Long Live the Philosopher-King?

Alice Obrecht*

Few contemporary political philosophers have treated the philosopher-king as much more than an interesting Platonic relic, with most disregarding the idea as "morally absurd." (Estlund, 1993, p.74) At the same time, many democratic theorists have come to value ends conceivably better served by an educated elite rule, or (slightly less pejoratively phrased) "epistocracy."[1] This is obscured, however, in a debate marked by a range of concerns, such as the conceptualization of democracy, identifying the aims of political organization, or determining how justifications of political systems should proceed. The disagreement amongst democratic theorists on these topics and their all too vague notion of political truth leads to a clumsy and disunited handling of the epistocratic challenge.

Here I aim to lay out and analyze the premises of the epistocratic position and the arguments against it. My discussion will show that the attacks on epistocracy rely more on long-held prejudices against epistocratic-type positions than on substantial arguments, and are severely hindered by discrepancies within the democratic camp as to how best justify a political system. While the attacks by democrats fail to undermine the force of the epistocratic position, this does not indicate that epistocracy is preferable to democracy. Rather, I suggest that a better understanding of both sides requires a more complex and nuanced account of the object of political epistemic enquiry.

I. Epistemic democracy, epistocracy, and deliberative democracy

The epistocratic argument arises primarily in the context of epistemic democracy, a form of democratic theory that views democratic decision-making as more likely

*Alice studied Philosophy and Psychology at Coe College, Iowa in the United States and completed the MSc in Philosophy, Policy and Social Value at the LSE. She is currently undertaking an M.Phil in the department. Issues currently arousing her inquisitive nature include applied ethics, public policy, the non-profit sector and democratic theory. In the future she hopes to become a philosopher, an NGO worker or a diplomat, but "would settle for being a good person."

[1] Estlund (1993) is credited with coining this term.

to produce 'right' answers, or answers reflecting political truth, than any other form of government, and holds that democracy should be justified on these grounds. (Estlund, 1993; Bohman 1998) While epistemic democrats can take a variety of approaches, most couch their arguments in the deliberative context. Since deliberative democrats have engaged with the epistocratic position most frequently and comprehensively, I will use their framework as representative of the democratic position throughout the rest of this paper.

Understanding what is at stake in the deliberative democratic-epistocratic debate requires a familiarity with deliberative democracy's position in democratic theory as a whole. In the broader scope of political theory, justifications for democracy are plagued by both practical and normative problems. The former include concerns over how to select decision-making procedures that generate collective outcomes that are both fair, and meaningful, i.e. uniquely correspond to citizens' preferences. The latter are primarily concerned with the notion of justice and how different procedures, democratic and non-democratic, may be ranked and therefore preferred in regards to their normative value. (Coleman & Frerejohn, 1986)

It is within this context that deliberation makes significant contributions to the justification of democracy. By emphasizing civic participation and public deliberation on collective decisions, deliberative democracy has the potential to alleviate both practical problems, by relaxing some of the requirements for constructing fair majority decisions, and normative problems, by giving democrats a reason to prefer one procedure over another. (Miller 1992; Dryzeck & List 2003) On this second point, deliberation aids by infusing the democratic procedure with certain normative values, namely, the ideal that "government should embody the 'will of the people' formed through public reasoning of citizens." (Bohman 1998, p.401)

But how exactly does deliberative democracy's focus on the public reasoning of citizens assist a justification of democracy? Conceptualized ideally, deliberation secures the conditions for a fair and morally justified outcome by setting certain constraints into the procedure (e.g. equal regard and respect for all participants). James Bohman describes the appeal as follows:

> As both a standard of legitimacy and a model for institutions, an ideal procedure is useful in making the normative features of consensus explicit: reasoning in a procedure that embodies norms of freedom, equality and publicity would produce … an outcome that everyone in principle could accept. (1998, p.402)

However, the justificatory problem deliberative democracy was meant to solve rises again immediately. For when we ask how the outcome of our deliberation

is justified, the reply is that it was conditioned by certain norms fixed in the ideal procedure. But when it is asked what justifies the selection and application of these norms, the answer must somehow refer to the outcomes it effects (i.e. that they produce outcomes acceptable to all). The deliberative democrat is caught in circularity. [2]

Perhaps, then, we should not only care about our outcomes being fair, but also about whether they are right. If deliberation is a method that gives us outcomes which better reflect what is right or true, then deliberation can be justified without reference to its procedural characteristics, thus allowing it to escape circularity. And this seems intuitively appealing—after all, we don't just want decisions based on accepted reasons, we want decisions based on *good* reasons.

But once this step is made, the newly-epistemic deliberative democrat is faced with a new challenge. There will always be some portion of the electorate that is better able at discerning good reasons from bad reasons, and, moreover, at turning a discussion toward the right outcome. Given that the democrat has committed herself to epistemic concerns by justifying democracy on the basis that it best produces the right outcome, if an elite rule of educated citizens is better able to access these political truths, then the democrat needs to either find something lacking in the epistocratic account, or find an attribute particular to democracy that makes it the superior option.

Deliberative democrats David Estlund and David Copp will try both these methods. Before turning to their critiques, I will first offer an outline of the episto-cratic argument. I believe the epistocratic premises are best presented as follows:

1) There is political truth.
2) We value political truth.
3) Because we value political truth, if there is political truth, we are best served by the form of government that can best access this truth.
4) There is a smaller segment of society that is better able to access the nature and substance of political truth than the rest of the population altogether.
5) We have a way of knowing who the members of this smaller segment of society. Thus,
6) Since there is political truth, we value it, and we can access it best through the deliberations of a segment of our society rather than through those of the entire

---

[2] Writing on this problem in his review of the deliberative democratic literature, Bohman discusses an attempt by Guttman and Thompson (1996) to evade this circularity by appealing to both the content of the procedure and of the consensus as mutually justifying. Bohman seems to find this attractive, but faults their account with not paying proper attention to epistemic concerns. (1998, p.404)

society, it follows that we ought to organize our political system to give those in said segment more power to make decisions.

With the possible exception of (2), each of the epistocrat's premises listed above is controversial and highly susceptible to criticism. While the premises above are captured in both Estlund's and Copp's careful analyses of epistocracy, they do not present the argument exactly as I have here. Skipping (2) due to its relative innocuousness,[3] I will first briefly discuss the two premises Estlund and Copp do not take issue with, (1) and (4), before moving on to their attacks on (5) and (3).

II. Premises (1) and (4)

Given its large epistemological assumptions, (1) is arguably the most ambitious and suspect premise of the epistocrat's. The primary problem with (1) and with the discussions of epistocracy that center on it is that there are myriad ways to construe what is meant by 'political truth'. In fact, the generality and simplicity of the phrase that makes it attractive here also risks confusion over what exactly we are aiming for when we discuss the epistemic potential of epistocracy over democracy. I view this confusion regarding political truth as the overarching issue in the democratic-epistemic debate and will return to it in the conclusion. For now, I will touch only on comments by Estlund and Copp that are important to mention here.

Estlund addresses both the contention that there is no metaphysical truth regarding the normative issues subject to politics and political decision-making, and the assertion that, even if there were such truth, we could have no knowledge of it. Estlund takes issue with these criticisms because, he argues, they are founded on a commitment to noncognitivism (the view that normative statements can be neither true nor false) and/or scepticism. Such extreme viewpoints make "denying political truth … [a] deep and exotic business," to the point where such contentions do not form "a robust case" against epistocracy. (Estlund, 1993, p.74)

Copp's response to the same objection, and to Estlund's construal of it, is more satisfying, striking at the heart of the issue. Copp points out that, contrary to Estlund's interpretation, the epistocrat is not committed to a cognitivist, or, for that matter, any other objectivist position on truth. The 'political truth' of (1) can be adjusted to fit whatever the aims of public enquiry or political institutions may be. For example, Copp provides a possible re-phrasing of (1) as follows: (1') There are certain things that society ought to do, programs it ought to implement, legislation and policies it ought to adopt, and so forth. (Copp, 1993, p.104)

[3] I think the most (2) can be criticized for is question-begging (i.e. what is political truth, and in what way do we value it?), but here such concerns are absorbed by my discussions of (1) and (3).

Copp argues that (1') does not depend on either a cognitivist or noncognitivist framework; 'political truth' can be construed without commitment to a particular epistemological position.

Attacks against (4) are equally dismissed by both Estlund and Copp. As Copp addresses the point in tandem with his discussion of (1), there are a number of ways to conceive of political truth where it is reasonable to assume "the possibility of political expertise." (1993, p.103) An attempt to deny the greater epistemic aptitudes of others is often based on grounds that an acknowledgement of such disparity violates egalitarian principles. But this assertion clearly suffers from a confused sense of equality. The acknowledgement that some are wiser than others does not impede on the principle that all humans should be treated with "equal moral and political regard". (Estlund, 1993, p.81) Finally, while the point here has been made, no one makes it better than John Stuart Mill:

> Every one has a right to feel insulted by being made a nobody, and stamped as of no account at all. No one but a fool, and only a fool of a 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.[4]

I will move now to where Estlund and Copp diverge from both the epistocrat and each other, addressing (5) first.

III. Premise (5)

(5) is a creation of Estlund, who asserts that it is central to the epistocratic position, and at the same time practically and theoretically unfeasible. In order for the power of the educated elite to be legitimate, there must be an adequate way of knowing who these elite are. Estlund charges that we lack such 'second-order' knowledge, and that therefore the epistocrat is lost for a way of handing power legitimately to those who are politically wisest.

Estlund has two arguments here, one focused on practical issues, the other on moral. Since his comments on practicality are rather weak I will deal only with the latter. Estlund bases his criticism here on the notion that government must be morally legitimate, defining moral legitimacy as providing "[a]cceptable reasons" to "the reasonable". (1993, p.87) The moral legitimacy of epistocracy hinges on providing reasons for why a particular subset of people has greater or total power. Since it is conceivable that reasonable people will disagree as to who those people

---

[4] Mill, *Considerations on Representative Government*, p474. Quoted in: Arneson, R.J. p18.

are, epistocracy involves placing people in power without providing reasons that all reasonable individuals can accept. Estlund stresses that this is not merely a problem of consensus, but a problem of knowledge: "No knower is so knowable as to be known by all reasonable people." (1993, p.88) His insistence on the epistemological nature of the problem seems to be a move to block the epistocrat from proposing that elite rulers be chosen through deliberation amongst reasonable people.

An initial problem with Estlund's criticism is that it seems as though reasonable people can agree on, or recognize, those who possess a certain level of expertise—we do so in actual life, privately, socially and politically, on a number of occasions. Moreover, in cases where there is dissent, are we to say that there is a disagreement among reasonable people, or that one of the two dissenting groups is actually comprised of unreasonable people, or of people who are normally quite reasonable, but in this case misdirected by bias?

All this begs the more important question, who qualifies as 'the reasonable'? Recall that Estlund defined moral legitimacy as giving "acceptable reasons" to the reasonable. Yet he defines the reasonable as "those to whom acceptable reasons are morally owed." (1993, p.87) This does not answer at all the question of who the reasonable are, or what level of reasonableness a person must have to be considered reasonable. As R.J. Arneson remarks in his reply to Estlund, the process of determining whether one is 'reasonable' is rooted in the same norms that are meant to be derived from what such a 'reasonable' person would determine acceptable. (Arneson, 2005. p.16) This begs the question, but as Copp argues,

> …unless the question is begged in some other way, no specification of the category of reasonable persons would *guarantee* that the reasonable would recognize the knowers and their claim to power. This is not a special problem for…[epistocracy], however. For it is also true that the reasonable cannot be guaranteed to accept the democratic principle, unless the category of the 'reasonable' is defined in a question-begging manner. (Copp, 1993, p.109, italics author's own.)

The notion of a reasonable person that Estlund seems to have in mind is one defined partly in conjunction with a notion of justice or other political principle. Because of this, and since this political principle is also tied to identifying who the 'knowers' are (since they will be those with the clearest conception of this principle and what it requires), then it seems Estlund's point rests primarily on circular definitions which he leaves vague. Without any further specification of what constitutes a 'reasonable' person, the notion remains empty and cannot provide Estlund with the substance

needed to undermine the epistocratic argument.[5]

IV. Premise (3)

While a deliberative democrat like Estlund, Copp rejects the epistemic approach altogether, believing democracy does not have the means to defend against epistocracy on epistemic grounds. Instead, Copp turns to qualities inherent to democratic procedures that, he argues, outweigh epistemic rewards. Copp's approach can be seen as disagreeing with (3) above. He argues that, although we value political truth and wish our political decisions to be 'right,' we are more concerned "to advocate the solution to the governmental problem that would have the best consequences *overall*, which is not necessarily the form of government that has the best chance of identifying the best solutions to social problems." (1993, p.111, italics author's own.)

Looking at the sum consequences of selecting deliberative democratic procedures over epistemic ones, Copp argues that the by-products of participative government will outweigh any epistemic losses incurred by choosing it over epistocracy. Invoking De Tocqueville, Copp lists the beneficial side effects of deliberative democracy as "better protection of the rights of citizens," the development of "civic responsibility and a sense of mutual solidarity among the citizens" and the promotion of "individual autonomy by giving every citizen the duty and opportunity to develop and express his own view about what ought to be done by society to deal with social problems." (1993, p.112)

There are two problems with Copp's position: first, his attempt to justify democracy by virtue of its by-products is "self-defeating," (Elster, 1983, p.92 quoted in Copp, 1993, p.112) and second, his assertion that deliberative democracy has greater benefits overall than epistocracy is under-supported.

The first criticism, which Copp addresses at length in his paper, has been developed by theorists such as Jon Elster and David Estlund, who claim that the side-effects of democracy cannot be invoked publicly as its primary justification. This is because such by-products are only generated when participating individuals have other aims. For example, mutual solidarity is best cultivated, not by direct attempts at solidarity, but when citizens meet to deliberate fairly on a common social problem. We cannot justify democracy on the basis of its side-effects when such effects are

---

[5] Those familiar with 20th century political philosophy will recognize this as a common problem faced by philosophers who make use of a notion of reason or reasonable acceptability in their theories (e.g. John Rawls, Juergen Habermas, Thomas Scanlon). Because of the work done on responding to criticisms like the one against Estlund discussed here, I think Estlund's problem is far from intractable. Even so, his use of reasonableness needs to be developed considerably before it can be used as a tool against the epistocrat.

produced only by the belief that democracy is justified by other ends. (Elster, 1997; Copp, 1993)

Copp replies to this with a series of distinctions, but I believe his main point centers on one. To avoid the self-defeating argument, Copp wishes to distinguish between the motivations behind individual participation in government, and the justification for a form of government. Democracy can be justified by the side-effects it has on individuals, such as a heightened sense of community, while one's reasons for participating in democracy can refer to the personal benefits she expects to receive, such as character effects, or social outcomes that satisfy her preferences.

Copp's argument here is convincing, especially so given similar dual-level justifications employed by other deliberative democrats.[6] But his deflection of this first criticism concerns a matter that is more a contentious topic amongst democrats than it is an issue in the epistocratic debate. Thus, Copp is distracted from adequately supporting his primary claim against the epistocrat - that deliberative democracy produces better outcomes than epistocracy, all things considered. The epistocrat can respond to this assertion of Copp's on two points.

First, it is highly questionable as to whether or not the democratic benefits Copp lists would be considered to outweigh the value of epistemic accuracy. Significant here is the severity and nature of democratic mistakes, a factor which Copp ignores completely. On the issue of possible harm caused by poor democratically-made decisions, Copp writes optimistically, "It may be best to wait for the citizens to recognize their own errors and decide democratically to implement the better solutions." (1993, p.110) Instead of expanding on this claim, he moves on to address the Elster point discussed above.

As demonstrated here by Copp, the democrat's assurances appear absurdly unfounded when stated without any concrete example of what sort of errors we would consider as acceptable trade-offs for the benefits of democracy. Perhaps if such errors have minor negative effects on society and its members, democratic decision-making would still outweigh the epistemic setbacks. But when such democratic 'errors' are slavery, institutionalized racism and sexism, or poor structural and health care decisions that lead to unnecessary death and disease, the benefits of a lesson learned seem largely insufficient to assuage the additional harm caused to members of society.

There are two points in this reply that address Copp's optimistic portrayal of

---

[6] James Johnson attempts to resolve some problematic issues in Habermas' theory with a similar distinction-based method. See: Johnson, J. 1991. "Habermas on strategic and communicative action." *Political Theory* 19(2): pp.181-201.

democracy on the one hand, and his pessimistic portrayal of epistocracy on the other. Specifically, the epistocrat can challenge Copp's assumptions that feelings of solidarity and autonomy are best realized though participation in government, and that epistocracy is not as good as democracy at providing the constituents of an autonomous life.

In regards to the first point, one must merely turn to the political participation levels in modern democracies to see that many people do not equate their sense of social solidarity and personal autonomy with their participation in the political process. A deliberative democrat such as Copp could respond by saying that the kind of democracy currently practiced is far from the type of deliberative democracy that he and other theorists wish to promote. With that in mind, the deliberative model still fails to show how civic participation enhances autonomy and solidarity in a way that cannot be done in an epistocracy.

For instance, civil society is arguably more vital to a sense of communal togetherness and individual autonomy than political participation. In fact, most deliberative democrats capitalise largely on civil society as the wider context from which political deliberation draws and then narrows its content. Furthermore, attempts to implement high-intensive participation in international development projects have demonstrated the degree to which deliberative participation is time-consuming and a distraction from other important components of a person's private and social life. (Kothari, 2001).

Secondly, while Copp assumes that individual autonomy is better cultivated in a democracy, there are clear arguments for how an epistocracy can do the job better. It can do so, firstly, by freeing most citizens from political obligations to pursue beneficial cooperative projects in civil society. Also, it is implied by the justification for epistocracy that those in power have a better sense of how to apply notions of justice than a democratic public. Thus, such rulers are less likely than a democratic populace to pass morally unjustifiable, prejudicial laws that restrict the liberties and rights of part or all of society.

In sum, Copp's argument is unsustainable without a more detailed comparative judgement of the by-products supposedly unique to deliberative democracy and the epistemic strengths of epistocracy.

V. A return to Premise (1) and concluding remarks

Both Estlund's attempt to find fault in epistocracy without damaging his own epistemic case for democracy and Copp's effort to minimize the value of correct political decisions are insufficient to substantially undermine the epistocratic position.

While each should be credited with giving epistocracy more attention than is usual in democratic theory, both provide little support for their central arguments, as if presuming that the reader's intuitive aversion to epistocracy will fill in the gaps. This presumption is not limited to Estlund and Copp, but is common in most treatments of epistocracy by democratic theorists.

Also characteristic of the democratic-epistocratic exchange is a notable absence of any specification on what is meant by political truth. This is odd, since it seems that it is here more than anywhere else that the epistocratic position stands or falls. For even if we accept premise (1), that there is political truth, the nature of this truth and what we value about it may be such that it does not support the epistocrat's conclusions.

As seen in Copp's discussion of the topic, the kind of 'political truth' invoked by the notion of epistocracy must not necessarily refer to a static, metaphysical and/or objective truth that is unalterable and completely detached from collective life. Rather, conceptions of political truth can be depicted as strongly rooted in collective life, dynamically changing in tandem with the developments and currents of society. All that is implied by political truth is that, when there is a political decision to be made, there is a 'right' answer. But what constitutes a right answer in political decision-making? Is it constituted by certain democratic principles, such as majority preference (in which case we return to the justificatory circle in Section II that the appeal to truth was supposed to help deliberative democrats avoid)? Or is it guided by certain ethical principles, such as distributive equality, respect for human rights, etc.? How these questions are answered shapes our understanding of the concept upon which epistocracy is centred; addressing them to provide a more careful analysis of political truth can prevent theorists from talking over one another and contribute toward a clearer view of epistocracy's strengths and weaknesses.

In some sense, political truth is identifiable with a broader political object, and as such its examination may inform broader discussions in political philosophy. The political object is whatever that provides the justificatory basis for political organization; it has been conceptualized by various theorists as a general will, social contract, or overlapping consensus, among many other incarnations. It is possible that the issues raised by the notion of political truth in the epistocratic-democratic dialogue shed light on some of the problems encountered by theorists that conceive of the political object differently. For example, it may lead to conclusions concerning the particular relationships between the basis of political action and the citizenry affected by that action, a segment of that citizenry, and/or individuals outside the citizenry.

It is here that I unfortunately can point primarily to questions and not answers.

The conflict between epistocracy and democracy, which has undeservedly received little attention, is far from resolved. As demonstrated in this paper, the attention this issue has been given has left the epistocratic position relatively unscathed and its democratic counterpart weakened by insubstantial arguments and in-fighting. Democratic theorists would be advised to take a closer examination of the issues involved in the epistocratic-democratic debate, so as to hopefully gain insight into the dynamic and underspecified nature of political truth. The upshot of this discussion then, is that democratic theorists may put aside their prejudices and give some serious consideration to epistocracy's claims, at the benefit of discovering exactly what can be learned from the (notion of the) philosopher-kings.

Bibliography

Arneson, R.J. Democracy is not intrinsically just. <http://philosophy2.ucsd.edu/~rarneson/democracyandjustice1.pdf [Accessed 27 November 2005].

Bohman, J. (1998). Survey Article: the coming of age of deliberative democracy. *The Journal of Political Philosophy* Vol. 6:4.

Coleman, J. and Frerejohn, J. (1986) "Democracy and Social Choice", Ethics Vol. 97.

Copp, D. (1993) "Could political truth be a hazard for democracy?" in Copp, D., J. Hampton, et al. *The idea of democracy*. Cambridge [England] New York: Cambridge University Press.

Dryzeck, J. and List, C. (2003) *Social Choice and Deliberative Democracy*: A Reconciliation. *British Journal of Political Science* Vol. 33.

Elster, J (1986) "The Market and the Forum: Three Varieties of Political Theory" in Elster, J., A. Hylland, et al. *Foundations of social choice theory*. Cambridge: Cambridge University Press.

Estlund, D. (1993) "Making truth safe for democracy." in Copp, D., J. Hampton, et al. (1993). *The idea of democracy*. Cambridge [England] New York: Cambridge University Press.

Kothari, U. (2001) "Power, Knowledge and Social Control in Participatory Development" in in Cooke, B. and U. Kothari (eds), *Participation. The New Tyranny?* London: Zed Books

Miller, D (1992) Deliberative Democracy and Social Choice. *Political Studies* Vol. 49.