# A Defense of Democracy from Epistocratic Criticism

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# Abstract

This thesis argues that instrumental values unique to democracy provide an advantage over those endorsed by epistocrats and suggest the former political system is comparatively better than the latter. I analyze both intrinsic and instrumental justifications of democracy, which provide a basis for ascertaining the mentioned values. The intrinsic justifications are based on aspirational assumptions about citizens and institutions. Such assumptions are conflicting with the epistocratic ones and cannot provide a feasible basis for a defense of democracy. The instrumental justification is also problematic because it suffers from issues connected to feasibility. For those reasons, I argue that an intrinsic justification of democracy derived from fundamental rights of persons is appropriate for defending democracy, as it is not susceptible to assumption-based objections. The instrumental values I choose to support the main argument of the text are those beneficial for the character of citizens. I argue that democracy is the best and only instrument through which values such as mutual respect, sympathy, individual, and collective learning can be attained. These values cannot be attained by epistocracy because it disenfranchises citizens preventing them from such development. Furthermore, I argue that democracy ensures a stable transition of power during elections. If we were to determine whether epistocracy ensures the same, society might suffer from violent protests and revolutions, which are costly consequences for the epistemic benefits provided by this political system. Thus, democracy proves to be a comparatively better option than epistocracy.


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## Contents



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# Introduction

Up until recently, debates regarding the justificatory values of democracy were prevalent in the scholarship. One camp defended the intrinsic while the other defended the instrumental value of democracy. To clarify, if something has an intrinsic value, it is valuable in itself. In contrast, if something is instrumentally valuable, then it serves as a means to an end, or as a value that brings us to an intrinsic value. The intrinsic justification of democracy holds that there are some inherent values in this political system that make it legitimate and favorable in comparison to other systems. The other, pure instrumentalist, camp claims that democracy has no intrinsic justification. The supporters of the instrumental justification view hold that this political system can produce the best consequences as opposed to other ones. Much of their debates seem to revolve around the understanding of values such as autonomy, equality, and freedom. Those are deemed as intrinsic[1] by the former camp, while the latter questions their role in the intrinsic justification of democracy.

In the last few years, after the publication of the book *Against Democracy* by Jason Brennan, such debates have died down. In the book, the author argues for an epistocratic political system where the knowledgeable make decisions for the benefit of the whole society. Brennan claims that such a system is legitimate because it is most likely to reach the best outcomes (Brennan 2016). However, it does not seem that his theory of epistocracy was unexpected for the scholarship concerned with these issues. The epistemic claims in political philosophy have their history, and epistocracy was just an extreme version of a political system the proponents of democracy avoided. It is easy to discern that the epistemic demands posed on democracy are fueling the claim that deems it as superior to all other political systems. John

[1] Throughout this paper the synonyms of the term *intrinsic* will be: *inherent* and *non-instrumental*.



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Stuart Mill held that by discussing a variety of opinions, thereby practicing freedom of speech, it is likely that such discussions will either yield the truth or lead us closer to it (Mill 1986).

Condorcet had an epistemic argument for democracy as well; he claimed that if each voter is more likely to vote correctly than incorrectly, then the more voters we have, the probability of reaching the truth is higher (Austen-Smith and Banks, 1996). There are many accounts of the epistemic value of democracy from both intrinsic and instrumental theorists. However, most of them are based on the presumption that voters are merely rationally ignorant. Rational ignorance is a term that was introduced by Anthony Downs in his 1957 book *An Economic Theory of Democracy*. I use the term that is succinctly explained by Caplan. The author claims that citizens are rationally ignorant when they choose to engage with the minimal amount of political information with which they are likely to make mistakes. Still, such mistakes will not be systematically biased. The citizens are also aware that there is no reason to be dogmatic, as their opinions are likely to be wrong due to a lack of information (Caplan 2001, 3). This is where Brennan comes in with the claim that what philosophers imagine people are like is not the same as people are. Most of them have different biases when they assume the role of decision-makers and, thus, avoid to find evidence against their beliefs. As opposed to the rational ignorance theory, Brennan's voters hold strong political beliefs and, although their knowledge is scarce, the mistakes they make are systematically biased. Some of them are not interested in politics at all. People are very easily persuadable to vote for a specific party, whatever the argument for such an inclination might be (Brennan 2016). Such instances of persuasion do not seem hard to do today with political microtargeting ads and the fast-growing fake news outlets online. Thus, Brennan claims that people are not able to meet the values imposed by those who believe that democracy brings the epistemically best outcomes (Brennan 2016). Although Brennan seems to direct his criticism towards instrumental democrats, some

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philosophers, such as Fabienne Peter, that discuss the intrinsic epistemic value of deliberative democracy are affected by it, too (Peter 2016).

This thesis aims to defend democracy against epistocratic criticism from the instrumental prism of values. One must note that this defense does not necessarily invoke an instrumental justification of democracy; the point is to show how many instrumental values democracy exhibits. I claim that there are more values to democracy than the epistemic ones often ascribed to it, especially under certain understandings between the intrinsic and the instrumental divide I wish to explore. I offer a wider understanding of the instrumental values than ones used in democratic theory before the emergence of Brennan's work, which seemed to focus on one value that justified such a view of the democratic political system. This thesis defends democracy by first engaging in assumptions about voters and institutions, which differ between democratic theorists and epistocrats. I look into accounts of intrinsic and instrumental justification of democracy and try to embed non-ideal assumptions into them. After providing objections to the analyzed justifications of democracy, I develop an intrinsic justification that is based on the fundamental rights of persons and that provides a vast amount of instrumental values favorable in a democratic system. Then, I prove that these democratic values, which are mostly indirect or based on a secure transition of power, cannot be attained in epistocracy. Before entering into details of such an account, I will, first, explain the topics I refer to in this text.

I discuss both the intrinsic value and justification of democracy throughout the thesis to provide an account that helps me in understanding which instrumental values to use for the defense of the mentioned political system. Before developing my own justification of it, I investigate other accounts that justify democracy both on an intrinsic and an instrumental foundation. In the end, I opt for the intrinsic justification of democracy, but that does not mean that I do not defend democracy with instrumental values. Certain accounts deem some values

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as instrumental, while others claim that these same values provide an intrinsic foundation to a theory of democracy. I do not use an instrumental justification of democracy because I do not subscribe to such a model for reasons explained in the second chapter. There, I provide a substantive criticism to Richard Arneson's account and prove that it cannot serve as a proper defense of democracy.

Although it plays a significant role in my thesis, I do not cover the discussions about ideal and non-ideal theories in detail. I use Estlund's metanormative account of political theory that differentiates theories in terms of how realistic they are. His text shows that individual accounts of democracy have different assumptions about citizens than the epistocratic ones. I address and resolve this discrepancy between the theories of interest to „level out the playing field“ when it comes to assumptions about citizen's competence, and the functioning of democratic institutions. I do not discuss the ideal/non-ideal theory divide beyond that, as I do not think it provides any benefits for this thesis.

Lastly, I try to avoid a deliberative model of democracy. The issue with deliberative democracy is that certain values inherent to the model might blur the main argument of the text and cause confusion. I am referring to the epistemic value that is intrinsic to the deliberative model. While deliberating in a pluralist democracy, people learn about the views of other deliberators with a diverse scope of knowledge (Anderson 2006, 11). This way, they could bring more reasons for a specific view that might affect an outcome in a discussion (Estlund 2008, 181). If I discuss deliberative democracy in the text, then the epistemic aspect that such a model brings with it could be criticized by an epistocrat. With that, it would be hard to avoid mentioning such a value, whether instrumentally or intrinsically understood, which is my goal in the text. Thus, I focus on a type of democracy with an aggregative component. It is worth

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noting that I do not envision democracy as a strictly non-deliberative model.[2] It means I do not agree with the notion that we must pay a special attention to the deliberative component of this political system. At this point, one might ask why is there a need to avoid the epistemic value while arguing against epistocracy?

The reason is that there are more values to democracy than the mentioned one. If we were to value epistemic competence in voters, we would always have to concede that the epistocrat knows which political system would bring us the best outcomes of this sort. However, as this text has a comparative notion of arguing for democracy, we must show that there are other values that epistocrats are failing to appreciate. After all, the epistocrat's account is comparative, as well. Proponents of this theory base the argument that their political system produces better outcomes on the comparison of such a system with democracy. So, I aim to show how other values prove democracy is comparatively better than epistocracy.

The values I aim to forward as comparatively preferable than the epistemic one are dependent on which justification of democracy I utilize. For instance, Arneson claims that democracy has a purely instrumental justification (Arneson 2009), but such an account is very hard to defend. After all, I grant that democracy has intrinsic values, but I also believe that there are instrumental ones which we can understand as separate from the former. Furthermore, there are two intrinsic justifications of democracy that I investigate. Christian Rostbøll justifies democracy with a public legal order in which citizens exhibit respect for autonomy by both the institutions and other members of society (Rostbøll 2015). Elizabeth Anderson's account rests on the existence of a democratic way of life in which citizens deliberate on given issues and develop sympathy and other qualities that seem to be relational (Anderson 2009).

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[2] Democracy is definitely deliberative when it comes to people discussing politics on social media and in-person.

To determine an optimal justification, the first chapter of my thesis deals with assumptions and analyzes the intrinsic models of democracy. With the help of Estlund's framework that is concerned with different political theories and whether they are realistic or aspirational, I determine that there is a difference in assumptions between certain accounts in democratic theory and epistocracy. Epistocratic accounts start with the premise that put citizens in a more negative light than democratic theories of interest for this thesis would. The former assumes citizens are biased, ignorant, and selfish when it comes to politics. At the same time, other accounts of democracy portray them as rationally ignorant but still capable of being sympathetic, respectful of the rights, or the autonomy of others. With such a discrepancy in these accounts, I determine that theories that justify democracy must be accomodating to realistic, or non-aspirational assumptions. I start with Rostbøll's account, who justifies democracy by claiming it respects the autonomy of citizens in a public legal order. This account proves to be problematic under non-ideal assumptions about institutions. In some cases, they permit the practice of electoral redistricting, which conflicts with the author's understanding of respect for autonomy. Thus, I do not consider such respect for autonomy to be intrinsic to the democratic procedure. The other account, by Elizabeth Anderson, justifies democracy as a culture amongst citizens. I hold that this account does not meet the expectation concerned with the accommodation of assumptions, Anderson demands too much of citizens by assuming they are sympathetic and respectful of each other. At the end of the chapter, I conclude that we must search elsewhere to find an appropriate justification of democracy for the defense against epistocracy.

In the second chapter, I consider Arneson's purely instrumental justification of democracy. It holds that, as there is no fundamental right to a democratic say, we cannot consider democracy as non-instrumental. Rather than trying to accommodate his theory to different assumptions I provide two substantive objections to this claim. First, I grant the claim

concerned with the absence of a right to a democratic say. However, such an absence does not imply democracy cannot be intrinsically valuable. I provide a few practices people enjoy for which we do not have a fundamental right but find them intrinsically valuable. The second objection claims that the right to a democratic say is derived from other fundamental rights; autonomy, freedom, and equality. As these rights are inherent to the democratic procedure, we must value democracy as a provider of inherent justification. These criticisms prove that an instrumental account is not sufficient for our needs in this text. However, the last criticism directed at Arneson brings us to an intrinsic justification of democracy, one that is derived from fundamental rights. Until the end of the chapter, I develop this model while proving it is more accommodating to non-aspirational assumptions than the other two, non-instrumental accounts analyzed in the first chapter. Such a minimalistic justification provides enough space for a variety of instrumental values that are useful for the following chapter in which I defend democracy against epistocratic criticism.

The last chapter of this thesis starts by further elaborating on the epistocratic theory. It investigates work done by the scholarship that determines people are often disinterested in politics, ignorant and easily susceptible to various opinions, or they are biased in processing political information, unsympathetic and disrespectful of politically opposing ideas. From this, the epistocrats gather that democracy is cannot provide correct outcomes in a political process that would be beneficial for society. They invoke an idea of the rule of the knowledgeable in which experts in a certain domain discuss and find solutions that would be beneficial for all members of society, thus eliminating the democratic decision-making process. I suggest that, in terms of values embodied by a political process, the only value we can find for epistocrats is the epistemic one. I concede that democracy would have issues in finding the best political outcomes for society. However, there are numerous other instrumental values that we ought to cherish, as they are only conceivable in a democracy. Here, I distinguish two types, direct and

indirect values[3]. Indirect values of democracy improve the character of citizens, not the outcome of the political procedure like the direct ones do. I claim that Anderson's values compiled under the term *democratic culture* are those that democracy ought to cherish because it is the only instrument through which we could reach them. These are: mutual respect, sympathy, and collective learning. To avoid arguing for a direct epistemic value, I alter Anderson's value concerned with learning and add another one not covered by Anderson, the value of individual learning. Then, I argue that epistocracy cannot serve as an instrument in attaining any of these values because its procedure disenfranchises the citizens. With that, I claim that democracy is most likely to ensure a secure transition of power with every election. I provide a conservative argument that is skeptical of epistocracy attain this value. The last-mentioned value is not an indirect value of democracy. Thus, I separate it from other, aretaic ones mentioned earlier.

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[3] Brennan calls indirect values „aretaic", while the direct values are named „instrumental or epistemic". I disagree with the latter term. Thus, I will use the distinction mentioned in the text, rather than adopting one used by Jason Brennan.

## Assumptions and the Intrinsic Justification of Democracy

Many political theorists start from different points when it comes to assuming how citizens behave, how empathetic and respectful they are, or whether they are competent enough to vote. To identify which instrumental values of democracy we should regard as relevant in defense of the mentioned political system against epistocratic challenges, we ought to look into theories that permit such values to flourish. Intuitively, one would say that we must observe theories that instrumentally justify democracy, but I disagree. Texts that provide an intrinsic justification of democracy can also be a good foundation in acknowledging the existence of some instrumental values that can flourish in a democracy.

In this chapter, I investigate theories that give us a non-instrumental justification of democracy. However, before determining whether such theories could provide us with a proper defense against epistocracy, we must consider some issues that might be brought up by a discrepancy in assumptions between theories of democracy and epistocratic accounts. Here, I am referring to the assumptions regarding the members of a polity. In the following section, I provide a short explanation of how epistocrats perceive the political competence of voters. They provide non-ideal accounts of their behavior and knowledge concerned with politics. Many democratic theorists do not have the same assumptions in their accounts, and they often perceive citizens more positively. The difference between premises epistocrats and democrats have concerning voters is situated within a framework discussed by David Estlund. Thus, the first section of this chapter deals with the issue of assumptions. Here, I emphasize how the assumptions about citizens affect the defense of democracy and how the difference in premises between the two camps implies that we must search for a justification that has assumptions similar to the ones made by Brennan, rather than aspirational ones. With that, I talk about assumptions we ought to have regarding the institutions, as these two aspects often go together.

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In the second section of the chapter, I discuss whether two theories with an intrinsic justification of democracy can provide us a good basis for a defense against epistocracy. The theories I look into are; Rostbøll's non-instrumental justification that bases a freedom argument on respect for autonomy, and Anderson's justification based on democracy as a way of life. I deem both accounts as insufficient to provide a strong defense of democracy. I reject Rostbøll's account on the basis that it does not provide a feasible argument for respect for autonomy when we test it under non-aspirational assumptions. There are existing democratic bodies that compromise the respect for autonomy of the members of society. Anderson's account succumbs to the issue of aspirational assumptions. Namely, her justification for democracy rests on strong aspirational assumptions made about citizens. Such accounts cannot show how democracy has comparatively better instrumental values than epistocracy if the premises about voters between the two are not the same. When subjected to non-ideal premises, one can see the issues of Anderson's account, which directly question the inherent values her claims democracy has.

**The Problem of Assumptions**

Philosophers like David Estlund, Lisa Valentini, and others discuss assumptions and their role in political philosophy. Estlund discusses the value of political philosophy that goes beyond the question of how likely it is that a certain philosophical theory will be put into practice. In particular, he argues that political philosophy should not be scrutinized for being unrealistic, as there are different values that theories considered to be a part of that discipline invoke (Estlund 2015). The author systematizes theories based on how realistic they are. Although I will not delve deep into metanormative accounts of political theory that Estlund discusses in his work *Utopophobia*, I will shortly present the main proposed theories that are useful for this thesis. He distinguishes between complacent realism, aspirational, and

concessive theories. The reason for including Estlund's text into this thesis is to show that certain theories that provide an intrinsic justification of democracy start from different assumptions than epistocratic ones. It is important to note that these metanormative theories I describe in the following paragraphs encompass many different political ideas that are similar in terms of their characteristics.

Estlund starts with complacent realism. It evokes an idea of extreme realism that recommends or requires people and institutions to behave as they did until that point. These theories seem defeatist when compared to others that philosophers offer. Furthermore, they do not suggest any kind of progress to improve the quality of a political system or to make the world just, the *status quo* is enough for complacent realism (Estlund 2015, 115). The following theory discussed by the author is the aspirational theory. Estlund devotes a part of his paper to a defense of hopeless aspirational theories, ones that pose moral standards too demanding for citizens. He claims that something being unlikely for an agent does not entail that it is beyond the agent's ability. He asks us to consider a theory that holds individuals to standards that are within their ability to meet, but that there is a good reason to believe such standards will not be met (Estlund 2015, 117-118). Lastly, Estlund introduces the concessive theory. This one asks what we should do given that people do not meet demands posed by aspirational theory. In contrast, the aspirational theorist can claim that society is not just or that a political system is not legitimate unless certain expectations are met (Estlund 2015, 123). The difference is that concessive theory tries to find solutions to the problem of demands posed by the other one.

A good example of aspirational theories could be Waldron's account against judicial review because the assumptions stated in his theory are very clearly aspirational. This account has the authority to deter legislative decisions that might conflict with the Constitution. The author suggests that majority decision-making procedures include ordinary citizens within a democratic procedure and practice political equality, as opposed to the judicial review.

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Waldron considers the latter as illegitimate in terms of democratic values (Waldron 2006). In the text, the author devotes a section to assumptions he makes regarding the citizenry and institutions. He assumes that the democratic institutions are in reasonably good order and that the judicial institutions do not act on their motion or by abstract reference. Thus, these are not perfect but seem to be good enough. With that, there is an assumption of substantial dissensus as to what rights are and what they amount to (Waldron 2006, 1359-1369). Waldron claims that there is a strong commitment on the part of most members of society to the idea of individual and minority rights. Citizens accept that individuals have certain interests and are entitled to liberties that should not be denied because it would be more convenient for most people to deny them (Waldron 2006, 1364-1366). We can observe many real-life instances that count as counterexamples for such a claim. Both the institutions and the people are not as caring as Waldron portrays them to be. Thus, his theory is aspirational, as it imposes moral standards which are not usually met by the citizens. If people cared more about other's rights, we could pose a strong account for majority decision-making in practice. Unfortunately, this is not the case.

Epistocracy is a good example of concessive theories. Again, concessive theories ask what to do in light of the fact that members of society do not realize demands given by the aspirational theories. Jason Brennan, a famous proponent of epistocracy, works with the premise that people are politically biased and ignorant. In particular, he claims that individuals belong to one of three types of democratic citizens: hobbits, hooligans, and vulcans.[4] Hobbits are apathetic and ignorant about politics. They do not have strong opinions about political issues. It is more likely that they have no opinions at all. Furthermore, they have little scientific knowledge, which means they are not only ignorant of current social events but of theories in

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[4] Brennan admits that such a differentiation between the members of an electorate is simplified. For the purposes of this chapter, I believe such an explanation will be sufficient. In the third chapter, that deals with Brennan's theory in more detail, I will expand on such a view of citizens.

social science. With that, they cannot understand data, which helps comprehend some socio-political issues. Hooligans have strong and largely fixed worldviews. They present arguments for their beliefs but cannot explain alternative viewpoints in a way that people with other views would find satisfactory. Such people consume political information in a biased way. They find information that confirms their preexisting political opinions but ignore and reject out of hand evidence that contradicts their opinions. Brennan claims most regular voters, active political participants, activists, and politicians are hooligans. The last type of people he mentions are vulcans. They think scientifically and rationally about politics. Vulcans base their opinions on social science and philosophy. With that, they are self-aware, and only as confident as the evidence allows. Vulcans can explain contrary points of view in a way that people supporting those views find it satisfactory. Brennan claims that no one manages to be a true vulcan; everyone is at least a little biased (Brennan 2016, 4-5).

Upon considering Brennan's premises about voters, it would be hard to claim that voters can find out the best possible outcomes for certain political decisions and vote correctly to reach them. Such a theory would be too demanding if one operates under the mentioned assumptions. Thus, Brennan asks how we could reach good outcomes assuming that the electorate consists of people who are either not interested in politics or are politically biased? He claims that the best way to amend this issue is to introduce the rule of the knowledgeable – a body of experts that would make decisions with favorable outcomes. He implies that the citizens would not constitute the electorate and be enfranchised. Although details of his argument are not as important now, it is crucial to understand that Brennan's theory is not aspirational as it does not impose any epistemic or moral demands on the electorate[5]. Therefore, we must place it among other, concessive theories.

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[5] Except, perhaps, the demands it imposes on the experts who are place in a position to make crucial political decisions.

What Brennan does not mention are the assumptions about the institutions that Waldron includes in his text. We cannot use Waldron's understanding of institutions further on. Thus, we should assume that Brennan deems democratic institutions as fallible. Perhaps the rules of the game are not set up in a just manner, or the politicians are not prohibited from proposing or standing for certain acts that are deteriorating or do not help in the flourishing of democracy and its values. Therefore, if we assume that the citizens are problematic, then we must assume the same for politicians.

The difference between the non-aspirational epistocracy and other democratic theories that are aspirational is problematic for this thesis. To proceed with a defense of democracy, it is important to find an account with an intrinsic justification of democracy that does not have aspirational assumptions about the institutions and the members of society. This way, there will be more space for instrumental values focused on the development of citizens, which might flourish in democracy.

In the following sections, I investigate the possibility of determining an account for the intrinsic justification of democracy. I look at two accounts, Rostbøll's and Anderson's, and assess them according to their ability to function under different assumptions. I ask whether we could jeopardize the feasibility of theories if we change the assumptions about citizens and democratic institutions to non-ideal[6] ones. I consider the premises of a particular theory and try to find a stipulation regarding citizen's behavior or the institution's functioning. In case an author has an assumption that does not align with Brennan's premises regarding citizen behavior[7] or has an aspirational view of the functioning of institutions, I assume non-aspirational premises regarding both. Then, I assess whether the theory can support such a

[6] I consider the terms „non-ideal" and „not aspirational" as equal in this case. Their meaning is explained by David Estlund mentioned in the previous section of the chapter.
[7] I shortly explained his understanding of citizen behavior in the previous section. A further explanation will be done in the third chapter of the thesis.



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change. If the theory cannot be conceived as feasible when assumptions change, I have enough reason to dismiss it as inappropriate when it comes to providing a defense against epistocracy.

One might ask, why would I investigate intrinsic theories of democracy when I am defending such a political system with instrumental values? The answer is that, even though democracy is justified intrinsically, such a theory still permits the existence of certain instrumental values. For instance, the epistemic value is rarely considered to be intrinsic in an aggregative model. It is an instrumental value for both the instrumental and intrinsic camps that provide such justification of democracy. Thus, the soundness of arguments and the ability to adapt to non-ideal premises are crucial in determining whether these two theories are useful for the defense of democracy. If a theory fulfills both requirements, certain instrumental values could be derived from it, regardless of it having intrinsic justification. As mentioned before, I first present and criticize Rostbøll's intrinsic justification of democracy. Then, I delve into Anderson's account, which is followed by objections that show it is inappropriate for the defense of democracy.

**Rostbøll's Intrinsic Justification of Democracy**

Rostbøll criticizes the claim that democracy has only consequential value and argues for an intrinsic justification of this political system. He bases his idea on the existence of a public legal order in which respect for the autonomy of citizens is internal and promotes one's freedom. The proposed freedom argument has the norm of respect for autonomy as a relational notion in its core. It claims we should assess political legitimacy in terms of how the relations between government and citizens are organized. This relational norm of respect for autonomy grounds both the equal freedom of citizens as subject to the law and the principle of participation in collective self-legislation. Rostbøll assumes that subjects of a legitimate

government have content-independent and *pro tanto* obligation to obey the government and to contribute to its stability (Rostbøll 2015, 267).

The author claims we should respect autonomy as a non-instrumental right way of persons relating to each other. It is a principle designating the relation in which the citizens and government stand to each other. In other words, he understands autonomy as the relational idea of not having another person as a master. This relational status implies how citizens should treat each other and how the institutions should regard them. The institutions must regard citizens as ends, not means (Rostbøll 2015, 267). Respect for autonomy is a principle that regulates social relations among people. It is an idea of a non-instrumentally right way of persons relating to each other. With that, the principle should not be understood as a moral ideal specified independently of the public legal order. If we see respect for autonomy as an independently conceived moral principle, political and legal institutions are, in a sense, merely instruments for realizing the ideal. In such an approach, one, initially, has a moral principle of respect for autonomy and then considers which institutions are the best means for realizing this end. Thus, we end up with an instrumental justification of constitutional democracy. In this view, one might justify the institutions of constitutional democracy as instrumental for achieving the realization of moral principles that can be fully specified apart from these institutions (Rostbøll 2015, 270). The freedom argument proposes not a pre-institutional understanding of freedom and autonomy, but a form of equal freedom and autonomy that is appropriate for a plurality of persons living "in a society where there are laws." The freedom argument is committed to respect not for natural or lawless freedom but civil freedom, freedom under law. It begins with a common legal order and considers the type of freedom and autonomy that the former makes possible (Rostbøll 2015, 271).

To be free, citizens must accept the authority of the public legal order, and they must be equal participants when it comes to imposing that legal order on themselves. The principle

of respect for autonomy is internal to the legal order and democracy - there are two reasons for such a claim. First, one cannot understand respect for autonomy without the idea of the public legal order. Second, this legal order must be democratically imposed and renewed to respect citizens' freedom and autonomy so that citizens can see it as a product of their agency and not as externally imposed. Therefore, the public legal order and democratic institutions are not casual means for realizing freedom. Although Rostbøll says one might argue that freedom is instrumental in a way that equality is not, he proposes an alternative. He justifies democratic procedures of self-legislation by a relationship among citizens where no one is in a position to dominate the other. The procedures constitute this relationship, which implies that they are not the end achieved. What is justifying the procedure is the internal standard of treating each citizen as an agent and a participator that does so. Each citizen can see herself as free and self-legislating if the outcomes of democratic procedures are subject to her influence and control (Rostbøll 2015, 273-274).

In the following part, I assess Rostbøll's theory according to its flexibility when operating under different assumptions. It is worth pointing out that my biggest issue with this theory is that the author perceives the argument that respects others' autonomy as inherent to the democratic procedure. In other words, I do not criticize this paper from the perspective that freedom is not an inherent value of democracy. I claim we should conceive the concept of respect for autonomy as instrumental.

*Respect for Autonomy Under Non-Aspirational Assumptions*

Before developing the argument, we must take into consideration that citizens and institutions do not operate under aspirational assumptions. Citizens are biased and ignorant, while the democratic institutions are set up in a way that does not prohibit certain issues that might occur within the democratic procedure. One of these issues is gerrymandering, a practice

of manipulating the boundaries of an electoral constituency to establish a political advantage. Parties seeking to win a majority vote in a particular area of a country, or a state usually delve into this practice. They do this by choosing who votes in a specific district. Those who manipulate the electoral districts choose to either concentrate or dilute voter influence in certain areas, according to their interest. By doing this, they make certain parties more likely to reach electoral success[8] (Pierce et al. 2011; Schuck 1987). Gerrymandering poses a problem for democracy and shows how the rules of the game can be set up against particular interests and in favor of those who imposed them.

I believe that the existence of gerrymandering and Rostbøll's understanding of respect for autonomy are in conflict under non-aspirational assumptions. People with political interests are manipulating the rules of the game by redrawing electoral districts to reach a favored outcome. When such people set up the rules of the game in a biased manner, it makes it more likely that their party wins the election. Votes of the majority undermine the voting power of citizens considered to be in the minority due to the manipulation of electoral districts. In other words, the majority takes on the role of a master in relation to the subordinated minority. This relationship stems from gerrymandering, which undermines an unbiased procedure. Thus, in cases of democracy that permits gerrymandering, Rostbøll's understanding of respect for autonomy cannot be considered as an intrinsic value. The principle does not necessarily have to be ensured by the mere existence of that political system, for instance, in cases of electoral manipulation. Thus, I suggest that democracy is an instrument with which we can attain the value of respect for autonomy.

Respect for autonomy connects to the issue of political equality in cases of gerrymandering. Charles Beitz discusses the issue of political equality in cases of electoral

[8] Granted, such success is never guaranteed.



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redistricting in his text, *How is Partisan Gerrymandering Unfair?*. Beitz suggests that the indirect effect of partisan bias for voters supporting disadvantaged parties is the reduced expectation of legislative success for the candidates favored by these disadvantaged voters. They are right to claim their prospects of advancing their political aims through the legislative process have been reduced unjustifiably (Beitz 2018, 350). In this case, such an unfair impact of gerrymandering is not only present for each voter's vote but is the same for all voters supporting the disadvantaged party (Beitz 2018, 349).

One should not equate criticism related to respect for autonomy with the issue present in majoritarian decision-making procedures. In the mentioned procedure, we can have a notion that the minority is subordinated to the majority. However, the majoritarian system is open to political change and does not endorse the success of one party over the other. Such decisions are purely left for the electorate to decide. My argument focuses on the fact that partisan redistricting[9] permits biased drawing of electoral districts, which has the potential to affect the outcome of elections. The rules of the game can be set up in a way that favors one option over the other, while a majoritarian decision-making system remains unbiased. As opposed to leaving it to the electorate to decide, the drawers of electoral districts themselves decide on who should get a head start in the election.

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**Democracy as a Culture**

In her *Democracy: Instrumental vs. Non-Instrumental Value*, Elizabeth Anderson acknowledges that there are both instrumental and intrinsic values of democracy. Her paper defends the existence of the latter values against theories of instrumental justification. Anderson presents a three-level account of democracy, which describes the political system as

[9] Or gerrymandering.

a membership organization, a form of culture, and a mode of governance. As a membership organization, democracy recognizes the universal and equal standing of all permanent residents within the territorial jurisdiction of the state to make claims as citizens. Democracy as a culture realizes equality in habits of mutual consultation and cooperation that express respect and sympathy for all fellow citizens. As a mode of governance, democracy has institutions and practices such as "one person, one vote", a recognition of loyal opposition, a free press, protests, and petitions aimed to realize equal consideration of citizens' claims and thereby establish citizens as equals. Hence, Anderson's justification of democracy as grounded in consideration of the right of justice tracks the proper form of political justification. (Anderson 2009, 223-224)

She based her theory on the idea that democracy is a way of life. This idea criticizes the claim that the mentioned political system is merely a set of governing institutions, held by theorists defending the instrumental justification of democracy. In democracy, she holds, voting and deliberation represent alternating moments in a continuous process of provisional decision-making. The aim of such decision-making is simultaneously to learn about what works and to decide upon criteria of what counts as acceptable from the perspective of citizens acting and thinking collectively. Decisions are provisional and continuously subjected to revision in light of feedback from citizens about their consequences. Feedback is given not only through periodic elections but public protest, petitions to representatives, and citizens' participation in regulatory deliberation (Anderson 2009, 217). Anderson claims that a democratic way of life is not only a good for each member of society, considered individually, but it is a shared good realized by all of us together. She calls a good "shared" by the members of a group if a condition of its goodness is that it is commonly known to be good for everyone else in the group. Equality of social relations, as realized in a democratic community, is a shared good (Anderson 2009, 220).

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The democratic way of life in a community of equals includes activities like meeting together and talking freely about common problems, observing what life under proposed solutions of issues is like, and revising the plans accordingly, all with equal regard to the interests of all members of the community. These activities exercise three powers: sympathy, autonomy, and intelligence. A person expresses sympathy when she never conceives herself otherwise than as a member of a body whose governing principle is that of society between equals, which can only exist on the understanding that the interests of all are to be regarded equally (Mill 1957, 40). Citizens express autonomy by setting shared principles, goals, and representatives for themselves; they decide about these shared principles through discussion, voting, and petitioning. The process of coming to a shared understanding of problems of public interest and determination to solve these problems collectively was what Dewey called the public coming to recognize itself as a public (Dewey 1954). Last, democratic activity is an exercise of intelligence. Citizens from all walks of life learn from one another in a sympathetic discussion about their problems and prospective solutions for them. More heads are better than fewer, in that they bring to bear a wider diversity of experiences and knowledge to the identification and solution of collective problems. (Anderson 2009, 221)

In the following subsection, I provide some objections that deal with the aspirational assumptions regarding citizens. If her premises were not aspirational, or if the argument for the inherent justification of democracy did not rely on aspirational claims, her argument would be useful for the development of my account.

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*Democracy as a Culture Under Non-Aspirational Assumptions*

When Anderson claims that democracy as a culture realizes equality with habits made by fellow citizens, she is assuming people behave in a particular way that might be considered unrealistic. Citizens engage in mutual consultation and cooperation that express respect and

sympathy amongst voters (Anderson 2009, 223). The problem occurs when we deny the mentioned presumption and claim that voters do not behave as Anderson claims they do. In that case, we cannot consider a democratic way of life as an inherent value to democracy. This is not the only claim she makes within the paper that one might take notice of. Anderson is arguing that the democratic way of life is not only a good for each member of society, but it is a shared good realized by all of us together. Although such a claim might be true for reasonable citizens in a polity, it is questionable when concerning biased, or ignorant citizens. There are many unreasonable voters that, perhaps, do not acknowledge democracy as a good. The opinions of such voters are shared in the political arena and have the potential for a larger following. Many people vote in favor of excluding certain minorities from having the same rights or treatment as the majority. For instance, in some countries that consider themselves as democracies, the rights of sexual minorities do not get acknowledged. In other, more democratic countries, marriage is recognized only as a union of heterosexual couples while sexual minorities enter a civil partnership. This difference is not procedurally, but symbolically significant. With that, those coming from an LGBTQ community entering a civic partnership often do not have the same rights as the sexual majority.

This brings us to the following question, could citizens vote themselves out of democracy? By reading Anderson's arguments and accepting her assumptions, one would certainly say no. We could presume that people are rational enough to understand that certain values like democratic culture ought to be cherished. Other political systems cannot provide us with such values, and thus we must preserve them. When people are ignorant or biased, this is not the case. Upon accepting such non-aspirational assumptions, not only is there a hypothetical chance for a society to vote themselves out of democracy, but there are practical examples of it. For example, voters elected Viktor Orbán, in Hungary, and Aleksandar Vučić, in Serbia, to rule their countries. Today, years into their incumbency, many are complaining that the

Hungarian and Serbian governments are sliding into illiberal democracy[10] or authoritarianism. One must take into consideration that, although in coalitions with other parties, the National Socialist German Workers' Party[11] got voted into the German Parliament, where they continued their surge to achieve full political power. Germany could not be considered a democracy shortly after their rise to power.

If voters vote for a non-democratic option that leads them into authoritarianism, we cannot claim that the last democratic procedure causing a political shift was done in a manner that reflects on the existence of a democratic way of life. It would seem counterintuitive that after enjoying our democratic culture, discussing what to do in the next election, for whom to vote, and for what reason, we decide to vote for an authority that will rule according to what he or she thinks is best. There seems to be a discrepancy between deeming democratic culture as an inherent value of democracy while acknowledging that there could be an instance in which a slip to authoritarianism might happen.

I contend that a democratic culture develops with other means, along with democracy. Surely, if a country is providing a good life for its citizens, by keeping the unemployment rates low while keeping life standards high[12], then there would be room for the democratic culture to flourish. This implies that, for citizens to attain a democratic way of life as described by Anderson, other aspects of their life need to be satisfied. Being in a democracy is crucial for developing such a culture. However, this does not imply that such a culture is ensured by the mentioned political system. Such a culture is yet to be built with the help of the state and its citizens, and by claiming that it is inherent to the procedure, Anderson has demands that neither

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[10] One might criticize me for bringing up Hungary's illiberal democracy instead of a non-democratic country. It is hard to presume whether a country is going to remain an illiberal democracy or slide into authoritarianism. The mere threat of this happening has strong implications on an argument for an intrinsic justification of democracy based on the way of life it brings about.
[11] Also known as the Nazi party.
[12] There are many variables that constitute high life standards. I do not wish to discuss them as I would digress from the point of this argument.

the institution nor the citizens can meet. Therefore, I claim we can attain a democratic way of life can only in a democracy. However, it is not the case that this value is intrinsic to democracy.

Anderson's argument about the intrinsic justification of democracy falls apart when subjected to different assumptions about the members of society. As such, it is of no use in a further discussion concerning the defense of democracy through instrumental values against epistocratic criticism. Rostbøll's account is also problematic, but I claim the problem lies in the assumptions made about the institutions, rather than the citizens. We must look further if we want to find an account of democracy that does not make aspirational assumptions about citizens while it offers instrumental values. In the next chapter, I investigate whether Arneson's instrumental justification of democracy can provide us with the needed values. In that chapter, I offer an intrinsic justification of democracy that is derived from fundamental rights and shows how it is comparatively better than the account we investigated so far. After that, we move on to the last chapter, one in which we defend democracy from epistocratic criticism.

# Forming an Intrinsic Justification of Democracy

As the accounts of Rostbøll and Anderson proved unsatisfactory for the requirements of this thesis, it is best to test out another theory of democracy, this time, one that provides us with an instrumental justification. One might ask why I have avoided engaging with the instrumental justification of democracy until now? Intuitively, such an account might provide us with many more values that could show democracy is comparatively better than epistocracy. My response is that an instrumental justification of democracy seems to be problematic in itself when it comes to the feasibility of its arguments, which is what I show in this chapter. In the first part, I look into Arneson's account of the instrumental justification, and then I provide substantial criticism to his theory. The first criticism grants the claim that there is no fundamental right to a democratic say, but I claim that we can still find the intrinsic value of democracy. This implies that having a fundamental right is not a condition for intrinsic justification. The second criticism argues that we can derive the right to a democratic say from other fundamental rights of persons. The objections I bring out against his theory show that it cannot be used for defending democracy against epistocracy. However, from the criticism, one can derive an intrinsic justification of democracy that avoids the issues about assumptions made regarding citizens. I call this view the *justification through the fundamental rights* view. Although it is derived at the end of the first part of the chapter, the one that discussed the issues mentioned above, I expand this justification on it in the second one. There, I explain further how such an intrinsic justification of democracy is superior to other accounts when it comes to developing a theory with non-ideal circumstances to defend democracy against epistocratic challenges.

**The Mere Instrumental Justification of Democracy**

Arneson's democratic instrumentalism holds two ideas. First, it holds that the form of government that ought to be instituted and sustained is one whose consequences of operation are better than its alternatives. Second, it claims that under modern conditions, democratic political institutions would be best according to the instrumentalist norm. This is the reason we must establish them. It is noticeable that Arneson does not mention any intrinsic value in his view of democracy, only the instrumental one. He further clarifies this claim by holding that democratic instrumentalists oppose the suggestion that each adult person has a fundamental moral right to be admitted as a full member of some political society, entitled to run for office and vote in free elections. In other words, Arneson claims people do not have a right to a democratic say. This moral right is a claim that others ought to honor. Furthermore, if one has a moral right, one is wronged if others do not honor it. Such moral right is independent of social and political arrangements, cultural understandings, or people's opinions. It also holds independently of the consequences that would ensure if it were or if it were not upheld (Arneson 2009, 197).

The democratic instrumentalist denies that people have a right to a democratic say whatever the consequences. With unconditional affirmations of the fundamental right to a democratic say, it denies any conditional affirmation of such a right - a condition for a fundamental moral right might be that people have a right to a democratic say if literacy obtains and the economy is prosperous. Moreover, Arneson claims that instrumentalism provides a standard for fixing the desirable degree of democracy for any given society. The optimal degree of democracy for a given society is the extent of democracy which produces consequences morally better than those which could be produced by any other level of democracy in place. The instrumentalist issues a challenge to those who would affirm that democracy is

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intrinsically and not merely instrumentally just, which Arneson is taking as equivalent to the claim that persons have a fundamental moral right to a democratic say. (Arneson 2009, 198)

The author denies any moral right, which gives one power over others. Consider the claim that each person has a moral right to personal sovereignty, to do what she chooses so long as she does not thereby harm non-consenting other people. This right against paternalistic interference gives each person power over her own life, not the lives of others. Moral rights that involve power over others vary in the character and quality of such power. The power to set rules that others will obey by the threat of serious penalties for noncompliance is a special power to direct the lives of others. The right to participate by voting in the legislative and executive processes of a democratic state is, in a small way, an instance of a right to exercise a special power to direct the lives of others. If it is true that any assumption of power by an individual is justified only by a showing that the assumption would fairly advance the interests of all people affected. Such a claim is also true for the assumption of political power and even the assumption of the tiny bit of political power that goes with the political franchise. (Arneson 2009, 200)

Arneson's argument against the democratic say based on a moral right to personal sovereignty is problematic. One could agree with the claim that a moral right to personal sovereignty should not harm people who are not in consent with decisions made by one exercising his sovereignty. However, I do not believe this is the case in democracy. Even Arneson mentions Downs' argument about the lack of power in the individual's vote in a democratic election. Although he mentions that it is important to cast a good vote for the sake of society, an individual vote is extremely insignificant (Arneson 2009, 201). Unless one's vote is individually insignificant but collectively decisive, there is no way for it to affect the other's well-being. In other words, the individual exercise of personal sovereignty is not problematic in a democratic election in so far as it does not present a decisive vote. A decisive vote in an

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election is itself highly improbable. However, this criticism does not stand for a large group of votes, a majority, in the democratic election. A majority vote constituted of a sum of individual preferences, or exercises of personal sovereignty can affect the well-being of an individual. However, this is another issue, one possibly delving into majoritarian criticism of democratic theory. Such a criticism presupposes collective negative effects—those of a majority onto a minority, not individuals ones. Here, we will stick to the fundamental moral right to a democratic say.

Arneson does not provide us with an account defining the scope of such rights. Nonetheless, we must also ask the question; Is Arneson correct to believe that all rights or values which are non-instrumental must be based on fundamental rights, and all values which are not based on fundamental rights must be instrumental? To reiterate, Arneson claims that endorsing the intrinsic value of democracy is equivalent to the claim that people have a fundamental moral right to a democratic say. What is a fundamental right? Quinn, in his 1993 book *Morality and Action*, writes:

> "A person is constituted by his body and his mind. They are parts or aspects of him. For that very reason, it is fitting that he have a primary say over what may be done to them - not because such an arrangement promotes overall human welfare, but because any arrangement that denied him that say would be a grave indignity. In giving him this authority, morality recognizes his existence as an individual with ends of his own - an independent *being*." (Quinn & Foot 1993, 170)

A fundamental moral right is fundamental if the basic moral status of persons entails it. Griffin suggests that the justification of fundamental rights does not depend on there being means to some further end. Fundamental rights are fundamental in the sense that they are

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themselves basic requirements of, or constituent opponents of, justice (Griffin 2003, 111). There are many theories about what constitutes a basic moral status of persons. I mention the two most recognized ones - personhood and sentience. Kant defines personhood as a sufficient condition for a basic moral status; this means one has to have a rational moral agency. For him, being a moral agent is a condition for any moral status (Warren 1997, 90). Tom Reagan has a more minimalistic understanding of personhood as moral status. He claims that holders of moral status are "subjects-of-a-life" and that all such subjects are equal in these terms (Warren 1997, 91). Utilitarian theorists such as Bentham and Singer argue that a being's capacity to experience pleasure and pain provides a should reason for recognizing a moral obligation not to kill it, or inflict pain or suffering upon it, without good reason. In this case, one should consider sentience would appear as a moral status (Warren 1997, 50).

If we were to make the claim that a right to a democratic say is a fundamental moral right, then it would be recognized with other fundamental rights, such as the right to liberty, self-determination, freedom of thought, etc., but this is not the case. As persons, we have many more than just the three mentioned, established fundamental rights, but not the right to a democratic say. It is imaginable to attain all such rights without living in a democratic structure. Consider a government that is run by a benevolent, altruistic dictator that provides for the needs of the people. In such a country, citizens obtain rights like freedom to practice religion, freedom of thought, self-determination, and many others despite the fact that there is no democracy and the benefits that go with it. Could we say that, in such a scenario, democracy is fundamental for the well-being of people? My answer would be negative. I do not think democracy and the right to a democratic say have anything to do with the fundamental rights of persons. However, it is unquestionably true that such fundamental rights flourish in democracies. I believe Arneson would agree with such a statement, although his position has certain issues.

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Arneson's theory is vulnerable from two perspectives. I base my objections on the question posed earlier: Is Arneson correct to believe that all rights or values which are non-instrumental must be based on fundamental rights, and all values which are not based on fundamental rights must be instrumental? In the first criticism, I argue that the lack of a fundamental right to a democratic say does not imply a lack of intrinsic value to democracy. For the sake of the argument, I will accept Arneson's claim that there is no fundamental right to a democratic say. As opposed to the first, the second criticism does not accept the mentioned claim. It argues that the right is derived from other fundamental rights, making it intrinsically valuable for democracy. The purpose of my last two arguments is to show that Arneson is wrong to have such a view of democracy, whether we grant him the claim regarding rights or not. Furthermore, the mentioned arguments not only show that democracy has an intrinsic value, but that the connection between a fundamental right and intrinsic value is not as strong as the author imagined it to be.[13]

*The Non-Existence of a Right to a Democratic Say*

Although I might agree with the claim that individuals do not have a right to a democratic say, I do not necessarily agree with the second part of the mentioned statement –it follows that democracy cannot be intrinsically just. To understand whether such a statement is correct, I will grant that the first part of the statement is true; there is no right to a democratic say. My criticism delves into the issue of the connection between the two statements.

Namely, I disagree with the suggestion that the existence of the intrinsic justification of democracy is equivalent to the existence of a fundamental right to a democratic say – that if one is true, the other must be true, and vice versa. Therefore, I ask the question; is it feasible to

[13] This is discernable from the second argument.



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claim there is an equivalent connection between the two? Does the lack of a fundamental right to democracy abolish the intrinsic value of democracy?

Arneson seems to assume that a fundamental right implies intrinsic justification in this context. Although people do not have the mentioned right, I do not see why democracy would not be intrinsically just, or intrinsically valuable. Having acknowledged that, I hold that the following claim is true: If a person has a fundamental right to X, then X is intrinsically valuable. People have a fundamental right to self-determination, which is stemming from their personhood. They are moral agents and, as such, they are deserving of such a right. Coming back to the issue mentioned, it is not clear why the counterfactual should be true: If a person does not have a fundamental right to X, then X is not intrinsically valuable. Consider Raz's case of listening to music: "There are many activities, relationships, etc., which are intrinsically good. Listening to music is an example. It is good at being a worthwhile, enjoyable activity in itself, regardless of its consequences" (Raz 1989, 18-19). Now, it is obvious that listening to music is not a fundamental right[14], but one could claim that it has an intrinsic value. Romantic relationships represent another example. Such relationships are often considered as intrinsically valuable. The mere coexistence with someone gives one value, which does not have a consequence. Such a value would, according to Raz, be the same value music provides us - enjoyment (Raz 1989, 19). This does not mean both music and romantic relationships do not have instrumental value. Music can be valuable in attaining knowledge relating to the culture of a specific place and time, while relationships might make people happy. Nonetheless, we would be wrong to say that people have a fundamental right to such commodities. I believe that the same case could be made for democracy, just because it is not a fundamental right; democracy still gives us something inherently valuable to us. For example, with democracy,

[14] Granted, one might claim there is a fundamental right to live according one's own conception of the good and listening to music might be one's own conception of a good life.



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one can exercise their autonomy. In such a case, democracy is not a means to reach autonomy. The latter is given within a democratic procedure. Same with equality, as the democratic procedure evokes the idea of one person getting one vote in an election, a democratic procedure automatically provides equality of all enfranchised individuals. It is not the case that individuals use democracy as an instrument to be equal. On the contrary, they practice their equality through a democratic procedure making democracy intrinsically valuable. Here, I supposed that what Arneson says about the inherent right to a democratic say is true. However, as the two statements mentioned earlier are not equivalent, it is not the case that not having such a right implies that democracy does not have an inherent value.

At this point, we are, rightly, questioning the inference Arneson makes between fundamental rights and an intrinsic justification. However, there is, still, an unclear answer as to whether democracy can be inherently justified? In the following subsection, I provide the second criticism to Arneson that answers to such a question. In the next section of the chapter, I delve into the intrinsic justification of democracy derived from Arneson's criticism or understood as a justification derived from fundamental rights.

*The Right to a Democratic Say – Derived*

One could claim that the intrinsic values I have mentioned in the previous paragraph originate in the fundamental rights of persons, and I would agree with such a statement. Although I do not suggest that listening to music, engaging in a romantic relationship, or participating in a democracy do not constitute our fundamental rights, I hold that such activities are derived from fundamental rights. Perhaps that is the reason why such activities have intrinsic values. If we grant that these values are derivations of fundamental rights, we would have an even stronger claim on their intrinsic value. As I have mentioned before, the value of the three mentioned activities stems from our right to autonomy. If Arneson agrees with the

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latter statement, then he would have to agree that democracy has an intrinsic value and is inherently just, which would make his suggestion regarding the mere instrumental value of democracy impracticable.

It seems Arneson is correct in claiming that a fundamental right to X is inherently valuable or just. However, he is not correct in claiming that if a person does not have a fundamental right to X, then X is not intrinsically valuable.[15] If it were true, then the fundamental right to a democratic say would be in a biconditional logical relationship with the claim that democracy is intrinsically just. This is not the case. Furthermore, the situation is not as simple as the author presents it. The previous paragraph shows it is true that if X (music, romantic relationships, or democracy) is derived from a fundamental moral right, then X (music, romantic relationships, or democracy) is intrinsically valuable. Thus, Arneson seems to mistakenly presume that there are no rights with an intrinsic value derived from fundamental rights.

*The Connection Between Justification and Value*

Although one could say that Arneson gives a very strong account of the instrumental justification of democracy, there is an interesting point in the development of his argument. If one agrees with my criticism of his thesis, that some rights are derived from fundamental rights of persons, then one could claim those derivations present certain values that must be inherent to democracy. Such derivations also show is that the values in question are instances of the more abstract fundamental values, such as the one mentioned about music – the right to live according to one's conception of the good. Furthermore, such values might provide us with an intrinsic justification of the political system. Thus, I posit that democracy can be intrinsically justified because some of the fundamental rights it rests upon constitute its intrinsic value.

[15] The last statement seems to be implicative in Arneson's text.



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Autonomy, equality, and freedom of choice are some that come to mind – we can only practice them in the mentioned political system, mostly through democratic elections With that, these values are ensured by the democratic procedure. Thus, for convenience, I will refer to this theory that derives the intrinsic justification of democracy through the fundamental rights of persons the *justification through fundamental rights*.

Such justification gets its basis in the fundamental rights of persons, as explained earlier. Democracy, itself, is the embodiment of such rights. If we went back to the democratic theories investigated in the previous chapters, we would notice that they presuppose that citizens have some liberal rights. It would be hard to imagine democracy without them[16] while claiming that some values are inherent to such a political system. Thus, I also presuppose liberal rights within democracy in suggesting this justification of democracy through fundamental rights. Liberal rights determine the values of democracy, which, in comparison to the mentioned democratic theories, seem minimalistic. The values inherent to such a democratic procedure are the exercise of autonomy, freedom, and equality because the mentioned political system ensures them.

One might ask why would we prefer such a justification of democracy, as opposed to the ones I criticized? The reason for preferring the *justification through fundamental rights* is two-fold.

The first reason is concerned with the soundness of the argument. Aside from the issues I have with Arneson's account mentioned in this chapter, Rostbøll's account seemed problematic as well. In the previous chapter, we noticed that there is an issue with arguing for the inherent justification of democracy, with the foundation being respect for autonomy. I provided a counterexample to such a claim, which proved that respect for autonomy could not

[16] I do not wish to delve deeper into the discussion about whether it is possible to have democracy without liberal rights.



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be constantly ensured in a democratic procedure. Even with aspirational assumptions, we can conceive a situation in which autonomy is not respected either by citizens or by the institutions. One could not make the same presumption in the theory that justified democracy through fundamental rights. As democracy constitutes the possibility of using fundamental rights in a political procedure, the inability to use some rights that we inherently value would mean we are not taking part in a democratic procedure. Such a minimalistic justification of democracy seems appropriate for the purposes needed in this thesis.

The second reason is concerned with aspirational assumptions of such justifications. As mentioned in the previous chapter, aspirational assumptions pose moral standards on people that are beyond their abilities to live up to (Brennan 2016, 117-118). We must find a theory that defends democracy while taking into account non-aspirational assumptions about citizens. Although I did not notice any problematic assumptions in Arneson's case, Rostbøll's and Anderson's accounts were different in this regard. In the case of Rostbøll, the possibility of respecting others' rights is less likely to happen when assuming institutions are biased during democratic procedures. Elizabeth Anderson bases her intrinsic justification of democracy on there being a democratic culture amongst people who deliberate on certain issues of interest (Anderson 2009, 217). The author seemed to have strong assumptions on citizens' behavior, which was supporting her theory. I criticized her assumptions and determined that, by changing them to non-aspirational ones, Anderson's account does not prove as sufficient for the defense of democracy. This is not the case of the *justification through fundamental rights*. As opposed to the two mentioned theories, this intrinsic justification of democracy does not demand anything from citizens or institutions, nor does it base its justification on them. It is based on values that are produced solely by the procedure, which constitute the intrinsic justification. Therefore, this justification should prove to be better than others in defending democracy against epistocracy under non-aspirational assumptions.

This chapter shows that an instrumental justification of democracy seems to be problematic when compared to other accounts that justify democracy. It also proves that, although there is an expectation in the thesis regarding the issue with assumptions covered previously, one can still conceive an intrinsic justification of democracy while avoiding issues that occurred with previous accounts of this sort. The following chapter will show that democracy or the account that justifies democracy through fundamental rights is comparatively better than epistocracy. I will show that the values, both direct and indirect[17], have the potential to flourish in a democracy, whereas some are inconceivable under an epistocratic rule.

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[17] Brennan calls these values instrumental and aretaic.

## Democracy vs. Epistocracy – Instrumental Values

So far, I established the difference between assumptions in epistocratic and democratic theories, found some issues the latter approaches have with non-aspirational assumptions and determined an intrinsic justification of democracy that seems to be feasible with any kind of non-aspirational assumption. Now, it is time to determine that epistocracy cannot ascertain as many instrumental values as democracy can. Epistocracy concentrates only on the epistemic value or the correctness of the outcome in the procedure, which will be obvious after I present Brennan's theory of enfranchisement in more detail. The basis for my determination of instrumental values is the intrinsic justification of democracy proposed in the second chapter, which suggests there are more instrumental values that some other theories with such a justification might have. Before that, I cover the most important aspects of Brennan's theory with which I continue in the development of a value-based argument against epistocracy.

In the first section of this chapter, I revisit Brennan's premise regarding voter incompetence. Here, I cover the scholarship in social science that researched the topic to provide more detail on his systematization of voters mentioned in the first chapter. Then, I provide Brennan's proposition for a political system that tries to amend voter incompetence. I recount the suggestions he mentions regarding the epistocratic enfranchisement system, which are: an enfranchisement lottery scheme, a system of restricted suffrage, an epistocratic veto, and a plural voting scheme. The second section covers Brennan's criticism of some indirect values that democracy provides. I understand those values as ones that develop the civic character of citizens. Amongst the five criticized, I decided to cover only two values due to length restrictions. These are autonomy and moral development. After clarifying that we must understand autonomy differently than Brennan, I suggest that the development of two Rawlsian moral powers can be understood as instrumental when it comes to democracy. Then, I introduce

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Elizabeth Anderson's suggestion that democracy is valued as a culture and connect it with these mentioned moral powers. I argue that democracy is the only political system that could serve as an instrument to reach the particular values Anderson understands under the term democratic culture. With that, I suggest another value not covered by the mentioned author, the value of individual learning in a democracy. I show that all of these are unattainable in an epistocratic political system, either by the fact that disenfranchisement prohibits their development or that citizens have no rational reason to work on their progress. The last subsection covers the value of secure transmission of power. Such transmission is ensured in a democracy, while we cannot suggest the same for epistocracy. As an untested system, it is not sure whether we could ascribe such value to epistocracy, and it is questionable whether we should try. After all, the results might negatively affect the political system and the citizens, when compared to democracy.

**On Voters and Alternative Accounts of Suffrage**

Although one might deem Brennan's explanation of different types of voters as enough to understand the behavior of the electorate, there is a significant amount of research done concerning voters. I have already explained the difference between the three types, hobbits, hooligans, and vulcans, earlier. Now, we must delve slightly deeper into the research on voting behavior. This way, we can determine what has Brennan based his typology of voters.

Achen and Bartels published a text that, alongside other philosophers, brought the issue of political incompetence to light in theoretical research. The mentioned authors start their book *Democracy for Realists* by acknowledging that a growing body of scientific evidence presents a dark view of democratic politics. Such evidence shows that a great majority of citizens pay little attention to politics. They aim to show that both liberal and conservative thinkers need to implement these facts about the citizenry into their discussions, proposals, and theories (Achen



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and Bartels 2016, 1-2). There is a noticeable gap between aspirations and perceptions of democratic reality. For example, in the US, 46 percent of respondents in a survey claim that it is important for them to live in a country governed democratically. However, only 7 percent of them say that their country is a democracy. The authors claim there is a good deal of schizophrenia about the meaning of democracy because a majority of Americans suggest that democratic government is an important factor in the success of a nation. With that, most also believe that a few important people with interests looking out for themselves are running it. They conclude with the claim that people seem to be "simultaneously dreamily idealistic and grimly pessimistic" (Achen and Bartels 2016, 8).

However, such paradoxical claims that persist amongst the electorate are not the only issue. As mentioned before, the existence of political ignorance in society has been noticed by many authors, long before Achen and Bartels' book was published. Brennan quotes Phillip Converse in which the latter claims the distribution of political information in modern electorates suffers from the problem of high variance and a low mean (Ferejohn and Kuklinski 1990, 372; Brennan 2016, 25). Ilya Somin gives us some good examples of political ignorance in the USA.[18] Amongst many surveys, he refers to one from 2007, where American citizens had to name one of the two major branches of Islam - the Sunnis. Somin emphasizes that the controversy over the Iraq War and the War of Terror preceded this research, implying the voters should know about these issues. Nonetheless, only 32 percent of Americans could name "Sunni" or "Sunnis" as one of the two major branches of Islam. Somin adds that the questions prompted them with the name of the second major branch, the Shiites. Although such basic knowledge need not be essential in evaluating U.S. policies toward the Muslim world, it

[18] It is important to mention that most of the research on political competence has been done in the United States of America, on US citizens. I do not think this implies that only American citizens are ignorant or biased, but that such a claim concerns most, if not all citizens, regardless of countries they live in. Thus, albeit this research is based on a particular country, I believe that the claims brought to light in this text refer to most democratic societies.



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certainly is useful. Somin continues by claiming that widespread ignorance is not present only recently (Somin 2016, 18). Amid the Cold War, in 1964, only 38 percent of American citizens were aware that the Soviet Union was not a member of the NATO alliance (Somin 2016, 19).

Upon providing many more examples of political ignorance, Somin distinguishes between three aspects of voter ignorance that deserve particular attention. First, many voters are not just ignorant about certain policy issues, but about the basic structure of government and its operation. The second aspect is that most voters lack an "ideological" view of politics capable of integrating multiple issues into a single analytical framework based on a few principles. Voters rarely exhibit an ideological consistency in issue stances that are evident in surveys of political elites. Lastly, there is only a slight increase in political knowledge in the American electorate since the late 1930s, which marked the beginning of mass survey research. A relatively stable level of ignorance has persisted even in the face of massive increases in educational attainment and the expansion of the quantity and quality of information available to the public (Somin 2016, 19-20).

There have been some defenders of democracy, like Thomas Christiano, that claimed people are ignorant because of time constraints. After all, they have jobs, families, and hobbies that they are dedicated to, while there is no time for politics (Christiano 2012, 30-31). In those times, citizens rely on the information of others that they deem to be well-informed and concerned with pursuing the same political aims. People trust in others to provide them with correct information, and Christiano appropriately calls this phenomenon information shortcuts (Christiano 2015, 258). Even though it is a persuasive explanation, Somin expresses skepticism regarding information shortcuts, and rightfully so - it seems that these shortcuts do not provide us with good political outcomes. In his 1996 paper, Bartels tests whether these shortcuts and cues allow relatively uninformed voters to act as if they were fully informed. His results show that, at the individual level, a voter is 10 percent less likely to vote correctly than a hypothetical

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"fully informed" vote. Furthermore, it is important to note that the difference between the correct and the actual vote still exists even when we are considering the electorate as a whole, rather than an individual voter (Bartels 1996, 194).

Alongside ignorant citizens who are already criticized for their competence by mentioned work, Achen and Bartels reflect on the perils well-informed citizens might bring to democratic outcomes. In short, it seems the well-organized, ideological thinking of such citizens often turns out to be just a mechanical reflection of what their favorite group and party leaders have instructed them to think (Achen and Bartels 2016, 12). In summation, the picture concerning citizens' political competence seems bleak. In the following section, I will demonstrate how Brennan wants to resolve this historically persistent issue that concerns democracy.

In light of this, epistocrats suggest alternative accounts of suffrage that undermine democracy and endorse an unequal decision-making scheme. Lopez-Guerra argues for the enfranchisement lottery scheme in which a random sample of the public gets elected to participate in a competence building process and, after that, votes on behalf of all citizens. If not chosen to be a part of the sample, citizens are not allowed to vote (Lopez-Guerra 2014; Brennan 2016, 214-215). Jason Brennan suggests two options, either we accept a system of restricted suffrage, or we endorse a system of universal suffrage with an epistocratic veto. The first idea invokes an elite electoral system that restricts political power to citizens who demonstrate a basic level of knowledge. Citizens demonstrate their competence through a voter qualification system is open to all citizens regardless of their demographic (Brennan 2016, 211-212). The second suggestion proposes a system in which everyone has a right to vote, but an epistocratic council can veto a proposed law. Citizens can join the council if they pass rigorous competency exams that test their political knowledge (Brennan 2016, 215-216). Lastly, John Stuart Mill claims that everyone should be able to vote, but that citizens with higher education

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should have more than one vote due to their higher levels of knowledge (Mill 1991; Brennan 2016, 213). It is not clear how such a proposal would be translated into the modern voting context, perhaps gaining more than one vote would require that citizens perform certain actions that demonstrate competence and knowledge.

Brennan suggests that epistocracy outperforms democracy in terms of outcomes, which some democrats might concede. However, the democrat can defend democracy with the claim that epistocracy does not show that we are required to choose democracy over Brennan's proposed system. The author suggests it is unjust to use an incompetent political decision-making system when there is a more competent one available. In short, Brennan's argument goes as follows: First, there are no good proceduralist grounds for preferring democracy to epistocracy. Furthermore, it is presumed to be unjust to violate a citizen's rights as a result of decisions made by an incompetent electorate, or one that makes decisions in bad faith. Political decisions are presumed to be legitimate and authoritative when produced by competent political bodies in a competent way and good faith. With that, he claims we ought to replace an incompetent political decision-making method with a more competent one. Universal suffrage produces incompetent decisions, while certain forms of epistocracy are likely to produce better decisions. Thus, we should replace democracy with certain forms of epistocracy (Brennan 2016, 141-142).

Now that we fully explained the idea of epistocracy and its premise regarding voter incompetence, it is time to delve into Brennan's criticism of democratic values, my defense of those values, and the argument regarding the inability of epistocracy to produce values that I consider as instrumental to democracy.

**Indirect or Aretaic Values**

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In the fourth chapter of his book, Brennan argues against aretaic or indirect values of democracy, which are referred to when discussing citizen development, whether epistemic or moral. Indirect values are different from direct instrumental values, like the epistemic, because the former ones are not concerned with the democratic outcome, per se. The author claims we can understand democracy and widespread political participation as the aretaic, which are good because they tend to educate, enlighten, and ennoble citizens (Brennan 2016, 7). He starts by suggesting that political participation is detrimental to our moral and epistemic character. Many theorists believe that political liberty and engagement are beneficial for individuals because they empower people in some way (Brennan 2016, 74).

Brennan looks at five ways that political liberties and participation empower individuals; consent, interests, autonomy, non-domination, and moral development. He contends that political liberties and participation do not empower citizens in these five aspects that follow (Brennan 2016, 76). Consent deals with the claim that one's political liberty and participation allow the person to consent to the government. The interests delve into the issue of one's political liberty and participation that make the government responsive to one's interests. The argument of nondomination suggests these values prevent others from dominating us. Although I agree that interest, consent, and nondomination are values that democracy provides us, discussing these would require a lengthy defense of democracy. As this text has length restrictions, I will not be able to cover these issues here and, thus, I will forgo a discussion that regards them.

The two values I will discuss are autonomy and moral development. The autonomy argument claims that our liberty and participation give us an increase in autonomy. This value is connected with others, such as respect for autonomy, or the value of a democratic way of life. I will defend a certain understanding of autonomy against Brennan. The other value, moral development, claims that there are two powers essential for us to develop a sense of the good

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life and a capacity for a sense of justice. His criticism of autonomy and moral development will show how certain instrumental values only brought by democracy might withstand epistocratic criticism and prove that democracy is, at least from the prism of instrumental values, preferable than epistocracy.

*Autonomy*

Brennan attacks the argument for autonomy that goes as follows: It is valuable for each person to be autonomous and self-directed - to live by rules of their own making. For each person to do that, one needs to possess the political liberties and make use of them. Participation helps people be autonomous and self-directed. Therefore, each person living in a shared political environment needs to possess political liberties and make use of them (Brennan 2016, 88).

If one makes the connection between voting and autonomy in which the person that votes is in part the author of the laws, then when one abstains from voting, one has no partial authorship over the laws. Thus, the laws are, in some way, imposed on the person. With that, this claim implies an individual is a partial author of the laws and that voting can only confer autonomy to the person whose side won in the decision-making procedure. If one's side loses, that individual cannot be the author of the laws (Brennan 2016, 89).

I believe such an understanding of autonomy is too strong. The reach of autonomy goes somewhat too far when we understand it as connected with people being the authors of the laws.[19] In his view, our autonomy depends on the consequences of our vote. Such autonomy is not directly connected to the voting procedure or the fact that we are exercising it when voting. I do not have an issue with its connection with voting, quite the opposite; I, too, believe

[19] I am not saying such an understanding of autonomy is impossible. I claim and suggest that we might understand autonomy differently.



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autonomy and voting are connected. However, I do not see autonomy as a difference-making value. I deem it as something valuable for citizens without having any consequential importance. In my view, we might value our autonomy by casting a vote or by not casting it at all, independent of the outcome. The exercise of such an action is stemming from our autonomy. In cases of voting, we deem the fact that we voted as valuable. Being able to vote is a constitutive part of our autonomy, and it may bring us value independently of the political outcome. With this understanding, we can avoid Brennan's criticism of autonomy, and still preserve it as a value provided by the democratic procedure that allows us to practice it, which would not be possible in a non-democratic system.

In this argument, Brennan focuses on *autonomy as difference-making*. This concept of autonomy suggests an agent has autonomous control over some object only to the degree that their actions can change or make a difference regarding that object or state of affairs (Brennan 2016, 90). I understand autonomy as an object of value that the democratic system inherently provides. Not only do I find my conception as preferable in this case, but it also has beneficial consequences for a value of democracy mentioned earlier – respect for autonomy – which is closely related to other aretaic values attributed to democracy.[20] If we employed Brennan's understanding of autonomy into a conception known as respect for autonomy, the only autonomy respected would be one from the voter that was inside the voter's majority. Such an understanding is insufficient, as citizens might deem democracy as valuable because it is a provider of the smallest possible amount of power in the political process. Citizens can exercise their political autonomy by choosing between certain political options[21] knowing that their power is small, but still valuable because no other political arrangement will provide them with it.

[20] I will discuss this value more in the section arguing that epistocracy cannot attain some aspects a democratic culture offers.
[21] These might be policies, laws, or politicians.



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*Moral Development and The Issue of Distinguishing Epistemic from Moral Values*

When criticizing the moral development of citizens in a democracy, Brennan refers to the writing of John Rawls. In his *Theory of Justice*, Rawls talks about two moral principles of which one is important for this discussion – the liberty principle. This principle requires that each citizen enjoys a "fully adequate" set of basic rights and liberties. Rawls claims the right to vote and run for office have a special privileged position, above that of other, already-privileged basic rights and liberties. The test for determining whether we should consider something as a basic liberty or not is to determine whether it has the right connection to the *two moral powers*. The first power, rationality, is the capacity to have a rational conception of the good. This power enables us to form, revise, and rationally pursue a coherent conception of values. With the second power, reasonableness, we can understand, apply, and cooperate with others on fair terms of cooperation. For Rawls, these two powers make humans *moral beings* worthy of special consideration. Freeman, a scholar of Rawls, claims that a basic liberty is an essential social condition for the adequate development of these two powers. Liberty is basic only if all citizens must have that liberty to develop the two moral powers. (Brennan 2016, 100-101)

Brennan holds it is implausible to claim there is a necessity to have basic liberties such as freedom of speech, freedom of participation to vote and run for office, or any other Rawlsian basic liberties to develop a sense of justice or a conception of the good life. In an overwhelming majority of unjust countries, many people develop a sense of justice and a conception of the good, despite lacking these basic liberties, or not having the liberties protected at the level Rawls and Freeman believe they should be. Brennan suggests that very little liberty is necessary for the typical person to develop the two moral powers. People in deeply authoritarian regimes may have a harder time attaining tools for the development of these powers, yet it is not

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impossible, or that hard to develop them. He concludes that if Rawls and Freeman are right about what constitutes a basic liberty, then basically nothing is a basic liberty. Practically no freedom is necessary for all people to develop those moral powers (Brennan 2016, 103-104).[22]

In response to Brennan, I concede that persons might be able to develop a conception of the good life even in a society that does not ensure those mentioned liberties. However, a lack of these liberties would be easier to attain in liberal societies. Thus, democracy is a means in the development of these two moral powers. Although we might use other political systems to develop them, I believe that democracy is an instrument with which we can attain such powers most easily and likely. These powers are most likely to be developed by practice and necessity. In a democratic society, a person votes and, by determining for whom or what to vote for under the given non-aspirational assumptions, they have a chance to develop the two capacities. In comparison to democracy, these capacities are less likely to develop in other systems.

At this point, one might notice that Rawls' powers are reminding of Anderson's democratic culture covered earlier. What are the similarities between these two? The way Brennan describes the development of these two moral powers, one would certainly claim that they are either fully constituting a democratic way of life Anderson describes, or at least make up some of the variables that constitute it. This connection might be an issue for the text. I mentioned that this thesis does not deal with the epistemic values of democracy. However, the two powers and the democratic way of life do not merely refer to moral values, but also refer to epistemic ones. Thus, a problem occurs; how to avoid the epistemic value brought up in

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[22] Although Brennan continues discussing Rawls' argument by developing criticism based on overly strong demands to attain these two moral powers, I will stop here. I do not wish to engage with the discussion on Rawls' test for determining what counts as a basic liberty. My only contention here is to defend the claim that the two moral powers are most likely and easiest to develop in a liberal, rather than an authoritarian society. Such a conclusion to the criticism of values is enough for this thesis.

Rawls' account the value mentioned in Anderson's account – that a democratic culture gives us a mode of collective learning?

Before I answer the question, it is worth noting that I understand Rawlsian rationality as conditional for developing reasonableness and believe both are not only morally but epistemically valuable. When considering the values proposed by Anderson under the term democracy as a culture[23], we might notice that the development of the two moral powers might be an antecedent to her value of democracy. In a liberal society, we must be rational to develop a rational conception of the good. Once we establish our conception of the good, we use reasonableness to cooperate with others on fair terms of cooperation (Brennan 2016, 100-101). To develop these two powers, we must be knowledgeable in terms of which policies or laws to choose in order to include others' conception of the good into our final decision. It seems that by attaining these two, we can ensure the values given to us by Anderson's democratic culture.

It seems to be hard to separate the epistemically valuable development from the morally valuable one. However, I do not believe that the close connection of an epistemic value to our moral developments or the flourishing of democratic culture is a crucial problem for this text. The epistemic value mentioned above is not related to the outcome, but the flourishing of the voters. We do not treat democracy in this case as a means to reach correct outcomes by attaining rationality, but as an instrument to make people more sympathetic, respectful, and reasonable. Thus, this epistemic value brought by the development of two moral powers is not a direct value given to us by democracy. Still, it serves us as a means to reach indirect values for the development of citizens.

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[23] Although I will explain them in more detail in the following section, she claims democracy embodies relations of mutual respect and equality, it avoids the evils of undemocratic ways of life, it realizes the shared goods of sympathy and autonomy, and it is a mode of collective learning.

*Can Epistocracy Attain a "Democratic Culture"?*

Earlier in the text, we looked at the intrinsic justification of Elizabeth Anderson's account based on the claim that democracy has a certain way of life we should consider valuable. Then, we determined that, when operating under non-aspirational assumptions, we can consider such value only as instrumental. Now, we delve deeper and determine which values Anderson had in mind with the term *democratic culture*. With that, we will determine whether we can attain a democratic way of life in epistocracy.

Anderson claims democratic culture is significant in four ways. First, it embodies relations of mutual respect and equality. Second, it avoids the evils of undemocratic ways of life and secures us from abuse, neglect, and subordination. Third, such a way of life realizes the shared goods of sympathy and autonomy. Lastly, it is a mode of collective learning (Anderson 2009, 219).

Democratic culture is significant because it helps the relations of mutual respect and equality flourish (Anderson 2009, 219). I deem democracy as the best instrument to provide us with such relations if the citizens meet the posed moral and epistemic demands. Such a political system provides a foundation for mutual respect and equality with its procedure. By voting, everyone remains equal, as everyone has one vote they can cast. However, a democratic society must reach mutual respect. I am not sure whether people would respect one another, especially if they are in different ideological groupings. However, such a value is conceivable in a democratic system. With that, I suggest that Rostbøll's conception of respect for autonomy discussed earlier in the text fits into this aspect of democratic culture. After all, one cannot respect the other without respecting his ability to exercise autonomy.

Epistocracy does not seem to be as hospitable to the values of mutual respect and equality. One can primarily notice that the suggested enfranchisement system proposed by

various supporters of epistocracy is not representative of equality amongst citizens. Often, it is the small groups that can cast a vote and decide on a policy, while the rest is not able to do that. Such a system not only threatens equality, but it also affects the autonomy of voters in a political procedure, as they cannot vote. The inability of most people to vote makes them unable to express mutual respect while deciding or constructing laws and policies. They simply depend on the experts that vote instead of them. Thus, we can say with assurance that, in this case, the lack of a democratic procedure removes the ability to enjoy the mentioned values.

A similar argument could be made for other values Anderson mentions; that a democratic way of life realizes sympathy[24] and that it is a mode of collective learning (Anderson 2009, 219). Sympathy and respect for rights seem to, intuitively, go together. Anderson describes the former value as a recognition of political opponents as rivals from whom one may learn (Anderson 2009, 221). We ought to be sympathetic to others so we can understand them and cherish the similarities and differences we have amongst each other. Therefore, I would claim that sympathy is realizable in democracy, although that does not exclude other political systems. I believe that depends on which understanding of sympathy we employ; do we understand sympathy as a general value amongst people[25] or as a value employed in a political procedure - I hold the latter understanding of the term in this text. Sympathy employed while voting brings out outcomes that reflect a culture of respect citizens have for each other's rights. They provide respect by voting for a specific policy, while the reason for them deciding in favor of others' rights is the sympathy towards members of society. There is no sympathy in epistocracy. Citizens cannot vote and, thus, cannot express sympathy to other citizens or political opponents. The only way they can express it is without any ability

[24] Although Anderson claim autonomy is among these values, I have not mentioned it because I deem autonomy as an intrinsic value of democracy with which Anderson agrees. However, our disagreement starts with other values mentioned here, due to a different perception of assumptions among citizens which are discussed throughout this text.
[25] I regard this sympathy as apolitical.



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to amend the law or a policy that does not respect other citizens' rights. Thus, the only kind of sympathy ensured in an epistocracy or, for that matter, any kind of political system is the apolitical or procedure-unrelated kind I mentioned earlier.

Anderson describes collective learning as an exercise of intelligence that finds better ways to live our collective lives. By deliberation, citizens from all walks of life learn from one another. Such an understanding of collective learning is somewhat concerned with the democratic outcome, as the diversity of experience and knowledge helps with the identification and solution of collective problems (Anderson 2009, 221). I understand this term a bit differently, as a practice of trial and error in the electorate's decision-making process. The electorate tends to make mistakes, sometimes by electing bad leaders, other times by choosing bad policies or laws. If it makes such mistakes, it should, ideally, learn from them. However, under non-aspirational assumptions, we cannot claim such an understanding of collective learning will be certain. Nonetheless, this understanding is attainable in a democracy, which is not the case for Brennan's preferred political system. When a system disenfranchises most of the people, there is no chance for them to make mistakes, suffer the consequences, and learn from them to try to reach better outcomes. After all, they cannot change anything within the procedure even if a certain policy puts an individual in an unfavorable position. There is no reason for people to know anything about politics because they cannot affect the outcomes. The only reason that might be attractive for people to individually or collectively learn about politics in an epistocracy is that they want to change the political system forcefully. However, such an interest would be invoked by a likely democratic perspective on the political future of the hypothetic society. In other words, perhaps the reason for being interested in learning about politics in an epistocratic society would be to introduce democracy and get relieved from the rule of the knowledgeable. Even in this case, we could not ascribe the value of collective

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learning to epistocracy. Collective learning, as I understand it, is a value conceived for a more citizen-oriented political procedure, which the latter is not.

The reason I decided to change the understanding of the term "collective learning" is that Anderson's definition flirts with the epistemic value of democracy, which, as mentioned, I want to avoid discussing. Some might claim that my understanding of this term is equated with the epistemic value of democracy, as well. I disagree, by employing the mentioned understanding of collective learning, one can value the process of learning rather than concentrating on the outcomes. What one must value in the democratic process is that people might come to realize their mistake and then try to amend it. Such a demand for trial and error is not an easy feat for biased and ignorant citizens, but there is still a chance to reach such a goal in democracy, one that values the process of learning from the mistakes of the collective. Although we might connect it to the epistemic value, the suggested one is indirect because it is concentrated on citizens' development, rather than on the democratic outcome itself.

The values Anderson proposes, and I take as instrumental, do not seem to fit into the epistocratic political system. Even though the latter ensures better political outcomes, the citizens lose a significant amount of instrumentally attainable values in democracy. However, they do not lose only values closely connected to a democratic way of life as Anderson understands it. Continuing from the last value mentioned, I will add another type of learning lost in an epistocratic political system - the possibility to attain information regarding legal procedures and policy.

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*Individual learning*

My understanding of individual learning is somewhat closer to Anderson's idea of collective learning. Here, I concede the fact that people share certain information and deliberate

amongst each other, thereby learning from each other. Such learning is not only present in real-life social interactions, but also discussions taking place on internet forums or social media. I believe that, as internet use is progressively larger, individual learning in the scope of politics is almost unavoidable. Political information, regardless of whether it is biased or not, reaches individuals and affects their political knowledge either by deteriorating, or improving it, whether they want it or not.[26] Therefore, individuals do learn something about political life by being exposed to so much political information. Such exposure gives room to citizens to determine whether the consumed information is correct or not. In today's authoritarian regimes, it is possible to retain correct information, but the government's control over media is much stronger than in regular democracies. Yet, some truly do try to find legitimate news sources and stay interested in politics. One could ask whether there is a legitimate reason to be interested in politics in such circumstances?

Along with an imagined supporter of authoritarianism, I hold that epistocrats need to provide an answer, as well. In the case of authoritarianism, attaining political information will not surmount to anything. Furthermore, it might get one into trouble if the government determines that a person might be an enemy to the state. Let's assume this is not the case for epistocracy; people can get informed on new policies and laws instilled by the knowledgeable. With that, I assume they might voice their opinion on said political decisions. Still, when almost no one can vote, there is no reason to learn any information about politics. It would be irrational, as it is time-consuming and does not bring any benefits to the person. After all, one cannot employ this knowledge in a decision-making process – the citizens are not a part of it. If I do not get even a slight authority regarding a certain decision, why would I care what is happening

[26] My suggestion is that a very small minority of people gets unaffected by political information. Even those who are not interested in learning about politics get subjected to some political information through communication channels.



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around me? I cannot change anything even if a certain policy puts me in an unfavorable position.

Granted, one might claim that people attain political knowledge for themselves, which is commendable. However, attaining such knowledge is not necessarily a political matter, as it does not correspond to the smallest possible authority one can have, the democratic one. I believe that this issue is present for epistocrats or any other non-democratic proponent. The fact that democracy provides people with the smallest decision-making power possible puts it in a position where citizens can inform themselves with whichever information they deem as acceptable and use it in the political process.

The value of individual learning is attainable in epistocracy, but without a conceivable point to it. Therefore, I move onto the last value specific to democracy - the secure transition of power.

**Stability in the Transition of Power**

In his book, *Framing Democracy*, Jamie Terrence Kelly provides us with an exhaustive explanation of stability theories. Some theorists support an instrumental version of democracy because such a political system provides a peaceful means of transitioning from one group of rulers to the next. Although such a claim is empirically falsifiable, it has been influential in the scholarship. The main version of such a theory stems from Schumpeter's *Capitalism, Socialism and Democracy* (1996). I will not reiterate Schumpeter's account but present the broader conception of democracy as a power-sharing arrangement that has a positive outcome of avoiding widespread violence and revolution (Kelly 2012, 49).

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There are two stability theories Kelly refers to, austere and augmented stability theory. The austere theory claims that transitions of power in a democracy do not ensure anything about the quality of government that will obtain between elections. Augmented stability theory tries to show that democracy can be relied on to produce more in terms of the quality of rule. There are three augmentations to the theory: competition, selection, and political freedom (Kelly 2012, 50-51). As I am focusing on the pure value of stability rather than on the account as a whole, I will not discuss the latter theory, but base my arguments against epistocracy on the austere stability theory.

As mentioned, claims regarding a secure transition are empirical, and we may rightly value democracy in this regard[27]. Perhaps the reason democracy provides us with this value is that the citizens share the authority in a democracy. They can exercise their autonomy and have at least some political power while doing so. Although Brennan says such authority is not satisfactory and seems insignificant, I suggest that the secure transition of power is at least a slight reason why one should be skeptical of his claim. When considering autocracies, we cannot ascribe such a value. It is often the case that there are protests against the ruler or the government of a non-democratic state. Many reasons explain civic unrest, and they need not necessarily be because the state is not democratic. It might be that a regime is tyrannical and unjust. Nonetheless, we should not dismiss the fact that democracy is beneficial because it provides a voice for the individual, no matter how small or insignificant one might claim it is.

We cannot equate epistocracy to autocratic governments, especially since I assumed that the former system is not as malevolent as one might deem it to be. However, the idea behind epistocracy is to disenfranchise most of the electorate to persuade better political

[27] Although I have not found any particular research that endorses or scrutinizes this claim, it seems that it is mostly true. Surely, one might claim that this was not the case at a particular point in a country's history. However, this person would have to concede that, although not a rule, it is unlikely that there are revolutions or other means implying an unsecure transition of power in a democracy. Especially when comparing democracy with authocratic political systems throughout history.



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outcomes. If the notion that the lack of civic authority produces unrest during a transition of power is correct, then this might be a problem of epistocracy. One might ask, is it a good idea to introduce epistocracy when taking this worry into account? I claim it is not and support a conservative view for democracy criticized by Brennan. The conservative argument he attacked was referring to a more general discussion between democrats and epistocrats. However, it is still relevant to this discussion. The argument claims that we are not sure how the epistocratic measures would work, even when granting everything Brennan said against voters and the potential improvements epistocracy could produce. Brennan suggested that small-scale tests might be beneficial in introducing epistocracy and would deflect the argument (Brennan 2016, 228).

Taking the possibility of civic unrest into the equation, we have more reason not to introduce epistocracy and stick to the conservative argument. In the reconstruction of the argument, Brennan did not suggest any potential drawbacks for his theory. Rightfully so, as we cannot safely presuppose any negative consequences from a system that is still purely theoretical. Even if there are small-scale tests to ensure that epistocracy works, testing whether it provides us with a secure transition of power is hard to do in such circumstances. However, when we consider that Brennan's system is against voting, there might be a possibility that society might fall into civic unrest. With that, if protests become violent, they might have negative consequences on the people and the political institutions of the country. Thus, we must deem democracy as preferable - it will most likely not delve into violence. In contrast, there are some aspects to the epistocratic rule that might result in a different outcome.

One might claim my suggestion is based on an unsupported notion, but I disagree. Let us presume my worries are correct, and it turns out to be exponentially likelier that epistocracy leads to civic unrest. The consequences of it can be much costlier than attaining democracy, which presumably does not have such an issue. Granted, democracy would provide us with

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worse political outcomes, but such outcomes are a much milder consequence than potential violence. As my judgment is based on this comparison, I suggest that democracy ensures the secure transition of power, while epistocracy might not. The costs of determining whether my worries are legitimate might be too high. Thus, I suggest democracy ought to remain as a secure, non-violent political system when it comes to the transition of power.

In this chapter, I have shown that theories of epistocracy are not supportive of values concerned with any kind of moral or epistemic development of citizens. In other words, all epistocrats care about is the epistemic value of a political procedure or the correctness of the outcome in it. When deeming the correctness of an outcome as the most valuable aspect of their suggested political system, there are a lot of other dismissed values. This chapter has shown several different types of values that one must deem as important while acknowledging that democracy is the best instrument to attain them. It is, again, important to mention that the values I argue for can only be considered as instrumental under non-ideal assumptions. Anderson's work mentions some of the values covered in this chapter; those are the value of mutual respect between citizens, sympathy, the value of collective learning. I argue that these values stem from the development of Rawlsian moral powers for which democracy is the most appropriate basis. With that, I discuss individual learning as an important value that democracy provides us with and the fact that democracy seems to be a system that ensures a secure transition of power. Simultaneously, I argued that epistocracy neglects these values due to the nature of its procedure, which does not enfranchise citizens but gives authority only to the knowledgeable.

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# Conclusion

This thesis aims to provide a defense of democracy against epistocratic criticism. Such a defense was based on instrumental values democracy exhibits and is most likely to attain. I believe I have succeeded in proving that aim. However, there were a few issues that needed to be taken care of before reaching such a conclusion. First, epistocracy is based on non-aspirational assumptions revolving around citizens. The idea that citizens are biased and ignorant when it comes to politics stems from empirical research done by the scholarship. By making assumptions concerning citizens, one must make assumptions about institutions, as it would be problematic to claim that the latter function perfectly. As opposed to epistocracy, democratic theorists have aspirational assumptions that suggest citizens are more rational than empirical research would claim. Thus, to compare the values given by the two political systems, I decided to find a justification of democracy that is accepting of non-aspirational assumptions.

I sought to find an intrinsic justification of democracy based on which instrumental values can be extrapolated. Such a justification is based on values inherent to the democratic procedure. First, I analyzed Rostbøll's account that supports freedom as an inherent justification of democracy. The basis for his freedom argument was the relational principle of respect for autonomy that is supposedly intrinsic to democracy. The principle holds that the mentioned political system prevents one's subordination to a master, embodied by other citizens or institutions (Rostbøll 2015, 267). I challenged this argument by suggesting that, under non-aspirational assumptions, one can be subordinated to the interests of others. The democratic body concerned with drawing electoral units, usually occupied by party members, tends to purposefully draw units to satisfy their political interest and to affect the outcome of the procedure. In cases of such manipulations, citizens that have a minority vote in certain districts are in a subordinate position to the majority that persevered because the rules of the

game were not fair. As this affects Rostbøll's conception of respect for autonomy, we cannot claim that such a value is inherent to the democratic procedure. Thus, I rejected his justification of democracy.

Elizabeth Anderson justifies democracy by claiming that its intrinsic value is the democratic way of life citizens lead in that political system. The concept of democratic culture involves several values: democracy embraces mutual respect and equality; it avoids subordination, neglect and abuse; it realizes sympathy and autonomy; and it is a mode of collective learning (Anderson 2009, 219). The author's intrinsic justification of democracy is based on aspirational values regarding citizens. I suggest that, when considering these values with non-aspirational assumptions, we cannot claim a democratic way of life is inherently attainable by democracy. In relation to her suggestions that a democratic way of life is a good, I suggest that many people do not acknowledge democracy as such. Some citizens vote in favor of policies excluding certain minorities from having the same rights as the majority. After that, I claim that a democratic way of life cannot be conceived if the electorate votes itself out of democracy. Such a phenomenon is not novel in the political history of many countries. If a society is ruled democratically, but decides to vote for a non-democratic option, it is hard to claim that the culture of such a society is democratic in any sense. Thus, I reject such a view as a legitimate basis for determining the instrumental values that prove democracy is better than epistocracy.

After discussing intrinsic justifications of democracy, I analyze an instrumental justification of that political system, suggested by Richard Arneson. He claims that democracy is instrumentally justified because it is the best means to reach certain values when compared to other political systems. The author opposes to the claim that each adult person has a fundamental moral right to be admitted as a full member of some political society (Arneson 2009). Thus, he claims, democracy cannot be justified intrinsically. I provide two criticisms to

his argument. First, I prove that democracy can have an intrinsic value, although its citizens do not have a right to a democratic say. I suggest that an activity like listening to music or being in a romantic relationship is not a fundamental right of persons but is still intrinsically valuable to some. The second criticism shows that democracy is derived from some fundamental rights like autonomy, equality, and freedom. Thus, the claim that a lack of a right to a democratic say determines that democracy cannot be intrinsically justified is not sufficient. I suggest a justification of democracy as derived from fundamental rights. The fundamental rights of persons invoke the three values mentioned earlier. Democracy embodies autonomy, equality, and freedom in its procedure, thus making them inherent to the political system. Such a justification is valuable for this thesis because it fulfills the requirement regarding assumptions posed on other theories that justify democracy in the same way. In this case, the fact that citizens are biased and ignorant does not undermine the procedural values of the political system. Thus, I choose this justification to be the basis of my defense of democracy.

In the last chapter, I compare epistocracy and democracy based on instrumental values. The values I refer to are mutual respect, sympathy, collective and individual learning, and the secure transition of power. First, I talk about aretaic or indirect values of democracy that aim to develop citizens' character. Here, I invoke Anderson's mutual respect, sympathy, and collective learning. Collective learning, as understood by the author, has an epistemic value, understood as a direct value in this context. I use an understanding of the concept that claims there is value in citizens trying and failing to produce good outcomes in a democracy. In other words, citizens may value the process of learning from their mistakes upon voting and suffering the consequences of subpar policies or laws that they chose. With that, I suggest a value of individual learning that ascribes appreciation for the fact that citizens have a reason to inform themselves in a democracy. Upon presenting these as instrumental to democracy, I suggest that such values cannot be attained in epistocracy because most of the electorate is disenfranchised.

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The last value mentioned is the secure transition of power, which seems unique to democracy, as it has not been susceptible to many revolutions or violent protests. Epistocracy is a theoretical concept, and it is not certain whether it would attain a peaceful transition of power. I suggest that considering violence can be detrimental to people are society's stability; it is not worth testing whether epistocracy can attain a secure transition of power or not. It seems that this political system can be more costly than beneficial, especially when we consider that many indirect values of democracy are lost. In return, epistocracy gives us better political outcomes, and it chooses better policies and laws. However, the price for such a value might be too high when compared to democracy.

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