necessary for citizens to make good decisions (Christiano 1996).

Brennan's argument has also been criticized on ethical grounds. Justin Klocksiem, for example, argues that epistocratic techniques cannot be implemented fairly, calling it a "wolf in wolf's clothing" (Klocksiem 2019, 1). Steinar Bøyum demonstrates that Brennan's competence principle does not have to lead us to epistocracy, but that it could also indicate that citizens have a democratic duty to educate themselves instead (Bøyum 2018). Although several theorists have thus criticized Brennan's argument for epistocracy on epistemological and ethical grounds, there currently is no literature on the meta-ethical qualities of epistocracy. Considering the substantive impact meta-ethics can have on Brennan's argument, it is important to determine its implications in more detail in this regard as well, as this can bring a unique addition to the existing literature on epistocracy and its critiques.

Value-only-voting Democracy

Christiano agrees with Brennan that voters cannot be expected to have sufficient knowledge to make wise choices about complex policies. Alternatively, he holds that citizens do not need such expert knowledge in order to vote. In *The Rule of The Many*, Christiano proposes the following interpretation of democracy: "Citizens are charged with the task of defining the aims the society is to pursue while legislators are charged with the tasks of implementing and devising the means to those aims through the making of legislation" (Brennan 2016, 209). He argues that, if citizens only have to vote on the fundamental moral values and normative aims of government, they can generally be expected to do a good job in doing so. Although Christiano admits that there are some risks to this process, he suggests solutions must be found internal to democracy, as we cannot rely on a select group of people to determine the aims and values of government for us (Christiano 2017a, 9).

To account for the epistemic incompetence of the electorate, legislators can decide on the means in politics to achieve their electorate's ends. Such a division in labor between citizens and

legislators in a value-only-voting democracy does grant legislators a large amount of political power. Nevertheless, both Brennan and Christiano agree that such a system qualifies as a type of democracy (not epistocracy). This is due to the fact that citizens still have an equal say in deciding on the values and normative aims of government; fundamental political power is thereby spread evenly among citizens. The power of legislators is solely instrumental; they are "administrators more than leaders" (Brennan 2016, 209). The relation between the democratic electorate and its legislators is analogous to the owner of a boat telling its captain where to go. Despite the fact that the captain does the sailing, the owner is in charge. It is for this reason that democracy is compatible with having epistemically competent legislators. More importantly, Christiano therewith shows that universal suffrage to decide on values and normative aims of government is sufficient to speak of a democratic polity, a small yet crucially important distinction between democracy and epistocracy. Apart from his particular critiques of Brennan's theory, it is exactly this minimalistic interpretation of democracy that Christiano provides that will be of utmost relevance to my essay (as we will see later), as it will help me argue that Brennan's epistocracy cannot sufficiently become informed of moral facts (as constructed in societal relativism) without adopting a minimal form of democracy.

Moral Relativism

Meta-ethical moral relativism is the philosophy that moral judgments are not absolutely true, but only relative to some perspective, position or tradition (Gowans 2015). As mentioned before, this essay focusses specifically on societal relativism, of which a clear definition can be found in Ryan's essay *Moral Relativism and the Argument from Disagreement*. I focus on his exposition in particular, for it can account for the cultural diversity within states, while also unifying diverse groups into a larger society (which is helpful to analyze meta-ethical implications in a political context). According to Ryan, a society (in a meta-ethical sense) is a group of people with a set of shared moral standards and values (Ryan 2003, 380). Here, we can distinguish sub-societies from their larger society. Sub-societies are relatively small groups of people with specific shared values. When a sub-society converges with other sub-societies on some fundamental moral values and standards, these sub-societies together form a larger society (similar to subcultures united in a state or political party) (Ryan 2003, 384-385). According to Ryan, it is the majority's preference in a society that forms the basis of moral facts about right and wrong. Ryan gives the example of the United States, wherein a minority holding communist values is simply wrong in light of its larger society. But given that moral facts are abstractly construed by the majority in a society, how can we, more concretely, come to know of these facts? Most moral relativists hold that such moral

facts can only be extracted empirically. Rene Williamson claims that relativists can extract values through a vote, claiming it is a predominantly mechanical rather than an intellectual activity (Williamson 1947, 151). Similarly, Ryan holds that "the discovery of equivocation is […] an empirical discovery of fact" (Ryan 2003, 383). Michael Wreen observes that moral relativists often extract notions of right and wrong through consulting some form of a poll (Wreen 2019). Moral relativism thus assumes an essentially empirical view of extracting moral facts.

The Competence Principle

Two Components of the Competence Principle

Having elaborated on the main theories of my argument, I now turn to defend the first premise. It holds that democracy and epistocracy both fail the competence principle in their own ways. This section shows that the competence principle can be dissected into two parts, namely: 1) epistemic competence and 2) moral reasonability. The rest of the section demonstrates that, from a social relativist perspective, democracy still fails the epistemic part of the competence principle, but epistocracy fails the principle's moral component. To reiterate, according to the competence principle, morally unreasonable and incompetent citizens should be excluded from holding political power (Brennan 2011, 704). Let us first define more precisely what we mean when we talk of incompetence and moral unreason. Brennan is clear about what counts as incompetence. He sees it as a lack of epistemic ability; it refers to the idea that politically deliberative bodies must not be irrational, nor ignorant of the social scientific knowledge required to deliberate and take complex decisions (Brennan 2011, 707-710).

Things get more complicated when we talk of moral (un)reason. From Brennan's perspective, reasonable individuals can disagree about matters of justice, morality and the good life, a view in line with political liberalism (Brennan 2011, 705). Nevertheless, he also claims that it is certainly not the case that all kinds of disagreements are reasonable. As Brennan does not provide an exact account of moral reasonability, this term requires further clarification. A politically liberal account of moral reasonability can be understood as entailing those moral convictions and values that "people can still share, despite their differences about the good life" (Larmore 1999, 602). In terms of Ryan's moral relativism, moral reasonability is based on the shared moral values and views of the majority in society (Ryan 2003, 384). This leaves open space for reasonable, inter-societal disagreement; matters can be right relative to an individual's sub-society and wrong relative to some other society. However, as we analyze moral reasonability here in a political context, we should analyze moral reasonability primarily from the perspective of the majority of a larger society. This is due to the fact that important, political decisions must be

morally reasonable and just for everyone within a society (Brennan 2011, 704). Moral reasonability thus requires one to adhere to those moral values and views of the majority of everyone that is part of this larger society in a particular time. We can speak of moral unreason if a deliberative body is unreliable or even fails in adhering to these moral values. How epistocracy and democracy account for these factors (i.e., epistemic competence and moral reasonability) will be discussed in the next section.

Epistemic Incompetence and Moral Unreason

In this section, I grant Brennan that epistocracy is epistemically superior to democracy but show that epistocracy fails and democracy passes the moral component of the competence principle. I will start by briefly touching upon the epistemic component, after which I will elaborate in more detail on the moral component of the competence principle. Brennan points out that, even in Christiano's model, citizens must express their values about concrete issues, which still requires some basic level of epistemic competence (Brennan 2016, 210-211). A morally reasonable, democratic electorate can still make mistakes in voting if they lack sufficient knowledge of the topics they are voting about (e.g., favoring ineffective policy proposals). As citizens are often irrational, biased and ignorant, democratic electorates, even as a collective, would fail the epistemic part of the competence principle. Alternatively, satisfying the epistemic component of the competence principle proves to be a much better case for epistocracy. A select, epistocratic electorate will, in Brennan's view, be more competent in figuring out how policy can efficiently and effectively be set up, given that epistocracy filters out those who are (severely) incompetent. As societal relativism does not impact this part of Brennan's argument, he is right to suggest that democracy fails the epistemic component of the competence principle, whereas epistocracy passes it by excluding irrational and ignorant citizens from its electorate.

We now turn to the moral component of the competence principle. I argue, first, that societal relativism interferes with epistocracy's capacity to satisfy the competence principle, drawing on Christiano's fundamental distinctions between epistocracy and democracy. This is followed by a short analysis of the relation between democratic electorates and members of the society to which moral facts are relative. My analysis reasons from the perspective that electorates generally vote in light of what they think is moral and in the common good. I base this perspective on several studies done about voter-intentions in democratic electorates and in line with the main philosophers used in this thesis (Brennan 2016, 50; Christiano 2017b; Cohen 2006). To begin, there are good reasons to believe that epistocracy is not sufficiently able to create a morally reasonable electorate to make decisions in a morally reasonable way. Recall that Brennan suggests

filtering out the morally unreasonable via a competence test. He provides two options to determine the standards for moral reasonability in this test: 1) through moral experts, or 2) through democratic procedures. Let us begin with analyzing the first option. Moral experts can broadly be described as those who have sufficient knowledge and skills within the topic of ethics. This includes being knowledgeable of moral terminology and ethical theories or skilled in applying ethics to real-life cases (think of philosophers or ethicists). However, if societal relativism is true, such moral experts are not necessarily experts about moral facts, since the right moral values are solely determined by the majority of a particular society. We have seen in the exposition that these values cannot be drawn out rationally by doing philosophy (Ryan 2003; Williamson 1947; Wreen 2019). Despite the fact that moral facts can only be extracted empirically, philosophers and ethicists rarely carry out empirical research towards the values of the majority in their society. They are thus not necessarily reliable sources to show us which moral values we should adhere to. Some studies even suggest that the moral views and values of ethical philosophers systematically deviate from that of their society (Schwitzgebel and Rust 2013). An epistocracy could therefore certainly not guarantee that the (more particular) values of epistocrats accurately reflect those of the majority of their society. As a consequence, moral experts cannot be solely relied upon to form the basic standards underlying what must be a morally reasonable decision for everyone.

If one were to suggest that moral experts could adopt an empirical approach to extracting values (e.g., by surveying the population), this would be not much different from Brennan's second option, which is to adopt democratic procedures to form the basic moral standards upon which morally reasonable decisions in an epistocracy can be based (and morally unreasonable citizens can be excluded). Brennan thinks that using democratic procedures is compatible with his epistocratic convictions (Illing 2018). In his view, people generally know what good standards for competency and moral reasonability are, but they are simply not good at applying this. He suggests the following: "Let democracy decide what goes on the test. […] Let them deliberate with one another, let them work together. […] And then we use that test to weigh votes" (Illing 2018, 28). A major problem with Brennan's suggestion becomes apparent when we consider both societal relativism and Christiano's distinction between democracy and epistocracy. Recall that Christiano shows that, if a polity grants everyone in its society fundamental political power equally to decide on moral principles/values, this constructs a *democratic* (not epistocratic) polity. This interferes with Brennan's capacity to let everyone in a society decide (e.g., through a referendum) on the basic moral values that should underlie the competence test and political decisions, as this would already grant everyone in society equal political power similar to that proposed by Christiano. In such a system, all citizens have an equal say in deciding on those moral values and normative aims upon

which anyone who passes the competence test should hold. As fundamental knowledge and application of these values are necessary for making morally reasonable decisions, epistocracy would either have to grant the people such power (in which case it becomes essentially democratic) or it will lack sufficient knowledge of the right moral values in order to make decisions in a morally reasonable way. This demonstrates epistocracy's incapacity to create a morally reasonable electorate to make morally reasonable decisions, given that they have no method to figure out what the moral facts are in the first place (without resorting to becoming democratic itself). Consequently, epistocracy fails the moral component of the competence principle.

Alternatively, there are good reasons to believe that a democratic electorate, as a collective, *is* morally reasonable enough to pass the competence principle. As we have seen earlier, a deliberative body can be deemed morally reasonable if they adhere to those moral values of the majority of the entire population of a society (Ryan 2003). Reasoning from a social relativist perspective, an accurate extraction of the moral values of a society necessitates that every individual member of this society must be considered equally [3] (Williamson 1947). This bears great resemblance to the democratic notion of universal and unrestricted suffrage and its conception that each vote must be considered of equal value. Aggregating the votes of all citizens coincides with the social relativist method of extracting moral facts empirically. Moreover, democracy also accounts for the dynamic nature of morality by ensuring voting is done periodically. Given that democratic electorates generally vote in light of the common good, we can generally expect democratic electorates to adhere and express the right moral values. It can be objected that sometimes, small societies located within the borders of a state do not share sufficient moral standards with other sub-societies of that state. In such cases, democracy stumbles upon difficulties, as it forces societies to adhere to those values that are democratically converged upon by a majority in the larger society, whereas these sub-societies should not even be considered as part of the state as they do not share sufficient moral standards (Ryan 2003). Considering the limited scope of this project, this is a problem primarily concerning borders and boundaries, a topic I cannot get into here.[4] Despite the fact that there are still morally unreasonable citizens (i.e., the minority in societal relativism) within democratic electorates, Brennan observes that: "[…] the competence principle only requires that the electorate *as a collective body* makes its decisions competently, but this does not imply that *individual* voters must be competent" [emphasis mine] (Brennan 2011, 709). From this perspective, we can hold that democratic electorates tend to make

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[3] This is not to say that equality is a first-order normative judgment that is necessarily correct in moral relativism, as that would be a self-undermining claim. I only mean to say that societal relativism, as a second-order meta-ethical framework, assumes that the views of the majority in a society cannot be extracted accurately if we weigh the moral values of some members within this society higher than others (Accetti 2015).

[4] For more on this issue, see *Fault Lines of Globalization: Legal Order and the Politics of A-Legality* (Lindahl 2013).

reasonable moral choices as a collective body, despite the fact that some individuals within a democracy are morally unreasonable.

Admittedly, the exact division between morally reasonable and morally unreasonable electorates is blurry. Nevertheless, even if Brennan manages to show that democratic electorates are still sometimes morally unreasonable, he is stuck with the problem that epistocracy nonetheless also fails his own competence principle. This leads us to the conclusion that both epistocracy and democracy fail the competence principle in their own way. Democratic electorates lack sufficient epistemic competence, whereas epistocratic electorates cannot be expected to represent the moral values of their entire society (which is necessary in order to make decisions in a morally reasonable way). This raises the question as to which polity could create more just outcomes, which will be discussed in the next section.

Producing Just Outcomes

Against Epistocracy

As we note from above, there are good reasons to believe that both democracy and epistocracy fail the competence principle in their own ways. This section defends the second and final premise of my argument, which claims that democracy will likely produce more just outcomes than epistocracy (assuming societal relativism is true). I defend this premise by arguing that epistocracy lacks a crucial ability to create just outcomes, and that the epistemic incompetence of democratic electorates is less problematic than the moral ignorance of epistocrats. Bringing together the idea that democracy is instrumentally superior to epistocracy with the fact that the competence principle leaves us indifferent between democracy and epistocracy, I conclude that democracy is more just compared to epistocracy, reasoning from Brennan's own principles.

This brings us to analyze epistocracy's supposed, instrumental superiority. Understanding the moral values and convictions of one's society is of crucial importance to creating just outcomes. However, as Brennan's epistocracy is built on an unreliable mechanism (select expertise) vis-à-vis the extraction of these moral facts, I argue it cannot be relied upon to produce just outcomes consistently. For clarity's sake, I divide my argument against epistocracy as an instrumental polity in several stages. It is structured as follows:[5]

P1: Consistently producing just outcomes requires a polity to be capable of creating policy that satisfies the moral values of the majority of the entire population of a society in a particular time.[6]

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[5] To clarify: this is a sub-argument that partially supports the second premise of my main argument.
[6] The 'majority of the entire population of a society in a particular time' will hereafter be referred to as 'MSPT'.

P2:   In order for a polity to be capable of creating policy that consistently satisfies the moral values of MSPT, it needs to be able to: (i) gather information about the moral values of MSPT *and* (ii) legislate and execute policy that stimulates the fulfillment of these objects appropriately.

P3:   Epistocracy is unreliable as a system to gather information of the moral values of MSPT.

These premises bring me to the conclusion that:

C: Epistocracy is unreliable as a system to produce just outcomes consistently.

To begin with, the first premise of this sub-argument can be defended solely based on the presupposition that societal relativism is true. When considering a particular account of a 'just outcome', it must be clarified if this account aligns with the moral views of the particular society in question. Only by articulating this space of shared moral values can we move to agreements on principles of justice (Carens 1987). Ryan gives an interesting example of a utilitarian society in a galaxy far away, in which it is considered to be a matter of justice to give up your life for organs if this can save the lives of many others (Ryan 2003, 379). Despite the fact that such views are controversial, their account of justice is actually true relative to their society. Furthermore, in order for a polity to consistently produce just outcomes, this polity needs to know the moral convictions and hierarchical structure of moral values of MSPT. Whether a society embraces a utilitarian, libertarian, or any other conception of justice that underlies just outcomes, it always remains true that a polity has to align its policies with these moral facts in order to produce just outcomes.

This brings us to the second premise. Succeeding in satisfying the moral values and views of MSPT demands a capacity to become informed of these values and an ability to fulfill these through legislation and execution. Without knowing what the values of MSPT are, a polity cannot know which values to satisfy or which account of justice to adhere to. Information gathering is thus of crucial importance. Only thereafter, once a legislator adheres to the right account of morality, can competence be used to set up policy efficiently and effectively. The reason that this premise requires both a capacity to gather information *and* competency to setup policy is that a polity might hypothetically be very capable of legislating and executing policy given any moral value, but as long as it is not sufficiently informed of the exact values of MSPT, it cannot be expected to reliably satisfy their values (rather than any other evaluative prioritization). To make this more concrete, one can imagine that a polity is capable of producing very efficient and effective immigration laws. However, it could only really be expected to produce just outcomes therewith if it could also come to know what the right moral values and convictions are concerning,

for example, moral obligations towards refugees. Similarly, a system that knows what the right values are can still be incapable of satisfying these values through legislation and execution, which would also result in failing to create just outcomes.

The grounds for the third premise of this sub-argument are, to a large extent, already developed in the previous sections. Epistocracy is not sufficiently able to become informed of the moral values and convictions of MSPT, as it only gives suffrage to a superior select group. We have seen that epistocracy fails to extract these moral facts, unless it adopts measurements that turns it into a democracy. This does not only influence epistocracy's capacity to be morally reasonable; it also has a profound impact on its capacity to produce just outcomes. As the right values that underlie any just outcome are constituted by MSPT, and as epistocracy risks misrepresenting the values of MSPT, epistocracy cannot be relied upon to produce just outcomes.

Democracy: the Lesser of Two Evils?

Having established that epistocracy is unreliable as a system to produce just outcomes, I now turn to argue that epistocracy is also more problematic than democracy. But first, it is important to set out Brennan's core objection to Christiano's democratic solution to the epistemic incompetence of citizens. Brennan focuses his objection on the fact that Christiano's proposal is "based on real platforms, such as protecting the environment versus economic growth" (Brennan 2016, 211). As voting on issues like these still demands social scientific knowledge from citizens (which most citizens lack), Brennan argues that Christiano's proposal to vote solely on values does not provide an answer to the epistemic incompetence of democratic electorates. Conceding that democracy is imperfect due to the epistemic incompetence of citizens, I contend that there is no conclusive evidence that suggests epistocracy will create more just outcomes compared to democracy. Conversely, I show that there are serious indications that suggest epistocracy would nonetheless create less just outcomes than democracy if societal relativism is true. Notably, I agree with Brennan's observation that any comparison between "the most promising forms of epistocracy" and democracy will be based on speculation since there is no reliable, empirical data of the performance of epistocratic systems yet (Brennan 2016, 16). Nevertheless, there are still good reasons to believe that Brennan's speculative conception of the instrumental superiority of epistocracy is severely flawed.

Firstly, epistocracy's epistemic superiority would have to create more just outcomes than an already relatively good working system (democracy) despite the fact that epistocracy has a major problem discovering moral facts in societal relativism. Brennan admits to the relative success of democracy: "In general, the best places to live right now are […] democracies, not dictatorships,

one-party governments, oligarchies, or real monarchies" (Brennan 2016, 8). Although Christiano's particular interpretation of democracy is, of course, somewhat different from the liberal democracies Brennan is talking about, it still incorporates democracy's most fundamental feature: its equal distribution of political power. Not only is epistocracy thus inherently flawed, but it also has to compete with a polity that has historically been relatively successful in creating just outcomes. More importantly, whereas democracy has the potential to counter its epistemic deficiencies internally, epistocracy seems to be unable to counter its moral ignorance. By improving on its translation mechanisms, democracy can aim to better translate the abstract moral values and convictions of citizens into concrete policy. One example of improving democratic translation mechanisms is provided by Christiano himself, who suggests that epistemically incompetent citizens can vote relatively accurately by relying on information-shortcuts (such as news outlets, articles or the relational networks of people) (Christiano 2017a). Other philosophers propose we can account for the epistemic incompetency of democratic electorates by improving democratic deliberation processes and others propose stimulating the availability of receiving advice from impartial, epistemic experts (Bates 2018; Landemore 2012). We may even use and modify some of Brennan's corrective mechanisms (e.g., his simulated oracle) without doing away with the fundamental mechanisms of democracy.

Of course, these suggestions do not imply that perfect solutions to the problem Brennan ascribes to democracy can simply already be found in the current literature. But it does show that democracy has possibilities to improve on its capacity to create just outcomes internal to its mechanisms, in addition to the fact that it already functions relatively well. Epistocracy, on the other hand, has no obvious solution to its moral ignorance. As we have seen, the locus of right moral values is necessarily excluded from the epistocratic scope. This gives democracy a significant, practical priority over epistocracy (i.e., democracy has many more options to stimulate its capacity to create just outcomes compared to epistocracy). This renders Brennan's suggestion to move from democracy to epistocracy fruitless and even counterproductive. Although this premise can only be supported by a speculative, comparative analysis of these two polities, the primary purpose of this paper is to provide an internal critique to Brennan's argumentation. Note that Brennan himself makes the *positive* claim that epistocracy is less unjust than democracy, and that it will produce *more* just outcomes compared to democracy. Considering epistocracy has to face these meta-ethical implications, Brennan would either have to take a meta-ethical stance that denounces societal relativism, or he must take on the burden of proof to demonstrate that epistocracy will, despite its moral ignorance, still produce more just outcomes than democracy. If he does not, he should remain agnostic as to which system is superior in satisfying his own

principles. Meta-ethical, societal moral relativism thus raises profound questions surrounding any extrapolation from Brennan's principles towards an argument for epistocracy.

This investigation of Brennan's argument and its incompatibility with meta-ethical moral relativism demonstrates the importance of taking the relation between meta-ethics and political philosophy more seriously. Although the broader impact of meta-ethical models on politico-philosophical arguments has to be explored in more detail, it has become clear that the meta-ethical foundation of moral facts can significantly impact normative arguments in political philosophy. Indeed, it has become clear that the locus of moral facts is of significant importance when distributing political power, as it will determine to a large extent the capacity of a polity to align its decisions with the moral facts.

Conclusion

We can see through this discussion on Brennan's argument that adopting meta-ethical moral relativism can have a profound impact on the satisfaction of his principles. If societal relativism is true, the moral values that ground moral reasonability and justice can only be empirically extracted by extending the electoral scope to the entire population of a society. As we have seen, moral experts such as philosophers often have radically different moral views from their societies. Similarly, seeking to extract moral values from only select groups of citizens risks over-representing or under-representing certain sub-societies within a state. By invoking Christiano's theory, we observed that, as long as all citizens can vote on the basic moral values and normative aims of government, fundamental political power is already distributed equally to such an extent that we should speak of democracy rather than epistocracy. This interferes significantly with epistocracy's capacity to act in a morally reasonable way, a necessary part of satisfying the competence principle. Brennan's argument against democratic electorates lacking sufficient epistemic competence is therewith not resolved, but it shows that epistocracy is not the promising solution to democratic problems Brennan takes it to be. Considering that democracy is also already relatively capable of creating just outcomes and given the fact it can improve on its imperfections internally (whereas epistocracy inevitably risks being morally ignorant), moral relativism suggests democracy is the more just polity as it is more likely to satisfy Brennan's own principles than epistocracy. Brennan's case illustrates that the second-order meta-ethics underlying first-order normative principles can impact the capacity of different polities to satisfy these principles. Whichever meta-ethical views one holds, the impact of these views needs to be considered more explicitly in future discussions. Apart from this, anyone interested in contemporary discussions about the role of (moral) expertise and political authority should take into account the significant

impact of meta-ethics on the capacity of knowledgeable experts to be morally reasonable. Although the impact of different meta-ethical accounts is yet to be discovered, it has become clear that Brennan must further clarify their arguments in order to face these pressing, meta-ethical implications.

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