

The Place of Plural Voting in Mill’s Conception of Representative Government

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Abstract: While it may not be surprising that Mill’s proposal for a “plural voting” scheme that would award more votes to citizens with more education has few contemporary supporters, it is surprising that so many interpreters take him to regard plural voting as merely a temporary measure meant to ease the transition from restricted to universal suffrage. Contra Amy Gutmann, Maria Morales, Wendy Donner, David Brink, Wendy Sarvasy, Bruce Baum, and Jonathan Riley, I argue that Mill believes that plural voting should always accompany universal suffrage and thus that it should be in place indefinitely.

One of J. S. Mill’s most distinctive political proposals is a scheme that would allow some people to cast multiple ballots, with the number of ballots accorded to each individual increasing with her level of education. Mill may never have been more widely studied or more influential as a moral, social, and political theorist than he is today. Nevertheless, “plural voting” has found little favor even among his most ardent admirers. This is perhaps not surprising. What is surprising, however, is that many political theorists and philosophers conclude that Mill himself views plural voting only as a temporary expedient meant to ease the transition period while the franchise was being expanded to include the British working class. My aim in this essay is to dispel this common misreading and show that Mill believes that once a polity with a representative form of government is ready for plural voting, it ought to retain it permanently thereafter.

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I. Mill's Proposal for Plural Voting

Mill initially proposes plural voting in an 1859 essay titled "Thoughts on Parliamentary Reform." He touches on the idea briefly in another essay that same year, "Recent Writers on Reform," and then returns to it in 1861's *Considerations on Representative Government*. When the first of these works was published, it appeared that a new reform act, introduced by Benjamin Disraeli in a bid to outflank William Gladstone's liberals, was about to pass. This act would have empowered more British subjects to vote than had the Reform Bill of 1832—albeit not many more, and in particular not many more members of the working class.¹ The question of how best to extend the franchise was therefore very much of the moment. (Disraeli's bill was in the end defeated, resulting in the collapse of the Tory government.) In fact, the idea of giving additional or special votes to those with more education was already in the air. Oxbridge graduates were able to cast additional ballots for representatives of their universities, and a petition calling for the creation of special constituencies in which the voters would comprise university graduates, professionals, military officers, and clergymen was signed by many luminaries and presented to Lord Palmerston in 1857.²

Mill advocates a more radical expansion of the franchise than that called for by Disraeli's bill. He is convinced that "in the best possible system of representation, every person without exception should have a vote," although after announcing this conviction he does go on to qualify it by saying that "this does not imply that any one should have it unconditionally; only that the conditions should be such as all could fulfil."³ Mill calls for three groups in particular to be barred from voting: those who cannot meet a basic educational requirement comprising "reading, writing, and the simple rules of arithmetic," those who pay no taxes, and those on public assistance.⁴ To allow those who pay no taxes to vote is to allow them "to put their hands into other

¹Robert Saunders, *Democracy and the Vote in British Politics, 1848–1867: The Making of the Second Reform Act* (Farnham: Ashgate, 2011), 101–30.

²Lawrence Goldman, "Experts, Investigators, and the State in 1860: British Social Scientists through American Eyes," in *The State and Social Investigation in the United States and Britain*, ed. Michael J. Lacey and Mary O. Furner (New York: Woodrow Wilson Center Press, 1993), 119.

³J. S. Mill, "Thoughts on Parliamentary Reform," in *The Collected Works of John Stuart Mill*, ed. John M. Robson, 33 vols. (Toronto: University of Toronto Press, 1963–91), 19:327. This work will henceforth be abbreviated CW.

⁴"Thoughts on Parliamentary Reform," 326–28; J. S. Mill, *Representative Government*, in CW, 19:469–73. In "Thoughts on Parliamentary Reform" Mill proposes the educational qualification as a more realistic alternative to plural voting; in *Representative Government* his support for it seems to be independent of his support for plural voting. Mill does accept that by imposing these conditions on voting a society acquires an obligation to see to it that its members are able to satisfy them, and he expresses

people's pockets, for any purpose which they think fit to call a public one"; to allow someone on public relief to vote is likewise to allow him "the privilege of helping himself to the money of others."⁵ (Mill takes no position on "whether insane persons, or persons convicted of crime" should also be denied the vote.⁶) In what follows I will for brevity describe Mill as a proponent of universal suffrage, but given these qualifications this is of course not strictly true.

In *Representative Government*, Mill offers two criteria for judging whether a particular form of government is a good fit for a given society, namely "the degree in which it tends to increase the sum of good qualities in the governed, collectively and individually" and "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."⁷ With respect to these criteria, government is good insofar as it is "educative" and "effective."⁸

Not all polities are ready for representative government, in Mill's view. In his *Autobiography*, he relates that as part of the evolution of his own thinking away from that of his father and Bentham he came to regard representative government as "a question of time, place, and circumstance."⁹ Societies who still need "an Akbar or a Charlemagne" are no more ready for political than for individual liberty.¹⁰ But when a society has reached a level of development that suits it for representative government, Mill believes that putting a ballot in everyone's hands contributes to both government's efficacy and its educative potential. It promotes the effectiveness of government through helping to ensure that everyone's interests are properly considered. The interests of a class of people excluded from participation will frequently be "unjustly postponed" to those of citizens who are enfranchised,¹¹ and even when this does not happen they will typically be misunderstood.¹² Yet as important as this contribution to the efficacy of government is, ensuring that

every one of the governed should have a voice in the government... is still more important as one of the means of national education. ... The possession and the exercise of political, and among others of electoral, rights, is

confidence that at least so far as the first two conditions are concerned this obligation could be more or less completely satisfied relatively soon.

⁵*Representative Government*, 471–72.

⁶"Thoughts on Parliamentary Reform," 322n1.

⁷*Representative Government*, 390–91.

⁸I used these terms in Miller, *J. S. Mill: Moral, Social and Political Thought* (Cambridge: Polity, 2010), 171.

⁹J. S. Mill, *Autobiography*, in *CW*, 1:177.

¹⁰J. S. Mill, *On Liberty*, in *CW*, 18:224.

¹¹"Thoughts on Parliamentary Reform," 322.

¹²*Representative Government*, 405.

one of the chief instruments both of moral and of intellectual training for the popular mind.¹³

For these reasons Mill characterizes representative government as “the ideally best form of government,” that is, the best form of political organization for the most highly advanced polities.

Yet the conclusion that Mill draws from these arguments is not “one person, one vote” but instead “one person, *at least* one vote.” The former principle, Mill insists in “Thoughts on Parliamentary Reform,” treats people as what they are not, namely equal:

If it is asserted that all persons ought to be equal in every description of right recognised by society, I answer, not until all are equal in worth as human beings. It is the fact, that one person is *not* as good as another; and it is reversing all the rules of rational conduct, to attempt to raise a political fabric on a supposition which is at variance with fact.¹⁴

The literate are worth more, “for the purpose of human life,” than the illiterate. Those who know more about the world are worth more than those who know less. Those who are capable of critical and original thinking are worth more than those who can only regurgitate what they have learned by rote. And the virtuous are worth more than the vicious, although admittedly “it is not so easy to find an available test” for moral superiority.¹⁵ Mill reiterates this point in *Representative Government*, although he softens it a bit by comparing the worth not of persons but rather of their opinions:

If with equal virtue, one is superior to the other in knowledge and intelligence—or if with equal intelligence, one excels the other in virtue—the opinion, the judgment, of the higher moral or intellectual being, is worth more than that of the inferior: and if the institutions of the country virtually assert that they are of the same value, they assert a thing which is not.¹⁶

Mill therefore calls for a scheme of plural voting that would give multiple votes to those with more education. While he does not commit himself to a specific plan for putting this scheme into practice, in “Thoughts on Parliamentary Reform” he does mention some possible numbers:

If every ordinary unskilled labourer had one vote, a skilled labourer, whose occupation requires an exercised mind and a knowledge of some of the laws of external nature, ought to have two. A foreman, or superintendent of labour, whose occupation requires something more of general culture, and some moral as well as intellectual qualities, should perhaps

¹³“Thoughts on Parliamentary Reform,” 322–23. See also J. S. Mill, “Tocqueville on Democracy in America [II],” in *CW*, 17:168–69; *Representative Government*, 410–12, 469.

¹⁴“Thoughts on Parliamentary Reform,” 323.

¹⁵“Thoughts on Parliamentary Reform,” 323–24.

¹⁶*Representative Government*, 473.

have three. A farmer, manufacturer, or trader, who requires a still larger range of ideas and knowledge, and the power of guiding and attending to a great number of various operations at once, should have three or four. A member of any profession requiring a long, accurate, and systematic mental cultivation—a lawyer, a physician or surgeon, a clergyman of any denomination, a literary man, an artist, a public functionary (or, at all events, a member of every intellectual profession at the threshold of which there is a satisfactory examination test) ought to have five or six. A graduate of any university, or a person freely elected a member of any learned society, is entitled to at least as many.¹⁷

Mill is not closely wed to these particular numbers, and he does not repeat them in *Representative Government*. In this later work, though, he does set out a limiting principle governing how many extra votes it should be possible for people to receive.

The plurality of votes must on no account be carried so far, that those who are privileged by it, or the class (if any) to which they mainly belong, shall outweigh by means of it all the rest of the community.¹⁸

It is worth noting that Mill's statement of this principle is somewhat ambiguous. On one reading, it would restrict how many "extra" votes people can receive sharply enough that the total number of votes accorded to those with only one vote each would be greater than the total number accorded to all of those with two or more. But his reference to class might imply that he has a weaker restriction in mind, for instance, that the working class—including both skilled and unskilled workers—should if united be able to outvote the other classes.

In addition to declaring his willingness to accept occupation as a proxy for educational attainment, Mill also says that a well-designed plural voting scheme would both include a system of examinations by which someone with no formal educational credentials (like himself) could prove herself worthy of additional votes and award additional votes to those who complete a course of formal higher education that does not lead to a bachelor's degree.¹⁹ What he is *not* willing to accept as a basis for granting additional votes is wealth.²⁰ Mill repudiates Lord Robert Cecil's own plural-voting scheme, which calls for numbers of votes to be proportional to the amount of taxes paid, scoffing as he does so at Cecil's analogy between the polity and a "joint-stock company" or corporation:

¹⁷"Thoughts on Parliamentary Reform," 324–25.

¹⁸*Representative Government*, 476.

¹⁹"Thoughts on Parliamentary Reform," 325; see also *Representative Government*, 475.

²⁰"Thoughts on Parliamentary Reform," 325; see also *Representative Government*, 474–75.

As if the business of government, like that of a mercantile association, were concerned only with property! The directors of a company exist as such, solely to administer its capital, and have no power of causing to the subscribers either good or harm, except through the interest they possess in that. But the stake which an individual has in good government is... nothing less than his entire earthly welfare, in soul, body, and mind.²¹

Of course this powerful passage is in tension with Mill's own desire to disenfranchise those who pay no taxes or who receive public relief; their "entire earthly welfare" is also at stake.

II. The "Temporary Expedient" Reading

The claim that Mill proposes plural voting merely as a transitional measure meant to minimize the disruptions inherent in the enfranchisement of the working class seems to have attained the status of a scholarly consensus. On this reading, Mill consistently intends for plural voting to be eliminated once this can be safely done, e.g., once the institutions have been put in place to provide a decent education to members of the working class. A number of interpreters offer versions of this reading.

In some cases, the claim that Mill intends for plural voting to be in place only temporarily is made quite concisely. For example, Maria Morales asserts without argument that Mill "advanced the plural voting recommendation as a *temporary* measure, meant to carry the people through a necessary stage of improvement, never as a feature of a democratic polity."²² Amy Gutmann likewise says that "Mill foresees that this arrangement [equal voting] will be appropriate in the future when each person's potential as a progressive being is realized."²³ Wendy Donner appears to be advancing the temporary-expedient reading when she says that for Mill plural voting, in company with nonsecret voting (which he also advocates) and

other policies deemed to be countervailing forces to the perceived "mediocrity" and sinister interests of many potential voters... are particular strategies proposed for specific sets of social and historical circumstances.²⁴

²¹J. S. Mill, "Recent Writers on Reform," in *CW*, 19:354–55.

²²Maria Morales, *Perfect Equality: Mill on Well-Constituted Communities* (Lanham, MD: Rowman and Littlefield, 1996), 86.

²³Amy Gutmann, *Liberal Equality* (Cambridge: Cambridge University Press, 1980), 51.

²⁴Wendy Donner and Richard Fumerton, *Mill* (Malden, MA: Wiley-Blackwell, 2009), 104. Donner continues: "Not only are these circumstances impermanent, and constantly changing, but our knowledge is generally incomplete and imperfect, because of the complexity of the social circumstances. A degree of uncertainty is present. Dogmatism and over-confidence about policies proposed to promote goals are not

David Brink writes that Mill

thought that improved access to quality primary and secondary education and greater scope for civic participation would gradually improve normative competence in the working classes. ... Insofar as this is true, the qualification to Mill's commitment to political equality, represented by his scheme of weighted voting, is temporary and transitional.²⁵

Other commentators develop this reading at greater length. Wendy Sarvasy takes Mill's support for plural voting to rest on what she calls a "class balancing" model of democracy, according to which the proposal aims to produce a close balance in the legislative body between the representatives of laborers and those of employers, who will mostly pursue the perceived interests of their respective classes. This would then allow a small number of especially public-spirited "distinguished representatives," who might come from either class, to carry the day.²⁶ Presupposing as she does that this is Mill's sole rationale for plural voting, Sarvasy observes that "[w]idespread educational opportunities combined with a socialist classless society would make any kind of plural votes system entirely unwarranted."²⁷ As Sarvasy reads him, then, Mill only intends for plural voting to be employed until social reforms are adopted that result in a wider diffusion of education and an end of the employer/employee relationship. This might not happen quickly, of course, especially where the move toward socialism is concerned, and Sarvasy suggests neither that the "period of transition" between capitalism and socialism would be brief nor that Mill expects that it would. Yet she concludes that even as Mill is advocating plural voting in "Thoughts on Parliamentary Reform" and *Representative Government*, he is also looking forward to a day when circumstances will have changed in such a way that

reasonable stances to adopt." Note that it is not my intention to argue that Mill's commitment to plural voting was dogmatic, if that means that he would have insisted on its continued employment even if, after a trial was made, it was found not to operate in the manner that he expected. My claim is only that he did not expect a time to come at which it would be desirable to retire plural voting, e.g., his proposal is not an exercise in planned obsolescence.

²⁵David Brink, *Mill's Progressive Principles* (Oxford: Oxford University Press, 2013), 241; see also 284, where Brink adds that the inequalities involved in equal voting are "limited and entirely transitional in nature." In a footnote (241n 5), Brink comments generously on the brief discussion of plural voting in my own book on Mill but then adds that I underestimate "Mill's reasons for thinking that weighted voting is ideally a temporary and transitional measure." The failure of my previous treatment of the issue to persuade Brink influenced my decision to explore the topic more thoroughly.

²⁶Wendy Sarvasy, "J. S. Mill's Theory of Democracy for a Period of Transition Between Capitalism & Socialism," *Polity* 16, no. 4 (1984): 582.

²⁷*Ibid.*, 587.

the only grounds on which plural voting could be justified will obviously no longer be applicable.

Building on Sarvasy's analysis, Bruce Baum writes that Mill

assumes that the laboring classes will tend to act in a unitary way to pursue their "apparent" class interest. Therefore, he concludes that fully equal political rights (that is, one person one vote) would enable them to dominate government without an effective "rival power" due to their collective strength in numbers. With this scenario in mind, he supports plural voting as a temporary measure to maintain a balance of power between the two main classes.²⁸

Jonathan Riley represents an interesting case. On the one hand, in a recent essay titled "Mill's Neo-Athenian Model of Democracy" Riley emphasizes the strength of Mill's commitment to plural voting, arguing that Mill values plural voting as "a device that enhances the numbers of unusually competent representatives without giving an educated elite any power to impose legislation" and that he views it as a way of realizing some of the aspirations of Athenian democracy under modern conditions.²⁹ Riley further observes that while Mill "admits that plural voting becomes increasingly unnecessary as the people develop into an ideal 'society of equals' ... he never abandons his view that plural voting tied to education is 'best in principle.'"³⁰ In a footnote, Riley even criticizes interpreters, including Baum in particular, who "insist that Mill regarded plural voting as nothing but a temporary expedient on the way to an egalitarian democracy and that he abandoned it in principle after 1865."³¹

On the other hand, however, in the even more recent "An Extraordinary Maximizing Utilitarianism," Riley offers a quite technical reconstruction of Mill's utilitarianism

as a doctrine in which a purely ordinalist utilitarian—that is, democratic—social welfare functional (SWFL) such as Borda rule is restricted in its operation to a higher moral kind of preferences ultimately motivated by the higher pleasure of security that is inseparably associated with the moral sentiment of justice.³²

²⁸Bruce Baum, *Rereading Power and Freedom in J. S. Mill* (Toronto: University of Toronto Press, 2000), 243. Baum cites Sarvasy following the last sentence in this passage.

²⁹Jonathan Riley, "Mill's Neo-Athenian Model of Liberal Democracy," in *J. S. Mill's Political Thought: A Bicentennial Reassessment*, ed. Nadia Urbinati and Alex Zakaras (Cambridge: Cambridge University Press, 2007), 221–49; the passage quoted is at 230.

³⁰*Ibid.*, 247n19.

³¹*Ibid.*

³²Jonathan Riley, "An Extraordinary Maximizing Utilitarianism," in *Individual and Collective Choice and Social Welfare: Essays in Honor of Nick Baigent*, ed. C. Binder, G. Codognato, M. Teschl, and Y. Xu (Berlin: Springer-Verlag, 2015), 328.

To recapitulate all of the details of this complex reconstruction would carry me too far afield. However, one particular detail is especially pertinent in this context, namely the claim that Mill takes the point of voting to be the discovery of this social-welfare function.

Mill apparently has in mind a democratic voting process in which individual preferences defined over the sources of a given kind of gratification are given equal positive scores or votes and the votes are added up to select an outcome that has the greatest sum total of votes.³³

To be clear, Riley takes Mill to believe that arriving at such a social-welfare function is the real import of the familiar sorts of elections in representative systems that Mill discusses in works like *Considerations on Representative Government*. Note that as Riley reconstructs Mill's conception of democracy in this essay, citizens' receiving an equal number of votes is one of its essential elements.

How can these two readings be reconciled? In the newer essay, Riley calls individuals who are competent to judge qualitative distinctions between pleasures—and, in particular, can appreciate that the distinctive pleasure associated with "security" or "justice" is infinitely superior to any pleasure with which it can conflict—"moral agents." He then argues that according to Mill those polities in which not all voters are moral agents must utilize "an expedient scheme of checks and balances to promote deliberation and discourage abuse of power."³⁴ He refers the reader to "Mill's Neo-Athenian Model of Democracy" for an account of these "checks and balances," among which plural voting is presumably included. But this suggests that he too takes Mill to regard plural voting as a temporary expedient that will be justified only until the day when all voters qualify as moral agents. Or at least nearly all of them, since in another recent paper Riley says that "each individual should be given an equal vote" as soon as "virtually all adults" have attained this status.³⁵ Strictly speaking, then, on Riley's reading it seems not to be true in the end that Mill regards plural voting as "best in principle."

Riley might respond here by saying that his reconstruction of Mill's utilitarianism calls for voters to receive equal numbers of votes, not for them each to receive only one.³⁶ Plural voting would be consistent with this reconstruction so long as all voters who are moral agents (in Riley's sense) receive equal

³³Ibid., 315.

³⁴Ibid., 329.

³⁵Jonathan Riley, "The Interpretation of Maximizing Utilitarianism," *Social Philosophy and Policy* 26 (2009): 313. See also Riley, "Utilitarian Ethics and Democratic Government," *Ethics* 100 (1990): 345, where he says that Mill "can be interpreted to prescribe simple majority voting in an ideal liberal context where all citizens have achieved some given liberal standard of education."

³⁶In private correspondence Riley has indicated that this is indeed his view.

numbers of votes. In that case, when the day arrives when all voters are moral agents, all will enjoy an equal number of votes. This might not be entirely consistent with the statement that a polity is ready for equal voting as long as “virtually” everyone is a moral agent, since that implies that some voters who are not moral agents could be given as many votes as those who are, but this could be a slip of the pen. But if this is Riley’s view then, while strictly speaking it might exclude him from the “temporary expedient” camp, it faces several problems. One is that Mill never simply says, as he might well have done, that all citizens able to appreciate the pleasure of security or justice ought to receive the maximum number of votes on offer. Another is that it assumes that Mill believes that all citizens will someday merit an equal number of votes, because either (1) they will all be equally well educated or (2) they will all be sufficiently well educated to appreciate the higher quality pleasure of security or justice, and this will entitle them to equal votes even if some still have more education than others. Neither possibility enjoys textual support. While of course Mill believes that someday the overall standard of education in society could and should be much higher, I am aware of no evidence that he believes that someday everyone will or even should be *equally* educated. This degree of equality would seem to require more similarity between the life-plans that different adults would choose to pursue than the author of *On Liberty* would ever expect or hope to see. And as long as there are differences between individuals’ levels of education, Mill’s concern with competence seems to suggest that those with more education ought to get more votes than those with less—even if all have crossed the threshold necessary for meriting plural votes and all can fully appreciate the higher quality pleasures.

III. Mill’s Case for Plural Voting

Despite its having acquired this impressive group of adherents, the “temporary expedient” reading of Mill’s position on plural voting misses the mark. In order to understand why and how it does so, one must recognize that Mill’s support for plural voting does not rest on just one line of argument. There are at least three distinct considerations that Mill explicitly offers in support of plural voting, although he neither distinguishes them clearly himself nor spells them out quite as fully as he might have.

The first of these is that government will be more effective, or in other words that its decisions will better promote the public interest, if those with more education are given more political power. We can see Mill making this claim in the passages that I have already quoted in which he says that those who know more are worth more, at least so far as their opinions are concerned. Mill seems to consider the proposition that the better educated can more competently manage public affairs to be straightforward and uncontroversial:

There is no one who, in any matter which concerns himself, would not rather have his affairs managed by a person of greater knowledge and intelligence, than by one of less.³⁷

In particular, Mill takes seriously the possibility that if the ill-educated working class were to be enfranchised in the absence of plural voting, the representatives they chose would adopt economic measures whose long-term effects would impoverish the nation, e.g., a minimum wage or excessive taxes on the wealthy. In contrast with John Austin, Mill notes that he considers it "improbable" that this would occur, but he concedes to Austin that "*might*, in a case of this importance, is as conclusive as *would*."³⁸

Second, Mill also asserts that plural voting would make a valuable contribution to "national education." He accuses "equal voting" of "exercising a bad influence on the voter's mind" by declaring "ignorance to be entitled to as much political power as knowledge."

It is not a small mischief that the constitution of any country should sanction this creed; for the belief in it, whether express or tacit, is almost as detrimental to moral and intellectual excellence, as any effect which most forms of government can produce.³⁹

Plural voting, he maintains, produces an opposite, and hence beneficial, influence, by giving institutional expression to the value of education.

It is for this, among other reasons, I hold it of so much importance, that the institutions of the country should stamp the opinions of persons of a more educated class as entitled to greater weight than those of the less educated: and I should still contend for assigning plurality of votes to authenticated superiority of education, were it only to give the tone to public feeling, ir-respective of any direct political consequences.⁴⁰

While Mill believes that the social message about the value of education that is conveyed just by having plural voting in place will encourage people to attach more importance to their own education and that of their children, this is not the only route by which he sees plural voting as having educational value. Another is that when more educated people are elected this will raise the level of parliamentary debate, which would directly contribute to the education of the other representatives—"their own minds would be insensibly raised by the influence of the minds with which they were in contact, or even in conflict"—and could also be expected to indirectly contribute to the education of all who follow public affairs.⁴¹

³⁷"Thoughts on Parliamentary Reform," 324.

³⁸"Recent Writers on Reform," 350.

³⁹*Representative Government*, 478.

⁴⁰*Ibid.*, 508.

⁴¹On this see J. Joseph Miller, "J. S. Mill on Plural Voting, Competence, and Participation," *History of Political Thought* 24 (2003): 647–67.

It might seem clearer that plural voting would send a message about the value of “intellectual excellence” than it would about that of “moral excellence,” and indeed Mill never explains in detail how plural voting would contribute to citizens’ moral improvement. But we can see how his explanation would go by looking at what he says in this vein about a somewhat similar measure, namely the aforementioned educational qualification that would allow only those who can “copy a sentence of English” and “perform a common sum in the rule of three” to vote.⁴² Mill takes it to be morally imperative that political participation should be disinterested; he writes that “the voter is under an absolute moral obligation to consider the interest of the public, not his private advantage” or sinister interest.⁴³ One way that he makes this point is to say that voting is not a “right,” which would imply that each voter is free to cast her ballot on whatever grounds she might wish, but rather a “trust.”⁴⁴ Mill claims that allowing only those who can meet a minimum standard of literacy and numeracy to vote would “cause the electoral suffrage to be in time regarded... as a trust for the public good” through stamping “the exercise of the suffrage as a matter of judgment, not of inclination.”⁴⁵ He could obviously say the same of plural voting.

Third, Mill introduces an even more fundamental consideration than these issues of good policy, namely justice, which he affirms in *Utilitarianism* to be “a more sacred thing than policy.”⁴⁶ If plural voting is unjust, in other words, then its contributions to the effectiveness and educational power of government would not be sufficient to justify it. Mill understands justice in terms of conformity to general rules or principles, and while he insists that these principles are themselves “grounded on utility,” a particular policy might be contrary to these principles even though on balance it yields quite positive consequences.⁴⁷ In fact, however, Mill contends that it is equal and not plural voting that is unjust:

When all have votes, it will be both just in principle and necessary in fact, that some mode be adopted of giving greater weight to the suffrage of the more educated voter.⁴⁸

⁴²“Thoughts on Parliamentary Reform,” 327.

⁴³*Representative Government*, 490.

⁴⁴*Ibid.*, 488–89.

⁴⁵“Thoughts on Parliamentary Reform,” 328.

⁴⁶J. S. Mill, *Utilitarianism*, in *CW*, 10:255.

⁴⁷I discuss Mill’s conception of justice in *J. S. Mill*, 101–8.

⁴⁸“Thoughts on Parliamentary Reform,” 324. See also *Representative Government*, 474, where Mill asks whether it is “most conformable to the general fitness of things” for the “wiser man” to give way to the “more ignorant” or the reverse, in a matter that concerns them both, and then asks, “if it be deemed unjust that either should give way, which injustice is greatest?” One might take Mill to be allowing here that departing from equal voting is unjust, albeit less unjust than *not* departing from it. But given that he frames this sentence as a question and not an assertion, I

We have already seen the principle of justice that Mill seems to believe is at stake here, namely the principle that no person has a right to power over another. He adverts to this principle in the course of introducing the idea of plural voting,⁴⁹ and I take it that he reasons that only someone who mistakenly regarded voting as a matter of right, which would mean that each voter is free to vote on whatever grounds she might wish, could endorse equal voting. Understand voting properly, as an exercise of power over others and (therefore) as a trust which it is permissible to exercise only based on one's conception of the public interest, and the claim of those who are in a better position to judge which measures would advance this interest to more influence on decisions will be self-evident. So much so, indeed, that its introduction would not even lead those with single votes to experience what John Rawls has called the "strains of commitment":

To have no voice in what are partly his own concerns, is a thing which nobody willingly submits to; but when what is partly his concern is also partly another's, and he feels the other to understand the subject better than himself, that the other's opinion should be counted for more than his own, accords with his expectations. ... It is only necessary that this superior influence should be assigned on grounds which he can comprehend, and of which he is able to perceive the justice.⁵⁰

These three arguments constitute what we might regard as Mill's "official" case for plural voting. In addition, I take him to have a further, fourth line of reasoning in mind that he does not make entirely explicit. This is the sort of "class-balancing" argument attributed to Mill by Sarvasy, about which I will now say a bit more.

Mill is confident that the advanced societies of his day include a body of individuals wiser enough than their compatriots that politically they will act on "more comprehensive and distant views."⁵¹ He is also confident that they contain a body whose moral characters are sufficiently advanced that they can largely transcend personal and class selfishness, acting instead "on higher motives." Most remarkable of all is his confidence that these two

do not take him to be committing himself to the claim that departing from equal voting is any injustice at all; rather, he is simply noting that even if this is true, as some of his readers might believe, retaining it would still constitute a greater injustice. And in any case, this passage still supports my claim that Mill believes that plural voting is a requirement of justice, all things considered.

⁴⁹ "Thoughts on Parliamentary Reform," 324

⁵⁰ *Representative Government*, 474; see also 476.

⁵¹ *Representative Government*, 447.

bodies overlap to a very significant degree—that there are, as Willmoore Kendall and George Carey have written, not “two Fewes but just one.”⁵²

Given that Mill believes that such morally and intellectually superior individuals exist, it is clear that he will want them to occupy a position in which they wield considerable political influence. A passage in *Representative Government* that appears two chapters prior to Mill’s discussion of plural voting suggests one way of accomplishing this. Here he is discussing the desirability of maintaining a numerical balance in the legislature between representatives of the working and higher classes:

If the representative system could be made ideally perfect, and if it were possible to maintain it in that state, its organization must be such, that these two classes, manual labourers and their affinities on one side, employers of labour and their affinities on the other, should be, in the arrangement of the representative system, equally balanced... since, assuming that the majority of each class, in any difference between them, would be mainly governed by their class interests, there would be a minority of each in whom that consideration would be subordinate to reason, justice, and the good of the whole; and this minority of either, joining with the whole of the other, would turn the scale against any demands of their own majority which were not such as ought to prevail.⁵³

The more closely the major parties are balanced in a representative body, the greater the power of a small “swing party” to influence policy. The combination of universal suffrage and equal voting would result in a highly unbalanced legislature, in which the representatives of the working class would greatly outnumber those of the other classes. A system of plural voting that increased the representation of the higher classes, though, could yield a more closely balanced representative body, as long as this system was designed in such a way that it is mainly members of these classes who would receive the additional votes. And of course this would be the result of the scheme of plural voting that Mill favors, even though it does not allocate plural votes directly on the basis of property. Employers will tend to be better educated than workers, and recall that Mill is willing to assume that “manufacturers,” “traders,” and so on are worthy of additional ballots simply in virtue of their occupations. So even though Mill never connects the dots for his readers by explicitly offering increasing the political influence of the disinterested elite as a reason why plural voting should be adopted, that it would do so is a clear implication of points that he does make. Note that Mill allows here that even though the working class will tend to have

⁵²Willmoore Kendall and George W. Carey, “The ‘Roster Device’: J. S. Mill and Contemporary Elitism,” *Western Political Quarterly* 21, no. 1 (1968): 34. For more discussion of this strand of Mill’s thought see my *J. S. Mill*, 176–80.

⁵³*Representative Government*, 447.

markedly less education than the higher classes, some of its representatives may still belong to the far-seeing and disinterested elite.

IV. Against the Temporary-Expedient Reading

Had Mill restricted his case for plural voting to arguments that are meant to show that plural voting would result in better political outcomes given people as they are, then the consensus reading according to which he intends plural voting as no more than a temporary transitional expedient might be defensible. We know from *Utilitarianism* that Mill believes that justice requires us to treat people equally when no good end is promoted by inequality.⁵⁴ And I agree that Mill believes that when even the members of the working class receive a decent education, whether plural voting is employed or not will make increasingly little difference to political decision-making. More workers would themselves qualify for at least one extra vote, and more importantly, few workers would be tempted to support state interventions in the economy that would serve their short-term interests but harm everyone in the long run. Also, as Sarvasy rightly observes, Mill expects that as the working class becomes better educated its members will become less willing to work for mere wages and the economy will spontaneously gravitate toward arrangements involving profit-sharing and, eventually, worker ownership. This will ameliorate the political polarization between workers and capitalists. So there is good reason to believe that Mill anticipates that both the “greater competence” and “class balancing” arguments for plural voting will eventually lose much of their force—although not necessarily all, since as long as some are more educated than others the greater-competence argument will still have some teeth. These two arguments aim to show that plural voting will lead to better outcomes given people as they are. But this leaves two other considerations that Mill takes to count in favor of plural voting still on the table, namely that it contributes to and encourages the education of citizens, in the broad sense of “education” well captured by the German *Bildung*, and that it is a requirement of justice.

Consider first Mill's claim that plural voting contributes to “national education.” One may question whether it would continue to make meaningful contributions in a more evolved and classless society in which all citizens were educated to a broadly similar level. But a polity cannot simply stop worrying about providing education at some point. First, obviously, there is a constant stream of new future citizens undergoing schooling. Second, Mill regards acquiring a civic education as a lifelong process; note, for instance, the educational role that he takes service on juries to play.⁵⁵ From Mill's perspective, the suggestion that the educational contributions made by plural voting

⁵⁴*Utilitarianism*, 243–44.

⁵⁵See, e.g., *Representative Government*, 411.

would no longer be needed once a polity had managed to provide all of its citizens with a roughly equal education would be akin to saying that once a polity reached this stage in its development it might as well close its schools. It ignores the role that he takes plural voting to play not just in achieving this state but also in maintaining it. Giving citizens with more education more votes would send a powerful message about the value of education, and this would both encourage citizens to continue to value learning after they have passed the age of compulsory schooling and encourage them to instill the same value in their children.

The national institutions should place all things that they are concerned with, before the mind of the citizen in the light in which it is for his good that he should regard them: and as it is for his good that he should think that every one is entitled to some influence, but the better and wiser to more than others, it is important that this conviction should be professed by the State, and embodied in the national institutions.⁵⁶

Equal voting sends a different message: "It is not useful, but hurtful, that the constitution of the country should declare ignorance to be entitled to as much political power as knowledge."

Recall that in *Representative Government* Mill insists that he would "still contend for assigning plurality of votes to authenticated superiority of education" in order to improve the "tone" of "public feeling," even if plural voting were to have no "direct political consequences." So it is abundantly clear that when he is writing *Representative Government* he believes that plural voting will still make an invaluable contribution to good governance even after society has sufficiently evolved that it will not make a major difference to political outcomes. Moreover, I have suggested, it is probable that he also believes that plural voting will also reinforce the message that voters should be guided by their conceptions of the public good rather than their personal interests. And since producing an educated citizenry is an ongoing process, one that needs to be repeated for each new generation, we should expect that Mill would expect that the contribution that plural voting makes to this process would retain its value indefinitely.

Of course, if at some point retaining plural voting would be unjust, then its being good policy would not be sufficient to justify it. And I have allowed that Mill seems to think that there is a principle of justice that requires people to be treated equally. However, I have also said that this principle only imposes *pro tanto* obligations. Mill says that in the common estimation the requirement of equal treatment holds "except where... expediency requires inequality," and he does not disagree.⁵⁷ He takes this to illustrate a larger point about how our views about what justice requires depend to a large extent on our views about

⁵⁶*Representative Government*, 478.

⁵⁷*Utilitarianism*, 243.

consequences. And rather than conclude that this shows that our views about justice are hopelessly confused, Mill instead says that it is in fact the case that there are a "plurality" of principles of justice, each of which is valid and binding on us, but that when these principles conflict, as they often will, "from these confusions there is no other mode of extrication than the utilitarian."⁵⁸ In other words, we must appeal to "social utility" to decide which of two conflicting principles of justice ought to take precedence in a particular area, and so Mill only seeks to elucidate a way of thinking about justice that is already implicit in common sense morality. In the case of plural voting, this means deciding whether pride of place should be given to the principle that people should be treated equally or the principle that no person has a right to power over another. In this instance Mill clearly believes that the latter has priority.

Admittedly, it would be open to Mill to relativize this conclusion about the requirements of justice to societies like his own, in which there are great disparities in citizens' levels of education and deep divisions between classes. He might think that in some much more highly evolved future society the calculation will come out differently and the requirements of justice will shift. Certainly his theory of justice does allow for shifts such as this; the requirements of justice articulated by the liberty or harm principle, notably, are binding only in more highly developed societies.⁵⁹ However, there is no evidence that he anticipates such a shift here. On the contrary, I will soon quote a lengthy passage in which Mill says precisely that equal voting would remain "in principle wrong" even as society evolves. This is just what we should expect, because the social utility that he locates in plural voting's promotion of citizens' *Bildung* would for Mill count against any evolution in the dictates of justice. There is a kind of bootstrapping at work here. Even if it is only because of plural voting's ongoing contribution to civic education that justice would continue to require its use indefinitely, from Mill's perspective the fact that justice *would* continue to require it significantly strengthens the case for its retention. Requirements of justice cannot simply be balanced against other sorts of considerations but—being of "more paramount obligation"—instead always (or at least nearly always) trump them.⁶⁰

My contention, then, is that Mill has more than one arrow in his quiver when arguing for plural voting. While some of the considerations that he adduces in favor of it will no longer count for anything when a democratic society attains a certain level of development—a level that he hopes and expects that at least all Western societies eventually will attain—others will retain their significance. And Mill unambiguously says that one of these,

⁵⁸Ibid., 245.

⁵⁹*On Liberty*, 224.

⁶⁰See *Utilitarianism*, 259.

the educational contribution made by having plural voting “on the books,” would by itself be sufficient to justify its retention.

This contention should be distinguished from another that I am not advancing and that indeed is demonstrably false. I am not contending that Mill’s commitment to plural voting remains unchanged over the course of his life, or rather over the remainder of his life after he first proposes it. Two important changes can be detected in his thinking. The first occurs in the brief period between the publication of “Thoughts on Parliamentary Reform” and that of *Representative Government*. It was prompted by his discovery of Thomas Hare’s single-transferable vote system of proportional representation. Mill believes that this system would allow the members of the small and geographically scattered elite to ensure that at least a few of their number are elected. And he believes that they could make such effective use of the “bully pulpit” that this would provide them that the franchise could safely be extended to the working class even on the principle of one person, one vote. He even goes so far as to say that the combination of equal suffrage and the Hare Plan would yield “the only true type of democracy.”⁶¹ Thus while Mill makes the adoption of plural voting a necessary condition of universal suffrage in “Thoughts on Parliamentary Reform,” in *Representative Government* he says that he “should not despair of the operation even of equal and universal suffrage, if made real by the proportional representation of all minorities, on Mr. Hare’s principle.”⁶²

But immediately after announcing his change of views, Mill continues:

But if the best hopes which can be formed on this subject were certainties, I should still contend for the principle of plural voting. I do not propose the plurality as a thing in itself undesirable, which, like the exclusion of part of the community from the suffrage, may be temporarily tolerated while necessary to prevent greater evils. 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; less objectionable than inequality of privilege grounded on irrelevant or adventitious circumstances, but in principle wrong, because recognising a wrong standard, and exercising a bad influence on the voter’s mind.

There is no sign of any ambivalence or wobbling here. While Mill no longer makes plural voting the *sine qua non* of universal suffrage in *Representative Government*, his commitment to it remains unshaken. Notice in particular that Mill here makes precisely the argument that I attributed to him earlier about the continuing educational contribution of plural voting; even as society evolves, and plural voting makes less practical difference to political

⁶¹*Representative Government*, 467.

⁶²*Ibid.*, 477–78. See also Mill’s letter of 28 April 1865 to George Jacob Holyoake, in which he says that “for the present” he attaches more importance to “Mr. Hare’s Plan” than to “plural voting” (*CW*, 16:1039).

outcomes, reverting to equal voting would exert "a bad influence on the voter's mind." However skeptical *we* might be about whether the signal about the value of education sent by plural voting would encourage citizens to become more educated (and to see to it that their children are educated), *Mill* clearly believes that it will do so and will continue to do so even when the average level of education in society is comparatively high.

Matters stand differently in his posthumously published *Autobiography*, where Mill says regretfully that his scheme "has found favour with nobody" and admits that

if it ever overcomes the strong feeling which exists against it, this will only be after the establishment of a systematic National Education by which the various grades of politically valuable acquirement may be accurately defined and authenticated. Without this it will always remain liable to strong, possibly conclusive, objections; and with this, it would perhaps not be needed.⁶³

By the time that he writes this passage, which would have been in late 1869 or early 1870,⁶⁴ Mill has apparently grown ambivalent about plural voting. The statement that plural voting "would perhaps not be needed" with a proper system of national education in place might be read as offering some support to the reading according to which he only intends plural voting as a temporary measure, but this would be a mistake. After all, he also says that plural voting would not be justified until such a system is in place. So his point is not that plural voting might be justified for a time and then lose its justification, but rather that it might never be justified. Yet the fact that he eventually seems ready to give up on the entire idea does not gainsay my contention that during the period in which he advocates plural voting, he advocates it as a permanent and not merely a temporary part of the constitution of democratic polities with universal suffrage.⁶⁵

⁶³*Autobiography*, 261–62. Compare Mill's statement in *Representative Government* that he would not even require institutions of universal education to be in place before imposing an educational requirement for voting: "When society has not performed its duty, by rendering this amount of instruction accessible to all, there is some hardship in the case, but it is a hardship that ought to be borne" (*Representative Government*, 263).

⁶⁴John M. Robson and Jack Stillingier, introduction, in *CW*, 1:xix–xx.

⁶⁵Wendy Donner takes this passage to show that Mill was never firmly committed to plural voting (*Mill*, 101). In fairness to Donner, this may be partly due to a sentence that I did not quote, in which Mill relates that he had never discussed plural voting with Harriet Taylor Mill and does not know what she would have said about it. Still, given Mill's unequivocal pronouncements in favor of plural voting in "Thoughts on Parliamentary Reform" and *Representative Government*, it is much more likely that he was initially quite convinced that the proposal should be adopted, with what Donner calls his "uncertainty and wavering in the extreme" only beginning several years later.

Given the apparently clear and explicit textual evidence for this contention, one might expect that those commentators according to whom Mill intends plural voting only as a transitional device can adduce passages that offer equally clear and explicit textual support for their reading. On the contrary, however, out of all of the authors whose work I described above, only Baum claims to have found a passage in which Mill directly expresses this view. The passage comes in a speech that Mill gave in Parliament in 1866, in a debate over another proposed but unsuccessful Reform Bill. After a Conservative MP alludes disparagingly to Mill's plural-voting proposal in the course of the debate, Mill replies:

The proposals I made had reference to universal suffrage, of which I am a strenuous advocate. It appeared to me that certain things were necessary in order to prevent universal suffrage from degenerating into the mere ascendancy of a particular class. Is there any danger that the working class will acquire a numerical ascendancy by the reduction of the franchise qualification to £7? It is ridiculous to suppose such a thing. ... The effect of the present Bill will not be to create the ascendancy of a class, but to weaken and mitigate the ascendancy of a class; and there is no need for the particular checks which I suggested. I must, however, except one of them, which is equally desirable in any representative constitution—the representation of minorities.⁶⁶

By “the representation of minorities,” Mill means proportional or “personal” representation. Baum highlights the fact that Mill says here that proportional representation may be justified in circumstances in which plural voting is not, inferring from this that Mill “supports plural voting as a conditional and temporary expedient, but he regards personal representation as a ‘strictly democratic’ mechanism for both present and future circumstances.”⁶⁷ Yet Baum has the wrong end of the stick. Mill does say here that proportional representation

⁶⁶J. S. Mill, “Representation of the People [5],” in *CW*, 28:84–85. Tristram McPherson has presented me with a difficult question in connection with this passage, namely why it is that Mill would not in principle favor plural voting even while the franchise is restricted. Even if there were relatively few voters, and they were relatively wealthy, would not his competence-, education-, and justice-based arguments still support the adoption of plural voting? One possible explanation is that all of these arguments are window-dressing and that the class-balancing argument really is (as Sarvasy assumes) Mill's sole true rationale for plural voting. Another is that Mill simply did not think through the implications of his own arguments. A third possibility, though, is more charitable to Mill. This is that he takes the sort of plural voting that already exists at this stage in British political history, whereby graduates of certain universities receive additional votes of a sort, to be roughly adequate, with at most its being necessary to expand the number of universities whose graduates enjoy special representation. In a letter of 1857 (to an unidentified recipient), Mill does say that he “*should be glad*” to see graduates of the University of London gain representation (*CW*, 15:544).

⁶⁷Baum, *Rereading Power and Freedom in J. S. Mill*, 244.

is justified in some circumstances when plural voting is not, but that is because proportional representation would be justified immediately whereas plural voting would only be called for when the franchise has been extended much further than the bill under consideration would have extended it. Mill is attaching a later "start date" to plural voting than to proportional representation, not an earlier "end date."⁶⁸

The other commentators whom I mentioned earlier offer at most indirect evidence for their readings. For instance, Sarvasy infers that Mill intends plural voting to be in place only temporarily from the fact that the only arguments he gives for it that she considers will clearly lose their force at some point in the future, assuming that the future unfolds as he expects. However, she fails to take into account all of his arguments for plural voting, including most crucially the arguments that concern its justice and its educational value. (Strikingly, she ignores the arguments for plural voting that Mill explicitly makes and takes his support for it to rest entirely on a consideration that he leaves implicit.) Riley's evidence for the claim that Mill believes that equal voting should be adopted when "virtually" all citizens are competent judges of pleasures is even more indirect, and while I am unconvinced I am unfortunately unable to discuss his reading or my reasons for disagreeing with it in a satisfactory way here. A brief mention of a few points of dissent will have to suffice. First, the motivation for Riley's reading is the view that Mill believes that pleasures of a given quality are always infinitely or indefinitely more valuable than those of a comparatively lower quality, and in particular that there is a distinct pleasure of security or justice that is of higher quality than any other pleasure with which it might conflict. This explains why he believes that Mill would assign an equal number of votes to everyone who has learned to appreciate this particular pleasure. I have argued against the "infinitely greater value" reading of Mill's higher pleasures doctrine previously.⁶⁹ Moreover, Riley's assertion that Mill takes security to involve some distinctive pleasure must contend with the fact that when Mill explains why security is so important to our well-being he claims that it is a precondition for the enjoyment of pleasure of any variety, "since nothing but the gratification of the instant could be of any worth to us, if we could be deprived of anything the next instant by whoever was momentarily stronger than ourselves," rather than that it serves as a positive source of pleasure in its own right.⁷⁰ Finally, I have not yet been persuaded by Riley that Mill is an ordinalist who denies that the amounts of happiness experienced by different people can be summed.

⁶⁸Mill happens to describe this speech in his *Autobiography* in a way that even more clearly establishes that this was his point (CW, 1:288–89). See also Riley, "Mill's Neo-Athenian Model of Democracy," 247n19.

⁶⁹Miller, *J. S. Mill*, 57–59.

⁷⁰*Utilitarianism*, 251.

Riley has done important work on the relation between democracy and “ordinalist-utilitarianism,” but he may be assimilating Mill’s views too closely to his own.⁷¹

V. Conclusion

I have argued that Mill believes that any polity which enfranchises all (or even nearly all) of its adult citizens ought to award extra votes to those with more education. Rather than proposing plural voting as a temporary transitional device, he intends for it to be a permanent element in representative constitutions. It is hard to imagine how Mill could have been any clearer than he is when he says that he does not “propose the plurality as a thing in itself undesirable... [which] may be temporarily tolerated while necessary to prevent greater evils.” I realize that in arguing at such length that Mill means what he says I have left myself open to the charge of making heavy weather of a banal and obvious truth. Yet, as I have shown, a number of interpreters, including Mill scholars of the first rank, have gone astray on this point.

It is at least easy to understand what motivates those commentators who claim that Mill intends plural voting as nothing more than a transitional expedient. Mill’s case for plural voting has won scant support over the last 150 years.⁷² As I remarked in my introduction, this is hardly surprising.

On the one hand, Mill’s positive case for plural voting rests in no small part on controversial empirical claims for which he offers little evidence, e.g., that better-educated voters will be more likely to vote in ways that advance the public good or that plural voting would make a major contribution to civic education.⁷³ And on the other hand, Mill’s proposal has been subjected to

⁷¹Riley, “Utilitarian Ethics and Democratic Government.”

⁷²But see Robin Harwood, “More Votes for Ph.D.’s,” *Journal of Social Philosophy* 29, no. 3 (1998): 129–41; Robert Fudge and Carol Quinn, “On Harwood’s Plural Voting System,” *Journal of Social Philosophy* 32, no. 4 (2001): 500–505; Joseph Farkas, “One Man, ¼ Vote,” *New York Times*, March 29, 1974, 35.

⁷³In fairness to Mill, it is worth remarking that some of these claims do have prominent contemporary supporters. This is true in particular of the proposition that education—including especially training in the humanities and other liberal arts—transforms students not only cognitively but also affectively and cognitively in ways that make them both more intelligent and more public-spirited citizens. Martha Nussbaum develops precisely this argument for giving the humanities a central place in a university curriculum in *Not for Profit: Why Democracy Needs the Humanities* (Princeton: Princeton University Press, 2010). Nussbaum lists a variety of skills that are necessary for democratic citizenship and that exposure to the humanities can help to cultivate; these range from “the ability to think well about political issues affecting the nation, to examine, reflect, argue, and debate, deferring to neither tradition nor authority,” to “the ability to think about the good of the nation as a whole, not just that of one’s own local group,” to “the ability to see one’s own nation, in turn, as a

various objections by contemporary political theorists and philosophers. For example, Gutmann, Brink, and Charles Beitz argue that citizens who are unequal in their ability to reach political judgments are still equal in some more fundamental sense and that equal voting is justified as a way of affirming this equality.⁷⁴ David Estlund, Robert Sugden, and Gerald Gaus all contend that plural voting cannot satisfy a "public reasons" criterion that we ought to impose on political institutions and practices.⁷⁵ And Richard Arneson reminds us that when the resentment of voters who think that they deserve more votes than they have is taken into account, there may in the end be no way of institutionalizing plural voting, whose benefits outweigh its costs from Mill's own utilitarian perspective.⁷⁶

It is not part of my brief here to assess the arguments for and against Mill's proposal. Between the lacunas in Mill's own positive case and the powerful array of objections that I have surveyed, however, it is going to be the rare contemporary reader who can muster any enthusiasm for it. It is to be expected, then, that interpreters with a commendable interest in reading Mill charitably would look for ways to push his plural voting proposal to the periphery of his conception of representative government. Holding that Mill intends plural voting as no more than a temporary measure is certainly one way of marginalizing it. And Donner, for instance, is forthright about how considerations of charity, informed by contemporary understandings of liberal or democratic equality, guide her interpretative choices where plural voting is concerned:

part of a complicated world order in which issues of many kinds require intelligent transnational deliberation for their resolution" (25–26). Indeed, given that Nussbaum's argument is not considered especially controversial, at least in the United States, it is perhaps surprising that Mill's proposal for plural voting has not occasioned more discussion pro and con.

⁷⁴Gutmann, *Liberal Equality*, 187–88; Brink, *Mill's Progressive Principles*, 245–49; Beitz, *Political Equality* (Princeton: Princeton University Press, 1989), 32–40.

⁷⁵David Estlund, "Why Not Epistocracy?," in *Desire, Identity, and Existence: Essays in Honor of T. M. Penner*, ed. Naomi Roshtko (Edmonton: Academic, 2003), 53–68, and *Democratic Authority* (Princeton: Princeton University Press, 2008), 209–22; Robert Sugden, "Justified to Whom?," in *The Idea of Democracy*, ed. David Copp, Jean Hampton, and John E. Roemer (Cambridge: Cambridge University Press, 1993), 149–54; Gerald Gaus, *Justificatory Liberalism: An Essay on Epistemology and Political Theory* (New York: Oxford University Press, 1996), 247–53.

⁷⁶Richard Arneson, "Democratic Rights at National and Workplace Levels," in *The Idea of Democracy*, 133–38. For additional criticism of Mill's proposal see Fed Berger, *Happiness, Justice, Freedom: The Moral and Political Philosophy of John Stuart Mill* (Berkeley: University of California Press, 1984), 192–94; Dennis Thompson, *John Stuart Mill and Representative Government* (Princeton: Princeton University Press, 1976), 100–101; and Nadia Urbinati, *Mill on Democracy: From the Athenian Polis to Representative Government* (Chicago: University of Chicago Press, 2002), 98–99.

I do not give much weight to policies and agendas that are of the nineteenth century and that are not commonly defended by twenty-first-century liberals. Plural voting schemes which give more votes to some members of society who are supposedly highly educated are a prominent example of this, since no reasonable liberal theorist of the twenty-first century would promote this as a serious policy proposal.⁷⁷

But our interpretative choices are constrained by what Mill actually says. Those interpreters who advance the reading that I have critiqued here push the principle of charity too far. Mill might have shown himself to be a more astute political thinker if he had only intended plural voting to be in place for a limited period of time—or, for that matter, if he had held that voting should always be equal. But he did not. During what many count as the most important period of his philosophical career, Mill was wholly committed to a view that is anathema to most contemporary students of his work. That so many commentators are willing to contort themselves to avoid acknowledging this speaks to the devotion that Mill often inspires in those who spend enough time with him. But even Mill's most sympathetic readers, of whom I count myself one, must be willing to admit that he simply got some things wrong.⁷⁸

I will close with a comment on what the foregoing tells us about Mill as a democrat. I briefly alluded previously to a passage that I now want to quote at greater length. It appears in *Representative Government* after Mill has discussed the Hare Plan but just prior to his turning his attention to plural voting.

Such a representative democracy has now been sketched, representative of all, and not solely of the majority. ... This democracy, *which is alone equal, alone impartial, alone the government of all by all, the only true type of democracy*—would be free from the greatest evils of the falsely-called democracies which now prevail, and from which the current idea of democracy is exclusively derived.⁷⁹

This echoes a sentiment that he had expressed in the previous chapter:

*The pure idea of democracy, according to its definition, is the government of the whole people by the whole people, equally represented.*⁸⁰

Given Mill's commitment to plural voting, these passages suggest that it is no accident that he titled his book *Considerations on Representative Government* rather than *Considerations on Representative Democracy*. I would not go so far as to call it a mistake to label Mill a democrat; comparatively speaking, his

⁷⁷Donner, *Mill*, 101.

⁷⁸My own reservations about plural voting stem largely from a combination of, first, doubts about whether it would in practice yield the benefits that Mill claims and, second, worries akin to Arneson's about what other consequences it might have.

⁷⁹*Representative Government*, 467. Emphasis added.

⁸⁰*Ibid.*, 448. Emphasis added.

views are clearly more democratic than those of many figures with whom he might be contrasted. Nevertheless, he is no purist about democracy, for after telling us that the only form of representative government which strictly speaking qualifies as democratic is one in which representation is equal, he immediately repudiates equal representation in both the short and the (very) long run.⁸¹ If his democratic leanings temper his elitism, the reverse is no less true.

⁸¹See also *Autobiography*, 199.