Why Not Epistocracy?

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I Introduction

It is natural to think that the wise ought to rule, and yet it is now universally denied. One reason for this is that many people think that ruling arrangements ought to be justifiable in a generally acceptable way. Given so much reasonable dispute about who counts as wise in the right way, and other matters, it might seem doubtful that rule of the wise could meet this standard of generally acceptable justification. On the other hand, a decent education, including, say, some knowledge of politics, history, economics, close experience with others from diverse backgrounds, etc., must be admitted to improve the ability to rule wisely, other things equal, or at least assuming a certain measure of good will (otherwise these neutral means might only make a bad person more dangerous). But then why shouldn't there be general agreement that citizens with such an education should have more votes than others? Is the only reason for this the assumption that whoever has more power will unjustly favor themselves? Should we all accept rule of the wise if that condition were overcome?

   If some political outcomes count as better than others, then surely some citizens are better (if only less bad) than others with regard to their wisdom and good faith in promoting the better outcomes. If so, this looks like an important reason to leave the decisions up to them. For purposes of this essay, call them the knowers, or the wise; the form of government in which they rule might be called epistocracy, and the rulers called epistocrats based on the Greek word *epistêmê*, meaning knowledge. Perhaps it is possible to know what is best and yet not choose to do it, and this point might be deployed against epistocracy. I will simplify matters at the beginning by supposing (with, for example,

Socrates[1]) that the knowers would do what they think is best (I return to the issue later). Alternatively, if this is too much to swallow, just build this extra public-spirited motivational assumption into the characters who will be considered as potential epistocrats. So, I assume for purposes of argument that some are wiser than others in this way, and that they would do what they thought best for the polity. The big question behind the more specific one I will concentrate on is why these wiser folks shouldn't rule: why not epistocracy? The more specific proposal I will consider and criticize is that, in particular, the better educated would rule more wisely, and should accordingly have more political authority in the form of having more voting power than others.

John Stuart Mill notoriously proposed to give more votes to the better educated.[2] In political philosophy it is natural to think of the authoritarian Plato and the liberal anti-paternalist John Stuart Mill as having little to do with each other. In fact Mill was profoundly influenced by Plato.[3] The explicitly Socratic spirit of rational examination of our lives and convictions is among Mill's deepest convictions, and gives Mill's influential view of liberty much of its characteristic shape. Perhaps, though, that is Socrates more than Plato and so less surprising. But Mill was also sympathetic to the distinctively Platonic idea that political authority ought to be in the hands of those most capable of exercising it wisely and justly. We find this view in Socrates, too,[4] but it is developed most fully by Plato in the *Republic*. Like Plato, Mill argued that the superior wisdom of an identifiable minority justified their having greater political authority. In particular, Mill thought, citizens with a high degree of education ought to have more votes than others, even if all ought to have the right to vote. I will call rule of the educated *scholocracy*, noting that Mill's is a moderate version in which suffrage is universal: one person, at least one vote.

My strategy is not the more familiar one of arguing that even though we must grant that the educated might rule more wisely, there are

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1 See Plato, *Protagoras*.

2 Mill 1950, Chapter VIII

3 See Irwin 1997.

4 The texts and interpretive issues are canvassed in Kraut (1997, Chapter 7, section 8).

reasons of equal respect or procedural fairness that directly and deci-
sively preclude giving some citizens more votes than others.[5] I will not
deny (nor accept) that the educated have the superior wisdom Mill's
argument supposes, but deny that such a claim is available as a justifi-
cation for unequal political authority. In any case, my aim is as much
to explain and acknowledge the challenge posed by Millean scholocracy
as it is fully to answer it.

I begin by showing what is formidable about Mill's proposal of
'plural' or weighted voting that privileges the highly educated. I con-
sider first a point that Aristotle makes against Platonic rule by a small,
wise elite. Mill, in effect, takes Aristotle's anti-elitist point on-board,
but then improves the case for a moderate epistocracy in response. I
then consider a way of resisting Mill's proposal — namely, a demo-
graphic objection. I conclude by noting an implication of my argument
for an ideal of formally equal individual voting power.

II   Aristotle vs Platonic epistocracy

Although it is easier to grant that there are experts on technical matters
than on practical matters more broadly, including moral matters, less
would follow about practical authority, of course, if expertise were only
technical. I want to grant for the sake of argument that there are experts
of both kinds, since this would only strengthen the result if I can still
show that the case for epistocracy can be resisted.

Suppose, then, that there are a small number of citizens who have,
to an especially high degree, a morally informed practical wisdom that
is pertinent to the conduct of political affairs. In the first instance, I
mean by this that each of these people knows better than anyone
outside of this group what ought, politically, to be done. It might seem,
then, that the state ought to be ruled by this wise group, and that all
citizens would have a duty to do as this group directs.

Even with this unusually intense emphasis on the tendency toward
correct decisions, the conclusion does not obviously follow, as some
remarks of Aristotle's suggest.[6] The main idea can be seen most easily

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5 Arneson 1993, especially pp. 133-8; Beitz 1989, 38-40.

6 For a useful discussion of these texts, see Waldron 1999, Chapter 5.

if we suppose that the wise group consisted of a single person. Even granting that following her directions would lead to correct political decisions more often than following anyone else's directions, decisions would tend to be better yet if she were to deliberate and decide along with several others — say, the next wisest in the society. The point is obvious in the case of a simple non-moral test, say of the standardized variety used to qualify applicants for college. The single best performer in a group would certainly not do as well as a cooperative effort by the top several performers, even though enlarging the group of testtakers reduces average competence. The same point is extremely plausible when the task is what to do politically. On this basis, Aristotle rejected the simple argument that the few wisest ought to rule since they know best what ought to be done. So the question about the wise elite is not whether its members are individually wiser than others, nor whether as a group it is wiser than any group of others, but whether it is wiser than any group at all, including larger groups that include all members of this wise elite.[7]

Aristotle sees that this is too abstract a point to rule out the possibility of a person so much wiser than others that there is nothing to gain and much to lose by his consulting with them. If someone is that much wiser, then that person ought to rule over the others,[8] he admits, and if others presume to rule over this person their supposed authority is null and 'ridiculous' (*geloios*)[9] So the epistemic value of a large group of rulers is not a general enough phenomenon to block the legitimacy of epistocracy even on Aristotle's view, though it significantly restricts its application.

It is important to see that, even granting the epistemic value of discussion among diverse participants, it would not follow that every participant ought to have equal standing when it comes to making the final decision. For one thing, the value of the discussion does not depend on letting any but the wise elite have any *votes* at all. The contribution of the others to the discussion might be gratefully acknowledged just

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7 Aristotle's point should not be confused with Condorcet's 'jury theorem', which rests on an entirely different basis. For introduction to the jury theory in the context of democracy see, Grofman and Feld (1988).

8 Aristotle, in Rackham 1944, 1284b32

9 Aristotle, in Rackham 1944, 1284a4-14

before the wise ruling elite repairs to its legislative chamber to vote. Why not think that the way to maximize the epistemic value of a high-quality public discussion is to let it work its magic on the minds of the wisest citizens, and then let them rule? Mill argues that people will be improved by the change in their motivations that accompanies being entrusted with a vote. On the other hand, why wouldn't even non-voting citizens already be highly motivated to contribute effectively, if the course of discussion will influence policy by way of its effect on the small group of rulers?

For another thing, even if everyone were entitled to vote, for whatever reason, the argument about the value of diverse perspectives does not show that everyone's vote ought to be equally weighted. Mill argues that they should not.

III Mill's moderate scholocracy

We will not evaluate Mill's reason for thinking everyone should have at least one vote. Letting him have this premise favors him by making his proposal less objectionable to democrats. Grant it for the sake of argument.

Mill's proposal of plural voting has two motives. One is to prevent one group or class of people from being able to control the political process even without having to give reasons in order to gain sufficient support. He calls this the problem of class legislation. Since the most numerous class is also at a lower level of education and social rank, this could be partly remedied by giving those at the higher ranks plural votes. A second, and equally prominent motive for plural voting is to avoid giving equal influence to each person without regard to their merit, intelligence, etc. He thinks that it is fundamentally important that political institutions embody, in their spirit, the recognition that some opinions are worth more than others. He does not say that this is a route to producing better political decisions, but it is hard to understand his argument, based on this second motive, in any other way.

So, if Aristotle is right that the deliberation is best if participants are numerous (and assuming for simplicity that the voters are the deliberators) then this is a reason for giving all or many citizens a vote, but this does not yet show that the wiser subset should not have, say, two or three; in that way something would be given both to the value of the diverse perspectives, and to the value of the greater wisdom of the few. This combination of the Platonic and Aristotelian points is

part of what I think is so formidable about Mill's proposal of plural voting. It is also an advantage of his view that he proposes to privilege not the wise, but the educated. Even if we agreed that the wise should rule, there is a serious problem about how to identify them. This becomes especially important if a successful political justification must be generally acceptable to the ruled. In that case, privileging the wise would require not only their being so wise as to be better rulers, but also, and more demandingly, that their wisdom be something that can be agreed to by all reasonable citizens. I turn to this conception of justification below.

Mill's position has great plausibility: good education promotes the ability of citizens to rule more wisely. So, how can we deny that the educated subset would rule more wisely than others? But then why shouldn't they have more votes?

Many have criticized Mill's proposal before, but generally on grounds I regard as inadequate, such as denying that formal education promotes good ruling abilities, or by positing a right to equal treatment that directly implies a right to equal voting power, or to the idea that privileging some would be a morally undue insult or blow to the esteem of those denied the privilege.[10] My strategy will be to posit a general conception of political justification in which it cannot appeal to claims or doctrines that are not, in a certain sense, generally acceptable. I hope then to show that it is, in the relevant sense, generally acceptable that a population would rule more wisely if more had a good education, and yet not generally acceptable that a well-educated subset will tend to contribute more wisely to good rule. Thus, the case for plural voting would fail without implausibly having to deny that good education promotes good rule.

IV The general acceptability condition

The conception of justification I want, in a very general form, to assume here requires that ruling arrangements be generally acceptable in a certain sense. In Rawls, the view is that political justification must rely only on claims and doctrines acceptable to all reasonable citizens (or

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10   See Arneson 1993 and Beitz 1989, as well as Holmes 1989.

citizens-when-reasonable).[11] Rawls and others have offered conceptions of reasonableness to complement that schema. There is some trouble about the term 'reasonable'. Perhaps it unduly privileges a rationalistic temperament or mode of discourse. Or perhaps rather than being too exclusive it is too inclusive by seeming to refer to people we might, in our ordinary nonphilosophical conversations, call reasonable. I would prefer to avoid these issues by speaking more generically of *qualified and disqualified* grounds of rejection interchangeably with reasonable and unreasonable ones, leaving it largely open which grounds of rejection are qualified and which are not. However, there are these boundaries: At one end, a basis for rejection will not be disqualified simply on the grounds that it is mistaken; some mistaken views will nevertheless be qualified as grounds of rejection. At the other end, a ground of rejection is not qualified simply by virtue of someone holding it or putting it forward. Some things that might be put forward as grounds of rejection will be disqualified. So you might reject a certain arrangement on the ground that it does not make you the king, or that it gives too much power to the fairies. These might be among the disqualified grounds. The general acceptance criterion I want to rely on, still schematically, says, then, that political authority ought to be justifiable to the ruled in terms that are beyond qualified rejection. It must be generally acceptable, though not just any ground of rejection is qualified. Beyond that I do not offer any general account here of which are qualified and which are not.

At several points Mill acknowledges a need for his plural voting proposal to be generally acceptable rather than simply correct. He says that,

> [when one person] feels the other to understand the subject better than himself, that the other's opinion should be counted for more than his own accords with his expectations, and with the course of things which in all other affairs of life he is accustomed to acquiesce in. It is only necessary that this superior influence *should be assigned on grounds which he can comprehend, and of which he is able to perceive the justice.*[12]

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11 Rawls 1993, 137

12 Mill 1950, 382 (in Chapter VIII of *Representative Government*), emphasis added.

This 'necessity' marks an important difference from the view that the true superiority of the other is enough in itself to justify their extra influence. It does not amount to requiring each individual's consent, but something weaker. It suggests something quite like Rawls' principle, requiring that all employed doctrines be acceptable to all reasonable people. However, Mill does not say whether he has this kind of moral point in mind, or only Aristotle's apparently pragmatic point that otherwise the arrangement will have 'many enemies'.[13] Mill says again,

> ...the distinctions and gradations [in voting power] are not made arbitrarily, but are such as can be understood and accepted by the general conscience and understanding... A privilege which is not refused to any one who can show that he has realized the conditions on which in theory and principle it is dependent *would not necessarily be repugnant to any one's sentiment of justice*...[14]

These passages signal the possibility that Mill posits a general acceptability condition.

V   The dilemma

It might be held that, against most proposed epistocrats, there are grounds of objection to their alleged expertise that ought to be counted as qualified. There is much reasonable disagreement about what qualifies a person as the kind of moral knower that is in question. Rejecting the idea that the pope is a knower in our present sense, even if this should happen to be true, is not crazy or vicious or otherwise an adequate reason to disqualify a person's right to be ruled on grounds that are acceptable to her. This is a premise in my argument, not something I am offering any argument for. Nor is there any pretense, as I have said, of specifying the exact boundaries of qualified objections. Supposing we accept this principle against such invidious comparisons (as I will call appeals to some citizens' superior wisdom), it has some power against epistocratic proposals.

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13   Aristotle, in Rackham 1944, 1281b31

14   Mill 1950, 384-5

On the other hand, the rule against invidious comparisons might appear to be in tension with another proposition that many of us will find extremely plausible, and even beyond reasonable disagreement:

The Political Value of Education: a well-educated population will, other things equal, tend to rule more wisely.

This does not say what kinds of education will have this value, but I wish to grant to the advocate of scholocracy that there is *some* education such that it would be unreasonable or otherwise disqualified in our sense to deny that a population with that education will tend to rule more wisely. Here are some candidates that some will find plausible in this role, alone or in some combination: basic literacy, basic knowledge of how one's government works, some historical knowledge, knowledge of some variety of extant ways of life in one's society, some knowledge of economics, some knowledge of the legal rights and responsibilities of oneself and others, basic knowledge of the constitution of one's political community, etc. If, as I am inclined to agree, some account of 'well-educated' will put Political Value of Education beyond qualified denial, it favors my polemical opponent, the advocate of extra votes for the educated, so we may simply grant it for the sake of argument.[15]

I will argue that even if the Political Value of Education is beyond qualified denial, it can yet be denied without disqualification that:

The Scholocracy Thesis: Where some are well-educated and others are not, the polity could be better ruled by giving the well-educated more votes.

The seemingly small move from The Political Value of Education to The Scholocracy Thesis can reasonably be resisted, and so the rule disallowing invidious comparisons in favor of the well-educated portion of the citizenry would remain intact. I think the Millean idea is the most challenging test case for a principle forbidding invidious comparisons among citizens with respect to their abilities to rule wisely.

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15 In Estlund 1993, I leaned toward denying it outright. Here I pursue the possibility that arguments for epistocracy can be resisted even without denying it.

VI The demographic objection

In a society in which some have the relevant education and others do not, those who do might yet, on balance, be no better able to rule wisely than others owing to the other epistemically detrimental features of the group. To see the general possibility, suppose that, for some reason, the people who sought education were, statistically, more racist than others even after education. Their racism might nullify the epistemic advantage their education might have given them.

Here, then, is a general form of objection to giving the educated more votes, which is compatible with accepting that a good education makes its recipients better able to rule wisely:

> *The Demographic Objection:* the educated portion of the populace may disproportionately have epistemically damaging features that countervail the admitted epistemic benefits of education.

A very common reaction to Mill's plural voting scheme for those with university degrees has this general form. In our society, it is pointed out, having such a degree is disproportionately the privilege of members of certain races, classes, and (formerly) genders. And even in a more ideal society there may well be demographic patterns that make the pool of university applicants less than statistically representative. Even granting (as we are, for the sake of argument) that everyone acts with good will rather than with neglect for the interests of others, people are inevitably biased by their race, class, and gender. Giving extra votes to certain of these groups only compounds the effect of these biases, damaging the expected quality of collective decisions.

Exactly what is meant by bias here, and how it leads to increased collective error, would need more careful explanation, but I accept this as a powerful objection to giving extra votes to university graduates, or even to people with any particular level of formal education. It is among the best reasons for repudiating literacy tests of the kind that were once employed in the American South, and banned by the Voting Rights Act of 1965.[16] Many people apparently objected to such tests on less epistemic grounds, especially grounds of procedural fairness, but the

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16 For some context see Issacharoff, *et al*, 1998, 58, n 29.

epistemic objection is also available: indirectly disenfranchising poor Southern blacks by formally disenfranchising citizens who failed certain literacy tests could reasonably be held to depend on (willful) ignorance of the epistemic significance of the racial demographics associated with literacy in that time and place. It seems an important consideration even if no appropriate standard of procedural fairness were violated (as Mill must think) and even if we had reason to assume that those entitled to vote gave full and fair weight to the interests of everyone, to the best of their ability, limited only by their knowledge and experience of what those interests are.

The objection to plural votes for the educated does not require all qualified (e.g., reasonable) citizens to accept the epistemic claims in this demographic argument. It is enough if it is not disqualified (not unreasonable) to hold them. In that case, it can reasonably be denied that the educated, as things are, are better able to rule wisely than others. This blocks the availability of the epistocratic rationale, even if it is also qualified to disagree and think that the educated are — even under these conditions in which the educated are disproportionately white, or wealthy, or male — likely to rule more wisely than others. The *reasonableness of denying this* is decisive (even if it is also reasonable to accept it), according to the requirement we have set ourselves to have a justification for ruling arrangements that is, in this sense, generally acceptable.

However, the demographic objection to giving more votes to the educated can be avoided by demographically correcting the group that is given extra votes. If the problem is an underrepresentation of certain races, classes, and genders, it might yet be possible to select from the educated a subset in which those groups are properly represented (say, in proportion to their presence in the general population.) (This only works if there are enough members of these groups among the educated, but suppose there are.) This deprives the skeptics of their stated reasons for doubting the epistemic superiority of the group that is given more votes. Is this the end of the demographic objection?

Consider a doubter, who points out that even though race, class, and gender have been demographically corrected in the privileged group, religion has not? We could empirically check to see if there is a significant distortion of the representation of certain religious groups. Then, if there is, we could correct for it in our selection from among the educated. Problem solved. But, the doubter continues, what about sexual orientation? OK, we can check and then fix it if necessary.

But now consider a doubter who alleges that among the privileged group there are disproportionately many racists, or sexists. This might not be empirically testable, at least in realistic practice, even if it is true. Call these *empirically latent* features. And yet, that empirical inscrutability is not clearly enough to disqualify the objection. Here, of course, we are proceeding without any explicit standard of qualified and unqualified objections, so nothing about these matters is entirely clear.

Admittedly, a view should not be counted as qualified merely because it cannot be empirically refuted. Lots of crazy views about ghosts, or conspiracies, or motives, cannot realistically be empirically checked, but they are no less crazy for that. But the view, disputable though it may be, that the otherwise demographically fixed sample of the educated might still contain disproportionately many racists or sexists or people with certain other untestable biases is not like these. It is no less reasonable, perhaps, than someone suspecting that the educated are disproportionately liberal or conservative (and that this has untoward epistemic effects) even before there was any way to check it empirically. At least one might have decent, if disputable, reasons for thinking so — reasons not based on any anti-social sentiments or outright crazy underlying views, though this is not enough to settle the matter. The question is this: if someone's objection is based on alleged empirically latent features, on what grounds would the objection be disqualified? I am not offering a general answer, but only suggesting that there may often be no adequate grounds for disqualifying such objections.

Taking it a step further: suppose someone objects not on the ground of any particular suspected demographic distortion, but simply on the ground that there might well be one. They do not specifically suspect racism, or sexism, but only that the demographically adjusted group of the educated still disproportionately have some epistemically distorting feature or other, some feature that travels with education and so gets indirectly and unintentionally selected for in this scheme. Call these appeals to *conjectural features*.

Suppose it turns out that, unbeknownst to anyone, the more highly educated are, for complicated reasons, also more sexually frustrated. Now, we are assuming that this particular group contributes more wisely to ruling than it would if it were not highly educated, other things equal. But, other things are not equal, and the sexually frustrated might rule worse than others to a degree that offsets the benefits of education. They might, for example, loathe their sexuality and rule with

an irrational Puritanism. Once this possibility is considered, of course, we might set out to check it empirically (*e.g.,* do the more educated rule more puritanically?). But that is no reply to the present argument, which says there might be some such feature that travels with education, but which is, erroneously, *not* considered demographically relevant, and which countervails the benefits of education from the standpoint of contributing to political rule. By hypothesis, this is not a feature whose effects on voting are known, or available for testing.

Consider, then, a revised literacy criterion for voting: from the set of the literate, pull a demographically representative sample, removing the sample error with respect to race, class, and gender. Now give double voting power to everyone in the repaired sample, and so half as much to each illiterate citizen (and also to others who were excluded as a consequence of repairing the sample with respect to race, class and gender). In this case, the cognized and demonstrable sample biases are removed, and the beneficial trait of literacy remains. The scheme strikes me as objectionable, but on what grounds? My contention is that objections to this scheme on the grounds that there may remain important sample errors of which we are unaware are not so unreasonable that they should be disqualified. In that case, it is a decisive objection against such an arrangement. If this seems plausible in the case of a literacy criterion, why not also for any educational criterion?

On what grounds would we put concerns about conjectural features beyond the pale? Of course, it is not automatically qualified just because it cannot be empirically refuted. On the other hand, given the actual history of ruling arrangements that privilege some citizens over others, it also need not be crazy, or based on ill will.

The upshot is this: if objections based on latent and/or conjectural features of the privileged group are not generally disqualified (and if they are, on what grounds?) then the epistemic argument for privileging an adjusted set of the educated would not be available to justify such a policy, even if all agree that the kind of education in question does (other things equal) enable those who receive it to rule more wisely.

VII The bias objection as a demographic objection

It may seem that a simpler reason against giving the educated, or any group, more votes than others is that everyone is biased in their own favor, and this would then illegitimately favor the interests of the

privileged group. This bias in their own favor might well outweigh the epistemic benefits of their education. It may seem that, demographics aside, no subset should get to favor themselves in this way. This is not, as it turns out, a different form of objection from the demographic objection, at least when the decisions of the rulers take the form of general laws applying to all.

Suppose, first, that there were no reason at all to think that the educated had any distinctive set of interests — that they are a random sample of the population with respect to interests. In this case, the fact that they have more power than others does not imply that any particular set of interests is being favored owing to their self-interested bias. It is only a random sample of interests that is being favored, and so if the privileged group is not too small there will be no interest bias as a result.

But, of course, if only the rich, or men, or whites get educated it is very likely that they do systematically share certain interests: their interests are significantly different from a random sample of the same size. In that case, giving the educated more votes favors certain interests.

The bias objection, then, is but an instance of the demographic objection. It claims or conjectures that the privileged group is statistically unrepresentative, and so biased in a way that outweighs any other epistemic advantages the group might have. The general demographic objection is more powerful, though, since it applies even in the (unrealistic) case where it is assumed that there is no significant self-interested bias in people's motivations. Thus, it would explain why we might object to Mill's plural voting even if we had overcome self-interested bias. If the privileged group is biased, then either they have unusual motives in this way, or their perfectly ordinary motives serve their statistically abnormal interests. Otherwise, there would be no bias effect at all.

VIII Is the epistemic value of equal voting reasonably rejectible?

I have argued that differential voting power on the basis of invidious epistemic comparisons is open to qualified objection. This might look like the basis for a more general defense of equal voting power against the threat of epistocracy. Consider an argument for formally unequal

voting power across certain groups, not based on invidious epistemic comparisons. Suppose, for example, that rural voters are only authorized to vote in some subset of the elections in which urban citizens may vote. Perhaps the reason is only to free them to perform other work (farming, etc.) upon which the society depends. So far, then, there is no invidious epistemic comparison. But now the question arises whether the lesser voting power of the rural voters can be criticized on epistemic grounds. Can we argue that by suppressing the power of rural citizens, political outcomes will tend to be skewed in favor of a distinctively urban viewpoint? This would be a criticism of their lesser voting power on epistemic grounds.

This is apparently no better than the argument that the educated will rule more wisely. This idea of the epistemically valuable rural perspective, possessed disproportionately by rural voters, is an invidious comparison. It is true that rural voters are not being held to be wiser overall, but only in certain respects. Still, this more limited invidious comparison must be just as vulnerable to the possibility of latent or conjectural features of an epistemically countervailing kind. Even if they do have a special insight other things equal, it is not unreasonable to worry that being rural might travel with certain insensitivities or limitations that countervail this insight's epistemic value all things considered. (Perhaps rural voters tend to be tradition-bound, or irrationally fond of open spaces, etc.)

One form of this kind of appeal to a group's special insight is the argument that the victims of injustice are especially well-located to have knowledge of what justice requires. My demographic argument rejects this move, claiming that it is open to reasonable disagreement, and in this context it is useful to reflect on the damage of various kinds that might travel with the victim's insight into the nature of injustice.

Neither equal voting nor departures from it can be defended beyond qualified dispute on the basis of invidious epistemic comparisons. If the task were to find a defense of formally equal voting power for each citizen, we would be forced to turn to some non-epistemic consideration such as some suitable conception of procedural fairness or equal respect. The role of the epistemic dimension might recede considerably. My aim, though, is neither to defend formally equal voting power nor to criticize it. My limited aim is to rebut a Millean scheme of extra votes for the educated on the grounds of their greater wisdom. (And, of course, I hope the argument has more general application against a variety of epistocratic proposals, though I do not explore that here.)

Still, it may seem as though we would *eventually* have to resort to non-epistemic moral considerations to justify equal voting, and so this might seem like a dodge. But that supposes that we would eventually want to defend equal voting. I doubt this. Here are two kinds of formally unequal voting arrangements that I am not sure I would wish to reject. 1. the formally greater voting power possessed by elected legislators, appointed officials, judges, etc., and 2. the formally weightier voting power conferred by districting arrangements of various kinds, such as a Rhode Islander's greater power over the make-up of Congress and the election of the president than a New Yorker's.[17]

It is true, then, that the same argument that I use to block Millean plural voting can be used against efforts to defend equal voting on the basis of a discounted group's special insight. But equal voting is a questionable ideal, and, at any rate, defending it is no part of my aim in this paper.

IX Conclusion

The aim of justifying ruling arrangements in a way that is generally acceptable to the ruled, but without having to capitulate to unreasonable objections, has a broad appeal beyond its most familiar or Rawlsian setting. It is far from clear that the epistocratic ideas of Plato, Aristotle, and Mill could meet this demanding standard. Probably the strongest contender is Mill's idea of more votes for the educated. If we want to accept that education, somehow conceived, makes citizens wiser participants in political rule, then how can we deny that the educated subset would be wiser rulers than the others? Then, even if there are good reasons to give everyone one vote, why shouldn't we give the educated more than one? I have pursued the idea that this proposal can be reasonably rejected even if education promotes wise rule. The reason is that it is not unreasonable to suspect that the educated subset is also demographically distinctive in ways that countervail the epistemic

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17 The disenfranchisement of children is another formal inequality I am inclined to defend. Insofar as it is often supported by the kind of invidious comparison I have been discussing it raises an important challenge to my main line of argument, as Francis Shrag has suggested to me. Space limitations prevent me from taking it up further here.

value of education, in much the way race, gender, or class are plausibly thought to operate. If scholocracy, even in Mill's moderate version, cannot be defended in a generally acceptable way, then I doubt that any form of epistocracy could be.[18]