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Shall Justice Prevail? Reforming the Epistemic Basic Structure in a Non-Ideal World

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Faik Kurtulmuş's exploration of the epistemic basic structure (EBS) invites us to think about the generation, dissemination, and absorption of knowledge in a society, emphasizing the role of institutions in determining epistemic outcomes. Moreover, Kurtulmuş—in joint work with Gürol Irzik—offers a normative take on the EBS from the viewpoint of the theory of justice and does not shy away from drawing specific policy recommendations. Thus, a powerful, innovative concept is used to extend an influential theory and draw out its practical implications. What more is there to wish for?

A project of such ambition inevitably faces serious challenges. I shall address the issue of the alignment between the ideal and non-ideal elements of Kurtulmuş's theory with an eye toward the practicalities of social reform. My central claim is that the philosophers striving to promote distributive epistemic justice need to think carefully about whom they intend to address with their proposals and how to persuade such addressees. I also maintain that emphasis on a holistic approach to social reform represents a major hindrance to its pragmatic success.

The Quest for Distributive Epistemic Justice

The EBS consists of institutions that shape what knowledge gets produced, how it is disseminated among a society's members, and whether they possess the necessary competencies to assimilate it (Kurtulmuş and Irzik 2017). These institutions organize and incentivize scientists, journalists, or educators in the course of their professional activities. Understanding a society's epistemic outcomes is impossible without insight into their functioning.

The concept of the EBS represents a cornerstone for a theory of distributive epistemic justice. Extending the seminal work by Rawls (1999) into new territories, Kurtulmuş' (2022, 12) central normative assertion is the following:

The epistemic basic structure of a society has two duties of justice. First, it should serve citizens fairly and provide them with the opportunity to gain knowledge they need to deliberate about and pursue their personal good and the common good. Second, it should produce and disseminate the expert knowledge necessary for the design and effective implementation of just laws and policies.

Against the benchmark of the two duties of justice, the flaws and failings of the status quo EBS can be assessed. Thus, knowledge-generation appears suffused by epistemic risks and possibly threatened by commercialization (Biddle and Kukla 2017; Kurtulmuş 2020; Pamuk 2021); knowledge-dissemination can be derailed by misguided norms of professional conduct in journalism (Kurtulmuş 2020) or a breakdown in the division of epistemic labor (Specian 2022b); knowledge-assimilation often fails on account of the citizens' lack of the competencies to assess the quality of information, especially in the digital environment (McIntyre 2018).

Such issues invite a call for a reform that would align the EBS more closely with the demands of justice. Accordingly, Kurtulmuş (2020, 826–30) puts forward multiple policy recommendations concerning “public and democratically controlled funding of research,” news media ethics, or education policies (see also Kurtulmuş and Irzık 2017; Irzık and Kurtulmuş 2021a; 2021b). From the perspective of the EBS, these reforms need to be pondered not in a piecemeal fashion but holistically. Thus, as Kurtulmuş (2022, 16–17) puts it in his response to my paper (Specian 2022b), “we should not think about dissemination alone but also pay attention to the rest of the epistemic basic structure (...).”

As sympathetic as I am to Kurtulmuş’s and Irzık’s research program, I have two concerns regarding its ambitions, especially as far as they extend into the policy domain. First, the EBS cannot have any duties since it is not an agent. A closer analysis of whom the duties could be ascribed then reveals how complicated is the task of a justice-driven reform of the EBS in our non-ideal world. That pertains to my second worry, namely, that adhering to a holistic approach considerably deteriorates the feasibility of the reform. I shall argue that, despite its limitations, a piecemeal approach is—pragmatically speaking—the only available option for aspiring social reformers.

To Whom It May Concern

Individuals can have duties. Plausibly, groups can also have duties if they constitute collectives (Collins 2019). However, institutions are neither individuals nor collectives. According to their perhaps most famous definition, institutions are “the rules of the game in a society” (North 1990, 3). If so, institutions—and, by extension, the EBS—cannot have duties in a literal sense. Yes, they can incorporate duties if they contain incentives for individuals to act in accordance with duties, but these duties must be vested into the institutions by some external agents. The question then becomes by whom precisely.

A more charitable interpretation of Kurtulmuş’ (2022, 12) assertion that the EBS has duties of justice is that the *institutional designers* have a duty to incorporate the principles of justice into the EBS. In this light, the reform proposals can be understood as pleas directed toward such designers. However, this still does not resolve the issue satisfactorily. There arises the problem of compliance.

In the original Rawlsian sense, “ideal theory” is such that assumes full compliance (Rawls 1999; cf. Valentini 2012). In other words, it expects everyone to perform their duties impeccably. If so, Kurtulmuş’ and Irzık’s theory of distributive epistemic justice does *not* represent an ideal theory: it is sensitive to the “structural factors,” such as incentives, which need to be resolved by a proper institutional setup (e.g., Irzık and Kurtulmuş 2021a, 13; see also Kurtulmuş 2020, footnote 61). It does not presume, for instance, that the online disinformation peddlers will suddenly cease their activities to comply with the duties of epistemic justice. But if non-compliance is a valid concern and incentives matter, shall the institutional designers be responsive to the philosophers’ appeals?

A stratagem of addressing policy recommendations to a hypothetical benevolent despot is well-known in economics (Sugden 2013). It provides a would-be reformer with an excuse to wrap up the analysis just before the gates of politics. Thus, one aspires to “stay above the fray” and retain one’s elevated status of a disinterested expert. The stratagem is dubious in many ways (Specian 2022a, chap. 4). Its perhaps most relevant failure in the current context is its inconsistent mixing of a non-ideal view of the agents within the institutions-to-be-reformed and an ideal view of the institutional designers: the latter are expected to comply with their duties where the former are not. If the theory of distributive epistemic justice were to adopt such an inconsistent approach to the issue of compliance, it would constitute a severe defect. However, if we do not embrace the convenient—but misleading—fiction that the EBS can be reshaped by a benevolent despot, how should we conceptualize the policy recommendations’ addressees?

Empirically speaking, the politicians tend to have considerable leeway in the institutional design, perhaps especially so in the areas, such as scientific knowledge production or education, that pertain to the EBS. But the regular citizens exercise much influence, too. Consider the intense public controversies surrounding any educational reform proposal, for instance. At the same time, it would be a mistake to overestimate the designers’ capability to impress their will upon the institutions. The institutional development contains a strong self-organizing element (Sugden 1989). Given the importance of informal rules, institutions also continually evolve by themselves, with no one in charge.

Be that as it may, we need to consider that the behavior of the institutional designers themselves is already governed by the status quo institutions. Politicians and citizens—no less than scientists, journalists, or educators—inhabit an institutional setup that provides specific incentives to which they respond. If we cannot expect individual knowledge producers, disseminators, and assimilators to overcome the structural obstacles in the path of distributive epistemic justice, we need to tame our expectations when it comes to the institutional designers as well.

As it appears, we may be hitting a roadblock here. Can anything save us from “cynical realism” (Gilbert and Lawford-Smith 2012), which gives up hopes that people shall start doing what they do not feel like doing, despite the philosophers’ insistence that they ought to? Before surrendering to it, let us consider the feasibility issue more diligently.

On Feasibility and Reform

So, how can we—the philosophers—facilitate an institutional reform pursuing a fuller achievement of distributive epistemic justice? To start on the bright side, positive social change is *sometimes* possible. Even one that is driven primarily by moral reasons as opposed to a change in material incentives. Consider the moral awakening that resulted in the abolishment of slavery as perhaps the most famous example (Anderson 2014). However, there are still constraints and pitfalls to beware of.

Helpfully, Gilibert and Lawford-Smith (2012) distinguish between the immovable, “hard” feasibility constraints and the malleable “soft” constraints. If a reform proposal’s implementation requires violation of hard constraints, such as the logical or physical ones, the proposal is infeasible in a binary sense. Overcoming soft constraints—that is, the cultural, institutional, or economic ones—is possible. However, the more demanding a proposal gets in this regard, the less feasible it becomes in the relative sense.

The policy recommendations drawn from the theory of distributive epistemic justice do not appear to conflict with any hard constraints. So far, so good. Beyond that, however, feasibility is a minefield. Let me consider a few of its facets that appear particularly salient in the present context without any hope of doing justice to the extensive discussion on the theme. I shall draw loosely on Stemplowska’s (2016, 273) account of *constrained feasibility* that proclaims an action feasible “when the agent or agents performing it know how to perform it and are appropriately responsive to incentives.” I will also follow up on Southwood’s (2018, 4) point that the main accounts of feasibility presume agency which may often be lacking where institutions are concerned.

Let us first examine the issue of knowledge. Institutional designers cannot succeed in their reform task without sufficient knowledge. For instance, they need to be aware of the relevant constraints and how they interact. Here, a large part of the task rests on the shoulders of natural and social scientists since much of the requisite information is empirical (cf. Kurtuluş and Irzik 2017, 134). What space remains for philosophy, then? I shall leave aside the largely unexplored question of whether philosophers might be unusually gifted synthesizers of the state of knowledge across the disciplinary boundaries, given their penchant for “the big questions.” Within its established purview, philosophy focuses on generating conceptual clarifications and normative insights. It is also from this direction that the theory of distributive epistemic justice proceeds. What concerns me, however, is that normative insights appear especially controversial.

Consider that the very existence of ethical expertise is a hotly debated topic (cf. Jones and Schroeter 2017). And how about the epistemic risks present in normative theorizing? So far, philosophers have directed their critical gaze toward science (e.g., Biddle and Kukla 2017). But we also need to look inward. Our methodology relies on conceptual analysis and thought experiments. As it would appear, any concerns that apply to the “hard” scientific procedures apply *a fortiori* to the methods of philosophy. When it comes to, say, implicit assumptions or groupthink, philosophers promote diversity, inclusion, and critical thinking as antidotes. At the same time, however, the similarities in our training and the globally converging institutional incentives within academia—namely, “publish (in the top journals) or perish”—push in the opposite direction. As it seems, a degree of confidence in the normative findings that would justify advancements toward applied policy is not easy to arrive at.

Secondly, how about the incentives that the institutional designers face? If they are to respond to our pleas, they need to be appropriately incentivized. Maybe the incentive setup is already perfect. Once the institutional designers receive the knowledge input, they will

readily “do the right thing.” However, such a lucky coincidence cannot be safely relied upon. After all, political philosophers have long complained about their lack of practical influence (Valentini 2012, 654). Therefore, we need to expect the incentives also to require an adjustment. What tools do the philosophers have at their disposal? Clearly, we lack any direct control over material incentives. The only power we possess is the power of persuasion. In short, if we want to stimulate the designers’ *commitment* to the cause of justice (cf. Hickey et al. 2021), we need to talk them into it.

Yet, wielding the power of persuasion is distinct from merely delivering knowledge—especially knowledge in the weak sense of just “true belief” (Kurtulmuş and Irzık 2017, 130). We need to offer reasons for our normative findings that exercise enough influence on the institutional designers to motivate them to act in greater accordance with their duties. Thus, we must concentrate on crafting and delivering arguments that will stimulate greater compliance. Unfortunately, few philosophers are skilled in the ways of public communication. Our habitual discursive methods are optimized for dialogue within the academic community and differ meaningfully from the means of persuasion effective in the wilderness of the public discourse.

Given our professional incentives to research and publish, we are often so busy discussing what justice demands that little time is left to ponder how to persuasively broadcast our findings among the people on the outer side of the ivory tower. Perhaps we need to develop more effective ways in which philosophical insights regarding the nature and requirements of justice could be communicated to non-philosophers. Might this task imply a duty on our side to delve deeper into the findings of the “science of science communication” (Jamieson, Kahan, and Scheufele 2017)?

Finally, there is the issue of agency. Suppose that the philosophers’ examinations bear knowledge on the duties of justice specific enough to guide the institutional designers. Suppose also that the duties’ requirements can be communicated persuasively enough to make the institutional designers heed their call with increased urgency. This will still not suffice if no organized group arises to promote the reform (cf. Olson 1984). Even in the best-case scenario, we cannot expect to influence all institutional designers symmetrically. Inevitably, some will prove more responsive than others. So, there will be politicians who find it easier than others to implement the cause into their agenda; there will be citizens prone to activism and others with a tendency towards complacency. At the same time, only a large enough group capable of persuasive messaging, demonstrating unity and commitment—that is, a social movement—is likely to succeed in delivering social change (cf. Tilly 2005; Anderson 2014).

Does this imply that the philosophers should turn themselves into community organizers to promote the duties of justice? Perhaps, but not necessarily. The problem of effective social movements appears closely connected to the philosophical research of group agency. As Collins (2019) suggests, where no collective agent capable of bearing duties exists, individuals may have duties—that is, collectivization duties—to form one. In the light of the above discussion, it seems that exploring the collectivization duties is another worthy pursuit

for a philosopher concerned about distributive epistemic justice. Providing the individuals with knowledge and incentives related to the duties of justice may have a more significant impact if these are accompanied by knowledge and incentives pertaining to the collectivization duties.

Against Holism

Despite their brevity, I hope the preceding considerations provide a sufficient illustration that nothing but complications upon complications awaits a philosopher eager to extend the implications of her normative findings toward the practicalities of social reform. What scope of ambition is appropriate, then?

The theory of distributive epistemic justice offers a distinctly holistic take. As Kurtulmuş (2020, 821) explains,

[T]hinking about the institutions within [the EBS] in isolation will mislead us. They mutually influence each other, and it is their joint operation that determines what citizens and public officials know. Practices that seem unproblematic when viewed individually can have negative outcomes in the aggregate.

Indeed, a partial change in a complex system of institutions always needs to be expected to generate unintended consequences. Also, the policy recommendations based on high-level philosophical theorizing are often intended to support each other (see also Samaržija and Cerovac 2021, 624). Their partial implementation may prove counterproductive. Consider the proposal to facilitate access to the internet for the broad public (Kurtulmuş and Irzik 2017, 138). In the absence of competencies to identify digital disinformation and incentives to avoid its dissemination, such a well-meant suggestion has a serious potential downside (Specian 2022a, chap. 3).

Nonetheless, the issues of knowledge, incentives, and agency discussed above severely limit what we can achieve. Even a single, well-specified institutional reform is difficult to accomplish. Take a carbon tax as an example of a simple, transparent measure that efficiently targets a dire social problem and commands broad support among the relevant experts. Politically, it is dead in the water (Cowen 2018). Can we really hope to reorganize the EBS holistically?

Whatever hurdles there are in the way of social change, holism exacerbates them greatly. In fact, it seems that it deteriorates feasibility to a level of impracticality.

First, it makes the knowledge problem unmanageable. Even a single, narrowly targeted reform proposal requires meticulous interdisciplinary examination before its expected effects become reasonably clear (Specian 2022b). Refashioning large swaths of our society's institutional landscape with an eye to a general blueprint is a task of social engineering well beyond what our meager epistemic resources could support.

Second, specific causes are arguably more persuasive than general ones. If we want to incentivize people to action via persuasion, highly abstract and complicated schemes appear less capable of gaining traction, especially in the public discourse saturated by innumerable competing persuasive messages.

Third, holism requires the social movement to coordinate in too many dimensions to achieve the requisite unity. It is easier to gain followers who support a specific educational reform than those who support a specific educational reform *combined* with a specific reform in scientific funding *and* a specific reform in media incentives.

Finally, there is the ticking clock. Delays are not free: many social ills fester, and even those that merely persist accumulate damage over time. Concurrently, the social landscape undergoes continuous changes, swiftly making valuable empirical findings obsolete. Unless there are compelling reasons why a speedy response is inadvisable (it might be too risky or likely to preclude a superior solution later), we ought to move fast.

I am thus persuaded that a piecemeal approach is—in pragmatic terms—pretty much “all we’ve got” as aspiring social reformers. Yes, the duties of justice may well be general. But when drawing policy recommendations, a barrage of proposals that need to be combined in a mutually supportive way bears much less promise than a single, self-supportive suggestion, calibrated and targeted to find a responsive audience. In short, we need to identify the most promising avenues of progress and concentrate our limited resources where they can be expected to make the most significant difference. Mountains can be moved, but it takes one step at a time. Generalized pleas for a better world may be well-grounded in philosophical theorizing but futile against the background of non-ideal realities.

Conclusion

There is much to appreciate in Faik Kurtulmuş’s and Gürol Irzık’s penetrating analyses of the EBS and their theory of distributive epistemic justice. My concern is not about their core contributions or—even more generally—about philosophers’ attempts to extend normative theories in the direction of policy recommendations. It is the scope of ambition inherent in many of these pursuits that appears somewhat excessive, perhaps even counterproductive, against the background situation that we are striving to perfect.

The efforts to ground reform proposals in systematic normative theorizing are undoubtedly laudable. When it comes to their practical implementation, however, we should beware of an overdose of holism and concentrate on piecemeal improvements to the existing institutional setup. Even these are difficult enough and require a diligent consideration of who the intended addressees of our recommendations are and how to best reach out to them. The would-be reformers’ resources shall always be scarce. Therefore, for the sake of social betterment, prioritization is a must. With an institutional reform, the more complex the undertaking, the less likely it is to come to fruition. Let us not allow the perfect to become an enemy of the good.

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