EPISTOCRACY AND PUBLIC INTERESTS

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**Abstract:** Epistocratic systems of government have received renewed attention, and considerable opposition, in recent political philosophy. Although they vary significantly in form, epistocracies generally reject universal suffrage. But can they maintain the advantages of universal suffrage despite rejecting it? This paper develops an argument for a significant instrumental advantage of universal suffrage: that governments must take into account the interests of all of those enfranchised in their policy decisions or else risk losing power. This is called ‘the Interests Argument’. One problem for the Interests Argument is that governments are not entirely responsive to voter interests, partly because voters do not always know what is in their interests. I’ll show how this epistemic claim can be used to support certain forms of epistocracy, but deny that it undermines the Interests Argument. I then consider whether we can identify forms of epistocracy that preserve the benefits of the Interests Argument whilst overcoming the epistemic limitations of democracy. I propose six forms of epistocracy, and argue that two are able to maintain these benefits, hence providing an evaluation of the relative strengths of these epistocracies with respect to one of the most valuable instrumental benefits of universal suffrage. Whilst epistocracy lacks many of the advantages of democracy, this paper shows that some forms fare better than others.

**Keywords:** Epistocracy; Universal Suffrage; Democracy; Public Interests; Power.

**Introduction**

In modern democracies, equal voting rights are distributed almost universally amongst adult citizens. This practice of unconditional universal suffrage is highly valued and hard fought-for. Nevertheless, it has some detractors, and of most note in recent political philosophy are defenders of *epistocracy*, or, ‘the rule of the knowledgeable’ (Estlund 2003).[[1]](#footnote-1) There are many ways by which the knowledgeable might rule, but most epistocracies involve a rejection of, or major modification to, universal suffrage. For instance, in the epistocracy of J. S. Mill (1991), extra votes are given to those with more economic and political knowledge, and those without sufficient literacy or arithmetical abilities are not granted suffrage.

The recent interest in epistocracy, defended most notably in the work of Jason Brennan (2011; 2016), has prompted considerable opposition.[[2]](#footnote-2) Epistocracy is thought to undermine the freedom and equality that is granted through universal suffrage, and in some forms, to unfairly discriminate against citizens from poorer backgrounds with lower levels of educational attainment (Estlund 2008, 215-9; see Brennan 2018 for responses).

This paper takes a more moderate stance on epistocracy. It does not seek to show that epistocracy in all forms is entirely unwarranted. Rather, it considers whether some epistocracies may be preferable to others. To determine this, I consider a powerful argument for universal suffrage, which defends it on grounds of instrumental benefit, and show which varieties of epistocracy can provide these same benefits. The benefit in question, which was championed by Mill (1991), is that suffrage enhances the likelihood that the interests of enfranchised citizens are represented by government. This claim is defended on the grounds that since groups of citizens with suffrage have the power to de-elect governments, then governments have a strong and distinctive motive to take the interests of enfranchised citizens into account in their political decision making. I call this *the Interests Argument*.

This paper has two aims. First, to determine whether the Interests Argument for universal suffrage is sound. Recent work in political science has both been used to cast doubt on the veracity of the Interests Argument, and to support epistocracy. Hence, it is worth considering and responding to this work to defend the Interests Argument and show where it supports epistocracy. The second aim is to identify whether any form of epistocracy can achieve the crucial benefits identified by the Interests Argument.

To achieve the first aim, I first set out and defend the Interests Argument. Then, in the following section, I derive an objection to the Interests Argument from the work of Achen and Bartels (2016), who argue that democracy does not produce responsive government. I will agree, in part, with this objection, and show how some of their findings support epistocracy. However, I will deny that it undermines the Interests Argument.

To achieve the second aim, in the final section I deploy the Interests Argument as a filtering device for distinguishing between weaker and stronger forms of epistocracy. I outline six epistocratic systems that reject or significantly modify universal suffrage:

1. epistocracy with no election at all, as with Plato’s Guardianship;
2. electing a wise ruler for life, without subsequent processes for de-election, as is found in some consensual democracies in Africa (Wiredu 1995);
3. withholding suffrage from those with lower educational capabilities, or
4. granting additional votes to the epistemically ‘competent’, as with Mill’s system (1991; c.f. Mulligan 2018);
5. distributing voting rights by sortition and then training the enfranchised (López-Guerra 2014); and
6. overriding decisions made at the polls by determining how the voters *would* *have* voted if they knew a range of relevant political information (Brennan 2016).[[3]](#footnote-3)

I argue that only (e) and (f) can provide the same benefits as universal suffrage that are shown through the Interests Argument. Though this does not justify these epistocracies, it reveals their relative strengths with respect to one of the most valuable instrumental benefits of universal suffrage.

**Mill and the Interests Argument**

In *Considerations on Representative Government* (1991), Mill aimed to demonstrate that representative government is the most ideal form of government. In defending this view, Mill contrasts representative government with government by a benevolent despot. One problem with being governed by a dictator, whether they be a monarch or political leader, caring or cruel, is that the dictator lacks a particular motivation to take into account the interests of the governed. Namely, because the dictator cannot *lose* power through democratic means, she lacks an incentive to care properly for all the citizens she governs. This incentive is only in place when the ruler or dictator can be disempowered by the citizens that she governs.

To develop this argument, Mill claims that ‘the rights and interests of every or any person are only secure from being disregarded when the person interested is himself able, and habitually disposed to stand up for them’ (63). The ‘ability’ to stand up for oneself comes from enfranchisement: having a *vote* for which government is in power gives one the *ability* to represent one’s own interests such that they are not disregarded. Mill argues that

[r]ulers and ruling classes are under a necessity of considering the interests and wishes of those who have the suffrage; but of those who are excluded, it is in their option whether they will do so or not; and, however honestly disposed, they are, in general, too fully occupied with things which they *must* attend to to have much room in their thoughts for any thing which they can with impunity disregard. (173-4)

So, according to Mill, if someone has the right to vote, then rulers have a motive to consider their interests in governmental decision making. This is *the Interests Argument*.

Why might a ruling body be motivated to take into account the interests of its citizens simply because the citizens have voting rights? When contrasting representative government with despotism, Mill claims that ‘human beings are only secure from evil at the hands of others in proportion as they have the power of being, and are, self-*protecting*’ (63). The idea here is that the governed are protected from their rulers if they have the capacity to remove those rulers from power, and voting rights give the governed that power. Another way this is put is that the capacity to remove rulers from power keeps the rulers accountable in their actions. It is in this way that citizens are ‘self-protecting’ and ‘secure from evil at the hands of’ governing powers. And because of the self-protecting security citizens have through suffrage, rulers must consider their interests if they want to remain in or gain power. If they do not, then they risk being de-elected, or not elected, and hence removed from or not given power. Call this *the Depowering Reason*.

It will be useful to state the Interests Argument as clearly as possible:

1. Under universal suffrage almost all groups have the right to vote;
2. If a group has the right to vote, then this gives rulers a significant motive to consider the group’s interests in their governmental decision making;
3. Therefore, under universal suffrage, rulers are given, by a group’s right to vote, a significant motive to consider the enfranchised groups’ interests in their governmental decision making.

And (2) is true, according to the Depowering Reason, because

suffrage gives citizens the capacity to remove rulers from power, or to empower new rulers, and so if rulers want to remain in or gain power, they must cater to the interests of groups of citizens with suffrage.

So, when groups of people have voting rights, governments have a particular incentive to take those groups of people into account in their political decision making, because those groups can remove the government from power. The result may be better rights or more investment in local infrastructure, leading to better life outcomes. It does not matter whether or not the groups of people actually vote in a particular election. Their enfranchisement is enough to act as an incentive for governments to take their interests into account since they *could* vote to remove the current government from power if their interests are harmed or not satisfied. This motive is not sufficient to ensure that those citizens’ interests *will be* secured. The rulers will have to balance those interests against other demands, and the motivation may be weaker or stronger under different circumstances. Nevertheless, without enfranchisement, the rulers would lack this distinctive motivation, and given that the rulers, or would-be rulers, face to lose or gain power, this motivation is significant.

For the purposes of this paper, I will refer to the benefits identified in the Interests Argument, and explained by the Depowering Reason, as INTEREST. Note that governments have multiple incentives to act in the interests of the citizens governed. They may be benevolent, or desire to look good to other nations, or may want their nation to flourish socially and economically. But the benefit to citizens identified by INTEREST is distinctive from these: it is that governments have an electoral motive to act in the interests of the citizens governed given that they may lose power, or fail to gain it if they are a party vying for power, if they do not act, or have policies pledging to act, in the interests of all of a nation’s groups of citizens possessing voting rights. This is not a motive that rulers have under systems where they cannot lose power through a public vote, such as in a monarchy.

The benefits of INTEREST have broad application in relation to the support of citizens’ interests, which provide a powerful instrumental reason to have universal suffrage. Most clearly, it demotivates rulers from directly harming their citizens for risk of losing power. For example, if the religious population, most notably the Uyghur people, in China’s Xinjiang region had fair voting rights then the Chinese government would have a motive not to harm them as they have widely been reported to have done.[[4]](#footnote-4) This view of the negative promotion of interests through self-protection from harm was part of the women’s suffrage movement in the US in the 19th century. Speaking of those in attendance at the speeches of Susan B. Anthony, *The National Republican* writes that these women ‘desire the ballot for self-protection’ (Harper 2005, 377). And responding to the argument that women do not need the vote because men can protect them, Anthony said in a speech in 1971 that ‘I declare to you that woman must not depend upon the protection of man, but must be taught to protect herself’ (ibid, 392).

The benefits of INTEREST also positively promote citizen interests by incentivising rulers to operate in their favour. Consider three items of evidence for this claim. First, we can note the gradual improvement to women’s rights since women became enfranchised. In the UK for instance, women over 30, with certain property qualifications, are granted the right to vote in Britain for the first time in 1918, and given equal suffrage with men in 1928. In 1920, the Sex Discrimination Removal Act allows women access to the legal profession and accountancy; in 1925 the Law of Property Act allows both husband and wife to inherit property equally; in 1967 the Abortion Act gives women abortion rights with certain conditions (excluding Northern Ireland); and by 1991 equality between women and men in higher education enrolment is reached. No government can fail to support the rights of over half of its citizens if they have suffrage since there is a clear threat to their loss of power if they do not. And this might be at least part of the explanation for the gradual improvement in women’s rights since enfranchisement. Moreover, some governments have plausibly been rewarded for promoting the interests of women. The UK general election in 1929, which was the first in which women had equal voting rights with men, also led to the first minority Labour government, who had themselves been the staunchest defenders of the enfranchisement of women. The Labour power gains and Conservative losses are unlikely to be purely coincidental in this election.

A second example concerns international development. Construing voting rights as a form of political freedom, Amartya Sen argues that ‘to express publicly what we value and to demand that attention be paid to it, we need free speech and democratic choice.’ He adds that in order to fully understand the instrumental role of political freedom through democracy, ‘we have to consider the political incentives that operate on governments and on the persons and groups that are in office’. In particular,

the rulers have the incentive to listen to what people want if they have to face their criticism and seek their support in elections…no substantial famine has ever occurred in any independent country with a democratic form of government and a relatively free press…[famines] have never materialized in any country that is independent [and] that goes to elections regularly. (Sen 1999, 152)

Again, this provides some evidence to support the Depowering Reason, and it shows just why voting rights are so important. Namely, because they promote the interests of the enfranchised, and seem to successfully contribute to the improvement of the lives of the governed.

A third piece of recent evidence directly links the way that governments are rewarded by promoting citizens’ interests. In 2002, one month prior to the German federal election, there occurred devastating floods along the river Elbe. A study by Bechtel and Hainmueller (2011) argue that this event provided the ‘incumbent Social Democrat Party (SDP) with a key opportunity to win over voters through a massive policy response to avert the widely expected defeat in the upcoming election’ (853). In response to the floods the SDP deployed 45,000 soldiers and spent millions of euros in ‘the largest disaster relief program ever delivered in German postwar history’. Bechtel and Hainmueller argue that the gratitude shown by the voters at the ballot to the SDP had a lasting effect beyond the immediate election. They found that ‘the policy response increased vote shares in the affected regions by about 7 percentage points on average in the 2002 election’. But they also found that ‘about 25% of the massive short-term electoral return carried over to the next election in 2005’. This data provides a clear link between governments supporting the interests of their citizens, and their correct belief that if they do, then they will be rewarded with votes.

Despite this support for the Interests Argument, perhaps it fails because enfranchised citizens can act as proxies for those without suffrage, and so not everyone needs to have the vote. This can be the case because, as is shown in some political science literature, citizens tend not to vote in their own interests when there are pressing ethical options requiring their support. The experimental results from a study by Fedderson et al.

support the concept of bias toward unselfish outcomes in large elections: collective choices in elections systematically depart from individual preferences in the direction of moral considerations. (2009, 188)

The study showed that voters in large elections tend not to vote selfishly, especially when voting against one’s own interests is deemed morally superior. Now, suppose that a large group *G* in society lacks suffrage, and the government are not properly protecting their working rights. It’s conceivable, given the results from studies like that of Fedderson et al., that the remaining voters could stand up for the members of group *G* and vote against the government if they perceive the moral plight of *G*. Hence, there is still incentive for the government to properly take into account the interests of *G* since they still face the prospect of losing power.

This objection has two shortcomings. First, even if it were true it still would not show that enfranchisement does not give governments a motive to take the interests of the enfranchised into account. Hence, it does not show that the Interests Argument is false. Second, its truth is dubitable since the data it relies upon is drawn from studies of voter behaviour under universal suffrage. There have been no recent studies of voter behaviour under forms of epistocracy, and hence the behaviour may change and voters may tend, instead, to support selfish ends depending on the system in place. Moreover, it may well have been the case that voters supported selfish ends prior to the introduction of universal suffrage. It’s hardly clear that voting men did much to champion the rights of women. The shift in women’s rights only came once women became enfranchised. This is precisely the point that Susan B. Anthony was trying to make in her campaigns for enfranchising women in the US. Hence, there is no persuasive reason to think that things would be different if some groups collectively lacked suffrage. The best way to protect the interests of all citizens is to distribute suffrage universally within the state.

However, could someone claim that even under universal suffrage, not *all* people are enfranchised, and yet their interests *are* taken into account. For instance, there is no enfranchisement of immigrants,[[5]](#footnote-5) and yet governments do not neglect their interests. So, it seems that not everyone requires suffrage if the government are to be motivated to take their interests into account.

Again, this objection misses the point of the Interests Argument. For, the argument simply maintains that suffrage provides a distinctive motive for governments to take the interests of the enfranchised into account in their decision making. In the case of immigrants, governments have economic and diplomatic incentives to look after their rights and interests, but lack a motive to care for their interests stemming from the possibility of their de-election. And quite possibly, immigrants would receive fairer treatment from governments if they *were* empowered through suffrage. If non-nationals were allowed to vote, then their rights and protections could be more carefully defended by politicians, which would be no bad thing. This is most evident in countries, like the UAE, with large immigrant workforces, but different levels of rights given country of origin. It is well-documented that workers in the UAE from South Asian countries are not given the same level of working rights as those from North America and Europe.[[6]](#footnote-6) But this might be different if the UAE brought in electoral democracy and enfranchised the workers from South Asia. Of course, even if this provides pro tanto reason to enfranchise non-nationals, there are outweighing considerations. With regard to non-nationals, there are concerns over the corrupting influence that their enfranchisement could have. Other countries could leverage their suffrage to bring about political unrest and disharmony within the nations that they live. Hence, there are still reasons to restrict suffrage from non-nationals, even if there are also reasons to grant it to them.

So, the Interests Argument appears to be well evidenced and resistant to some objections. It’s certainly not the only argument for universal suffrage, nor is it the only argument advanced by Mill, but it does represent a significant instrumental advantage for universal suffrage. However, in the next section I want to consider a strong objection to the Interests Argument, which also provides reason to support some form of epistocracy.

**Retrospective Voting and Support for Epistocracy**

A more formidable objection to the Interests Argument is to reject its second premise by showing that the electorate are unable to identify what is in their interests. To see this argument, we can begin by outlining a popular theory of political accountability: *the* *retrospective theory*. On this theory, voters punish failures and reward the successes of incumbent governments, looking back at their past actions as a way of measuring likely future performance. V. O. Key, an early defender of this theory, depicts

the electorate in its great, and perhaps principal, role as an appraiser of past events, past performance, and past actions. It judges retrospectively: it commands prospectively only insofar as it expresses either approval or disapproval of that which has happened before. (Key 1966, 61)[[7]](#footnote-7)

On the retrospective theory, voters incentivise politicians ‘to act to enhance their well-being’ (Ferejohn 1986, 8) by punishing or rewarding with their votes.

Now, if this theory is correct, then it fits neatly with the Interests Argument and the Depowering Reason. But there are problems with the theory, primarily that, as some argue, voters are not sufficiently knowledgeable on political matters to correctly reward successes or punish failures. The most effective recent defence of this view is from an influential study by Achen and Bartels (2016). They point out two main problems. First, that voters seem to make their judgments of incumbent performance ‘blindly’. Whilst they do punish or reward incumbent governments for their own level of wellbeing at the point of election, they often blame or reward the government for matters outside of the government’s control, including whether they have been subject to natural disasters and even shark attacks (116-45). Second, Achen and Bartels argue that voters make their judgments of incumbent performance ‘myopically’, at least with respect to their assessment of the government’s economic performance. They find that, rather than assessing the net economic gains or losses over the course of an entire term, voters tend to only assess the achievements of the government in the months leading up to an election (146-76). If a government has achieved well with the economy in the final months of their term, voters will tend to reward them, even if the government have made a net economic loss over their full term.

Let’s assume that these claims are correct, and voters make their judgments ‘blindly’ and ‘myopically’. We can apply these claims to generate a problem for the Interests Argument. Note that premise (2) maintains that voting rights provide a significant motive for governments to consider a group’s interests in their decision making. But if the group base their vote on factors unrelated to their interests, rather than on how the government have actually acted in their interests, then the government’s motive changes. They will be incentivised to act to secure the voter’s support, but this will not always result in them acting in the voter’s interest. If citizens are not good at retrospective voting, and so do not know how to reward or punish correctly, then governments only have a motive to consider how the electorate *will* vote, not what is in their interest. So, for instance, a government will aim to do well with the economy at the end of their term, but will be less focussed on it in the earlier parts of the term, perhaps resulting in a net loss over the whole term.

Other authors have pointed out this problem with respect to similar considerations to the Interests Argument. According to Healy and Malhotra:

a main argument in favour of liberal democracy is that elections produce good outcomes via the processes of sanctioning and selection. However, if voters’ decisions sometimes fail to provide appropriate incentives to elected officials or distort those incentives altogether, democracy may produce inefficient policies in those cases…The literature thus suggests that retrospective voting does not automatically ensure good incentives, particularly given voter errors. (2013, 287-8)

And what is most relevant from this for my current interests is that the epistemic incompetence of voters provides a reason to support some forms of epistocracy. As Brennan claims, ‘If voters support the wrong policies, then giving them the policies they want *prevents* them from getting the outcomes they want’ (2018, 64). This might give us a pro tanto reason to support forms of epistocracy in which we only enfranchise voters who know what would be in the interests of the citizens as a way to ensure that the government acts in those interests, or otherwise, at the time of election, risk being deposed.

Now, at a micro-level, these claims are difficult to disagree with. Voters often lack the knowledge to correctly judge the success or failures of incumbents; they often reward or punish on unfair grounds; and their interests may be better secured if electoral decisions were handed to people lacking these epistemic shortcomings. Hence, we do have some pro tanto grounds to support some forms of epistocracy, and these will be discussed in the next section. However, on a ‘macro-level’ (Galston 2018), voters are quite capable of knowing how well incumbents have performed. Women in the US and UK in the 19th and 20th centuries knew that they lacked the same working rights as men, and since being granted the vote, women have increased in their working rights. The German public in 2002 knew that they needed the government’s support following the flooding of the Elbe, and knew what support the government provided, and subsequently rewarded the government for their support. And religious citizens living in China’s Xinjiang region know that their government systematically harms them, bringing about a form of genocide. If those citizens were granted voting rights, then the government would clearly have a reason to redress the harms they have committed. Each of these examples provides ample grounds to support enfranchising citizens in line with the Interests Argument and the Depowering Reason, and assuages the concern that voters are too ‘blind’ or ‘myopic’ to support their own interests.

So, even if we can note clear deficiencies in democracy, that does not *fully* undermine the benefits that come from INTEREST. It is still important that people have the right to vote to incentivise the government not to harm them, and to act in their interests. We need to preserve the benefits of INTEREST. But clearly there are ways in which the enfranchisement of citizens is less efficacious than it could be, and ways of improving its efficaciousness. So, is there a mid-way point that provides the advantages for citizens that are represented by INTEREST, but can bring about some of the beneficial outcomes offered by some forms of epistocracy? The next section addresses this question by considering six forms of epistocracy.

**Epistocracies and INTEREST**

An epistocracy is a form of government in which the knowledgeable rule. Rather than distributing political power equally and universally amongst adult citizens, as is done in a democracy, epistocracies distribute ‘political power in proportion to knowledge or competence, as a matter of law or policy’ (Brennan 2016, 208). Whilst there are different ways of distributing power in this way, epistocracy will usually reject universal suffrage, or propose some form of modification to it. The introduction suggested six forms of rule by the knowledgeable, (a)-(f). Since it will be fairly clear that (a)-(d) cannot provide the same benefits of INTEREST as universal suffrage I will give them only brief treatment. I will spend longer comparing the relative merits of (e) and (f).

The most widely noted form of epistocracy is what we can call (a) *aristocratic epistocracy*, embodied in Plato’s ruling Guardians from *The Republic*.[[8]](#footnote-8) Plato promotes a rigid form of division of labour amongst the citizens of the State, whereby only the Guardians are tasked with ruling. They are to receive extensive and specialised education, but their office is not equally open to all. Rather, the Guardians are born into their ruling class, in a similar way to a monarchy or aristocracy, and citizens born into other classes cannot become Guardians. The Guardians are not merely aristocratic, but are also epistocratic rulers in virtue of their extensive education, training and specialist knowledge.

There can be no doubt that an aristocratic epistocracy, such as Plato’s ruling system, fails to satisfy the benefits of suffrage identified by INTEREST. The citizens of this State do not have the democratic means to remove the Guardians from power in the form of votes should the Guardians fail to act in their interests. Certainly, Plato’s plans for educating and training the Guardians is intended so that they would rule virtuously. But there is no insurance policy in place, comparable to universal suffrage, should the Guardians fail act in the interests of the State’s citizens.

A second form of epistocracy is what we can call (b) *one-off vote epistocracy*, in which a wise or knowledgeable ruler is elected democratically, but remains in post until death, or until mentally incapable of carrying out their ruling obligations. Although this has not previously been advanced as a form of epistocracy, I introduce it here in the form of the consensual democracy practiced amongst the Ashantis in what is now modern-day Ghana. Under that system, towns and villages have a governing council, and constituting the council are ‘unit heads’. Each unit head represents the interests of a unit, which are a matrilineal group consisting of all the people having a common female ancestor. Politics is then conducted through consensus amongst the unit heads, rather than majority rule, as with party political systems.[[9]](#footnote-9)

What makes the Ashanti system epistocratic is the selection of the unit head:

The qualifications for lineage headship are seniority in age, wisdom, a sense of civic responsibility, and logical persuasiveness. All these qualities are often united in the most senior, but non-senile, member of the lineage. (Wiredu 1995, 55)

So, the Ashantis seek the person with the most practical knowledge and the right character to lead each unit head, and in virtue of this could be said to be epistocratic. Although it is typically a straightforward matter to identify who this person is, if it is not clear, the Ashantis would seek to determine the unit head through democratic consensus amongst the matrilineal unit.

What makes this not merely an epistocracy but a ‘one-off vote epistocracy’, is that ‘[w]hen conferred on a person, [the headship] office is for life unless moral, intellectual, or physical degeneration sets in’ (Wiredu 1995, 55). Hence, what is *not* built into this system is the option to remove the head through a democratic vote amongst the unit members. Now, in exploring the consensual democracy of Ashanti politics, Wiredu aims to show the shortcomings of the party system imposed on Africa. And it may be true that politics would be better organised under a consensual democratic system. But the one-off vote epistocracy, located in the Ashanti system, apparently fails to achieve the benefits identified by INTEREST: the unit head may well have strong ethical and familial motivations to act in the interests of the people he or she represents, but the head still lacks the incentive to do so in the form of potentially losing power on the basis of a democratic election.

The third and fourth forms of epistocracy are both modifications to representative democracy, and were each advanced by Mill. The third form, (c) *restricted suffrage*, holds that voters with a certain lower level of ‘epistemic competence’ should not be permitted to vote. Mill himself defends restricted suffrage even though he holds that such exclusions ‘are an evil in themselves’. Most notably, Mill claims that it is ‘wholly inadmissible that any person should participate in the suffrage without being able to read, write, and, I will add, perform the common operations of arithmetic’ (174). He adds that

[i]t would be eminently desirable that other things besides reading, writing, and arithmetic could be made necessary to the suffrage; that some knowledge of the conformation of the earth, its natural and political divisions, the elements of general history, and of the history and institutions of their own country, could be required from all electors. (175)

Knowledge and cognitive competence are not the only requisites Mill puts forward to be included in the suffrage. He also requires that people be taxpayers and not recipients of welfare ‘relief’ for five years prior to registering for the vote (176-8).

The fourth form of epistocracy, (d) *plural voting*, holds that some citizens, in virtue of having greater knowledge or cognitive competence, should be granted additional votes. Mill advances a form of plural voting (180-7), according to which ‘two or more votes might be allowed to every person who’ works in a particular profession, such as a ‘banker, merchant or manufacturer’, and that ‘[t]he same rule might be applied to graduates of universities’.

It’s worth pointing out the tension here between the arguments Mill advances for representative government, and the form Mill ultimately thinks this government should take. For, he argues that representative government is the best form of government because it grants citizens the right to vote, but concurrently, Mill maintains that not all citizens should be given the right to vote, and even that some citizens should be given more votes than others. How can Mill seriously defend the latter claim having championed the former? The answer is, unsurprisingly, utilitarian in nature:

I do not propose [plural voting] as a thing in itself undesirable, which, like the exclusion of part of the community from the suffrage, may be temporarily tolerated while necessary to prevent greater evils. (188)

Recall that Mill views electoral exclusion as ‘an evil in themselves’, and now plural voting as ‘undesirable’, but both on balance permissible in order to ‘prevent greater evils’. Presumably, the evils Mill has in mind concern the election of a potentially harmful or incompetent government. The possible prevention of *that* occurrence through a suffrage distribution that is epistocratic is taken to be, on balance, of greater value than the considerations given to voter interests promoted by INTEREST. For, note that on Mill’s proposal, those excluded from the vote, or those given fewer votes, could have their interests disregarded by any government elected to power since there is no threat of being de-elected by people lacking the vote.

It is not the aim of this paper to argue that there is a fair trade-off between denying suffrage to some groups of people and arriving at electoral decisions by people with greater knowledge.[[10]](#footnote-10) Rather, my question is whether these two epistocratic systems must deny to citizens the benefits identified by INTEREST. Now, (c) restricted suffrage clearly *does* deny to some citizens the benefits identified by INTEREST. For, depending on the level of political or economic knowledge required to earn the right to vote, many or even most citizens could be excluded from the suffrage. And moreover, these citizens will be those of lowest educational attainment. Hence, the government would lack an incentive to take into account the interests of the least educated in their decision making. But as noted when we outlined the Interests Argument, the government have some incentives to take their interests into account, but not on the basis of being de-elected by the unenfranchised.

Plural voting, on the other hand, is a slightly more complex issue. For, if all citizens are enfranchised, then they have the power to de-elect a government. Moreover, suppose that only 5% of the population are given a second vote. In that kind of case then it seems that the government would still have an incentive to consider all voters’ interests in their political decision making, even though their decision making would be unequally biased in favour of those with more votes. However, if 50% of the population or more had a second vote, this would diminish even further the incentive generated by enfranchising all of the population. In this case, the motivation is significant to cater to the interests of those with more votes, and moreover, the citizens with just one vote would be effectively disempowered in their ability to de-elect the government since their votes are so diluted. In either the case of 5% or 50% of additional votes, plural voting fails to achieve the *same level* of benefits for citizens in terms of INTEREST that are achieved through universal suffrage. The government’s incentive is unequally skewed and the depowering advantages of suffrage are diluted for some.

So, we have found four forms of epistocracy that do not provide the same advantages for citizens that are represented in INTEREST. I now want to argue that two forms of epistocracy *do* provide these same advantages.

The fifth form of epistocracy is what I call (e) *epistocracy by sortition*, in which voters are randomly selected prior to an election, and are then given training in the form of political knowledge in order to make an informed and epistemically competent electoral decision. Epistocracy by sortition is embodied in Claudio López-Guerra’s (2014) ‘enfranchisement lottery’, which has two devices. In the first, the ‘exclusionary sortition’, ‘there would be a sortition to disenfranchise the vast majority of the population. Prior to every election, all but a random sample of the public would be excluded’ (2014, 4). Although the sample will be random, López-Guerra holds that the lottery ‘would produce an electorate that would be demographically identical to the electorate under universal suffrage’. So, if an electorate would normally be constituted by, say, 52% women, 10% Muslim, 25% earning the median pay, etc., then these proportions will be the same post-lottery, only on a smaller quantitative scale.

Since suffrage is restricted from the majority of the citizens, this is not a democracy, which requires unrestricted suffrage (with some justified exceptions, such as minors). But what makes it an epistocracy is the second device:

To finally become enfranchised and vote, pre-voters would gather in relatively small groups to participate in a *competence-building process* carefully designed to optimize their knowledge about the alternatives on the ballot. (2014, 4)

Success in this exercise is a necessary condition for being enfranchised, even if one has been selected to vote in the exclusionary sortition.

How do we determine what counts as knowledge relevant to achieving competence in the enfranchisement lottery? López-Guerra does not provide his own view on this, but it could work in the same way as deliberative mini-publics (Smith and Setälä 2018), where a randomly selected group are presented with evidence by an independent group of experts, and they then discuss and debate this evidence. The competence-building process will need to be designed both by voters and non-governmental bodies who can collectively determine what information is relevant to making an effective decision about past and future government performance. The experts would need to be from outside of the government who are hired to provide analysis on how the previous government has performed on a range of issues, and to make predictions about how the competing parties might perform given their policies and the competence of their politicians. The relevant issues might relate to economic outcomes, welfare support, levels of employment, social mobility, environmental protection, and international collaboration and development. Some independent bodies already exist who provide this analysis, but it is not often assessed by voters. For instance, in the UK the Institute for Fiscal Studies – an independent non-partisan body – provides ongoing assessment of the government’s economic performance, which could be presented to the prospective voters to inform their decision.

Epistocracy by sortition promises to improve the *epistemic* competence of the voters, and is hence supported by the kinds of reasons we explored in the previous section. But is it able to provide the same level of benefits to citizens as universal suffrage identified in INTEREST? There is an argument available to say that it can. To see this, consider a country that previously unjustly disenfranchised a portion of its citizens. Take the case of Australia, for instance, who did not grant suffrage to indigenous citizens until 1962. Prior to this, the Australian government lacked an incentive, in the form of INTEREST, to consider the best interests of its indigenous population in its governmental decision making. Now, suppose that instead of moving to universal suffrage, Australia adopted López-Guerra’s enfranchisement lottery. Under this new system, although no-one would be automatically enfranchised, there would be equal representation of indigenous groups post-sortition. Moreover, they would have the power to de-elect the government. So, suppose there was an election in Australia in 1966. During the years 1962-1966, it would be in the government’s interest, for the purposes of retaining power, to support the needs and interests of Australia’s indigenous citizens. And moreover, it would be in the interests of all political parties wishing to *gain* power to build into their policies plans designed to support the interests of indigenous citizens. If they do not, then the individuals selected through sortition to represent the wider group could vote to de-elect the existing government, or vote against empowering another government who do not support their interests. Hence, it seems that epistocracy by sortition *is* able to provide the same level of benefits to citizens as universal suffrage in terms of INTEREST.

There are two possible ways in which this system could become corrupted that could undermine this argument. First, the competence-building process could be manipulated to present the voters with skewed data, leading them to support whichever party manipulated it. Second, smaller electorates can be more easily targeted with bribes than larger electorates. These problems are serious, but there are several responses we can offer to them.

First, though these corrupting influences are a concern in practice, in theory epistocracy by sortition isstill able to provide the same level of benefits to citizens as universal suffrage in terms of INTEREST.

Second, practically speaking, just because a process is liable to corruption, that does not mean it will become corrupted, and sometimes if the benefits are worth the payoff then it’s worth taking the risk. Juries are liable to corruption, but since they generally perform well, then we take the risk with trusting juries to make incredibly high stakes decisions. If sortition epistocracy would result in far more competent and effective governments then it may be worth risking running the process, even if it may result in not delivering the benefits of INTEREST.

Third, certain safeguards could be put in place to limit the possibilities of corruption and abuse. I have already proposed that the training should be run by independent, non-governmental bodies. But some countries may not be positioned so as to set up such an impartial system, or if they did, it could become easily corrupted. López-Guerra himself suggests that ‘Countries where the rule of law is weak…are unlikely candidates’ (41) for his proposed model of sortition. But he adds that for countries that are candidates, further strategies are available to limit the possibilities of corruption. For instance, ‘making the electorate large enough; maintaining the secret ballot; establishing special monitoring institutions; and imposing severe penalties for violators. It could also help to give electors a monetary compensation’ (42).

Fourth, the corrupting influence of ‘training programs’ is unavoidable even in democracies. Political campaigns are essentially training programmes, designed to provide information to prospective voters. But since voters generally lack the time or motive to investigate the issues in-depth for themselves, they often rely on untrustworthy heuristics, or vote in accordance with group identity. Political parties exploit these voter limitations, using propaganda, catchy slogans and identity-politics to win voter support, whilst covering over limitations with their policies or failings from their time in government. So, whilst a competence-building exercise may be liable to abuse, the extant exercises where the training is placed into the hands of political parties is no less liable to corruption, and on the face of it, provides a poorer way of informing the electorate.

The main point to bring out is that this form of epistocracy is not clearly subject to the concern that it cannot provide the same benefits of INTEREST as universal suffrage. Since López-Guerra’s form of epistocracy by sortition reproduces a nation’s demographics on a smaller scale, then governments still have an incentive to cater to *all* of the interests of the different groups or risk losing or not gaining power.

The sixth and final form of epistocracy can be called (f) *informational adjusted voting*, in which all normally eligible citizens have voting rights (as with universal suffrage), but the electoral decision is adjusted based on how informed or uninformed are the electorate. This epistocracy takes its lead from work in political science arguing that variations in knowledge can cause significant changes in collective opinion. As Scott Althaus has claimed, controlling for information effects amongst voters ‘produces an average change of seven percentage points’ in certain questions, ‘and reveals that one in five policy questions might have a different collective preference if everyone were equally well informed about politics’ (1998, 548). That is, being well-informed on relevant political matters significantly alters the policy preferences of voters, both in terms of the policies one favours, and the political candidates one prefers.

Informational adjusted voting is a way of amending the epistemic shortfalls in voter ignorance highlighted in the previous section: if the people are ignorant on political matters, how can we improve their political competence in the hope of improving electoral outcomes? Jason Brennan has recently developed on the work of Althaus to advance a form of informational adjusted voting that he calls ‘government by simulated oracle’:

Suppose there is a range of candidates from various political parties. We can ask citizens to provide their anonymously coded demographic information and then take a test of basic objective political knowledge. They then rank the candidates from the least to the most favored. Using these data, we can determine how the public would rank the candidates if the public were fully informed. (2016, 222).

This system of voting would then override the decisions made by the voters in favour of hypothetical decisions. It counts as a form of epistocracy in virtue of the fact that it effectively creates a fictional society in which the voters are significantly more politically knowledgeable than they actually are.

To give an example of how this epistocracy might work in practice, consider a typical electorate with its diverse demographics, ranging over different classes, sexes, income levels, ethnicities, etc. Each person has different interests and preferences, and some of these vary given how politically informed they are. Some people know which party best suits their interests and some lack this knowledge. For instance, some people with lower income levels might favour and benefit from greater welfare support and increased minimum wages. They might have low political knowledge and believe, incorrectly, that *Party A* will improve their welfare and increase minimum wages. A competency test might show that, should they have higher levels of political knowledge, they would instead believe, correctly, that *Party B* will in fact bring these benefits. Hence, other preferences held equal, voters with those preferences would have their vote adjusted from Party A to B.

Let’s consider a second example where the voter’s preferences themselves change given higher information. Suppose that a large demographic group, be it determined by religious affiliation, class, ethnicity, or a combination of these, have low political knowledge, and currently have a preference for less investment in international development. A competency test might show that, should this group have high political knowledge, given their demographics, they would instead prefer more investment in international development. Other preference held equal, these voters would then have their vote adjusted to support the party or candidate which favours more investment in international development.

Is Brennan’s proposed epistocracy as equally valuable as typical universal suffrage with respect to INTEREST? This might seem unlikely given that low-knowledge voters can have their decision overturned, and hence there might appear to be a diminished motivation for governments to work in the interests of low-knowledge voters. And since low-knowledge voters tend to be from particular socio-economic and ethnic backgrounds, then governments would have a diminished motivation to work in the interests of voters from those demographics. This is ‘the demographic objection’ to epistocracy (Estlund 2008, 215).

However, there are reasons to think that the concern raised by the demographic objection does not materialise for informational adjusted voting. Take the governing party, for instance. Could they, say, operate more favourably towards citizens who are more politically informed since they are then more likely to win votes? Presumably not, for Brennan’s system, since it does not simply determine how people would vote on the single assumption that they are politically knowledgeable, but also factors in demographic information. It takes into account how poor people would vote if they had more political competence, and how rich people would vote if they have more political competence. The idea is that two equally knowledgeable people, one from a poor background and another from a wealthy background, can have different candidate and policy preferences. The innovative idea to Brennan’s proposal is that if the person from the wealthy background lacks political knowledge, then that person will be assisted in finding the candidate that she would vote for had she been knowledgeable, and the same for the person from the poor background. The hopeful expectation is that being knowledgeable will enable a person to choose *the best* candidate or party to represent *her* particular interests, taking into full account her demographics, including her ethnicity, gender, class, income, religious affiliation, etc.

Since this system takes into account *both* one’s political competence and the full range of one’s demographic data, then the governing party must still act in the best interests of all citizens, otherwise having political knowledge may well recommend selecting a different political party to come into power. For, if people from poorer backgrounds are predicted to be worse off if Party A comes into power, and they would not vote for Party A if they had high political knowledge, but would if they had low political knowledge, then under Brennan’s system it is in the interests of Party A to amend their policies to ensure that people from poorer backgrounds have their circumstances improved. Hence, the political parties vying for power still have the incentive to work in the interests of all citizens with suffrage, to the same degree as with standard universal suffrage, and for the reasons given in the Interests Argument: if they do not, then they risk losing or failing to gain power.

One significant problem facing this system is how we determine what counts as low or high levels of political competence. As Brennan proposes, the voters must take a test of basic objective political knowledge. But who determines what goes on the test? It seems that some agents with vested interests, above all the incumbent government, could engineer a criterion to determine what counts as political competence that favours their own hold on power. Brennan acknowledges this problem for himself: ‘Just as congresspeople now gerrymander districts to help ensure they’ll win…I’d expect there to be a political battle to control what goes on any voter qualification exam’ (2016, 233). And if there is this kind of gerrymandering, then surely informational adjusted voting *can’t* deliver the same benefits as INTEREST as universal suffrage.

This is of course correct if an acceptable and independently produced system of information adjusted voting cannot be created. But as with epistocracy by sortition, some safeguards could be introduced to, at least in theory, produce the system that is morally acceptable, and delivers the benefits of INTEREST. One option for doing this is to let the people decide what counts as political competence. Perhaps surprisingly, Brennan advocates this idea himself. He suggests that

The legislature could submit a range of candidate legal conceptions of competence to a public referendum. Or candidates could form a competence council, which in turn would produce a legal definition of competence. Or the government…could randomly select a few hundred citizens, ask them to deliberate on the nature of competence, and then produce a concrete account of political competence. (2016, 226)

And again, as with epistocracy by sortition, the people could be informed by independent experts who provide evidence and expert analysis. It is theoretically possible to produce a morally acceptable form of informational adjusted voting – one that secures the same benefits as highlighted in INTEREST – and this may require the people to play a key role in developing and sustaining it.

**Conclusion**

This paper has set out and defended Mill’s Interests Argument as a significant instrumental reason for favouring universal suffrage. The central idea is that governments and political parties vying for power have a strong and distinctive motive to act in the best interests of all enfranchised citizens. Their motivation is that they risk losing power or failing to gain power.

We then looked at six forms of epistocracy:

1. *aristocratic epistocracy*, which has no election at all, but trains and educates aristocrats to rule;
2. *one-off vote epistocracy*, such as electing a wise ruler for life without subsequent processes for de-election;
3. *restricted suffrage*, where suffrage is withheld from those with lower educational attainment and ability;
4. *plural voting*, in which additional votes are granted to the epistemically competent;
5. *epistocracy by sortition*, where voting rights are given out through a lottery and then the voters are trained;
6. *informational adjusted voting*, a system where electoral decisions may be overridden through a process determining how voters *would* *have* voted if they knew a range of relevant political facts.

The examples we gave for each of these epistocracies either denies universal suffrage, or, in the case of (f) at least, significantly modifies the function of universal suffrage. Systems (a)-(d) fail to offer the benefits provided to citizens identified in INTEREST. What this means is that under these epistocracies, the ruling government, and political parties vying for power, *lack* an electoral incentive to cater to the interests of all citizens, namely, that if they do not, they may either lose or fail to gain power. This counts significantly against the potential justifiability of these systems. However, systems (e) and (f) do not suffer from the same limitations, and whilst not suffering from this limitation does not justify these systems, it does not count against them either. So, if epistocracy is to be explored further as a possible system of government, then systems (e) and (f) have an important instrumental advantage.

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1. Note that whilst Estlund coined the term ‘epistocracy’ he does not support it. Other recent theories that diverge from universal suffrage include defences of rule by sortition (Guerrero 2014). [↑](#footnote-ref-1)
2. See Arlen and Rossi (2018), Gunn (2018), Klocksiem (2019), Moraro (2018), Reiss (2019), Talisse (2018), and Somin (2019). For some responses, see Brennan (2019). [↑](#footnote-ref-2)
3. Whilst this typology overlaps in places, these positions are distinct from one-another. For instance, those electing the lifelong ruler in (b) could be restricted in the sense of (c) or (d), and hence (b) would be compatible with (c) and (d). However, both (c) and (d) are proposed to operate in contexts of regular election cycles, which would then be incompatible with (b). And whilst Guardians in (a) could put in place a system that decides who rules based on how knowledgeable voters would vote, as in (f), this cannot be the case for Plato’s Guardianship which has no elections at all. The distinctions between the different epistocratic systems will become clearer in the later sections. [↑](#footnote-ref-3)
4. The US government estimates that China’s PRC has detained more than one million members of religious groups in internment camps ‘and subjected them to forced disappearance, political indoctrination, torture, psychological and physical abuse, including forced sterilization and sexual abuse, forced labor, and prolonged detention without trial because of their religion and ethnicity’. See *2019 Report on International Religious Freedom: China – Xinjiang*:

   https://www.state.gov/reports/2019-report-on-international-religious-freedom/china/xinjiang/. [↑](#footnote-ref-4)
5. And depending on the country, those in prison and citizens with mental impairments as well. For arguments that minors and the cognitively impaired should be enfranchised, see López-Guerra (2012). [↑](#footnote-ref-5)
6. See the report from 2006 by Human Rights Watch, *Building Towers, Cheating Workers: Exploitation of Migrant Construction Workers in the United Arab Emirates.* According to the report,‘the federal government of the UAE…has failed to enforce UAE law that since 1980 has required the government to implement a minimum wage…[T]he migrant [construction] worker…on average receives the equivalent of US$175 a month for his labor on a construction site. This stands in stark contrast to the average per capita income in the UAE of $2,106 a month’ (6). [↑](#footnote-ref-6)
7. For other seminal works on this theory, see Fiorina (1981) and Kramer (1971), and for recent critical appraisal, Achen and Bartels (2016) and Healy and Malhotra (2013). [↑](#footnote-ref-7)
8. Karl Popper referred to Plato’s system as ‘the ruler of learnedness,’ or, ‘*sophocracy*’ (1945, 144). [↑](#footnote-ref-8)
9. Arguably, the interests of the members of each unit are better represented under such a consensual system than they are under party systems where the interests of a minority group can be ignored. [↑](#footnote-ref-9)
10. See Brennan (2016) for extensive discussion of this issue. [↑](#footnote-ref-10)