Croatian Journal of Philosophy
Vol. XVI, No. 46, 2016

Plural Voting and J. S. Mill's Account of Democratic Legitimacy

IVAN CEROVAC
Department of Philosophy, University of Trieste, Trieste, Italy

This paper clarifies some of the contested ideas put forward by John Stuart Mill by analyzing the reasons and arguments Mill used to support them and demonstrating how these ideas and arguments supporting them are connected into a coherent system. Mill's theory is placed in wider explanatory framework of democratic legitimacy developed by Thomas Christiano, and is portrayed as a typical example of democratic instrumentalism—a monistic position that focuses on the outcomes and results of a decision-making process. Following this move, the focus is shifted on the understanding of political equality in Mill's political thought. I claim that, contrary to some contemporary interpretations, Mill's theory is based on a few fundamentally inegalitarian ideas. Finally, Mill's view on the role of experts in democratic decision-making is analyzed and compared with contemporary theories advocating democratic expertism—Mill's view is again portrayed as inegalitarian, both to the extent of setting political aims and creating methods for achieving these aims.

Keywords: Political legitimacy, plural voting, expertism, Mill, Christiano. epistemic democracy, division of epistemic labor.

1. *Introduction*

Many books and papers have been published criticizing Mill's plural voting proposal and analyzing its strengths and weaknesses, as well as trying to implement it (or criticize it) from the standpoint of contemporary western democracies (Baccarini 1993, Baccarini & Ivanković 2015, Brilhante & Rocha 2013, Gaus 2003, Miller 2003, Thompson 1976, Urbinati 2002). Unfortunately, it seems that Mill's original work is somehow neglected in favor of some notable interpretations, and the emphasis is sometimes placed on implementation of Mill's ideas in contemporary society without first analyzing and understanding the

justificatory process Mill carefully developed to support those ideas. This paper aims to clarify some of the contested ideas by analyzing the reasons and arguments Mill used to support them, as well as to emphasize how these ideas and arguments are connected into a coherent system. Furthermore, this paper tries to determine what is the role of plural voting in Mill's argument and how exactly does the plural voting proposal improve the epistemic quality of a democratic decision-making process.

First part of this paper sets Mill's account in the wider explanatory framework of democratic legitimacy developed by Thomas Christiano. Mill's view is portrayed as a typical example of democratic instrumentalism—a monistic position that focuses on the results of a decision-making process when discussing the legitimacy of the decisions produced by this process. Mill's understanding of political equality is discussed in the second part: by introducing Berlin's distinction between positive and negative liberties, I claim that Mill argued only for the equality of negative liberties. Positive liberties, those inherent to a participatory democratic process, are not to be equally distributed. Values of deliberative democracy and diverse perspectives are discussed in the third part. By building on this ideas, I point out why Mill believed that everyone should have a say in a decision-making process, though not everyone should have an equal say. Plural voting proposal satisfies perfectly the requirement Mill had in mind (unequal political power but participation of all in decision-making process) and is discussed in the fourth part of the paper. There I stress again Mill's allegiance to democratic instrumentalism by comparing his view on experts with the views of Thomas Christiano and Philip Kitcher. While Christiano and Kitcher advocate for equality in the process of setting up political aims (and give greater power to the experts only when discussing the implementation of the already set aims), I claim that Mill rejects the idea of equality both in the process of setting up aims and in the process of their implementation (though he has a different standard for identifying experts in these two domains). Some concluding remarks are presented in the final part of the paper, emphasizing the important role of public justification for Mill's view.

2. *Background*

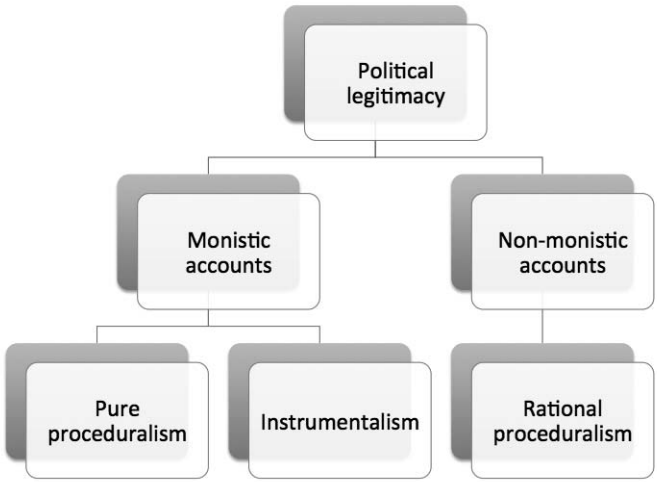
Whenever we try to justify or argue for certain form of government, we start by enlisting its virtues (Swift 2006). Contemporary political philosophy divides these virtues depending on whether they are the virtues of a decision-making process or of the final outcome produced by this process (Christiano 2004). In order to give an account of democratic legitimacy presented by John Stuart Mill, as well as to compare his position with those of contemporary defenders of epistemic democracy, one first has to clarify the criteria listed above and set Mill's view according to them.

Pure proceduralism focuses only on purely procedural qualities of a decision-making procedure when determining its legitimacy-generating potential. These purely procedural (sometimes called intrinsic) qualities are defined regardless of procedure's ability to produce certain goal or outcome—a decision-making procedure has legitimacy-generating potential because it embodies some important moral (or epistemic) qualities. Procedural fairness (i.e. giving every citizen an equal chance to participate in the decision-making process) can be one such purely procedural quality. A collective decision is thus legitimate if (and only if) it was produced by a fair decision-making procedure. Positions developed by Hannah Arendt (1967), Thomas Christiano (2008), Gerald Gaus (1996), Fabienne Peter (2011), Iris Marion Young (2000) and Robert Dahl (1989) are some examples of pure proceduralism.

Instrumentalism, on the other hand, focuses only on the instrumental qualities of a decision-making procedure when determining its legitimacy-generating potential. These instrumental qualities are defined by procedure's ability to reach a desired aim or outcome—a decision-making procedure has legitimacy-generating potential because of its ability to generate decisions with some substantial, procedure-independent quality. The ability to produce correct, true or just decisions can be one such instrumental quality. A collective decision is thus legitimate if (and only if) it was produced by a decision-making procedure that has tendency to produce correct or true decisions. Positions developed by Steven Wall (2007) and Richard Arneson (2003b), but also by Robert Talisse (2009) and Cheryl Misak (2000) are some examples of political instrumentalism.

We can try to justify democratic legitimacy by referring to one of these virtues, in which case we will be endorsing some monistic position, or we can try to justify democratic legitimacy by referring to both virtues, in which case we will be endorsing some non-monistic position.[1] The standard account of epistemic democracy put forward by David Estlund (2008) represents one such non-monistic position, focusing on both the fairness of the procedure and the qualities of the outcome.

[1] The distinction between monistic and non-monistic positions was first introduced by Christiano (2004).



3. *Mill's criteria for legitimacy*

Mill asserts that the best form of government is the one that best achieves the following two goals: (i) improving the virtue and intelligence of the people under its jurisdiction, and (ii) organizing the existing virtues and good qualities of the people in a way that promotes the long-run common good.

> One criterion of the goodness of a government [is] the degree in which it tends to increase the sum of good qualities in the governed, collectively and individually; since, besides that their well-being is the sole object of government, their good qualities supply the moving force which works the machinery. The other constituent element of the merit of a government [is] the quality of machinery itself; that is, the degree in which it is adapted to take advantage of the amount of good qualities which may at any time exist, and make them instrumental to the right purposes. (Mill 1977a: 390–391)

The same two criteria reappear, more or less reformulated, throughout his entire work.

> [Merit which any set of political institutions can possess] consists partly of a degree in which they promote the general mental advancement of the community, including [...] advancement in intellect, in virtue, and in practical activity and efficiency; and partly of the degree of perfection with which they organize the moral, intellectual and active worth already existing, so as to operate with the greatest effect of public affairs. (Mill 1977a: 392)

However, it seems that the basic and unifying criterion behind these two are beneficial consequences (Sandel 2009, Peter 2014). Therefore, though Mill enlists two criteria of good governance, his position remains monistic since both criteria regard only the consequences of a procedure (i.e. whether the procedure produces good decisions and

whether the procedure improves the qualities of citizens). Following Mill's utilitarian account characterized by the differentiation between higher-quality and lower-quality pleasures, the best form of government is to be understood as the one that produces maximal aggregate long-run utility (excellence-weighted pleasure).

> The ideally best form of government is [...] the one which [...] is attended with the greatest amount of beneficial consequences, immediate and prospective (Mill 1977a: 404)

It is rather clear that Mill uses a procedure-independent criterion for evaluating the quality of the outcomes. A political decision can be good or bad regardless of the procedure that has produced it. This is particularly clear when Mill uses an epistemic argument to argue against despotic monarchy; even if there would be a wise benevolent despot, he would be unable to detect and promote the common good, as well as particular interests of different individuals, as efficiently as representative (democratic) government. A political decision is good or bad regardless of the procedure that has produced it; its quality is evaluated in the light of its consequences.

Mill adopts the instrumentalist position: a form of government is only legitimate if it produces the greatest possible amount of beneficial consequences. He avoids the common objections against utilitarianism by introducing the differentiation between higher-quality and lower-quality pleasures, as well as by strongly arguing that only by preservation of individual liberties we can maximize utility in a long-run.[2] However, his argumentation has an instrumental form; in order to be legitimate, a form of government has to improve intellectual and moral qualities of its citizens, as well as to organize them in such a way as to produce the best possible outcomes (Peter 2014).

What form of government will prove itself as the best depends on the people it is exercised upon. Tyranny will be the best form of government for barbarian tribes, since it will best improve their intellectual and moral qualities (e.g. teach them to obey the laws), as well as organize them in a manner they, because of the lack of discipline, would otherwise be unable to do themselves. Democracy is preferred to tyranny, but only when discussing developed societies where certain preconditions have already been met. This emphasizes the instrumental approach used by Mill: what form of government is legitimate depends on the type of society we want to apply it upon. Different forms of gov-

[2] Mill's famous essay *'On Liberty'* can be viewed as a unified attempt to argue in favor of individual liberty from the consequentialist (utilitarian) standpoint. All four reasons that explain why we should uphold individual liberty have an instrumental form—we should not silent the dissents because such an action would produce ill consequences for our society: we might be deprived of true or partially true belief, our own belief might harden into dogma and prejudice, and forcing the members of a society to embrace custom and convention is likely to deprive them of the energy and vitality for social improvement. For detailed argumentation see Mill 1879 and Sandel 2009.

ernment will yield different results when applied to different societies. Democracy is thus instrumentally justified: if we want to promote intellectual and moral qualities of individuals in our society, and if we want to organize them to produce the best possible outcomes, we should embrace democracy as a proper form of collective decision-making.

4. *Expertism and equality*

Mill's democratic instrumentalism can sometimes be mistaken for a weak kind of (epistemic) proceduralism: after all, Mill does not think that political decision is legitimate if and only if it has beneficial consequences. According to such view, whenever one has a reason to doubt the quality of consequences of a political decision, one could say that he does not recognize that particular decision as legitimate. This surely is not the result Mill had in mind. Furthermore, we could question the extent to which such view improves intellectual and moral qualities of the people involved. The decision-making procedure is very important for Mill—it has to be organized in such a way as to satisfy two criteria of good government, i.e. to improve the intellectual and moral qualities of people and to organize their potentials to maximize the quality of results. A decision is thus legitimate if it is a product of a good decision-making procedure. Though this might seem as a form of democratic proceduralism, we must note that the justification of the procedure is purely instrumental (Peter 2014). Mill does not find democracy superior to despotic monarchy because the former respects the equality of all the people involved, and the latter does not. His arguments for democracy have instrumental form; we should prefer democracy because it produces better outcomes, i.e. it is better in improving our moral and intellectual qualities, as well as in producing better decisions. Unlike Estlund and other philosophers who adopt non-monistic positions, putting emphasis on both the fairness of a procedure and the quality of results it produces, Mill's view is monistic—only the results are important.

Some might argue otherwise by stressing the importance of equality in Mill's political thought, especially in his famous essay *On Liberty* (Justman 1990). Though equality is indeed a very important idea for Mill, we must notice that in *On Liberty* Mill refers primarily on the idea of negative liberty, i.e. the area within which the subject—a person or group of persons—is or should be left to do or be what he is able to do or be, without interference by other persons (Berlin 1969). Mill's thoughts on positive liberty, i.e. his answer to the question what, or who, is the source of control or interference that can determine someone to do, or be, this rather than that (Berlin 1969), are quite different. Mill explicitly distinguishes the power that one has over oneself alone and the power one has over others:[3]

[3] I thank David Miller for pointing this idea and encouraging me to analyse Mill's *Thoughts on Parliamentary Reform* in detail.

> They say that everyone has an equal interest in being well governed, and that every one, therefore, has an equal claim to control over his own government. I might agree to this, if control over his own government were really a thing in question; but what I am asked to assent is, that every individual has an equal claim to control over the government of the other people. The power that suffrage gives is not over himself alone *(i.e. negative liberty)* it is power over others also *(i.e. positive liberty):* whatever control the voter is able to exercise over his own concerns, he exercises the same degree of it over those of every one else. Now, it can in no sort be admitted that all persons have an equal claim to power over others (Mill 1977b: 323)

It seems that equality does not play an important role in Mill's thoughts on *collective decision-making procedures,* though it still plays an important role with regard to the development of individual capacities (Baccarini 2013, Macpherson 2012); it is very important to ensure the equal protection of everyone's basic negative liberties (e.g. freedom of thought, speech, press and assembly), but equality should be rejected and opposed when discussing positive liberties. It should instead be replaced with competence and (non-equal) participation, because these are the key virtues needed to achieve better quality of political decisions.[4]

This particular idea is nicely implemented in the *plural voting* practice suggested by Mill. He indicates two motives for this proposal: (i) to prevent one group of people from being able to control the political process without having to give reasons in order to have sufficient support, and (ii) to avoid giving each person an equal chance to influence political decisions without regard to their merit, intelligence etc.

> Yet in this stage of things, the great majority of voters [...] are manual laborers; and a twofold danger, that of too low a standard of political intelligence, and that of class legislation, would still exist in a very perilous degree. (Mill 1977a: 473)

[4] To additionally stress this point, it might be useful to point out important differences between Mill's approach and the approach of those who base democratic legitimacy on the idea of equality (e.g. Thomas Christiano). Christiano builds his theory on a basic claim that human beings are authorities in the realm of value because (i) they are capable of recognizing, appreciating and producing value, and because (ii) their exercise of this authority is itself intrinsically valuable. Christiano further claims that equal status of persons is based on the fact that human beings all have essential the same basic capacities to be authorities in the realm of value (Christiano 2008). Mill, on the other hand, believes that people are obviously differently capable of appreciating intrinsic values (his version of 'higher pleasures' utilitarianism), and that differences in capacity should produce differences in status. This does not imply that those who are better educated should direct the private lives of those who are not (Mill clearly stresses this point in 'On Liberty'), nor should they have absolute power in political arena (this is pointed out in 'Considerations on Representative Government'). The underlying reason for this is not equality, however, but the idea that intellectual and moral qualities of all human beings should be cherished and improved, and that would be impossible if other people would direct our every action. This does not imply, however, the idea that everyone should have an equal say in a collective decision-making process.

Some scholars (often following the republican tradition) seem to believe that the main motive Mill had to suggest plural voting was to stop the tyranny of majority in a form of class legislation (Brilhante & Rocha 2013, Honohan 2002, Justman 1990, Miller 2000). After all, introducing plural voting and giving the educated (i.e. the minority of voters) more than one vote might look like an attempt to defend the republican value of non-domination (Pettit 1999). For example, Brilhante and Rocha claim "Mill would not have favored inequalities that implied undue power over others because this would undermine the autonomy that was a central value in his political philosophy. He advocated the plural voting system on the assumption that it would increase general happiness by preventing the tyranny of the majority" (2013: 62). The danger of too low standard of political intelligence is often neglected, and the entire plural voting proposal is regarded as a temporary solution Mill used ' in [his] stage of things', i.e. to answer the problem of British electorate in 19th century. However, there are good reasons to consider Mill's plural voting account as a permanent solution. In fact, Mill's own words oppose those who think that plural voting is only a temporary solution that should not be considered as an important part of his political thought.

> I do not propose the plurality as a thing in itself undesirable, which, like the exclusion of a part of the community from the suffrage, may be temporarily tolerated while necessary to prevent greater evils. (Mill 1977a: 478)

It is clear, in fact, that Mill's main reason for plural voting is not class legislation, the 'greater evil' from the previous quote. Even in a society where there is no fear of one class or group of people being able to control the political process without having to give reasons in order to have sufficient support, Mill would still opt for plural voting and against the equality of votes.

> I do not look upon equal voting as among the things which are good in themselves, provided they can be guarded against inconveniences. I look upon it as only relatively good [...], but in principle wrong, because of recognizing a wrong standard, and exercising a bad influence on the voter's mind. It is not useful, but hurtful, that the constitution of a country should declare ignorance to be entitled to as much political power as knowledge. (Mill 1977a: 478)

Mill was strongly influenced by the classical political philosophy, and his plural voting proposal can be seen as a combination of Plato's epistocracy and Aristotle's democracy. Following Plato, Mill emphasized the value of greater wisdom of the few, while following Aristotle he embraced the value of diverse perspectives for political decision-making. (Estlund 2003: 57) Though Mill never embraced Plato's epistocracy (because it denied the value of diverse perspectives for decision-making, as well as because it was not compatible with the account of moral and intellectual improvement of the people), he considered the idea that competence should have greater weight than incompetence very appealing.

> [...] that governing is not a thing which can be done at odd times, or by the way, in conjunction with a hundred other pursuits, nor to which a person can be competent without a large and liberal general education, followed by special and professional study, laborious and of long duration, directed to acquiring, not mere practical dexterity, but a scientific mastery of the subject. This is the strong side of the Platonic theory. (Mill 1978: 436)
>
> When two persons who have a joint interest in any business, differ in opinion, does justice require that both opinions should be held of exactly equal value? If [...] one is superior to other in knowledge and intelligence, the judgment of a higher moral or intellectual being is worth more than that of an inferior: and if the institutions of the country virtually assert that they are of the same value, they assert a thing which is not. One of the two, as a wiser or better man, has a claim to a superior weight [...] (Mill 1977a: 473)

It seems clear that Mill argued for deliberative democracy on instrumental grounds; his plural voting proposal is an example of such argumentative strategy.

5. *Deliberative democracy*

One has to notice, however, that the reason why plural voting is introduced is not *only* to improve the quality of decisions produced by collective decision-making process. Mill emphasizes the educational role of democracy, and of the experts as well. Their influence will improve the quality of decisions, but it will also help common people further develop their intellectual and moral skills.

There are very good reasons not to believe that Mill adopted a form of elitism that could lead to epistocracy. We have indicated earlier that Mill recognizes the value of diverse perspectives, as well as the danger of class legislation. If we give overly exaggerated political power to certain group of people (even if they are experts), the danger of class legislation is reintroduced, and the value of diverse perspectives is lost. This value of diverse perspectives is best introduced through deliberation; though one can argue that even a form of aggregative democracy could take advantage of diverse perspectives and produce high-quality outcomes (e.g. Marquis de Condorcet, Kenneth Arrow), this is only one of the two goals of the good government. The other one, development of our intellectual and moral qualities, can only be achieved through deliberation.

> Those who are supreme over everything, whether they be One, Few or Many, have no longer need of the arms of reason; they can make their mere will prevail; and those who cannot be resisted are usually to well satisfied with their own opinions to be willing to change them, or listen without impatience to anyone who tells them that they are in the wrong. [...] the one which develops the best and highest qualities is the position of those who are *strong enough to make reason prevail, but not strong enough to prevail against reason*. (Mill 1977a: 478–479)

Following this argumentation, one could be led to believe that the only reason for plural voting is to attain the balance between groups or

classes that would force them to deliberate instead of simply asserting their will, and the only reason for adopting deliberative procedures is to improve the moral and intellectual qualities of people engaged in deliberation. There are good reasons not to embrace this interpretation: though Mill's argumentation was aimed to maximize the individual liberty, this liberty can be limited when our actions have impact on lives of other individuals. As long as we make decisions that are within our private sphere, neither majority of the people nor (moral) experts should have an authority to limit our liberty. Things change, however, when our decisions influence other people beside us, just like all political decisions do. Giving greater power to the voice of an expert in such situation can be legitimate.

> There would be no pretence for applying this doctrine to any case which could with reason be considered as one of individual and private right. In an affair that concerns only one of two persons, that one is entitled to follow his own opinion, however much wiser the other might be than himself. But we are speaking of things that equally concern them both; where, if the more ignorant does not yield to the guidance of the wiser man, the wiser man must resign to more ignorant. [...] No one but a fool, and a fool of peculiar description, feels offended by the acknowledgement that there are others whose opinion, and even whose wish, is entitled to a greater amount of consideration than his. (Mill 1977a: 473–474)

6. *The role of plural voting*

Mill is well aware of the defects any form of government might have. He points out that the worst defects a democratic government might face are its inability to produce good decisions and its tendency to be influenced by particular interests of dominant groups (Mill 1977: 436). Plural voting was introduced as a means to counter these defects: its main purpose was to ensure that the representative government produces high quality outcomes, and that no group has exclusive right to the benefits of social cooperation by the power of votes alone (and without having to deliberate and convince others to support the decision in question).

It is unclear, however, how exactly was plural voting proposal supposed to counter the first defect of democratic government, i.e. to ensure that the procedure produces good decisions. How was plural voting supposed to achieve its purpose? In their recent paper, Baccarini and Ivanković (2015) claim that plural voting proposal seriously threatens the quality of outcomes. It is unclear at which stage of the decision-making process does the epistemic value of plural voting help us create better policies and decisions. They analyze *the problem stage* (where political values are expressed and some problems are detected), *the proposal stage* (where the educated commission drafts laws and policies), and *the approval stage* (where the Parliament chooses to pass or reject a certain law proposed by the commission), and claim

that plural voting proposal does not bring epistemic value in any of the stages mentioned above. Similar objections are raised by Gaus (2008) and Peter (2012), who claim that it is very difficult to determine who the experts regarding some political issue are, and add that the relevant competences for making political decisions are often so widely dispersed that the (epistemic) distinction between citizens and experts is small and irrelevant, just like the (epistemic) distinction between procedures characterized by equal suffrage and those characterized by plural voting.

I do not want to argue that Mill's plural voting proposal has an epistemic value—all I want is to show why did Mill think it had epistemic value, and in which stage of the decision-making process did this epistemic value manifest itself. In order to answer these questions, we must first analyze the sophisticated structure of democratic government and the key stages of democratic decision-making process, as well as different concepts of expertise.

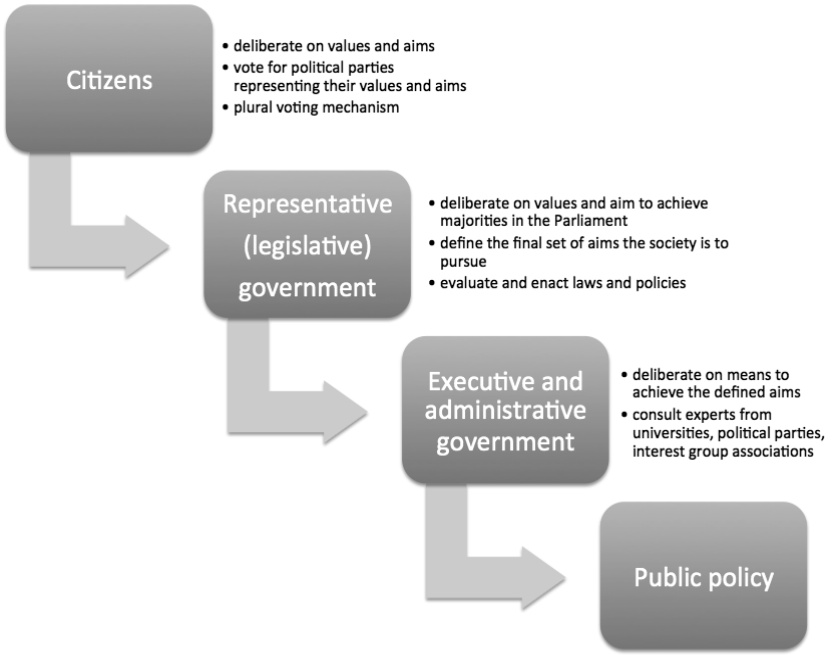
Thomas Christiano (2008) introduces a useful differentiation between technical and moral knowledge. *Technical knowledge* regards crafts, skills and disciplines like engineering, medicine, carpentry, physics, law or computer sciences. Most people can see this knowledge as useful and some educational institutions can be publicly seen as reliable sources of this knowledge. However, there is another kind of knowledge, one that regards what is right and what is wrong. This *moral knowledge* is about values and it is not as public as technical knowledge is, since we have a widespread disagreement on both the moral issues and the experts in morality (Christiano 2008). Mill agrees that the technical knowledge is probably more public that the moral knowledge, but unlike Christiano he thinks that we can still determine those whose *'opinions and even wishes*' should be given greater consideration. Mill does not set strict constrains on education (he does not insist that only philosophers, or only experts in political science or economics, have greater political power), nor does he name the exact profession one has to have in order to have a plural vote. His main idea is that people who have dedicated some time and effort to improving their intellectual and moral capacities are generally more capable of knowing what is more valuable in life (they are better acquainted with higher pleasures), and therefore are more capable of setting valuable aims for the society in general.

Mill firmly believed in the idea of epistemic division of labor and consequently, that laws and political decisions should be made by the most competent members of a society (i.e. experts). He saw division of labor as one of the central reasons for rejecting direct democracy, but nonetheless did not believe that parliament should make laws, public policies and political decisions. This task was appointed to small expert bodies (commissions), while it was the task of the Parliament to discuss and deliberate on proposed laws and decisions, as well as to accept or

refuse proposals made by such commissions (Mill 1977: 424). Unlike expert bodies, Mill did not think that the Parliament should be composed primarily of experts:

> [Members of parliament] are not a selection of the greatest political minds in the country, from whose opinions little could with certainty be inferred concerning those of the nation, but are, when properly constituted, a fair sample of every grade of intellect among the people which is at all entitled to a voice in public affairs. Their part is to indicate wants, to be an organ for popular demands, a place of adverse discussion for all opinions relating to public matters, both great and small [...] (Mill 1977a: 433)

Therefore, considering the division of labor and a purely deliberative function of the parliament, Mill did not have in mind that plural voting will directly ensure more competent law-makers and policy-makers. The competences of law-makers and policy-makers can be similar both under monarchical and democratic rule (Mill 1977a: 438–439). Plural voting is introduced to give additional strength to opinions and even *wishes* of those better educated, and to increase the number of people representing these opinions and wishes in the parliament. If small expert bodies (commissions) are those who devise practical means (laws, policies, decisions) to achieve a desired political end, it is parliament who sets these political ends, and in setting them, the parliament represents the general public, but plural voting enables it to put a greater emphasis on those ends that well-educated people consider valuable (because their opinions are better represented in the parliament). Plural voting thus improves the quality of political decisions not by improving the technical process of finding best practical solutions to designated problems, but by improving the quality of political aims we as a society want to achieve. In other words, the epistemic value of plural voting is introduced primarily in the problem stage of democratic decision-making process. What shall we define as a problem in a society depends on the values and aims we want to pursue. For example, if we want to protect the traditional family with father as breadwinner and mother as caretaker (Kristol 1995), having a 40% unemployment rate will not be a serious political problem, as long as those unemployed are women. Similarly, if our political aim is full employment, even a 5% unemployment rate can be considered a serious political problem. Mill believes that the plural voting proposal will affect the quality of aims and values set by the citizens and the Parliament, and this will improve the quality of laws and policies since they will now be designed to achieve more valuable aims.



Mill's view is radically different from the thoughts of many contemporary political philosophers and epistemologists who discuss the role of experts in a democratic society. Philip Kitcher and Thomas Christiano, for example, agree that it is the role of a democratic process to set up important aims, and the role of experts to devise means for achieving these aims (Kitcher 2011, Christiano 2012). We should be democratic egalitarians when discussing political aims, and advocate expertism only when discussing practical means for achieving those aims. Mill disagrees and rejects democratic egalitarianism: there are those who are more competent in setting valuable aims and they should have greater political power in a democratic decision-making process. Of course, this does not imply that only those more competent should participate in the process of defining valuable aims, since that would reintroduce the danger of class legislation, but also damage the epistemic value of diverse perspective.

7. *Mill and public justification*

What makes plural voting procedure legitimate? As Estlund points out (Estlund 2003), Mill acknowledges the need for plural voting to be generally acceptable rather than simply correct. Authority does not follow from expertise, but from our acceptance that those wiser than us should have greater political power than us. This takes a form of hypothetical (or maybe normative) consent, and not a form of the actual consent.

> It is only necessary that this superior influence should be assigned on grounds which [all] can comprehend, and of which [all] are able to perceive justice. (Mill 1977a: 474)

This is why Mill has to find a criterion for expertise that can be reasonably accepted by everyone. The problem is the fact that there is reasonable disagreement on who counts as wise. However, the idea that good education imporves the ability to rule more wisely is uncontested.

> [The distinctions in voting power] are not made arbitrary, but are such as can be understood and accepted by the general conscience and understanding. [They are based on something that] would not necessarily be repugnant to any one's sentiment of justice. (Mill 1977a: 476)

Finally, the reason why everyone should accept plural voting procedure is the quality of outcomes.

> Which of these modes of getting over a difficulty is most for the interest of both, and most conformable to the general fitness of things? [...] that the better judgment should give way to the worse, or the worse to the better? (Mill 1977a: 473–474)

Since Mill believes that good education improves our ability to rule more wisely (i.e. to make better decisions), and since he believes that everyone shares (or should share) this belief, he emphasizes plural voting as a procedure that gives greater political power to those who can rule more wisely, and consequently favors it as a procedure that tends to create better outcomes.[5]

As we have seen, plural voting proposal has two goals: (i) to improve the quality of the outcomes by giving the educated additional political power, and (ii) to improve the intellectual and moral qualities in individuals by making them deliberate and exchange reasons and arguments.

8. Conclusion

Mill was undoubtedly one of the greatest liberal philosophers and an inspiring source of ideas for many liberal thinkers and scholars. We must, however, resist an increasingly common trend of interpreting Mill's ideas from the standpoint of contemporary liberal thought, especially when such interpretations contradict with the very statements Mill made himself. Plural voting proposal plays an important role in Mill's philosophical thought—it puts together and connects various requirements and values Mill held as important into a coherent collective decision-making model. This model does not rest on the idea of political equality, but on the complex structure that incorporates both the epistemic value of diverse perspectives and the epistemic value of experts. Consequently, it stresses both the importance of political participation and the impor-

[5] One can consistently argue against this idea and rise against it not only argument based on procedural fairness, but an epistemic argument as well (see Estlund 2003).

tance of unequal political power citizens should have. We can discuss how Mill's ideas could be implemented in a contemporary liberal philosophy (e.g. is class legislation still an important issue, should everyone receive an equal chance of acquiring good education and thus greater political power, etc.), but we must not forget or misinterpret Mill's basic ideas and the justificatory process he made from them.

References

Arneson, R. J. 2003. "Defending the Purely Instrumental Account of Democratic Legitimacy." *Journal of Political Philosophy* 11 (1): 122–132.

Baccarini, E. 1993 *Sloboda, demokracija, pravednost. Filozofija politike J.S. Milla* (Freedom, Democracy, Justice: Political Philosophy of J.S. Mill). Rijeka: Hrvatski kulturni dom.

Baccarini, E. 2013 "John Stuart Mill." In: Kulenović, E. (ed.) (2013) *Moderna politička teorija* (Modern Political Theory). Zagreb: Fakultet političkih znanosti.

Baccarini, E. and Ivanković, V. 2015. "Mill's Case for Plural Voting and the Need for Balanced Public Decisions." *Prolegomena* 14 (2): 137–156.

Berlin, I. 1969 *Four Essays on Liberty*. London: Oxford University Press.

Brilhante, A. A. and Rocha, F. J. 2013. "Democracy and Plural Voting in John Stuart Mill's Political Thought." *Ethic@* 12 (1): 53–65.

Christiano, T. 2003. *Philosophy and Democracy: An Anthology*, Oxford: Oxford University Press.

Christiano, T. 2004. "The Authority of Democracy." *Journal of Political Philosophy* 12 (3): 266–290.

Christiano, T. 2008. *The Constitution of Equality*, Oxford: Oxford University Press.

Christiano, T. 2012. "Rational deliberation among experts and citizens." In: Parkinson, J. (ed.) *Deliberative Systems: Deliberative Democracy at the Large Scale*. Cambridge: Cambridge University Press.

Cohen, J. 1986. "An Epistemic Conception of Democracy." *Ethics* 97 (1): 26–38.

Dahl, R. A. 1989. *Democracy and Its Critics*. London: Yale University Press.

Estlund, D. 2003. "Why not Epistocracy?" In: Reshotko, N. (ed.), *Desire, Identity and Existence: Essays an Honor of T.M. Penner*. Kelowna: Academic Printing and Publishing.

Estlund, D. 2008. *Democratic Authority*. Princeton: Princeton University Press.

Gaus, G. 1996. *Justificatory Liberalism: An Essay on Epistemology and Political Theory*. New York: Oxford University Press.

Gaus, G. 2008. "Is the public incompetent? Compared to whom? About what?" *Critical Review: A Journal of Politics and Society* 20 (3): 291–311.

Honohan, I. 2002. *Civic Republicanism*. New York: Routledge.

Irwin, T. H. 2006. "Mill and the Classical World." In: Skorupski, J. (ed.), *The Cambridge Companion to Mill*. Cambridge: Cambridge University Press.

Justman, S. 1990. *The Hidden Text of Mill's Liberty*. Lanham: Rowman & Littlefield Publishers.

Kitcher, P. 2011. *Science in a Democratic Society*. New York: Prometheus Books.

Kristol, I. 1995. *Neoconservatism: The Autobiography of an Idea*. New York: Simon and Schuster.

Macpherson, C. B. (2012) *The Life and Times of Liberal Democracy*. New York: Oxford University Press.

Mill, J. S. 1879. *On Liberty*. New York: Henry Holt and Company.

Mill, J. S. 1977a. *Considerations on Representative Government*. Toronto: University of Toronto Press.

Mill, J. S. 1977b. *Thoughts on Parliamentary Reform*. Toronto: University of Toronto Press.

Mill, J. S. 1978. *Essays on Philosophy and the Classics*. Toronto: University of Toronto Press.

Miller, D. E. 2000. "John Stuart Mill's Civic Liberalism." *History of Political Thought* 21 (1): 88–113.

Miller, J. J. 2003. "J. S. Mill on Plural Voting, Competence and Participation." *History of Political Thought* 24 (4): 647–667.

Misak, C. 2000. *Truth, Morality, Politics: Pragmatism and Deliberation*. New York: Routledge.

Peter, F. 2009. *Democratic Legitimacy*. New York: Routledge.

Peter, F. 2012. "The procedural epistemic value of deliberation." *Synthese* 190 (7): 1253–1266.

Peter, F. 2014. "Political Legitimacy." Edward N. Zalta (ed.), *The Stanford Encyclopedia of Philosophy* (Spring 2014 Edition).

Pettit, P. 1999. *Republicanism: A Theory of Freedom and Government*. New York: Oxford University Press.

Sandel, M. J. 2009. *Justice: What's the Right Thing to Do?* New York: Farrar, Straus and Giroux.

Swift, A. 2006. *Political Philosophy*. London: Polity.

Talisse, R. B. 2009. *Democracy and Moral Conflict*. New York: Cambridge University Press.

Thompson, F. D. 1976. *John Stuart Mill and Representative Government*. New Jersey: Princeton University Press.

Urbinati, N. 2002. *Mill on Democracy: From the Athenian Polis to Representative*. Chicago: University of Chicago Press.

Wall, S. 2007. "Democracy and Equality." *The Philosophical Quarterly* 57 (228): 416–438.

Young, I. M. 2000. *Inclusion and Democracy*. Oxford: Oxford University Press.