Aristotle and the Judgment of the Many: Equality, not Collective Quality

Melissa Schwartzberg, New York University

Aristotle’s “doctrine of the wisdom of the multitude” (DWM) has become a canonical reference for political theorists, particularly supporters of epistemic approaches to democracy. Yet the excessive focus on the collective capacity of the many has obscured a more promising defense of democracy within Aristotle’s work. Despite Aristotle’s infamous arguments defending unequal merit and hierarchical relationships, his account of citizenship is strikingly egalitarian: he argues that citizenship, properly distributed, reflects an equal capacity for judgment. On this basis, an Aristotelian justification of democracy emerges, one quite distinct from the DWM-inflected defense of collective judgments.

The “wisdom of the multitude” section of Aristotle’s Politics has exerted an inexorable pull on democratic theorists over the past decades. Twenty years ago, Jeremy Waldron argued that this part of Politics III.11 had not received “the attention it deserved” and sought, in his words, to “exaggerate the importance” of the passage (1995, 563, italics his). Although Waldron himself did not argue that what he termed the “doctrine of the wisdom of the multitude” (DWM) “is true in a way that is practically important for constitutional design” (565), many other scholars have succumbed to the impulse to pull out of the DWM implications for contemporary democratic theory. Informed by three decades of work on epistemic democracy—briefly, the effort to justify democracy by reference to its capacity to make wise decisions1—one can scarcely blame political theorists for falling into temptation. The now-famous passage reads as follows:

For the many, who are not as individuals excellent men, nevertheless can, when they have come together, be better than the few best people, not individually but collectively, just as feasts to which many contribute are better than feasts provided at one person’s expense. For being many, each of them can have some part of virtue and practical wisdom, and when they come together, the multitude is just like a single human being, with many feet, hands, and sense, and so too for their character traits and wisdom. That is why the many are better judges of works of music and of the poets. For one of them judges one part, another another, and all of them the whole thing. (III.11, 1281a43–b9)2

The fecundity of the DWM has spurred many political theorists to identify a similar justificatory angle within Aristotle’s work—to seek to defend politeia by reference to the quality of collective judgments and to draw strong claims about the epistemic potential of democratic procedures. Because of the salience of the DWM, for instance, an arcane debate has emerged about the provision of collective meals through potlucking, by means of individual or collective financing, and through the provision of prepared dishes or the hauling in of meat or measures of figs.3 Though the debate surely provides some insight into the possibilities and limitations of arguments from the wisdom of crowds (and for the optimal design of picnics), it provides thin gruel for a theory of democratic legitimacy.

Epistemic democrats have attractively pointed us to Aristotle’s focus on the capacity of ordinary citizens to judge well. Inspired by David Estlund’s “epistemic proceduralist” model (2008), in which democracy’s binding force derives from procedures with a better-than-random probability of reaching correct outcomes, others have mined III.11 for implicit references to deliberation and a hidden aggregative structure. Yet the focus on III.11’s payoff for epistemic de-

2. Translations of Politics are from Reeve (1998), with minor modifications based on Aristotle (1957).
mocracy has led to a misdirection in the potential value of Aristotle’s account there and beyond for democratic theory. In particular, political theorists have neglected the role that equality plays—notably equality of judgment—in Aristotle’s account of citizenship, and the way in which this equal-judgment model undergirds the account of correct regimes in the Politics and elsewhere. In brief, my claim is that although the ethical virtue and practical wisdom of individuals may vary depending on habituation, insofar as citizens are allocated equal shares of offices and honors, it is because they possess roughly equal capacity for political judgment in the context of deliberative assemblies and on juries.

The argument that Aristotle believed political judgment could be distributed equally across citizens may strike many readers as clearly false. Hannah Arendt, for instance, argues that equality is purely artificial: the “equality attending the public realm is necessarily an equality of equals who stand in need of being ‗equalized‘ in certain respects and for specific purposes,” and the equalizing factor comes from “outside” (1998, 225). Moreover, the reasonable effort to push back against the epistemic reading has led to the occlusion of the importance of citizens’ judgment—and equal judgment at that—in the political domain. Typically, those who dispute the epistemic significance of the DWM argument tend to focus on the inability of the many to attain virtue. For instance, on Melissa Lane’s account, because the many can never become excellent, “Politics III.11 does not set out to justify the broad collective functions of the assembly, council, and courts” (2013, 256) and, in general, III.11 does no more than justify people’s role in the assessment of office-holders, akin to a “modern representative democracy” (269). Yet it is hard to reconcile a vision of the passive role of a citizen within a modern representative democracy with Aristotle’s argument that citizenship is defined by “participation in judgment and office” (metechein krieseis kai arches) (1957, III.1, 1275a23–24), specifically, deliberating (bouleutikes) as a member of the Assembly and serving as a judge (kritikes) in the courts (III.1, 1275b19–20).

In discussing political judgment, my focus here will be on krisis (n.) and krisine (inf.), because Aristotle primarily uses these terms in Politics and Rhetoric in discussing the activity of political judgment concerning policy or verdicts of jurors. In Rhetoric, Aristotle uses krites to refer to the members of the assembly and kriesei to refer to the judgments of both the member of the assembly and the juror (1959, I.7, 1354b, see also Konstan 2007, 36–37). My claim is that it is this particular capacity for political judgment—the ability (and not merely the formal power) to judge matters within legislatures and on juries—that Aristotle believes that true citizens possess in equal measure. As I will argue, “correct” regimes properly allocate shares of offices and honors on equal terms to their citizens, by virtue of their citizens’ equal capacity for judgment: this equality both tends to produce just laws (because citizens, as construed by a correct regime, are good judges), and to generate stability.

Because Aristotle is far more famous for his egalitarian claims than for a defense of equality—particularly “democratic equality”—some caveats are in order. First, the account of citizenship in Aristotle raises the specter of vile inequalities. Full citizenship is restricted to adult, freeborn men—not slaves, not women, not metics—and democratic rule is suitable for the “Hellenic race,” who natively possess practical wisdom, but not barbarians. My claim is that we can reject the odious prejudices inherent in Aristotle’s account while preserving the attractive egalitarianism of his account of political rule. Second, and relatedly, Aristotle does not endorse any version of human moral equality: we are unequal in virtue, and the good life is not available to all of us. Yet when Aristotle turns to the question of political equality, his account of citizenship, and of political judgment more generally, is far more capacious and attractive. Finally, Aristotle’s account of equality might reasonably be taken to press against claims for democracy. After all, the defining injustice of democracy is that it assigns equal shares to unequals (III.9). But once we recognize that the most important marker of citizenship in Aristotle is the equal capacity for political judgment, a different vantage point for a defense of epistemic democracy reveals itself to us, one that emphasizes the equal.

4. E.g., Susan Bickford denies that Aristotle believed everyone’s capacity for practical reason is equal and held only that every citizen possessed sufficient reason to “justify their participation in politics” (1996, 34). Although I will not here hold that citizens necessarily possess equal capacity for practical reason tout court, I will argue that Aristotle believed that true citizens do possess an equal capacity for political judgment (krisis) that renders them capable of receiving equal shares—where there are significant disparities in capacity, shares must be allocated unequally.

5. Kevin Cherry (2015) has recently identified sunesis, often translated as “understanding,” as a key concept underlying ascribing political agency to the multitude (see also Garsten 127). In the Magna Moralia, Aristotle holds that sunesis is a “part of prudence [phronesis],” and at one point in the Politics, Aristotle suggests that, with krisis, it is the key faculty that the multitude utilizes when deliberating in the assembly (“a task for political understanding,” at 1291a26–28) (Cherry 194). Yet Aristotle refers to krisis many times more frequently than sunesis in Aristotle’s discussions of judgment (including within deliberative settings) in the Politics, and so it is on that term I will focus.

6. Ober rightly notes that civic dignity, understood as “equal high standing among citizens,” may entail “problematic . . . exclusivity and relationality” (2012, 830).
status of citizen-judges, rather than the quality of collective decision making.

The argument proceeds as follows. Aristotle differentiates among the households and constitutive relationships of the polis, and so the first step is to distinguish relations both among unequals and equals, and among equal citizens considered alone qua rulers and friends. Aristotle argues that to be just, distinctions among equals and unequals must rest on desert, and so the second step is to defend the equal claim of citizens to rule, and third, to argue that this claim rests on the equal capacity of citizens to render political judgments. Aristotle’s arguments about the operation of key political institutions provide important pieces of evidence in support of this claim. On this basis, a distinctive Aristotelian justification of democracy emerges, emphasizing the equal value of citizens’ judgments from an individuated standpoint, rather than the DWM-inflected defense of collective judgments.

EQUALITY WITHIN THE POLIS

Relations of equality are fundamental to the polis, the ultimate and defining form of human association. Yet the polis is composed of both unequal and equal relationships, as it contains both slaves and freemen, and men, women, and children. Households are the component elements of a polis (I.3, 1253b2–3; IV.3, 1289b28–29; III.9, 1280b33–34; Miller 1995, 143–44) and must remain differentiated bodies for the polis to flourish. Aristotle rejects what he regards as the excessive unification of Plato’s *kallipolis*, particularly the holding of women and children in common, and defends the plurality of the distinctive relations facilitated by independent households. To be sure, household rule entails relations of authority between unequals: masters over slaves, fathers over children, husbands over wives. (I.12, 1259a37–39) The last, Aristotle allows, is closer to that of the rule of a statesman, because of the relative equality of men and women. (I.12, 1259a39–b1) Yet because of the ineliminable nature of these relations, there is little question that the basic functioning of the polis depends on inequality (Deslauriers 2013). Insofar as the achievement of the good life for the polis rests on the leisure afforded through provision of the goods and services for mere life, one might also argue that to thrive, the polis requires slavery and other hierarchical relations. But though the polis requires property both in persons and in goods, Aristotle argues, slaves are not technically part of the polis, which is a “community of equals, aiming at the best life possible” (VII.8, 1328a33–36).

Although we must never lose sight of the dependence of the polis on relations of inequality and subjugation, the most significant relationships within the *polis* are egalitarian. Citizens comprise the members of the community of equals. In contrast to household rule, Aristotle repeatedly argues that political rule is “rule over people who are free and equal” (I.7, 1255b19–20). Equality means that there are not permanent hierarchies among citizens: in *politeia*, people take turns ruling, because citizens “tend by nature to be on an equal footing and to differ in nothing” (I.12, 1259b5–7). Where citizens possess “natural equality” (*phusis*), reciprocal equality is realized through citizens ruling and being ruled in turn (II.2, 1261a30–1261b6). Reciprocal equality, as we will see shortly, also helps to ensure the stability of the polis, a key dimension of Aristotle’s account of the justification of correct political regimes.

Aristotle famously distinguished between “numerical” or “arithmetic” and “proportionate” or “geometric” equality in examining the conventional wisdom that justice consists in equality of some sort. The former is the democratic conception of equality, which Aristotle characterizes as the distance among numbers. Discerning the origins of this idea in Homer, Thucydides, and in Pythagoreans such as Archytas of Tarentum, F. D. Harvey suggests that the arithmetic entails three terms in proportion: “the first exceeds the second by the same amount as the second exceeds the third (e.g., 6, 4, and 2, where 6–4 = 4–2).” The geometric conception of equality relies on ratios: “the first stands in the same relation to the second as the second to the third” (8:4::4:2) (Harvey 1965, 103–4; Klosko 2007, 298–99). Whereas the democratic system seeks only to equalize distribution across equals in this “numerical” sense, the aristocratic or oligarchic conception of equality takes account of distinctions in worth (*axia*). On Aristotle’s account, democrats and oligarchs are both mistaken, because the relevant criterion is contribution to the good life of the city. Insofar as citizens deserve to be treated equally (i.e., to receive equal shares of offices and honors), it must be because they contribute equally to the good life: they must be equal in excellence.

Yet there is no necessary distinction between the arithmetic–democratic and geometric–aristocratic conceptions of worth. As Harvey suggests, the argument is itself an aristocratic one, designed to counter the democratic commitment to equality. The aristocratic view dismisses out of hand the possibility that citizens could merit equal shares. Aristocrats believed that only a distinctive group equally

---

7. This is a particularly thorny sentence, and there is disagreement as to whether the latter portion entails similarity (*homoios*) or dissimilarity (*anomoia*); Newman (1887) considers it spurious. See Trott (2014, 148), for discussion.

8. See Keyt (1991, 1999) for helpful discussions of the concept of *axia*.
possessed the superior skills by virtue of which they ought to rule; as such, aristocrats held that the democratic distribution must be on the basis of mere status rather than merit, and thus arithmetic rather than geometric. Yet democrats would not have characterized the distinction among citizens in arithmetic terms (Harvey 1965, 126), as individuals merely and arbitrarily possessing the status of political agents. Democrats regarded citizen-status as signifying worth: any adult male citizen was equally worthy of a “share” in the constitution by virtue of the capacity he possessed, as indicated by his free status. The democrat argues that although the quality of being freeborn might appear to pick out a morally arbitrary feature, in a just regime it would identify the characteristic of being able to make judgments as a citizen. There is ample historical support for such a view: eugeneia (high birth) and kalokagathia (beauty-and-goodness) were both democratized in the fifth century, meaning that Athenian citizenship conveyed special status (Ober 1989, 250–60). Citizenship was in part a function of desert and not merely descent: one’s citizenship could be scrutinized and even revoked for failure to perform one’s duties.

Remarkably, Aristotle agrees with the democrat. Again, Aristotle argues that citizenship in general is defined by “participation in judgment and office” (metechein kriseos kai arches (1957, III.1, 1275a23–24), and in particular, holding deliberative office (bouleutikes) as a member of the Assembly and serving as a judge (kritikes) in the courts (III.1, 1275b19–20). As such, he holds the “citizen of our definition [one capable of serving in the assembly or on a jury] is particularly and especially the citizen of a democracy” (III.1, 1275b5–6).

The problem with other criteria of citizenship is that they are either too exclusive (the criterion of descent fails to include city’s founders) or too inclusive (the criterion of residence includes metics and slaves). When democrats appeal to free birth, they do so because they believe their political freedom derives from the capacity for judgment possessed by all rightful citizens. Moreover, Aristotle did not hold that the principle of numerical equality is necessarily mistaken; it could be used in “some cases” (1302a8). Although the Aristotelian version of the proper ratio famously consists in assigning the best flutes to the best flutists—it is rooted in desert or merit—in the case of political authority, it is difficult to adjudicate among the particular virtues that determine whether people deserve equal or unequal shares. When democracy vests special authority in the poor, it falls short of the egalitarian ideal, but if each citizen is given equal power, “one really could believe that equality—and liberty—was achieved by their constitution” (VL2, 1318a8–10). It might still fall short of justice, though, if the poor numerical majority acts to appropriate the rich (VL3). Nonetheless, as Aristotle remarks several times, “it is very difficult to discover the truth about what equality and justice demand” (1318b1–2). Elsewhere he argues that resolving this aporia is a matter for political philosophy (III.12, 1282b23; see also Frank 2005, 26).

Were the quality of political rule the sole criterion, Aristotle suggests that it would be best for rulers, like shoemakers or carpenters, to hold power permanently. Yet Aristotle is unequivocal that permanent rule is unjust where others possess equal ability. Because citizens—regardless of regime—are those who are naturally equal in their ability to rule, they merit equal shares; as they cannot all rule simultaneously, reciprocal equality is realized through rotation in office, creating an artificial difference among the equals as ruling and ruled. On the other hand, if you had marked superiority among some members in terms of “goodness and political capacity,” treating these specially qualified members as if they merited merely an equal share would also be unjust. The choice of regimes, as we shall now see, hinges in part upon the importance of recognizing equality qua members of the polis, while maintaining a just distribution with respect to worth.

THE CHOICE OF REGIME AND CITIZENS’ JUDGMENTS

A just distribution of offices and honors must derive from worth with respect to the relevant criterion. Before we consider the force of this argument for mixed or democratic regimes, let us begin by examining the choice between monarchy and aristocracy. Note that thus far, Aristotle’s
argument does not entail a claim for democracy: Aristotle’s egalitarianism ought not to be overstated. Even if Martha Nussbaum is correct in her assertion that Aristotle believed all free adult male Greeks were naturally capable of living the good life (1990), were capabilities to be unevenly distributed above that “floor,” the exceptionally talented might still merit unequal shares of political power, justifying monarchy or aristocracy. Yet Aristotle writes that even in his own time, monarchy was an antiquated institution.

Kingship was formerly common because of the rarity of finding a number of men of outstanding goodness in a small city (1286b8–10, 20–22), but is defensible only in the special case in which there is a “stock” or “family” pre-eminent in capacity. If one person or a few people were markedly superior, they would deserve authority, since it would be unjust to give those unequal “in excellence and in political capacity” (1957, III.13, 1284a10) an equal share. Moreover, were there human “gods” and “heroes,” a class so “greatly superior, first in body and then in soul, that their superiority was indisputable and manifest to those they ruled,” (1332b16–22) it would be not only unjust to deprive them of rule, but their authority would be so strong that to assign rule elsewhere would lead to instability (VII.14). Regarding the claims of the many in the face of such a king, Aristotle refers to a fable by Antisthenes: When the hares sought equal status with the lions in the council of the beasts, the lion asked, “Where are your teeth and claws?” (III.13, 1284a16; Miller 1995, 247). But then the rulers are no longer part of the city, since “legislation is necessarily limited to those who are equal in birth and capacity” (tous isous kai toi genei kai tei dunamei); the king is “like a god among men” (III.13, 1284a12–14).

In most cases, kingship ought to be replaced by aristocracy or by politeia: indeed, monarchs themselves implicitly acknowledge as much, Aristotle holds. At III.16, in the context of a DWM-style argument highlighting the superiority of many judges and critiquing monarchy, Aristotle argues:

And it would perhaps be accounted strange if someone, when judging with one pair of eyes and one pair of ears, and acting with one pair of feet and hands, could see better than many people with many pairs, since, as things stand, monarchs provide themselves with many eyes, ears, hands and feet. For they appoint as co-rulers those who are friends to themselves and to their rule. If they are not his friends, they will not do as the monarch chooses. But suppose they are friends to himself and his rule—well, a friend is someone similar and equal, so if he thinks they should rule, he must think that those who are equal and similar to him should rule like him. (III.16, 1287b27–35, slightly modified from Reeve, italics added)

Aristotle repeatedly argues that political friendship, the bonds of political rule, depends on equality and similarity. Within a polis—especially a polis situating power with the many—Aristotle specifically analogizes the relationship among democratic citizens to that both of friendship and of fraternal rule. In Eudemian Ethics, Aristotle writes that the relationship of brothers is that of polity (1984a, 1241b30–31) and then immediately notes that on arithmetic equality rests the “democratic partnership” and the “friendship of partners” (1241b33–36). In Nicomachean Ethics, Aristotle suggests that timocracy (the correct form of rule by the many) resembles the fraternal relationship, assuming the brothers are close enough in age to be equals; democracy is marked by equality with an excess of freedom (because of the absence of a master) (1161a3). In a timocracy, he draws a parallel between the friendship of brothers, of “comrades,” and of citizens:

The friendship of brothers, for its part, resembles that between comrades (hetairikei), since they are equals, and of an age, and people like that are for the most part in sympathy with one another, and have a similar character; and the friendship involved in timocracy means being equals, and decent in character, so that they rule in turn and on a basis of equality; so too, then, is the friendship between them. . . . [Among deviations,] [t]here is little, then, by way of friendships or justice in tyrannies either, but more in democracies; for with those who are equals the things in common are many (2002, 1161a25–30; 1161b9–10; see Nichols 1992, 206n)

As Bernard Yack cautions us, the conception of friendship among citizens should be distinguished from the intimate affection of brothers or friends (hetairai). Though Aristotle tells us that friendship seems “to keep cities to—

11. James Lindley Wilson rightly draws on this passage to suggest that “even excellent individuals” must “develop deliberative partnerships in pursuit of the excellent and the just,” and that the mark of the good regime is to “exhibit excellent integrated deliberation.” As I suggest, although Wilson is right to emphasize the importance of widespread citizen participation in deliberation, on my account it is the distribution of authority rather than deliberation as such that helps to produce the “firm and unchanging character” of a regime necessary to produce virtuous politics” (2011, 267).
gether” (Nicomachean Ethics 1155a22–23), and political association depends on friendship (Politics 1295b23), the value of friendship derives here not from love or virtue but from the pursuit of mutual advantage (Yack 1993, 111). Moreover, the capacity to alternate in political rule derives not from the nature of their bonds but from the similarity in character among brothers, comrades, and citizens. Friendship is not sustainable where there are serious disparities either in character or in resources (Nicomachean Ethics 1158b33–36). In other words, insofar as the polis rests on friendship, citizens must be similar in their capabilities and thus their claim to rule. This argument in part explains why the “best form of political association” situates power with the middle class (IV.11, 1295b34–35). Friendship is most durable between those equal and similar (Aristotle quotes approvingly the conventional view that “equality and similarity make amity,” at Nicomachean Ethics 1159b3), particularly with respect to excellence. The members of the middle class are not roughly equal merely with respect to their economic status, but in their excellence and education. Moreover, they recognize their own equality in this respect, and thus willingly take turns ruling. Under these conditions of equality and similarity, justice consists in sharing political rule (IV.14, 1332b28–30).

Because friendship implies plural (and equal) rulers, monarchy was replaced by aristocracy and justly so where a number of similar men are present (III.15, 1286b3–7). When “many persons equal in excellence” arose, they would no longer endure kingship or aristocracy, and they set up a polis (III.15, 1286b13–14). This is the inevitable outcome of an expansion in the pool of equals. Indeed, Aristotle emphasizes the empirical and practical basis for accepting equality within political communities; there is no manifest superiority, no marks either in body or soul:

There are not, as Sclayx says there are in India, kings that are so superior to the ruled. Evidently, then, and for many different reasons, it is necessary for all to share alike in ruling and being ruled in turn. For equality consists in giving the same to those who are alike, and it is difficult for a constitution to last if its organization is contrary to justice. For the citizens being ruled will be joined by those in the surrounding territory who want to stir up change, and the governing class cannot possibly be numerous enough to be more powerful than all of them. (1332b22–31)

We can now begin to see the role equality will play in a prudential justification of polis: it reduces substantially the risk that the many will revolt, and preserves equality among friends and citizens. The risk, however, remains that polis will allocate equal shares to the undeserving.

In the ideal city, citizens are both equal and excellent (VII.13, 1332a33–36). This is the polis or, for our purposes, the “ceiling.” Universal excellence is an ideal, but in actually existing just regimes, equality will not reflect such a standard; the competence possessed by ordinary citizens will likely fall short of true excellence. But if the ideal constitution provides a “ceiling,” does polis offer a floor, in which the use of equality constitutes unjust leveling? One might hold that this is the case, although even when Aristotle describes equality within the deviant regime of democracy, he does not do so from a purely critical perspective. It is true that democracy rejects those who are unequal: the Argonauts left Heracles behind, and Periander advises Thrasybulus to cut off the most powerful men, as he leveled the tallest ears of corn (III.13, 1284a25–26). Yet the argument on behalf of ostracism, Aristotle suggests, does still possess a “kind of political justice” (III.13, 1284b17). It is comparable to the decision of a shipbuilder to keep the boat in symmetrical proportion, or the director of a chorus to exclude those with distinctive voices. The problem is the tendency to use ostracism for factious or self-interested purposes, not the exclusion itself. As long as the polis is kept in equilibrium and adjustments are made in the service of the common good, ensuring equality through leveling—excluding unequals—is not unjust.

Alternatively, one might argue that although citizens possess equal capacity for judgment, it is of a very limited quality: the correct regime is ruled by good laws, and as such the need for judgment on the part of the citizens is quite limited. In response, Frank argues that law-affirming phronesis and virtue are within reach of ordinary citizens; on her account, rigorous law-abidingness is not a feature of a good citizen, even if habits of obedience do support the rule of law (Frank 2005, 122). or Aristotle, “it is the good judgment of citizens that decides which laws to follow and thereby produces and preserves the rule of law” (Frank 2005, 117). Experience and education makes the difference in judgment; this is why children need, for instance, to learn to sing and play music, as doing so enables them to judge properly once they age. Aristotle describes this ha-

12. Forsdyke, in making a similar point, notes that Aristotle reverses the roles of Thrasybulus and Periander as adviser and advisee, which she reasonably takes to constitute evidence that the argument is “ideological” rather than historical (2005, 275).

13. Helpfully, Aristotle tells us that the rattle of Archytas is also useful to “divert [children’s] attention and stop them from breaking things in the house” (1340b27).
An alternative challenge derives from III.11: After all, part of the reason why Aristotle there emphasizes collective judgment is the imperfection of each ordinary citizen’s judgment taken in isolation. Politics III.11 is rife with such passages, arguing, for instance, that although “each may be a worse judge than those who know, but a better or no worse one when they all come together,” (1282a16–17) and that it is “neither the individual juror, nor the individual councilor, nor the individual assemblyman who is ruling, but the court, the council, and the people” (1282a33–35). Yet III.11 also provides a strong argument for individual competence: the one who lives in a house is a better judge than its maker, the captain judges the rudder better than the architect, and a guest judges a feast better than a cook (1282a16–23). Again, superior judgment derives from experience, here understood in terms of experience of a product in contrast to alternatives: the dweller judges whether a house satisfies his day-to-day needs, a captain judges based on his experience with different rudders and the distinctive performance of this particular rudder, and a guest assesses a meal in light of the countless meals he has eaten over a lifetime. The political force of the argument is that the fact that officials possess expertise that ordinary citizens lack does not mean that the latter are incompetent to judge the performance of the former; each individual knows the effect that these officials’ decisions have had on him.

Finally, one might also argue that III.11 in fact seems to contradict the equal-judgment argument in the “mixture” claim at 1281b34–38, in which the poor are mixed with their “better,” like pure and impure food. Placed in context, though, the force of this passage is not that the many are uneven in their capabilities: it arises in response to the observation that Solon and others had given the poor the opportunity to deliberate and judge, and to elect offices and hold the magistrates accountable, and that the state as a whole is benefited by the mixed regime. That is, the argument is not that their deliberations or judgments as such are improved by the presence of their betters, simply that these collective judgments possess sufficient value to warrant assigning the many some deliberative and judicial authority within a wider mixed regime, in which both the many and the few have a role to play.

Regardless, the focus throughout III.11 on the advantages of collective judgment should not lead us to infer that ordinary citizens’ individual judgment is so frail that it does not even merit real consideration; were that the case, it would be difficult for Aristotle to argue that any just constitution could rightly allocate shares of any offices to the many. Nor is it consistent with the claim that the consumer of a product may be a superior judge of the product’s merits than its maker. But equal judgment may indeed press against other institutional commitments, including to the value of expertise, and so the challenge is to determine how, or whether, Aristotle can reconcile these claims.

**EQUAL JUDGMENT AND UNEQUAL POLITICAL INSTITUTIONS**

The major challenge to the equal-judgment model is the apparent incompatibility between the defense of equality among citizens, and the differential roles played by citizens within the polis. Wolfgang von Leyden, for instance, argues that because not every member of the polis shares equally in the good life via the perfect practice of virtue, even within the ideal state, citizens could not possibly be true equals (1985, 43–44). He rejects the conjecture, defended here, that equality among citizens may be possible within classes or under each constitution, and that his “description of the state as an association of equals is puzzling” (43). Diversity trumps equality, on his account: because the polis for self-sufficiency depends on different contributions from the various parts of the community, those parts which contribute more deserve more, according to the principle of proportionate equality. After all, if Aristotle argues that farmers are superior to shoemakers, and mechanics and day-laborers...
are the most inferior, how can he simultaneously defend equality among citizens? And if there are offices requiring expertise—generalships and financial officers—can we possibly hold that Aristotle believes citizens to be equal in judgment? Von Leyden insists that these competing claims on behalf of equality and of inequality are essentially irreconcilable—they constitute a problem for Aristotle, which he himself recognized—and may be resolvable only through the political process of revolution or legislative convention. As I will argue, a theoretical reconciliation remains available, simultaneously affirming the equal worth of citizens qua judges while accepting differential economic contributions to the life of the city and to the value of expertise.

First, though, one apparent challenge to the argument from equal judgment derives from the relative merits of laborers. Different constitutions will make different types of laborers citizens; some democracies will make the mechanic a citizen, whereas others will not. The implicit problem with making the mechanic a citizen is the “leveling” effect: it deems the judgment of the mechanic equivalent to the judgment of the farmer. Aristotle argues that the best constitution would not admit mechanics to citizenship—and if they did, “then what we have characterized as a citizen’s virtue cannot be ascribed to everyone” (III.5, 1278a8–9). That is, citizenship is properly restricted to those who do possess equal capacity for judgment: the fact that a constitution has made a laborer a citizen does not mean that citizens correctly understood must be unequal. Instead, it suggests that a regime may have underestimated the capacity for judgment necessary for citizenship and has engaged in the paradigmatic injustice of allocating equal shares to unequals. Again, although his conception of citizenship is egalitarian, Aristotle’s broader conception of political life remains quite inequitarian; only a poor species of democracy would grant equal citizenship to mechanics, shop-keepers, and day-laborers.

A second challenge derives from the role of election within democracy, and relatedly, the determination of the bounds of decision making. Aristotle identifies a set of democratic mechanisms for political offices, including the use of lot, as well as the absence of property requirements, a prohibition on a person holding office more than once, short terms of office, payment for service, and a wide scope of decisional authority. These mechanisms, he argues, ensure that all rule “equally on the basis of numerical equality” (VI.2, 1318a8). But the most important and characteristic democratic mechanism, Aristotle suggests, is that all people decide all things at least within the deliberative body (the assembly), “for this is the equality the people seek” (IV.14, 1298a10). This equality in selection may be achieved—as in Athens—by opening the assembly to all citizens who wish to attend, or by taking turns, as Aristotle tells us is the case in the constitution of Telecles the Milesian (1298a12). But how can these commitments be rendered compatible with election or with limitations on the scope of decision-making within the assembly?

 Democracies tend to construe the scope of decision making within the assembly quite broadly, but they do so at their peril: as the scope becomes unlimited, democracy becomes “analogous to a dynastic oligarchy or a tyrannical monarchy” (1298a31–32). Assigning some responsibilities to magistrates, whether selected by lot or election, and constraining the scope of authority in the assembly to scrutiny of magistrates and the deliberation of war and peace, in particular, turns the democracy into politeia. Election is useful for those magistracies requiring expertise—for example, those of military command, financial controllers, and religious officers (VI.8, 1322a30–b30). Indeed, Aristotle argues that those holding offices with “supreme authority” require “friendship” for the constitution, “the greatest possible capacity for the tasks of office,” and the sort of “virtue or justice that is suited to the constitution” (V.9, 1309a33–36). In the case of a generalship, “experience” matters more than virtue, because the capacity to serve as a good general is quite rare; but in the case of “guardianship or stewardship,” virtue matters more, because these roles “require more virtue than the many possess, but the knowledge (episteme) they require is common to all” (V.9, 1309b6–7). The domain of equality extends to citizens in their capacity as judges within the assembly and the jury courts, rather than in their capacity as holders of special offices. Were the power to judge in the assembly or the jury allocated through election, the regime would become oligarchic: the mass would no longer possess citizenship under Aristotle’s definition. In other words, election of magistrates—and the limitations on the scope of decision making—is compatible with equality of citizen judgment under politeia insofar as we take Aristotle at his word: citizenship depends strictly upon serving in the deliberative assembly and judging in the jury courts, and the equal allocation of judgment in these roles. So the regime’s allocation of unequal shares of offices to experts does not affect the central claim of equality among citizen-judges, although it certainly helps to define the regime more generally.

In a similar vein, Ober’s account of “Relevant Expertise Aggregation” similarly emphasizes the equal role that the citizens might play in judging experts in different domains. Drawing on Aristotle’s example of the many judging better than the few with respect to musical works and poetry, Ober describes the importance of “domain experts,” whose
reputations and reasoning the many assess in evaluating each part of a tragedy. But though Ober argues that the capacity to aggregate expertise contributes to the quality of democratic decision making, he also recognizes the limits of these arguments from a justificatory standpoint, holding that the democratic values realized through this example are of “equal votes of free citizens, acting as dignified adults in making judgments on significant matters of public concern” (Ober 2013, 115). This value, as we will see, will help to shape the broader justification of political regimes in Aristotle.

CORRECT REGIMES AND POLITICAL JUSTIFICATION

The status of political obligation and legitimacy in Aristotle is a thorny question. Although scholars (including Hannah Arendt) have long insisted that Aristotle did not have a full-blown theory of political authority or obligation, Andrés Rosler maintains that Aristotle’s use of archē, kurios, and krisis are all means by which he conveys the concept of authority, understood as an “exclusionary reason for action” (Rosler 2005, 112), in his political theory. Moreover, Rosler suggests that citizens have a duty to comply with rulers’ just commands. Here, I bracket these questions to focus not on the question of political obligation but on the issue of the justification of regimes: in sum, the claim that some regimes are morally and/or prudentially preferable to others (Simmons 1999, 740). Given an Aristotelian gloss, the justification of a regime derives from whether the rulers orient themselves to the common interest—including the moral improvement of the citizens through good legislation—and ensuring stability through just allocations. Monarchy, aristocracy, and politeia are all justifiable, on this account, by virtue of their promotion of the common interest. What distinguishes them, as we have seen, is the scope of those to whom the full activities of citizenship—deliberating and judging, or ruling and being ruled in turn—are granted. Because equality plays a central role in the justification of regimes, however, politeia deserves a special status among the set of “correct” regimes.

As we have seen, the middle class constitutes the key locus of relations of equality among friends and citizens. In discussing why politeia is the best constitution and provides the best life for most city-states and people, Aristotle argues that because virtue is a mean, the “middle life, the mean that each sort of person can actually achieve, must be best” (IV.11, 1295a37–39). The middle class both obeys reason and is inclined to rule and to be ruled in turn without ambition and share the way of life: as we have seen, “a city-state . . . tends to consist as much as possible of people who are equal and similar, and this condition belongs particularly to those in the middle. Consequently, this city-state, the one constituted out of those from which the city-state is naturally constituted, must of necessity be best governed” (IV.11, 1295b24–27). Further, the citizens’ law-abiding nature and inclination toward reciprocity will promote the common interest. Aristotle provides us with good reasons to believe that the middle class is especially well disposed to act on behalf of the common benefit, and that politeia is clearly the best choice of regime when a polis is fortunate enough to possess such a class.

This does not constitute a knock-down claim on behalf of the many, though; in many circumstances, the excellence of the few, or the presence of a man of outstanding goodness, might well constitute the best rulers for a particular polity: even at III.11, Aristotle argues that only some multitudes are capable of trumping the few, and that their lack of “justice and practical wisdom” will likely cause harm. The collective-capacity argument for politeia, again, is conditional and provisional: only some polities will be capable of fulfilling it. Yet on prudential grounds, Aristotle repeatedly warns of the risks associated with stripping the many of power, including within the III.11 passages: a polis “in which a large number of people are excluded from office and are poor must of necessity be full of enemies,” and so the solution is to assign the citizens deliberative and judicial power (III.11, 1281b28–30).

Throughout Politics, Aristotle stresses that disenfranchisement of those capable of judgment will lead to political conflict; they are right to chafe at the unjust instantiation of unequal relations. In Book V, Aristotle argues that the principal cause of revolution is inequality: “those who desire equality start faction when they believe that they are getting less, even though they are the equals of those who are getting more; whereas those who desire inequality (that is to say, superiority) do so when they believe that, though they are unequal, they are not getting more but the same or less.” (V.2, 1302a24–28) Although Aristotle acknowledges that these beliefs may be unwarranted from either group, he suggests that oligarchy constitutes a greater threat, and that “democracy is more stable and freer from faction than oligarchy”: whereas democrats direct their challenge against the oligarchs alone, the oligarchs target both each other and the people (V.1, 1302a8). Democracy’s relative stability also derives from—like politeia—its situating power with the middle class (1302a13–15).

Like all “correct” regimes, the justification of politeia derives in part from the inclinations of the rulers to seek the common benefit (1279a25–28). Adopting the language of contemporary political theory, the logic of Aristotelian justification seems to be “instrumental,” that is, a correct re-
Regime is justifiable because it produces outcomes consistent with the common interest. Moreover, politeia not only aims at the common benefit but does so in a way that reduces faction and produces stability. What the equal-judgment model highlights, though, is that the ability of politeia to achieve the ends of stability and the common interest substantially derives from the fact that its institutions reflect and preserve equality of judgment among the mass of citizens. Its stability, after all, derives from the fact that all citizens perceive it as having allocated power on equal terms, and no part of the city would prefer a different regime (IV.9, 1294b20–22; 1294b35–39). Yet Aristotle’s argument need not be construed as strictly instrumental; the equal allocation of shares of judgment has intrinsic value as well. In exercising judgment as citizens, people may realize their potential as political animals. Assemblies and juries are the key loci in which people perform this characteristic activity; that is, these fundamental institutions of citizenship enable ordinary people to exercise the capacities necessary—though, admittedly, insufficient—for human flourishing. Although it is surely true that few citizens in a politeia will possess the virtue and material circumstances necessary to achieve the good life, politeia may receive partial justification through its inclusivity: it provides the political conditions of flourishing to the greatest number of people through the allocation of citizenship.

We can now contrast this account with the epistemic justifications offered by scholars focusing on III.11 from two perspectives: deliberation and diversity. Arguments in the former vein have suggested that the epistemically beneficial role of deliberation may play a central role in the justification of regimes. Although Waldron again avowed the practical significance of his model, he did argue that the then-standard language of “the summation argument” failed to capture the role that deliberation played in structuring “reciprocal questioning and criticism” and producing more than mere aggregation (1995, 560). More recently, James Lindley Wilson has argued that Aristotle’s account of justification rests on the activity of excellent deliberation (in Wilson’s language, “deliberative integration”): how a diverse citizenry can under certain circumstances produce excellent collective deliberation and “actualize the potential wisdom of the multitude” (2011, 268). Likewise, Estlund writes that the “basic idea behind Aristotle’s point is the suggestion that rule by the few wisest could be improved upon by expanding the size of the group and having its members deliberate with each other before making their group decision,” which he notes is quite different from the Condorcet Jury Theorem and points away from epistocracy (2008, 209).

One problem with deliberative justifications is that Aristotle neither explicitly defends deliberation within the DWM (Lane 2013, 59; Manin 2005) nor identifies mass discussion as a condition for a regime to operate in the common interest as such. But there is surely evidence that deliberation matters: one need only think of the role of speech in creating political animals or the value of others in the contemplative activities of philosophers (Wilson 2011; Yack 2006, 419–21). Regardless, the key characteristic of a regime is not whether or not it provides for deliberation—all do—or even excellent deliberation, promotable in principle by all justifiable regimes. It is the scope of those eligible to participate in deliberation: that is, the distribution of the right to participate in deliberations as a member of the assembly or to judge on the jury, not deliberation as such. That is, even if we recognize that deliberation among citizens contributes to human flourishing, the source of justification for politeia as opposed to monarchy or aristocracy has to be the inclusivity of this regime—the wide distribution of the ability to deliberate (and to judge) as a member of the assembly—with both the instrumental and intrinsic advantages offered by wide enfranchisement.

Second, as in III.11’s “feast,” contemporary collective-wisdom models typically run on diversity, as in the important “diversity trumps ability” model developed by Lu Hong and Scott Page (2004). Hong and Page’s project is to identify circumstances in which a cognitively diverse group, under certain restrictive conditions, may generate wiser
decisions than an expert body. Scholars working within the epistemic tradition often argue that the benefits of lottery derive in part from the cognitive diversity randomization promotes: Whereas election identifies a salient trait, such as wealth, and may lead to the selection of a relatively homogeneous pool, random selection produces a descriptively representative microcosm of the larger group. Hence an assembly chosen by lot may in principle outperform one chosen by election (Landemore 2013, 109).\(^{16}\)

However, when Aristotle takes up the possibility of using lot versus election to choose members from various tribes or demes or clans (IV.15, 1300a25), he does not do so as a means of promoting the wisdom of diverse crowds. Instead, he focuses on the possible variations as reflecting the democratic or oligarchic commitments of the given society, because the variety of constitutions derives from the distribution of offices according to the underlying conception of equality. Athenian success may well have derived in part from the intermixing promoted through the use of lot (Ober 2008b, 162–63), but to explain the choice of the mechanism by reference to its effects—which Ober does not—is to court functionalism. Aristotle is unequivocal that the value realized by lot is numerical equality, and the freedom for democrats to “live as one likes” by the rotation in office prescribed by such equality (VI.2, 1317b16), not the superior decision-making produced by diverse groups.

For contemporary scholars, the DWM passages are irresistible, fitting as they do into a lineage of historical works supporting the wisdom of crowds, from Protagoras to Condorcet, Rousseau, and Dewey, among others. Insofar as epistemic theories of democracy depend on claims—however stylized or conditional—on the capacity of groups to render wise decisions, the DWM is an important source. Yet the limitations of III.11 are revealing, because they suggest potential deficiencies within epistemic justifications more generally.

Both the equal-judgment and the DWM models recognize that judgment formation does not occur in isolation but through participation in judicial and legislative institutions, shaped by fellow judges (and perhaps by elites), and both the DWM and the equal-judgment models evince respect for the capacity of ordinary citizens to judge well. Yet Aristotle does not believe that every democracy or politeia provides the conditions by which a “diverse citizenry can produce excellent collective deliberation” (Wilson 2011, 260). Even Hélène Landemore—one of the most passionate supporters of epistemic democracy—does not believe that Aristotle provides “a complete and decisive argument as to how collective intelligence can emerge from the exchange of arguments and information among the many” (2013, 63). The most we can hope to derive from the DWM is that under certain restrictive circumstances, the many may judge better than an excellent individual or the few excellent. Similarly, the language of epistemic democracy is necessarily conditional: under certain circumstances, for some domain of questions, given some set of institutions with some baseline level of knowledge, crowds may be wise and merit authority on those grounds.

The appeal of an equal-judgment justification, in contrast, is that in principle it is unequivocal: correct regimes enable citizens to judge on equal terms in the assembly and the jury. For Aristotle, the correct regime, as we have seen, allocates equal shares of judgment to citizens, construed either narrowly (monarchy/aristocracy) or broadly (politeia), as a means of realizing both the common good and stability. Proper institutional design helps to orient these judgments toward the common interest (Ober 2013), but absent the proper distribution of deliberative and judicial powers, predatory behavior and conflict are likely to follow. On Aristotle’s account, this particular model cannot provide knock-down but only contingent support for politeia over monarchy and aristocracy, and its justificatory logic is instrumental. But attached to the view that political activity is important for human flourishing, politeia also receives an intrinsic justification insofar as it allocates to the many such an opportunity for the development of their capacities as judges. As such, Aristotle’s account of equal judgment among citizens helps to shore up an alternative, procedural model of democracy, which I sketch in conclusion.

**CONCLUSION: AN ARISTOTELIAN PROCEDURALIST MODEL**

The focus of this article has been on the Aristotelian model, and so any inferences one might draw for contemporary democracy must necessarily be circumscribed. Yet as we move to the modern world, in which, happily, full citizenship is extended much more widely—if perhaps not as widely as morality might dictate—the power of Aristotle’s conception of citizens as those who share equally in judgment becomes even clearer. Influenced by Aristotle’s equal-judgment model, a distinctive justification for democracy emerges: democratic decisions may be justified insofar as they treat citizens with respect for their status as equal judges. An instrumental or a substantive justification of democracy, partially derivative from Aristotle, would de-

\(^{16}\) Waldron implicitly defends such a claim for diversity by arguing that the merit of a diverse assembly may trump the merit of an assembly comprised of similarly excellent members, analogizing the claim to faculty hiring (1995, 572–73).
mand that these judgments durably promote the common benefit; that is, such arguments would insist that democratic decisions are only justifiable insofar as citizen judgments realize outcomes consonant with the common interest. Yet the substantive democrat may respond with a *tu quoque*, arguing that the intrinsic-proceduralist must provide a justification of her chosen procedure, and these justifications necessarily smuggle in substantive values.

Aristotle provides the proceduralist with a compelling response to this challenge, even if he himself would have insisted on the realization of common ends. The Aristotelian proceduralist would argue that democracy is justifiable because its procedures reflect equal respect for the judgment of citizens. To the rejoinder that the justification is merely stipulative, Aristotle further enables proceduralists to argue that these particular activities of judgment contribute to human flourishing, and that focusing primarily on outcomes removes this key locus of the exercise of capacities for decision making. Admittedly, the scope for decision making in contemporary democracies is typically limited because of the structure of representation. Yet one need not subscribe to an Aristotelian conception of *eudaimonia* to find persuasive the claim that an important reason to value democracy is that it treats citizens respectfully in recognizing their equal capacity to exercise judgment as voters and as jurors.

The equal-judgment model thus affirms the status of citizen-judges in their reciprocal and individuated form, rather than as the extraneous feet or hands of a monstrous collective. Placed in this wider Aristotelian context, the doctrine of the wisdom of the multitude reveals itself to be merely one piece of evidence useful in establishing the normative significance of citizens' judgments. Let us call it a valuable contribution to a feast.

**ACKNOWLEDGMENTS**

Previous versions of this article were presented at the American Political Science Association 2014 Annual Meeting; the Duke University Political Theory Workshop; and the Hunter College Political Theory Colloquium. Comments from panelists and audience members at all these sessions were exceptionally valuable, especially those from Melissa Lane, Alexandra Oprea, John Wallach, and Peter Steinberger. Jack Knight, Ryan Pevnick, and Bernard Manin provided helpful critical feedback, as did Lisa Ellis and the anonymous reviewers. I also wish to acknowledge the assistance and patience of several years’ worth of students at Columbia University as I tested out these ideas, including Andreas Avgousti, Charles Clavey, Kevin Elliott, Felix Gerlsbeck, Bjorn Gomes, Rob Goodman, and Jeffrey Lenowitz.

**REFERENCES**


17. Within a large literature on outcome-based justifications, see Arneson (1993, 2004), defending an "instrumental model"; Brettschneider (2007), defending a mixed substantive ("value-theoretic") and procedural model; Cohen (1996), defending a model of ideal deliberative procedure to preserve both the substantive values and to aim at the common good; Dworkin (1996), defending a substantive account of "equal concern"; Gutmann and Thompson (2004), defending both procedural and substantive values within deliberative democracy; Sen (1999), defending both intrinsic and instrumental justifications.

18. Again, in a large literature, see Beitz (1989), defending a hybrid theory in which institutions must be equally justifiable to each citizen; Christiano (2008), defending an intrinsic justification with limits; Waldron (1999), defending participation as the right of rights on intrinsic grounds. Note that Estlund (2008) and Habermas (2009) both construe their positions as "epistemic proceduralist" and in so doing depart in different ways from the intrinsic proceduralist model; on the difference between these models, see Gledhill (2015).