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WHY NOT A PHILOSOPHER KING AND OTHER OBJECTIONS TO EPISTOCRACY*

abstract

In this paper I will examine epistocracy as a form of limiting the political agency of some citizens (by removing their political rights) and offer an internal critique of it. I will argue that epistocracy runs into a number of logical and epistemic problems in trying to define who should be the members of an epistocratic polity. Furthermore, I will argue that the argument for epistocracy cannot ignore unjust background conditions. I will also suggest that some of the problems epistocracy attempts to correct can be solved in a more just way, while preserving democracy.

keywords

epistocracy, democracy, voting; political rights

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1. Introduction Epistocracy, as the idea that those who have a special epistemic position (the wise, the educated, the knowledgeable) should rule, has a long history. It has been around at least since Plato and his idea that the rule should be entrusted to wise philosopher kings, it saw a later reincarnation in the work of J.S. Mill, who suggested that political rights should be (nearly) universal, but not equal – educated and professionals should have more votes than uneducated or menial labourers.

Recently this ancient idea has been witnessing a revival. Contemporary proponents of epistocracy use an abundance of empirical evidence¹ produced by economists and political scientists to conclude that many or even most voters do not have the knowledge, rationality or the reasonableness to vote in the right way, and argue that we should limit franchise to those who have these qualities. In this way we are more likely to achieve goals (whatever they might be) (see for example Brennan, 2016). Indeed, having in mind a number of recent developments in many mature democracies it is easy to instinctively sympathize with this position.

The basic argument for epistocracy starts from two assumptions: (1) Equal political rights are not basic or fundamental rights (see for example Arneson, 2003; Wall, 2007)². It is commonly accepted that basic rights enjoy special protection, i.e. they can be limited only by other basic rights (see for example Rawls, 1996). This means that basic liberties cannot be limited by appeal to better outcomes “even when those who benefit from the greater efficiency, or together share the greater sum of advantages, are the same persons whose liberties are limited or denied” (Rawls, 1996, p. 295). However, if assumption (1) is true, then equal political rights have no ‘special’ protection and can be defeated by other considerations. Any value equal political rights and democracy have is mainly in the fact that it tends to produce better outcomes than other political arrangements. And assumption (2) states that democracy does not have a privileged epistemic status (Brennan, 2016) i.e. there is nothing in the democratic procedure that makes it very likely to come up with correct answers to questions of politics. Epistocrats argue that, if we accept these assumptions, there is no reason to prefer democracy to other political systems which may produce even better outcomes. Additionally, equal

1 Their interpretation of evidence is not uncontroversial (see Christiano, 2017), but I will not pursue that issue in this paper.

2 A purely instrumental view of the value of democracy is not exclusive to proponents of epistocracy. Wall or Arneson, for example, do not argue in favour of epistocracy.

political rights may signal the moral equality of citizens and they may provide some social basis for self-respect, but both of these can be achieved through other means. This means that, independent of outcomes, political rights may have some value, but they are not to be considered basic rights and can be defeated by other considerations.

Having these assumptions in mind, an argument for epistocracy as a political system in which only those with relevant knowledge have political rights can be summarised (following Estlund, 2008) in the following way:

1. *The truth tenet*: there are correct, procedure-independent answers to at least some political questions.
2. *The knowledge tenet*: some (relatively few) people know those answers better than others or are more likely to determine those answers.
3. *The authority tenet*: The political knowledge of those who know better is a warrant for their having political authority over others.

Jason Brennan (2016) replaces the *authority tenet* with the *antiauthority tenet* (while he agrees with the first two) which states that because some citizens are ignorant, irrational or unreasonable, they should not be permitted to exercise authority over others.

For the purpose of the argument in this paper, I will accept the argument for epistocracy and the underlying premises that political rights have no special status as basic rights, and that democracy does not have a privileged epistemic position. I will, however, assume that they do have some value (not too strong and defeasible) and that all other things being roughly equal, we should prefer democracy to other political regimes.

Before I proceed, some terminological clarifications are in order. In this paper I will use “democracy” simply to indicate a political system in which all competent adult citizens have equal political rights, which is to say that every adult citizen has at least one and no one has more than one vote and a right to run for elected offices. “Epistocracy” will refer to a political system in which only some citizens have political rights. Belonging to this group of citizens (epistocrats) is dependent on having a sufficient level of relevant knowledge. Relevant actual knowledge in this case remains rather vague and under-defined, but at very least it includes some level (to be determined) of knowledge (in the weak sense, i.e. true belief) of some socioeconomic laws and relevant information (e.g. the legal and constitutional structure of the country, state of economy (domestic and international), and such possible challenges as security, climate, migration, etc.)

Brennan (2016, 2018) identifies six possible forms of epistocracy. These are: (1) *Values-only voting*, in which citizens choose the ends (or aims) of government and not the means. It is originally proposed by Thomas Christiano (1996), although he does not consider it to be epistocracy. (2) *Epistocratic veto*, in which citizens elect legislature, but an epistemic body can overturn decisions of legislature. In essence, it is similar to a system with a constitutional court in constitutional democracies. (3) *Plural voting*, in which all citizens have one vote, but some citizens have more than one (based on knowledge, profession or education). (4) *Restricted suffrage*, in which only some citizens (those who pass the knowledge test, for example) have the right to vote. (5) *Enfranchisement lottery*, in which randomly selected citizens acquire the right to vote, provided that they pass some competence building exercises before elections. And (6) *Government by simulated oracle*, in which the choices of an uninformed electorate are statistically corrected, and policies implemented are those which would be chosen by a demographically identical but fully informed electorate.

However, in this paper, I am going to concentrate only on restricted suffrage (although

my arguments also apply to plural voting³). This version of epistocracy assigns political rights based on relevant actual knowledge. It also corresponds to the typical use of the term ‘epistocracy’. (I would go as far as to suggest that other forms identified by Brennan, apart from plural voting, cannot be rightly called epistocracy, but that is not a claim I am able to defend here.)

As indicated in the previous paragraph, when discussing epistocracy, I will concentrate mainly on the question of relevant knowledge and, for the main part, ignore rationality and reasonableness. Even though these are logically separate attributes, we can assume, following Brennan, that people with better knowledge will still be more likely to identify the correct answers even if they are not being completely reasonable and rational. One reason for this focus on knowledge is that reasonableness and rationality (even though they are important qualities for a responsible voter) are even more difficult to test, and it would be completely voluntary and extremely difficult to decide what is the threshold for a citizen to become a member of epistocracy. I believe that this does not weaken my argument. On the contrary, if my objections concerning knowledge hold, they hold just as much and probably more with regard to reasonableness and rationality.

Additionally, I will concentrate on practical or policy knowledge, even though I believe that all objections I put forward apply to questions of justice as well and they apply even more forcefully, as moral disagreement is even deeper and more intractable than disagreement on policy.

2. The level of knowledge dilemma

If (in order to produce better outcomes of political process) we wish to assign political rights to some people and deny them to others based on the level of relevant knowledge, we need to determine (at least roughly) what the threshold level of knowledge is.

One option is to set the bar relatively low, say at the level of knowledge comparable to what one could gain by taking a single undergraduate course (Introduction to Economics, for example) and having the knowledge of widely available relevant information. This option presents supporters of epistocracy with the following problems.

First, this level of knowledge does not necessarily make one a competent voter. Issues confronting contemporary states are notoriously complicated and undergraduate-course level of knowledge can hardly make much of a difference. Success of any policy in the economic sphere, for example, depends on so many contingencies that even experts have trouble deciding what is the likely outcome. The US president Harry Truman reportedly asked for a one-handed economic adviser, one who could not say “on the other hand”.

Consider the following example: basic economics tells us that supply and demand depend on price - as price increases, demand will decrease while supply will increase. If there is a proposal to increase minimum wage, our Introduction-to-Economics epistocrat clearly knows that if we increase the minimum wage, unemployment will grow - there will be less demand for labour. So, she cannot support such a proposal in good conscience (we assume that she considers higher unemployment to be bad and she votes with the public good in mind). However, empirical research on this issue remains inconclusive and hotly contested, and a 2013 survey of prominent economists shows that experts are split down the middle on the issue (IGM Forum, 2013).

The problem illustrated by this example is not the problem of expert disagreement and how to navigate it as a non-expert (there exists voluminous literature on the topic (see for example

³ I believe that plural voting fails to satisfy the *authority tenet* (in both versions), as it gives some power to those who should not have it.

Goldman, 2001)), as any solutions available to epistocrats at this level of knowledge would be available to non-epistocrats as well. It is rather an illustration of the point that knowing some basic socioeconomic laws does not necessarily improve decision-making.

Additionally, such basic knowledge might even produce worse outcomes as it imbues people with a false sense of competence. Our Introduction-to-Economics epistocrat now has a state-issued confirmation that she has the relevant knowledge and may disregard any evidence or argument that contradicts her judgement based on the knowledge of Introduction to Economics.

Second, a more serious problem for epistocracy (on this lower level of knowledge) lies in the fact that relevant knowledge seems to strongly correlate with wealth and education (see Brennan 2016). So, if the required level of knowledge is relatively low, it seems that it would be possible to increase knowledge of all (or almost all) members of the polity through significantly more robust redistributive policies, better education at pre-university level, free university education, strong, competent and responsible public television, increasing standards of reporting in the private media, etc.

For example, research by Curran et al. (2009) which compares levels of public knowledge in the US, the UK, Denmark and Finland suggests that countries with strong public broadcasters, more regulation of private broadcasters, and less market driven media systems have significantly higher levels of public knowledge. Furthermore, countries that have the highest levels of public knowledge also show the least variation in knowledge between different socio-economic groups. Finally, we can observe (even though it is not part of the research) that countries with the best scores (Finland and Denmark) also have much less inequality than those with lower scores (the US and up to a level the UK).

Lowering inequality, a better media system, and better education as a solution for the problem of voter ignorance would be more desirable than epistocracy, as it would arguably create a more just society (irrespective of political system), and it would also preserve equal political rights (which are valuable, at least *pro tanto*).

It may be objected that this solution is not feasible, having in mind the actual political situation and people's preferences. That is very likely to be true but introducing epistocracy would most likely prove to be even less feasible, if not impossible.

The second option is to set the bar higher, so high that it cannot be achieved through better education and overall socioeconomic equality. It would require in-depth knowledge of relevant issues, let's say on a level roughly comparable to having at least a university degree in a given field. This option mostly avoids the previous objections but runs into a problem of its own. Namely, issues facing contemporary states are just as numerous as they are complex. It is completely unreasonable to expect that any number of people will have the sufficient knowledge in more than two or three policy areas. A person may be an expert in economics, have sufficient knowledge of political science, but it is not plausible to expect her to be at the required epistemic level when it comes to environment, healthcare, defence or agriculture. Thus, it seems that probably nobody has the required (high) level of knowledge to be a member of the epistocracy.

It is possible to try to deflect this objection by arguing that it is possible to create some form of multiple epistocracies, where people who have special knowledge on a particular issue form an epistocracy only when that issue is discussed (see Lippert-Rasmussen, 2012). However, this creates serious additional problems. Even if we could design such a system, we still do not have the answer on who would settle disagreements when different issues conflict. If security experts decide on security, they might want (and are likely to want) to adopt policies which privilege security over all other considerations, while privacy experts might decide on more privacy. These two are often mutually exclusive, but even where they are not, they would

still compete for resources. It is entirely unclear who would resolve the conflict between two epistocracies, having in mind that they are the ones who are most likely to know the best answer, therefore they have epistemic authority. Discussions on epistemic peers and peer disagreement do not help us resolve this issue as members of these multiple (sectoral or issue) epistocracies are not epistemic peers. Each is an expert in their own field (and epistemic peer to other members of that particular sectoral epistocracy), but a layperson in the other. Thus, it seems to me that the knowledge level of epistocracy either needs to be so low that it does not create substantially better decisions and the lack-of-knowledge issue can be resolved in other ways, or it needs to be so high that practically nobody qualifies to be a member of the epistocracy.

3. The epistemic problem

Let us assume that we have somehow resolved the issue of the level of knowledge and have settled on areas in which knowledge is necessary. Now a further problem arises: how are we to identify those who satisfy the requirements?

Brennan (2016) offers one possible solution. In his opinion, somewhat paradoxically, the criteria could be identified democratically. He argues that citizens by and large know what makes a good voter or a good politician, they just fail to live up to the standard. For example, I do not need to be a doctor to know the qualities I would want in one. So, in case of epistocrats, it is not too much to expect that citizens would agree that voters need to be knowledgeable, responsible, rational, reasonable, etc (as a matter of fact, these criteria might be quite similar to requirements for a good doctor, a good pilot or a good plumber).

This argument is good as far as it goes, but it does not go very far. While I certainly want my doctor to have relevant knowledge of medicine, to be reasonable, responsible etc., it does not mean that I, not being a doctor and lacking the relevant knowledge, can test it *ex ante*. In the same way, citizens at large cannot test the knowledge of those who should know more than they do.

Therefore, it seems that we would need someone, a person or a body (let us assume it is a body), to devise some sort of a test to measure relevant knowledge. Members of this body would (1) be fewer than members of the epistocratic class, and (2) would need to have at least somewhat greater relevant knowledge than the level required for political rights, to be able to competently create such a test. Let us call this body meta-epistocracy (as they are the ones who will have the power to decide what knowledge is necessary to become a member of the epistocracy, and membership of this body is, again, dependent on having relevant knowledge). However, a new problem arises. We need a way to identify members of the meta-epistocracy. This cannot be done democratically either. A logical solution seems to be some kind of knowledge test, but to devise such a test, we would need another body - a meta-meta-epistocracy. Members of this body would again (1) be fewer than members of the meta-epistocracy, and (2) would need to have at least somewhat greater relevant knowledge than the level required for membership in the meta-epistocracy to be able to competently create such a test.

Thus, it seems that the attempt to identify the members of the epistocracy ends up in an (almost) infinite regress, at least until we identify a person to create the first test. Of course, the question remains how would we identify such a person, as there is, by definition, nobody who knows more than that person.

One possible way to avoid this problem is to use some sort of proxy instead of a test for identifying putative epistocrats. The best possible candidate for this proxy seems to be education - for example, all citizens with university education, and only them, are to be granted political rights, while those without a degree would not have those rights. However, this method does not seem very reliable. It is highly likely that there are theoretical physicists

with a university degree, perfectly reasonable and rational who still do not know much (or anything) about political science, economics or any other field relevant for the realm of politics. On the other hand, it is equally likely that there are high-school graduates (or dropouts) who know quite a lot. Therefore, identifying epistocrats through education does not seem very accurate, as it would include a number of people who do not pass the epistemic threshold, while excluding a number of those who would, thus violating the *authority tenet* (its *antiauthority* version as well).

The previous section points us in the direction of the next question – why settle on epistocracy and not go all the way down to a philosopher king (or kings)?

Let us re-examine the argument for epistocracy:

The truth tenet: there are correct procedure-independent answers to at least some political questions.

The knowledge tenet: some (relatively few) people know those answers better than others or are more likely to determine those answers.

The authority tenet: the political knowledge of those who know better is a warrant for their having political authority over others.

Let us start with a polity P which is a democracy with universal suffrage. Following the above argument, we create a new polity P* which is smaller than polity P. Now we can examine P* and we will find that for P* *the knowledge tenet* holds, we will also see that *the authority tenet* holds as well, therefore we create a new polity P** which is again smaller than P*. The same process is repeated with P** and so on until we come to a polity P^x which consists of one person (or a handful of persons because it is possible that there will come a point when the knowledge tenet does not apply anymore, but if it does happen, it is certain that the number of persons will be miniscule). We can see how the argument for epistocracy inevitably leads to a philosopher king. Strictly speaking, the philosopher king could be seen as a version of epistocracy with a polity of one. However, it does feel substantively different, and it is much more open to charges of authoritarianism and despotism (a charge Estlund (2008) levels against epistocracy in general). Furthermore, I am not sure that any of the supporters of epistocracy would be willing to endorse the rule of a philosopher king (Brenan (2016) envisages an epistocratic polity numbering thousands or even millions).

One possible objection would be that there is epistemic value in the diversity of perspectives, however, a philosopher king would presumably be aware of this fact and would look for different perspectives, take them in consideration and then make the decision alone.

Another possible objection is raised by Lippert-Rasmussen (2012), who proposes a change to the *knowledge tenet* and suggests that there could be a group of people smaller than the polity (or demos) which is *collectively* more likely to come up with the correct answer to the issue at hand, even though that group of individuals does not include any of those individuals who know the answers best *individually*. While this is logically possible, it remains entirely unclear how members of such a group would be identified *ex ante*.

It could be objected that this particular formulation of the argument for epistocracy leads to philosopher kings. Brennan, as we have seen, offers a different formulation of the *authority tenet* – the *antiauthority tenet*. In this formulation it is not that knowledge provides a basis for authority over others, but the lack of knowledge precludes one from having such an authority. Brennan argues that people should not be subjected to incompetent governments and that we should replace an incompetent government with a competent one. As democracies (in his view) tend to produce incompetent decisions, they should be replaced with epistocracies which are likely to produce competent decisions (2016). The obvious question would be: why stop at any threshold of knowledge lower than that of a philosopher king?

4. Why not a philosopher king?

The key difficulty in discerning if the philosopher king objection applies to Brennan's variant of the argument lies in the vagueness of the use of the word "incompetent". Indeed, it would perhaps be possible to argue simply that if epistocracies produce competent decisions, they should not be replaced. However, I do not think that this interpretation is right or logically coherent. Competency seems to be a scalar property, not a binary one. Epistocracies, in Brennan's opinion, would likely produce *more* competent decisions than democracies. But then it is also true that democracies produce *more* competent decisions than absolute monarchies, yet the imperfection of democracies calls for their replacement by another system which will produce *more* competent results. Therefore, there is no reason not to replace epistocracy with a system which would produce even *more* competent decisions.

5. Demographic objection revisited

The demographic objection to epistocracy was originally proposed by David Estlund (2008) based on the fact that a putative epistocracy will be predominantly composed of members of the most advantaged socioeconomic groups in society. In the United States for example it would mean that the epistocratic polity would be significantly more wealthy, male and white than a democratic one. This, according to the demographic objection, makes epistocracy unjust (see also Brennan, 2018).

Brennan (2018) identifies two ways in which epistocracy might be unjust based on the demographic objection: (1) epistocracy is unjust because it is unfair (unfairness version); and (2) epistocracy is unjust because by giving political power to members of already advantaged groups, it is likely to disadvantage and harm those who are already disadvantaged (bad results version).

Brennan (2018) identifies several possible answers to the unfairness version of the demographic objection.

He argues that democracies are not fair either, and points out that small ideological or demographic groups have practically no chance of getting what they want unless they manage to form coalitions or unless the majority is sympathetic to them.

Secondly, he points out that in democracies not all people vote. The number of actual voters is smaller than the number of potential voters, and those who vote are more likely to belong to privileged demographics (i.e. white, rich and male). The same is true of elected officials. In his view this shows that democracies are not fair either. I would argue that this answer misses the point. Having a right and not using it is not the same as not having a right, even if we accept that political rights are not basic rights. If I decide not to get married, it is substantively different from not having the right to marry.

However, both of these replies miss what I take to be the main point of the fairness objection, which is not that unequal distribution of political rights is unfair in itself (if we accept epistocratic premises). It is unfair as it is a result of unjust background conditions.

Disenfranchised groups in actual contemporary societies would be disenfranchised because they lack the required knowledge, and they lack the required knowledge because they are poor, or because they are the 'wrong' gender or race (often all of those) i.e. because they are marginalised. Adopting the restricted suffrage version of epistocracy would mean that those who benefited and probably contributed (in one way or another) to existing injustices are rewarded by having more rights than those who suffered injustices.

It is not clear what weight unfairness should carry when compared with presumed better results of epistocracy, but it is certain that it has a weight and that it cannot be ignored.

When it comes to the bad outcomes version of the demographic objection, several possible answers are offered by Brennan (2018).

First, it is possible to argue that we do not have experience with epistocracy so far and that we are only able to speculate about its effectiveness. Brennan points out that at a certain point

in the past we did not have experience with democracy either, but it turned out to perform better than previous political regimes.

This answer is not entirely true. Throughout the 19th and early 20th century in England wealthier men in society had the right to vote (exact proportion and composition varied) yet it is hard to credibly claim that the lot of other demographic groups in society was better than under universal suffrage. Most rights and the improvement in the socioeconomic conditions of disenfranchised groups coincided with the introduction of equal political rights. It would, of course, be possible to claim that this system was not epistocracy. However, if epistocracy was introduced at that time, its members would have largely coincided with actual voters (the two sets would overlap). Even though the historical precedent is not exact (they very rarely are), it is indicative.

Second, Brennan argues that citizens may know what they want, but they do not know what policies will ensure that the desired outcome happens. In his example both Democrats and Republicans want high economic growth, but Democrats believe that higher taxes and more spending will achieve it, while Republicans believe in low taxes and low spending. Obviously, they cannot both be right. Restricting political rights to those who know would be more likely to produce the outcomes everyone wants. This may seem a valid argument against democracy, but it works just as well against epistocracy. It would be no less true if I said that while all economists want economic growth, some believe that it can be achieved through higher taxes and spending while others believe the opposite, and they cannot both be right (see also the earlier example of minimum wage and employment).

Finally, Brennan argues that people do not vote in their narrow self-interest but with the common good in mind. This is supported by a lot of empirical evidence. Based on this observation, he argues that the disenfranchised would not be harmed by living in an epistocratic political system. However, the problem is not whether those who vote vote for the common good, but how they form their conception of the common good. It is very likely that their conception of the common good will be heavily influenced by cognitive biases. How are they to know what the preferences of the disenfranchised are, or if a particular conception of the common good is working for others as well?

It could be argued that there would still be freedom of speech⁴, and the disenfranchised would have the opportunity to present their arguments. However, the question is why epistocrats should listen. This is not to imply that they are selfish or bad (for lack of a better word) it is just to say that now they definitely know that they are the ones who know. They may listen to other epistocrats, but what purpose is served by listening to the ignorant? Even if they do listen it is likely that the message will become distorted.

It is widely accepted that we all have cognitive biases, but it is almost certain that the official and legal designation of some individuals as knowers and others as ignorants (as that is what epistocracy does) would make those biases stronger. It would be likely to make epistocrats less open to opinions of non-epistocrats. When we consider that the great majority of epistocrats would belong to the same race and class (and up to a level gender), it is unlikely that anyone else's opinions would be given a fair hearing.

⁴ Interestingly enough, arguments similar to those presented for epistocracy and limited franchise could be put forward for limiting free speech. I cannot pursue the issue here in detail, but I would suggest that at least some forms of speech are purely instrumental in the same sense in which political rights are said to be. In this case speech would be limited not by its content, but by the level of knowledge of the speaker. So, for example only those who prove the appropriate level of knowledge in economics could write a newspaper comment or an article about economics. It stands to reason that the level of knowledge required for exercise of free speech would be even higher than the one required for voting.

Non-epistocrats are therefore likely to become victims of what Miranda Fricker (2007) calls “epistemic injustice”, more specifically victims of testimonial injustice. In Fricker’s words “testimonial injustice occurs when prejudice causes a hearer to give a deflated level of credibility to a speaker’s word” (2007, p. 1). Having in mind that testimonial injustices happen even when all citizens have at least nominally equal standing, officially designating some as ignorant will make such injustice much more likely and widespread. This additionally means that it is very likely that their interests would not be given the consideration they deserve.

6. Conclusion In this paper, I have shown that restricted suffrage epistocracy faces several serious, perhaps fatal problems. First, it faces the level of knowledge dilemma, where level of necessary knowledge is either so low that it is doubtful if it improves decisions (and can be achieved by more just socio-economic conditions) or it is so high that probably nobody can be an epistocrat. Second, it faces unsurmountable epistemic problems in identifying epistocrats. Third, it is logically unstable and unable to avoid sliding into a philosopher king rule. Finally, it is still vulnerable to the demographic objection. This paper is not intended to be a defence of democracy or of equal political rights, at least not a direct one. Nevertheless, I would suggest that the most promising way to solve, or at least minimise, the problem of an uninformed electorate lies in more equality (economic, social, gender and racial), better and more accessible education, public and publicly-spirited media, and not in abandoning democracy.

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