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Pragmatist and Democracy: an overview

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From its inception at the origins of American philosophy up until contemporary reappraisals of traditional pragmatist themes and approaches, the pragmatist tradition has defied every attempt at defining its specific identity. The diversity and richness of pragmatism as a philosophical tradition can be appreciated by looking at the great variety of conflicting positions and perspectives on central issues of democratic theory and practice which have been argued to fall within its scope. It is possible to find pragmatist views scattered along the spectrum of debates such as those between the epistemic or ethical nature of democratic decision-making, 'thin'-procedural vs. 'thick'-substantial views of the normative scope of democracy, and liberal vs. communitarian conceptions of democratic life and society. Moreover, while some pragmatists have primarily engaged in the theoretical and foundational project of defining and justifying democratic principles and institutions, others see pragmatism primary contribution to politics as the critical and educational effort of shaping and transforming actual democratic practice and culture.

This volume hosts a wide range of pragmatist reflections focusing on different aspects of the theory and practice of democracy, with a view both to exploring the richness and variety of this philosophical tradition and raising the question of its specificity and identity. In this brief introduction we highlight some of the main themes emerging from the different contributions to the volume.

In the opening paper Robert Talisse develops further his project of providing a justification of democracy from a Peircean epistemological perspective. He argues that a viable pragmatist democratic theory should abandon Deweyan comprehensive approaches to democracy, which are unable to account for John Rawls' insight that contemporary liberal democratic societies are characterized by the fact of reasonable pluralism. Considering that according to pragmatists there is an internal connection between proper philosophy and democratic politics, in the sense that for pragmatism

meaningful critical thinking can only be conducted democratically, Talisse points out that democratic theory should not only be seen as a central concern for a pragmatist political theory, but as a crucial test for attesting the very viability of pragmatist philosophy. It is in order to address this viability challenge that Talisse recommends to drop the anti-pluralistic Deweyan-way-of-life approach to democracy and endorse an alternative view inspired to Charles S. Peirce's pragmatist social epistemology.

Roberto Frega in his contribution outlines the main tenets of a pragmatist theory of public reason drawing on certain overlooked aspects of John Dewey's political thinking. Sharing with Talisse the distrust towards traditional comprehensive Deweyan approaches to democratic politics, Frega re-examines Dewey's epistemology of practice by means of a radical reconstruction of political epistemology centred on the notions of deliberation and justification. Through a critical account of some of main conceptions of public reason in contemporary political philosophy, such as those put forth by Rawls and Jurgen Habermas, Frega provides a distinct account of democratic practice which mediates between idealistic-liberal and critical-theoretical positions. Both Frega's and Talisse's papers show the increasing importance of epistemological arguments in democratic theory. While relying on different epistemological outlooks and pointing to different conceptions of the nature and role of justification in democratic theory, both papers claim that one of pragmatism key contribution to contemporary political debate lays in its account of the place of rationality in human affairs.

Gideon Calder and Fabrizio Trifiro' focuses precisely on the importance of philosophical theorization for political practice and especially the practice of democracy. Calder, through a critical exploration of Richard Rorty and Nancy Fraser's anti-metaphysical treatments of democracy, argues that to address key practical challenges facing democratic societies we require venturing to a theoretical vantage point further from ground-level political practice than either Rorty or Fraser would prefer. In particular, reflecting on the circularity inherent to the projects of democracy and social inclusion, namely that the elaboration of principles of democracy and inclusion presupposes democratic and inclusive processes of decision-making, Calder concludes that the only escape from this circular movement is through a recourse to 'prior philosophy.' Looking at the challenges of creating equal opportunities for disabled people he suggests that the meta-principles that would allow us to escape this dead-end for democratic politics can be found in the capability approach elaborated by Amartya Sen.

Trifiro' endorses instead a ground-level ethical/political approach to the everyday challenges facing liberal democracies, including what he identifies as the structural tensions within the liberal democratic project between the values of liberty and equality, liberal and democratic rights, and universalistic

and particularistic aspirations. Trifiro's approach draws on the anti-metaphysical and anti-sceptical works of Rorty and Putnam at a meta-normative level, and the deliberative turn in democratic theory and the capability approach to autonomy, at the normative level. He maintains that there is no philosophical argument that can protect liberal democracies from the challenges and threats they face, but only concrete and serious political and moral commitment. Looking at the challenges posed by the increasing intercultural contacts associated with contemporary globalization he argues that an anti-foundationalist approach to normativity that gives priority to the ethical and the political over the ontological and the epistemological is not only epistemically viable but also highly desirable for the fullest realization of the liberal democratic project in a deliberative spirit.

Mark Porrovecchio questions the assumption behind Talisse's viability argument, that there is a necessary internal relationship between pragmatist philosophy and democratic politics, by focusing on the neglected works of the British philosopher Friedrich. C. Schiller. Pointing out how Schiller's Jamesian humanism should be regarded as falling squarely within the pragmatist tradition and how he was able to accommodate his pragmatist humanism with the endorsement of eugenics and authoritarianism, Porrovecchio argues that the association of pragmatism with democracy and equalitarianism is forced and unjustified. Porrovecchio thus shows the extent to which the reintegration of Schiller's voice in the pragmatist tradition would not only contribute to enrich the pragmatist movement but also provide a more accurate account of the significance of pragmatist epistemology for political theory, and liberal democratic politics in particular.

Joëlle Zask outlines the main tenets of a pragmatist liberal democratic culture by bringing together Dewey's notion of the public and the different approaches to self-government elaborated by Thomas Jefferson, Henry D. Thoreau, and Alexis de Tocqueville. The resulting pragmatist view of liberal democracy is centred on the appreciation of the ineradicable 'situatedness' of every social agent, which is taken to entail that genuine democratic self-government must rely on the agents' not replaceable knowledge of their own specific situation. Such an approach, which counters the epistocratic tradition that grounds the right to govern upon the possession of some specific competence or knowledge not available to ordinary agents, purports to overcome the liberal/communitarian opposition by merging collective and individual autonomy in the radical project of comprehensive practices of self-government spanning across all forms of collective agency.

Barbara Thayer-Bacon, drawing on Dewey theory of social transaction and his anti-foundationalist epistemology, endorses a similar comprehensive view of democracy as a mode of associated living encompassing all fronts of life, with the intent to move beyond individualism and collectivism and liberal

democracy as we know it. The cornerstone of this radical political view is a transactional view of the selves as embedded in social relations which they continuously help shaping while being at the same time shaped by them. She takes this indissoluble social interconnection to point in a Deweyan way to the crucial role to be played by public education in equipping us for life in pluralist democratic communities and making us able to recognise the risks of oppression and exploitation lurking behind accepted social practice.

In a similar vein Sandra Laugier argues that Stanley Cavell's reading of Ralph W. Emerson's views about democracy shows us the way to overcome the individualism/collectivism dualism which has informed the debate between liberals and communitarians. This reading is centred on the appreciation of the Emersonian concept of self-reliance as the defining trait of a progressive democratic culture. The driving idea is that it is only by valuing, safeguarding and fostering the critical voice of self-reliant individuals that it is possible to prevent the degeneration of democratic consent into social conformism. Yet, Laugiers maintains that this radical form of individualism is not to be regarded as the apology of the selfish pursuit of private interests. It is compatible with the pursuit of the public interest, since Emerson's self-reliant individuals are immersed in the ordinary everyday life they share with their fellow human beings, thus pursuing common interests. On this view, the value of education for democracy is seen as being that of helping creating self-reliant citizens, rather than exclusively knowledgeable individuals.

Filipe Carreira da Silva joins voice with Thayer-Bacon and Laugier in stressing the crucial role played by schooling and public education in the formation of individual selves and communities. His contribution illustrates the significance for democratic politics of George H. Mead's social psychological and evolutionist philosophy of education. In particular, through an examination of Mead's views on a variety of issues including the educative role of the family, the pedagogical role model of the experimental scientific method and the public role of schools in providing people with the skills and capacities required to participate actively in modern industrial economies and democratic societies, da Silva shows how it is possible to see emerging form Mead's social psychology of education a pragmatist, egalitarian and deliberative *ethos* of democracy. This is an ethos whose realization, from the local to the national and the global levels, depends crucially on informed citizenry and active public spheres.

Kenneth Stikkers turns from the public role of education in equipping citizens for democratic life to that of intellectuals in identifying actual and potential threats and challenges to democratic societies, elaborating creative resolutions to address them, and raising public awareness and self-reflection about what it means to live in a democratic society. Following Dewey's insight that philosophy should operate as a 'liaison officer' for different areas

of culture, Sikkers maintains that pragmatism should urge public intellectuals to divert their attention from the theoretical task of justifying democracy against antidemocratic people to the transformative task of dealing with existing concrete threats to democratic life. In the background of his argument for the critical and transformative role of public intellectuals lays a pragmatist understanding of epistemic fallibilism which rejects adversary politics for the constructive inclusion and confrontation of all the dissenting voices. Enlargement of experience and not confutation is offered as the regulative ethos of social and political inquiry.

This seems to be the same ethos which Brian Duff, in his paper, argues to be threatened by approaches to social conflict based on the communitarian idea of parenthood as opposed to the universalistic idea of brotherhood. Duff develops his argument through a critical examination of certain aspects of Rorty's and Cornel West's thought, which he takes as exemplifying a communitarian pragmatist answer to the normative contingency and pluralism that follows from the rejection of foundationalist philosophy. Duff's main contention is that such approaches eventually lead to the stagnation of political debate and the conservative defence of the status quo.

Shane Ralston takes issue with the idea that democratic deliberation is primarily if not exclusively a group activity. He looks at Dewey's theory of moral deliberation and Robert Goodin's theory of 'deliberation within' as instances of more comprehensive and satisfying accounts of deliberative democracy that integrate dialogical and monological perspectives. The lesson deliberative democrats should take from the proto-deliberative democrat Dewey, according to Ralston, is the appreciation of the key role of imaginative thinking in formulating appropriate responses to the problematic situations we face in our everyday lives. He argues that Goodin's account of deliberation, transposing Dewey's insight from the moral to the political sphere, is the one deliberative democrats should look at.

In the final contribution Brian Butler draws a pragmatist philosophy law from Dewey's views of democracy and rational inquiry. Through a critical comparison with the approaches to law elaborated by Ronald Dworkin and Richard Posner, Butler argues that Dewey's pragmatist view of law is to be preferred. While Dworkin's approach is too principled and thus less accommodating to dissent and diversity, Posner's minimalist approach leaves spaces for social cooperation too exposed and vulnerable to the strategic pursuit of sell-interest. Dewey's ethical and fallibilist approach is more conducive to the creation of legal systems fit for participatory, pluralist and deliberative democratic societies.

Saving Pragmatist Democratic Theory (from Itself)[1]

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ABSTRACT
Deweyan democracy is inherently comprehensive in the Rawlsian sense and therefore unable to countenance the fact of reasonable pluralism. This renders Deweyan democracy nonviable on pragmatic grounds. Given the Deweyan pragmatists' views about the proper relation between philosophy and politics, unless there is a viable pragmatist alternative to Deweyan democracy, pragmatism itself is jeopardized. I develop a pragmatist alternative to Deweyan democracy rooted in a Peircean social epistemology. Peircean democracy can give Deweyan pragmatists all they should want from a democratic theory while avoiding the anti-pluralistic implications of Dewey's own democratic theory. After presenting the arguments against Deweyan democracy and for Peircean democracy, I address a criticism of Peircean democracy recently posed by Matthew Festenstein.

0. *Introduction*

Pragmatism has been a hotly contested term since its introduction into the vernacular of professional philosophy by William James in an 1898 essay titled "Philosophical Conceptions and Practical Results." He used it there to name an idea espoused twenty years earlier by Charles Sanders Peirce. After praising Peirce's idea- the "pragmatic maxim"- James quickly confesses that he "thinks the principle should be expressed more broadly than Mr. Peirce expresses it." And ever since then, pragmatists have been in the business of trying to reach agreement about what pragmatism is.

Although I take myself to be some kind of pragmatist, I do not plan here to join this particular fight. I take it to be non-controversial to say that pragmatism is a philosophical program which insists upon assessing our "philosophical conceptions" by reference to their "practical results." I realize

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[1] An earlier version of this paper was given at the College of Wooster as the 2009 Phi Sigma Tau Lecture. I thank Lee McBride and the Wooster philosophy department for the invitation and hospitality. A different version was presented in 2009 at the University of Arkansas at Little Rock. I thank Micah Hester and the Little Rock philosophy department for the invitation and hospitality. This paper draws upon, but extends, the argument of my *A Pragmatist Philosophy of Democracy* (Talisse 2007).

that this formulation is likely to gain widespread assent precisely because it is nearly vacuous. But at least since Dewey, pragmatism has been associated with one particular way of cashing out that nearly vacuous commitment; the claim is that philosophy, when properly done, involves an ineliminable social and political dimension, which, when properly understood, is intrinsically *democratic*. Hilary Putnam expresses the pragmatist position when he claims that democracy is the "precondition for the full application of intelligence to the solution of social problems" (1992: 180).

According to the pragmatist, then, there is an internal connection between proper philosophy and democratic politics. I take it that this is a familiar enough pragmatist *motif* to not require extended support. But it does occasion a serious worry: If it turns out that pragmatism cannot formulate a viable democratic theory, then pragmatism as a philosophical program is jeopardized. I shall argue in this paper that, indeed, the dominant mode of pragmatist philosophy yields a democratic theory that is cannot succeed in practice. More specifically, I shall argue that, despite the renewed interest in Deweyan democracy among pragmatists and political theorists more generally, the democratic theory arising out of Deweyan pragmatism is nonviable.[2] For the pragmatist, this must constitute a serious indictment of Deweyan pragmatism. Unless there is an alternative pragmatist option that yields a viable democratic theory, pragmatism as such might have to be abandoned. Luckily for the pragmatist, there is such an alternative. I shall argue that there is a viable conception of democracy that arises out of Peirce's pragmatism, or, to be more precise, Peirce's pragmatist social epistemology. Now, it is my view that this Peircean option in democratic theory is the strongest conception of democracy available to contemporary political philosophers, but I cannot argue for this ambitious thesis here. Instead, I shall try only to sketch the basic contours of a Peircean democracy; in fact, I shall try to sketch the view in a way that does not presuppose any deep sympathy for Peircean pragmatism.[3] My aim of course is not to lay out the Peircean view in a comprehensive way, but only to point a direction in which

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[2] Dewey's political theory continues to draw a good deal of attention from pragmatist philosophers; see, for example recent books by Rogers (2009), Westbrook (2005) and Pappas (2008). It is difficult to pick up a work of mainstream contemporary democratic theory that does not make at least a passing positive reference to Dewey. See, for example, Nussbaum 2007; Bohman 2007; Dworkin 2006; Sandel 2005; Stout 2004; MacGilvray 2004; Richardson 2002; Sunstein 2001; Shapiro 2001; Young 2000.

[3] A fuller presentation of the view that presupposes no sympathies with Peirce or pragmatist at all can be found in Talisse 2009.

pragmatist political theory can develop, in light of the failure of Deweyan democracy.

My main argument proceeds in four steps. First I sketch the basic contours of Deweyan democracy. Then I argue that later Rawlsian insights concerning the fact of reasonable pluralism render the Deweyan model of democracy unacceptable as an ideal for contemporary democratic societies. Third, I sketch a view of democracy based in Peirce's social epistemology and argue that it embodies many of the attractive features of Deweyan democracy without inviting the later Rawlsian objections which undermine the Deweyan view. Finally, I respond to a criticism recently proposed by Matthew Festenstein (2010).

1. *What Deweyan Democracy Is*

The core of Deweyan democracy can be stated as follows. Deweyan democracy is *substantive* rather than proceduralist, *communicative* rather than aggregative, and *deep* rather than statist. I shall take these contrasts in order. Deweyan democracy is *substantive* insofar as it rejects any attempt to separate politics and deeper normative concerns. More precisely, Dewey held that the democratic political order is essentially a *moral* order, and, further, he held that democratic participation is an essential constituent of the good life and a necessary constituent for a "truly human way of living" (LW11: 218).[4] Of course, democratic theorists differ over the question of what democratic participation consists in. Dewey rejects the idea that it consists simply in processes of voting, campaigning, canvassing, lobbying, and petitioning in service of one's individual preferences; that is, Dewey held democratic participation is essentially *communicative*, it consists in the willingness of citizens to engage in activity by which they may "convince and be convinced by reason" (MW10: 404) and come to realize "values prized in common" (LW13:71).[5] Importantly, Dewey thought that such communicative processes

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[4] References to Dewey's work will be keyed the *Collected Works*, which are divided into *Early*, *Middle*, and *Later* works. Citations employ the standard formula: (Volume number: page number); hence "(LW11: 218)" indicates *Later Works* volume 11, page 218. On the necessity of democratic participation, compare Campbell, "Participation in a community is essential to a fulfilled human existence because such participation makes possible a more diversified and enriching experience for all members" (1998: 24). See also Campbell 2005 and Saito 2006.

[5] According to Dewey, the "heart and guarantee of democracy is in free gatherings of neighbors on the street corner to discuss back and forth what is read in uncensored news of

were fit to direct not simply the basic structure of government, but the whole of social association. In fact, Dewey held famously that democracy is a "way of life" (LW13: 155) rather than a kind of state or a collection of political institutions (LW2:325). On Dewey's view, democracy is a mode of social organization that "must affect all modes of human association, the family, the school, industry, religion" (LW2:325). In this way, Deweyan democracy is *deep*. It is meant to reach into and affect the whole of our lives, both individual and collective; it provides a social ideal of human flourishing or the good life, what Dewey called "growth" (MW12: 181).

Deweyan democracy is therefore a species of *perfectionism*. As he sees the self as inherently social, and the good as a matter of self-realization, Dewey held that "Democracy and the one, ultimate, ethical ideal of humanity are . . . synonyms" (EW1:248).[6] However, unlike other forms of perfectionism, which hold that the project of forming citizens' dispositions is a task only or primarily for the state, Dewey's perfectionism is, like his conception of democracy, *deep*; that is, on the Deweyan view, the perfectionist project of realizing human flourishing is a task for *all* modes of social association (LW2:325). Consequently, Dewey held that "The struggle for democracy has to be maintained on as many fronts as culture has aspects: political, economic, international, educational, scientific and artistic, and religious" (LW13: 186). He saw the task of democracy to be that of "making our own politics, industry, education, our culture generally, a servant and an evolving manifestation of democratic ideals" (LW13: 197). For Dewey, then, *all* social associations should be aimed at the realization of his distinctive vision of human flourishing.

2. *An Objection to Deweyan Democracy*

John Rawls's conception of the "fact of reasonable pluralism" (1996: 36) is at this point so well known among political theorists that it does not require

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the day" (LW14:227).

[6] On the social self, Dewey holds that "The idea that individuals are born separate and isolated and are brought into society only through some artificial device is a pure myth"; he continues, "No one is born except in dependence on others . . . . The human being is an individual because of and in relation to others" (LW7:227). Dewey also holds that "society and individuals are correlative, organic, to one another" (MW12:187). Contemporary Deweyan democrats maintain this commitment; see Boisvert 1998, 54f.; Green 1999, 6; Stuhr 1998, 85; Fesmire 2003, 11; and Colapietro 2006, 25.

extended comment. Basically the idea is this: There is no single comprehensive philosophical, religious, or moral doctrine upon which reason, even at its best, converges. That is to say, there is a set of defensible and reasonable comprehensive moral ideals such that each ideal is fully consistent with the best exercise of reason but inconsistent with other members of the set. Consequently, despite "our conscious attempt to reason with each other" (1996: 55), agreement at the level of fundamental moral, religious and philosophical issues is elusive. Importantly, Rawls contends that reasonable pluralism "is not a mere historical condition that may soon pass away" (1996: 36), but "the long-run outcome of the work of human reason under enduring free institutions" (1996: 129). The very liberties secured in a constitutional democracy give rise to reasonable pluralism.

The fact of reasonable pluralism entails the corresponding "fact of oppression" (1996: 36). If reasonable pluralism is "the inevitable outcome of free human reason," then "a continuing shared understanding on one comprehensive religious, philosophical, or moral doctrine can be maintained only by the oppressive use of state power" (1996: 36). To simplify: Where minds are free, pluralism prevails; where pluralism does not prevail, minds are not free.

When the facts of reasonable pluralism and oppression are considered in light of the core democratic commitment- which we shall call the Legitimacy Principle- that the exercise of coercive political power is legitimate only if it is justifiable, at least in principle, "to every last individual" (Waldron 1993: 37), the result is that that any political order which is premised upon the truth of a single comprehensive doctrine- even a perfectly reasonable and democratic one- is oppressive. It is oppressive because it coerces reasonable citizens in the service of a comprehensive moral, philosophical, or religious ideal that they could reasonably reject. Accordingly, Rawls draws the radical conclusion that "no comprehensive doctrine is appropriate as a political conception for a constitutional regime" (1996: 135). Therefore, if by "community" we mean "a special kind of association, one united by a comprehensive doctrine," a "well-ordered democratic society" cannot be a community, (1996: 40).

However, it is clear that Deweyan democracy is committed to the claim that proper democracy is a community in precisely this Rawlsian sense. That is, Deweyan democrats envision a political world in which "all modes of human association" (LW2:325) are organized around Dewey's comprehensive moral doctrine. As Dewey's comprehensive doctrine is a species of perfectionism, he naturally sees democracy as an ongoing, and never completed, project of cooperatively and experimentally realizing his view of

human flourishing.[7] Accordingly, Deweyan democrats see proper democracy as a matter not simply of how a society or group makes its collective decisions, but rather of *what it decides*. The Deweyan thought is that, in a proper democracy, collective decision should increasingly reflect a social commitment to principles, policies, and institutions that further Deweyan growth; consequently, the degree to which a given society is *not* directed towards the realization of Deweyan flourishing is the degree to which that society is failing at democracy.

This point deserves emphasis. To repeat: The Deweyan view is that human association of any kind is properly- that is, *democratically*- organized only when it are directed towards the realization of "growth" as understood by Dewey. Accordingly, any association that seems to *not* be so directed is failing at democracy. Consequently, whether a given mode of social association is democratic is, according to the Deweyan, a matter of *what policies it enacts* rather than *how it makes its collective decisions*. This perhaps explains why the literature on Deweyan democracy is so laden with thick institutional and personal prescriptions concerning what democracy *must* be or strive to become.[8] Curiously, many of these prescriptions are presented in the form of *commands*. We are told that if democracy is to have a future at all, we must become more Deweyan, and that *real* democracy must be devoted to realizing Deweyan aims, and so on.

The problem with all of this is that the commitments constitutive of the Deweyan democratic ideal can be reasonably rejected. Insofar as the Deweyan

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[7] Dewey describes human flourishing as a condition in which each individual "feels [the community's] success as his success, and its failure as his failure" (MW9:18).

[8] An exhaustive examination of the Deweyan democracy literature cannot be attempted here, so I will limit myself to only a few sources. Describing Deweyan democracy as "the culture of a whole society in which experience is engaged in its power of fulfillment of life through cooperation and communication," Thomas Alexander claims that "*if democracy is to have a future*, it must embrace an understanding of the deepest needs of human beings and the means of fulfilling them" (1998: 17, my emphasis). John Stuhr claims that Deweyan democracy presents a "demand" for "different personal conduct and far-reaching cultural reconstruction- deep changes in habits of thought and action, patterns of association and interaction, and personal and public values" (2003: 55). He concludes that "we must each seek to expand democracy . . . . We must realize in thought and action that democracy is a personal way of individual life . . . , and we must rededicate our lives to its realization- now" (2003: 64). Finally, James Goulinlock describes Deweyan democracy as a "more or less specific ordering of personal dispositions and modes of conduct that would be operative in all forms of interpersonal experience"; he continues that "Political democracy, *when it is real*, is but an instance of this more generic form of life" (1999: 235; my emphasis).

democrat seeks to reconstruct the whole of society in the image of her own philosophical commitments, she seeks to create social and political institutions that are explicitly designed to cultivate norms and realize civic ideals that her fellow citizens could (and in fact do) reasonably reject. Hence Deweyan democracy is an ideal that must deny the fact of reasonable pluralism; it must deny that non-Deweyans could be reasonable. For this reason Deweyan democracy is oppressive in Rawls's sense. Accordingly, Deweyan democracy is an inappropriate ideal for contemporary democratic societies.

In response, Deweyans might appeal to the hackneyed injunction to dismiss "problems of philosophers" and attend only to the "problems of men" (MW10: 46); they will claim that the concept of reasonable pluralism is an artifice of a philosophical approach that is not properly attuned to real-life conditions, and conclude from this that the objection I have raised cuts no ice.

But the fact of reasonable pluralism is a markedly evident aspect of modern life. One finds in newspapers and magazines, on television programs, on blogs and list-servs, and in the public square proponents of reasonable moral and political views that differ fundamentally from, and are opposed to, the commitments that are presupposed by Deweyan democracy. Moreover, all of the most pressing moral and political controversies of the day feature a plurality of reasonable positions formulated in terms of a wide variety of reasonable moral doctrines. With regard to any persistent moral dilemma, one can find compelling arguments on *many* sides of the issue. To dismiss the fact of reasonable pluralism is to retreat from our actual experience of our social and political world.

Since Deweyans are committed to the idea that the worth of a philosophical view is to be judged according to the depth of its connection with real-life problems and conditions, I take the argument that Deweyan democracy cannot countenance the fact of reasonable pluralism to be especially damaging. The upshot of the argument I have deployed is that Deweyan democracy fails *on its own terms*; it must reject a salient trait of current experience. Consequently, pragmatists should bid farewell to Deweyan democracy.

This is a disturbing result. Given the way in which Deweyan pragmatism conceives the relation between philosophy and politics, that it cannot supply a viable theory of democracy means that Deweyan pragmatism is a philosophical failure as such. When we add to this the consideration that neither Peirce nor James wrote systematically about political philosophy, the trouble deepens. Could it be that pragmatism can provide no sustainable political vision? If so, pragmatists have sufficient reason to abandon their

view and take up something new. My aim in the remainder of this paper is to provide a pragmatist alternative to Deweyan democracy, and thus to save pragmatist political theory from itself.

3. *A Peircean Alternative*

The very idea of a Peircean conception of democracy may seem strained. Yet, as I have argued elsewhere at length (Talisse 2003; 2007), Peirce's essay on "The Fixation of Belief" is best read as ultimately promoting a social epistemology according to which norms of proper inquiry entail democratic political norms. The key to Peirce's "Fixation" essay, I contend, is the thesis that there are norms internal to belief itself. Peirce holds that *in order to assess oneself as believing that p, one must assess oneself as being properly responsive to the relevant evidence, arguments, and reasons*. To recognize of oneself that one is in the habit of behaving as if *p*, but is not appropriately responsive to the relevant reasons, is to no longer be able to assess oneself as *believing* that *p*; rather, one must see one's commitment to *p* as a kind of *symptom*, a strong indication of one's lack of epistemic control. This is why the first three of the four methods of belief fixation that Peirce examines fail: they are unsustainable once one assesses oneself as following them.

But let me change gears here. I do not want to invite controversy over textual interpretation. So let me state the argument quickly and in decidedly non-Peircean terms.

There are two features of belief that are of special relevance to Peircean pragmatists. The first can be stated in a way owing to G. E. Moore (1942). He recognized that statements of a particular form, when understood as first-personal epistemic assessments, have a certain paradoxical nature. To wit:

(M) *I believe that it's raining, but it's not.*

What is paradoxical about this statement is that although it may, of course be true of you, *you can't believe it to be true of you.* That is, to assess as false a belief that you hold is (typically) to dissolve the belief. When we believe, we aim at truth. To show that a belief is false is (typically) to *defeat* the belief.

The second feature of belief is the impossibility of what Bernard Williams calls "deciding to believe" (1976). I ask you to try to believe that I right now have exactly 27 dollars in my left pocket. Go ahead. Try. Notice what your trying consists in: you are trying to give yourself a *reason* for thinking that it is true that I have exactly 27 dollars in my pocket. That is, you are trying to

convince yourself that in believing that I have exactly 27 dollars in my pocket, you wouldd be appropriately responding to reasons. In short, when we believe, we aspire to be responsive to reasons. We cannot take ourselves to believe willy-nilly or at random. Of course, many of our beliefs are random. But the first-personal perspective is crucial: we do not *assess* ourselves in this way. And when we come to realize of a belief that it was derived willy-nilly, we (typically) see it as a clear symptom of epistemic failure; accordingly, we see fit to take epistemic action: we revise, or withdraw belief, or suspend judgment, or deceive, or confabulate. And so on.

In short: when we believe, we aim to believe what is true. And the way we aim to believe what is true is by believing in a way that responds to our evidence and reasons. As epistemic agents, then, we are bound by two norms: truth and responsiveness. Now, a lot needs to be said here about famous (infamous?) results concerning the deep irrationality of human beings. I cannot take these up here. For now, let me state what makes this view of belief a *pragmatist* view: The norms of truth and responsiveness are *internal* to our practices of belief. They are not parachuted in from the lofty heights of some philosophical conception. They *inhere* in what we do, how we think, and how we communicate. More importantly, they specify what it takes to be epistemically above-board; they specify our epistemic commitments and form our conception of epistemic responsibility.

An epistemic argument for democracy follows intuitively from this conception of epistemic agency. One should endorse a democratic political order because only in a democracy can one live up to one's epistemic commitments. That is, if being a believer commits one to aspiring to truth, and if one aspires to truth by responding appropriately to reasons, then responsible believing calls us to the social enterprise of examining, exchanging, testing, and challenging reasons. It follows that one can satisfy one's commitments *qua* believer only within a political context in which it is possible to be a free inquirer. Inquiry requires that characteristically democratic norms obtain; in order to inquire, there must be norms of equality, free speech, a freedom of information, open debate, protected dissent, access to decision-making institutions, and so on. Moreover, since the project of responsiveness involves testing one's beliefs against the broadest possible pool of reasons, experiences, and considerations, inquiry requires more radically democratic norms, such as participation, inclusion, and recognition.

Additionally, the Peircean argument carries a number of institutional entailments. If inquiry is to commence, the formal infrastructure of democracy must be in place, including a constitution, courts, accountable

bodies of representation, regular elections, and a free press. Also, there must be a system of public schooling designed to equip students in the epistemic habits necessary for inquiry, and institutions of distributive justice to eliminate as far as possible material obstructions to democratic citizenship. In addition, democracy might also require special provisions for the preservation of public spaces, the creation of forums for citizen deliberation, and the like.[9]

Peircean democracy shares many features with the Deweyan view. To wit: Insofar as it begins from a view of what it is to believe and inquire *properly*, we can say that Peircean democracy is *substantive*. As it sees democratic politics as involving social processes of reason-exchanging, Peircean democracy is *communicative*. Given that it endorses social institutions that aim to enable proper inquiry among citizens, we can say that Peircean democracy is *deep*.

However, there is a crucial difference between the two views. Whereas on the Deweyan view the democratic order is justified in terms of an overarching moral ideal, the Peircean view relies upon no substantive *moral* vision. The Peircean justifies democratic institutions and norms strictly in terms of a set of substantive *epistemic* commitments. It says that *no matter what one believes* about the good life, the meaning of human existence, or the value of community, one has reason to support a robust democratic political order of the sort described above simply in virtue of the fact that one holds beliefs.

Since the Peircean conception of democracy does not contain a doctrine about "the one, ultimate, ethical ideal of humanity" (EW1:248), it can duly acknowledge the fact of reasonable pluralism. Peircean democrats can recognize that there are many distinct and epistemically responsible moral visions that are compatible with democratic politics. Accordingly, Peirceans understand that questions of how our schools, workplaces, and churches should be organized, what our communities should look like, and what constitutes good citizenship are *not* questions that can be settled by appealing to democratic theory as such; they are instead questions to be pursued experimentally and discursively *within* a democratic politics. What counts for Peirceans is not the proximity of a given democratic outcome to a substantive moral vision of the ideal society, but rather whether the outcome is the result of properly democratic processes of reason exchange.

By drawing upon decidedly *epistemic* commitments, the Peircean view avoids the dilemma between substance and pluralism occasioned by Deweyan democracy. The Peircean pragmatist does not propose a moral ideal for all of

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[9] I'm thinking here of the kinds of policies endorsed by Cass Sunstein to ensure deliberation among persons of different opinions; see Sunstein 1996; 2001; 2003. See also Ackerman and Fishkin 2004.

society, but rather an analysis of proper *epistemic* practice. The Peircean then recommends a political order in which disputes between conflicting moral visions can be conducted in an epistemically responsible way. Hence the Peircean pragmatist offers a far more modest politics than the Deweyan. Whereas Dewey thought that getting democracy right meant getting the whole of moral philosophy right, the Peircean leaves open the dialectical space for substantive disagreements about deep moral and social questions within democracy. In this way, Peircean democracy is substantive and deep, but not hostile to the pluralism of substantive moral doctrines.

Someone might object to the distinction I have invoked between moral and epistemic commitments. The objection has it that just as Deweyans expect everyone to converge upon a common substantive moral vision, Peirceans expect everyone to adopt a single (pragmatist) epistemology. The objection continues that Peircean epistemology is at least as controversial as any moral philosophy; and so both the Deweyan and the Peircean views commit the same error of denying reasonable pluralism. Deweyan democracy denies it at the level of moral commitments, and Peircean democracy denies it at the level of epistemic commitments.

This objection is mistaken. The epistemic commitments that lie at the core of Peircean democracy do not constitute a comprehensive epistemology in their own right, but rather state a set of principles that are consistent with any well-developed epistemology. Internalists, externalists, foundationalists, coherentists, and so on all agree that beliefs aim at truth, and that when we believe, we take ourselves to be responding to reasons, argument, and evidence. Accordingly, the four Peircean commitments identified above represent an attempt to make explicit the epistemology that is implicit in our existing epistemic practice. They are the commitments we have in virtue of the very fact that we are believers; they are not *optional*. Furthermore, since contestation itself presupposes norms of reason-responsiveness and truth-aiming, the Peircean commitments are not reasonably contestable.

Peirceans and Deweyans are therefore *not* in the same boat. The substantive moral ideal that drives the Deweyan program is, indeed, reasonably rejectable; hence Deweyan democracy runs afoul of pluralism. This in turn jeopardizes the whole of Deweyan pragmatism. The Peircean epistemic commitments, by contrast, are robust enough to support a case for democratic politics, but are nonetheless modest enough to recognize the legitimacy of deep disputes over fundamental moral ideas. Hence the Peircean can offer what the Deweyan cannot, namely, a substantive conception of democracy that is consistent with a due appreciation of reasonable pluralism.

4. *A Recent Critic Considered*

My arguments against Deweyan democracy and in favor of Peircean democracy have generated a good deal of criticism. My critics fall roughly into two categories: those who seek simply to correct my understanding of Deweyan democracy, and those who object to my Peircean proposal. Many critics of the former sort tend unwittingly to present a conception of Deweyan democracy that renders it even more subject to reasonable rejection than the view I present as Deweyan democracy; they thereby confirm my criticism. Other critics of the former sort contend that my argument is question-begging because it appeals to a "foreign standard" (Ralston 2008: 630) in evaluating Deweyan democracy. I find this line of response unpromising since it seems committed to the view that all valid criticism is *internal* criticism; yet, of all philosophical schools, pragmatism is perhaps most vehemently committed to the claim that criticism can come from anywhere, and should be actively sought out, especially from those who do not share one's fundamental commitments. As I said above, the criticism of Deweyan democracy draws upon a salient feature of experience, not the standards of some foreign philosophical program. In any case, I would like to conclude this paper by considering an objection that falls into the latter category of criticism.

In a recent paper on "Pragmatism, Inquiry, and Political Liberalism"," Matthew Festenstein (2010) argues that Peircean democracy "presupposes a specific moral epistemology" which like other "religious, moral and philosophical views" should be "discounted by political liberalism as bases for the use of state power" (2010: 38). Festenstein correctly anticipates my reply that since the epistemic norms in question are both internal to belief and first-personal, the norms are not reasonably rejectable. Here is another way to put the point: There is no reasonable pluralism with respect to the epistemic norms upon which the Peircean view is based; therefore those norms may be appealed to in political justification.

Festenstein suspects that the Peircean epistemic norms are indeed reasonably rejectable. Festenstein correctly attributes to me the view that to reasonably reject a claim is to reject it for reasons rather than simply dismissing or ridiculing it. I claim, then, that the very idea that coercion must be justified by means of reasons that are not reasonably rejectable embeds a commitment to the norm of reason-responsiveness; hence that norm is not reasonably rejectable. Festenstein sees an ambiguity, however, in the norm of

reason-responsiveness. He holds that one might reject p for a reason but yet fail to reject p for a reason that is responsive to others' reasons. Festeinsten claims that I am committed to the view that to be reason-responsive is to be responsive to *others'* reasons. He argues that this is a "question-begging" conception of reason-responsiveness, and surely one that could be rejected for reasons.

But here is where the first-personal component of the Peircean view is crucial. Although it is possible for one to believe that p on the basis of reasons that do not respond to the reasons of others, it is not clear that it is possible to assess one's belief that p as being epistemically proper once one recognizes that one's reasons are non-responsive. Consider these self-assessments:

(a)   I believe that p, but I am unaware of what competent opponents say about p.

(b)   I believe that p, but whenever I state my reasons for p, otherwise intelligent, sincere, and competent people are unmoved.

(c)   I believe that p, but I always lose fairly-conducted argumentative exchanges with competent interlocutors who reject p.

Again, such assessments are consistent with maintaining the belief that p. Indeed, it is easy to find cases in which someone believes that p despite having no idea what competent opponents say; and it may be easier to find cases in which belief that p seems to *strengthen* in the face of a lost argument. But uninformed and tenacious believers most frequently accompany their beliefs with stories designed to dismiss or malign those who disagree. That is, no one takes himself to be a tenacious or uninformed believer; rather, when we believe, we take ourselves to be responding not only to the reasons that move us, but also to the reasons of those who believe otherwise.

Festenstein finds this kind of reply unconvincing. He holds that it is possible to believe that p and yet not take oneself to responding to reasons. To make the case, he considers a fundamentalist who simply defers to a religious authority. He imagines someone who "takes her preferred source of instruction to be authoritative, but her doing so is not necessarily on the basis of the reasons [. . .] presented in support of this epistemic authority"; Festenstein adds, "She may simply accept that this source is authoritative" (2010: 39).

I confess that I'm not sure what Festenstein is proposing. Does the fundamentalist accept that her guru is epistemically authoritative for reasons

other than those that are offered in support of that authority? Does the fundemantalist hold that the guru is authoritative, but not *epistemically* so? Has the question of source and nature of the guru's authority simply not occurred to her? It seems to me that these questions matter. And here are two other crucial questions: Does she believe that the reasons explicitly offered in support of the guru's epistemic authority *fail*? Does she believe that the pronouncements of her guru are *false*?

So it is hard to know what to make of the case. But it is important to notice that Festenstein has moved from first-personal to third-personal assessments. It seems to me easy to invent cases involving caricatured fundamentalists and other figures supposedly at the epistemic margins. But the fact is that fundamentalists most frequently take themselves to believe for reasons; indeed, they're often very eager to produce their reasons. In any case, Festenstein's appeal to the fundamentalist instantiates a trend among those who object to the fixation view, namely, that of providing examples of *other people* who believe without taking themselves to have reasons. I contend that such cases are rare, and those who fit the description are plausibly regarded as in the grip of some kind of psychosis. So I wonder if Festenstein is willing to cite a belief that *he* holds but does not take himself to have reason to hold. In the meantime, it seems to me that Peircean democracy survives Festenstein's critique.

To conclude: Drawing on Rawlsian insights, I have sketched an argument against Dewey democracy. As I mentioned, I consider this a *pragmatic* argument, one which Deweyans ignore at the cost of rendering their view impotent to address salient features of contemporary political experience and thus irrelevant. It seems to me that any attempt to repair Deweyan democracy will require a rejection of significant features of the view; in order to make Deweyan democracy consistent with the fact of reasonable pluralism, one must omit Dewey's appeals to shared experience, the Great Community, and much else that is distinctively Deweyan about the view. I have suggested in this paper that there is another way forward for the pragmatist: Peircean democracy. Admittedly, I have here only sketched the view, and much more needs to be said about the Peircean alternative. The filling out of the view is a considerable task, to be undertaken in future work.

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What Pragmatism means by Public Reason

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ABSTRACT
In this article I examine the main conceptions of public reason in contemporary political philosophy (Rawls, Habermas, critical theory) in order to set the frame for appreciating the novelty of the pragmatist understanding of public reason as based upon the notion of consequences and upon a theory of rationality as inquiry. The approach is inspired by Dewey but is free from any concern with history of philosophy. The aim is to propose a different understanding of the nature of public reason aimed at overcoming the limitations of the existing approaches. Public reason is presented as the proper basis for discussing contested issues in the broad frame of deep democracy.

0. *Introduction*

Pragmatism brings to democratic theory as well as in other fields of political reflection a new look to classical issues. Among these, of the utmost importance for contemporary political debates is its renewed understanding of a central notion, that of public reason. Starting from a conception of rationality rooted in the primacy of practices, pragmatism redefines the notion of public reason in a way that is irreducible to the main contemporary approaches to this issue: the liberalist view mostly championed by John Rawls and the discursive, communitarian and critical theory approaches. In order to single out the specific identity of the pragmatist theory of public reason, I will firstly proceed to sketch the profile of its main contemporary competitors. The focus of my examination of the concept of public reason in mainly epistemological: it is my persuasion that the originality of the pragmatist approach to public reason resides precisely in its capacity to propose a fully new account of what is human reason, what its place in human affairs and what its main epistemological requirements. Some of the traits of this new conception of rationality will be sketched below.

1. *Public reason and the pragmatist epistemology of practice*

The pragmatist epistemology of practice, and the theory of rational inquiry that it supports have vast epistemological consequences non only in the domain of general philosophy but also in that of political reflection. The notion

of inquiry provides the conceptual basis for facing in a new way issues related to the relationship of beliefs to individual and collective agency. This is the avenue chosen by pragmatism in order to define the notion of public reason and to understand its place in public affairs. Through its theory of public reason, pragmatism has deeply contributed to a thorough redefinition of the political categories of the public and of the private sphere and of our understanding of their mutual relationships. Blurring the dualism of the public and the private that grounds the liberal approach to public reason, the pragmatist account provides a new understanding of the public sphere starting from a different theory of rationality. The novelty of the pragmatist approach, to this extent, is that its conception of the public sphere and the redefinition of the boundaries of the private and the public are strictly connected to the epistemological revolution operated by the introduction of the conception of belief as a guide for action and by the understanding of rationality according to the paradigm of inquiry.

With reference to mainstream liberal and discursive political philosophy, pragmatism operates a double shift: on one side, it resists the understanding of the public sphere according to the categories of universality and neutrality; on the other side, it rejects the traditional dichotomy of the public and the private. Both moves are important in order to provide a fresh interpretation of the contemporary dynamical transformations of the public space (Innerarity 2006, Held 2004), as this last has proven to be reducible to traditional conceptions of public reason only at the cost of great losses. Classical conceptions of public reason as being neutral and universal are generally couched in terms of a model of rationality dominated by the idea of a strong and irreducible opposition between the private and the public forms of its use. Ideals of universality and neutrality are generally conceived out of the persuasion that access to reason requires a process of detachment that frees the individual from his specific and personal traits (desires, interests, conceptions, etc.). In order to preserve the universality and neutrality that qualify its legitimacy, public reason needs therefore to set its operational conditions in opposition to the rules that govern its private use.

We can see this epistemological presupposition at work both in the classical liberalist paradigm and in the works of some of its opponents such as communitarian and critical theorists: whether such a reason is endorsed as the necessary basis of political legitimacy or rejected as a condition of oppression, it constitutes nevertheless the undisputed presupposition of the debate. Something similar happens with reference to the opposition of the private and the public: whether it is posited as the necessary presupposition of the social and political constitution or whether it is rejected in favour of a politics of identities and recognition, what is at work is the same epistemological

framework that sees the public and the private reason as being two statically differentiated and irreducible entities[1].

On both these issues, the route taken by pragmatism is radically different. Pragmatism offers not only a different account of the nature of the public sphere and of the place of rationality inside it, but also a different understanding of how the individual dimension (the 'private') can enter it in ways that while ensuring the necessary expression to the individual voice do not compromise its public nature. In a similar way, the pragmatist definition of the notion of public sphere via that of consequences and problematic situations points towards an understanding of the public dimension as being neither neutrally abstracted from individual interests (the public as that which is irreducible to individual drives) nor reducible to the sum of individual interests: while consequences affect individual lives and functions as individual drives, they operate as the forces which support the formation of new publics, giving form and meaning to collective action in a way that is not adequately explained neither by the individualist paradigm of classical liberalism nor by the collectivist paradigm of communitarian efforts at overcoming the limitations of the liberalist account. Failure at understanding this point determines the wrongful identification of pragmatism with a variant of utilitarianism. The political outcome of the process of public inquiry is, in fact, a new public which did not existed before.

Within the pragmatist tradition, it is notably deweyan pragmatism that has offered the most relevant contribution to the articulation of this constructive understanding of public inquiry as the process through which publics are shaped through the identification and discussion of specific issues that make visible the connections between consequences and individuals or groups that are affected by them. Such an approach requires us to renounce both terms of the opposition between a universality and a particularity equally conceived as being a priori, in order to conceive universality (or the global community – the Great Society) as the outcome, rather as the input of the political process of the quest for legitimacy. Pragmatism asks us to give up both the conception of a universal and neutral public sphere and that of a plurality of identitarian spheres statically defined by pre-determined traits (culture, gender, race, geographical proximity, language, religion).

This conception revolutionize not only the political notion of public sphere but also the epistemological notion of public reason: *constitution through inquiry and not representation through justification defines the proper core of public reason.* In so doing, pragmatism takes us also beyond the competing conceptions of rationality as a) a rational (Rawls), arguing (Elster) or communicative (Habermas) form of discourse and b) as a negotiating,

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[1] I tackle extensively with this issue in Frega 2009a and Frega 2011 (Forthcoming)

bargaining, instrumental or pragmatic competition for the adjudication of scarce resources. Public reason is irreducible to both conceptions, as it denotes a collectively undertaken process of inquiry in which interests, aims, visions and identities are constantly negotiated through the participation in a common effort at revising the system of our partly shared and partly diverging beliefs, and where also the scope of this common interest varies according to the different kind of public that are mobilized by different issues. Reasons as well as interests, values, and political aims are the tentative and fallible outcomes of the political process itself. Through public inquiry, interests and aims are neither merely pursued nor simply justified: they are first of all constructed through the deliberative confrontation carried on according to the epistemological paradigm of inquiry. It is therefore to inquiry and deliberation, not to aggregation and negotiation that we should rely in order to reach this aim. This is the most concrete consequence of the epistemological shift from a classical to a pragmatist account of rationality based upon the acknowledgment of the epistemological primacy of practice (for a detailed account see Frega 2006a and Frega 2006b).

2. *Pragmatist public reason: the main categories*

A first glance at trends in contemporary debates shows that the advancement of mainstream philosophy and of the social sciences in the last decades has often been reached at the cost of a progressively impoverished and reduced conception of what is human reason, what its tasks, what its outcomes[2]. Critics of this tendency have pointed out that this has produced an increasingly narrower understanding of the main features of human agency: if we conceive wrongly the nature and scope of human reason, we are likely to arrive at strong misconceptions concerning deeply important facets of human experience. This is a topic that pragmatism has long entertained in its calling for a renewed understanding of philosophy and the social sciences both in their professional identity and in their social function. Although pragmatism has traditionally advocated the idea of a unitary conception of reason based on the idea of inquiry, an updated account of rationality as a common feature of human agency is still missing.

Critics of traditional epistemology like Charles Taylor, Alasdair MacIntyre, Stanley Cavell, Michael Sandel, Bruno Latour and Michael Walzer join neo-

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[2] Critical remarks along these lines can be found in the work of many contemporary philosophers. An account of contemporary anglo-american philosophy along these lines is offered in Frega 2009a. For a critique of the instrumental paradigm of rationality from a pragmatist perspective see Frega 2006b. See also, from a different perspective, Richardson 1994 and Richardson 2002.

pragmatists in the acknowledgment that moral and political theory have been dominated by an understanding of human agency which is based on a inadequate account of rationality. As a confirmation of this trend in moral and political epistemology, we should only consider the justificatory turn that has characterized the mainstream Anglo-Saxon political philosophy with the increasing focus on topics of justification, consensus, and truth[3]. This recent turn is, from a pragmatist perspective, the evident symptom of a broader problem: the tendency towards an understanding of human experience (and of the role of intelligence inside it) dominated by an hyper rational and idealistic conception of human reason as detached from its generative and functional roots in real practices. Defenders of this approach have often answered critics claiming that outside the safe harbour of such a reason we are exposed to the uncertainty and risk of disagreement, conflict, violence and that, in short, we are obliged to chose between a normatively strong conception of reason and the arbitrary rule of power or the irrational play of instincts and sentiments[4].

The pragmatist concept of public reason is built upon the refusal of this presupposition; the re-location of rationality into the proper field of its exercise – human agency and practices – opens a different understanding of basic facts concerning the functions of reason, its mode of operation, its outcomes and scopes, and its criteria of validity. In order to accomplish this task, pragmatisms proposed to conceive the notion of public reason as being part of a broader framework of naturalistic epistemology (Frega 2009b). Such an account deploys a conception of rational inquiry as human activity embedded in experience (principle of continuity) and functionally oriented to the development of experience itself (immanence of reason to agency and practice) through the examination of contested issues in problematic situations. According to such an account, rational inquiry is conceived as an activity whose main function is the guide of conduct through the fixation of beliefs[5]. Accordingly, human agents are said to be rational as long as their interactions with their environment are guided by a reflective attitude characterized by the fact that obstacles are perceived and faced as *problems.*

Rationality can be considered as an attribute of agency only as long as the notion of agency is in turn defined through the overcoming of the duality of thinking and action towards the idea of a 'reflective behaviour' that is common to the whole pragmatist tradition. On these general basis, inquiry becomes the general paradigm of human rationality. Here I would like to recall the traits of this conception which are more relevant for defining public reason.

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[3] See as examples the Volume 5, Issue 1, 2008 of the journal *Episteme: A Journal of Social Epistemology*, or Gaus 1996.

[4] An issue clearly dominating the tradition that connects the classical liberal sources of Hobbes and Locke to contemporary liberal scholars. For a survey, cf. Gaus 2003.

[5] For classical statement on this issue, see notably Dewey 1922 (MW 14).

According to this perspective, an agent is rational if a) he bases his conduct on accepted beliefs as long as those are not currently put into question (primacy of practice); b) he adopts inquiry (and not authority nor other means) as the method for fixing the beliefs that governs his present and future conduct (inquiry as paradigm of thinking) and c) he considers beliefs as instruments for the control of agency that are revisable in principle (fallibilism) and whose meaning is defined with reference to the consequences derived by acting upon them. These traits point towards an understanding of rationality as a public and open enterprise.

Rooted in a contextual situation, driven by the needs of practice, implemented through specific forms of activity and dependent upon the intersubjective scrutiny of other fellow inquirers and agents, the exercise of rationality is inescapably public, both in its theoretical and its practical use. The pragmatist approach to public reason is built upon this basic assumption. In order to articulate a pragmatist theory of public reason, it is therefore necessary to qualify the term 'public' with reference to this more general awareness of publicity as an irreducible trait of all expressions of human rationality. This task will be accomplished starting from an examination of Dewey's conception of the 'Public'. I will then proceed to draw some broader implications for a pragmatist conception of public reason.

According to pragmatist epistemology publicity is a general trait of rationality. Notably, publicity enters the pragmatist conception of rationality in at least four senses:

1. *Rationality is directed to the control of consequences of actions.* Therefore, its use is public in the sense of taking place in the open field of phenomena that affect a plurality of agents.

2. *Rationality is a trait of human agency* (the deweyan "reflective behaviour"). Therefore, it is public in the sense of being the observable attribute of open activity.

3. *Rationality is experimental* as, after the scientific revolution, it is characterized by accessibility of results, transparency of methodologies, and repeatability of experiences by a plurality of inquirers.

4. *Rationality is shaped by the social and cultural matrix* that constitutes human experience, and therefore possesses traits which are indexed to its socio-cultural context of origin.

This epistemological framework implies that inquiry is intrinsically public in all its expressions. Therefore, if we want to give a specific meaning to the term 'public reason', in a way compatible with the meaning that has become popular in political philosophy, we should add a further specification to our initial definition of what qualifies the public nature of rationality. In order to do this, we have to specify in which sense, from a pragmatist perspective, this politically public dimension has to be taken into account. As I will try to show,

the specificity of the public use of reason is determined by reference to a sub set of the category of consequences.

This idea can be found in Dewey' s conception of public, as this last is defined through the concept of *consequences*. This connection is pivotal for the definition of a pragmatist conception of public reason as I conceive it[6]. This is the first condition that defines the *public* use of reason in *political* terms: rationality should be put under the requirement that where a plurality of agents is engaged, the general assumption that each action produces consequences has implications which cannot be dealt with merely by those that are directly implicated. If a public domain is generated by the mere fact of intersubjective consequences, public reason denotes a particular way of dealing with these consequences. More precisely, the idea of public sphere is related to consequences of agency as they are considered not merely in terms of their *natural effects* (in modifying the environment) nor of their *epistemic implications* (in view of the production of knowledge), but of their *experiential impact* (on the life conditions of other human beings). Dewey remarks that "human acts have consequences upon others, that some of these consequences are perceived, and that their perception leads to subsequent effort to control action so as to secure some consequences and avoid others" (LW 2: 243[7]). Here the third sentence introduces a theme which is crucial for a pragmatist account of rationality: that of the control of action and, through it, of consequences. The next element introduced by Dewey is crucial for the definition of a public sphere as opposed to a private one, and is therefore the central piece of a pragmatist understanding of the attribute 'public' as it is used in political theory.

Dewey writes that "consequences are of two kinds, those which affect the persons directly engaged in a transaction, and those which affect others beyond those immediately concerned" (LW 2: 243). The concept of public refers only to those consequences (intended or unintended) that affect people beyond those directly involved in the action considered[8]. More explicitly:

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[6] Bohman 2007 discusses in a partially similar way the political implications of the pragmatist passage from a politics of demos to a politics of publics. For different approaches see notably Talisse (this volume), Misak 2000, MacGilvray 2004.

[7] Dewey's works are cited according to the complete edition of his work as *EW* (Early works), *MW* (Middle works), and *LW* (Later works) followed by volume and page numbers. Complete references for each work cited are provided in the Bibliography.

[8] "The essence of the consequences which call a public into being is the fact that they expand beyond those directly engaged in producing them" (LW 2: 252); "The public consists of all those who are affected by the indirect consequences of transactions to such an extent that it is deemed necessary to have those consequences systematically cared for" (LW 2: 246). Further on: "the public itself, being unable to forecast and estimate all consequences, establishes certain dikes and channels so that actions are confined within prescribed limits, and insofar have moderately predictable consequences" (LW 12: 268).

"transactions between singular persons and groups bring a public into being when their indirect consequences – their effects beyond those immediately engaged in them – are of importance" (LW 2: 275). The criteria invoked for defining what should be considered important are: "the far-reaching character of consequences, whether in space or time; their settled, uniform and recurrent nature, and their irreparableness" (*ibid.*). In a way that has recently gained increasing consensus, Dewey pioneered an *issue-centred approach to politics*[9].

This reference to the dimension of consequences is used by Dewey in order to define the notion of *publicity*, which, according to the perspective here outlined, is strictly related to that of the public[10]: "there can be no public without full publicity in respect to all consequences which concern it" (LW 2: 239), as well as – I would add – in respect to the ways followed in order to produce evidence about them. So conceived, public is a dynamic notion in two senses, that the pragmatist epistemology of practice helps us to explore. First of all, public coalesce and gather according to the varying needs of situations: each of us belongs to different publics according to the different order of consequences that affect our lives[11]. Secondly, the public is the outcome of the reflective process of inquiry aimed at the identification of the consequences, not the pre-existing subject of the inquiry itself. It is precisely the effort at identifying and articulating problems that reinforces the constitution of the public. Inquiry, in this sense, is not a cognitive action of the public, but the activity through which the public discovers itself.

Therefore, the identification of a public sphere depends upon the following conditions: a) human actions produce consequences; b) these consequences affect also individuals which are not directly involved in the action itself; c) such consequences need to be managed in order to secure some effects and avoid others; d) the acknowledgment of these consequences is a proper function of the exercise of public reason, and e) the public so defined is not considered as a pre-existing collective entity but as the outcome of a process

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[9] See Marres 2005, which explicitly relates issue-based approaches in contemporary STS research on politics to Dewey's theory of the public; for an issue-centred conception of the global governance, see Rischard 2002: 171 ff., cit. in Held 2004.

[10] Public and publicity should be kept strictly distinguished, although they are strongly related. It would be useful here to remark the similarities and differences with other notions of publicity, e.g. the arendtian one. If the idea of a strong correlation between public reason and full accessibility is generally acknowledged, Dewey's originality lays in the fact that publicity's constraint is considered as an attribute of consequences and not of decisions (power) or discussion (discourse).

[11] I disagree with MacAfee's interpretation of Dewey's notion of public as cannot being plural (MacAfee 2008: ch. 6). As I will show, publics are not plural merely according to a multicultural perspective; they are structurally plural because the world we inhabit is organized according to multilayered and evolving systems of consequences which affect the constructions of collective identities and, therefore, of publics.

aimed at producing a shared response to the developed awareness of being commonly affected by the consequences of certain facts.

If the pragmatist conception of rationality can be defined through the idea of the intelligent control of action and of its consequences (the fixation of belief being the main medium), the idea of a specifically public form of rationality is, accordingly, defined with reference to a specific subset of consequences: those that affect people not directly involved in the action and therefore not in the position to partake directly in the positive control of those consequences. The public does not denote, then, neither a specific political entity (e.g. state, government, representative bodies, etc.), nor a given set of reasons (universal principles, neutral reasons, etc.) nor a distinctive sphere of individuals involved in specific forms of agency (the officers, the readers, the bourgeois, the voters, the rational agents, etc.), but *a specific set of effects induced by actions performed by agents*, be they individuals or groups.

The implication of this approach is threefold. Firstly, the focus on consequences rather than on causes and principles determines a shift of democratic theory from a general quest for justificatory consensus to the search for solutions to specific problems. Secondly, the traditional democratic conception of publics as territorially based homogeneous communities (shaped according to the state-model of citizenship) is overcome towards an issue-based conception of publics as being dynamical, and shifting. A fact, this last, that in recent decades has been identified as an important cause of democratic deficits[12]. Democratic deficits occur precisely when the community of those engaged in a given issue fails to overlap with the political community that has the legitimate power to decide, and no alternative forms of devising solutions are found[13]. Thirdly, the identification of the public with effects of actions rather then with specific institutions implies a turning away from the idea that the task of political philosophy is the justification of given institutions[14] towards a transformative conception of political theory and practice as oriented towards the regulation in the formation and resolution of specific issues. The task of political theory becomes that of experimentally devising solutions to problems related to the consequences determined by private and public actions[15]. As Dewey notes, in political theories that do not acknowledge this fact , "reason comes into play only to find justification for the opinion which has been adopted, instead of to analyze human behaviour with respect

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[12] Marres 2005, Nahuis 2009, and Hamlett 2003.

[13] See Held 2004 for the notion of a multilevel citizenship, and Bohman 2007 for a similar pluralization of the concept of *demos*.

[14] An approach that has dominated the liberal debate of the last three decades and that have come to be identified, following Gerald Gaus, as "justificatory liberalism".

[15] In Dewey's words, "the formation of states must be an experimental process" (LW 2: 256).

to its consequences and to frame polities accordingly" (LW 2: 249). This turn might be defined as *a passage from a justificatory to a transformative conception of rationality.*

Shift from consensus to issues, conception of rationality as inquiry, pluralization of publics and focus on transformative processes are four important traits which characterize a pragmatist conception of public reason. So defined, the public denotes necessarily a *dynamic entity*: it is not identified once and for all by some substantive traits (the belonging to a racial, linguistic, cultural, geographical or political community) but is functionally defined in terms of who is effectively involved by the consequences of a certain type of action. Therefore, we have to consider it not as the pre-given subject[16] of a claim but as the *outcome of a quest.* This conception has not only a political but also an epistemological meaning: it is the cornerstone of the pragmatist approach to justification and consensus. In this perspective, the State (using this expression to identify all kinds of governmental and representative institutions) is only a specific category of public, characterized by the presence of "official representatives to care for the interests of the public" (LW 2: 259). Therefore, "the public forms a state only by and through officials and their acts" (LW 2: 277).

This dynamic conception of the notion of public has a further consequence which concerns the role played by inquiry in its transformative constitution: as the public does not denote a mere collection of individuals identified from outside but a self-aware community, then public reason is composed by at least two dimensions: an *objective dimension* concerning the events that produce consequences which affect agents (exploitation of youngster in work, pollution of a given area, racial/religious/gender discrimination, etc.); a *subjective dimension* concerning the shared awareness that a plurality of individuals are affected by the same consequences. Inquiry shall therefore have a crucial role in identifying new publics not only through the theoretical study of how consequences (direct or indirect, intended or unintended) affect a plurality of individuals but also through the practical work of rising awareness, in order to make consequences to be *perceived*. Therefore, the idea of public reason that emerges from Dewey's writings is considerably different from that which dominates current debates in political philosophy, not only because of its larger extension, but also because of its deeper context-dependence. In a pragmatist's perspective, we are confronted with a public use of reason whenever both of the two following conditions are satisfied:

1. a public is objectively and subjectively identified (reference to the shared *and* perceived nature of consequences);

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[16] That is a subject given as self-subsistent and unaffected by the process in which it is engaged.

2. problems that concern it are faced through the use of rational means (resort to inquiry in order to face the problematic situation).

Dewey adds two further conditions, intended as criteria for determining the degree of democracy of an institution trying to organize a public. From the perspective of the individuals belonging to the public, a democratic public is one that grants to each individual "a responsible share according to capacity in forming and directing the activities of the groups to which one belongs and in participating according to need in the values which the groups sustain" (LW 2: 328). On the side of the aggregate, a group is a democratic public if it is able to free "the potentialities of members of a group in harmony with the interests and goods which are common" (*ibid.*)[17]. It should be noted that in a pragmatist perspective *consequences* (and not rights or other intrinsic properties of individuals) are the explaining factor in the use of public reason. Accordingly, values and other conceptual entities (e.g. principles) are defined with reference to their function in the organisation of experience rather than as pre-defined criteria of assessment. This has huge implications on philosophical issues like those of legitimacy and justification: notably, it puts into question the very idea that the task of philosophy should consist in providing justifications (or foundations) for existing institutions, ideals or norms. A task that continues to exhaust the energies of a great part of political philosophers.

3. *Contemporary varieties of Public Reason*

In order to better grasp the distinctive traits of the pragmatist account of public reason sketched so far, I will compare it with three of the most important conceptions of public reason that are found in contemporary political theory: a) the classical liberal conception of the public as the space of shared reasonable beliefs; b) the discursive conception of the public as an enlarged sphere characterized by the kind of rationality displayed by the rational use of discourse; c) the critical theory account of public reason as the political answer to conditions of oppression.

3.1 *Liberal public reason and the dualism of the public and the private*

In the liberal tradition, epistemic conditions of validity for public rationality are defined through the opposition of the public to the private use of reason (a conception to be found in the liberal tradition from Hobbes and Locke to

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[17] Both conditions have recently been taken into serious consideration by theories of deliberative democracy. For an account which considers these two dimensions, see Dryzek 2000, Niemeyer 2002, Niemeyer-Dryzek 2007.

day[18]). Most part of the liberal tradition shares the idea that public use of reason is legitimate as long as it respects certain requirements which guarantee its impartiality. It is the idea of publicity that dominates the liberal tradition and which has become of central importance especially since the work of John Rawls. This idea stems certainly from the long-lasting commitment of liberalism to the autonomy of the self. But it is also rooted in a strong epistemological conception of human reason as divided into a private and a public realm. At the heart of this distinction lies the intuition that, while the use of reason in its private form is selfishly subjected to individual drives and therefore liable to producing conflict and disagreement, access to its public use enables a universal understanding on which only it is possible to ground our associated life.

The idea of such a dualism is already present in the philosophical work of Thomas Hobbes and John Locke and spans all the liberal tradition[19]. Here I will briefly present it with reference to its recent formulation by John Rawls. In Rawls' philosophy, the dualism of the private and the public is formulated as an opposition between the *rational* and the *reasonable*, this last standing for the public use of reason and the rational for its private use. Rawls defines private reason through the paradigm of instrumental rationality as "a conception of rational advantage of each participant, what they, as individuals, try to claim". Private reason is defined as the ability to pursue with efficacy an end whatever it is[20], while public reason is identified by the capacity to reason from a common standpoint, whose function is to free the individual from his particular perspective in order to identify the collective aim worth of being pursued. Private reason can be altruistic (whenever the interest I pursue is the wellbeing of another person) but cannot be intersubjective[21]. Public reason, or reasonableness, is then introduced in order to provide a suitable epistemic basis to a particular form of reasoning that takes place when interaction aims at instituting fair terms of cooperation. This requires two conditions: a) the willingness "to propose principles and standards as fair terms of cooperation" and b) the readiness "to abide by them willingly, given the assurance that others will likewise do so" (Rawls 1993: 49). Intersubjectivity is then defined in terms of reciprocity: the human reason

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[18] For a complete account, see Gaus 2003. For a critical appraisal, see Frega 2007.

[19] The criticism of the dualism of the private and the public that I am advancing on pragmatist grounds is mainly epistemological: its focus is not the public/private divide as such – as is the case for example in critical theory – but the specific understanding of rationality that is presupposed by liberal epistemology and on which liberal political philosophy is built. For a more extensive treatment, see Frega 2009a: ch. 2.

[20] In Rawls' words: "the rational … applies to a single, unified agent … with the powers of judgment and deliberation in seeking ends and interests peculiarly its own" Rawls 1993: 50.

[21] "The reasonable, in contrast with the rational, addresses the public world of others" (Rawls 1993: 62).

attains its public functioning whenever it operates on grounds that all agents can accept.

We can grasp the strong continuity in liberal thinking in the persuasion that human rationality has an intrinsically asocial nature expressed by its private use (a use that, as Rawls observes, aims not only at identifying the most efficacious means for given ends, but also at choosing among competing ends). In order to overcome their deep disagreements, human agents must therefore give up their private reasons and engage in a different way of thinking characterized by the fact that they appeal only to reasons that are considered to be shared by all (reasons that nobody could reasonably be expected to reject, in the classical liberal wording). As Rawls remarks, the meaning of the concept of public as referred to reason is threefold[22] (Rawls 1993: 213).

− *Its subject is the public*: it is constituted by the ensemble of beliefs that are shared by all citizens (in virtue of being those beliefs that no individual could reasonably reject);

− *Its object is the common good*: it aims at defining the basic structure of a democratic society;

− *Its content is public*: it consists of those assumptions that are implicit in the political culture of a democratic society and therefore assumed to be shared by all (under the presupposition of reciprocity).

Public reason, therefore, speaks with a universal voice and addresses common problems starting from shared assumptions and referring to shared criteria of assessment (a theme that accompanies Rawl's thinking from the *Theory of Justice* to the following political liberalism and to his later revisions of the idea of public reason[23]). Justification, in fact, "is addressed to others that disagree with us, and therefore it must always proceed from some consensus, that is from premises that we and others recognize as true" (Rawls 1985: 229). Public reason identifies the ensemble of shared beliefs that constitute the common framework for taking public decisions, according to a deductive paradigm of rationality. As John Dryzek has remarked, "public reason is a set of commitments that individuals must adopt before they enter the public arena, not what they will be induced to discover once they are there" (Dryzek 2000: 15).

As can be seen even from this short sketch, pragmatism and liberalism are grounded on two radically different epistemologies; refusal of the dualism of the private and the public and willingness to conceive public reason as a deliberative arena where shared conclusion and not already given premises

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[22] I would say that properly speaking the criteria are only two, as the first and second criteria can be reduce to one, the second depending clearly on the first.

[23] I offer a reconstruction of this theme in Frega 2009a.

identifies the public content of our common rationality, are the main traits that separate the pragmatist notion of public reason from its liberal competitor.

3.2 *Publicity as the attribute of the discursive sphere*

A different account of the public dimension of reason is offered by Jürgen Habermas, notably in his groundbreaking work on the origin of the modern public sphere. His speaking of a public *sphere* rather than of a public *reason* is quite revelatory of the fact that he is proposing a rather different idea of what constitute the public character of reason. The most relevant innovation introduced by the notion of a public sphere concerns the acknowledgment that beliefs about public life have an inescapably dynamic nature: the public sphere is conceived not as the institutional arena where competing individual interests find a compositional order but as the social sphere where individual beliefs concerning the public dimension of life are constantly formed and unformed. Habermas includes in his account of public rationality a strongly transformative perspective that brings him close to the pragmatist tradition well before his later more explicitly pragmatist turn. *The process of belief-formation gets primacy over the process of belief-justification.*

This transformative stance is couched in linguistic terms, as the public sphere is mainly conceived as being discursive: it is a realm of discourses oriented towards agreement. Public opinion, than, more than public reason, seems to be the adequate category for grasping the content of Habermas understanding. The public sphere, in fact, as Nancy Fraser puts it, "designates a theatre in modern societies in which political participation is enacted through the medium of talk" (Fraser 1992: 110). Rationality is in this way separated from agency in order to be characterized only as an attribute of discourses: it denotes discourses which are shaped in accordance with some given procedural constraints[24]. A second relevant difference with the liberal account is the broader range of contexts to which public reason can be applied. According to Habermas, in fact, the public use of reason is not confined into the formal context of institutional practice only (governmental, parliamentary and judicial) but extends over to what he calls the informal public sphere. This broadening is so evident and the recognition of the importance of the informal public sphere so great that it could even be possible to conceive the public sphere as being external and somehow opposite to the state (see Fraser 1992).

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[24] This exclusively discursive definition of the public sphere can be found also at the bottom of new concepts such as those of "transnational public sphere" or "global public sphere", which focus precisely on the new discursive arena made possible by the development of new media technologies (mainly web based) and which are therefore of a purely discursive nature. See Bohman 2007, Olesen 2005, Fraser 2007 and Stichweh 2003.

Nevertheless, Habermas shares with Rawls the idea that in order to rise from the private to the public use of reason[25] – a mark, indeed, of the dualism of reason they both accept – a sort of moral supplement is required: the injection of an ethical drive (Habermas speaks of solidarity, Rawls of reciprocity) is seen as the necessary condition for contrasting the insufficiency of a reason that, because of its private character, has no legitimacy where public issues are at hand. Not differently from Rawls, Habermas sees public reason as requiring that private reasoners refrain from exercising their reasons in their own private interest. Only in that way rational discourse can attain this legitimacy which is required in order to ground public decisions and institutions. While in Rawls the egoism of private rationality is neutralized through the fiction of the veil of ignorance freeing each agent of his individual traits, in Habermas this same moralizing function is accomplished by procedural rules that inform and orient communicative public discourse.

Habermas' discourse centred democratic theory grounds democratic legitimacy in the institutionalization of procedures of public discussion and reasoning that are consistent with those discursive standards of rationality that he has discovered as the normative grounds of all discourses oriented toward communication. These are necessary procedural presuppositions of rational argument and their respect constitutes the main requisite for a use of reason that can deliver legitimate pretences. In this perspective, the public sphere is conceived as a space of dialogue among citizens in which every speech is governed by the ultimate *telos* of arriving at a form of agreement. Habermas' model of public reason as *communicative* is centred on a purely *linguistic understanding of rationality* as the practice of exchanging reasons with the aim of producing consensus among people – and so assuring the coordination of social action – through reciprocal understanding (instead of, say, coercion). As it was the case with Rawls and more broadly with the classical liberal tradition, this communicative use of reason has to be understood through its opposition to a different conception of rationality, that Habermas, referring to the sociological tradition, calls strategic or instrumental and which is defined through its lack of reference to the intersubjective dimension of the coordination of social action. It is, in short, another avatar of the private vs. public dualism. The Habermasian approach to public reason is characterized by a focus on the procedural content of rationality: it identifies a list of criteria[26] that should be respected in order to ensure that discussion is oriented

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[25] "Every citizen must know and accept that only secular reasons count beyond the institutional threshold that divides the informal public sphere from parliaments, courts, ministries and administrations", Habermas (2002: 9).

[26] It is not by chance, then, that those who have attempted to develop empirical tools for measuring the degree of rationality of practical deliberation have turned towards Habermas

towards communication rather then towards persuasion and that will enable to distinguish a discourse conducted according to normative requirement – and so being able to claim legitimacy - from a discourse that is not.

While familiarity of Habermas with pragmatism has often been noted, his kantian-based epistemology puts him nevertheless at odds with the central tenets of a practice-based pragmatist epistemology[27]. With reference to the notion of public reason, it is notably the priority accorded to the linguistic dimension and the acceptance of the dualism of public and private reason that contribute mainly to differentiate Habermas' thinking from a pragmatist account.

3.3 *Public reason, critical theory, and the critique of actually existing democracies*

There is a third contemporary conception of public reason worth examining, which is shared by a wide range of political thinkers which spans from post-modernism to feminist thinking to subaltern studies via critical discourse theory. This wide array of conceptions is unified by an agonistic understanding of the public sphere as a political arena where reason and discourses are but some of the forces engaged in the task of shaping collective agency, and where power (and its unmasking) becomes the primary focus of philosophical scrutiny. Many of these thinkers acknowledge a deep indebtedness to Habermas (and some also to pragmatism) and tend to privilege discourse over rationality, and power over reason as the main explicative category of political theory. One of the most relevant achievements of this approach is an enlargement of the boundaries of the public sphere[28], associated though with a remarkable restriction of the prerogatives of reason inside it.

The main reason for this restriction has to be found in the fact that traditional universalistic models of rationality are criticised on a political rather then epistemological basis. Public reason is, in fact, generally criticised not on the ground of some epistemological argument (as is the case with pragmatism) but according to the political argument that in its universal guise it operates as an instrument of oppression: while claiming to speak with a universal voice, it unduly generalizes a particular perspective (gender, class, race) at the expense of others and, in so doing, it masks real differences and sustains forms of exploitation. While in Rawls and Habermas public reason is

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in order to find a theoretical framework for their enterprise. Cf. especially Steenberger *et al.* 2003.

[27] I will not discuss here the more pragmatically oriented turn that characterizes his writing since the de-trascendentalizing move accomplished in the mid-nineties (see notably Habermas 1999). My focus is not a complete assessment of Habermas philosophy but rather to highlight the main differences between two competing paradigms in moral and political epistemology.

[28] See Fraser's critical remarks of in Fraser (1992: 110).

the most authentic expression of human rationality, in critical thinking it becomes the avatar of power and the instrument of exploitation and exclusion. In this perspective, broadening the very notion of reason has a direct political implication: it aims at giving voice to all those instances that have been kept silent under the fiction of a universal public reason speaking with a single and universal voice.

The important key to critical theory is that its countermove is enacted in the same presupposition of habermasian discourse theory, i.e. a definition of reason through the notion of discourse: if rationality is discursive, than discourses can be claimed to be either the instrument of universal emancipation or of particular forms of domination. Speaking rationally, and rationality as the attribute of a mode of linguistic expression, become therefore the focus of debate, as it can be seen in many of the critiques that have addressed the rational/logic form of expression as being merely a form of distinction[29] aimed at enforcing exploitation of western, bourgeois, white, adult, male over one or the other minority group. If we, therefore, look at the parable going from rawlsian political liberalism to critical theory, passing through discourse theory, we notice an inverse relation between the width of the public sphere and the place assigned to reason in public affairs: while rawlsian public reason was remarkably restricted only to political essentials but Olympic in its epistemological power (in the most classical sense), critical theorists accomplish such a broadening of the notion of public reason that many of the practices that it now encompasses can hardly be called rational or be considered as genuine expressions of rationality[30].

The broadening of the public sphere enacted by this heterogeneous group of scholars is realized along multiple and differentiated strategies: through the pluralization of the forms of expression that are considered to be legitimate in the public arena (*pluralization of expressive forms*), of the kind of discourses that are admitted in the public arena (*pluralization of discourses*) and of the forums where people meet and which are considered part of the public sphere (*pluralization of spheres*). According to the first strategy, expressive forms such as greetings, visual communication, personal narratives, etc. should be given full citizenship in the public arena, as they express the voice of subaltern and exploited groups, while communicative rationality is said to express the voice of dominant bourgeoisie (Fraser 1992, Young 2000, esp. ch. 2) According to the

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[29] In Bourdieu's sense.

[30] Chantal Mouffe and Ernesto Laclau (Mouffe 2000, Laclau-Mouffe 1985) provide a clear example of how the refusal of the classical model of rationality issues in an antirationalistic approach that opposes language games to argumentative foundation (Mouffe 2000: 11-12). Pragmatist public reason, as we have seen, is similarly critical of classical model of foundational rationality, but leaves much broader prerogatives to the use of reason in politics and justification.

second approach, public reason has to be broadened in order to include "artistic methods, arts of communication and arts of living, philosophical reflection, and therapeutic and educational methods" (Neubert 2008: 103-104), as these are legitimate discursive forms that shape public agency. Finally, according to the third, the habermasian preference for a single universal bourgeois public sphere should be given up in order to let flourish a plurality of subaltern counterpublics where counterdiscourses are produced and circulated in order to affirm different and contrasting interpretations aimed at shaping identities (Fraser 1992).

In all these approaches, the refusal of the neutral or universal subject which follows the acknowledgment of the inescapability of identitary traits in rational discourses is obtained through the dismissal of some of the central epistemic requirements implicit in the notion of public reason. Rationality is then progressively deprived of some of its distinguishing traits: equating reason with other forms of utterance, or rational inquiry with other forms of discourse, or reducing public discourse to its role in shaping identity, we miss some distinctive traits which are nevertheless necessary if we whish to account for the role rationality plays in shaping and guiding not only private but also public agency and life.

The consequence is a twofold contextualisation of rationality. Firstly, as the subject of reason is always a specific group speaking from a situated and specific perspective (and never from a universal or neutral point of view). Therefore, discourse is considered to be public precisely *as long as it keeps track of its situatedness*, and not as long as it removes it. Secondly, as the content of public reason (reason*s* in Rawlsian terms) tends to be widened: far from restraining its content to neutral reasons to be used within the institutional debate, it covers all beliefs and forms of expression which circulate in the multiple forums where political issues are debated, according to a model which, like the deweyan, is *problem driven*. Therefore, the outcome of public reason is not adjudication according to uncontroversial universal principles, but local decisions which take into consideration contextual factors. As a consequence, a public is not identified by the set of beliefs, institutions, or principles their members share, but by their acknowledgment of sharing an interest or a problem that touches upon the lives of a plurality of individuals.

These approaches are right in denouncing the distortions generated by the idealizing model of reason that philosophers such as Rawls and Habermas have introduced in the political discourse. They are right, too, in acknowledging that agents access the public sphere not as disembodied rational agents but as bearers of an individual and social identity that shapes (and hinders) their participation to public life. In this perspective, a viable account of public reason has to take into consideration how social, cultural, political, and economical practices are intertwined with rational discourse. But

the acknowledgment of the irreducibly practical nature of human reason, of its being a distinctive trait of human agency, cannot be adequately maintained unless we acknowledge also the specific traits that rationality brings to agency. In order to do this, we need to fix some clear limits to the pluralization of reason advocated by these theorists. Only in this way, in fact, we will be able to preserve the epistemic requirements which are needed if we whish to maintain a consistent notion of rationality. To this extent, critical thinking often lacks the required epistemological resources.

Acknowledging the proper place of reason in the public sphere and explaining how rationality can both be public and keep its relationship with the agent's identities requires that we drop the universal project of classical liberalism while at the same time that we avoid to collapse reason with discourses or other expressive forms. It is to this extent that a new and different epistemology is required, if we whish to find new keys to understand the place of rationality in human agency. The key to this new understanding of public reason can be found in the priority of practice over discourses and in the acknowledgment that the reference to agency and practices does not destitute the powers of reason but rather provides the conditions for a more adequate understanding of human rationality.

4. *Public inquiry and the pragmatist concept of public reason*

As I have tried to show, the contemporary scene of political philosophy shows three main conceptions of public reason. According to the first, public reason denotes those beliefs which can be granted universal assent and, for this reason, can ground forms of reasoning that have intersubjective normative value. According to the second, public reason receives its normative force by the endorsement of some procedural traits which guarantee that outcomes are not driven by selfish interests but by genuine commitment to the public good. According to the third, public legitimacy belongs to any form of expression which is used in the political affirmation of a collective claim (identity, need, right) provided it is not driven by violence but by the search for understanding.

Pragmatism offers a different account of public reason and, as a consequence, of the notion and functioning of the public sphere. A first important consequence of the pragmatist notion of rationality as here defined is that it overcomes the dualism of the public and the private in order to adopt a reflexive conception of rationality based on the self-correcting nature of practice. A second innovation concerns the different scope assigned to reason. While the liberal and discursive traditions assigns to reason the theoretical function of identifying common rules or beliefs that should be adopted by all

citizens in their public deliberations, pragmatism sees reason as rather issue oriented and problem driven. Both the classical liberal and the habermasian perspectives conceive the scope of reason in terms of providing justification to given theoretical beliefs or existing institutions, rather then in terms of the practical dimension of joint action. The idea of citizens engaged in a coercion-free discussion aimed at producing a justification for given institutions, compared to the pragmatist idea of a process of inquiry aimed at identifying and solving specific problems shows the difference between the exclusive consideration of the discursive or linguistic dimension typical of liberalism and the account of the full import of human practices in the normative functioning of public reason. While the liberal tradition locates public reason in the methodological context of the pluralism of beliefs and the conflicts to which they are subjected since the modern era, pragmatism locates public reason in the context of concrete and pluralistic practices, focusing its use on the assessment of consequences determined by the fact of associate living. In so doing, pragmatism relocates public reason on the ground of practice.

A further aspect of the difference between these two accounts can be seen in the different appreciation of a common theme, i.e. the introduction at the heart of the concept of reason of a reflective element. But while in Habermas the reflexivity stands for the critical attitude of reason in questioning its own presuppositions, in pragmatism the reflexivity expresses a more complex relationship between the individual, the situation and the experimentally public nature of inquiry. In Habermas the idea of a public sphere is tightly connected with a discursive understanding of rationality. The use of reason, in its instrumental and especially in its communicative dimension, is mainly seen as the practice of exchanging reasons. The public sphere is certainly enlarged compared to the rawlsian notion, but it extends to the broader society only as far as society develops forms of communication and discussions that respect certain discursive criteria. The development of a public sphere is then connected with the diffusion of this discursive practice. In this perspective, the public is the place where discourses are exchanged and were people debate political issues in a form that is submitted to certain procedural rules, the first of which is the publicity made possible by the spread of the press. In critical theory, these limitations of the liberal tradition are clearly identified and overcome. The dualism of the public and the private is fully criticised; unfortunately, this is done on a political rather than on an epistemological basis. Still in line with the pragmatist approach, the classical foundational project is generally replaced with a more contextualized project of critique of actually existing democracies whose aim is transformative rather then foundational. Unfortunately, these positive aspects are generally accompanied by a too fast dismissal of the prerogatives of rationality in human agency, private and public. The appeal to the principle of difference, to the right of

expression and inclusion and to the hermeneutical paradigm of understanding are, in fact, inadequate in order to provide a full account of public reason. The ensuing idea of public reason, as a consequence, lacks the epistemological resources that are necessary for enabling it to address questions of legitimacy and of normative validity.

Critical theory thinkers have criticised classical liberal paradigms of public reason for relying on a too formal model of rationality, which has exclusionary consequences that democratic theory should avoid. Pragmatism shares this critique but fears that this critical stance might underscore some epistemological requirements that should be preserved in order to shape policies according to goals and resorting to means that can best support the flourishing of a society. Pragmatism shares this critique and joins critical theory in claiming that the use of public reason cannot depend upon the sharing of some universal beliefs or principle, nor on the adoption of some conceptual framework *a priori* considered to be shared by all. The inescapability of the fact of pluralism, of the inhibitory effects of oppression, of the fragmentation of identities imply that traditional conceptions of rationality such as those of Rawls and Habermas are not adequate for providing a normative account of how rationality should guide political practice. But the solution, according to pragmatism, does not reside in substituting rationality with expressive and rhetorical forms of expression, nor inquiry with communication, discourses and narrative, but rather in developing a conception of rationality capable of taking into account the experiential conditions in which public reason operates. Communication and narrative are certainly powerful resources at play in public spaces, but their role should not be confused with that of rationality, and notably should not be overestimated in the domain of justificatory practices.

Pragmatism assigns this task to the theory of inquiry. The idea of political inquiry as a collaborative practice aimed at solving problems emerging in the course of associated life offers the preliminary basis for a pragmatist theory of public reason. In this article I have showed that pragmatism can be seen as offering a theory of public reason which rivals with the most influent contemporary approaches. More empirically oriented work will have to show the extent to which this alternative paradigm will help us in dealing with issues of disagreement and controversies in our contemporary public arenas.

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Pragmatism, critical theory and democratic inclusion

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ABSTRACT

This article explores ideas from Richard Rorty and Nancy Fraser on the justification of democracy. It considers both as exemplary of what, following Michael Walzer, we can call philosophizing "in the city" – eschewing any aim to adopt a generalised, metaphysical perspective on questions of social justice, and seeking instead to locate these, in their conception and elaboration, in the thick of lived social practice. For such approaches, as for other treatments of democracy, issues around *inclusion* will be key: whose voices should count in the democratic conversation, and how? I address Rorty's claim that democracy is "prior" to philosophy, rather than requiring philosophical backup, and Fraser's notion of "participatory parity". Endorsing Kevin Olson's diagnosis in the latter of a "paradox of enablement", I consider the inclusion of the disabled as a way of addressing how this paradox might work in practice. I conclude in section 4 by suggesting that escaping the paradox seems to require venturing to a vantage point further from the city than either Rorty or Fraser would prefer. I suggest that a capabilities-based approach would be one way of doing this – but that this, indeed, involves deeper "traditional"-style philosophical commitments than pragmatists will be happy to support.

0. *Introduction*

At the opening of *Spheres of Justice*, Michael Walzer contrasts two methodological vantage-points, two directions in which social philosophers might direct their gaze: "One way to begin the philosophical enterprise – perhaps the original way – is to walk out of the cave, leave the city, climb the mountain, fashion for oneself (what can never be fashioned for ordinary men and women) an objective and universal standpoint. Then one describes the terrain of everyday life from far away so that it loses its particular contours and takes on a general shape. But I mean to stand in the cave, in the city, on the ground." (Walzer 1983, p. xiv)

If these are indeed the available options, then pragmatists of course will take the second route, and follow Walzer into the city. The critique of abstraction, the focus on practice and the general project of starting out from "here" and "us" rather than some supposed Archimedean point, from the contingent rather than the absolute or ahistorical – all of these features of pragmatism mark it out, in Walzer's terms, as a "ground-level" method. And this is symptomatic both of its appeal, and the nervousness with which

philosophers will often respond to it. In some respects that nervousness is entirely justified, at least for those keen on preserving loftier versions of the philosopher's role. If taken on board wholesale, the pragmatist sensibility shakes up the kind of thing that philosophy is, and makes trouble for many of its grander self-images as a privileged, masterly sphere of inquiry (see Calder 2003). Yet the idea that philosophy might start in the city is not, in some deep way, at odds with the whole idea of thinking about justice, or truth, or freedom. After all, such notions are *there* in the city – being invoked, doing work, graspable – just as they are in more elevated, distanced places. A question posed by Walzer's contrast is whether, standing in the city, one can operate solely within its walls. Can theory do its business without ever needing to "step outside" and retreat somewhere higher, to apprehend the "general shape" of things? Can one *see* enough, at ground level, to construct a robust, duly critical political stance?

One kind of objection to thinking solely "within the city" echoes a familiar complaint about pragmatism, arising in response both to the work of its first-generation proponents (Peirce, James, Dewey, Mead) and its late 20th century rearticulation by figures such as Richard Rorty. The complaint goes something like this. The combination of a prioritisation of (already existing) practice and the deflation of the critical pretentions of philosophy means that pragmatism "parochializes" critique and installs an unwarranted bias in favour of the social status quo. It forecloses inquiry by making in-place conventional belief the ultimate arbiter of any claim. Thus when James writes that "True ideas are those that we can assimilate, validate, corroborate and verify. False ideas are those that we cannot." (James 1995, p. 77), he is staking out a position which is intrinsically conservative, and immunises the status quo against radical challenge. This is because any such challenge will be either dismissed as non-assimilable, or duly assimilated, absorbed and so neutralised into the mainstream. The result is a kind of default lack of dynamism, a lack of room for dialectical movement. As the Frankfurt School critical theorist Max Horkheimer puts it, "if the idea of a dangerous, explosive truth cannot come into the field of vision, then the present social structure is consecrated" (Horkheimer 1993, p. 196). The opposition between first-generation pragmatists and their counterparts in the Frankfurt critical theory tradition thus centres on the question of whether there is reality, or objectivity, beyond the intersubjective affimation of what is functionally useful in light of current dominant priorities. To the critical theorists, the pragmatists were guilty of "identity thinking", to use Adorno's phrase: of conflating the object with our consciousness of it (see Adorno 1973; Calder 2007, ch. 1). In Walzer's terms, pragmatists seem to be mistaking the current horizons of what passes for wisdom in the city as the very limit of reality itself.

This article is about the implications of all of this for pragmatist accounts of democracy. My suggestion will be that whatever the appeal of city over mountain, we will always end up needing to move between the two. Thus for all the richness of Walzer's image, the dichotomy it suggests is a false one. This is not a generalised claim about the very nature and scope of philosophy. Rather, it is a reflection based on an exploration of two recent treatments of democracy by thinkers attempting, in their different idioms, to operate at ground-level, and free from loftier, shakier metaphysical commitments. Those thinkers are Rorty and Nancy Fraser. They are not considered theoretical bedfellows, by fans of their work or indeed by themselves. Fraser has made probing, illuminating criticisms of perceived tensions within Rorty's pragmatism (Fraser 1989) and of the mainstream of the tradition more generally (Fraser 1998). Meanwhile Rorty himself finds Fraser's work too theoretical, too much lured by the mountain, as it were (if not its summit, at least its lower slopes) to operate within an adequately post-metaphysical mode of political theorising – see Rorty (2008), especially pp. 77-8. Yet as I will argue, their positions are perhaps not as different – and their starting-points less distant – than these exchanges suggest. In fact, whatever her take on the specifics Rorty's own theoretical preferences, there is nothing in Fraser's recent work which is radically incompatible with a pragmatist orientation. It gives, as I shall argue, a strong, appealing account of what a pragmatist approach to certain political questions might look like. But it is not, as I shall also argue, thereby problem-free.

Section 1 looks at the role of inclusion and participation in democratic theory, accentuating their centrality for "city-level" theorists – and explores alongside this Rorty's notorious claim that democracy itself is "prior" to philosophy. Section 2 looks at Fraser's work, and in particular the extent to which it is compromised by what Kevin Olson has identified as a "paradox of enablement". Put briefly, this paradox reflects the difficulty in including non-oppressively in the participatory process those in the weakest position to include themselves. In Section 3, I consider the example of disability as a way of addressing how this paradox, or something like it, might work in practice. I conclude in section 4 by suggesting that escaping the paradox seems to require venturing to a vantage point further from the city and up the mountain than either Rorty or Fraser would prefer. I suggest that a capabilities-based approach would be one way of doing this – but that this, indeed, involves deeper "traditional"-style philosophical commitments than pragmatists will be happy to endorse. Thus again: whatever the appeal of city-based philosophy – and pragmatism's take on this is always going to be amongst the very richest – we find, at least in exploring questions around participation and democracy, that we need to move between city and mountain more than pragmatists themselves will be ready to admit.

1. *The priority of inclusion to philosophy?*

In James Bohman's recent phrasing, "Democracy is that set of institutions and procedures by which individuals are empowered as free and equal citizens to form and change the terms of their common life together, including democracy itself" (Bohman 2007, p. 45). On this as on other definitions (of which there are of course many, but even so), questions of *inclusion* and *equality* are key to a working-through of what amounts to democratic practice. Thus, for Iris Young, "The normative legitimacy of a democratic decision depends on the degree to which those affected by it have been included in the decision-making processes and have had the opportunity to influence the outcomes"– and included on equal terms (Young 2000, pp. 5-6, cf. P. 53). Democratic theory has become increasingly sensitive to issues surrounding the dynamics of all this, and less presumptive and generalised about the place and orientation of the political subject in the arena of democratic engagement. Especially in the wake of the "deliberative turn" – with its focus on "the ability of all individuals subject to a collective decision to engage in authentic deliberation about that decision" (Dryzek 2000, p. v) – we find nuanced attention to the ways in which differences in individuals' situations (along lines of gender, class, culture and otherwise) shape the kinds of participatory exchange and representation of different voices which democratic theorists savour. And much recent energy has been directed, specifically, towards enhancing the access of previously excluded voices to the democratic "conversation" (see e.g. Connolly 1991; Phillips, 1995; Young 2000; Calder 2006).

But inclusion of *whom*, and equality of *what*? What are the conditions of (genuine) participation in decision-making processes? And should we treat these as specific, philosophical questions to be resolved from a mountaintop vantage point before we venture down into the city to see how its attempts at democracy measure up?

For Rorty, the answer to that last question is no. In a piece originally written in 1984, and marking the beginning of the stage in which his work came to be taken seriously by "mainstream" political philosophers in the Anglo-American mode, Rorty seeks to disentangle philosophical questions – about rationality, the human subject, truth, the ultimate moral order – from the kinds of reasons which might commend liberal democratic institutions over their alternatives. While democracy "may need philosophical articulation," he insists, "it does not need philosophical backup": "On this view, the philosopher of liberal democracy may wish to develop a theory of the human self which comports with the institutions that he or she admires. But such a philosopher

is not thereby justifying these institutions by reference to more fundamental premises, but the reverse: He or she is putting politics first and tailoring a philosophy to suit." (Rorty 1991, p. 178)

For Rorty this is just the way it goes – and is not something to get hung up about. To be sure, philosophy can furnish us with enlightening, progressive, efficacious ways of describing what a good society, and good citizens, would be like. Terms such as "rights" provide very useful ways in which to describe what seems most important. But we can use such terms without getting bogged down in metaphysical details. We can, in a resonantly Rortian phrase, "enjoy the benefits of metaphysics without assuming the appropriate responsibilities." If we do, we will need non-philosophical resources on which to stake our distinctions between acceptable and unacceptable, right and wrong, reasonableness and unreasonableness in the behaviour of fellow citizens and others: "[W]e shall still need something to distinguish the sort of individual conscience we respect from the sort we condemn as 'fanatical'. This can only be something relatively local and ethnocentric – the tradition of a particular community, the consensus of a particular culture. According to this view, what counts as rational or as fanatical is relative to the group to which we think it necessary to justify ourselves – to the body of shared belief that determines the reference of the word 'we'. [...] For pragmatist social theory, the question of whether justifiability to the community with which we identify entails truth is simply irrelevant." (Rorty 1991, p. 176)

Hence the priority of democracy – of defending and developing the political institutions and practices which contemporary liberals hold dear – to any foundations which philosophy might offer in its support.

There are various available lines of argument through which this case might be disputed. Here are three possibilities, none of which either entails nor is necessarily at odds with the others:

1. *That actually, devising democratic institutions and procedures* does *require prior philosophy*. Thus we simply will not be able to consider what makes for "good" institutions and procedures without already considering foundational, philosophical questions about what people are generally like (i.e., about the human subject) and how this relates to normative priorities such as freedom and equality – which themselves, need philosophical underpinning if they're to be viable as concepts. Thus if democracy works at the institutional level, this will be because it rests on some kind of philosophically coherent basis – and so we just do need to think about the latter first.

2. *That any defence of democracy will in any case end up leaning on philosophy.* Here the claim is a deeper one: that there is an inevitability about making philosophical commitments inherent in the very nature of discussing democracy and its associated values. We cannot, then, justify democracy without getting our hands dirty, philosophically speaking. Metaphysical

questions are adhesive; we cannot escape their stickiness simply by preferring not to address them.

3. *That once up and running, the practice of democracy will rely on philosophical input/ understandings in order to work.* From this angle, the practice of democracy, to remain fair, just, and (as it were) true to itself, will require philosophical maintenance. It needs the kind of ad hoc reflection on deep theoretical questions – such as the nature of freedom and equality – which Rorty would lump in with metaphysics, but is part and parcel of doing justice to what purportedly makes democracy valuable in the first place.

All three lines are arguable at the "spectator" level, from a position some way up the mountain. Yet back in the city, it is not clear how they relate to the perspectives of citizens themselves. Do they care, in the end, whether there is some kind of ultimate philosophical corroboration either of the political system they operate under, or their own moral stances on this or that issue? Does the philosophical negotiation of such questions make any difference whatsoever to the "real-life" orientations of participants in democratic processes? At first blush at least, it seems entirely plausible to offer "no" as an answer to both of these questions. If this is a sustainable position, then we find that the lived experience of democracy in the city gives it enough of a grounding, without the need for any mountaintop perspective.

The appeal of pragmatism, then, lies partly in the offer of a focus on the practicalities of inclusion rather than theoretical nuance. If inclusivity and participation are so valuable, perhaps we should look at what they are like when they work well, and go with that flow, rather than formalising a theoretical model designed as a framework for practice, but which actual people may not recognise the validity of, or feel bound by. For Rortians, practice unites while theoretical debates divide: the former will be presented as providing the kind of social glue which the latter will always deny us. Theoretical power ("the force of the better argument", in Habermas's phrase – see 1990, pp. 158-9) does not motivate us into commitment to democracy like the practicalities of involvement in concrete social practices do (Rorty 2007). Inclusion – both in the sense of the individual's orientation towards the polity in which they live, and in terms of the reach of that polity's active membership – does not rely on theoretical underpinnings, either in its conception or is maintenance. As Rorty memorably says in *Contingency, Irony, and Solidarity*, the process of "coming to see other human beings as 'one of us' rather than 'one of them'" is enabled not by theory, but by the redescriptive sources provided by "genres such as ethnography, the journalists's report, the comic book, the docudrama, and, especially, the novel" (Rorty 1989, p. xvi). This is indeed a neatly fitting corollary of the severing of democracy from any necessary reliance on philosophy.

As will be seen, though, I am not sure that this account of things *works* – when we consider democracy in practice – in the ways Rorty would envisage. Later in this article, I will defend claims 2 and 3 above, and seek to show why in the end, they pose *practical* (and not just theoretical) problems for pragmatism.

2. *Fraser and the paradox of enablement*

Nancy Fraser's work is often presented as being at the other end of the same lineage of critical theory which begins with Horkheimer and Adorno. In practice she is an adept inter-weaver of themes from this tradition with other resources, notably feminist and post-structuralist thinking. For my purposes here, I am primarily interested in what she has said about democracy and inclusion – and in how this relates to Rorty's "take" on the relationship between democracy and philosophy. Of particular relevance is the priority she places, in sketching out a distinctive conception of social justice, on "participatory parity" – a way of spelling out the place of democratic inclusion in that wider scheme.

For Fraser, "justice requires social arrangements that permit all (adult) members of society to interact with one another as peers" (2003, p. 36). Parity means "the condition of being a peer, of being on a par with others, of standing on an equal footing" (2003, p.101 n. 39). The moral requirement is that "members of society be offered the *possibility* of parity, if and when they choose to participate in a given activity or interaction" (Ibid.). Fraser identifies two key impediments to participatory parity conceived on these lines (Fraser 2003; cf Fraser 1997). First: economic inequality, stemming from maldistribution of resources. And second: cultural misrecognition, stemming from a lack of regard for one's particularity. Where other proponents of the crucial place of recognition in conceptions of social justice – most saliently Iris Young (1997) and Axel Honneth (2003) – treat recognition as the fundamental moral category, with distribution as derivative, Fraser recommends a "perspectival dualism" which "casts the two categories as co-fundamental and mutually irreducible dimensions of justice" (Fraser 2003, p. 3).

Now it is important in our current context to stress that Fraser herself presents participatory parity as an instance of "democratic pragmatism". On the one hand, it is a universalist norm: it encompasses all adult partners to interaction, and it presupposes the equal moral worth of human beings (Fraser 2003, p. 45). But recognition itself in these terms is not wedded to some prior commitment to this or that philosophical conception of the human subject. It is "a remedy for social injustice, not the satisfaction of a generic human need" (Ibid.). As Fraser goes on to put it: "For the pragmatist, [...] everything depends on precisely what currently misrecognized people need in order to be

able to participate as peers in social life. In some cases, they may need to be unburdened of excessive ascribed or constructed distinctiveness. In other cases, they may need to have hirtherto unacknowledged distinctiveness taken into account. In still other cases, they may need to shift the focus onto dominant or disadvantaged groups, outing the latter's distinctiveness, which has been falsely parading as universal. Alternatively, they may need to deconstruct the very terms in which attributed differences are currently elaborated. Finally, they may need all of the above, or several of the above, in combination with one another and in combination with redistribution. Which people need which kind(s) of recognition in which contexts depends on the nature of the obstacles they face with regard to participatory parity." (Fraser 2003, p. 47)

And as she adds, this "cannot be determined by an abstract philosophical argument", but only, instead, with a "critical social theory... that is normatively oriented, empirically informed, and guided by the practical intent of overcoming injustice" (Ibid.).

I cite all this at length to highlight the importance of two aspects of Fraser's case for participatory parity. Firstly: it is presented as a norm generated within the city, rather than up the mountain. It needs, in Rorty's terms, no "philosophical backup". Secondly, and on the other hand, it has a complex, shifting, multi-dimensional texture. What it takes to ensure parity will vary significantly, as she says, from case to case. To justify their claims, she says, "recognition claimants must show in public processes of democratic deliberation that institutionalized patterns of cultural value unjustly deny them the intersubjective conditions of participatory parity and that replacing those patterns with alternative ones would represent a step in the direction of parity" (Ibid.). What the norms of participation actually amount to will be deliberatively elaborated; this is how their substance emerges. This last point also highlights, however, a specific kind of circularity problem with Fraser's account.

The problem is partially acknowledged by Fraser, but especially well captured by Kevin Olson, who puts it like this: participatory parity "presupposes equal agency at the same time that it seeks to promote it" (Olson 2008, p. 261). Participation is the means by which claims to justice will be raised, and thus itself a kind of enabler of parity: it affords citizens not currently treated as peers the scope to argue for context-sensitive policies which will (as Fraser puts it above) "represent a step in the direction of parity". But here an irony emerges. Olson sets it out like this: "The people who most need to make claims about injustice, those who are politically disadvantaged in a given society, are the ones whose participatory parity is most at risk. They are most in need of parity-promoting policies. By definition, though, people who cannot participate as peers are precisely the ones least capable of making such claims. The problem, in short, is that deliberation

presupposes participatory parity at the same time that deliberation is supposed to set the standards for participatory parity." (Olson 2003, pp. 26-61)

Olson calls this circularity "the paradox of enablement". This occurs when "equally able citizens are both *presupposed* by deliberation and are its intended *product*" (Ibid.). (The paradox is a version of a wider, long-standing circularity problem about democratic legitimacy: for democratic institutions to be the result of the people's will, they must pre-exist themselves, to enable that will to be registered in the first place. Or to put it the other way around, the people, to institute democracy, must be somehow prior to itself. On this point, see Gaon (2010).)

We can sum up the paradox of enablement like this: standards concerning what it is to participate, to be a peer, are themselves something to be produced through the participatory process. For participatory parity to be *participatory*, such norms cannot pre-date the process, but are engendered by it. They are thrown up by deliberations among the citizenry, not delivered pre-packaged from the mountain top. But for participatory parity to obtain at the point of deliberation, we must "presuppose equal agency in the processes through which it is formulated". Inclusion, as it were, needs to be prior to itself for the process to work in the way Fraser expects of it. As Olson rightly points out, what we find here is an epistemological problem concerning the voices of the marginalised – which will not be heard, simply because they are not already equipped to participate on an equal footing. And such problems are starkest when they serve to prevent people from making claims about their own exclusion. Here "marginalization is not simply a violation of parity. It additionally deprives people of the means to demand inclusion" (Olson 2008, p. 262).

The norm of participatory parity is non-philosophical, in Rorty's sense, in so far as it is generated not from some purportedly elevated theoretical vantage point but from within participatory processes themselves, i.e. through practice. To this extent, it seems authentically pragmatist. But it is also paradoxical. The claims of those not already equal may seem, within this model, like James's "false ideas": non-assimilable, and thereby exempt from contributing to the deliberative process. One can anticipate the voice of Horkheimer here: certain kinds of "dangerous" claim seem to be placed beyond the epistemic radar. What, if we are to sustain the ideal of inclusion, is to be done?

3. *Disability, capability and the norms of participation*

The normative power of the notion of participatory parity lies in its orientation to include on an equal footing those who might otherwise be marginalised. There are of course a wide array of reasons for such exclusion, many arising from deep-laid aspects of social structure, and patterns of oppression. To work through the implications of the paradox of enablement, it is worth taking a specific example – something which Olson, perhaps ironically, does not in fact do, even as he meticulously rehearses different aspects of the paradox. Let us consider one category among those not fitting the classical (political philosophical) mould of the independent, self-sufficient agent: the disabled. Despite the general foregrounding of issues around inclusion, disability still tends not to feature in the mainstream of normative political theory – and neither recognition theory nor democracy theory, perhaps oddly, offer any exception in this respect (see, on this, Calder 2010). This is odd, as disability can in such obvious ways hook up with disadvantage in from the perspective both of economics (maldistribution) and culture (misrecognition). People with disabilities are among the most likely in society to be economically vulnerable, and not to be recognised as being on an equal footing. They thus provide a prime example of those whose participatory parity is most at risk.

Accounts of the politics of disability in the contemporary west are often rendered in terms of the story of the social model. The social model of disability emerges in the work of theorists attached to the disability rights movement. Its origins are usually traced to a declaration by the Union of the Physically Impaired Against Segregation (UPIAS) in 1976. This marked out physical disability as a form of social oppression, centred particularly in exclusion from the employment market (UPIAS 1976, p. 14). The social model is conventionally contrasted with the more individualized "medical model" taken to be historically dominant in institutional practice. In the latter, bodily impairment is presented as the initial cause in a causal chain which may issue in functional disadvantage. Thus the biomedical condition (such as visual impairment) was conceived as a kind of given – a "personal tragedy" the effects of which it is the job of expert professionals to mitigate (Morris 1991, p. 180). For proponents of the social model, its dominant, individualized counterpart is itself disempowering. By focusing attention on the individual condition and the limitations it imposes, it distracts from the ways in which social factors – "environments, barriers and cultures" (Oliver 2009, p. 45) – disable. It thus neglects the extent to which disability might be addressed not by searching for elusive "cures" for physical impairments, or helping individuals adapt to their own particular burden, but instead through reform of those social factors which would allow for the de-victimization of the

disabled and a positive affirmation of difference in place of the presumption that impairments themselves impose an inherent disadvantage. Thus for UPIAS, impairment is physiological but disability is "the disadvantage of restriction of activity caused by a contemporary social organization which takes no or little account of people who have physical impairments and thus excludes them from the mainstream of social activities" (UPIAS 1976, p. 14).

The social model is a powerful tool, and a controversial one. On the one hand it has been subject to a good deal of debate among proponents of disability rights, along both philosophical and political lines – see, *inter alia*, Barnes and Mercer (2010), Cole (2007), Oliver (1990, 2009) Shakespeare (2006), Smith (2005), Swain et al (2003), Terzi (2004). On the other hand it has (and this is the cause for some ambivalence in the disability rights movement) been adopted with remarkable speed into institutional frameworks and indeed government legislation. Thus in the contemporary UK, versions of the social model find official articulation both in the "diversity policies" of public institutions, and in successive pieces of equality legislation – most recently, the Equality Act 2010. The presumptive focus is shifted from individuals bearing impairments to institutions which might themselves disable, and which are given a responsibility proactively to minimise the ways in which they might. All of this is significant, in our current context, precisely because of the aim at stake: a form, in Fraser's terms, of participatory parity. In particular, internally diverse ways, disabled people have historically been on the end of a kind of pincer movement between Fraser's two key impediments to parity: maldistribution and misrecognition. The social model itself emerges from political practice, and is pragmatic in orientation: it is a strategy for barrier-removal, for reform of environments and attitudes.

It is also a prime case study with regard to the paradox of enablement, in the way that Olson frames this. Thus, again: for participatory parity to obtain at the point of deliberation, we must "presuppose equal agency in the processes through which it is formulated". Now for its proponents, of course, the whole *point* of the social model is that such parity has not obtained with regard to the disabled. Thus if there has been an adjustment of the terms of participation – of the conditions for inclusion, and the presumptions about equality and agency inherent in all of this – then this has happened *despite* a lack of prior parity. One might draw a sporting analogy. Say we are involved in a game running according to given rules of participation, which themselves are partial and presumptive as regards the scope for the physically impaired to be included. The social model emerges as a theoretical challenge to these presumptions, and to the existing norms of the game. It challenges their purported neutrality, and seeks to show that they are exclusionary in an arbitrary, unfair way which runs against both the spirit of the game and wider normative considerations. The articulation of the social model thus seems to

demand a re-think in the name of equality of opportunity, involving starting the game afresh according to adapted rules. But to instigate this on Fraser's terms, the disabled would-be participant needs recourse to prior or overarching rules which trump the given history of participatory exchange thus far. It is not clear where these can come from. If the terms of participatory parity must themselves emerge from the deliberations of the already included, it is not clear how the voice of those excluded enter into the picture, except at the behest of those already "in on the conversation". It relies on their capacity for imagination, their goodwill, their sense of inclusivity, and other contingencies – but it cannot be guaranteed by the prior framing of rules which, precisely, have not taken into account the proposition posed by this alternative model. If the social model is to be successful in transforming the rules of the game, it needs to find a way of speaking from outside those rules, in such a way that existing participants are persuaded of the need to expand their parameters, and to include those who hitherto have been least able to participate within them. The social model here presents a "dangerous" claim, in Horkheimer's sense. The concern about Fraser's model is that, echoing those initial qualms about first-generation pragmatism, it insulates itself against such claims even while its spirit suggests that it should be geared towards their inclusion.

So we have, here, an example of how the paradox of enablement might work in practice. What is striking about this example is that in political reality, the social model has in many ways been a successful intervention. Of course, political reality is by no means characterised by the kinds of prior guarantees of participatory parity which Fraser favours in her ideal model. The social model has imposed itself despite a range of vested interests, structural inequalities and operations of power which have in important ways been pitted against it. Why might this have happened? Clearly, it has presented a forceful case. It seems, though, that acceptance of the force of the case means getting outside of the game as it is running, outside the city limits, and considering things from an angle beyond current terms of participation. In Walzer's terms, it means going at least part of the way up the mountain. And in terms of Rorty's case for the priority of democracy to philosophy, this points, I think, to the strength of two of the possible lines of argument against that claim – numbers 2 and 3, as given above.

Taking Fraser's model of participatory parity as exemplary of a particularly refined, elegant and appealing version of what democracy might amount to: can it operate without philosophical backup? I would suggest not. To defend it, to work through its implications, to ensure that it does not involve some kind of pre-emptive exclusion of marginalised voices, or effect such exclusions in practice – all of this requires that we lean on philosophy in a broad sense. We cannot justify it without getting our hands dirty in this way – for example, by considering what exactly counts as disability. The social model

raises metaphysical questions, as part of its political project. It is a persuasive philosophical case. If it is right, it changes the terms of existing debates on inclusion. It does this in part by virtue of its philosophical power, and the subtlety of its take on questions of structure and agency, physiology and subjectivity, cause and effect, freedom and determinism, the nature of respect, and so forth. If taking the social model seriously is a requirement for purportedly "inclusive" paradigms of democratic engagement, then we need to acknowledge that the relationship between philosophy and democracy is not as incidental, or characterised by the kind of mutual independence, that Rorty suggests. Now it may of course be that the rhetorical influence of the social model is best achieved if it is presented not in the idiom of theory, but of the "docu-drama or the comic book". But the point is that its coherence, its relation to the purported norms of a polity, its deeper case for a revision of our understanding of the relation between individuals and their environments – all of these are factors the outworking of which requires exactly the kinds of philosophical analysis and dispute which Rorty deems extraneous, and something to be saved for weekends. The relation between theory and practice is not, as we confront practical political reality, as birfurcated as the very possibility of separating out democracy and philosophy would suggest.

4. *Capabilities and the boundaries of inclusion*

None of this is to question the appeal of Fraser's notion of participatory parity, or indeed of the pragmatist priority of practice over theory. It is, though, to suggest that theory haunts the practical negotiation of politics in ways which are inconvenient to the kind of full-on demotion of philosophy to a kind of luxury side-show which Rorty's picture of democracy offers. To put it more strongly: to prioritise practice is itself a theoretical commitment, and one which requires theoretical negotiation if it is not to generate problems for itself. The notion of inclusion is a particularly fertile example to use in this respect, precisely because its meaning is not self-evident enough, in some a priori way, for an inclusive politics to be achieved or sustained without recourse to the kinds of philosophical maintenance which, on an account such as Rorty's, are supposed to be superfluous. Philosophy on a modest scale is something which we cannot escape our entanglement with as we negotiate the political playing out of any given model of democracy.

As for the paradox of enablement, one implication it poses, I think, is that we need a degree of commitment to certain meta-principles in order to escape the more pernicious aspects of this particular kind of dead-end. Inclusion is not a value in itself, or regardless of the terms on which it takes place, or who is included, or what voices gain "airtime" in the process. It is a value in so far as

it promotes some kind of first-order good, or goods. If we consider the politics of the disability rights movement, we find a good example of why this is so. It is not that inclusion in the mainstream – in terms of employment, or social participation in other ways – is valued for its own sake by proponents of the social model. After all, the mainstream may not itself be such a great place. Being in the thick of the city can be liberating, but it can also be oppressive. Being on the inside isn't always so great. Rather, inclusion is valued because it is presumed to offer goods conceived as having prior, non-contingent value. We might talk here of autonomy, of solidarity, of citizenship. For my part, I think the most helpful language here is that of capability, in the sense in which Amartya Sen uses the term (see Calder 2010). For Sen, "what matters to people is that they are able to achieve actual *functionings*, that is the actual living that people manage to achieve" (Sen 1999, p. 74). Crucial here is "the freedom to achieve actual livings that one can have a reason to value" (Ibid, p. 73), and thus "the *capabilities*... to choose a life that one has reason to value" (p. 74 – my emphasis).

I will not offer here some comprehensive case for considering capabilities as the best rubric for thinking about the kind of good which might lie prior to inclusion, give a reason for commending it, and provide a yardstick by which the playing-out of participation might be gauged in terms of its contribution to well-being. The basic suggestion is just that *some* such rubric is required in order to escape the clutches of the paradox of enablement, and also those surrounding the commendation of democracy more generally. It is not that participatory parity itself can be the source of the value of participatory parity, or that democracy itself explains the value of democracy. Rather, democracy will be valuable, if it is, because it delivers things which are conceived as valuable in a prior way. The case for extending the boundaries of inclusion is that it "does justice" in some sense, to some prior value. Now again, what that prior value *is*, is of course disputable. What pragmatism cannot do, in promoting the centrality of practice, is avoid getting tangled up in questions about what it is valuable about practice. If at this stage we insist that our negotiation of such questions can be done, as Rorty suggests, only in terms "relatively local and ethnocentric", this traps us in the paradox of enablement. To put it another way, if enablement is what makes inclusion valuable, we need a prior account of what counts as enablement which takes priority to the value of inclusion itself, and to which the latter serves as a conduit. It may be, as the example of the social model suggests, that doing justice to our commitment to whatever it is that inclusion is supposed to deliver will require us to re-structure the environment in which democratic participation takes place.

But such an approach will involve "philosophical" commitments disallowed by both Rorty and Fraser – the kind of generalised consideration of the

conditions of well-being, and thus of "the human subject", which will require an excursion from the city, at least part-way up the mountain. There is a circularity about democracy from which only a recourse to "prior philosophy" seems to offer an escape.

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The importance of pragmatism for liberal democracy: an anti-foundationalist and deliberative approach to multiculturalism

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ABSTRACT

The paper illustrates the desirability of an anti-foundationalist approach to normativity for the fullest realization of the liberal democratic project. The first section defends the viability, epistemic and normative, of an anti-foundationalism inspired to the anti-metaphysical and anti-sceptical legacy of the founders of American pragmatism. The second section, drawing on the deliberative turn in democratic theory and the capability approach to autonomy, introduces what I regard to be the normative core of liberal democracy. The third section fleshes out the desirability argument by looking at how a pragmatist approach to normativity allows liberal democracies to address in a fully deliberative spirit the challenges posed by the growing cultural diversity of contemporary societies associated with contemporary processes of globalization.

1. *An epistemic and politically viable anti-foundationalism*

It is possible to see a viable pragmatist approach to normative validity emerging from the dialectical exchange between the two neo-pragmatist philosophers that have best expressed the anti-metaphysical and anti-sceptical legacy of the founders of American pragmatism, namely Richard Rorty and Hilary Putnam (Trifirò 2008). This pragmatist conception of normativity is capable to maintain a place for normativity in a disenchanted world by offering an anti-foundationalist account of two key features of normative thoughts, i.e. its universalistic and transcendent aspirations, conveyed respectively by the expectation that there is *only one* truth for everyone at any place and time (Putnam 1981, 56; Rorty 1998, 2), and that it is always possible to make cautionary claims such as "we *think* p is true but it *may not be* true" (Putnam 1978; Rorty 1991, 128). The anti-foundationalist account of normativity that I attribute to Rorty and Putnam allows us to account for these dimensions of normativity by drawing three generally overlooked distinctions: 1) between a *physical* and a *grammatical* sense of the impossibility of foundationalism; 2) between a conception of universality as *ground for* as opposed to *scope of* our normative judgments; and 3) between a conception of transcendence as *self-reflexivity* as opposed to *self-transcendence* (Trifirò 2007).

The Wittgensteinian distinction between *physical* and *grammatical* impossibility enables us to appreciate that it is only those anti-foundationalists that conceive of the impossibility of metaphysics as being of the physical order (as something due to some deficit in our cognitive settings that could in principle be overcome by some technological discovery for instance), and thus are still in the grasp of the view of normativity validity as adherence to reality as it is 'in itself', who will be forced to corrosive relativist conclusions of the anything-goes kind (see for instance Putnam 1990, 22; Rorty 1991, 202). Once we recognize that the epistemic assurance sought after by foundationalists is nowhere to be found because *by definition* it would be offered by a viewpoint from nowhere, we are able break free from the metaphysical framework altogether and clear the ground for an alternative conception of normativity that places the source of normative authority in that same contingent dimension of practice, laden with our set of values, needs and interests, that foundationalists attempt to transcend. On this pragmatist standpoint it is possible to appreciate that metaphysical neutrality does not need to entail normative neutrality; that normative validity and our critical faculties do not need to rest on universal transcendent ground. It is on the basis of this pragmatist ethnocentrism that Rorty and Putnam are capable of escaping the charge of self-stultifying relativism by accounting for the universalistic and transcendent aspirations of normativity without surrendering to the unintelligibility of metaphysical foundations.

In particular, the distinction between *justificatory ground* for and *scope of application* of normative judgments allows us to realize that the fact that we cannot obtain universal *ground for* our views and practices does not mean that we cannot or should not hold them to be valid, and thus *apply*, universally. As Putnam (2003, 45) puts it, "recognizing that our judgments claim objective validity and recognizing that they are shaped by a particular culture are not incompatible"; for, as Rorty (1998, 2) points out, "granted that 'true' is an absolute term, its conditions of application will always be relative." According to this pragmatist view, normative claims are indeed universal, but their universality is culturally grounded, not metaphysical. They are universal in *scope* not in *ground*. This distinction allows us to answer two criticisms traditionally associated to the charge of relativism, those of self-contradiction and of violation of the law of non-contradiction. On the one side, a coherent anti-foundationalist will assert that anti-foundationalism is the correct epistemology (the *universally valid* one) *only* according to (on the *ground of*) its ethnocentric view of normativity, rather than self-contradictorily on universal foundational grounds. On the other side, by keeping clear the distinction between 'scope of' and 'ground for' normativity as this is usually conveyed by the expressions *'true for'* and *'true according to'*,

a coherent anti-foundationalist will avoid describing a normative conflict between points of view A and B through the contradictory statement that "p is at the same time (*on the same ground*) both true (*for* A) and false (*for* B)," employing instead the innocuous expression: "p is true *for* everyone *according to* A" and "p is false *for* everyone *according to* B", therefore "p is *universally* true *according to A* and *universally* false *according to B*." No contradiction is involved here, but only a conflict of standards of normative validity with universal aspirations.

Similarly, the distinction between justification *hic et nunc* and justification *sans phrase* allows us to appreciate that the transcendent dimension of normativity does not require us "to step outside our skins and compare ourselves with something absolute" (Rorty 1982, xix), but only entails our capacity to "get beyond our present practices by a gesture in the direction of our possibly different future practices" (Rorty 1998, 61); that "reason is both immanent (not to be found outside of concrete language games and institution) and transcendent (a regulative idea that we use to criticize the conduct of all activities and institutions)" (Putnam 1983, 234). This means that anti-foundationalists can account for the fact that that we can always make cautionary claims of the sort "you *think* p is true, but it *may not be* true" without having to rely on the metaphysical distinction between *ordo essendi* and *ordo conoscendi*. According to pragmatists, we do indeed distinguish between 'thinking that x is y' and 'x being y', but this distinction can always only be made from within concrete practices of justification, current ethnocentric practices of right and wrong. As Putnam puts it, even though "traditions can be *criticized*", "talk of what is 'right' and 'wrong' in any area only makes sense against the background of an *inherited tradition*" (*ibid.*). The transcendence of normative validity amounts to the self-reflexive use of immanent reason.

Such a pragmatist approach to universalism and transcendence of course invites the criticism of ethnocentrism, namely of unduly universalizing a contingent viewpoint and of failing to take in due account other points of view. This charge can take both an epistemic and normative slant. The epistemic version only reiterates the view of normativity shared by foundationalists and relativists alike according to which normative judgments and our critical faculties must stand on or refer to universal and transcendent grounds. This is the view which a viable anti-foundationalism discards by conceiving of universality as scope of application and transcendence as self-reflexivity. The normative criticism accuses such a pragmatist approach of jeopardizing our liberal democratic societies by opening their gates to arrogant and vicious complacency, making anyone feeling justified in ignoring, if not oppress, other points of view. Such a criticism however fails to

grasp two key features of an epistemically viable anti-foundationalism, namely its *epistemic* and *volitional* nature.

The ethnocentric character of normativity maintained by a viable anti-foundationalism is exclusively of an *epistemic* kind, it is not *normative*. Epistemic ethnocentrism is a *meta*-normative view, a view of the justificatory grounds of our normative judgments, whatever these maybe, and as such it does not entail any substantive normative stance. It is a value-free epistemology, in the sense that it makes the endorsement of any substantive moral and political view dependent on our fundamental normative commitments, *whatever* these might be. This first-order normative neutrality, however, should not be confused with the second-order foundationalist view according to which normative validity itself is value-free because 'from nowhere'. This point takes us to the second misunderstanding underlying the normative criticism of ethnocentrism. The proposed ethnocentric view of normativity is of a *volitional* kind, it is not *cognitive*. It considers our normative outlooks and projects as being unavoidably shaped by our contingent set of values, interests and needs, and consequently believes that no epistemological gate, not matter how strong, may ever secure our societies from the threat of vicious or anti-social behaviour. Only the strength of our collective moral and political sensitivity and commitment can safeguard the spirit of our liberal democratic societies. By drawing the distinctions between *epistemic* and *normative* ethnocentrism, and between *volitional* and *cognitive* approaches to normativity, it is thus possible to appreciate how an epistemically viable anti-foundationalism can also be regarded as a viable conception of normativity for liberal democratic politics.

The above considerations do not purport to put forth a *knock-down* argument in favour of anti-foundationalism, they are only aimed to show that an anti-foundationalist conception of normativity can be epistemically and politically viable. It is however possible to formulate a pragmatist argument in favour of anti-foundationalism in terms of its desirability for the fullest realization of the liberal democratic project. Let us turn then to outline the view of the normative core of a genuine liberal democracy which will frame the desirability argument.

2. *The normative core of liberal democracy*

There has always been disagreement amongst supporters of the liberal democratic tradition on the defining characteristics of its political and moral project, on the interpretation and relative priority of its central values, as well as on the form of the practices and institutions that should implement them. Indeed, from a pragmatist standpoint we should expect any particular view of

the liberal democratic project to be the expression of a prior particular normative stance. The first step in elaborating what I take to be the normative core of the liberal democratic project should therefore be that of laying down the normative premises upon which my take on the liberal democratic tradition rests. These are the two normative premises that characterize the Kantian political tradition: the belief in the *inherent* dignity of every human being, and a conception of human dignity centred on the capacity of *autonomously* elaborating, choosing and pursuing different life projects. On this reading, the two fundamental values that a liberal democratic society should be committed to foster and protect are those of *equality* and *autonomy*. The normative substance of the former value depends on how autonomy, i.e. what needs equalizing, is conceptualized. The conception of autonomy that characterizes the reading of liberal democracy favoured in this paper is that emerging from the recent deliberative turn in democratic theory (Rawls 1971, 1993; Habermas 1984, 1990; Dryzeck 1990, 2000; Benhabib 1996, 2002; Guttman & Thompson 1996, 2004, Young 1996) and the capability approach to freedom (Sen 1985, 1999; Nusbaum & Sen 1993; Nussbaum 1999). According to this conception one can be regarded as an autonomous being when capable both to exercise one's freedom of choice and action and participate in the collective decision-making processes that determine one's material, social and institutional context of choice and action.

These fundamental normative premises lead to three key tensions that have characterized the liberal democratic tradition throughout its historical developments. These tensions are involved in the never-ending task of striking the right balance and trade-offs between the opposite demands associated to the values of *liberty* and *equality*, *liberal* and *democratic* rights, and *universalistic* and *particularistic* aspirations. The first tension is entailed in the effort of tracing the limits that the value of social justice can legitimately pose to the exercise of individual freedom, and *vice versa*. The second tension is contained in the circular regression involved in the attempt to establish in a liberal and democratic way the constitutional limits that should safeguard individual autonomy from the 'tyranny of the majority'. The third tension is expressed in the different conflicts that modulate the universalism/particularism opposition within liberal democracy, such as that between *individual* and *collective* rights (to what extent collective rights should constrain and be constrained by individual rights?), *human rights* and *citizen* rights (to what extent are the rights accorded to the members of an historical community to be extended to foreigners?), *cosmopolitanism* and *popular* sovereignty (to what extent liberal democratic principles and practices should be allowed to be re-interpreted so as to accommodate the needs, interests, and beliefs of particular historical communities?).

It is possible to grasp the normative core of a genuine liberal democratic society once we consider how, in order to address the above structural tensions in the full respect of everyone's individual autonomy, liberal democrats should keep open to discussion and revision the particular constitutional, legislative and policy measures taken to solve them. This means that a genuine liberal democratic society should conceive of itself as a *self-reflexive* community committed to the *never-ending* project of devising the most appropriate institutions and principles for the respect of everyone's autonomy through the *all-inclusive* and *open-ended* confrontation of all its members and everyone else that may be affected by its policies. The 'open-ended' condition requires liberal democracies to refrain from considering their particular practices and institutions as definitive resolutions to the structural tensions between their driving values and other policies debates. (Cohen 1996; Benahbib 1996, 2004; Guttman & Thompson 1996, 2004; Mouffe 2000; Habermas 1996, 2004). The 'all-inclusive' condition requires them to bring back decision-making to the arena of public debate. The guiding principle is the familiar Habermasian one of making the validity of collective decisions conditional on practices of public deliberation that are, not only as open and un-distorted as possible, but inclusive of all the persons that could be affected by them (e.g. Habermas 1984; 1990; 1996).[1]

Reflecting on the normative requirements set by this self-reflexive ethics of public discourse it is possible to appreciate how a pragmatist anti-foundationalist approach is particularly suitable for the fuller realization of the liberal democratic project. On the one hand, such a meta-normative pragmatist approach, reminding us that any consensus reached is to be regarded as a temporary resting point prone to turn into oppressive *status quo*, enables us to remove the epistemic obstacles to the free questioning of received opinions and institutions and to a fair consideration of all points of view.[2] On the other hand, it enables us to realize that the resolution of

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[1] Although endorsing an Habermasian normative view of liberal democracy, the anti-foundationalist approach defended in this paper is in opposition with the Habermasian meta-normative framework aimed at grounding the 'opening' and 'inclusiveness' principles via a pragmatic-transcendental deduction from the presupposition of communicative rationality. I develop a detailed criticism of Habermas' foundationalist programme in Trifirò 2004.

[2] I acknowledge that foundationalists, and Habermas may be considered as an example here, may endorse self-reflexive and omni-inclusive practices of collective deliberation. Putting aside the question of the viability of foundationalism as a project, it is important to point out how such a foundationalis approach, by acknowledging that no practice or conviction should ever be regarded as immune from criticism and revision, would relax its first order claims of universal normative authority to such an extent as to erase any difference that would make a difference in practice between itself and an anti-foundationalist liberal position. Namely, even if foundationalism would be viable as an epistemic project, a foundationalist approach to deliberative liberal democracy would have to acknowledge the key point made by pragmatists, namely that foundationalism, and with it epistemological considerations, are irrelevant to our practice and to the resolution of concrete challenges facing liberal democracies, and therefore can be set aside with clear conscience.

normative conflicts does not make appeal to our alleged cognitive faculty to discover how things *really* are and should be, but rather to our moral *sensitivity* and *political* commitment, and especially our capacity to reflect collectively on the values that should guide our communities and on the means to meet them (Putnam 1987: 86; Rorty 1991: 110). It thus enables us to face our *responsibility* in the process of creation and support of a liberal democratic culture and to *redirect* our energies toward the only way in which we would ever be able to bring about social and political change: i.e. political will and concrete reformist commitment.

The following section fleshes out this desirability argument by applying it to the challenge posed to liberal democracies by the intensification of cultural clashes associated with contemporary processes of global integration and fragmentation. In particular, it turns the pragmatist and deliberative light on current debates regarding cultural diversity with a view to showing how it is possible to rescue the politics of multiculturalism for liberal democracies from the normative and epistemological concerns and shortcomings of cultural relativists and liberal democratic universalists.

3. *A pragmatist and deliberative approach to multiculturalism*

Multiculturalism today is being discredited by two mutually opposite and reinforcing trends. On the one hand, by its association with the cultural relativist opposition to universal human rights perceived as a threat to cultural identity and sovereignty. On the other hand, by the resurgence of old and new forms of fundamentalism which perceive of cultural diversity as a threat to truth and morality. The former association has discredited multiculturalism to the liberal[3] eye by defending, in the name of cultural autonomy, oppressive social practices which violate the individual autonomy of the most vulnerable of its members. The latter resurgence, when associated to liberal ethics and politics, has discredited the liberal democratic commitment to equality and freedom by denying recognition and autonomy to different cultural communities. We can see instances of these opposed and related trends in current policy and theoretical debates at both national and international level. The cultural relativist trend is exemplified by the use of 'cultural defence' (Coleman 1996) strategies in criminal trials to mitigate sentences by appealing to the cultural background of the defendants, and, in the international sphere, by the 'Asian values' argument for legitimate cultural deviations from international human rights norms. The liberal fundamentalist trend is exemplified by the ban on the practice of veiling in

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[3] In the following, in order to avoid burdening the text with multiple adjectives, I will use 'liberal' as an elyptical expression for 'liberal democratic'.

public spaces among Muslim women to foster their emancipation and reaffirm the laicity of the liberal democratic state, and by the international spread of the Washington Consensus model of liberal democracy based on free market and free periodic multi-party elections.

The most recent case of cultural defence I have knowledge of is that of an Italian citizen who has been granted a reduced sentence from Buckeburg Tribunal, in Germany, for sequestering and raping his ex-girlfriend on the basis of his Sardinian origins. The motivation of the court reads as follow:

The particular cultural and ethnic traits of the defendant must also be taken into account. He is Sardinian. The picture of the role of men and women in his culture, cannot surely be regarded as an excuse, but has to be taken in consideration as a mitigating factor. (Buckeburg Tribunal 2006)

This case exemplifies a relativist take on cultural diversity, according to which people's behaviour should be judged on the basis of their own culture. This cultural relativist stance invites the criticism, famously advanced by Susan Okin, that 'multiculturalism is bad for women' (Okin 1999). The criticism is that multiculturalism is incompatible with the principles and practices of liberal democracy because it fails to take a position against illiberal and un-democratic practices; it fails to protect the fundamental rights of the vulnerable members of oppressive culture, notably women. A further criticism motivated by these cultural relativist sentences is that they are based on damaging, if not utterly racist, stereotyping of members of different cultures (Benhabib 2004, Phillips 2007). In our example all Sardinians men are depicted as violent persons insensitive to the value of gender equality. Cultural defence strategies are thus criticisable for offering a degrading image of the defendants' culture. As the president of Sardinia Regional Council commented with reference to the Buckeburg Tribunal sentence: "It is shocking. There is no Sardinian culture of segregation and violence against women. It is only an episode of violence, and as such it should be treated and condemned." The then Italian Under-Secretary of Justice Luigi Manconi defined this as an example of 'differential racism', and observed how "cultural allegiances, ethnic traditions, religious beliefs, eating habits, customs, etc. should be recognized and protected, but at an imprescindible condition: that fundamental human rights are not violated" (Sardegna Oggi 11 October 2006).

These criticisms of tolerating the intolerable and racist stereotyping spring from important and understandable ethical and political concerns, but as Manconi's quotation hints at, and several political theorists have stressed in the past ten year or so (e.g. Kymlicka 1995, 2007; Benhabib 2002, 2004; Phillips 2001, 2007), they should not be taken as condemning multiculturalism *tout court*; they should not invite a backlash against the recognition and accommodation of a plurality of cultures within liberal

democratic societies. These criticisms can only be made of a cultural relativist take on multiculturalism based on an essentialist conception of cultures as monolithic wholes constraining their members to behave according to a predetermined script, and on a foundationalist view of normative validity which links the universal scope of normative claims to their universal justificatory ground. The implicit assumption behind the 'cultural defence' strategy is, in fact, that the perpetrators of 'criminal' actions cannot be properly regarded as guilty since it is their culture that made them perpetrate those actions, and within their culture those actions are not criminalized.

Another topic of contentious debate within liberal democracies, since at least the French 'scarf affair' in 1898 when three schoolgirls in France were excluded from school for wearing the *hijab*, is the practice of veiling among Muslim women. Most liberal democratic states have had to deal with similar challenges, and many of them have passed legislations banning the wearing of headscarves in public schools or public institutions in general, Belgium being the most recent example.[4] Just as the 'cultural defence' issue, the 'veil issue' touches upon crucial questions concerning the limits of liberal democratic tolerance. However, this time the normative pendulum swings with a fundamentalist touch against the toleration of the expression of cultural diversity and in favour of the dogmatic defence of engrained liberal democratic principles, such as those of individual liberty and laicity. If the cultural relativist approach underlying the cultural defence argument is open to the charge of tolerating the intolerable and stereotyping members of different cultures, the liberal fundamentalist blanket ban on the use of veils in public institutions invites equally poignant charges of intolerance towards the tolerable and racist stereotyping. Considering that many Muslim women voluntarily decide to wear their veil, as was the case in the French *affaire de foulard*, we can see how, in the name of a rigid reading of state neutrality and individual liberty, innocuous expressions of religious and cultural allegiance might be curtailed; and how in the name of defending women's liberty from oppressive cultural practices Muslim women can be stereotyped as passive victims of Muslim practices. Just as the 'cultural defence' argument by denying the faculty of autonomous choice of the defendants (mainly men) fails to do justice to the victims (mainly women), the 'forced veil' argument also fails to do justice to women by denying the faculty of making autonomous choice of Muslim women (Phillips 2007).

Similar considerations can be made about the most discussed examples of cultural relativism and liberal democratic fundamentalism in the international arena, those associated respectively with the 'Asian values' challenge to the universality of human rights and with the endorsement of a

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[4] See Benhabib 2004 and Phillips 2007 for a detailed discussion of the scarf affair from a deliberative liberal democratic perspective

one-size-fits-all approach to liberal democracy by key international governmental organizations. The 'Asian values' criticism has its origins in the outspoken opposition to civil and political rights by Asian leaders at the 1993 Vienna World Conference on Human Rights, when claims of legitimate cultural deviations from international human rights norms were raised by appealing to the specificity of Asian culture and values. International human rights norms were claimed to be the expression of the individualistic ethos of the West pitted against the communitarian traditions of Asia (Kausikan 1993: 38). The Chinese foreign minister maintained that in Asian countries "individuals must put the states' rights before their own", and the foreign minister of Singapore warned "that universal recognition of the ideal of human rights can be harmful if universalism is used to deny or mask the reality of diversity" (quoted from Sen 1997: 10; see also Sen 2007: 94). Although this warning of cultural imperialism and the need for international human rights norms to accommodate cultural diversity must be taken seriously, in particular in the lights of ideological approaches to the global spread of liberal democracy, the problem with the 'Asian values' argument is that, as Amartya Sen observes, "there are no quintessential values that separate the Asians as a group from people in the rest of the world and which fit all parts of this immensely large and heterogeneous population" (Sen 1997: 13). The 'Asian values' argument rests on what Sen (2007) calls "the illusion of singularity", the stereotyped and hypostatised view of world civilizations, underpinning the Huntingonian thesis of 'the clash of civilizations', which overlooks "the extent of internal diversities within these civilizational categories, and...the reach and influence of interactions that go right across the regional borders or so-called civilizations (ibid.: 10). Indeed the 'Asian values' thesis unquestioningly adopts the same stereotyped view of Western culture, as the quintessential depositary of the values of freedom and democracy, which was championed by Huntignton. The two theses in fact seem to feed off each other (Sen 2007: 93).

Sen's argument against the illusion of singularity serves to point out that the stereotypisation of cultures is often the expression of political agendas that have little to do with issues of cultural identity or with the values of cultural and individual autonomy they purport to defend. The view that Asian culture is inherently communitarian has come almost exclusively from Asian leaders and their advocates who have a vexed interest in maintaining the *status quo.* Similarly, the view that Western culture is quintessentially liberal and democratic has typically come from Western elites who have a vexed interest in shaping the world political and economic order on their terms, as it can be illustrated by the huge benefits roped at the expenses of developing countries' populations by Western corporations from International Monetary Fund and World Bank's structural adjustment

programs imposing free market and formal democracy as loan conditionalities. Genuine liberal democrats should therefore be adamant that "foreign ministers, or government officials, or religious leaders do not have a monopoly in interpreting local culture and values. It is important to listen to the voices of dissent in each society" (Sen 1997: 43).

The above considerations show that the oppressive and stereotyping outcomes of the cultural relativist and liberal fundamentalist approaches to cultural diversity are the result of a same purist reading of culture and normative validity. This essentialisit reading also lead them to close spaces for public cross-cultural debate, from the local to the global, where different cultural allegiances and normative stances can be seriously confronted, questioned, re-interpreted, and revised, and where individual autonomy and cultural affiliations can be given full respect and mediated. A pragmatist and deliberative approach that conceives of the legitimacy of policy-decisions as the outcomes of open and inclusive deliberation between all the individuals willing to have a say on the decisions affecting their life, and that rejects the idea that some interpretation of normative principles and cultural allegiances should have some privileged authority over the others, enables liberal democratic societies to confront, in the best liberal democratic spirit, the never-ending task of tracing a middle path between condemning some individuals to live in oppressive minorities or societies and becoming themselves oppressive majorities or societies. This is the same point made by Seyla Benhabib when she observes how:

The Scylla of criminalizing and policing [minority] communities and the Charybdis of multiculturalist [cultural relativist] tolerance…can be avoided, in theory as well as in practice, by modifying our understanding of culture; rejecting cultural holism, and by having more faith in the capacity of ordinary political actors to renegotiate their own narrative identity and difference through multicultural encounters in a democratic civil society (Benhabib 2002: 104)

Indeed, just as a pragmatist conception of culture and normative validity enables us to remove the epistemic obstacles to the free questioning of received opinions and institutions and to a fair consideration of all points of view, as Anne Phillips (2001) has put it, "we always need the maximum possible dialogue to counter the false universalisms that have so dogged previous practice, as well as the 'substitutionism' that has allowed certain groups to present themselves as spokespersons for the rest."

It is this paper's contention that the liberal democratic project can be fully realized only by abandoning the purist rhetoric of homogeneous and static culture and unquestionable normative systems, and opening received traditions and institutions to free and inclusive questioning and revision. From a pragmatist and deliberative perspective, those who justify exemption

from the application of liberal democratic principles by appealing to cultural tradition need to show that the particular interpretation of culture appealed to is truly representative of all its members. Such an approach allows establishing the real intentions behind the appeals to cultural relativism as a defence of the principles of cultural autonomy and self-determination. In particular, it permits to establish whether what is being defended is really the autonomy of a people or rather a repressive system whose practices are only the expression of the vested interests of a ruling elite who, as Adamantia Pollis (1996; 319) puts it, "exploits the language of cultural relativism to justify and rationalise its repressive actions", or, in Kristen Miller's words, "in rejecting the aspirational character of universalism…merely perpetuates traditional practice" (Miller 1996). A pragmatist and deliberative perspective can equally help us divesting oppressive policies of their universalistic rhetoric, by requiring whoever intends to interfere with the internal affairs of other communities to show that their primary motivation is the respect of the autonomy of their members.[5] Uncovering the ideological and manipulative uses of the discourses of universal human rights and democracy, and bringing the crucial questions affecting people's lives, including the interpretation and application of human rights and democratic principles, back into the arena of inclusive and open confrontation and deliberation within society at large, is further vital to win and restore people's trust in the liberal democratic project. For, as Bartolomeo Conti (2002; 182) remarks "it is unlikely that the universality of human rights will be able to show its power amongst the third world cultures [indeed any culture] as long as they will remain an integral part of a strategy of political, economical and cultural control of the West, used as an excuse to intervene in and interfere with other countries."

4. *Conclusions*

From the pragmatist perspective outlined in the first section it is possible to see how cultural relativists and liberal fundamentalists share the same shortcomings. They both believe that epistemological solutions are needed in order to address political and ethical concerns. This is a belief that is reinforced by failing to distinguish between universality as *justificatory ground for* and *as scope of application of* normative judgments. Cultural relativists,

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[5] This has significant consequences for the ways in which liberal democratic values and practices should be spread globally, setting as a fundamental principle that of giving priority to inclusive and self-reflexive discursive means over violent, elitist and ideological ones. This entails as a corollary the commitment to do as much as possible to involve and empower the oppressed and dissident sectors of those states and communities concerned, and to use force only as a last resort; and then only with the ultimate intention to protect civil society, punish exclusively the oppressor, and restoring genuine self-determination (Kaldor 2003; 2007)

moved by a concern for collective autonomy and cultural sovereignty, are led to assert the relative validity of normative claims to cultural standards, as they believe that by acknowledging the universal validity of normative claims we would end up opening the doors to imperialistic and oppressive attitudes. Showing to be still in the grip of the foundationalist view of normative validity, they are not satisfied with rejecting the possibility of placing our normative claims on universal grounds, but also relativise the scope of validity of normative claims to particular cultures. There are as many *equally* valid normative systems as there are cultures. Liberal fundamentalists, moved by a concern for individual autonomy and human rights, are led instead to assert the universal validity of liberal democratic normative claims.[6] They conceive of universal validity in terms of justificatory grounds, and believe that by rejecting the possibility to place the validity of the value of individual autonomy on universal grounds we would open the doors to any kind of uncivil and aggressive behaviour. There is a single truth in ethics and politics, and this is the liberal democratic one.

The shared categorical mistake consists in believing that in order to protect collective and individual autonomy it is necessary, respectively, to reject (cultural relativists) and defend (liberal foundationalists) the universalistic aspirations of normative claims. The cultural relativist assumption is that one cannot both endorse universalism and be respectful of cultural diversity. The liberal foundationalist assumption is that one cannot both reject universalism and be respectful of individual human rights. The contention of this paper is that it is only by embracing a pragmatist conception of normative validity and cultural identity that does away with both the cognitive approach to morality and politics common to cultural relativists and liberal foundationalists alike, and their shared essentialist conception of culture as a homogenous, seamless and static whole, that it will be possible to respect and accommodate the values of individual and collective autonomy in a fully liberal democratic spirit, showing how it is

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[6] I am equating here liberal fundamentalism, which represents a first-order normative position, with liberal foundationalism which expresses a second-order normative stance towards a particular first-order normative position. This does not run counter the distinction between meta-normative and normative levels which is at the core of my argument for the political viability of anti-foundationalism. As I have acknowledged, if foundationalism were to be grammatically viable project, it would be possible to conceive of a foundationalist endorsement of self-reflexive and omni-inclusive practices of collective deliberation. Yet the claims of normative authority of such foundationalist take on liberal democracy would have been so watered down that it would abandon any difference with anti-foundationalism that could make a difference in practice. When I refer to liberal fundamentalism I should thus be taken to refer also to those foundationalist approaches to liberal democracy that place particular interpretation and implementation of its key values and principles above collective debate and possible revision. In the rest of the paper I may sometimes use the terms interchangeably depending on whether I am emphasising the meta-normative or normative aspect of liberal foundationalism.

possible to be universalists and respect cultural diversity, and be anti-foundationalists but respectful of individual rights

A pragmatist approach to normativity, while affirming the 'man-made' character of normative claims acknowledges their universalistic aspiration, therefore preserving the normative force of our critical faculties and rebuking the traditional charges of radical relativism raised against anti-foundationalist positions. In particular, while asserting the contingent nature of liberal democratic values and institutions, it preserves their universal scope of application. The recognition of the scope-universalistic dimension of normative claims is not however taken to entail any lack of respect for cultural diversity and autonomy. To the contrary, the recognition of the ground-relativity of normative claims, namely the impossibility to place a particular set of principles, and their interpretation and application, on absolute foundations, allows liberal democratic pragmatists to accommodate cultural diversity at home and abroad by opening particular historical interpretations and implementations of the requirements of individual autonomy and democracy to re-signification and revision. Similarly, while disputing static and monolithic conceptions of cultural tradition, a pragmatist approach to culture is capable to acknowledge the importance of cultural allegiances and sovereignty for people's lives. However, this recognition of the importance of cultural belonging and autonomy does not work as a conversation-stopper to protect particular interpretations of particular cultures from internal or external criticism. To the contrary, the recognition of the disputed and disputable character of the defining features of a culture allows multicultural pragmatists to accommodate the value of individual autonomy by opening public spaces for internal and external normative dissent against received interpretations of cultural identity, in this way also guaranteeing a safety exit for the protection of individual liberties.

Even though a pragmatist approach to normative validity and cultural identity enables us to overcome the meta-normative shortcoming underlying the political concerns of cultural relativists and liberal democratic fundamentalists, it does not offer us protection against the actual political threats underlying those concerns. The final responsibility for designing and implementing institutions and policies capable to foster and protect both individual and cultural autonomy is ultimately on us, on our substantial normative visions and our concrete political and ethical commitment to them. However a pragmatist approach to human agency, by bringing to the fore the volitional nature of normative conflict, enables us to *face our responsibility* for the creation and maintenance of a liberal democratic culture, and to *focus our energies* on the only means by which we could ever bring about political and social change, i.e. political will and concrete reformist commitment. Yet again, however, such a pragmatist view is not linked to any substantial

normative position. It is only a meta-normative conception of the basis of normative obligations and cultural allegiance.

The contention of this paper is that by combining a pragmatist and deliberative approach to liberal democracy we are able to move beyond the debate between cultural relativism and liberal fundamentalism that has paralysed liberal democrats with the fear of giving in either to the intolerable or to intolerance. The double fear of endorsing either a too lax interpretation of liberal democratic principles that allows too much room for intolerant communities or a too rigid interpretation of the terms and conditions of liberal democracy that allows too little room for cultural diversity. A pragmatist and deliberative perspective enables us to appreciate that there is an alternative to this either/or of laxism and rigidity, that the respect of cultural attachments does not have to conflict with the respect of individual freedoms. The alternative is that of opening the debate over the social practices and principles we should follow to the free and inclusive deliberation of all the affected and interested actors, including the discussion and revision of the practical solutions of how to accommodate cultural and individual autonomy. It is possible to walk this middle path between cultural relativism and liberal foundationalism by eliminating the epistemic and ontological obstacles to the discussion and revision of received interpretations of human rights and cultural values and paving the way for a deliberative liberal democratic multiculturalism.

A pragmatist and deliberative approach to liberal democracy thus empowers people by placing the interpretation and implementation of human rights standards and democratic principles into the hands of all human beings, rather than the disenfranchising hands of God, Nature, Reason, Culture or, in fact, the ruling class of the day which hides behind them. This reliance on liberal and democratic public spheres will surely not extinguish cultural, social and political conflicts, yet I believe it constitutes our best hope for civilizing them, for replacing deaf and violent confrontation with peaceful and fruitful conversation across differences. Our best hope for preventing the possible common ground for cross-cultural debate and cosmopolitan citizenship from being eroded by those who think to gain from stereotyping cultural difference and radicalising cultural conflicts. Indeed, fostering and protecting public spaces for considered and self-reflexive conversation across diversity and cultures may be our best hope for keeping the Enlightenment's project of human rights and democratic emancipation alive, even after having dropped the foundationalist expectations of Enlightenment's rationalism.[7]

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[7] See Rorty (1997) for an 'enlightening' discussion of the reciprocal independence of the two Enlightenment's projects of rationalism and liberal democracy.

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Cracks in the Pragmatic Façade: F. C. S. Schiller and the Nature of Counter-Democratic Tendencies[1]

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ABSTRACT
The "pragmatist philosophical tradition" is often described as an American and democratic one. There are, however, a number of purposeful and/or accidental erasures in the history of pragmatism that make this tale possible; namely, the elision of pragmatism's international cast in its formative years. This essay will focus on one of the most prominent of these forgotten figures and point out how he complicates the assumptions underlying pragmatism's relationship to democracy. F. C. S. Schiller (1864-1937), the foremost British pragmatist of the early 1900s, championed a Jamesian approach to pragmatism. Schiller's humanistic approach to pragmatism is all the more striking given that he championed eugenics and authoritarian governments. These two tendencies—espoused in popular and philosophical essays and books—press hard against a causal acceptance that democratic practice is warranted by pragmatism. Schiller, excised from the intellectual history of pragmatism, is relevant precisely because he provides a useful counter to those who would assume as a matter of faith that pragmatism-as-method is the best representation of democratic ideals in philosophical thought. Schiller also suggests what is to be gained by re-evaluating the narratives that have allowed such generalizations to gain ground and flourish.

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[1] Several of the themes, and some of the content, in this essay are taken from my dissertation, *F. C. S. Schiller and the Style of Pragmatic Humanism* (University of Pittsburgh, 2006). These themes are given more thorough treatment in my as yet unpublished manuscript, *A Rebel's Rhetoric: F. C. S. Schiller and the Dawn of Pragmatism*. *A Rebel's Rhetoric* is the first ever comprehensive biography of Schiller, subjecting the whole of his philosophical career to a rhetorical analysis that explains both his importance to, and erasure from, the intellectual history of pragmatism.

Pragmatism has no exclusive claim to be a philosophy of democracy, or a philosophy which is open-eyed to the results and methods of science. I make this remark because writers of this school frequently convey the opposite assumption.
James Edwin Creighton (1916)[2]

There is a nameless mood abroad in the world today, a feeling in the blood of more than a few people, an expectation of worse things to come, a readiness to riot, a mistrust of everything one reveres. There are those who deplore the lack of idealism in the young but who, the moment they must act themselves, automatically behave no differently from someone with a healthy mistrust of ideas who backs up his gentle persuasiveness with the effect of some kind of blackjack. Is there, in other words, any pious intent that does not have to equip itself with a little bit of corruption and reliance on the lower human qualities in order to be taken in this world as something serious and seriously meant?
Robert Musil (1930)[3]

1. *A Well Told Tale*

The "pragmatist philosophical tradition" is a selective, if welcoming, bit of retrospective sense-making. One of the chief tenets of the tradition is the origin tale whereby Mssrs. Peirce, James, and Dewey blazed an American trail across a philosophical landscape of mechanical naturalism and unbending absolutism. As time and temperament has changed, so too have the cast of characters included in the roster. This tale is, for the most part, true. No one will claim that the bounty of pragmatism isn't chiefly the result of the ground-breaking works of Peirce, James, and Dewey. No one will challenge the fact that first generation pragmatism gave way to iterations and deviations, from Perry to Rorty to West, which extended the range and broadened the field of inquiry. My point is more specific than that.

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[2] J. E. Creighton, review of *Democracy and Education*, by John Dewey, *Philosophical Review* 25, no. 5 (September 1916): 739.

[3] Robert Musil, "Part II: Psuedoreality Prevails," *The Man Without Qualities*, Vol. I, trans. Sophie Wilkins and Burton Pike (1930; reprint, New York: Vintage International, 1996), 330.

Contemporary pragmatism, a heady interdisciplinary subject of discussion, is broad even as its reach remains historically incomplete.

Part of this can be explained by reference to how the intellectual history of pragmatism has been written. Historically, American tomes have given little mention to the range of international, if largely European, players who lent aid to first generation pragmatism. The Italian Giovanni Papini (1881-1956), the German Julius Goldstein (1873-1929), and the Brit David Leslie Murray (1888-1962) contributed to the foundation-building of the pragmatist philosophical tradition. But they remain ill-covered even as other, more peripheral, characters are added to the cast. The question is why? I would suggest that there are at least two tendencies at play. Their obscurity is partially the result of history itself. The narrative fracture that occurred as a new generation of pragmatists contended with a Second World War necessarily shifted weight from European to American institutions. Second generation pragmatists regrouped and refocused their messages in ways that clung tightly to the American tale of pragmatism. The omission of pragmatic outliers is also partially the result of how history is often written. Trained in the nuances of specific pragmatists, at a select group of institutions, the second generation scholars of pragmatism kept to a tended path symptomatic of many historical narratives, one engendered (if not enforced) by the institutional choices to include some, remove some, and, over time, forget others. This narrative-building also incurred a side effect: the history that is American is also almost certainly democratic.[4] Here, too, we can find reasons. While the fortunes of pragmatism waned in the wake of the Second World War, the tale keepers could at least remain calmed by incantations that highlighted Dewey, paid realistic reference to James and, more and more, turned to the logical nuances of Peirce. The time was not yet ripe for the dash and vigor that neo-pragmatists would inject into the corpus in upcoming decades. The result, then, is a brilliant bit of truth-making: by force of their institutional conventions, and spirit of their insular rhetoric, a tale of American means and democratic ends gained cash value.[5] This rhetoric is so

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[4] A comment by James T. Kloppenberg is telling: "This view of the relation between pragmatism and democracy [that 'it is the form of social life consistent with pragmatism'], which intellectual historians have been urging now for a decade, helps explain the resurgence of interest in pragmatism" ("Pragmatism: An Old Name for New Thinking?" *The Journal of American History* 83, No. 1 [June 1996], 131; reprinted in *The Revival of Pragmatism*, ed. Morris Dickstein [Durham: Duke University Press, 1998], 83-127).

[5] Obviously this origin tale has not been without its critics (for example see Stanley Fish, "Truth and Toilets: Pragmatism and the Practices of Life," in *The Revival*, 418-33; for a direct rejoinder to Kloppenberg see also John Patrick Diggins, "Pragmatism and Its

strong that even those who purport to upset the narrative – a hint of postmodern irony, a hip rereading of canonical texts – often fall into the well worn contours.

Note that I twice made reference to *rhetoric*. Typically conceived as the harlot of the arts and the lesser sister of philosophy, rhetoric nonetheless displays a love of knowledge. Absent that, it tilts towards the lazy denunciations of sophistry that even pragmatists have had to argue against. Even where there is no absolute truth, there is a truth that works because it aids in adding value to the things we believe, the actions we take, and the courses we consider. Even then that truth, as contingent as Aristotle claimed and as relative to change as James noted, is always subject to more tests and better meanings. Ferdinand Canning Scott Schiller (1864-1937), the foremost British pragmatist of the early 1900s, supplies just that; he provides a rhetorical corrective that strengthens the intellectual history of pragmatism. In the wake of his time in America in the mid-1890s, Schiller went back to England to champion pragmatism with the blessing of James. He also defended it against broadsides by philosophers ranging from Dickinson S. Miller (1868-1963), to Bertrand Russell (1872-1970), to – most notably and vociferously – Francis Herbert Bradley (1846-1924).

Reading Schiller back in to the history should, then, be an easy task.[6] Yet Schiller still hovers at the margins of rediscovery. The reason strikes me as both understandable and unfortunate: correctives have a way of corrupting the accepted texts. Schiller endorsed both eugenics and authoritarian governments as a way out of the morass that was Europe (and America) in the 1920s and 1930s. In philosophical and popular essays, and in books such as *Tantalus; or, The Future of Man* (1924), *Eugenics and Politics* (1926), *Cassandra; or, The Future of the British Empire* (1926), *Social Decay and Eugenical Reform* (1932), and *Our Human Truths* (posthumously, 1939), he sought to show that the truth-value of democracy had seen its day. His works, especially later in life, carry the suggestion that a better way was to be worked out through scientific force and governmental decree.

Limits," The Revival, 207-31). The fact that it remains so vigorous, even up to present day, is what I find troubling.

[6] Schiller's coverage has waxed and waned over the years. The most substantial recent attempt to renovate Schiller remains the work of John R. Shook. In the past decade he penned several searching discussions of Schiller's philosophy. Most recently he co-edited, with Hugh McDonald, *F. C. S. Schiller on Pragmatism and Humanism: Selected Writings, 1891–1939* (Amherst: Humanity Books, 2008).

On this point I must be clear: to welcome Schiller back into pragmatism's history is not to suggest that his views on eugenics or authoritarian governments are to be accepted wholesale. Indeed, certain features of his thinking – a united European governmental body or a need to curb the excess of those born into wealth – had currency then and hold some value today. What is to be considered is more complicated. The extent to which Schiller's views have been neglected speaks to the selective way in which the "pragmatist philosophical tradition" has been generally collected. His part in pragmatism's history challenges the stability of an American pedigree. It raises troubling complications for laying claim to democratic aspirations. In short, Schiller's role in first generation pragmatism deserves more recognition and study precisely because he ruptures the traditional tale. This essay will first explore the historical development of Schiller's pragmatic humanism. His humanism, less a distortion of James's views than some scholars claim, was at its base an attempt to extend pragmatism into all facets of human life. I will then examine how Schiller wedded this approach to eugenics and authoritarian governments. In contrast to the Civil War's impact on American pragmatists, Schiller saw in the tragedies of the First World War – and the impending doom of another war he wouldn't live to see – reasons for reworking the basis upon which societies were built. I hope to suggest that Schiller was right on at least one point: the philosophical musings of scholars, pragmatist or otherwise, are indelibly stamped with the hopes and fears that they bring to their pursuits. Contemporary scholars would gain by recognizing that Schiller brought *both* to the development of pragmatism.

2. *Unraveling a Riddle*

Schiller's *Riddles of the Sphinx: A Study in the Philosophy of Evolution* (1891) – published under the pseudonym *A. Troglodyte* – is by no means the first instance of him working out proto-pragmatic themes. In the years prior to his receiving his M.A., Schiller is already publicly and privately trying to find a way out of the labyrinth that was his training at the hands of the Absolute Idealists. Many of the themes found in the book – the relation of religion to science, the choice between pessimism and optimism, the problems of formal logic, the importance of the practical – are more fully realized discussions of ideas he had been working out in his personal notebooks and school essays. And, clearly, the book carries the tinge of a person still not fully comfortable

junking the absolutist project; the unifying nature of the Transcendent Ego, for instance, still finds a place in his thinking.

What is striking, though, is the paucity of coverage that this work has received, even from some of his more sympathetic biographers. Rueben Abel, while full well recognizing that "Schiller's Goliath was the Absolute Idealism of Anglo-Hegelianism" represented by Thomas Hill Green (1836-1882), Bradley and others, finds no place for the work in his summary of Schiller's philosophy.[7] Herbert Searles and Allan Shields, in noting that it was in its time taken to be the work of "a genius of 25 years" go on to posit that it "still bears close reading" but for reasons not expressed.[8] Kenneth Winetrout, in urging that Schiller deserves to be better known, suggests that one reason is that he, alongside James, Dewey, and Mead, showed a "ready willingness [...] to [engage] big and thrilling problems that gave early pragmatism both a warmth and vigor that is all too often missing in philosophy."[9] This, then, is the work of genius, developed within the stronghold of Absolute Idealism, which provides the pivot where Schiller changes from being a student to a philosopher, a mere critic of his learning to a proponent of what came to be pragmatism.

Schiller explains, in the third person, that this work originates from a felt lack in current philosophy: "It was the sense of this want, of the absence of any interpretation of modern results in the light of ancient principles, which prompted the author to given what is substantially *a philosophy of Evolution*, the first perhaps which accepts without reserve the data of modern science, and derives from them a philosophical cosmology, which can emulate the completeness of our scientific cosmologies."[10]

Such a project is predicated on seeking accord between science and religion. It seeks to strip away the demarcations whereby "science is defined as the knowledge of the manifestations of the Unknowable", "God has become an unknowable Infinite, and Faith has been degraded into an unthinking assent to unmeaning verbiage about confessedly insoluble difficulties."[11] So what,

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[7] Reuben Abel, ed., introduction to *Humanistic Pragmatism: The Philosophy of F. C. S. Schiller* (New York: Free Press, 1966), 7.

[8] Herbert L. Searles and Allan Shields, *A Bibliography of F. C. S. Schiller* (San Diego: San Diego State College Press, 1969), 14.

[9] Kenneth Winetrout, *F. C. S. Schiller and the Dimensions of Pragmatism* (Columbus: Ohio State University Press, 1967), 145.

[10] F. C. S. Schiller, *Riddles of the Sphinx: A Study in the Philosophy of Evolution* (London: Swan Sonnenschein, 1891), vii.

[11] Ibid., 3.

then, are the riddles? They are "merely the articulation of the question, What is man or what is life?"[12]

Schiller frames his answer as a turn toward Evolutionary Metaphysics and as a rejection of past philosophical conceptualizations – Agnosticism, Scepticism, and Pessimism – that attempted to deal with the process of Becoming: "For all reality is immersed in the flux of Becoming, which glides before our eyes in a Protean stream of change, interminable, indeterminate, indefinite, indescribable, impenetrable, a boundless and groundless abyss into which we cast the frail network of our categories fruitlessly and in vain."[13]

The Agnostic cedes the challenge and lapses into inaction, refusing to deal with matters that can only lead to "practical certainty."[14] The Sceptic responds to the challenge, but does so by dealing with abstractions that exist *beyond* the everyday realm of experience: "all significant judgment involves a reference of the ideal content recognized as such – and it is this which we express in judging – to an unexpressed reality beyond judgment."[15] This push beyond practical certainty inevitably leads to Pessimism. Dealing in more and more idealized forms of judgment, stripped of practical bearing, the pessimist takes the view that "the world contains nothing which admits of rational interpretation."[16] Why this result? Schiller suspects that this retreat into Pessimism is based in the rejection of metaphysics, "of a systematic examination of ultimate questions, and of its bearing upon the theory and practice of life."[17]

A turn toward Evolutionary Metaphysics isn't, however, a retreat into the past. It must provide an account which frames theory and practice in a positive manner. The only irrefutable basis upon which to build such a system is this: "The existence of the Self is at present asserted only as the basis of all knowledge, and in this sense it cannot be validly doubted."[18] Such a system "would be realized when all our explanations made use of no principles which were not self-evident to human minds, self-explanatory to human feelings."[19] This system must be based in the workings of evolutionary science but also, by being philosophical, a corrective on those workings; "in other words, they

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[12] Ibid., 9.
[13] Ibid., 79.
[14] Ibid., 17.
[15] Ibid., 87.
[16] Ibid., 97.
[17] Ibid., 133.
[18] Ibid., 139.
[19] Ibid., 149.

must proceed from the phenomenally real to the ultimately real, from science to metaphysics."[20] It reconfigures the flux of Becoming, the bane of previous metaphysical systems, as "the process which works out the universal law of Evolution."[21]

What are the implications of this metaphysic? God, first and foremost, is understood as a partner in the human process of Becoming. Our relationship to God, as part of the process, is a *personal* one. If God is freed from responsibility for evil and pain, we become the responsible actors in the process: "The assertion, therefore, of the finiteness of God is primarily the assertion of the knowableness of the world, of the commensurateness of the Deity with our intelligence. By becoming finite God becomes once more a real principle in the understanding of the world, a real motive in the conduct of life, a real factor in the existence of things, a factor none the less real for being unseen and inferred."[22]

God, in short, becomes a pluralistic concept which the many may share and not a monistic abstraction which all must accept. It is a concept which aids us in overcoming the world as it is, in a progressive process of which we are important players. This aids in the construction of "a harmonious society of perfect individuals, a kingdom of Heaven of perfected spirits, in which all friction will have disappeared from their interaction with God and with one another."[23] This ideal is, however, a matter of faith; for "what though he show what truth *must be, if truth there be*, he cannot show that truth there *is*."[24] For it is only faith that proceeds to pass beyond pessimism; and only faith as acted upon that demonstrates belief. This belief may, then, be enough to usher in a system such as the one Schiller describes.

Critics note both the taint of his training and the novelty of Schiller's implications. One commentator sees the metaphysic as "defective" in its "rejection of 'epistemological' and 'psychological' methods."[25] But the reviewer goes on to note a latent pragmatism in that "the concrete metaphysical method is to be consistently and consciously 'anthropomorphic,'

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[20] Ibid., 163.

[21] Ibid., 179-80.

[22] Ibid., 361.

[23] Ibid., 432.

[24] Ibid., 455. He goes on to say: "Because *philosophy is practical*, mere demonstration does *not* suffice; to understand a proof is not to believe it. And in order to live rightly, we must not only assent that such and such principles are conclusively proved, but must also believe them" (italics mine, Ibid., 457).

[25] T. W., review of *Riddles of the Sphinx: A Study in the Philosophy of Evolution*, by F. C. S. Schiller, *Mind* 16, no. 64 (October 1891): 539.

explaining everything from individual existences viewed as analogous to ourselves."[26] Another critic voices similar concerns. While recognizing that Schiller is attempting "to construct a modern metaphysic on the foundation of the latest results of science,"[27] the attempt is marred by straying too far from accepted practice. The specific complaints? Schiller betrays an "avowed contempt for epistemology and [...] uncritical acceptance of individualism."[28]

Schiller's insights prove resistant to these complaints, spawning a second edition only three years later. They are also subject to inspired refinement during an otherwise disastrous stint at Cornell in the mid-1890s. It is as this point that he meets William James and begins a long-term friendship which focuses the emergent themes found in *The Riddles*. Schiller takes to the insights found in James's *Principles of Psychology* (1890). He is also witness to the release of *The Will to Believe; and other Essays in Popular Philosophy* (1897) and "Philosophical Conceptions and Practical Results" (1898). These works help to frame Schiller's subsequent thinking, moving him squarely into the pragmatic realm. He is careful to add, however, that both he and James are inheritors of far older attempts to resist the abstractions of the a priori; "if then there existed absolute truth, of which man was not the measure, it would be most natural that the human mind should prove inadequate to its comprehension."[29] The goal, then, is to find ways to further the project to which he and James now lay claim.

Upon returning to England and securing a position at Corpus Christi College, Oxford, Schiller begins to lay the framework that signals his transformation into a pragmatist. A key strategic decision is turning that transition into a defense of the Jamesian approach to the same. Other commentators have argued that this approach led to a distortion of James's views. But the extant record would suggest otherwise. The 1901 "Axioms as Postulates," published in the multi-authored *Personal Idealism*, was in development since at least the time of Dickinson Miller's review of James's *Will to Believe*.[30] Both Schiller and James were dissatisfied with Miller's characterization of James's views. In James's letter of 27 January 1899 to

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[26] Ibid., 538.

[27] F. C. French, review of *Riddles of the Sphinx: A Study in the Philosophy of Evolution*, by F. C. S. Schiller, *Philosophical Review* 1, no. 5 (September 1892): 559.

[28] Ibid., 561.

[29] F. C. S. Schiller, review of *The Will to Believe; and other Essays in Popular Philosophy*, by William James, *Mind* 6, no. 24 (October 1897): 550.

[30] Dickinson S. Miller, "'The Will to Believe' and The Duty to Doubt," *International Journal of Ethics* 9, no. 2 (January 1899): 169-95.

Schiller he expresses "disappointment" with Miller's review. On the back, Schiller jots down: "D. S. Miller asked me to reply to his art as W. J. wd not. I said he had misunderstood W. J. + M appealed [...] . This led me to write Axioms as Postulates to remove the misunderstanding."[31] James is also aware that Schiller is working on the essay given his correspondence with Schiller in 1900.[32] It is clear, then, that Schiller's "Axioms as Postulates" is not some errant exposition by a British outlier.[33] It is Schiller's defense of Jamesian pragmatism and his first extended discussion of his views once the *Will to Believe* had tempered the complexity of *The Riddles*.

Schiller begins with a truism – each person's understanding of the world is personalized by their experience of it. Left as is, this surely signals an arbitrary approach to knowledge. But Schiller goes on to suggest that there are two caveats: "The first of these is that the whole world in which we live is experience and built up out of nothing else than experience. The second is that experience, nevertheless, does not, alone and by itself, constitute reality, but, to construct a world, needs certain assumptions, connecting principles, or fundamental truths, in order that it may organize its crude materials and transmute itself into palatable, manageable, and liveable forms."[34]

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[31] James's fuller comment is: "Miller's article was a great disappointment to me—a complete ignoratio elenchi—with not *one* of my positions even touched" (William James, Cambridge, to F. C. S. Schiller, 27 January 1899, *The Correspondence of William James*, vol. 8, eds. Ignas K. Skrupskelis and Elizabeth M. Berkeley [Charlottesville: University Press of Virginia, 2000], 490; Schiller's handwritten comments are found on the letter in Box One, Folder Thirteen, Educators and Librarians Collection, Department of Special Collections, Stanford University Libraries, Stanford [subsequent references to the archives will be abbreviated as SUL, B1, F13]). In referencing subsequent letters, I will, whenever feasible, keep to the text as it was written to provide the flavor of the original comments.

[32] Reference to James's appraisal of the work's progress can be found in: William James, Lamb House, Rye, to F. C. S. Schiller, 9 January 1900, ("Calendar" letter summary), *The Correspondence*, vol. 9, 2001, 587; and William James, Bad Nauheim, to Schiller, 30 September 1900, *The Correspondence*, vol. 9, 327 [both originals: SUL, B1, F13]; truncated reference is found in Ralph Barton Perry, ed., *The Thought and Character of William James*, vol. 2 (Boston: Little, Brown, and Company, 1935), 150.

[33] Sturt, the Personal Idealist who edited the volume, was willing to reflect on the impact of Schiller's work later in life. In his biting criticism of Oxonian philosophy, *Idola Theatri*, Sturt had this to say about "Axioms as Postulate": it "startled the world by its advocacy of a principle which might have been traced already in the work of Prof. William James and of several continental writers, and has now become famous under the names of Pragmatism and Humanism. This essay [...] appears to me to have opened a new chapter in British thought" (Henry Sturt, *Idola Theatri* [London: Macmillan, 1906], 3).

[34] F. C. S. Schiller, "Axioms as Postulates," in *Personal Idealism*, ed. Henry Sturt (London: Macmillan and Co., 1902), 51.

Schiller recognizes that this point, that reality is made by the shaping of our experiences, is open to attack. To exclaim that 'what I experience is what I experience' seems only to circle back around and again suggest the initial truism. What is crucial is the extent to which one or another experience succeeds in moving forward our understanding of reality. And experience is tested by experimenting with it, by trying out one option or another and seeing where it leads.[35] Should we fail, we furnish the substance for another experiment, and that experiment adds more qualification to the world we work so eagerly to understand.

Schiller sees the risk of failure as demonstrative of the Aristotelian notion of ὕλη, or potentiality.[36] Nothing is given. We must, as a consequence, assume as a "*methodological necessity*" that "the world is *wholly plastic*, i.e. to *act as though* we believed this, and will yield us what we want, if we persevere in wanting it."[37] But this faith in axioms must continually be tested by way of use: "They will begin their career, that is, as *demands* we make upon our experience or in other words as *postulates*, and their subsequent sifting, which promotes some to be axioms and leads to the abandonment of others, which it turns out to be too expensive or painful to maintain, will depend on the experience of their working."[38]

There are further considerations in understanding the move from postulates to axioms. A will to believe isn't a license for lunacy; "mere postulating is not in general enough to constitute an axiom."[39] Rough and wild, aprioristic or empiricist, postulates of all sorts will find their way into experience. To obtain axiomatic status, they must "have obtained a position so unquestioned, useful, and indispensable" so as to be considered as such.[40] Yet, just as quickly as they assume said status, they must admit of more tests which can, and often do, downgrade them. Or, more positively, we use them as foundations upon which to build, picking and choosing amongst them as experience dictates, never enshrining them in sham categories or supposing it practical, or even possible, to list them all and for all time.[41]

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[35] "I observe that since we do not know what the world is, we have to find out. This we do *by trying*" (Ibid., 55).

[36] Ibid., 60.

[37] Ibid., 61.

[38] Ibid., 64.

[39] Ibid., 91.

[40] Ibid., 92.

[41] Ibid., 94-5.

What is to be had by this approach? A dose of humility. We may never know, exactly, the origins of some postulates. Thus, we have to be content with moving an idea forward; "the true nature of a thing is to be found in its validity—which, however, must be *connected* rather than *contrasted* with its origin. 'What a thing really is' appears from what it *does*, and so we must study its whole career."[42] There will also be a retreat from the hubris of Absolute Idealism and "the chilling vacuity of its abstractions."[43] Its supporters, the formal logicians, with their sterile and complicated schemes, create only "a trivial game which may amuse but can never really satisfy."[44] Schiller hopes to banish them to James's "Museum of Curios" with a query: "Oh mighty Master of both Worlds and Reasons, Thinker of Noümena, and Seer of Phenomena, Schematiser of Categories, Contemplator of the Pure Forms of Intuition, Unique Synthesizer of Apperceptions, Sustainer of all Antinomies, all-pulverising Annihilator of Theoretic Gods and Rational Psychologies, I conjure thee by these or by whatever other titles thou hast earned the undying gratitude of countless commentators, couldst thou not have constructed a theory of our thinking activity more lucidly and simply?"[45]

These distractions thus dismissed, philosophy can turn again to its legitimate focus: human interest and a love of knowledge that does its best to move that interest forward. "Genuine thinking must issue from and guide action, must remain immanent in the life in which it moves and has being."[46]

The reactions to the book are a mixed lot. The *Western Press* suggests that it is "is one of the most valuable metaphysical works of recent years," written with "a lucidity which is rarely found in philosophical works."[47] The *Daily Chronicle* is of a similar mind when it notes that this work represents "the coming generation of Oxford tutors." [48] But some reviewers argue that the

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[42] Ibid., 125.

[43] Ibid., 131.

[44] Ibid., 129.

[45] Ibid., 78-9.

[46] Ibid., 128.

[47] Review of *Personal Idealism: Philosophical Essays*, ed. Henry Sturt, *Western Press*, 1 September 1902, Newspaper and Magazine Clippings, 1902, Box Fourteen, F. C. S. Schiller Papers (Collection 191), Department of Special Collections, Charles E. Young Research Library, University of California, Los Angeles (subsequent references to this archive abbreviated as FCS191/CYRL/UCLA).

[48] Review of *Personal Idealism: Philosophical Essays*, ed. Henry Sturt, *Daily Chronicle*, 18 August 1902, Newspaper and Magazine Clippings, 1902, Box Fourteen, FCS191/CYRL/UCLA.

book lacks a consistent approach and veers too readily into mocking dismissal. Others apply their advice specifically to Schiller. The *Oxford Magazine* is led to say: "Here we have the doctrine of Pragmatism, if we may say so, in all its rude and naked glory."[49] James, for his part, offers advice in keeping with the other reviewers. Schiller needs to "tone down a little the exuberance of his polemic wit"; he also needs to settle into a more systematic elaboration of the principles only hinted at in *The Riddles* and "Axioms." [50]

Schiller takes the advice to heart. The next several years see a flurry of activity aimed at drawing out the implications of pragmatism. [51] This work suggests to him that a widened purview calls for a more expansive moniker. So Schiller pushes for the adoption of a term meant to go beyond pragmatism. In a letter dated 24 April 1903, one senses the delicacy of Schiller's proclamation to James: "I have been inspired […] with THE name for the only true philosophy! You know I never cared for 'pragmatism' […] it is much too obscure and technical, and not a thing one can ever stampede mankind to. Besides the word has misleading associations and we want something bigger and more extensive (inclusive). […] why should we not call it HUMANISM? […] Not that we need drop "pragmatism" on that account as a technical term in epistemology. Only pragmatism will be a species of a greater genus, – humanism in theory of knowledge."[52]

On the one hand, he is seeking James's endorsement. On the other, he is attempting to stamp the next phase of pragmatism's development with his personalized mark. Thus, Schiller decides to engage in a sophisticated promotional game. He continues to attack those who threaten the specifics of pragmatism. This he does in caustic jabs at his favorite straw man, Bradley, in essays such as "On Preserving Appearances."[53] At the same time, he must

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[49] Review of *Personal Idealism: Philosophical Essays*, ed. Henry Sturt, *Oxford Magazine*, 3 December 1902, Newspaper and Magazine Clippings, 1902, Box Fourteen, FCS191/CYRL/UCLA.

[50] William James, review of *Personal Idealism*, ed. Henry Sturt, *Mind* 12, no. 45 (January1903): 94.

[51] In letters James emphasizes his approval for the project, but also the work that remains in bringing it to fruition; see William James, Torquay, to F. C. S. Schiller, 20 April 1902, *The Correspondence*, vol. 10, 2002, 26-7 [original: SUL, B1, F14]; William James, Torquay, to F. C. S. Schiller, 24 April 1902, *The Correspondence*, vol. 10, 34 [original: SUL, B1, F14]; William James, Chorcorua, to F. C. S. Schiller, 6 August 1902, *The Correspondence*, vol. 10, 99 [original: SUL, B1, F14]; see also Perry, *The Thought*, 2, 495-6.

[52] F. C. S. Schiller, Oxford, to William James, 24 April 1903, in Perry, *The Thought*, 2, 489-90.

[53] See F. C. S. Schiller, "On Preserving Appearances," *Mind* 12, no. 47 (July 1903): 341-54.

work to extend the domain it can be seen to encompass. He accomplishes this in more systematic statements detailing the merits of applying pragmatism, such as "The Ethical Basis of Metaphysics."[54] James's reaction to both of these articles is succinct and approving: "I don't see how truth could be more broadly and convincingly set down and I should think they would have great effect. But things must also get into *books* to be effective."[55]

So Schiller sets about collecting his works for publication in book form. But that is of less concern for Schiller than James's opinion of humanism, as both a concept and a label. The initial reply isn't favorable: ""Humanism' doesn't make a very electrical connexion with my nature – but in appellations the individual proposes + the herd adopts or drops. I rejoice exceedingly that your book is so far forward, + am glad that you call it Humanism – we shall see if the name sticks. All other names are *bad*, most certainly – especially pragmatism."[56] With a month or less before the release of the book, Schiller seems panicked by the wait-and-see approach of James. "What I want to know from you is how the name 'Humanism' now strikes you + whether you agree as to its relation to Pragmatism?" And he is willing to do a bit of selling to secure approval: "Of one thing I feel fairly sure viz. that it will puzzle the enemy considerably. They had only just become alive to the necessity of bringing up their big guns to dispose of 'pluralism', when it turned out that 'pragmatism' + 'personal Idealism' were the keys to the position they had to attack, + now behold the real citadel is Humanism + they have a choice between being scholastics + barbarians!"[57]

The approval will have to wait until after the book that announces it arrives.

Uncertainty not withstanding, Schiller's praise of James adorns the dedication of *Humanism: Philosophical Essays* (1903): "To my dear friend, the Humanest of Philosophers, William James, without whose example and unfailing encouragement this book would never have been written." The work collects a range of previously published pieces – such as "Metaphysics of the Time-Process" (1895), "Non-Euclidean Geometry and the Kantian a Priori"

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[54] See F. C. S. Schiller, "The Ethical Basis of Metaphysics," *International Journal of Ethics* 13, no. 4 (July 1903): 431-44.

[55] William James, Chocorua, to F. C. S. Schiller, 27 April 1903, SUL, B1, F15 [not cataloged in *The Correspondence*].

[56] William James, Cambridge, to F. C. S. Schiller, 5 July 1903, William James, Cambridge, to F. C. S. Schiller, 5 July 1903, *The Correspondence*, vol. 10, 2002, 280 [original: SUL, B1, F15].

[57] F. C. S. Schiller, Oxford, to William James, 9 September 1903 [Draft], SUL, B1, F15.

and "Lotze's Monism" (1896), "Darwinism and Design" (1897), and "'Useless' Knowledge" – that chart out Schiller's developing viewpoints. Not that this collection was Schiller's intended result. He apologizes that "the work of a college tutor lends itself more easily to the conception than to the composition of a systematic treatise."[58]

The initial reactions from friends give Schiller reason to be pleased, and optimistic, as regards his attempts at pragmatic expansion. Lifelong friend Howard Vincenté Knox (1886-1960) comments: "I think the essays decidedly gain by being brought together in book form. The title is decidedly good, and will, I think prove attractive. Your preface brings out the advantages of the name very well." [59] Knox goes on to note that logician Alfred Sidgwick (1850-1943) has also expressed approval for the work. Even James, despite his label leeriness, is upbeat: "[…] read your book this A.M. […] I am charmed by the elegance of the whole presentment. […] Altogether I 'voice' a loud 'hurrah' – first cries of allégresse [joy]!"[60] But Schiller continues to press James with the issue of endorsement, asking "whether you might not say a word to draw attention to Humanism on your side, whether signed or anonymously (e.g. in the Nation or the Psych. Rev.) (The Nation does not yet seem to have acknowledged it, so I suppose the N. Y. Macmillan Co. has not yet imported it). It is of course of capital importance that you sh^d pronounce on the appropriation of 'Humanism' as a label."[61] This is Schiller, so recently experiencing a surge in self-assurance, expressing a crisis of confidence.

In February 1904, the endorsement finally arrives. James writes to Schiller that "'Humanism' (the term) which did not at first much 'speak' to me, I now see to be just right. Vivat et floreat [live and flourish]!"[62] But he adds this warning: "One man recently said to me 'I *hate* him'—another: 'he is intolerable and odious'." Poor Schiller—so good a man! It is well to know of these reactions which one can provoke, and perhaps to use the knowledge for political effect. Now that you are the most responsible companion in England

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[58] F. C. S. Schiller, *Humanism: Philosophical Essays*, 2d ed. (London: Macmillan and Co., 1912), xi. Please note that references to specific pages are from the 2nd edition of the work.

[59] Howard Vincenté Knox, London, to F. C. S. Schiller, 25 October 1903, Correspondence, Box One, FCS191/CYRL/UCLA.

[60] William James, Salisbury, to F. C. S. Schiller, 16 November 1903, *The Correspondence*, vol. 10, 329 [original: SUL, B1, F15].

[61] F. C. S. Schiller, Oxford, to William James, 24 November 1903 [Draft], SUL, B1, F15 [*The Correspondence*, vol. 10, 331, makes reference to the final version posted the following day].

[62] William James, Tallahassee, to F. C. S. Schiller, 1 February 1904, *The Correspondence*, vol. 10, 369-71 [Original: SUL, B1, F15]; see also Perry, *The Thought*, 2, 502.

of what is certainly destined to be the next great philosophic movement, may it not be well (for the sake of the conversion effect) to assume a solemn dignity commensurate with the importance of your function, and so give the less excuse to the feeble minded for staying out of the fold?

Schiller seems to hear the praise but ignore the warning, and so sets off yet again on the path he had so recently begun. He continues to publish broadsides against the enemies, real and imagined, in the Absolute Idealist camp. He also pushes for the larger applications of pragmatic humanism. These efforts culminate in *Studies in Humanism* (1907). Like its predecessor, the book provides previously published but expanded essays: "In Defence of Humanism" (1904) is reworked as "The Truth and Mr. Bradley"; "The Definition of 'Pragmatism' and 'Humanism'" (1905) is expanded to include arguments that Schiller made in the Italian journal *Leonardo*; "Plato and His Predecessors" (1906) is revised and renamed "From Plato to Protagoras." Like *Humanism*, Schiller apologizes for any lack of systemization, noting "that the conditions under which I had to work greatly hamper and delay the composition of a continuous treatise."[63]

The critics again alternate between praising the novelty and questioning the style. The *Westminster Gazette* labels Schiller "a Modern Protagoras." It argues that the philosophical content of the volume "may prove to be one of the most interesting and important in the history of British thought."[64] The *Edinburgh Evening Post* is less pleased. It urges the writer to "walk somewhat more warily," lest "those who combat dogmatism" become that which they attack.[65] The more philosophically minded reviewers also urge caution. George Fredrick Stout (1860-1940), a philosopher intimately familiar with Schiller's writing, complains that Schiller lashes out "against all theories which seem to him irrelevant or hostile to the progressive satisfaction of human needs."[66] Henry Barker (1829-1917) faults Schiller for "an undue exaggeration of the novelty of the new doctrine."[67]

These strikes against Schiller play into a situation that also befalls James. It is a situation which brings James's praise for humanism into much sharper

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[63] F. C. S. Schiller, *Studies in Humanism* (London: Macmillan, 1907), vii.

[64] Review of *Studies in Humanism*, by F. C. S. Schiller, *Westminster Gazette*, 10 August 1907, Newspaper and Magazine Clippings, 1907, Box Fourteen, FCS191/CYRL/UCLA.

[65] Review of *Studies in Humanism*, by F. C. S. Schiller, *Edinburgh Evening Post*, 13 July 1907, Newspaper and Magazine Clippings, 1907, Box Fourteen, FCS191/CYRL/UCLA.

[66] G. F. Stout, review of *Studies in Humanism*, by F. C. S. Schiller, *Mind* 16, no. 64 (October 1907): 583-4.

[67] Henry Barker, review of *Studies in Humanism*, by F. C. S. Schiller, *Philosophical Review* 17, no. 3 (May 1908): 324.

focus. At the start of 1908, the first reviews of James's *Pragmatism: A New Name for Some Old Ways of Thinking* (1907) are out in the periodic literature. They are not kind. Persons such as Schiller's family friend James M. E. McTaggart (1866-1925) criticize James's writing, suggesting that "though always picturesque, [it] is far from lucid." Then, after asserting that James holds that Truth "is a quality of nothing but beliefs," McTaggart accuses James of asserting his conclusions without meeting the arguments of pragmatism's critics.[68] Nor do the general commentaries on pragmatism provide cause for celebration. Also in early 1908, Arthur Lovejoy (1873-1962) publishes an article which purports "to discriminate all the more important doctrines going under the name pragmatism which can be shown to be not only distinct, but also logically independent *inter se*."[69] He concludes that pragmatism needs "clarification of its formulas and a discrimination of certain sound and important ideas."[70]

James is furious. On 17 January, he exclaims: "I find myself at last growing impatient with the critics of 'Prag^m', and beginning to share your temper towards the reigning Oxford influences." He then gets specific, "McT., e.g. in this months Mind means to be perfectly annihilating, but some of his interpretations wd. be discreditable to my terrier dog. Ditto Lovejoy in the J. of P. I'm getting tired of being treated as 1/2 idiot, 1/2 scoundrel [...]"[71] James seems possessed by the polemic spirit of Schiller, an approach that James had cautioned against in years past. He continues in a letter a week later: "I agree with you in full that our enemies of the absolutist school deserve neither respect nor mercy. Their stupidity is only equaled by their dishonesty." If the call is for more argument, James is clear as to how he will conduct it. "Don't think, my dear Schiller, that I don't see as if in a blaze of light, the all embracing scope of your humanism, and how it sucks my pragmatism up into itself. I doubt I shall trouble myself to write anything more about pragm^m. If anything more about truth, it will be on the wider humanistic lines."[72]

This last line, in particular, suggests the degree to which Schiller finally sees his approach as the correct one. He gains the assent of his most trusted

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[68] John M. E. McTaggart, review of *Pragmatism*, by William James, *Mind* 17, no. 65 (January 1908): 104; 105.

[69] Arthur O. Lovejoy, "The Thirteen Pragmatisms. II," *Journal of Philosophy* 5, no. 2 (January 1908): 29.

[70] Ibid., 38-9.

[71] William James, Cambridge, to F. C. S. Schiller, 17 January 1908, *The Correspondence*, vol. 11, 2003, 522 [original: SUL, B1, F17].

[72] William James, Cambridge, to F. C. S. Schiller, 26 January 1908, *The Correspondence*, vol. 11, 527-8 [original: SUL, B1, F17].

mentor. James has come to see why it was that Schiller had been so obsessively dedicated to rooting out the rot that was Absolute Idealism. But he also takes this to mean that James understands that pragmatism will now be connected to the larger framework of Schiller's humanism. The resulting relationship between pragmatism and humanism can be understood in two ways. Pragmatism is the method by which to apply humanism; or, framed differently, humanism is the pragmatic approach writ large. Together, then, they provide for the basis of arguing against any complete or systematic metaphysic since: (1) knowing is subject to human idiosyncrasies, and (2) knowledge (or truth) is subject to the conditions of the time in which it occurs.[73] Thus both gain traction in pursuit of practical ends wherever they are to be found. For Schiller, this means that humanism is focused on ameliorating human problems that extend beyond the realm of philosophy proper even as it refashions the tools *of* philosophy. Or, in his words, humanism "demands that man's integral nature shall be used as the whole premises which philosophy must argue from wholeheartedly, that man's complete satisfaction shall be the conclusion that philosophy must aim at."[74] We now turn to areas where Schiller sought such satisfaction beyond the bounds of, then as now, accepted philosophical practice.

3. *The Humanist Philosopher (King)*

A select few, often more gifted, scholars have traced out how Schiller took this call as a marching order against all forms of philosophy that enslaved the world to a priori machinations. How he went carelessly about his business of dismantling formal logic, how he erred in ignoring the positives of its symbolic developments. A review and reinterpretation of those issues and battles must be saved for another time. Why? Because those are the places most philosophers have looked at Schiller, even when their vision was askew. Because looking solely at philosophy proper blinders a review of the fact that Schiller took pragmatism, via humanism, outside of philosophy proper. Here again, he finds sanction from James. In May 1910, only a few months before his passing, James writes to Schiller: "I [...] am glad you are extending thus the area which your wings cover."[75] The reason for his joy? Schiller's April

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[73] Abel, *Humanistic*, 72-3; Schiller, *Studies*, 14.

[74] Abel, *Humanistic*, 66; Schiller, *Studies*, 13.

[75] William James, Rye, to F. C. S. Schiller, 4 May 1910, *The Correspondence*, vol. 12, 2004, 492-3 [original: SUL, B1, F18].

1910 article "National Self-Selection" in the *Eugenics Review*. While Schiller's involvement in eugenics predates the above date, his involvement in pushing forward a variety of positive and negative eugenical proposals accelerates in the years leading up to World War One. His merger of these proposals with suggestions as to the forms of government most suited to seeing them through increases in the war's aftermath. If Louis Menand and others are right to suggest that proto-pragmatic strands of thought in America coalesced in the wake of the Civil War, one can offer a comparative argument regarding Schiller. His use of humanism, seen as the widespread application of pragmatism, finds its locus in the disorder of Europe.

Schiller's embrace of eugenics is revealing, not merely for the fact that it was seen as an extension of his pragmatic humanism. In his writings on the subject, Schiller both champions and challenges some of the contemporary understandings of eugenics. He buys into scrapheap science while, at the same time, suggesting ideas which continue to hold sway, albeit with slightly different labels and vastly improved science. In "Eugenics and Politics" (1914) Schiller explains that eugenics can "be conceived as the application of biology to social life, as a sort of social hygiene on a large scale; and so it seems destined to make trouble in a world which has long grown used to unhygienic, dirty ways."[76] Its value lies in disabusing people of the notion that betterment is the rule and progress is assured. For Schiller, eugenics affords a pragmatic tonic to those lulled into complacency; it might, so Schiller reasons, help society to see the danger and "enable our forethought to avert it."[77]

What is this danger? In one sense, it is to champion *quantity* at the expense of *quality*, to ignore what the world so full well demonstrates: "For some bodies are intrinsically better than others, stronger, fairer, healthier; and some minds are strong, ampler, and happier than others. It is better to be born an Achilles than a Thersites, and a Plato than an idiot. Is it not worth while, therefore, to get for oneself one of these superior equipments for the purposes of living, or otherwise to learn how to make the best and the most out of the bodily and mental qualities one is endowed with?"[78]

But this relatively benign suggestion corresponds with another assumption of Schiller's. There is a danger of mistaking pity for progress. Schiller rails against propping up the "weaklings, wasters, fools, criminals, lunatics" who drain society; he fumes at the governments that "have made no systematic and intelligent efforts at improving the human race or preventing its

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[76] F. C. S. Schiller, "Eugenics and Politics," *Hibbert Journal* 12, no. 1 (January 1914): 241.
[77] Ibid., 242-3.
[78] Ibid., 244.

degeneration."[79] Schiller is clear that the proper course would be a reconceptualization of society in ways that stress the dissemination of the good (genes and otherwise) over the bad. Here he tilts fully into the coarse and prejudicial, sounding like a paranoid believer in eugenical schemes that, even then, held little large-scale sway: "There is no saying, therefore, how powerful an instrument of good the family may not become, if the ultimate aim of statesmanship is conceived, not as the meaningless triumph of abstractions like 'the State' and 'the' individual, but as such an ordering of society as will tend to the survival of the better families, that is, *stocks*, rather than of the worse, and to elimination, as smoothly and painlessly as can be arranged, of those which are diseased or defective or tainted."[80]

Schiller reasons that "Western societies" have led to the current state of affairs. So the continued use of their models of governance will, at best, only provide stopgap solutions. Instead, one needs to look to collectivist societies such as China and Japan for areas to test the best that "Western science" offers.[81]

This is the synthesis of positive and negative strains of eugenics: the promotion of that which fits with the elimination of that which does not. A reader need not stray too far from the text to graft onto suggestions of "elimination," or casual discussions of "stocks," the painful and horror-inducing terminus they found in the decades that followed. But caution is necessary when assessing Schiller's suggestions. First, these claims came as the First World War *approached*. His arguments would take on different shadings and seek out different models in its aftermath. Secondly, these are not the only suggestions that Schiller made regarding eugenics. Read in company of other equally strong recommendations, his pragmatic approach to eugenics is disorientating. Schiller makes clear that a scientific approach to social phenomena, which is how he conceived of eugenics, fares poorly when it traffics in the prejudices it seeks to remove.[82] To this end, he pushes hard against tenets of eugenics that are now seen as inherent to any adherent of the same. In reviewing *The Processes of History* (1918), by pioneering sociologist Frederick John Teggart (1870-1946), he finds little to celebrate. But Schiller notes: "He also regards man as much of a muchness everywhere, and repudiates the pseudo-scientific extravagances of the 'race' theory and the

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[79] Ibid., 245.

[80] Ibid., 257-8.

[81] Ibid., 258-9.

[82] See for example F. C. S. Schiller, review of *The Science of Power*, by Benjamin Kidd, *Eugenics Review* 10, no. 2 (July 1918):101-3.

conceit of 'chosen peoples,' pointing out its falsity and its futility as an explanation [for the exceptionality of progress]."[83] In 1920, Schiller goes further while commenting on the work of friend and psychologist William McDougall (1871-1938): "For not only is it a scientific fact that all human 'races' are mixed, and especially that all the populations of Europe are made up of much the same ingredients in much the same proportions, but there is no scientific reason to think that they are any worse for it, or that a 'pure' race, if it could be got, would be specially admirable."[84]

This is Schiller, the humanist, taking a pragmatic approach to the application of eugenics. It is an attempt, no matter how crude or out of step with fashions then or now, which sought to merge the seemingly incompatible: progressive ends with regressive means. But what other approach could be had if one was to approach the eugenic question pragmatically? As Schiller notes, "the question of Progress is ultimately a question of *value*, and that of values at least we are the measure, though we can find no measure that is absolute."[85] This will to believe provides no guarantee of success; but neither do those with fixed standards. And if the end result of this project is failure, that is but one stage in a further process of refinement; "why not suppose that by continuing to hope, and to strive, and to amend, he may progressively *correct* his errors?"[86]

This belief leads Schiller to revise his approach to eugenics in the years after the First World War. There is nothing particularly novel about this approach save the context and the baggage that comes with it. Interestingly enough, that context was as problematic then as it is now. In "Eugenics *versus* Civilization" (1921), Schiller sets about correcting misconceptions: "Neither as a science nor as an art is Eugenics committed to a 'low' view of human nature. It is not a form of materialism. It is not blind to whatever is not physical. It is not pledged to treat man as merely an animal. It is not a crude and silly attempt to intrude the methods of the stock-breeder into realms where they must ludicrously fail. Its past reveals that it was first conceived by the most

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[83] F. C. S. Schiller, F. C. S., review of *The Processes of History*, by Frederick J. Teggart, *Eugenics Review* 10, no. 4 (January 1919): 235.

[84] F. C. S. Schiller, review of *The Group Mind*, by William McDougall, *Eugenics Review* 12, no. 3 (October 1920): 225.

[85] F. C. S. Schiller, review of *The Idea of Progress*, by W. R. Inge, *Eugenics Review* 12, no. 3 (October 1920): 227.

[86] Ibid., 228.

idealistic and ascetic of philosophers, Plato, and its future points to a higher and nobler scheme of morals than is now in operation anywhere."[87] (382)

This process of improvement begins by educating society about the steps needed to reverse the slide to which it has committed itself. This education proceeds by experimenting deliberately and in much the same way of "deciding whether a certain foodstuff, say a new fungus, is good to eat."[88] In short, society must proceed tentatively. It must experiment "with opinions about the good-for-man," so as to foster the likelihood "that Eugenics and Civilization should reach an agreement about the principles on which the former should reform the latter."[89]

Schiller chooses to cast wide, embracing a variety of reforms. In *Eugenics and Politics* (1926), for instance, he offers a plan for revising the educational system along eugenical lines. Yet again, the assumed nature of eugenics mixes with features that are seemingly incongruent. Schiller resists changes that would decrease "the eugenical value of the old Scholarship System"[90] At first, his solution seems unfailingly (and vaguely) in keeping with current understandings of eugenics: "a modern society should put capable men at its head and enable them to rise to the control of things, while nothing is more ominous than that personal success should have to so often be purchased by racial extinction."[91] But Schiller is not advocating a policy of eliminating the lower classes from the pool of educational hopefuls. As he notes, "So long as a relatively rigid social order rendered it almost impossible for ability to rise from the ranks, reservoirs of ability could accumulate unseen in the lower social strata."[92] So Schiller suggests that universities "should aim at attracting the best ability, from whatever section of the community it can be drawn, by whatever means are found most effectual, and then at giving it the best training."[93] This would help to institute "a new and real nobility, based on real superiority, and not as now recruited by the proceeds of unhallowed wealth and politics, and this would absorb, or perhaps suppress, our present sham nobility, which has become a social institution that means nothing

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[87] F. C. S. Schiller, "Eugenics *versus* Civilization," *Eugenics Review* 13, no. 2 (July 1921): 382.

[88] Ibid., 393.

[89] Ibid., 393.

[90] F. C. S. Schiller, "Eugenics and Education," *Eugenics and Politics* (London: Constable and Co., 1926), 98.

[91] Ibid., 101.

[92] Ibid., 108.

[93] Ibid., 119.

biologically."[94] While Schiller still sees value in a merit-based system, he is willing to range wider than the status quo allows.

In "Eugenical Reform. II. The Democracy" (1930), Schiller ponders the form of government most suited to eugenic goals. He argues that most governments are democracies in name only. They work behind the scenes to become "masters in the art of guiding, and hoodwinking."[95] Here he sounds most in keeping with the rightfully negative contemporary characterization of eugenics, cautioning against "the free breeding of the most undesirable sections of their population" and social welfare programs that spend large sums of money on "the breeding and supporting of lunatics and 'morons'."[96] And while he again suggests that the elimination of "the idle rich, the froth at the top," as a first step in any democratic reform, Schiller displays a cringe-inducing concern with a working class that forces "competition between European and coloured labor."[97] So what is to be done? Schiller casually voices one of his most repugnant observations in a discussion of hypothetical solutions: "The temptation to exploit and enslave the coloured labour, rather than to exterminate it, would prove irresistibly attractive to a large and potent faction of the whites; the result would be class wars among the whites, to be followed later by successful slave revolts. These would doubtless be fomented and supported by states *not* ruled by whites—at present China and Japan—and likely to be more numerous and powerful in the future." (404)

The more prudent policy, then, is to increase the worth of the white laborer through eugenic reform. But the question remains: via what governmental medium?

If the democratic experiment, in Europe and American, goes by the boards, what will chance to replace it? Schiller supplies a partial answer in "Man's Future on Earth" (1933): "some form of government that will practice social planning instead of leaving men to find the ways to their ends by cut-throat competition."[98] Such forms already exist, albeit in incipient states. Communism seems ready to reduce man to a form of "social insect"; and while this could certainly "arrest man's deterioration" it would also "put an end to

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[94] Ibid., 126.

[95] F. C. S. Schiller, "Eugenical Reform. II. The Democracy," *The Nineteenth Century and After* 108, no. 643 (September 1930): 397.

[96] Ibid., 398-9.

[97] Ibid., 399; 403.

[98] F. C. S. Schiller, "Man's Future on the Earth," *The Personalist* 14, no. 2 (April 1933): 123.

any significant history of man."[99] What alternative would Schiller consider? "There is, however, conceivable a second and more intelligent mode of planning, of which Italian Fascism may be the harbinger. It does not fly in the face of natural selection, and try to reduce all to the same lowly level; it is selective, that is, aristocratic, in method, and aims at raising man above his present level. Thus it is essentially an attempt by human society to direct its own development, to supersede mere survival-values by ethical values of equal or greater survival value and substituting for natural selection a selection of what is judged to be the best to grow a super-man."[100]

Two years before his death, in "Ant-Men or Super-Men?" (1935), Schiller carries this proposal further. He again notes the potential in Fascist Italy, what with its "the dramatic sense of the people" that is developing into "a political theory of sorts." But he also points to another option on the political scene: Nazi Germany, "the maddest of all the dictatorships, based on the pseudo-science of fantastic race theories and the barbarism of anti-Semitic *Judenhetzen*."[101]

This comment, like some of the ones offered previously, is shocking in how it stands out against current conceptualization of the history of eugenics. But Schiller adds another observation that undercuts the novelty. The Nazi government, for all its problems, desires a *Superman*: "Already one of the new dictatorships, the German, has declared in favour of eugenics, alike in its negative or sanitary form, which aims at purifying the stock, and, in its positive and more ambitious form, which aims at creating a real aristocracy and a better type of man. No doubt may centuries may elapse between this declaration and the realization of its programme, but it is none the less significant that the ideal of eugenics should now have been officially adopted and proclaimed in a great modern State."[102]

For this to work, however, the appropriate steps must be taken. A eugenical State, to inspire the masses in its direction, "will have to be elevated into some sort of biological religion and equipped with appropriate rituals and myths."[103] It will have to, as Schiller believes to be the case with Hitler, commit itself "to the policy of developing *leadership*, a quality which the

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[99] Ibid., 123-4.

[100] Ibid., 125.

[101] F. C. S. Schiller, "Ant-Men or Super-Men?" *The Nineteenth Century and After* 117, no. 695 (January 1935): 95.

[102] Ibid., 99.

[103] Ibid., 100.

democracies are more and more failing to do."[104] Authoritarianism promises to "utilize the progressive possibilities latent in human individuality and to cherish the individuals from whom it will derive the impetus to progress."[105] Rather than ceding to the failures of the past, Schiller posits that humanism will flourish by casting its lot with newer social schemes and newer approaches to governments pragmatically developed.

4. *A Tale Told Well*

A little less than a year after his death, one of Schiller's last essays was published. "The Relativity of Metaphysics" is a return to the very issues with which Schiller grappled in *The Riddles*, still "the loftiest and most arduous region of the philosophic field."[106] Whereas Schiller was wont to sort out the flux of Becoming in 1891, he is found here offering up a piece of advice that helps to frame this conclusion. In all metaphysics, the grand and the small, there remains one constant: the individual. All Schiller asks is that philosophers be kind enough "to drop some hints concerning the ways in which metaphysics may be constructed, so that every one who chooses may be able to construct his own, to suit his case, and to suit himself."[107] Clearly, the humanism he embraced, the pragmatism he practiced, and the ends to which he directed both, are expressions of the world Schiller saw and the world he wanted to see.

The paradox is that, as much as Schiller *is* a part of the "pragmatist philosophical tradition," his work in moving that tradition forward remains obscured. As I noted in the introduction, this is the result of how the narrative has been rhetorically constructed. An American narrative has little room for a decidedly British (if not by birth, by life) philosopher. That story also suffers a rupture should it invite into high-minded discussions of democracy tales of sterilization and fascism. Pleading Schiller's case, then, becomes a frustrating business. To note that his was a racist and classist pragmatism, but not an anti-Semitic one, scores few if any points. To suggest his humanism trafficked in ideas then understood as part of eugenics, and now conceived in more

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[104] Ibid., 100.

[105] Ibid., 100.

[106] F. C. S. Schiller, "The Personalistic Implications of Humanism, IV. The Relativity of Metaphysics," *Personalist* 19, no. 3 (July 1938): 241.

[107] Ibid., 246.

acceptable terms, only underscores the degree to which ideas, like philosophies, have far longer lineages than we often care to remember. Rediscovering Schiller requires rewriting certain portions of the history of pragmatism.

So scholars rehearse an intellectual history, often without knowing it, which keeps the tale true. Take, for instance, the recent *Pragmatism, Nation, and Race: Community in the Age of Empire.* The editors note that the revival of American pragmatism has "been a retrieval wary of elision." In the wake of events like 9/11, however, there is a renewed need for a "creative rethinking of the pragmatist tradition."[108] It is exactly at this point, between the American tale and the more general reality, where Schiller might serve as both a warning and an explanation for the issues raised in their title. But the form is resistant even if the possibilities for contact are there. Pragmatism is a method that admits of no prohibitions save the continued test of experience. As Robert Westbrook notes, "Truth is the aim of moral inquiry, but the best that can be secured at any moment in its course is well-justified belief, which is not necessarily true."[109] This is the same "practical certainty" which Schiller championed, even as his moral inquiry led him to support policies that now strike us as repugnant. And pragmatism is not a political force in the world. It is a method which can be used to justify and censure political acts. Cornell West argues that "there is no one-to-one correspondence between pragmatist views on truth, knowledge, and so forth, and pragmatist politics. You can be left, center, or right and that's very important."[110] For every Posner there is a Rorty, and for every Dewey there is a Schiller. To ignore *the varieties of pragmatic experience* is to traffic in the sorts of generalizations which pragmatism seeks to challenge.

So Schiller's tale fits, even as it disrupts and extends the narrative. He fought philosophical battles far from the established citadels of American pragmatism. He lived through a conflict that most Americans witnessed secondhand. He endorsed decidedly non-democratic practices whose full force he would not live to see. Indeed, his is exactly the sort of voice that the narrative needs if pragmatism is to remain a tough-minded and inclusive philosophical pursuit. As Shannon Sullivan posits, "Sometimes it is only when an alternative to the present can be seen, or at least sketched out, that one can

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[108] Chad Kautzer and Eduardo Mendieta, "Introduction: Community in the Age of Empire," *Pragmatism, Nation, and Race: Community in the Age of Empire* (Bloomington: Indiana UP, 2009), 1.

[109] Robert Westbrook, "Pragmatism and War," Ibid., 247.

[110] Cornell West, Interview with Cornell West, conducted by Eduardo Mendieta, Ibid., 280.

see how and why the present is problematic."[111] For a method with a new name for far older ways of thinking, Schiller promises an older version of the same even as he raises *new* challenges and questions. Pragmatism is strong enough to suffer the inclusion.

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[111] Shannon Sullivan, "Prophetic Vision and Trash Talkin'," Ibid., 192.

Self-gouvernement et pragmatisme ; Jefferson, Thoreau, Tocqueville, Dewey

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ABSTRACT
The main idea of this paper is that self-government should be regarded as a principle whose basic meaning is that people, in order to fulfill their aspirations and pursue a life worth living, must have the right and power to influence their individual and social circumstances. When applied to political theory such principle allows to draw the outlines of what John Dewey called " radical liberalism" or "radical democracy", a political culture that presents some fondamental differences when compared to the two dominant contemporary alternative standpoints, liberalism and communitarism. Considering the works of Jefferson, Thoreau, Tocqueville and Dewey as belonging to a same political family the paper traces its main constitutive traits.

0. *Introduction*

Il existe parmi les pays libres des différences de culture politique, de conception de la liberté et d'institutions importantes. Depuis une trentaine d'années, la division la plus couramment réalisée est celle qui sépare le libéralisme du "communautarisme", le républicanisme et l'humanisme civique constituant deux variantes qui sont associées tantôt à l'un, tantôt à l'autre[1]. Le but de cet article est de montrer que le principe du self-gouvernement[2], s'il est pris au sérieux, aboutit à une conception distincte de celles par lesquelles on définit habituellement les alternatives et ressources des sociétés démocratiques modernes. Il repose en particulier sur l'idée que la liberté consiste à fixer les conditions de sa propre existence, sens qui est distinct de la liberté comme faculté de choisir ses fins au sens libéral, ou de la liberté comme exercice d'une citoyenneté acquise à la reconnaissance du bien commun au sens communautarien. Cette conception a pour nom "libéralisme radi-

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[1] Pour un exemple de typologie des régimes libres, voir J. F. Spitz, "Le républicanisme, une troisième voie entre libéralisme et communautarisme", *Le Banquet*, n°7, 1995/2 ; J. Rawls, *The priority of Right and ideas of the good* in *Political Liberalism*, New York, 1993. Philippe Chanial, "Société civile, société civique? Associationnisme, libéralisme et républicanisme", dans *Association, démocratie et société civile* (La Découverte, 2001)

[2] S*elf-government* n'a pas d'équivalent exact en français, ce qui explique que l'expression en anglais soit parfois utilisée telle quelle, ou légèrement francisée : "self-gouvernement". C'est cette forme qui est choisie ici, de préférence à autonomie gouvernementale, auto-gouvernement, autogestion, ou gouvernement de soi.

cal", une expression que J. Dewey a forgée pour signifier que la liberté (qui est toujours liberté des activités) est une fin que seuls des moyens eux-mêmes libres permettent d'atteindre, sans toutefois prétendre inventer une nouvelle théorie politique, mais en affirmant au contraire qu'il ne faisait qu'analyser l'héritage qu'il avait reçu des pères fondateurs de son pays, notamment de Thomas Jefferson, dont il réédite et préface un ensemble de textes en 1940[3], et que Tocqueville, qui est également convoqué dans cet article, considérait comme le "plus grand démocrate"[4] et comme une de ses sources d'inspiration majeure.

En première analyse le self-gouvernement signifie que quiconque est affecté ou concerné par telle ou telle situation doit jouir du pouvoir d'influer sur cette situation. S'il doit disposer d'un tel pouvoir ce n'est pas parce qu'il est naturellement libre, ni parce qu'il fait partie du souverain, lequel serait le dépositaire du bien commun, mais parce qu'il n'y a de sens à développer des activités pour modifier les situations problématiques qu'à la condition que ces activités soient le fait des individus subissant le trouble ou le préjudice. Je présenterai les raisons légitimant cette affirmation en insistant d'abord sur les notions de compétence et de concernement, puis sur la continuité et l'analogie fonctionnelle entre le plan individuel et le plan collectif quand il est question de self-gouvernement. Cette continuité est ici essentielle et restreint considérablement la littérature sur le sujet : en effet, si les partisans de l'autonomie gouvernementale sont légions, et peuvent d'ailleurs se trouver dans n'importe quel camp politique, ceux qui sélectionnent la forme d'un gouvernement commun en fonction de la priorité que constitue la sauvegarde du gouvernement individuel forment une très petite famille dont les membres les plus significatifs sont Jefferson, Thoreau, Tocqueville et Dewey.

1. *La compétence de l'intéressé, meilleur juge de ses intérêts*

S'il y a un principe sur lequel tous les défenseurs du self-gouvernement s'accordent, c'est que l'intéressé est le meilleur juge de ses intérêts, non dans la mesure toutefois où il pourrait être juge et partie dans les situations conflictuelles, mais au sens où la connaissance qu'il a de la situation dont il fait l'expérience est relative à cette expérience et irremplaçable à ce titre. La personne dont le pied est

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[3] J. Dewey, "Presenting Thomas Jefferson" (1940), LW, vol. 14, pp. 201-223. L'édition de référence est John Dewey, *Early Works* (1882-1898), *Middle Works* (1899-1924), *Later Works* (1925-1953), édités par Jo Ann Boydston, Carbondale, Southern Illinois University Press (1977), paperbound, 1983. L'expression "radical liberalism" combat en priorité le libéralisme économique et sa défense de la liberté d'entreprise capitaliste. On la trouve par exemple dans 1935 *Liberalism and Social Action* (1935), *Later Works*, Vol. 11 et dans "Democracy is Radical" (1937), Later Works, vol. 11.

[4] A. de Tocqueville, *De la démocratie en Amérique*, Tome 1, livre 2, chap. 5, ed en ligne, http://classiques.uqac.ca/classiques/De_tocqueville_alexis/,p. 40

blessé est dans la meilleure position pour identifier un défaut de la chaussure et la nature de sa douleur. Certes la connaissance de l'intérêt personnel n'est pas innée. Elle est acquise, souvent avec effort et exercices répétés. Mais, quel que soit son degré de complexité, elle ne peut être élaborée que par celui ou ceux qui sont directement concernés, et même affectés, par une situation problématique par rapport à laquelle les connaissances techniques ou théoriques qu'ils acquièrent ou inventent sont des tentatives de résolution.

Que la compétence au gouvernement de ses affaires, donc de type politique, accompagne naturellement toute compétence particulière, était une conviction Thomas Jefferson ; quiconque s'adonne à une activité, quelle qu'elle soit, acquiert une compétence la concernant, l'habitude, le métier, l'usage, la familiarité, se sédimentant progressivement. Une activité est une expérience qui, comme le remarque Dewey, forme un tout unitaire pouvant s'étendre sur plusieurs années, mais qui est distinct tout autant du continuum de l'existence, où les diverses expériences se mêlent, que des autres expériences particulières. La compétence n'est donc pas une qualité générale, naturelle et incontestable. Elle est toujours acquise, qu'il s'agisse des affaires proches ou lointaines. Elle est par conséquent idiosyncrasique et localisée. Le cordonnier a une compétence qui ne confond pas avec celle de celui qui a la chaussure à son pied et sait si elle lui va ou non, quoi qu'en disent les autres.

Ces précisions confèrent au self-gouvernement une tonalité particulière, très présente chez Jefferson : la liberté qui doit être accordée aux hommes est celle de leur entreprise car, en cette matière, quiconque est engagé dans une activité sait déterminer quelle est la meilleure manière de la mener à bien, quels sont les buts qu'elle permet d'atteindre, ou qu'elle représente, et quels sont les meilleurs moyens pour y parvenir. La position affirmant que l'activité des individus devrait être placée sous le contrôle d'une autorité extérieure est aberrante non seulement d'un point de vue éducatif et humain (point qu'on retrouvera plus loin) mais aussi du point de vue de l'efficacité et du succès des entreprises humaines. Le self-gouvernement signifie que chacun gouverne les affaires qui relèvent de sa compétence, qui lui incombent, auxquelles il est nécessairement confronté, ou qui, comme un loisir, sont de son choix.

On sait que Jefferson, ami à la fois d'un certain élitisme et du principe de la participation politique du peuple, a oscillé entre deux discours sur la compétence : dans certains cas, notamment lorsqu'il défend les prérogatives d'une "aristocratie naturelle", celle qui lui paraît essentielle consiste en le choix judicieux des représentants destinés à siéger dans les divers conseils de la communauté politique[5]. Mais dans d'autres, comme dans cette célèbre lettre adressée à Joseph Cabell, la compétence est celle que nous avons mentionnée un peu plus haut, celle de tout individu qui s'adonne à une tâche particulière dont le succès est de sa responsabili-

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[5] Thomas Jefferson, Letter to John Adams, Monticello, 28 octobre, 1813.

té[6]. Il serait tout autant abusif de subordonner la lucidité politique à un savoir-faire technique, que de réserver la première au citoyen et le second, à la personne privée. Jefferson les distingue sans les hiérarchiser, ce qui implique qu'il considère que l'art de juger, d'évaluer, de comparer, de raisonner ou de rationaliser sont autant impliqués par l'exercice du droit de vote que par la conduite de la ferme, par le négoce ou par telle ou telle activité spécialisée et, réciproquement, que l'art que requiert la politique n'est pas fondamentalement différent de celui que requiert n'importe quelle pratique. Ce que tous les arts ont en commun est qu'ils s'acquièrent par l'intermédiaire d'une pratique assidue, d'exercices répétés, d'application, le tout doublé du goût de le faire, ce que précisément la participation populaire et une éducation appropriée sont destinées à assurer en politique. Soit dit en passant, l'absence d'une hiérarchie entre les pratiques est une bonne raison, à condition de tirer les conséquences du principe d'égalité entre toutes les compétences (il n'y a pas de sot métier), de soutenir que la démocratie populaire a certes besoin de spécialistes, qui plus est de spécialistes qui savent communiquer avec ceux qui ne sont pas de leur domaine, mais qu'elle n'a aucun besoin d'experts.

Quoi qu'il en soit Jefferson écrit ceci : "C'est en divisant et subdivisant les républiques du niveau national aux plus petites unités, jusqu'à atteindre le niveau où chacun administre lui-même sa ferme et ou ses affaires : c'est en plaçant sous la responsabilité de chacun ce que son œil peut superviser, que tout sera fait pour le mieux. je pense sincèrement que si le Tout-Puissant n'avait jamais décrété que les hommes ne seraient jamais libres (et c'est un blasphème de le croire), la solution serait de faire de chacun le dépositaire de ses pouvoirs propres, dans la mesure où il est compétent pour les exercer, et d'opter pour la délégation en ce qui ne concerne que les affaires qui sont au-delà de sa compétence. "[7]

La compétence n'est donc en rien relative à une hiérarchie des activités suivant tel ou tel critère traditionnellement admis (complexité, niveau de bénéfices à la clé, hauteur intellectuelle) ; elle accompagne normalement la conduite des activités qui sont "placées sous nos yeux". Les affaires qui le sont, quelle que soit par ailleurs leur complexité ou la difficulté d'acquérir les méthodes qui permettent de les diriger, sont celles qui sont familières. Contre le reproche souvent adressé à Jefferson affirmant que sa conception politique convenait à la mentalité agraire qui était celle d'un cultivateur jaloux de son indépendance, courageux et obsédé par sa seule localité, et serait devenue tout à fait inopérante, et même conservatrice, dans le contexte de la "Grande Société"[8], on peut opposer que "ce que l'œil peut super-

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[6]Thomas Jefferson to Joseph Carrington Cabell, Monticello, 2 février, 1816, http://etext.virginia.edu/toc/modeng/public/Jef1Gri.html

[7] Thomas Jefferson to Joseph Carrington Cabell, Monticello, *ibidem*.

[8] "*Great Society*" est une expression de Graham Wallas qui étudie les effets mentaux de l'érosion des relations en face-à-face sous l'effet de l'industrialisation. Voir *The Great Society ; A Psychological Analysis*, 1914.

viser" dépend surtout de la position qu'on occupe dans l'espace et des connaissances qu'apportent les activités attenantes à cette position[9]. Même s'il est vraisemblable que Jefferson ait adhéré au modèle en partie mythique du pionnier fermier, il reste que ses apports concernant la théorie démocratique ne s'y réduisent pas. La proximité géographique et le savoir-faire peuvent certes coexister, mais ne se conditionnent en aucune manière. Les affaires familières ne sont pas nécessairement proches : en théorie les relations internationales par exemple devraient être autant "placées sous les yeux" des membres du gouvernement fédéral que la question de d'ensemencement ou des récoltes devraient l'être sous ceux du fermier, les finances publiques, sous ceux des membres des conseils, ou l'entretien de la route, sous ceux des membres de la commune. Les raisons pour lesquelles le cultivateur délègue au député d'Albany ou de Washington telle ou telle affaire sont les mêmes que les raisons pour lesquelles les particuliers, dans un État de droit, sont "laissés tranquilles", c'est-à-dire libres de vaquer à leurs affaires, dans certaines limites. Quels que soient par ailleurs les arguments mobilisés contre l'interventionnisme étatique (mise sous tutelle, dépression des individus, concentration des pouvoirs, administration tentaculaire) c'est bien l'incompétence des représentants lointains à l'égard des affaires locales qui est mise en exergue. L'indépendance dans la conduite des affaires, l'indépendance économique et l'indépendance intellectuelle, notamment en matière de croyances religieuses, sont autant des conquêtes contre l'immixtion des gouvernements que l'indépendance de certaines portions du gouvernement l'est à l'égard de l'opinion publique et des autres pouvoirs organisés, notamment étrangers. La continuité entre les plans individuels et collectifs et leur réciprocité fonctionnelle est ici manifeste.

La compétence à diriger ses affaires ne repose donc ni sur certaines facultés individuelles innées, ni sur tel ou tel statut socioculturel, mais seulement sur le fait que les questions que posent ces affaires, les problèmes sur lesquels elles achoppent (par exemple une sécheresse pour le fermier, un fil qui casse pour le tisserand, un problème de physique trop difficile pour l'élève, etc.) et les solutions pour y faire fasse sont soit des éléments procurés par l'environnement existant, soit des variables que l'usage des éléments existants permet de découvrir. En revanche, on le verra avec Dewey, l'acquisition d'une compétence pour évaluer des activités qui nous sont étrangères, auxquelles on ne prend pas directement part, qui ne sont pas "placées sous nos yeux", mais qui pourtant nous affectent gravement, pose des problèmes spécifiques auxquels sa théorie du public est une manière de répondre.

Faire dépendre, comme je le suggère ici, la compétence au gouvernement de l'usage des ressources environnementales et non d'un statut, d'une prétendue faculté naturelle ou d'une quelconque possession individuelle, va à contre-courant

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[9] On trouve ces critiques par exemple chez W. Lippmann, R.Dalh, Charles Wright Mills. Pour une présentation je me permets de citer J. Zask, *L'opinion publique et son double* (2 vol.): Livre II : *John Dewey, philosophe du public*, Paris, l'Harmattan, 2000, Collection "La philosophie en commun", chap. 3, "Société et communauté".

d'une longue tradition qui, ayant commencé avec Platon et se poursuivant aujourd'hui, développe une critique nourrie de la démocratie et prétend que l'exercice du gouvernement repose sur une science dont les gens ordinaires, pour diverses raisons, sont structurellement dépourvus. L'inégalité naturelle que suppose la notion d'aristocratie naturelle très en faveur au XVIIIᵉ siècle, même si on la trouve aussi chez Jefferson, vient donc contredire une autre de ses convictions, à savoir qu'il y a une excellence en chacun, que celle-ci advient si l'éducation est appropriée et si l'expérience ordinaire est elle-même éducative, c'est-à-dire si celui qui la mène la conduit librement, "sans un maître".

2. *La question de l'accès du public à la compétence gouvernementale chez Dewey*

La doctrine du self-gouvernement se situe donc dans une région où les questions traditionnelles de la compétence comme science, de la séparation entre l'ordinaire et l'exceptionnel, entre les "bien nés" et les gens ordinaires, ou de la hiérarchie des affaires suivant un degré d'importance ou de complexité, n'ont plus aucune pertinence.

Or c'est là une conviction très profonde dans la philosophie de Dewey et qui d'une manière générale va alimenter la philosophie américaine pragmatiste. On ne peut aborder ici ses apports concernant la revalorisation de l'ordinaire (notamment de "l'expérience ordinaire" et de "l'individu moyen") sinon pour rappeler que cette philosophie, qui, dans les termes de Dewey, était destinée à exprimer la spécificité historique de la culture américaine, y est parvenue en formalisant ce qui, dans la pensée démocratique n'était encore qu'une vague intuition (ce dont les détracteurs n'ont pas manqué de se moquer en dénonçant fantasmes, mythe, ou optimisme béat[10]) à savoir le constat que les "mœurs" ne peuvent devenir démocratiques et les institutions démocratiques, viables et fortes, que si chaque membre de chaque union politique, de chaque association, et même de chaque famille, prend part au gouvernement, c'est-à-dire subordonne son accès à la majorité non au fait de "penser par lui-même", mais au fait d'être aux commandes de cette phase de l'expérience qui consiste à articuler une ré-action aux éléments du milieu provoquant pour lui l'émergence d'une situation problématique. Si l'ordinaire devient un élément clé de la philosophie américaine, c'est parce qu'il est la condition du développement d'une culture démocratique qui, eu lieu de s'enfoncer dans ces excès de l'égalité dont Tocqueville annonce le danger, se traduise par ce "goût inexpugnable de la liberté" qui pour Jefferson et Tocqueville était l'unique rempart contre la dégénérescence des hommes et de leur gouvernement.

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[10] W. Lippmann et J. Schumpeter sont deux bons représentants des auteurs ayant critiqué "le mythe de la démocratie".

Chez Dewey, le divorce entre la compétence et la condition de l'individu (sociale, économique, ou morale peu importe) est total. La distinction la plus significative qu'il établit ne se situe pas entre l'intelligence et l'abrutissement, mais entre les situations problématiques dont la solution est à portée de ceux qui s'en ressentent et celles qui au contraire sont ou paraissent privées des ressources pour les réunifier. Or ces dernières sont caractéristiques des sociétés modernes. Ce sont elles qui font écrire à Dewey qu'il y trop de public, que ceux-ci sont trop chaotiques et dispersés[11]. Il ne faudrait pas comprendre par là que les affaires publiques sont devenues irrépressiblement trop inextricables et complexes pour les citoyens ordinaires (ce qui est le point de vue de Walter Lippmann[12], critique du principe de "l'omnicompétence du citoyen" qui se trouverait d'après lui au fondement de l'idée démocratique), mais que la culture dominante, l'idéologie libérale, les habitudes intellectuelles ou les conduites traditionnelles, au lieu de conduire spontanément à la production et à la distribution des moyens intellectuels ou matériels pour réduire les situations problématiques, font au contraire obstacle à leur découverte et à leur diffusion dans toutes les parties de la société.

L'incompétence, si tant est qu'on puisse s'exprimer en ces termes, ne provient donc pas d'une déficience individuelle ou de classe, mais de l'inadaptation des moyens culturels disponibles par rapport aux finalités sociales que représentent les projets de réforme, les lois et décrets, les changements institutionnels, et ainsi de suite. On peut dire que toute la philosophie sociale de Dewey est destinée à combler ce manque, donc à répondre à la question de savoir comment doter les citoyens ordinaires du pouvoir de produire *eux-mêmes* les connaissances grâce auxquelles ils pourraient agir sur les situations qui les "troublent", qui les font souffrir, qui produisent de l'exclusion ou de la détresse, bref qui les constituent comme "public" au sens passif du terme.

On présentera certaines réponses un peu plus loin. Ici ce qui importe est de remarquer que quand Dewey écrit dans les deux derniers chapitres du livre *Le public et ses problèmes* que le "problème de la réemergence d'un public actif dans les démocraties modernes" est essentiellement un "problème intellectuel" qu'on peut aborder à travers des problématiques de méthode d'enquête, de constitution de l'information, de diffusion des connaissances, ou de programme scolaire, il n'implique pas que la théorie et la pratique devraient être séparées (au contraire), qu'il faudrait éduquer des gens qui ne le sont pas, élever le niveau général, ou qu'il faudrait diffuser la science et la méthode scientifique telle qu'elle est dans la population générale ; ce qu'il signifie est que la situation actuelle, qui peut être décrite dans les termes d'une interdépendance croissante, impose de *changer* les mentalités concernant la science, de modifier par exemple les manières de la pratiquer et de l'enseigner, bref de développer une nouvelle culture scientifique qui d'un côté

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[11] Sur ce point et les suivant voir *Le public et ses problèmes* (1927), Folio, Gallimard, 2010, et mon introduction qui précède la traduction.

[12] Walter Lippmann, *Public Opinion* (1922), NuVision Publications (16 septembre 2007).

tourne le dos à cette épistémologie fondationnaliste dont les sciences physiques se sont débarrassées depuis longtemps (ce qui explique leur prodigieux développement) mais qui continue à prévaloir dans les théories de l'homme et de la société, et d'autre part, qui accorde une attention particulière aux conséquences spécifiquement sociales des inventions modernes, quelle qu'en soit la nature.

Autrement dit, la complexité croissante des affaires humaines sous l'effet d'une intrication entre elles de plus en plus grande et de l'irruption dans le domaine public des conséquences de pratiques spécialisées, notamment industrielles, financières et technologiques, n'impose pas un changement de croyance politique, un abandon de la théorie démocratique et sa relégation au magasin d'antiquités, comme le pense un grand nombre des contemporains de Dewey[13]. Ce que l'émergence des sociétés industrielles impose est un changement des conceptions concernant d'une part les possibilités de l'intervention libre et volontaire des individus pour réguler, juguler, maîtriser, canaliser, les changements sociétaux qui sont en cours ou les affectent, d'autre part pour produire méthodiquement et médiatiquement les connaissances requises pour exercer le "contrôle social" désormais nécessaire, et enfin pour subordonner la structure de ces deux activités à la restauration d'un contrôle démocratique.

3. *Le self-gouvernement compris comme la contribution de chacun à l'établissement de ses conditions d'existence*

On peut affirmer que les processus qu'envisage Dewey afin de "faire sortir le public de son éclipse" sont sous-tendus par la tradition du self-government, et ce pour des raisons très sérieuses. En effet, s'il est indispensable de transformer la culture de sorte que la société dans son entier adhère à la finalité démocratique représentée par la distribution et la production des connaissances nécessaires au rétablissement des actions publiques effectives (ce que Dewey appelle *"organized intelligence"*), c'est en raison du fait que c'est là le seul moyen de revitaliser la citoyenneté contemporaine.

3.1. *Continuité entre les activités sociales et politiques*

Du point de vue du self-gouvernement, il est normal que quiconque est engagé dans une activité en commun avec d'autres prennent part aux décisions concernant la communauté, ses choix, sa finalité, les moyens de la renforcer, etc. Coopérer à la régulation des conséquences des activités générées par un groupe dont on est membre définit une situation que Dewey appelle "privée": les personnes

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[13] C'est ce qui fait écrire à Robert Westbrook que Dewey a été une voix très minoritaire et radicale, dans *John Dewey and American Democracy*, Ithaca and London, Cornell University Press, 1991.

concernées gouvernent en toute indépendance le groupe qu'elles forment[14]. La situation "publique" est différente : elle apparaît selon Dewey quand les gens sont affectés ou concernés par les conséquences des activités des autres, auxquelles ils ne prennent pas part directement, mais qu'ils subissent *indirectement*. Dans ce cas la formule juridique du self-gouvernement est que quiconque est troublé sérieusement par les conséquences des activités d'autrui a le droit d'exercer un contrôle sur elles pour s'en délivrer. Enfin, en marge du privé et du public interhumain, on peut aussi considérer la transaction s'établissant entre l'individu et son environnement sous la forme d'un effort pour "unifier" une situation problématique (instance qui aujourd'hui pourrait être utile dans les débats concernant la question de savoir si l'environnement a des droits).

La différence entre les activités publiques et privées, bien que fluctuante, est certainement essentielle pour comprendre l'apparition du groupe social qu'on appelle un État, lequel s'occupe spécifiquement des situations produites par l'impact indirect d'activités multiples. Mais elle est relativement marginale concernant le principe du self-gouvernement : en effet, que l'individu dirige ses propres affaires, par exemple qu'il observe une colonie d'insectes, qu'il participe au gouvernement de son groupe privé ou qu'il participe comme citoyen aux décisions de sa République, cela ne fait pas de lui trois individus. Contrairement à ce que pensait Marx, qui traçait une ligne de rupture entre l'auto-gouvernment des sphères privées dont l'intérêt est local et le gouvernement par un pouvoir extérieur et indépendant, (l'extériorité étant la condition d'accès à "l'intérêt général"[15]), ici la participation de l'individu à la conduite de ses activités, quelle qu'en soit la nature, est formellement la même : dans les trois cas, il s'agit d'une part d'intervenir sur les circonstances de sa propre vie afin de la rendre meilleure ou, du moins de la rapprocher de son "idéal concret"[16] et, plus généralement encore, en un sens existentiel et éthique, de contribuer (apporter une part) à la production d'une situation (personnelle ou collective, peu importe) qui porte en quelque sorte la marque de son intervention, qui puisse être perçue comme résultant, au moins en partie, de ses choix volontaires, de ses efforts personnels, d'un engagement et d'une prise de responsabilité, d'un intérêt ou d'une vocation. Le self-gouvernement implique une personnalité qui projette son passé dans le futur et qui, par conséquent, au lieu de se résigner au destin, de s'en remettre à une quelconque providence, ou de se soumettre à une autorité extérieure, entre dans une histoire qu'elle identifie comme étant la sienne.

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[14] Voir J. Dewey, *Le public et ses problèmes*, chap. 1.

[15] Sur la critique chez Marx de l'auto-gouvernement de la société civile assimilé à un corporatisme, voir Hélène Desbrousses " 'apport de Marx à la théorie de l'État", *Nouvelles Fondations*, 1/2007 (n° 5), p. 71-84.

[16] Ernst Bloch, *L'esprit de l'utopie* (1918), Paris, Gallimard, 1977. C'est dans l'exercice d'une influence sur les situations dans lesquelles l'individu se trouve pris que se trouve pour Bloch le ressort du "principe espérance".

Le self-gouvernement est le principe juridique qui authentifie et garantie la dimension constructive d'historicité de l'expérience humaine.

3.2. *Le self-gouvernement comme condition de reprise d'activité individuelle*

Il existe une deuxième raison qui explique la proximité entre le self-gouvernement et la position politique de Dewey : on a vu que le projet de Dewey de "reconstruire la philosophie sociale" et de "démocratiser l'intelligence" a pour but de restituer aux citoyens ordinaires au moins une partie du contrôle sur leur propre vie, ce à quoi ils parviennent s'ils identifient les causes de leur détresse et ensuite s'organisent pour les évincer. Mais ce n'est là que leurs activités politiques. Celles-ci, si importantes qu'elles soient pour que, de passifs, les membres du public redeviennent actifs, ne sont tout de même qu'un moyen ou, plus exactement, n'auraient aucune valeur et guère d'utilité si elles n'étaient en même temps le moyen par lequel une liberté d'action, une autonomie, un self-gouvernement, et ce dans ses affaires privées, pouvaient être retrouvés. La réglementation des activités des autres (ce à quoi est dévolue la communauté politique) n'est utile que si elle conduit à restituer à chacune des personnes affectées, parfois dans le détail de sa vie, la capacité d'entreprendre des choses et d'être aux commandes des affaires dans lesquelles elle projette ses buts et par lesquelles elle façonne son identité.

Dans un fort état d'interdépendance, la liberté et l'action politiques sont donc les moyens de la liberté et de l'action privée. Et réciproquement, ce n'est que quand la réglementation politique des activités d'autrui est contrôlée par ce but (restituer aux personnes lésées la possibilité de sortir, en partie par eux-mêmes, de leur état de victime et de revenir aux commandes de leur vie) qu'elle échappe au risque d'être arbitraire et abusive, bref qu'elle est démocratique. Le fait que, pour Dewey, l'État, loin d'être une association parmi d'autres (comme pour les pluralistes), soit doté d'une autorité supérieure, n'implique nullement qu'il soit l'unité où devraient s'absorber tous les intérêts et toutes les activités, ni que les activités politiques seraient plus "spécifiquement humaines" ou plus excellentes que les privées. Bref la priorité des prérogatives de l'État par rapport aux prérogatives des associations privées n'empêche pas que l'action publique soit intrinsèquement subordonnée à cette finalité, mentionnée plus haut, d'assurer à tous et à tous les niveaux le self-gouvernement.

Dans la perspective du self-gouvernement, on se trouve donc face à la visée d'établir un continuum entre les activités individuelles, sociales et politiques, continuum dont la démocratie est précisément la condition de possibilité et la méthode utilisée pour le consolider. Une action démocratique, quel qu'en soit le niveau, apparaît comme un trait d'union et une redistribution entre des éléments individuels et des éléments extérieurs à l'individu dont il fait une expérience d'altérité.

Thoreau, adepte radical du self-gouvernement individuel, est utile ici dans la mesure où il isole de tout impératif d'utilité sociale le moment particulier où l'individu, confronté manifestement, voir brutalement, à des conditions qui lui échappent, identifie une nouvelle donne, reprend en main les rênes de sa conduite et découvre ce faisant que la composition de son identité personnelle se modifie. À lire par exemple *Walden* sous l'angle qui nous occupe ici, il apparaît que la formation du "caractère" résulte des efforts qu'un individu prodigue pour restaurer la continuité de son existence dans des conditions d'altérité, voire d'adversité. Partant, comme l'a suggéré tout ce qui précède, il n'est pertinent que je tente de me gouverner moi-même que si je suis travaillé, changé, par l'altérité, fusse celle de la nature (par exemple celle du tronc d'arbre que je fends), et c'est dans la mesure où je fais l'exercice d'un contrôle sur mes réactions à ce qui m'affecte, donc que j'organise personnellement ma propre conduite, que j'accède au gouvernement.

Par conséquent, les activités dont la caractéristique majeure est que la question de savoir *quoi faire ?* à leur sujet ne se pose pas, – comme dans le cas du travail spécialisé, a fortiori parcellisé, tel que l'envisageait par exemple Adam Smith – sont relatives à un contexte dont la possibilité du self-gouvernement est évacuée, et ce plus sûrement que par la domination politique ou l'allégeance aux normes de l'époque. Ce qu'exprime constitutivement le self-gouvernement n'est ni l'autonomie, ni la souveraineté, mais le fait de se donner des principes de conduite nouveaux à chaque fois que l'environnement met en cause la conduite passée ou habituelle. Si je domine l'environnement de manière à supprimer ses effets, ou si je m'immunise à leurs égards, alors la source même du gouvernement qui réside en une réaction contrôlée à ce qui n'est pas soi, à ce qui vient du dehors, à ce qui provoque une surprise ou un risque, est supprimée.

4. *Le self-gouvernement et la constitution du soi (self)*

4.1. *Le soi et l'expérience*

On doit ici mentionner un autre motif de placer le pragmatisme en continuité par rapport au self-gouvernement, motif qui découle des deux premiers. C'est que le self-gouvernement est la condition de la formation du soi humain et, par conséquent, s'assortit d'une conception du soi et de l'individuation foncièrement divergente par rapport à celles que véhicule l'anthropologie aussi bien libérale que communautarienne. Il s'agit là d'un vaste sujet dont il n'est pas possible ici de traiter sérieusement. Il suffira j'espère de pointer quelques aspects déterminants, comme celui-ci : on peut voir dans la philosophie pragmatiste la clarification conceptuelle du rôle du self-gouvernement, conçu comme *expérience*, pour la formation du sujet humain. De même que pour Thoreau, se gouverner sans un maître est une chose, mais n'implique pas que la condition du gouvernement de soi réside

en priorité dans la suppression des contraintes extérieures, dans l'affranchissement à l'égard d'une autorité constituée, bref, dans cette sorte de liberté négative qui prédomine chez les libéraux. Et, contrairement à la conception communautarienne du soi (qui est vu comme le résultat de la reconnaissance par l'individu de ses liens constitutifs avec son groupe social et culturel), le self-gouvernement fait jouer, et non reconnaît, les conditions données, sans bien sûr les nier ou les considérer comme accessoires – ou indifférentes, à la manière libérale – il accompagne l'effort d'un individu pour influer sur les conditions de sa propre existence. On a vu qu'il apparaît au moment où la continuité existentielle de l'individu est perturbée, et qu'il consiste en la tentative que celui-ci fait pour réorganiser sa conduite et reprendre le cours de ses activités. Se gouverner soi-même signifie donc rediriger sa propre conduite, et c'est précisément cela qu'exprime chez les auteurs pragmatistes la notion d'*expérience*[17]. Il y a expérience, explique Dewey, quand l'individu sélectionne une action en réponse à quelque chose qu'il identifie comme empêchant son action. Bien sûr, il ne peut s'agir de l'action habituelle ou prévue, et s'il s'agissait d'une agitation, c'est-à-dire d'une activité déboussolée, la reprise du cours de l'existence sur un mode actif et libre ne pourrait s'effectuer.

Or, chez Dewey, comme chez Georges Herbert Mead, la formation du sujet humain repose sur des opérations de type expérientielles ; pour Mead, jouer un rôle social, peu à peu apprendre à anticiper les attentes des autres et à prévenir leur réprobation, se projeter dans diverses situations sociales, éprouver les effets de ces prises de rôle par l'intermédiaire des réactions d'autrui, réajuster sa conduite, unifier les diverses facettes du "moi social"[18]. Par contraste avec Mead, chez Dewey la formation du soi n'est pas nécessairement enchâssée dans des processus de socialisation : l'expérience de l'autre est certes décisive (elle l'est d'ailleurs davantage que pour Thoreau ou Rousseau) mais n'est pas inclusive. Il existe en effet une expérience directe de l'altérité au cœur de l'expérimentation, laquelle consiste en le fait que l'individu adapte sa composition interne (par exemple son but, son hypothèse, ses observations, ses choix et ses opérations inductives de validation) aux circonstances caractéristiques du matériau qui fait l'objet de son expérimentation. Par exemple, le sculpteur dont l'outil ne parvient pas à imprimer au morceau de bois la forme qu'il projette prend acte de son échec, fait des observations, rassemble des données et conçoit un nouveau plan d'action.

En bref, l'idée que le sujet est constitué progressivement par les diverses phases dont l'ensemble forme une expérience au vrai sens du terme (par opposition à la routine, la passivité ou l'agitation) se trouve pleinement assumée et c'est elle qu'on trouve sempiternellement au centre de nombreuses analyses des pragmatistes concernant l'éducation (par exemple par le jeu chez Mead) ou l'ancrage social de la constitution de la personnalité psychique : c'est par l'intermédiaire d'une

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[17] Sur la notion d'expérience chez Dewey, voir par exemple *L'art comme expérience*, Folio, Gallimard, 2010.

[18] G.H. Mead *Mind, Self, and Society*, ed. Charles W. Morris, University of Chicago Press, 1934.

participation à l'environnement, naturel ou social, que se produit ce va-et-vient entre subjectivation et objectivation qui donne lieu à l'individuation. Chez Dewey, l'exclusion hors des conditions de participation ou la raréfaction des expériences sont pensées dans les termes de la régression, de la stagnation, de la mort. À l'inverse, faire une expérience, au sens où l'individu connecte une action à quelque chose qui l'affecte, est une condition de "croissance", de maturation, bref du "développement de l'individualité"[19]. Un "soi" (self) n'est ni un substrat permanent sur lequel viendraient s'articuler les diverses variations issues de l'expérience accumulée, ni le produit de son environnement, mais ce qui résulte d'un dialogue, d'un échange, d'une adaptation réciproque, entre des éléments individuels, organiques ou culturels, et des éléments du milieu extérieur. En gros, l'individuation correspond à ce processus par lequel le soi coordonne ses activités en fonction de la définition d'un but qu'il découvre comme la promesse de la réalisation d'une possibilité que recèle son environnement. Agir n'est pas se conformer aux conditions, ni suivre un vouloir inconditionnel et autonome, mais identifier des fins propices à la création d'un environnement favorable à sa propre individuation, ce qui suppose bien sûr de se coordonner aux autres, voire d'agir en commun avec eux.

4.2. *Distinction entre le sujet auto-gouverné et l'entrepreneur de soi-même*

On peut conclure ces remarques sur l'auto-gouvernement individuel par deux précisions de nature à mettre en évidence la singularité d'une politique issue de l'application du principe du self-gouvernement par rapport à celles qui sont mieux connues, le libéralisme et le communautarisme. La première concerne lefait que si la définition de l'auto-gouvernement telle qu'elle a été proposée est accepté, alors le développement du sujet démocratique se distingue franchement de celui du sujet "entrepreneurial" qui est volontiers associé au libéralisme moderne et critiqué à ce titre. Foucault a écrit à ce sujet des passages bien connus : ce que requiert d'après lui le libéralisme industriel est moins la liberté que cette souplesse adaptative, énergique et concurrentielle qui se trouve incarnée dans le moi "hautement gouvernable", qui se gouverne lui-même puisqu'il est devenu "entrepreneur de lui-même"; "étant à lui-même son propre capital, étant pour lui-même son propre producteur, étant pour lui-même la source de ses revenus"[20]. Origine absolue de ses actions, transparent à lui-même, rationnel, capable d'utiliser toutes ses ressources et d'actualiser efficacement ses virtualités, le soi entrepreneur assume entièrement ses échecs comme ses succès. Son sentiment de responsabilité excessive le précipite finalement dans cette forme de dépression qui augmente considérablement sa vul-

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[19] Sur tous ces points je me permets de renvoyer à mon ouvrage *John Dewey, philosophe du public*, op. cit.

[20] Michel Foucault, *Naissance de la biopolitique, Cours au collège de France* (1978-1979), p. 232.

nérabilité aux techniques modernes du gouvernement, voire qui le rend accueillant à ces techniques[21].

Or, contrairement à la version qu'en propose Foucault, et qui convient bien à une certaine conception libérale, le sujet démocratique ne se gouverne pas comme un maître gouverne son serviteur. Le fait qu'il gouverne ce qui l'affecte et ses affaires n'implique pas qu'il gouverne en priorité sa propre conduite et ses émotions indépendamment de ses activités. Le gouvernement est moins de soi que par soi. La sélection judicieuse des moyens en fonction des fins qu'il poursuit épuise d'autant moins sa condition que, comme Dewey y insiste largement, le sujet de l'expérience est aussi un sujet d'expérience pour lui-même, au sens où l'évaluation des effets sur lui-même de ses propres activités est la phase de l'expérience au cours de laquelle il met à l'épreuve la pertinence de ses fins et en même temps le critère d'après lequel il réoriente éventuellement ses visées. Au sens dégagé par le principe du self-gouvernement, la direction que prend le sujet ne relève pas d'une domination sur lui-même et, par voie de conséquence, sur le monde extérieur, mais d'une adaptation continuelle, "dans les intérêts de la vie", en fonction des circonstances qui sont toujours au moins en partie, y compris celles qui proviennent des conséquences de ses activités antérieures, imprévisibles. Le découplage entre l'évaluation, morale ou matérielle, des moyens et des fins, qui aboutit à soutenir que "la fin justifie n'importe quel moyen", de même que la célébration de fins pour la réalisation desquelles aucun moyen n'est disponible, sont deux attitudes qui condamnent aussi sûrement le self-gouvernement qu'une éthique démocratique. Sur ce point la différence entre le libéralisme et le communautarisme ne réside pas dans une conception différente du rapport entre moyen et fin, les fins étant posées et substantialisées dans les deux cas, mais dans le fait que les libéraux les pensent comme "naturelles" et inhérentes à la nature humaine, tandis que les seconds les considèrent comme incarnées dans l'État et la communauté politique. Par contraste une mentalité démocratique ferait rejeter des moyens trop coûteux, elle inviterait à retravailler continûment la hiérarchie des fins et à choisir une fin s'inscrivant dans une pluralité de fins individuelles de préférence à une fin prétendument unitaire ou inclusive, ou à une fin résolument marginale ou sectaire.

4.3. *Antagonisme entre le self-gouvernement et l'individualisme*

En outre, il faut préciser que l'auto-gouvernement s'accompagne d'une conception non individualiste du sujet, ce qui là encore confère à une politique fondée sur sa pratique une spécificité remarquable. Gilles Lipovetsky, par exemple, fait du self-gouvernement la marque de fabrique de l'individualisme : "la seconde révolution individualiste est celle qui a concrétisé, dans la vie quotidienne, l'idéal libéral de

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[21] Alain Ehrenberg analyse les pathologies issues de la responsabilité exorbitante dont l'idéologie libérale leste les individus aujourd'hui, notamment celle du gouvernement de soi.

l'auto-gouvernement de soi, là où autrefois les valeurs et institutions travaillaient à en conjurer le déploiement"[22].

En effet, au sens individualiste le sujet est un, unifié et unique à la fois. La source du soi réside dans un mouvement de réflexivité au terme duquel le sujet coïncide avec lui-même. Le sujet dont le libéralisme classique affirme les droits est l'individu capable de choisir toutes les déterminations qui en viennent à le particulariser, cette faculté persistant alors même qu'aucun choix particulier n'est fait, et qu'aucune conséquence des choix n'est ressentie. Si donc, par individualisme, on entend l'idée d'un sujet autonome dont les éléments essentiels ne sont pas le produit de l'expérience mais sont les conditions préalables de toute expérience, alors l'individualisme et le self-gouvernement s'excluent mutuellement. En effet, comme on l'a vu, d'une part ce dernier n'est requis que quand l'individu éprouve un éclatement ou une menace d'éclatement de son unité, et d'autre part quand il sort de lui-même pour entrer en contact avec des conditions qui, tout en l'affectant, lui sont extérieures et irréductibles. Même si le sujet n'est pas structurellement divisé, il le devient au fur et à mesure qu'il rencontre des situations risquées, menaçantes, ou simplement qui ne vont pas de soi. Par exemple, Thoreau préconise le self-gouvernement non pour exprimer le vrai soi qui serait d'être libre mais pour que l'individu devienne le "gardien" de son esprit, qui est "comme un enfant", perméable et manipulable, aussi bien dans les sciences qu'en toute croyance. Le gardien toutefois ne se borne pas à écarter les influences, il sélectionne avec soin "les objets et les sujets qu'il soumet à son attention"[23]. À l'inverse, comme le montre par exemple la psychologie sélectionnée par la théorie du choix rationnel, un être qui est dirigé par son intérêt personnel, qui se représente clairement le but qu'il poursuit, qui calcule au plus juste les moyens d'y parvenir et n'utilise sa faculté de délibération que pour mieux revenir à soi, inchangé et confirmé dans ses tendances, présente une compacité qui rend nul et non avenu cet effort de restauration, de réunification et de continuité entre les diverses parties du soi, ou entre le soi et son environnement, qui forme le plus clair de l'auto-gouvernement.

5. *Le self-gouvernement et la communauté*

L'analyse du self-gouvernement au plan collectif ferait sortir des limites de cet article. Ici on peut se limiter à signaler que l'un des intérêts les plus notables des pensées l'adoptant comme principe est qu'elles envisagent des solutions de continuité, d'analogie et de renfort mutuel entre le plan individuel et le plan collectif,

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[22] G. Lipovetsky, *L'ère du vide. Essais sur l'individualisme contemporain*, Paris, Gallimard, Folio, [1983], [1993], p. 316.

[23] H. D. Thoreau, *Walden*, Economy. Voir aussi Ruth Lane, Standing " Aloof " from the State: Thoreau on Self-Government, *The Review of Politics*, Vol. 67, No. 2 (Spring, 2005), pp. 283-310.

tandis que le point de vue libéral tend à réserver le self-gouvernement aux individus et le point de vue communautarien, à la communauté organisée. Afin de bien marquer la différence entre ces formes et le "libéralisme radical" dont il est question ici, on peut remarquer "commun" est un terme qui convient mieux que "collectif", car ce dernier désigne des groupes dont le principe de formation est indifférent (il peut s'agir aussi bien d'un groupe statistique, que d'une collection d'individu), tandis que "commun" qualifie un groupe constitué par des individus distinctifs, ayant chacun leur personnalité, mais qui partagent quelque chose (une activité, une croyance, un goût). Par conséquent leurs intérêts personnels incluent les intérêts qu'ils ont en commun avec d'autres. Par exemple les randonneurs forment un groupe dont l'intérêt commun est à la fois intégré dans les motivations ou les projets de chacun et inhérent au fait d'être en compagnie des autres. L'intérêt de chacun peut alors être dit personnel plutôt qu'individuel, si l'on veut insister sur le fait que bien que partagé, cet intérêt se distribue sous des formes particulières en fonction des attentes, des modes d'engagement, de l'histoire, etc., de chacun. Inversement, n'est commun qu'un intérêt de nature à permettre que chacun de ceux qui le partagent le personnalise, ou qui est de nature à donner lieu à des reprises plurielles, comme cela arrive nécessairement dans le cas de l'appréciation commune d'une œuvre d'art. Par contraste, l'intérêt individuel est un intérêt réputé prendre naissance dans l'individu et y séjourner indépendamment de ses expériences sociales, sous la forme par exemple d'instincts, de *conatus*, de tendances innées ou encore de comportement de base.

La compatibilité entre un intérêt personnel et un intérêt commun est le motif principal de la continuité entre l'individu dirigeant librement ses affaires et celui qui contribue librement, sans être ni empêché ni contraint, à la direction d'affaires qu'il a en commun avec d'autres. L'un des problèmes de la théorie libérale classique est que l'individu est complet, doté d'intérêts intrinsèques, souvent antagonistes par rapport à ceux des autres et qu'ensuite il doit faire un compromis et parvenir à un accord. En revanche, dans une communauté, au sens démocratique du terme, l'intérêt commun, contrairement à un intérêt "collectif", ne peut par définition Être contraire à l'intérêt personnel : si je fais partie d'un groupe, mon intérêt concernant la bonne existence de ce groupe n'est pas "désintéressé" eu égard à mon existence personnelle; il inclut mes goûts et mes désirs qui se sont développés du fait que je fais partie de ce groupe[24]. Le fait d'entreprendre quelque chose en commun avec d'autres (fût-ce une promenade ou un dîner au restaurant) provoque l'émergence de circonstances qui contribuent à façonner l'identité de

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[24] Ces remarques ne signifient pas qu'il faudrait subordonner la démocratie au règne d'intérêts communs, au sens défini ici, à l'exclusion de tout autre processus de formation des intérêts. On peut concevoir la coexistence entre des intérêts communs, des intérêts collectifs, et des intérêts agrégés, sans que la forme démocratique du régime politique soit en cause. Mais, au plan d'une démocratie conçue comme culture et mode de vie, seule la formation d'intérêts inhérents à des situations de partage et de communication est significative et valable.

l'individu, qui font naître en lui des motivations, des tendances, des habitudes, qui loin d'être superficielles par rapport à des éléments prétendument plus profonds ou individuels, sont constitutives de sa personnalité et le fruit d'une interaction avec son environnement.

Or telles sont les circonstances qui sous-tendent l'exercice communautaire du self-gouvernement. On le trouve chez Jefferson dans le contexte des Républiques miniatures dont il avait fait le premier degré de la vaste division administrative qu'il avait imaginée, depuis la circonscription (*ward*) à l'Union fédérale, en passant par la commune et le comté. Jefferson avait d'abord destiné cette division à porter son projet de création d'une éducation publique, du niveau élémentaire à l'université. Mais il la destine également à porter les mœurs démocratiques de participation, à les conserver, les transmettre et les valoriser. L'habitude de prendre soin de ses affaires est le ferment et en même temps le garant de la démocratie. Dans la lettre à John Adams déjà citée, Jefferson réitère l'espoir que son projet de division administrative et législative sera adopté, car il forme "la clé de voûte de l'arche de notre gouvernement.": "Lorsqu'un homme prend part à la direction de sa république-circonscription, ou dans des plus élevées, et sent qu'il est un participant dans le gouvernement des affaires, pas seulement le jour du vote une fois par an, mais chaque jour ; quand il n'y aura pas un seul homme dans l'État qui ne sera membre d'un de ses conseils, grand ou petit, il se laissera déchirer le cœur hors de son corps plus volontiers qu'il ne laissera son pouvoir lui être arraché par un César ou un Bonaparte"[25]. La participation au gouvernement local, fut-il celui de la ferme, n'est pas exclusive d'une participation à d'autres niveaux de l'union, mais elle est le creuset où se consolident "l'esprit public", l'inclination à prendre part aux décisions communes et la répugnance à confier son pouvoir à autrui. La culture démocratique dont il a été question plus haut prend naissance dans le soin qu'apporte l'individu à diriger sa vie et se poursuit par sa contribution aux décisions des groupes auxquels il est lié. On trouve la même idée chez Tocqueville : la démocratie n'est pas sûre sans ce sentiment de pouvoir et de liberté que procure le fait d'exercer une influence sur la conduite de sa vie, personnelle ou commune. Et comme cette influence est plus tangible lors des activités proches et familières, c'est dans la participation au gouvernement local que sont réunies les meilleures conditions de la démocratie, c'est "l'intervention individuelle" dans les petites affaires particulières, plus que dans les "grandes choses" que se trouve l'obstacle majeur au despotisme et à l'abdication de la liberté[26]. L'exercice de la liberté dans la

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[25] Jefferson, Lettre à Joseph C. Cabell du 2 fev 1816

[26] Tocqueville, DA, II, 4, chap. VI: "Créer une représentation nationale dans un pays très centralisé, c'est donc diminuer le mal que l'extrême centralisation peut produire, mais ce n'est pas le détruire. Je vois bien que, de cette manière, on conserve l'intervention individuelle dans les plus importantes affaires; mais on ne la supprime pas moins dans les petites et les particulières. L'on oublie que c'est surtout dans le détail qu'il est dangereux d'asservir les hommes. Je serais,

pensée comme dans l'action est la condition à la fois du perfectionnement individuel, d'une ville sociale heureuse, et de la valorisation extrême des conditions rendant un tel exercice autonome et permanent.

Que le gouvernement le plus à portée des gens soit local (ce qui n'est plus si vrai aujourd'hui) n'implique pas que la démocratie ne puisse être que locale. Jefferson avait critiqué Montesquieu pour cette raison. Il n'y a aucun obstacle à ce modèle de participation qu'on rencontre au plan individuel soit transposé à n'importe quel niveau de gouvernement, même national ou planétaire. Le self-gouvernement pas conditionné par la taille de l'union, mais seulement par ce lien formateur et éducatif entre d'un côté la participation et de l'autre l'acquisition d'une compétence et d'un goût pour la liberté, qu'on a présenté plus haut. En outre, la division administrative que préconise Jefferson n'a de sens que si elle épouse les limites qui spécialisent certains groupes d'activités et les distinguent des autres. Cette division n'est pas géographique mais pratique et professionnelle, ou alors elle ne devient géographique que dans la mesure où la localité détermine certaines activités, comme "le soin des pauvres, des routes, la police, les élections, la nomination des jurés, l'administration de la justice dans les cas sas grande gravité, les exercices élémentaires de la milice." Bref, conclut Jefferson, il s'agit de toutes les affaires qui "étant placées sous leurs yeux (des habitants) sont mieux conduites par eux que par les plus grandes républiques du comté ou de l'état"[27].

Comme l'auto-gouvernement individuel, celui qui concerne un groupe, petit ou grand, repose non sur l'exercice de cette pleine souveraineté du peuple soutenue par les théories classiques de la démocratie, mais sur l'engagement dans une réflexion quant à la conduite à tenir concernant des situations, quelle qu'en soit la nature, qui ne vont pas de soi, et ne peuvent être abordées que par l'intermédiaire d'un choix, d'un projet, d'hypothèses et de la quête d'une entente avec les autres. La continuité entre le plan individuel et le plan communautaire permet en outre d'insister sur le fait que la communauté n'est pas caractérisée par cette relation quasi autiste à elle-même que l'on trouverait si on adhérait aux théories de la communication. En effet, de même que le fermier à l'égard de ses récoltes, que le promeneur perdu dans une forêt, que l'ouvrier exploité, ou qu'un malade en lutte contre sa maladie, la communauté est une communauté de pratiques qui se trouve confrontée à des difficultés pratiques et doit aborder techniquement les obstacles à sa conduite. La description des *wards* par Jefferson n'est ni juridique (il se borne à affirmer que chaque unité administrative de l'Union devrait fonctionner "on the basis of law", sur la base du droit) ni communicationnelle, mais pratique au sen le plus concret. De même que Thoreau, acquis au principe du self-gouvernement individuel, tient pour fondamental que chacun "mind his own business" (la nature de ses affaires dépendant du cours d'action dans lequel il est engagé et des métho-

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pour ma part, porté à croire la liberté moins nécessaire dans les grandes choses que dans les moindres, si je pensais qu'on pût jamais être assuré de l'une sans posséder l'autre. "

[27] Jefferson, *To John Adams Monticello, Oct. 28, 1813*

des pour les identifier), Jefferson solidarise l'autonomie gouvernementale avec le soin d'identifier des affaires communes, d'y faire face, d'entreprendre quelque chose en commun dont la réalisation est importante pour l'union, voire est sa condition.

Ni Jefferson ni Tocqueville ne se penchent pas sur les caractéristiques requises du système de communication publique, sinon pour affirmer, comme le fera Gabriel Tarde, que plus on discute, plus on est libre, et que pour supprimer la liberté, il suffit d'interdire aux gens de converser les uns avec les autres[28]. La discussion publique, que Tarde d'ailleurs fait dériver de la conversation et des correspondances, ne repose sur aucun système de règles contraignantes, et l'argumentation n'en est qu'un aspect. Ce qui importe pour ces grands défenseurs de la démocratie conçue comme un exercice de self-gouvernement à tous les niveaux de l'association humaine, est la quantité des contacts et des échanges, plus que leur qualité. La "communication", avant d'être utile à la résolution des conflits et à la prise de décision, est avant tout un indice de cette sociabilité dont on a pointé l'avènement et la valeur irremplaçable dans les phénomènes de sortie hors de soi, d'accueil de l'altérité, d'échanges avec les autres, de participation et de formation d'un esprit public.

On connaît bien l'admiration de Tocqueville pour le système communal américain, car "c'est dans la commune que réside la force des peuples libres" . Or si la commune est importante, c'est moins en raison de ses aspects institutionnels que du fait qu'elle est la forme dans laquelle les individus sont unis les uns aux autres par l'intermédiaire d'une association libre et volontaire. Ce qui fascine l'auteur est que "les Américains de tous les âges, de toutes les conditions, de tous les esprits, s'unissent sans cesse"[29]. À la socialité contrainte qui domine partout en Europe, où les associations elles-mêmes ressemblent à des milices dont les membres "répondent à un mot d'ordre comme des soldats en campagne" et "professent le dogme de l'obéissance passive", se substitue ici la sociabilité, c'est-à-dire, le penchant à s'associer avec d'autres par plaisir, par goût, par inclination, par efficacité, sentiments qui ne tardent pas à prendre le dessus quand s'associer est continuel, et alors même que c'est "l'intérêt bien entendu" qui parfois au départ suscite la décision d'entrer en association avec d'autres. Dans cette association pure qu'est la commune, on trouve donc tous les ingrédients sans lesquels le self-gouvernement perd sa substance : l'individu est lié personnellement aux autres en vertus d'activités en commun avec d'autres ("il se mêle à chacun des incidents de la vie communale"), il aime sa commune, il se sent concerné "parce qu'il concourt à la diriger", son intérêt personnel et l'intérêt commun sont eu égard au créneau de son association identique, il s'y épanouit et y est heureux : "il (l'habitant de la Nouvelle Angleterre) place en elle son ambition et son avenir". C'est enfin dans l'expérience de l'association libre que se révèle le plus clairement le fossé séparant

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[28] Voir G. Tarde, *L'Opinion* et la foule (1901), Paris, PUF, 1989.
[29] A. de Tocqueville, De la démocratie en Amérique, livre II, chap. 5.

une union fondée sur l'unanimité et l'identité, et celle qui est conditionnée par la sociabilité et l'inclination à faire des choses en commun avec d'autres. En une association, écrit Tocqueville, "tous les hommes marchent en même temps vers le même but ; mais chacun n'est pas tenu d'y marcher exactement par les mêmes voies. On n'y fait point le sacrifice de sa volonté et de sa raison ; mais on applique sa volonté ou sa raison à faire réussir une entreprise commune"[30]. Des relations interpersonnelles qui ne discréditent ni le développement individuel, ni celui du groupe, la participation de chacun au gouvernement, la continuité entre les activités amicales, sociales et politiques, tous ces éléments provoquent l'acquisition par chacun d'une bonne connaissance de ses droits et de ses devoirs, tandis que l'inverse n'est pas vrai: une instruction civique et morale qui n'est pas couplée avec l'exercice concret et personnel d'un auto-gouvernement ne peut être que dogmatique et à ce titre éloigner encore davantage de la liberté.

L'idée qu'une "communauté" se constitue par la production d'un intérêt commun, puis par un effort pour promouvoir cet intérêt, est chez Dewey si fondamentale que c'est à partir d'elle qu'il postule les conditions de possibilité d'un public. Rorty a insisté à juste titre sur cette position antifondationnaliste (et l'a reprise) qui rejette ces conceptions d'après lesquelles le bien commun, quel qu'il soit, résiderait sous la surface des préjugés, des différences, des langues ou des croyances, et que pour l'identifier il serait requis de les écarter. Ainsi apparaîtrait en pleine lumière ce qui constitue le fond commun de l'humanité, ou, dans une perspective communautarienne, le fond commun de tel ou tel groupe défini par telles "appartenances" culturelles et par telles habitudes sociales particulières[31]. Au cours de son entreprise de "reconstruction de la philosophie sociale", John Dewey a consacré une grosse partie de ses efforts à démontrer non seulement la fausseté de l'approche des phénomènes sociopolitiques par l'intermédiaire de la quête de leur fondement (rejetant ainsi dos à dos individualisme ancien et organicisme) mais aussi la nocivité éthique et politique d'une telle approche. Or tous ces défauts viennent en pleine lumière quand l'angle de vue suggéré par le self-gouvernement est adopté. En effet, une communauté ne peut être véritablement démocratique que si elle s'autoproduit, au sens où le rythme et la nature de sa constitution sont en phase avec ceux du commun qu'elle dégage peu à peu. La communauté désigne moins un "vivre-ensemble" qu'un ensemble de pratiques, de discussions, d'échanges et de contacts pour amender la vie commune, pour la rendre meilleure et la faire durer. C'est pourquoi Dewey, contrairement à Ferdinand Tönnies par exemple qui conçoit la communauté comme un tout organique et naturel, insiste bien davantage sur les processus, d'ailleurs très complexes et contingents, de mise en commun, que sur le fonctionnement d'une communauté constituée, comme une famille ou un village. Dewey admet que nous sommes intimement liés les uns aux

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[30] Vol 1, chap. 4.

[31] Richard Rorty, "The Priority of Democracy to Philosophy" (1988), repris dans *Objectivity, Relativism, and Truth*, Cambridge University Press, 1991.

autres, notamment dans l'enfance, qu'aussi bien nos habitudes que nos croyances sont conditionnées par notre socialisation, et que plus les sociétés s'industrialisent, plus l'interdépendance grandit. Mais ces liens irrépressibles, en partie constitutifs de ce que nous sommes, même en privé, ne font pas pour autant de nos associations des communautés. Loin d'être "naturelle" et immédiate, une communauté est à l'inverse toujours le résultat d'un effort de mise en commun, c'est-à-dire de la création de pratiques signifiantes qui, par l'intermédiaire d'activités partagées, d'informations, d'ouverture, de discussions, de contacts en tous genres, donnent lieu à divers usages personnels et convergents et, à terme, à des options stabilisées à partir desquelles explorer à nouveaux frais d'autres possibilités de communalisation, dès lors que l'ancienne formule n'est plus satisfaisante. Cette logique est celle que Dewey trouve à la base du développement des sciences de la nature, et à la promotion de laquelle, dans les domaines des pratiques sociales et politiques, il consacre sa philosophie sociale.

6. *Conclusion*

L'énoncé des motifs justifiant qu'on puisse voir en effet dans une communauté de chercheurs un modèle moderne de la communauté auto-gouvernée déborde le cadre de ce travail. Il convient simplement de rappeler, pour conclure, qu'une communauté de ce genre ne peut exister, d'une part, que si elle se forme autour du difficile problème de l'identification d'un commun (ce à quoi par exemple contrevient fortement une politique publique de la science tombée d'en haut, avec son cortège de programmes fléchés, d'incitations, de financements récompensant l'obéissance du chercheur, etc.) et, d'autre part, que si chaque membre de la communauté s'associe volontairement et librement tout en jouissant d'une autonomie individuelle dans l'équipe. On peut admettre qu'un groupe constitué de manière à fédérer des démarches individuelles et à subordonner l'émergence du commun (lequel fluctue) à la découverte d'un point de convergence entre ces démarches est plus un idéal concret qu'un fait. Toutefois, en matière de politique, même s'il semble illusoire d'espérer un self-gouvernement universel, une telle communauté où la compétence dépend de la communalisation, où l'énergie commune dépend de l'implication personnelle de chacun, où le commun et l'individuel sont conditions l'un de l'autre, et où les objets fédérant les approches, au lieu d'être imposés par un pouvoir politique ou par des traditions, sont le fait d'une élection, est la matrice où se condense un système de critères et de normes qui conditionne les phénomènes de démocratisation. En situant dans le self-government la clé de la démocratie "comme mode de vie", Jefferson, Tocqueville et Dewey ont ébauché une conception politique distinctive, un "libéralisme radical".

Education's Role in Democracy: The Power of Pluralism

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ABSTRACT

My task in *Beyond Liberal Democracy in Schools* (2008) was to develop a relational, pluralistic social political theory that moves beyond liberal democracy. I find Dewey is a key source to help us find our way out of liberal democracy's assumptions and show us how to move on. He (1949/1960) offers us the possibilities of moving beyond individualism, with his theory of social transaction and he (1938/1955) shows us how to move beyond rationalism in his arguments for truths as warranted assertions. A transactional description of selves-in-relation-with-others describes us as becoming individuals out of our social settings. At the same time that we are becoming individuals within a social setting, we are continually affecting that social setting. Individuals are not aggregates with separate boundaries that have no relation to one another. In fact, the 'self' is fictive, and contingent. Our 'selves' are multifarious and fractured, due to repressive forces imposed upon us by others as well as supportive forces offered to us by others. Others bind us and help us become free at the same time. The democratic theory I develop is a radical democratic theory that represents feminist and multicultural concerns. This theory is radical because of my efforts to present an anti-racist theory that critiques basic foundational-level assumptions embedded within both individualism and collectivism. The theory moves beyond modernism and critical theory as it seeks to address postmodern concerns of power and exclusionary practice without appealing to grand narratives such as Reason, the Scientific Method, or Dialogue. I follow Dewey's social transactional lead and describe our world as one that is pluralistic, relational, and in process as we continually contribute to the on-going constructing of knowing. I argue, in agreement with Dewey (1916/1996), that a democracy is a mode of associated living, not just a view of political democracy, and that it needs to be struggled for on all fronts, with all our social institutions, including: political, economic, educational, scientific, artistic, religious, and familial. This comprehensive view of democracy is consistent with the transactional relational assumption I describe, for it recognizes that social institutions are no more autonomous and separate from each other than individuals are separate from each other. For this essay, I explore education's role in helping us understand how connected we all are to each other, moving us closer to living in a world we may someday call a democracy.

0. *Introduction*

My task in *Beyond Liberal Democracy in Schools* (2008) was to begin to develop a relational, pluralistic social political theory that moves beyond liberal de-

mocracy. I find Dewey is a key source to help us find our way out of liberal democracy's assumptions and show us how to move on. He (1949/1960) offers us the possibilities of moving beyond individualism, with his theory of social transaction and he (1938/1955) shows us how to move beyond rationalism in his arguments for truths as warranted assertions. A transactional description of selves-in-relation-with-others describes us as becoming individuals out of our social settings. At the same time that we are becoming individuals within a social setting, we are continually affecting that social setting. Individuals are not aggregates with separate boundaries that have no relation to one another. In fact, the 'self' is fictive, and contingent. Our 'selves' are multifarious and fractured, due to repressive forces imposed upon us by others as well as supportive forces offered to us by others. Others bind us and help us become free at the same time.

The democratic theory I am developing is a radical democratic theory that represents feminist and multicultural concerns. This theory is radical because of my efforts to present an anti-racist theory that critiques basic foundational-level assumptions embedded within both individualism and collectivism. The theory moves beyond modernism and critical theory as it seeks to address postmodern concerns of power and exclusionary practice without appealing to grand narratives such as Reason, the Scientific Method, or Dialogue. I follow Dewey's social transactional lead and describe our world as one that is pluralistic, relational, and in process as we continually contribute to the on-going constructing of knowing.

I argue, in agreement with Dewey (1916/1996), that a democracy is a mode of associated living, not just a view of political democracy, and that it needs to be struggled for on all fronts, with all our social institutions, including: political, economic, educational, scientific, artistic, religious, and familial. This comprehensive view of democracy is consistent with the transactional relational assumption I describe, for it recognizes that social institutions are no more autonomous and separate from each other than individuals are separate from each other.

In this essay I want to look at how John Dewey applied his renascent liberal democratic theory to public schooling, which requires me to begin with a summation of his renascent liberalism before moving on to explore the application of his theory to public education. I will focus on applications to American schools for this text, but I think the argument I make here has implications and applications beyond the borders of the United States, given classical liberal seeds were sewn in Europe, in particular England and France, and their colonies. The resulting values of classical liberalism can be found in school de-

signs and structures throughout the world. Like Dewey, I will argue that a democracy depends on a democratic educational system. I am arguing for the need to move beyond classical liberal democratic theory in our schools and develop a relational, pluralistic democratic educational theory that will create a place where children with diverse cultural roots can thrive. This is what I hope to do, with the help of the many students and teachers from collective cultures whom I have visited over the past several years. I begin this essay's discussion with John Dewey's form of liberalism.

1. *Renascent Liberal Democracy (John Dewey)*[1]

John Dewey's concept of democracy as a mode of associated living, much broader than any particular view of political democracy, as well as his concept of transaction are cornerstone ideas for the relational view of democracy I want to describe. Dewey recognizes we start out as members of communities, in associated living, and that our first community is our family, where we are nurtured, and we experience face-to-face relationships. He (1916/1996) begins his classic work, *Democracy and Education* with a discussion of social communities, and how individuals develop out of those communities. In many of his writings we can find Dewey discussing infants and their relationships to their mothers as well as their extended families. Contrary to classical liberal philosophers, Dewey does not treat individuals as if they sprout out of the ground without mothers that nurse them and fathers that bathe them. He does not seem to ever lose sight of the fact that we all begin our lives in someone else's loving arms. Dewey developed a sense of self that begins in-relation-with-others, a social self that develops and grows to become more autonomous and rational as we continue to interact with others.

It is not until late in Dewey's career, in his work co-authored with Arthur Bentley (1949/1960), *Knowing and the Known*, that he introduces the term *transactional*, but one can find the seeds for this idea in many of his earlier writings, including *Democracy and Education*. Earlier Dewey used the term "interaction" to describe relationships that affect each other, but later he amended the term to "transaction" because he realized that things can interact with each other without necessarily being affected by the interaction in significant ways, like billiard balls that hit each other on a pool table and bounce off of each other but still maintain their original form. For Dewey, the

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[1] This section is derived from Chapter One of my (2003) *Beyond Liberal Democracy in Schools*.

result of selves interacting with one another is that both are changed, and, thus, their relationship is more accurately described as a "transaction." Communities help shape the individual into whom s/he becomes, but individual selves, as immature young members of the community, help shape and change the community as well due to their immaturity, which allows them to be flexible, open, adaptive, and growing. In order to explore how Dewey's concept of transaction affected his own view of democracy, I turn to two key later works of his. I begin with *Liberalism and Social Action*, as I think Dewey offers an excellent analysis of classical liberal political theory and its further developments.

Liberalism and Social Action is from Dewey's Page-Barbour Lectures delivered at the University of Virginia and published in 1935. He begins this series of lectures by laying out the history of liberalism, as he seeks to find what permanent value liberalism contains and how these values can be maintained in the 1930's world of his time. In typical Deweyian style, his method of philosophical argumentation is an historical approach. After pointing to the fact that liberalism can be traced back to ancient Greece and the idea of "free play of intelligence," Dewey begins his historical analysis in earnest with John Locke, in 1688 and his vision that governments exist to protect the rights of individuals. He shows us how Locke's philosophy focuses on the individual, where individualism is opposed to organized social order. For Locke there is a natural opposition between an individual and organized society. Locke was seeking to find a way to get out from under the constraints of society that had developed by his lifetime. He solved this problem by beginning with an assumption that individuals develop on their own, as self-made men, and have the freedom to decide whether or not to join up with others to form a society. The decision to join up with others is always at the expense of the individual's freedom. Locke described democratic governments as offering individuals the service of safeguard and protection, to insure their individual rights are honored and that others do not harm them. However, this is always a precarious governmental service that must be kept in check to make sure that the government does not infringe on individual rights any more than is necessary to protect the society. The relationship between individuals and the government is one of distrust and suspicion; the individual must always be alert to make sure the government is powerful enough to protect individual rights, but not so powerful that it tramples individual rights. Key values of Locke's classical liberalism are that every individual has the right to "the full development of his capacities" and that liberty is "the most precious trait and very seal of individuality" (Dewey, 1935, p. 24).

Dewey's (1935) insightful criticism of early liberalism is that it assumes a conception of individuality "as something ready-made, already possessed, and needing only the removal of certain legal restrictions to come into full play" (p. 39). Dewey tells us the "Achilles heel of early liberalism" is the idea of separate individuals, "each of whom is bent on personal private advantage" (p. 54). Early liberalism did not conceive of individualism "as a moving thing, something that is attained only by continuous growth" (p. 39). Dewey offers us his description of the individual as not starting out in a state of nature prior to entering a social state, but rather as a human infant connected to and cared for by family members. He warns: "liberalism that takes its profession of the importance of individuality with sincerity must be deeply concerned with the structure of human association. For the latter operates to affect negatively and positively, the development of individuals" (p. 41). From Dewey's criticism of early liberalism, we can see that it is clearly the case that Dewey did not begin his own democratic theory with an assumption of atomistic individualism.

Apparently, Locke was not able to see social arrangements as positive forces, but rather as external limitations. According to Dewey (1935), it is not until the second half of the 19th century that the idea arises that the state should be instrumental in securing and extending the liberties of individuals (pp. 5-6). Slowly we see a shift from the idea of using government action only for protection and safeguarding to arguing that we can use governmental action to aid those who are economically disadvantaged, to alleviate their condition. During the 19th century there is a movement in liberal thinking from seeing society as only a hindrance to individuals to beginning to see society as offering assistance and help toward individual development. During the second half of the 19th century in American history we find arguments for the value of public education for children whose parents cannot afford to give their children private education. Horace Mann and others suggest that the government (federal and state) should pay for public education out of public funds raised through individual taxes. Today in political discussions in the USA, Libertarians and conservative Republicans represent the early classical liberal's view of democracy as one where the least government is the best, and Democrats and moderate Republicans represent the new liberals of the 19th century who are committed to using society and the state to help individuals develop to their full capacity.

Dewey (1935) recognizes the important battles that were won by early liberalism in terms of freedom of thought, conscience, expression, and communication. These qualities are what he sees as essential for us to have "freed intel-

ligence." For Dewey, the enduring values of early liberalism are "liberty; the development of the inherent capacities of individuals made possible through liberty, and the central role of free intelligence in inquiry, discussion and expression" (p. 32). However, Dewey does not regard "intelligence as an individual possession and its exercise as an individual right" as classical liberalism does (p. 65). Intelligence depends on "a social organization that will make possible effective liberty and opportunity for personal growth in mind and spirit for all individuals" (p. 56-57). Again we find evidence that Dewey does not rely on an atomistic view of individualism.

Freed intelligence is a social method that Dewey wants to be identified with the scientific method of investigation. Importantly, because he describes freed intelligence as a social method of inquiry, he recognizes that intelligence is not a ready-made possession; it must be secured. He is very aware that oppressions in terms of slavery, serfdom, and material insecurity are harmful to freed intelligence. He gave the Page-Barbour Lectures during the Great Depression, and he was worried about fascism and communism at the time. Dewey argues for a "renascent liberalism" that recognizes that democracies must establish material security as a prerequisite for individual freedom.

We do find evidence that Dewey's democratic theory relies on an assumption of rationalism in his concept of freed intelligence. Dewey trusted that the scientific method of inquiry would replace brute force as the method of cooperative intelligence. He was greatly influenced by Darwin's *Origin of Species*, as were other classic pragmatists such as Peirce and James, and he references Darwin's contribution to scientific thinking in many of his writings, including *Liberalism and Social Action*. In *Democracy and Education*, Dewey (1916) emphasizes freed intelligence through his discussion of reflective thinking that begins in doubt, where one is stirred to move to action, to generate possible hypotheses and test these out in order to arrive at a conclusion that ends the doubt. Reflective thinking is the scientific method, which by 1935 Dewey describes as "freed intelligence." Predictably, he ends *Liberalism and Social Action* by pointing to education as the first object of a renascent liberalism, to aid in the producing of habits of mind and character that are necessary for freed intelligence.

Dewey's *Freedom and Culture* was published in 1939, during the outbreak of World War II when there was great fear as to whether or not democracy would survive. This time Dewey decides to look at democracy in the United States and its development with the help of Jefferson, rather than Locke, since he argues that the conditions in the United States are different from those in Britain. He starts with a cultural focus (to gather up the terms upon which

human beings associate and live together), suggesting we cannot isolate any one factor such as the relations of industry, communication, science, art, or religion. For Dewey, all of these are intrinsic parts of the culture that affects politics, with no single factor being dominant over all others. Dewey criticizes Marxism because it isolates one factor, economics, as being dominant in its discussion of human associations. He tells us that the full conditions for a complete democratic experience do no yet exist.

Using his historical approach again, Dewey (1939) reminds us in *Freedom and Culture* that America started with an economic focus (rebellion over taxation, restrictions on industry and trade). We find Dewey taking a romantic view of early theory and practice in the United States, presuming harmony between liberty and equality in farming times that changed with the advent of industry. Dewey warns us that we are not going to have democracy until *all* our institutions are run democratically (church, business, schools, family, law, government, etc.).

In *Freedom and Culture*, Dewey (1939) connects the future of democracy to a spread of the scientific attitude, as in his "freed intelligence" in *Liberalism and Social Action*. Here he argues that the scientific attitude is our sole guarantee against widespread propaganda. Dewey recognizes that democracy needs free speech, free press, free assembly, and an education system that encourages inquiry - a scientific attitude. We can secure democracy with all the resources provided by collective intelligence operating in co-operative action (p. 176). Dewey ends *Freedom and Culture* by returning to Jefferson to underscore that Jefferson was not afraid of change. Jefferson referred to the U.S. government as "an experiment." Dewey encourages us to have the same attitude. He points to the need for face-to-face interaction, political organization in small units, and the need for direct communication in order for democracy to thrive (p. 159). He recommends, "Democracy must begin at home, and its home is the neighborhood community," using a direct quote from an earlier text, *The Public and its Problems* (1927, p. 213). Again, as in *Liberalism and Social Action*, he recognizes the need for equalization of economic conditions so free choice and free action can be maintained. Dewey tells us that democratic ends demand democratic methods. His central claim is that "The struggle for democracy has to be maintained on as many fronts as culture has aspects: political, economic, international, educational, scientific and artistic, religious" (p. 173).

What distinguishes the pluralistic, relational democratic theory I present in this essay from Dewey's liberal democracy are his assumptions of rationalism, and universalism that still trail along in his renascent liberalism. We find the

assumption of universalism in his romantic view of agrarian U.S. society prior to the Industrial Revolution and the influx of immigrants at the turn of the 19th/20th centuries. We also find universalism in his romantic view of face-to-face interactions in small communities prior to the Industrial Revolution and his recommendation that we need to get back to face-to-face interactions through such methods as town meetings. We discover his assumption of rationalism in his naive view that the scientific method is what will lead us beyond the powerful influence of culture and fears of social determinism and indoctrination.[2]

A pluralistic, relational view of democracy insists that we need to look at America's past from the perspective of African Americans, Native Americans, Mexican Americans (nonvoluntary immigrants and conquered people indigenous to this land), and women and children (viewed as property of males). The wealth of the United States was built on the free, slave, and indentured labor of these people, who were not recognized as citizens until the 20th and 21st centuries (children still are viewed as the property of their parents). The radical view of democracy presented in this essay insists that we consider power issues involved in face-to-face interactions in small communities and the kinds of homogenizing and silencing effects these communities have on diverse opinions and perspectives. The voices of people from the dominant culture who acquired fluency in the dominant language and practiced oral skills and styles of relating valued by the dominant culture were the ones heard in the town meetings that Dewey wanted to go back to, and Benjamin Barber (1984) wants today. People living in the communities who were not considered citizens were not allowed to attend the meetings, or if they were allowed to attend they were seated in the balconies or the back and were not allowed to speak.

The view I offer in this essay also recognizes the limitations of the scientific method and its biases and prejudices that are disguised as neutral and universal, relying on rationality and the valuing of reason. Science has been used to argue racist and sexist biological deterministic views of inferiority for non-Anglos and women. Due to feminist theory and critical theory, we now can recognize that even science is embedded within paradigms that shift over time, and that what we take to be neutral criteria, standards, and principles are negotiated and influenced by the scientists doing the investigating (Deloria 1995,

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[2] I don't wish to deny the Dewey was active in fighting social justice issues of his time. My criticism is with the lack of attention to racism and sexism in Dewey's democratic theory, not his way of life. I am not the only one criticizing him on these issues. Please see Frank Margonis' (2004) and Charlene Haddock Seigfried's (1996) contributions to this topic.

Harding 1991, Keller 1985). With the introduction of minorities and women's views, we have exposed the limits of reason and we now can recognize other valuable tools we use to help us in our inquirying, including intuition, emotions, and imagination (Thayer-Bacon, 2000).

By now we should have a solid understanding of classical liberalism's foundational beliefs as well as problems these beliefs present for democratic theories. By considering Dewey's renascent liberalism in contrast to classical liberalism, we have uncovered his powerful criticisms against classical liberalism. We also learn the limits of Dewey's ability to move beyond his own embeddedness within a liberal culture and discover the biases that affected his criticisms and recommended solutions. I move on to discuss Dewey's democratic theory in terms of education.

2. *John Dewey and the Chicago Lab School*

When John Dewey moved from the University of Michigan to the University of Chicago, he began a lab school that still exists today. The school opened in 1896 and was called the University Elementary School. In 1902 its name was changed to the Chicago Lab School. When it began there were 15 students enrolled, including Dewey's own children, and by 1990 it enrolled 1400 students. *The School and Society* and *The Child and the Curriculum* are two series of lectures Dewey gave to the public in Chicago about the Chicago Lab School during its beginning, developing years. He added to the lectures in 1915 for later publications, after he had moved to Teachers College, Columbia University in New York City. I'd like to focus on *The School and Society* for our discussion, in particular, the first three chapters. Then I will turn to *Democracy and Education*, which Dewey wrote in 1916, after moving to New York City.

Dewey (1900, 1990) starts his lecture, *The School and Society,* by urging the people listening to take the broader, social view. "Here individualism and socialism are at one. Only by being true to the full growth of all the individuals who make it up, can society by any chance be true to itself" (p. 7). Dewey moves to define society: "A society is a number of people held together because they are working along common lines, in a common spirit, and with reference to common aims. The common needs and aims demand a growing interchange of thought and growing unity of sympathetic feeling" (p.14). He points to changes in society at large, in particular industrialization, which have eliminated household and neighborhood occupations. "(O)ur social life has undergone a thorough and radical change. If our education is to have any mean-

ing for life, it must pass through an equally complete transformation" (p. 28). Already we can see that Dewey is striving to bring the individual and others together and show how they interact with each other, and are dependent on each other. We can find the seeds of what I am growing into a theory of transactional relationships. We also can see how Dewey's philosophy of education could stimulate and support communitarian ideas such as Barber's (1984), as he places a strong emphasis on commonality.

Dewey (1900, 1990) tells us that the aim of the Chicago Lab School is to connect school to home and the neighborhood, and to connect history, science, and art. They want a school that is like an ideal home, with a family-type atmosphere. In Chapter One of *The School and Society*, we come across one of Dewey's often cited lines, "What the best and wisest parent wants for his own child, that must the community want for all of its children" (p. 7). Dewey argues that the school needs to take on the job of teaching tasks/skills that were formerly taught at home: work in metal and wood, weaving, sewing, and cooking for example. In his school these occupations are made centers of school life, "active centers of scientific insight into natural materials and processes", which he illustrates with sewing and weaving (p. 19). He also tells us that the school seeks to encourage a spirit of free communication, an interchange of ideas (p. 16). He describes the school as offering "embryonic communities." Dewey suggests: "When the school introduces and trains each child of society into membership within such a little community, saturating him with the spirit of service, and providing him with the instruments of effective self-direction, we shall have the deepest and best guaranty of a larger society which is worthy, lovely, and harmonious" (p. 29). Dewey offers a significant contribution to democratic theory by connecting the home and school to society, and arguing that it is important to look at what we do in our homes and in our schools, for that is where we teach our children how to be members of democratic societies. Notice how his focus is on harmony, suggesting an emphasis more on commonality than individuality and difference, as well as an emphasis on harmony over conflict and disagreement. Also, notice how his emphasis is on reason, with his desire for free communication and an exchange of ideas. Still, his examples are practical and holistic: cooking, sewing, and weaving.

In Chapter Two, Dewey (1900, 1990) shows how public schools are designed for listening and for mass education with their uniform curriculum and methods. He looks at the ideal home, and then enlarges that ideal to come up with his description of an ideal school. He reminds us that the aim of the school is to further the growth of the child. He discusses various "instincts" that chil-

dren have: social, language (interest in conversation), inquiry (interest in finding out things), construction (interest in making things), and artistic expression. Then he gives examples that exist in his school where we can see them bringing together these "instincts." Dewey seeks to create a school where the students learn scientific directed inquiry. "When nature and society can live in the schoolroom, when the forms and tools of learning are subordinated to the substance of experience, then shall there be an opportunity for this identification, and culture shall be the democratic password" (p. 62). We can find in this chapter the seeds of Dewey's (1916) later emphasis on scientific inquiry, or what he later called "reflective thinking." We can also find his underscoring of the importance of learning through experience, as well as his valuing of the arts for learning. What's interesting to note is that his discussion of "instincts" again emphasizes children's universality, not their cultural differences. His reference to the "ideal home" also emphasizes universality and commonality, not cultural differences. He does not discuss questions concerning what counts as an "ideal home." Even Dewey's reference to "culture as the democratic password," is not to draw our attention to cultural differences but instead to underscore the role cultures - meaning the arts and language - have in bringing us together. We can see that Dewey evades questions of power and assumes a neutral, objective position that denies his own location within a particular culture, and the fallibility and subjectivity of his own judgments concerning what counts as an ideal home or a cultural experience. These are criticisms that Laclau and Mouffe (1985) and Young (2000) would bring to bare on his work.

Chapter Three looks at school as an institution in relation to society and to its members - the children. Its focus is on waste in education. Here Dewey (1900, 1990) deals with the question of organization. Dewey traces the history of the development of schools, and shows the lack of unity and coherence in schools. He tells us and shows us through a chart that the Chicago Lab School connects to home, business, nature, and the university. He has another chart to show how the school is structured within, with a library in the center of the building, and a shop, textile industries, kitchen, and a dining room around the center. With this school structure, Dewey seeks to connect theory to practice. He shows us with another chart, how within the school there could be a second story to the building with a museum in the center, with art, music, physical and chemical labs, and biological labs around the center. Dewey's hope is for a synthesis of art, science, and industry. He advises his listeners, and readers: "Relate the school to life, and all studies are of necessity correlated" (p. 91). He tells us he is not looking for others to imitate what he's doing; he just wants to show that this type of school is feasible. Here again we find Dewey's

very important contribution to democratic theory, through his connecting of schools to home, business, nature, and the university. He makes it clear that there is a link between democracy and education and that how we structure our schools as well as what we do within those schools in terms of what we teach and how we teach matters in trying to establish and sustain a democratic society. His examples of school design are holistic and relevant still today. He brings together in a very interdisciplinary way subject areas that schools today still tend to keep separate and artificially divided. He values the arts, including music, fine art, and vocational art, as much as he values science and reading. Dewey certainly succeeded in showing the Chicago Lab School was feasible. It has stood as a model for how schools can be for a century.

When we turn to Dewey's (1916, 1996) classic *Democracy and Education* we find that Dewey does not overcome his assumption of neutral universality and his neglect of plurality and diversity, although he does address universality somewhat in some places such as in his discussion of educational aims. We also find that he still evades questions of power. However, he does further develop his idea of transactional relationships between individuals and others (without using that term). We also find that he maintains and further develops his holism, as well as his emphasis on scientific inquiry through his discussion of reflective thinking. It is not my intention here to discuss *Democracy in Education* in detail, there are too many others who have already accomplished that task very well, for me to duplicate their efforts.[3] What I want to do is sketch how his thoughts further develop after leaving the Chicago Lab School behind, especially in regards to a transactional view of individuals-in-relation-to-others.

Dewey (1916, 1996) begins *Democracy and Education* in a very promising way, in terms of the hope of moving beyond individualism, for he begins by emphasizing that education is a social need. All living things have the need to maintain themselves through renewal, thus establishing a continuity of life, and education is how people renew themselves and provide social continuity. Dewey starts by underscoring that human beings are social beings that live in communities by virtue of the things they have in common. They establish what they have in common through communication. He emphasizes that in order for people to communicate with others about their experiences they have to be able to get outside of their own point of view and formulate their experiences so that they connect to others' lives somehow, so that appreciation of their meaning can be established. To be a community, people have to share purposes and have a communication of common interests. Education is the sharing of experience that gives experience meaning, and it can occur for-

mally, through direct tuition, as well as informally and incidentally through the sharing of actual pursuits.

From this very promising beginning that emphasizes how connected individuals are to others, Dewey (1916, 1996) moves on to discuss how to keep a balance between formal and informal education, and most important to him, how to maintain conditions that promote active, growth stimulating forms of formal education. He discusses how education is not just the sharing of experiences but the "continuous reconstruction of experience" (p. 80) "which adds to the meaning of experience, and which increases ability to direct the course of subsequent experience" (p. 76). For Dewey, this reconstructing of experiences may be social as well as personal.

There are many places throughout *Democracy and Education* where we can find Dewey (1916, 1996) continuing to discuss in various ways how connected individuals are to others. In Chapter 3, "Education as direction," he shows that if we begin with an assumption that people are by nature self-centered and selfish (classical liberalism *and* utilitarianism make this assumption), we must assume that people are antisocial and need to be controlled. Dewey argues that there are no grounds to assume egoism. We are interested in ourselves, yes, but we are also interested in others, on the whole. This is why we have community, according to Dewey. Chapter 4, "Education as growth," is a famous appeal to respect immaturity. Dewey makes the case that immaturity should be viewed in a positive way as meaning "capacity" and "potentiality." Immature people, such as children, are open to learning, due to their plasticity. We can describe them in terms of what they lack, but we can also describe children in terms of what they are capable of, in terms of their possibilities. The same is true with children's dependence, Dewey shows, for we can see them as needing others to take care of them and not being able to care for themselves, but we can also notice how skillful children are at getting others' attention and letting them know what they need. Children are very good at getting others to provide for them. Again we find that Dewey describes children in relation to their childcare providers, in connection with each other and affecting each other, requiring others attention and being especially adept at being flexible and open to learning, as well as skillful at getting others to attend to their needs. Dewey's descriptions of selves are in relation to others.

When we come to Chapter 7, "The democratic conception in education", we find Dewey's famous definition of democratic societies, as well as how democracy connects to education. By now he has established that education is "a social function, securing direction and development in the immature through their participation in the life of the group to which they belong" (p. 81), but

this says nothing about the quality of the social process. Because education is so tied to the life of the group, the people we associate with, Dewey turns to considering how to measure the worth of various forms of social life. For Dewey there are two ways of measuring the worth of a form of social life: 1) the extent in which the interests of a group are shared by all its members, and 2) the fullness and freedom with which it interacts with other groups (p. 99). These two criteria are what he uses to make the case that the best form of associated living is a democracy. The need is for a society where people have the opportunity for free intercourse and communication of experience. A democratic society is "(a) society which makes provision for participation in its good of all its members on equal terms and which secures flexible readjustment of its institutions through interaction of the different forms of associated life [...]" (p. 99). Dewey ends this chapter by claiming that democratic societies must have an educational system "which gives individuals a personal interest in social relationships and control, and the habits of mind which secure social changes without introducing disorder" (p. 99).

Much of Dewey's (1916, 1996) *Democracy and Education* is an effort to heal splits that have developed in philosophy, such as between thinking and doing, theory and practice, the mind and the body, work and leisure, man and nature, and the individual and the world. I end my discussion of *Democracy and Education* by pointing to one more example of Dewey's efforts to move us beyond individualism, in a transactional direction. In Chapter 22, "The individual and the world," Dewey seeks to heal the split that has developed in modern times between individuals (the mind) and the world (others). He describes for us the historical development of this fairly modern idea that individuals have their own minds, in an effort to show us that philosophers misunderstood practical individualism, the struggle for greater freedom of thought in action, and mistakenly translated it into philosophical subjectivism (p. 293). "Men were not actually engaged in the absurdity of striving to be free from connection with nature and one another. They were striving for greater freedom *in* nature and society. [...] They wanted not isolation from the world, but a more intimate connection with it" (p. 294). Again he reasserts: "As matter of fact every individual has grown up, and always must grow up, in a social medium. His responses grow intelligent, or gain meaning, simply because he lives and acts in a medium of accepted meanings and values. Through social intercourse, through sharing in the activities embodying beliefs, he gradually acquires a mind of his own. [...] The self *achieves* mind [...] the self is not a separate mind building up knowledge anew on its own account." (p. 295, author's emphasis)

If we assume an egoistic consciousness we end up with solipsism, action that cannot have regard for others. These are powerful, important thoughts Dewey had about individuals in relation to others that are still in need of discussion today. He is indeed guilty of charges that Young (2000) might make against him, that he emphasizes harmony and commonality at the expense of valuing diversity, or that Fraser (1997) might make against him in terms of bracketing questions of political economy and material needs. Dewey is indeed vulnerable to charges that Laclau and Mouffe (1985) might make against him, that he slides into a tone of assumed neutral universality and misses confronting issues of power.

We have discovered that Dewey does plant very important seeds that open up possibilities for creating democratic spaces that do value diversity and do make room for more holistic descriptions of learning. Most important for my task here, we have learned that Dewey continues to describe selves-in-relation-to-others in his philosophy of education, in contrast to the atomistic individualism of classical liberal democratic theory and utilitarianism embraced during his lifetime. Dewey emphasized for us that the home and school are connected to each other, and both are connected to our larger society. What he describes is the transactional relationship between home, school, and society, that they all affect each other and are changed as a result of their interactions with each other. A society that seeks to be a democracy-always-in-the-making is dependent on its children learning how to be the kinds of citizens a democracy requires. Our homes and our schools are two of our social institutions that offer children the chances to learn these habits of heart and mind. Dewey reminds us that children have to learn to take an interest in each other's well-being and they need to have many opportunities to freely interact and relate to each other, as they learn how to get along and work together. He warns us of the need for children to lean how to secure social changes without introducing social disorder, so that democracies will not slide into chaos. He also stresses the importance of connecting theory to practice, a synthesis of art, science, and industry, through the design of school curriculums. We will take his recommendations to heart below. Let's consider now how Dewey's ideas concerning democracy and education can further grow in soil that is informed by feminist, multicultural, and postmodern concerns of power and exclusionary practice.

3. *Education's Role in Democracy*[3]

Classical liberalism worked hard to try to separate some social institutions so that governments would not be able to claim authority over peoples' religious expressions (what church, if any, they were allowed to attend), or dictate to parents how to raise their children or even if parents should be the ones to raise their children (in slave cultures, children are taken away from their parents, as happened in the Americas' dark past with African, Native, and Mexican parents and their children). Liberal democracy fought to keep governments from overtaxing their citizens, so that people could reap the rewards of their own hard work and pass those rewards on to their children, rather than to the state.

Liberal democracy offered a way to critique social institutions by making the case that are social institutions are not divine but humanly constructed, and therefore, open to critique and reconstruction. However, no matter how hard liberal democracy works to separate social institutions from each other and draw secure boundaries around them, it never seems to work. There is a reason for this – the boundaries are socially constructed, artificial, and impossible to maintain. They are leaky and porous, flowing into each other continuously so that all we are able to maintain is the illusion of separation. Our views concerning the role of the government inform our views concerning the role of parents, our spiritual leaders, and our teachers. In a society such as the United States, where governments are feared for their power, and a system of checks and balances is set up to limit their power, it is not surprising to find that parents also fear teachers having too much power and influence over their children and a system of checks and balances is put in place in schools as well. Principals with strong authority direct the daily running of the schools and observe and evaluate their teachers, superintendents evaluate the principals, and school boards evaluate the superintendents, while the states (and now the nation) design benchmark examinations for students in order to make sure everyone is doing their jobs and is held accountable.

The effort to separate social institutions and protect them from the power of the government (or the church) is based on a view of government as one that intrudes upon us. Again ,it is a view of associations with others as hindrances and something we need protection from as individuals. As we learned above with Dewey (1935), classical liberalism evolved during the 1800's to a point where the state began to be recognized as being important for more than just

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[3] This section and the conclusion is derived from Chapter Seven of my (2003) *Beyond Liberal Democracy in Schools*.

protection and safeguarding; it began to be viewed as necessary to secure and extend individual liberties by aiding those who are economically disadvantaged. Democratic governments began to be viewed not only as necessary hindrances that must be kept in check because they continually threaten to become too powerful and infringe upon our individual freedoms, but also as having an important role to play in assisting citizens to reach their full potentials as individuals. Instead of relying solely on a myth of merit - that if I just work hard enough, I will be able to succeed and have the opportunity to reap the benefits of my hard work - people began to acknowledge that not everyone starts life under the same fair conditions. Some people get assistance to help them begin to establish the fruits of their labor, and some people do not. Some families have material wealth and can hire private tutors for their children or pay for the best medical services, while others cannot.

The role of government in a democracy shifted in the 19th century from one that supplies protection from harm, to one that is also a provider. The role of protector relies on a logic of fear and distrust of others. The role of provider relies on a logic of paternity, viewing the government as responsible for the care of citizens who are not able to care for themselves. This view of the government's role is paternalistic in that it assumes a benefactor role from a position of strength, assurance, and wealth. It is a position of power that allows the government to judge what is lacking or deficit in people's lives and determine how to rectify that deficit. It positions the citizens it assists as lacking, deficit, and needy. A paternalistic government does not treat its citizens with dignity and respect or as equals. Rather, it treats them from a position of moral strength and judges them to be inferior and in need of help. A government in the role of provider is a government in a position of arrogance, which is certainly how "welfare mothers" view the social workers who check on them to determine if they qualify for federal assistance, and is certainly how many nations that receive assistance from America view the United States.

If we look to social democratic countries such as Sweden, Finland, Norway, and Canada as examples, we find countries that, without assuming the paternalistic role of provider, have been able to create governments that ensure the equitable distribution of wealth to those who are lacking in material goods, thus breaking down extreme differences between the wealthy and the poor. Time and again, Americans opt for what they think benefits themselves and offers them the most individual freedom and choices, at the expense of others whom they justify deserve less because they must be lazy, incompetent, uninformed, lacking in ability, less deserving, or just plain unlucky. The values of individual freedom, choice, and competition trump the values of fraternity,

equality, cooperation, and a sharing of resources regularly in American political decisions. To much of the rest of the world, while we may be envied for our perceived wealth and opportunities (which many immigrants find are not available to all, but to just a select few), we are distrusted and even despised for what they perceive as our selfish greed as we use up more than our fair share of resources and refuse to share with others or clean up after ourselves, and for our unfathomable arrogance in believing we deserve what we have (the myth of merit), even though our wealth has come through the exploitation of others less powerful (the Indians, Mexicans and Africans we enslaved, immigrants from other countries such as Ireland and China, and now our exportation of our companies to countries where they can hire cheaper labor, such as Mexico, India, Pakistan, and Sri Lanka).

I (2008) argue in *Beyond Liberal Democracy in Schools* that governments in democracies-always-in-the-making should serve roles very similar to those that teachers serve in classrooms: roles as facilitator and resource, guide and mentor, advocate and supporter, translator and referee. Our government, church and business leaders, our teachers, community members, and parents all share a responsibility to help our children develop into adults who will be able to participate in a democratic society always-in-the-making. We need the adults in our children's lives to create and nurture fertile ground for the children to grow by making sure their basic needs are taken care of (such as a place to sleep, food to eat, clothing and shelter, protection from harm, loving arms to hold them). This means we need our governments to address universal issues such as health care, job opportunities, retirement benefits, and access to quality schooling to make sure the resources we have are shared so that no child goes without their basic needs being met. When laws such as "No Child Left Behind" are passed in America that do not address social issues that affect children's basic needs then they are empty promises. It is easier for legislatures to blame teachers for lowered expectations and order children to take more tests than it is to actually try to address difficult social issues such as lack of health care, unemployment rates, and the rising cost of living that put so much stress on families that they reach their breaking point.

We need our governments to help us find ways to work together and solve our problems, not to solve them for us but to serve as facilitators, giving us forums for discussing and airing our issues and concerns and avenues for sharing our views with others beyond the reach of any particular forum. We need our governments to serve as a resource and help us find information we need to solve our problems, including making available experts in human resources who are trained to deal with particular issues and concerns. We need our gov-

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ernments to serve as mentor and guide to help people develop their knowledge so they can become experts in problems that need solutions. We need our governments to advocate for us when our rights are violated and support us in our efforts to grow and develop. We need our governments to serve as translators to help us understand one another and find ways to work together, to help us overcome our flaws and limitations, appreciate and value our differences, and recover from our mistakes and misunderstandings.

We need our governments to help us gather together our resources and serve as the place of deposit and distribution, like storage closets that hold the supplies for us that we will need access to for working on problems and issues, including the cleaning supplies we need to clean up after ourselves. We need them to keep an inventory of our resources and inform us when there is a need to replenish supplies. We need our governments to make sure we all have equal access to the supplies and that we don't use more than our fair share, or forget to put what we use back on the shelf in the closet for others to use. As a referee, we need our governments to make sure we play fairly and follow the rules we agree upon and blow the whistle on us when we don't. If we find we do not like the rules we have created to live by, we need our governments to offer us a forum for discussing and deciding how we want to change the rules.

I agree with Young (2000) that we need to make sure we teach our children to appreciate their differences in our efforts to affirm diversity and plurality. They need to know that they do not have to like one another or agree with one another; that it is okay to disagree. In fact, it is important for them to understand and expect that they will not find anyone who agrees with them all the time. However, in attempting to find ways to work together and share our limited resources, we must teach our children to continually pay attention to others' needs and how their choices and actions might be affecting others. Our children need to know that while they share much in common with others, they also have much that is different, and that this is not only okay but a great good, for it is through those differences that we are able to become more aware of our own limitations and open up possibilities for more solutions to our problems. I agree with Laclau and Mouffe (1985) that it is vital for our children to grow up aware of and able to recognize oppression and exploitation, to understand that domination and inequality are harmful to all of us as we seek to live together in democracies-always-in-the-making, and that they need to learn ways to resist these harms to themselves as well as to others. A transactional view of individuals-in-relation-to-others is what will help us maintain a pluralistic view of democracies and protect us of from fears of so-

cial determinism, not Mouffe's (1993) individual freedom and personal autonomy or Young's (2000) self-development and self-determination.

What kind of democratic citizens can we hope for when we start with an assumption of transactional relationships, emphasizing how much we are connected to each other and affect one another as well as how much we are disconnected from one another? When we acknowledge how much we have in common with one another, as well as how different and strange we are from one another, then how much can we effect change in the world and how much the world affects who we are and what we do. We have to hope for citizens who:

> • are able to make decisions and not act solely on the basis of their own needs, but take the needs of others into account as well;
> • value others and treat others with respect and dignity;
> • are caring of others and able to attend to others with generosity and feel empathy for others who are different and strange from themselves;
> • are patient and generous, able to share with others, wait their turns, and are willing to offer a helping hand;
> • are self-reflective and seek to learn from their mistakes;
> • seek to continually improve their abilities to communicate and relate to others different from themselves;
> • are able to take responsibility for their own limitations and fragilities and apologize and try to correct their mistakes and fix the harm they do;
> • are intellectually curious and continually develop their inquiry skills and improve their abilities to research, problem solve, and think constructively;
> • are willing to work hard, expect much from themselves, and encourage others to work hard too;
> • are persevering and resilient, able to keep trying and not give up easily when they run into problems; and
> • are brave and courageous, and are able to take action against wrongs and help to right them.

Within this general description of democratic citizenship, there is tremendous room for diverse expressions of these values. As I consider these qualities from the diverse cultural perspectives of the various teachers I have had the chance to get to know in my project I am confident they would all embrace the importance of these qualities, and probably have more qualities they

would want to add to the list. I am also sure that they would find a variety of ways to express these qualities and would agree that there are more ways of expressing democracies-always-in-the-making than all of us included can imagine.

4. *Conclusion*

We live in times where there are great changes in political philosophy and in societies at large. These are times when key assumptions of liberal democratic theory are being questioned and dismissed. My voice is included in the chorus of criticisms of liberal democracy's assumptions of rationalism, universalism, and individualism. I am offering a relational, pluralistic social political theory that moves us beyond liberal democracy. In this essay I have turned to John Dewey, one of America's classic pragmatists, to help me show the need for change, and to help me in the development of the change I offer.

I have suggested that there is a way out of the either/or logic of classical liberal and collective values by embracing a transactional assumption of selves-in-relation-with-others, which relies on a both/and logic to describe individuals and others as influencing and affecting one another. This transactional assumption also applies to the social institutions we have constructed in our various cultures: our families, churches, economies, governments, and schools, for example. I have made the case that these social institutions influence and affect one another as well; they are connected and part of one whole. Our social institutions are individuals-in-relation-to-others at a macro level; they represent the same transactional relationship on a larger scale. Just as the borders between individual selves are artificially drawn, so, too, are the borders we erect between our social institutions as we try to make sense of our world and give it meaning. These borders cannot hold up to close scrutiny, for their edges are fuzzy, like dotted lines that appear solid from a distance but disappear if we look closely. I have argued that if we try to address one social institution, such as education, while ignoring others, such as economies and families, we are doomed to failure, for it is only through addressing the transactional relationship between them all that we will have a chance of addressing problems within particular social institutions and making changes.

Such a complex, interrelated description of our world may make it seem like there is no chance of ever effecting change in our social institutions. Where do we begin? What steps do we take that will start the process of change? And what hope can we ever have of seeing the changes take effect? Though the task

may seem overwhelming, it is nevertheless possible to improve conditions in our education systems, but we must pause and consider the results of our actions before we act. Our actions are interconnected and our world is continually in a state of flux as actions cause reactions and affect us. We must lose our arrogance and unquestioned confidence that we know what to do to "fix things", and gain more respect for the complexity of situations. We must move more cautiously and humbly, recognizing that those at the local level who are must directly affected may understand the conditions necessary for change better than we, as outsiders, do, but we must also recognize that our outsider perspectives might be useful to insiders by contributing to the expansion of their thoughts about situations.

While it may seem impossible *to* effect changes in our social institutions and improve social conditions with the transactional description of our world that I offer, it is surely impossible *not to* effect changes in this living, breathing world. If we start with a transactional view of our world, we realize that we are continually in a state of flux. Schools that seem never to change are, in fact, always in a state of movement and change. From a transactional perspective, it is not a matter of where do we begin and how do we get started, but one of becoming aware that we are always, already in process and we cannot stop. Instead, we need to worry about how we are effecting change and how our actions are affecting others.

I have argued that classical liberalism has spread its values of individual freedom, choice, and autonomy far and wide, due to colonization of other parts of the world by Euro-western nations, such as England and France, and, more recently, the United States, which embrace those values. These values have poisoned indigenous cultures and are having the same effect on other collective cultures today. I offer a transactional view of individuals-in-relation-to-others as a powerful antidote to classical liberalism. I do not think classical liberalism will ever lead us to democracies; the exclusionary either/or logic of liberalism in fact contradicts the very idea of 'democracy,' which is inclusive and welcoming of others who are not like us. It is my great hope that the transactional view I offer here gives us ways to imagine that we can work toward a democracy that is welcoming of all our children.

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Emerson, l'éducation et la démocratie

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ABSTRACT

The paper aims to present and defend Cavell's reading of moral perfectionism as an alternative political approach. For several decades, Stanley Cavell has been working to make Emerson's voice reheard in the core of American philosophy. This activity, though, is not simply historical rehabilitation. What appears very clearly in, e.g., his 2003 collection Emerson's Transcendental Etudes, but as early as in the 1990 work Conditions Handsome and Unhandsome, is that Cavell also wants to make heard the present-day political pertinence of Emerson's thinking and conception of democracy. Cavell wants to criticize either the interpretation of Emerson's tonality which would make him a precursor of liberal individualism, or a precursor of progressive rhetoric, *à la* Dewey. Cavell has given himself the task of clearly differentiating Emerson from these trends. The author wants to show, however, that transcendentalism and pragmatism together as inheritors of Emerson's voice allow us to rediscover something essential to democracy: possession of one's voice – a question equally at the heart of Emerson's philosophy, under the form of our capacity to speak, to stand up and speak, for oneself or for others as the very demand to trust oneself, which Cavell later calls the "arrogation of voice".

1. *Introduction*

Depuis plusieurs décennies, Stanley Cavell œuvre à faire réentendre la voix d'Emerson au sein de la philosophie américaine. Il ne s'agit pas seulement de réhabilitation historique, ni de retour aux sources. Comme cela apparaît très clairement dans une série de textes récents, réunis dans son recueil *Emerson's Transcendantal Etudes*, Cavell veut aussi faire entendre la pertinence *actuelle* de la pensée d'Emerson, notamment sa pertinence politique, dans le contexte américain actuel. Nous avons examiné ailleurs la radicalité philosophique d'Emerson[1] et sa subversion des catégories de la philosophie traditionnelle venue d'Europe, au profit d'une philosophie de l'ordinaire. Nous souhaitons ici présenter quelques éléments pour examiner sa radicalité politique. La question, on s'en rend bien compte, est plus ardue. L'ambivalence politique d'Emerson est un fait connu de ses lecteurs, et le philosophe semble conjuguer, par exemple, l'appel à la *Self-Reliance*[2] et l'obéissance à la Nature et au Destin;

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[1] Voir notre texte dans Laugier (ed.) 2002.

[2] Voir EMERSON, "Self-Reliance", *Essays* First Series [1841]

l'affirmation du génie universel, partagé par tous, et le *chagrin* causé par la faible qualité de ses contemporains; la glorification et le désespoir de la démocratie et du pouvoir du peuple.

Cette ambivalence est propre aussi à la réception d'Emerson: père fondateur de la philosophie américaine, il est une sorte de figure tutélaire, objet à la fois de révérence et d'ironie. Emerson figure dans la littérature du XIXe siècle alternativement comme une figure poussiéreuse et émancipatrice. C'est peut-être au cinéma et au XXe siècle qu'on trouvera les traces les plus importantes de l'influence morale d'Emerson, et notamment dans deux chefs-d'œuvre sortis en 1947, *It's a Wonderful Life* (*La vie est belle*) de Frank Capra, et *The Late George Apley* (*Mariage à Boston*) de Joseph L. Mankiewicz. Ce dernier film évoque très exactement l'ambivalence de la figure d'Emerson: le père de famille désigné par le titre du film revendique Emerson, tantôt pour inciter à la soumission aux usages, tantôt, notamment à la fin du film, pour rejeter le conformisme (après tout, Emerson est un radical !). Le génie du film de Mankiewicz est de montrer qu'il s'agit *du même* Emerson, de la même voix qui souffle le chaud et le froid, le bien et le mal.

Cavell a bien décrit cette difficulté spécifique de la tonalité d'Emerson, qui donne parfois à ses écrits l'allure d'une rhétorique du *self-made man* (d'où la lecture, critiquée par Cavell, qui ferait d'Emerson un précurseur de l'individualisme libéral), parfois d'une rhétorique progressiste à la Dewey (d'où la récupération néo-pragmatiste, également critiquée par Cavell, qui ferait d'Emerson un premier maillon d'une chaîne conversationnelle, qui nous conduirait aujourd'hui à Rorty, voire Habermas et Brandom). L'Amérique, note Cavell, semble constamment nous présenter des versions grotesques et embarrassantes des formules d'Emerson, et des principes de son perfectionnisme, qui ordonne de chercher constamment une meilleure version de soi, et pour cela de se faire confiance: "Les versions fausses ou dégradées du perfectionnisme semblent être partout de nos jours, depuis des best-sellers portant des titres du style *Comment s'aimer soi-même*, jusqu'à la campagne de publicité pour l'Armée de terre à la télévision encourageant à s'engager avec le slogan: 'Réalisez-vous complètement'. On peut trouver ces formules difficiles à distinguer d'une remarque d'Emerson où, il mentionne ce qu'il appelle le "courage d'être ce que nous sommes" [3].

Cavell parle alors d'"un perfectionnisme moralisateur et dégradé", qui n'a rien à voir avec le ton spécifique d'Emerson: comme il dit, à propos justement du pragmatisme nous devons alors garder présent à l'esprit à quel point leurs argumentations ont une allure différente, et nous devons admettre qu'en "phi-

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[3] CAVELL, *Conditions nobles et ignobles*, trad. fr. C. Fournier et S. Laugier, p. 66. Repris dans CAVELL, *Qu'est-ce que la philosophie américaine ?* Folio Gallimard, 2009.

losophie c'est l'allure qui fait toute la différence".[4] Ce n'est pas parce qu'il existe des versions dégradées du perfectionnisme (ou de la démocratie) qu'il faut y renoncer. Au contraire, la possibilité de la dégradation fait partie de la démocratie, la définit. D'où la dimension sceptique du politique, constamment mise en avant par Cavell. Ses remarques, dans *Conditions handsome and unhandsome* (1990) prennent une tonalité particulière aujourd'hui, "dans un monde de fausse démocratie". "Quelles que soient les confusions qui attendent la pensée philosophique et morale, la réalité de versions dégradées ou parodiques d'une possibilité devrait-elle nous priver du bien de cette possibilité? Que des prétentions dégradées au christianisme, à la philosophie ou à la démocratie soient inévitables, cela ne signifie pas, pourrait-on dire, une défaite de l'objet authentique, mais cela fait partie de son contexte et de sa motivation. Si bien que, de façon générale, la mission du perfectionnisme dans un monde de fausse démocratie (et de faux appels à la démocratie) est de découvrir la possibilité de la démocratie, qui pour exister doit, de manière récurrente, être (re)découverte ".[5]

C'est aujourd'hui, précisément, qu'Emerson trouve sa pertinence: dans la possibilité qu'il nous donne de *redécouvrir* la démocratie, ou de découvrir que sa possibilité doit toujours être redécouverte, qu'elle n'est jamais acquise. Cette redécouverte passe par la réappropriation de la voix d'Emerson. Pour Cavell, on le sait, l'important en philosophie, c'est la voix, notre capacité à parler, pour soi ou pour les autres[6]. Cette question est au coeur de la philosophie d'Emerson. On peut penser à ce propos à l'insistance de Cavell sur le langage ordinaire, sur le fait que le langage est *dit*, et doit être dit (*said*) pour être *meant* (c'est le sens du titre de son premier texte: *Must We Mean What We Say?*). Le ton de la philosophie, c'est la voix du philosophe qui prétend parler au nom… de qui? c'est tout le problème de la voix. "Je propose ici de parler de philosophie en lien avec quelque chose que j'appelle la voix. Par là je veux parler à la fois de la tonalité de la philosophie et de mon droit à adopter cette tonalité "[7].

La voix est précisément ce qui est défini, au début de *Self-Reliance*, comme la revendication propre à la confiance en soi, que Cavell appelle l'arrogance de la philosophie (*arrogation*), et qui est la marque moins d'une certitude que d'une difficulté: je prétends parler pour les autres alors que je ne puis me fonder que sur moi. "Peut-on considérer que chacun de nous est tous et personne?

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[4] CAVELL, *Dire et vouloir dire* (*Must We Mean What We Say ?*) trad. fr. C. Fournier et S. Laugier, p. 118. Cf. CAVELL, *Emerson's Transcendental Etudes*, p. 216.

[5] CAVELL, *Conditions nobles et ignobles, ibid.*

[6] Voir CAVELL, *Un ton pour la philosophie.*

[7] Cavell, *Un ton pour la philosophie*, trad. fr. p. 28.

Emerson énonce en des termes célèbres cette oscillation: "Je suis Dieu dans la nature; je suis une mauvaise herbe dans le mur"[8].

La première question, pour Cavell, est bien celle de savoir comment on peut parler: qui à part *moi* pourrait me donner l'autorité de parler pour *nous*? C'est la question de Cavell dans *Must We Mean What We Say?* où il interrogeait la méthode de la philosophie du langage ordinaire, la prétention à dire ce que *nous* disons. Quelques années après, Cavell trouve chez Emerson une réponse à ce problème: accepter la parole en première personne, la parole autobiographique, voir dans la (dé)possession par soi de sa parole le seul moyen, paradoxal, d'accéder à la représentativité. Le thème de la représentativité, on le sait, est une obsession chez Emerson: Cavell le généralise à toute prise de parole en première personne, dans des termes clairement émersoniens. "La dimension autobiographique de la philosophie est interne à la prétention que la philosophie parle pour l'humain, pour tous; telle est sa nécessaire arrogance. La dimension philosophique de l'autobiographie c'est que l'humain est représentatif, disons, imitatif, que chaque vie est exemplaire de toutes, une parabole de chacune; tel est le caractère commun de l'humanité, qui es t interne à ses dénis sans fin du commun"[9].

L'exemplarité philosophique est la première question de la confiance en soi, et c'est une question naturellement morale: être un exemple, c'est bien donner une règle à suivre, à soi et aux autres. Mais ce n'est pas une règle au sens d'une maxime ou d'une norme, qui nous dirait comment faire: car le seul exemple, c'est moi, et chaque vie est exemplaire de toutes. L'énigme de la représentativité est alors l'énigme centrale du politique. Comment puis-je céder ma voix, et considérer que quelqu'un me représente, et peut parler pour moi?

On peut renvoyer à l'analyse de la théorie de la communauté de Rousseau que Cavell propose au début des *Voix de la Raison*[10]: "Rousseau revendique comme une donnée philosophique le fait que les hommes (que lui-même) puissent *parler au nom de la société*, et que la société puisse parler en son nom à lui, révélant ainsi, chacun à leur tour, les pensées les plus intimes de l'autre. Il s'agit, pour lui, de comprendre comment il peut en être ainsi. Le problème épistémologique posé par la société n'est pas de découvrir, à son sujet, des faits nouveaux. Le vrai problème est, pour moi, de découvrir *ma position* en regard de ces faits – comment je sais avec qui je suis en communauté, et avec qui, avec quoi, je suis dans un rapport d'obéissance ".

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[8] Cavell, *Ibid*. p. 35. Voir Emerson, "Circles" (Essay X) 1841, in Selected Writings of Ralph Waldo Emerson, edited by William H. Gilman, with a new Introduction by Charles Johnson, New York, New American Library, 2003, p. 316. [

[9] Cavell, *Ibid*. p. 37.

[10] Trad. S. Laugier et N. Balso de *The Claim of Reason* [1979]; le Seuil, 1996.

Il semble que chez Cavell la découverte d'Emerson – qui a lieu quelques années après la publication de *The Claim of Reason* et nettement après le livre consacré à Thoreau, *Sens de Walden* – réponde au problème soulevé ici. Cavell remarque, dans ses premiers textes sur Emerson, qu'il a longtemps été sourd et indifférent à Emerson: on n'est que plus frappé de la tonalité émersonienne de ces passages classiques du début de cet ouvrage: "Mais puisque le véritable contrat social n'est pas en vigueur (nous pouvons le constater en voyant que nous sommes nés libres, et que partout nous sommes dans les fers), il s'ensuit que nous n'exerçons pas notre volonté générale, et puisque nous ne sommes pas dans l'état de nature, il s'ensuit que nous exerçons notre volonté non pas en vue du général, mais seulement en vue du particulier; en vue de la partialité, de l'inégalité, de l'intérêt privé, du privé tout court. [...] ".

La découverte de Rousseau est moins celle d'un nouveau savoir que d'un nouveau mode du savoir: une manière de *se servir du moi pour accéder à ce qu'est la société de ce moi*. Elle est, du même mouvement, découverte d'un nouveau mode de l'ignorance. Marx et Freud donneront à cette ignorance le nom d'inconscient: ignorance de notre présent social, pour l'un, de nos passés intimes, pour l'autre [11].

Ce n'est que dans une version sceptique de la connaissance de soi – un nouveau mode d'ignorance – qu'on peut *se servir du moi pour accéder à la société de ce moi*. La communauté est à la fois ce qui me donne une *voix* politique, et qui peut aussi bien me la retirer, ou me décevoir, me trahir au point que je ne veuille plus parler pour elle, ou la laisser parler pour moi, en mon nom. C'est d'une telle déception que, par-delà son optimisme, résonne toute l'œuvre d'Emerson, comme un écho à celle de Rousseau.

La question de la voix est LA question politique, de Platon à Rousseau et de Rousseau à Emerson. On comprend mieux pourquoi Cavell, qui a consacré ses premiers ouvrages à Wittgenstein et Austin, s'est ensuite donné pour tâche de faire réentendre la voix d'Emerson dans le champ de la philosophie, puis d'inscrire Wittgenstein lui-même dans le prolongement de la pensée émersonienne.

2. *Transcendantalisme, pragmatisme et politique*

La démocratie, pour Emerson, se définit avec la *Self-Reliance*, c'est-à-dire la confiance non comme prétention creuse et sentiment de supériorité (une version dégradée du perfectionnisme) mais comme refus de la *conformité*. La *Self-Reliance* est la capacité qu'a chacun de juger du bien, et de refuser un pouvoir qui ne respecte pas ses propres principes (sa propre constitution). Quand Emer-

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[11] CAVELL, *Les Voix de la Raison* , p. 59.

son embrasse par exemple, avec Thoreau, la cause abolitionniste, il dénonce la corruption des principes de la constitution, celle des hommes politiques, représentants de la nation. La *Self-Reliance* est bien une position politique, revendiquant la voix du sujet contre le conformisme, contre les usages acceptés de façon non critique, et contre les institutions mortes ou devenues non représentatives, confisquées.

C'est ce thème que Cavell veut reprendre chez Emerson, et qu'il propose pour constituer une alternative à la pensée politique libérale emblématisée notamment par l'œuvre de son collègue de Harvard, John Rawls. Pour Cavell, pour Emerson, je dois *consentir* à mon gouvernement, considérer qu'il parle en mon nom, lui donner ma voix. Mais comment un tel accord est-il possible? Quand l'ai-je donné? La confiance en soi revendique le droit de retirer sa voix à la société, la désobéissance civile. Ma préoccupation, c'est ce que je dois faire, et non ce que pensent les autres: le principe de la confiance en soi est aussi celui de la démocratie. Cavell propose, avec Emerson, une forme d'individualisme radical qui n'est pas une revendication égoïste de l'intérêt privé, mais au contraire public, ordinaire. En revendiquant l'ordinaire, c'est à une révolution qu'appelle Emerson, à la construction d'un nouvel homme ordinaire, l'homme de la démocratie. C'est là, selon Cavell, la contribution proprement émersonienne à la pensée politique.

La proposition de Rorty, qui consiste à voir chez Emerson le précurseur d'un pragmatisme dont la tradition se poursuivrait ensuite au XXᵉ siècle avec le libéralisme, repose, pour Cavell, sur une méconnaissance de la spécificité d'Emerson. Le désaccord entre Rorty et Cavell porte ainsi sur les figures de la philosophie américaine qu'ils voudraient promouvoir. Bien sûr, Cavell, Putnam, et Rorty se rapprochent dans leur volonté de faire redécouvrir des penseurs américains injustement négligés (Emerson, James, Dewey). Mais tout dépend ici de ce qu'on veut faire de cette redécouverte. Le retour actuel au pragmatisme, bien qu'il s'inscrive dans un heureux mouvement de réappropriation du passé de la philosophie américaine, contourne l'originalité d'Emerson. Il faudrait prendre garde, après avoir longtemps centré l'histoire de la philosophie américaine sur la tradition analytique, de ne pas la refaire de manière tout aussi mythologique autour d'un pragmatisme trop rassembleur: d'Emerson "proto-pragmatiste" à Wittgenstein, "post-pragmatiste", jusqu'aux figures actuelles de la philosophie américaine. Pour Cavell, lire Emerson veut dire redécouvrir sa spécificité, qui est une certaine approche de l'ordinaire et de la démocratie, irréductible à la réflexion consensuelle qui s'est développée au XXᵉ siècle en Amérique sur la démocratie.

Mais pour s'en rendre compte, il faut entendre la voix d'Emerson, la différence de *ton* dans le traitement qu'il propose de thèmes devenus familiers sous la plume d'un John Dewey. Dans "What's the Use of Calling Emerson a Pragmatist? ", essai repris dans *Emerson's Transcendantal Etudes*, Cavell veut

différencier Emerson de Dewey, et du pragmatisme en général, par la tonalité de son aspiration démocratique. La question est donc de savoir de quel Emerson on souhaite hériter aujourd'hui: le précurseur du pragmatisme, qui en formulerait poétiquement quelques principes ensuite rationalisés (comme l'appel au commun et au pratique), ou le penseur radical de l'individualisme.[12]

La position de Cavell à l'égard du pragmatisme apparaît inévitablement injuste, vis-à-vis de penseurs sincères de la démocratie comme Dewey[13], qui n'a jamais cessé de rappeler sa dette à l'égard d'Emerson, ou vis-à-vis de philosophes comme William James, qui a revendiqué une partie de l'héritage émersonien. Mais c'est précisément dans la revendication démocratique que Cavell entend la différence d'Emerson, même si on retrouve plus d'un écho d'Emerson chez Dewey[14]: l'un et l'autre revendiquent le commun dans leur référence à la vie ordinaire, de tous les jours, partagée par tous les hommes, et dans leur appel à une communauté idéale. Mais l'approche émersonienne du commun n'a rien d'un conformisme ou d'un consensus. Une caractéristique de la politique d'Emerson est sa dimension critique, un refus de la société telle qu'elle existe — refus de la reconnaître comme *sienne*. C'est cette position d'Emerson et qui l'inscrit au cœur du débat contemporain américain sur la radicalité politique, et qui fait de la question de leur héritage une question politique, celle de l'individualisme comme principe de l'*assentiment* à la société[15]. Quand Emerson note, dans "Self-Reliance", à propos de ses contemporains que "chacun des mots qu'ils disent nous chagrine"[16], son désespoir sceptique par rapport à la vie et à la parole ordinaires, telles qu'elles se pratiquent dans l'Amérique de son temps, semble peu compatible avec le pragmatisme et l'appel récurrent à la pensée de l'homme "du commun". C'est toute la différence entre le commun, qui est déjà là, et l'ordinaire, qui est à atteindre dans le perfectionnisme, dans "la transformation du génie en pouvoir pratique".

Cette transformation réaliste du génie en *pratique* semble, ici encore, annoncer le pragmatisme. Mais pour Emerson, la pratique n'est pas la "manipulation" mais la patience: "Je n'ai jamais trouvé que l'on gagnât beaucoup à des tentatives manipulatoires pour réaliser le monde de la pensée. [...] Patience et encore patience, nous vaincrons à la fin" (Expérience). Ce plaidoyer d'Emerson en faveur de l'endurance et de l'attente semble la négation du primat de la pra-

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[12] Repris dans CAVELL 2003, p. 216. Nous renvoyons ici, pour une vision plus nuancée et complète du débat, et notamment pour l'originalité de la position de James, aux travaux de Mathias Girel, par exemple GIREL 2003.

[13] Voir sur ce point COLAPIETRO 2004, qui à son tour souhaite qu'on entende la présence d'Emerson dans la voix de Dewey.

[14] Voir DEWEY 1977.

[15] Voir BERCOVITCH 1993.

[16] "Self Reliance", *Essays* First Series [1841].

tique. Pourtant les choses ne sont pas aussi simples. La passivité est un agent de changement pour Thoreau, par exemple, quand il se retire de son environnement social. Cavell cite la phrase suivante de Dewey, tirée de "The Development of American Pragmatism": "[Le pragmatisme] est la formation d'une foi dans l'intelligence, comme la seule croyance indispensable et nécessaire à la vie morale et sociale "[17] Il la compare à ce qu'écrit Emerson dans *Self-Reliance:* "Croire votre pensée, croire que ce qui est vrai pour vous dans l'intimité de votre coeur est vrai pour tous les hommes – c'est là le génie ". Emerson, lorsqu'il évoque le génie qui est en chacun, exprime l'espoir que l'homme est *un*, et qu'il peut ainsi devenir ordinaire, atteindre son ordinarité, en disant: "Plus [le *scholar*] plonge profondément dans son intuition la plus intime, la plus secrète, plus cela, à son émerveillement, est acceptable, public et universellement vrai ". Atteindre l'ordinaire et la démocratie par la voie du génie individuel, ou par la réforme de l'intelligence: là est l'alternative qui sépara transcendantalisme et pragmatisme.

Cavell conclut qu'il y a "un certain air de conflit dans la philosophie entre l'appel à la science et l'appel au langage ordinaire ", constant depuis son entrée en philosophie, notamment à propos de la philosophie du langage ordinaire[18]. C'est la difficulté propre du recours au langage ordinaire, et de la découverte de ce qui nous est *commun*, qui est oubliée dans le pragmatisme." L'appel philosophique à l'ordinaire, aux mots qui nous sont donnés en commun, est pris en opposition avec mes mots tels qu'ils sont en l'état […]. Cet appel conteste notre communauté en faveur d'une communauté plus authentique, ce qui est sûrement quelque chose qui caractérise la mission philosophique de Dewey, mais non pas au nom d'une qualité d'expert, ou de quoi que ce soit au-delà du génie"[19].

Emerson, comme Thoreau, part d'une situation de conformité et d'inadéquation ("chacun des mots me chagrine"), qu'il décrit par l'expression de "mélancolie silencieuse". C'est l'état que Thoreau qualifiera, dans une formule de *Walden*, de "désespoir tranquille ". Dewey s'attaque, lui, à une non-intelligence généralisée, et proclame sa volonté d'éducation et sa foi en l'intelligence. Il y a là une convergence, dans la foi en l'avenir, entre Dewey et Emerson; mais aussi une divergence: "Mais leurs manières sont aussi différentes que les idées de l'avenir qui les accompagnent; elles équivalent à des idées différentes de la pensée ou de la raison. Il m'est arrivé de caractériser la différence entre Dewey et Emerson en disant que Dewey voulait que les Lumières adviennent en Amérique, alors que l'intérêt d'Emerson se concentrait sur le règlement du prix à payer pour les voir advenir".

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[17] DEWEY 1963, pp. 34-35.

[18] Voir CAVELL 2009 [1969], et LAUGIER 1999a.

[19] CAVELL 2003, p. 217.

En effaçant la dimension sceptique de la confiance en soi, et de la pratique, on perd une dimension essentielle de la pensée démocratique, et notamment l'idée, strictement émersonienne, que la confiance en soi est "l'aversion de la conformité" et que le commun ne se construit que dans cette aversion. "Comprendre Emerson comme essentiellement l'avant-coureur du pragmatisme, ce qui signifie peut-être considérer le pragmatisme comme représentant plus efficacement ce qu'Emerson avait entrepris d'amener sur nos rivages, cela constitue le dernier d'une série des refoulements de la singularité de la pensée d'Emerson, et par la culture même qu'il a contribué à fonder"[20].

Si, comme le remarque Thoreau dans *Walden*, les hommes vivent dans le désespoir – "*lead lives of quiet desperation*" – c'est pour avoir perdu la capacité de la parole à donner *voix* à leurs pensées. Une idée proche se retrouve chez Emerson lorsqu'il dit: "Man is timid and apologetic; he is no longer upright; he dares not say 'I think' I am'"[21]: il ne suffit pas de dire ou de penser "je pense, je suis", il faut le *revendiquer*. Ce qui fait de la *Self-Reliance* une position politique et morale, au-delà d'une affirmation du sujet transcendantal kantien: l'autonomie du sujet ne vaut que si elle est une *voix*. Lorsqu'Emerson embrasse la cause abolitionniste, lorsque Thoreau prône la *Désobéissance civile*, ce retrait pose la question du consentement. Je dois consentir à mon gouvernement, c'est-à-dire, considérer qu'il parle en mon nom, bref, lui donner ma voix. Le concept de *confiance en soi* (qui pourrait être une des formulations possibles de la *Self-Reliance*) est politique: le droit de retirer sa voix à la société se fonde sur l'idée que je puis me gouverner moi-même (le *self-government* est en effet à la base de la Déclaration d'Indépendance).

Il s'agit dans tous les cas, pour reprendre un jeu de mots qu'affectionne Emerson, d'obéir à *sa constitution:* "The only right is what is after my constitution, the only wrong is what is against it". La constitution intime, physiologique de l'individu est le principe qui permet la *vie* politique ordinaire.

Ainsi la *Self-Reliance* a un enjeu public: ma voix privée sera "le sentiment universel" parce que, précisément, elle est ordinaire. Rendre le privé public, faire en sorte que ma voix privée (qui exprime la constitution) soit publique: c'est bien *le* problème de la démocratie, et de l'ordinaire. Comment ma voix individuelle peut-elle devenir commune, représentative, et comment puis-je par moments la céder, et laisser d'autres parler en mon nom?

La *Self-Reliance* permet alors d'ébranler aussi bien le libéralisme moderne (à la Rawls, fondé sur un accord préalable que j'aurais donné) que le communautarisme (à la MacIntyre, fondé sur l'adhésion inévitable à une tradition)[22], dé-

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[20] CAVELL *Ibid*.

[21] EMERSON 1990, p. 40.

[22] Par exemple: J. Rawls, *Théorie de la justice*, 1971, trad. fr. par C. Audard, 1987, Le Seuil, et Alasdair MacIntyre, *After Virtue*, 1983, trad. fr. L. Bury, 1994, PUF.

celant à l'avance leur fondement commun: l'idée que si je suis là, je suis forcé-
ment d'accord (avec ma société ou avec une tradition, qui ainsi peuvent parler
pour moi), et que j'ai donné mon assentiment. Ce fondement commun, Emer-
son y a déjà donné un nom: le *conformisme*, et c'est ce que la confiance en soi,
prise alors au sens politique de confiance en sa constitution, doit secouer, et
que le savant ou l'intellectuel américain (à venir) doit renverser." Non, mes
frères, mes amis, - Nous marcherons avec nos propres pieds; nous travaillerons
avec nos propres mains; nous dirons nos propres idées ".[23]

Il s'agit bien d'une forme radicale d'individualisme, et Emerson le revendi-
que dans *The American Scholar*. Mais cet individualisme n'est pas une apologie
du *self-made man*, paradigme du libéralisme (on pense ici à des interprétations
d'Emerson comme celle de George Kateb; il n'est pas une revendication de
l'intérêt privé, mais public. "Faites votre travail et je vous connaîtrai", dé-
clare Emerson dans *Self-Reliance*. Le travail à accomplir maintenant, en le li-
sant, est de lire sa page et de vous laisser transformer par sa lecture. [...] Re-
fouler la différence d'Emerson revient à nier que l'Amérique est transcendanta-
liste autant qu'elle est pragmatiste, qu'elle est en lutte avec elle-même à un ni-
veau qui n'est pas articulé par le politique tel que nous l'entendons "[24].

3. *L'éducation des adultes*

À première vue, les tâches transcendantaliste et pragmatiste sont assez sem-
blables: l'éducation de l'homme. Emerson dit dans un éclat célèbre de *Self-
Reliance*, évoqué plus haut: "Ce conformisme les rend (les hommes) non pas
faux dans quelques cas, auteurs de quelques mensonges, mais faux dans tous
les cas. Leur vérité jamais n'est tout à fait vraie. Leur deux n'est pas le vérita-
ble deux, leur quatre pas le véritable quatre; de sorte que chacun des mots
qu'ils disent nous chagrinent, et nous ne savons par où commencer à les corri-
ger".

Mais justement: *nous ne savons pas* par où commencer. L'éducation de
l'homme est un problème, pas une solution, et la position qui consiste à vouloir
améliorer les autres hommes est la plus immorale qui soit. La seule éducation
véritable est l'éducation à la confiance en soi. En affirmant, dans les *The Claim
of Reason*, que la philosophie est l'éducation des adultes (*education of grow-
nups*)[25], Cavell ne souhaite pas tant étendre à l'adulte l'idée "ordinaire"
d'éducation, que renouveler le concept d'éducation. En reconnaissant que
l'éducation ne cesse pas au sortir de l'enfance, que nous requérons, une fois

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23 Emerson 1982, p. 105

24 Cavell 2003, p. 223

25 Cavell 1996, p. 199

adultes, une éducation propre, on reconnaît que l'éducation n'est pas seulement affaire de connaissance, mais concerne la construction d'un être humain (*upbuilding/Bildung*).

Admettre que j'ai besoin d'une éducation, c'est admettre que je ne sais pas vraiment ce que je sais, et que pour le savoir, j'ai besoin d'une transformation radicale. L'idée d'éducation des adultes est indissociable de celle de changement, voire de métamorphose ou de renaissance (ou seconde naissance). C'est une telle transformation qui est à l'œuvre, selon Cavell, dans les films qu'il étudie dans son livre consacré à la comédie américaine, *A la recherche du bonheur*[26] et qui justifie aussi tout son intérêt pour le cinéma, comme mettant en œuvre chez ses personnages, et chez le spectateur, une forme d'éducation.

Parler d'éducation des adultes permet de sortir de la thématique de l'édification et du moralisme, pour entrer dans une zone tout autre, celle du scepticisme: admettre que j'ai besoin d'une éducation, c'est admettre que je ne sais pas vraiment ce que je sais, et que pour le savoir, j'ai besoin, comme dirait encore Emerson, d'une transformation. L'idée d'éducation adulte est indissociable de celle de changement, voire de conversion ou de renaissance. C'est une telle transformation qui est à l'œuvre, selon Cavell, dans certains films, et qui justifie aussi son intérêt pour le cinéma comme mettant en œuvre chez ses personnages, et surtout chez le spectateur, l'éducation morale.[27]

Cela montre aussi la nature morale, bien perçue par Emerson, de tout enseignement: il vise à ce que l'autre puisse prendre le relais, qu'il soit capable de poursuivre tout seul. Continuer seul veut dire accepter une forme de vie: de ce point de vue, comme le remarque profondément Cavell, les différences entre normalité et anormalité ne sont pas aussi instructives que leur unité fondamentale. "Normalité ou anormalité: dans les deux cas vous devez poursuivre seul; dans le premier cas, vous avancez dans l'acceptation; dans l'autre, dans l'isolement."

C'est cette solitude qui est inhérente à toute éducation: le problème n'est pas d'apprendre, ou de comprendre la règle, mais de trouver (ou pas) une voix dans la société. D'où les fantasmes d'exclusion et d'incompréhension radicale, qui traversent les écrits du second Wittgenstein, et qui sont inséparables de l'idée d'apprentissage, de sa dimension sceptique. D'où la thématique, obsessionnelle chez Emerson, de l'isolement et de la communauté (de l'isolement dans la communauté).

S'interroger sur l'éducation et sur la normalité, c'est se demander tout d'un coup si ce qu'on a accepté jusqu'ici *va de soi*. Il faut apprendre à le découvrir par soi-même. La question est alors d'arriver par soi-même à le découvrir, et à se faire suffisamment confiance pour cela. La confiance en soi et en sa propre

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[26] Trad. fr. (1993) par C. Fournier & S. Laugier de CAVELL 1981, *Pursuits of Happiness*.

[27] Voir CAVELL 2003, *Le cinéma nous rend-il meilleurs*, Bayard, 2003.

expérience est le début de l'éducation adulte. Je peux apprendre à voir les choses autrement et à faire autrement. "Ce que je considérais comme allant de soi (par exemple, que telle chose est une démonstration, ou que telle autre n'est pas une peinture sérieuse), je peux en venir à le voir différemment (peut-être en poursuivant mon éducation, ou à travers des exemples, des trucs, des expériences). Ce qui à un moment donné ne saurait aller de soi pour moi, il se peut que j'y vienne plus tard; je peux poser qu'il s'agit d'en faire ma tâche "[28].

"Lorsqu'il ne suffit plus de dire: c'est comme ça, c'est ainsi que nous faisons... je suis placé devant mes responsabilités, et je comprends que tout ce que je considère comme allant de soi a été "purement et simplement absorbé par moi" conventionnel, conformiste. C'est à ce point qu'émerge la philosophie comme éducation des adultes: à ce moment où nous comprenons que nous sommes des enfants, que nous ne savons pas. Il ne s'agit pas tant, dans cette nouvelle définition de la philosophie, de conventionnel que de naturel. La philosophie doit rechercher une perspective sur "un fait de nature: le fait qu'à un stade précoce de la vie un corps normalement constitué atteint sa force et sa hauteur définitives "[29]. Elle doit ainsi s'interroger sur notre nécessité, tout aussi naturelle, d'être éduqué, de continuer en quelque sorte à grandir après la fin de la croissance naturelle. "Pourquoi concluons-nous de ce fait que, puisqu'il nous faut dès lors laisser de côté nos affaires d'enfants, il nous faudrait aussi abandonner le projet de grandir, et tout le souvenir de l'enfance? L'angoisse d'enseigner [...] tient à ce que moi-même, je requiers d'être éduqué"[30].

L'éducation des adultes, pour qui il n'est plus question de croissance naturelle, est alors le *changement*. Sur quoi se fonder pour un tel changement? Sur soi-même, sa propre constitution, et la référence de Cavell n'est alors plus Wittgenstein, mais Emerson. La confiance en soi est l'aversion de la conformité et donc la mise en cause des conventions, non en tant que telles, mais parce qu'elles ne sont pas pensées par moi, pas *miennes*. Elle est donc au fondement de l'éducation de l'adulte, qui est une éducation morale parce qu'éducation de soi. Elle consiste à apprendre à se fonder sur soi et pas sur les autres , et à chercher un meilleur moi: on en revient au perfectionnisme, qui définit simultanément la confiance en soi et l'éducation de soi.

La comédie hollywoodienne du remariage, selon Cavell, met en scène cette éducation, qui permet la création d'une femme nouvelle à travers le jeu des actrices qui l'incarnent. Ces femmes sont par exemple Katharine Hepburn, Irene Dunne ou Rosalind Russell, qui dans la série des films étudiés par Cavell, dont *Bringing up Baby* (H. Hawks, 1938) *The Philadelphia Story* (G. Cukor, 1940), *Adam's Rib (*G. Cukor, 1949), *The Awful Truth* (Leo McCarey, 1937), héritent

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[28] Cavell, *les Voix de la raison*, p. 199.

[29] Id.

[30] Id.

une structure shakespearienne. La comédie de remariage est plus apparentée à ce que Northrop Frye a appelé "Old Comedy" qu'à la "New Comedy", centrée qu'elle est sur une héroïne qui subit quelque chose comme une mort et une résurrection. Mais une spécificité de la comédie de remariage est aussi que l'héroïne en est une femme mariée, plus âgée et mûre que les jeunes filles des comédies nouvelles, et pour qui par exemple la question de l'autonomie matérielle ou de la virginité ne se pose pas. D'où l'intérêt de la question de l'éducation pour les héroïnes des comédies du remariage, à la fois celle qu'elles apportent à leur partenaire et celles qu'elles acquièrent elles-mêmes. L'instrument de cette éducation (et des retrouvailles qui constituent la trame de chacun de ces films) est la conversation, dont les comédies du remariage offrent des exemples remarquables. Ce sont ces conversations qui font l'éducation mutuelle des héros, et la nôtre en tant que spectateur. "Au cœur de chaque moment de la texture et de l'humeur de la comédie du remariage, il y a le mode de conversation qui unit le couple central. Il y a une belle théorie de la conversation dans le texte révolutionnaire de Milton[31] qui justifie le divorce, et fait de la volonté de conversation (d'une *meet and happy conversation*) le fondement du mariage, et même le fait du mariage "[32].

La conversation est le lieu où s'invente une relation d'égalité dans le couple, et où se constituent l'éducation et la reconnaissance de l'autre. Reconnaissance (*acknowledgement*) car toute cette éducation est marquée par la répétition (remariage, retrouvailles, reconnaissance), c'est-à-dire: non l'acquisition ou la découverte de quelque chose de nouveau, mais l'acceptation de l'autre, et la possibilité de recommencer autrement.

Plus concrètement, on peut illustrer cette éducation mutuelle associée au mariage par l'exemple de *Bringing up Baby* de Hawks, où le thème de l'éducation et de la possibilité de grandir est explicitement traité ‡, dans son titre même, qui veut dire littéralement "Élever Bébé ". Mais le titre français du film, dans son apparente absurdité, *L'impossible monsieur Bébé*, saisit aussi quelque chose de son contenu: le bébé à éduquer, c'est aussi le personnage incarné par Cary Grant. Le résultat de cette éducation, c'est le moment final des retrouvailles, où il reconnaît qu'il ne s'est jamais tant amusé. Cette mise en œuvre du perfectionnisme est la découverte majeure que fait Cavell dans *A la recherche du bonheur* à propos du cinéma américain classique.

Sur quoi se fonder pour un tel changement? Sur soi-même, car nous n'avons, pour ainsi dire, rien d'autre sous la main. La confiance en soi est, rappelle Emerson, "l'aversion de la conformité ", et des pensées qui ne sont pas pensées par moi, pas miennes. L'éducation de l'adulte serait éducation de soi

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[31] John Milton, l'auteur de *Paradise lost* [1667], a aussi écrit *The Doctrine and Discipline of Divorce* [1644], trad. fr. C. Tournu, postface d'Olivier Abel et S. Laugier, Belin, 2005.

[32] CAVELL, *Contesting Tears*, Chicago University Press, Chicago, 1997, p. 5.

par soi, ce qui inscrit Emerson dans une tradition perfectionniste qui irait de Platon à Wittgenstein et Foucault[33], plutôt que dans la tradition pragmatiste: il s'agit de chercher un meilleur moi, sans jamais l'atteindre ni même savoir si on s'en est rapproché.

4. *L'ordinaire et le politique*

L'appel à l'ordinaire a une pertinence pour l'idéal démocratique. Comme le remarque Cavell "l'appel à l'ordinaire possède des implications politiques qui ont à peine été effleurées", et l'influence démocratique de l'appel philosophique à l'ordinaire et ses méthodes est une question tout à fait essentielle d'Emerson à Dewey. Mais pour Cavell, le fait que Dewey fasse conjointement appel à la science donne une tonalité différente à son appel à l'ordinaire. Cavell cite à l'appui le passage suivant de *Experience and Education*, caractéristique de Dewey: "La méthode scientifique est le seul moyen authentique que nous ayons à notre disposition pour saisir la signification et l'importance de notre expérience quotidienne du monde où nous vivons"[34] Pour Emerson, à l'inverse, même si par ailleurs il exprime fréquemment son admiration pour la figure de l'inventeur, l'accès au monde ne nous est pas donné par la science. C'est tout le sujet de son essai *Experience* (1837). On ne voit guère comment la science pourrait nous donner les éléments du quotidien tel qu'il le décrit dans *The American Scholar* (1844), évoquant son attirance pour le vulgaire ou le commun: "Je ne demande pas le grand, le lointain".

Mais ce rapport à la pratique, loin de faire du transcendantalisme un proto-pragmatisme, fait toute la différence entre Emerson et le pragmatisme. Car la pratique n'a rien pour Emerson et Thoreau d'une *activité*: elle est une approche de l'ordinaire avant tout. Et pour Emerson introduire une dimension pratique dans notre rapport de connaissance au monde ne nous donne pas un plus sûr accès à ce monde. Un symptôme de la méconnaissance de l'ordinaire par le pragmatisme est en effet, pour Cavell, sa désinvolture par rapport au scepticisme. L'œuvre entière d'Emerson est traversée par la menace du scepticisme[35]. Le refus ou la réfutation du scepticisme est, à l'inverse, une caractéristique du pragmatisme. "Par opposition, ni James ni Dewey ne prennent au sérieux la menace du scepticisme. (C'est trop rapide. Le traitement par James de 'l'âme malade' rencontre une des choses que j'entends rendre par le concept de scepti-

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[33] Voir la tradition des "Exercices spirituels" au sens défini par Pierre Hadot, dans *Exercices spirituels et philosophie antique*. Paris, Etudes augustiniennes, 1981 et dans *Qu'est-ce que la philosophie antique ?* Folio, Gallimard, 2000.

[34] DEWEY [1938-1939] 1984, p. 59.

[35] Voir l'ensemble des contributions dans LAUGIER 2002.

cisme. Mais, à ce qu'en dit James lui-même, il ne semble pas imaginable que *tout le monde* puisse être affecté par cet état. Autrement dit, la perception qu'a James de cet état est qu'il est le propre d'un tempérament particulier, et non pas quelque chose coïncidant avec l'humain en tant que tel). Le pragmatisme semble conçu pour refuser de prendre le scepticisme au sérieux, comme il refuse – dans le cas de Dewey, si ce n'est pas toujours vrai dans celui de James – de prendre au sérieux les distinctions métaphysiques""[36].

Pour Cavell, l'idée d'ordinaire, au contraire, ne prend son sens qu'en écho au risque permanent et réel du scepticisme – à la perte ou à l'éloignement du monde, associés au défaut de la parole qui la rend par définition inadéquate ou malheureuse. C'est cette inadéquation du langage qu'Emerson définit, dans *Self-Reliance*, comme le conformisme de ses contemporains, dont les mots le chagrinent.

Emerson et Thoreau, par leur attention à l'ordinaire, annoncent ainsi la philosophie du langage ordinaire: non parce que l'ordinaire ou *the low* serait une réponse au problème de la connaissance (ce qui maintiendrait dans la problématique cognitive qu'Emerson veut dépasser) mais parce que le rapport à l'ordinaire est une autre façon de formuler la question du rapport au monde, de notre capacité à dire le monde avec notre langage ordinaire, commun.

Il faudrait penser leur sens de l'ordinaire ou du quotidien dans le langage – en tant que but et procédure philosophique – en liaison avec l'insistance d'Emerson et Thoreau sur ce qu'ils appellent le commun, le familier, le bas, le proche (ce que veut dire Emerson quand il parle d'"avoir le jour"). Parfois il me venait à l'esprit – de plus en plus, à mesure qu'il devenait plus courant d'entendre Wittgenstein qualifié de pragmatiste ou cité en liaison avec le pragmatisme – de demander si la réputation de Dewey comme porte-parole de, voire comme fournisseur d'une métaphysique pour, l'homme du commun, pourrait jeter quelque lumière sur le sujet désespérément obscur de l'appel philosophique à l'ordinaire[37].

Le recours à l'ordinaire et au commun n'a rien, chez Emerson, chez Wittgenstein, d'une solution (encore moins d'une solution "scientifique") à la question de la connaissance du monde. Le commun est toujours objet d'*enquête* et d'interrogation, il n'est jamais donné. Le bas est toujours à atteindre, dans une inversion du sublime. Du coup, il ne suffit pas de vouloir partir de l'ordinaire, de "l'homme de la rue" (un des thèmes majeurs du cinéma américain, comme on peut le voir chez Capra) pour l'atteindre. La volonté chez Dewey, dans *Experience and Education*, de corriger par l'éducation la parole de l'enfant contredit, selon Cavell, l'idée de l'ordinaire telle que l'entend Emerson: "Dans cette écriture, la parole de l'autre, dont Dewey désire corriger ou plutôt

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36 CAVELL 2003, p. 221.

37 CAVELL 2003, p. 213.

remplacer les idées, en particulier la parole des enfants, ne paraît presque jamais. Opposons cette incitation à la philosophie à un éclat mémorable d'Emerson dans 'Confiance en soi': 'chacune des paroles qu'ils disent nous chagrine, et nous ne savons par où commencer de les corriger.' Avant qu'Emerson ne puisse dire ce qui est répugnant dans les pensées ou les bruits d'autrui, il lui faut *découvrir ou redécouvrir un langage dans lequel le dire*"[38].

Il ne s'agit pas pour le philosophe de corriger l'héritage de la philosophie européenne, et de créer des nouvelles catégories ou dualismes: il faut redonner un autre sens aux mots hérités (tels que ceux d'*expérience, idée, impression, entendement, raison, nécessité et condition*), les ramener au plan du commun, ou pour reprendre l'expression de Wittgenstein, de la métaphysique à l'ordinaire: ce qui veut dire en *faire* autre chose pour avoir une nouvelle langue, un nouveau langage – puisque les mots en sont hérités de l'Europe. "Emerson conserve des pans entiers du vocabulaire de la philosophie, mais le dépouille de ses anciennes prétentions à la maîtrise"[39].

5. *Self-Reliance / Self-Knowledge*

Retrouver *pour soi* une conversation digne de ce nom: telle est la véritable finalité de la confiance en soi. L'idéal démocratique devient celui d'une conversation véritable, où chacun peut trouver et faire entendre sa voix[40]. C'est ce qui explique l'intérêt de Cavell sur cette communauté d'un type particulier qu'est le couple, déterminée par un contrat qui pose deux individus égaux, mais où reste à surmonter l'inégalité de parole qui est constitutive de cette égalité donnée, à inventer un nouveau langage, et à construire une conversation. Ce qui fait du couple idéal, tel que Cavell le décrit dans *A la recherche du bonheur*, un paradigme de la société: les couples des comédies hollywoodiennes du remariage présentent leur mariage comme lieu de revendication et d'éducation mutuelle. L'idéal d'une véritable conversation politique – un autre nom de la démocratie – serait celui d'une circulation de la parole où personne ne serait mineur, où chacun pourrait suivre sa pensée, sa constitution.

La confiance en soi n'est donc pas une énième fondation subjective: elle est *confiance en notre expérience*. Mais sur quoi cette confiance se fonde-t-elle? "Le magnétisme qu'exerce toute action originale s'explique, quand nous cherchons la raison de la confiance en soi. À qui se fie-t-on? Quel est le Soi originel sur lequel on peut fonder une dépendance (*reliance*) universelle? L'enquête nous

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[38] CAVELL 2003, pp. 218-219.

[39] CAVELL *Ibid.*

[40] Voir, pour une approche politique plus générale de ce projet, LAUGIER 2000, 2003, 2004.

conduit à cette source qui est à la fois l'essence du génie, de la vertu et de la vie et que nous appelons Spontanéité ou Instinct"[41].

Il n'y a pas de soi à quoi se confier, qui soit fondement premier de la confiance en soi. "Parler de confiance en soi, c'est une manière de s'exprimer misérable et extérieure. Parlez plutôt de ce qui confie – car cela marche, cela existe" (*To talk of reliance is a poor external way of speaking. Speak rather of that which relies because it works and is*) [42].

Parler de *Self-Reliance*, c'est renvoyer à une réflexivité déjà trop statique par rapport à ce qu'est réellement la confiance (pratique). L'expression *Self-Reliance*, comme celle de "confiance en soi ", implique un retour sur soi (*self*), quand la confiance d'Emerson est pratique. C'est pour mettre en évidence la dimension pratique (et non théorique ou épistémique) de la confiance en soi qu'Emerson note, dans un revirement caractéristique et total, que l'expression "*self-reliance*" a quelque chose de *misérable*, d'*extérieur* et qu'il propose *that which relies. Relies* employé bizarrement dans l'absolu, dans un refus de la réflexion sur soi, décrit une attitude libérée de la réflexivité propre aux définitions du sujet, de toute illusion d'un savoir qu'aurait le soi regardant en lui-même, pour y trouver quelque chose, une certitude ou confiance. La *self-reliance* fonctionne en tant que pure pratique, pas en tant que sujet ou objet de la *reliance*[43]. Elle n'est plus ni active, ni passive, la pratique (*it works and is*) – l'acte permettant de récuser à la fois la mythologie de la réflexivité et la mythologie de l'*agency*. La confiance en soi n'est alors pas confiance en un soi donné, mais simplement en sa propre expérience. Le transcendantalisme ordonne – contre le scepticisme, mais aussi contre toute la théorie de la connaissance traditionnelle – de faire confiance à son expérience. Cette idée apparemment anodine est au centre de la pensée d'Emerson, car elle articule ses conceptions de la confiance et de l'expérience, et met en cause de façon radicale la dualité de l'activité et de la passivité – et ce avec la simple idée que la pratique est aussi une patience. "S'intéresser à un objet, c'est s'intéresser à l'expérience qu'on a de l'objet; si bien qu'examiner et défendre l'intérêt que je porte à ces films, c'est examiner et défendre l'intérêt que je porte à ma propre expérience, aux moments et aux passages de ma vie que j'ai partagés avec eux"[44].

Cela implique de pouvoir se fier à l'expérience de l'objet, afin de trouver les justes mots pour la décrire et l'exprimer. Pour Cavell, c'est la vision (répétée et souvent collective) des films qui conduit à faire confiance à sa propre expérience, et à acquérir, par là même, une autorité sur elle. "Soumettre les entre-

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[41] EMERSON 1990[1841], p. 39.

[42] EMERSON, *Ibid.*

[43] Nous renvoyons ici aux belles analyses de Layla RAÏD (" Self-Reliance et l'éthique d'Emerson », in LAUGIER 2002).

[44] CAVELL 1993, p. 18.

prises que constituent le cinéma et la philosophie ainsi que leur réunion à l'expérience que nous en faisons est une tâche qui fait intervenir le concept autant que l'expérience. C'est nous vouer à accepter les indications de notre expérience, mais pas ses ordres. Pour moi, c'est ce que l'on peut appeler "contrôler son expérience".

Au-delà des étiquettes de transcendantalisme et de pragmatisme , c'est bien d'empirisme qu'il est question ici pour Cavell: "Contrôler son expérience: voilà une étiquette qu'un Américain, de naissance ou d'esprit, pourrait appliquer à l'empirisme que pratiquent Emerson et Thoreau. Pour moi, cette formule signifie à la fois consulter sa propre expérience et la soumettre à l'examen et, de surcroît, *s'arrêter* pour un instant, se détacher de ce qui était votre souci à cet instant-là et dégager votre expérience de ses sentiers battus, prévisibles, pour qu'elle se trouve, qu'elle trouve sa propre voie".

C'est sur ce point que s'établit le lien paradoxal mais crucial entre expérience et confiance: il faut éduquer son expérience pour lui faire confiance. "La morale de cette pratique, c'est qu'il faut éduquer votre expérience suffisamment pour qu'elle soit digne de confiance. Le piège alors, d'un point de vue philosophique, serait qu'il est impossible de donner l'éducation avant la confiance".

On notera une nouvelle fois l'ambiguïté et le retournement de l'héritage kantien. Il ne faut pas dépasser l'expérience par la théorie, mais aller au rebours de ce qui est, dans la philosophie traditionnelle, le mouvement même de la connaissance (qui est aussi celui qui conduit au scepticisme). Il faut dépasser la théorie par l'expérience, et c'est ce mouvement qui définit l'éducation et la confiance en soi. "L'héritage de Kant en Amérique est essentiel à la constitution du Transcendantalisme, et contribue donc à faire d'Emerson et de Thoreau ce qu'ils sont. Portés par eux, nous apprenons que sans cette confiance en notre expérience, qui s'exprime par la volonté de trouver des mots pour la dire, nous sommes dépourvus d'autorité dans notre propre expérience" [45].

La confiance en soi n'est pas une réassurance: il faut apprendre à avoir confiance en son expérience. Ne pouvoir se fonder que sur soi, en haine et aversion du conformisme, ce n'est pas une certitude, ni même une version dégradée ou modérée du savoir: c'est la formule même du scepticisme. Le "connais-toi toi même" émersonien n'est pas une énième reformulation de la connaissance de soi, il est le premier moment de l'acceptation de la méconnaissance de soi. Pour Cavell, que ce soit dans *Les Voix de la Raison* ou dans son étude de la comédie du remariage, ce moment est indispensable à la reconnaissance de l'autre. Mais comment faire de cette acceptation une politique? Ce que nous enseigne la théorie du contrat social, selon Cavell, c'est tout à la fois la profondeur de mon lien avec la société, et "la mise de celle-ci à distance, de telle sorte

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[45] Cavell, et toutes les citations précédentes, *ibid.*

qu'elle apparaît comme un artefact"[46]. La question de mon appartenance à la société est comme la question de l'existence du monde, ou d'autrui. "On n'apprendra pas aux théoriciens du contrat social que, dans les innombrables cas où s'est posée (ou se posera) effectivement la question des avantages, je me prononcerai, je devrai me prononcer, *contre* le retrait de mon consentement"[47]. De même le scepticisme peut me paraître dénué de sens, dès lors que la vie quotidienne, ou la pratique, m'en éloignent. "Quelle que soit la motivation intime du théoricien – justifier la conviction que le moment présent est de ceux (très rares) qui réclament un démantèlement de l'artefact ou, au contraire, justifier la position que pareil moment est à jamais hors de question –, la signification philosophique du propos réside dans ce qu'il délivre une éducation politique".

La connaissance de soi devient une affaire politique. La méthode du contrat social est l'examen de moi-même, par la mise en cause de mes postulats, mais les termes de cet examen de soi sont les termes qui me révèlent que je suis un membre de la cité. Il s'agit bien d'une éducation, non parce qu'elle apprend quelque chose de nouveau, mais parce qu'elle m'apprend que: "la découverte et la constitution de la connaissance de moi-même requièrent que je découvre et constitue la connaissance de mon appartenance à la cité ".

Connaître mon appartenance consisterait à surmonter le scepticisme inhérent à la question de cette appartenance. Même dans le retrait, je suis à l'intérieur, exactement comme même dans le doute, je suis dans la certitude. "Si le fait de "parler au nom des autres" et d'accepter que "les autres parlent en mon nom" fait partie intégrante du consentement politique, alors le simple retrait de la communauté (l'exil, intérieur ou extérieur) ne saurait équivaloir, grammaticalement parlant, au retrait du consentement sur lequel repose cette communauté. Puisque l'octroi du consentement implique la reconnaissance des autres, le retrait du consentement implique la même reconnaissance"[48].

On retrouve l'articulation du *je* et du *nous*, fondement à la fois de la connaissance et de la politique. Mais l'articulation, au lieu d'être rationaliste comme dans beaucoup de théories politiques contemporaines, est sceptique. "Je dois dire à la fois "cela n'est plus à moi" (je n'en suis plus responsable, rien là ne parle plus en mon nom), et "cela n'est plus à nous" (ce n'est plus ce pour quoi nous avons donné notre signature, nous n'y reconnaissons plus le principe du consentement; le "nous" initial n'est plus maintenu ensemble par notre consentement, mais par la force seule; il n'existe donc plus)". (*ibid.*)

Le dissentiment n'est pas dissolution du consentement, mais conflit sur son contenu; c'est ce conflit interne qui mettant en cause la fidélité de l'état de choses actuel au consentement premier, définit la démocratie et la parole en

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[46] CAVELL, *Les Voix de la raison*, p. 39.

[47] CAVELL, *ibid.*

[48] CAVELL, *Les Voix de la raison*, p. 68.

démocratie: si je ne peux parler au nom des autres, je ne parle pas à titre privé, je suis muet, "n'ayant rien à dire ", c'est-à-dire, rien *de politique*. Dans cette acception de la parole, de l'expression et de la connaissance de soi, le politique définit le langage. Nous sommes "victimes de l'expression ". C'est ce qui fait de la politique aussi l'affaire du scepticisme. Ma relation à moi-même, est exprimée par l'énoncé "je ne me connais pas ".D'où la nécessité d'une éducation, par la confiance en soi. En toute rigueur, si je pose la question de la connaissance de soi, la réponse est évidente: "Je ne me *connaîtrai* pas – que je ne mettrai pas les morceaux ensemble, ou que j'en suis incapable, ou que je suis hors d'état de voir comment ils s'ajustent ". La question de la connaissance de soi a pour seule réponse (que Cavell découvre bien après les *Voix de la raison*) la confiance émersonienne: vouloir se connaître, c'est refuser le conformisme. C'est une réponse pratique, et non théorique. "Je voudrais montrer que la *connaissance* de soi, c'est la capacité à se-placer-dans-le-monde. Bien sûr, pour savoir si, quant à moi, j'ai réellement *fait* ce que je désirais (ou espérais, ou avais promis), je dois chercher à voir *si*, oui ou non, cela a été fait; mais surtout, et cela est crucial, je dois savoir si *cette* circonstance-là *est* bien (compte bien pour) *ce que* j'ai fait "[49].

La question n'est pas de se connaître comme on connaît le monde, mais de vouloir dire ce qu'on dit, de trouver l'expression adéquate, celle de la confiance en soi. Cette éducation à l'expression juste (le ton juste, le *pitch*) est au centre de cette conception américaine de l'éducation.

La question de la connaissance de soi devient la difficulté *pratique* qu'il y a à accrocher la pensée au monde, "et en particulier au monde social et politique, au monde de l'histoire ". Comment arriver à une expression adéquate, à la possibilité de refermer l'abîme que décrivent aussi bien Kant et Emerson "entre pensée et monde"? Le scepticisme, omniprésent chez Cavell, a une source politique. "La *sensation* d'abîme a pour origine une tentative, ou un souhait, de fuir (de demeurer 'étranger à', 'éloigné de') ces formes de vie partagées, et de se débarrasser de la responsabilité de leur maintien"[50].

C'est ici que la *self-reliance* intervient, comme seul moyen de trouver le ton juste, de trouver sa voix en politique. L'individualisme d'Emerson renverse exactement l'individualisme libéral, par sa dimension perfectionniste: il ne revendique pas l'individu ou le privé contre la communauté, mais veut travailler à faire de l'individu et du commun, du privé et du public, l'expression l'un de l'autre.

Le dissentiment, la revendication font donc partie de la démocratie. "Celui qui veut être un homme doit être un non-conformiste ". On peut penser encore une fois à la référence constante de Cavell à Milton. La comédie du remariage,

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[49] Cavell , *Les Voix de la raison*, p. 174.

[50] Cavell, *Les Voix de la raison*, p. 175.

selon Cavell, conjugue exactement les deux volontés indissociables de Milton, de défendre le divorce *avec* le mariage, ou le divorce par une certaine définition du mariage: le mariage défini par la possibilité du divorce et de la rupture. On voit l'implication politique d'une telle conjugaison. L'idée de rupture et de recommencement, propres à Milton, se trouvent au cœur de la philosophie d'Emerson, et seront thématisées, comme on l'a vu, dans les comédies de Hollywood que décrit Cavell. Cette reprise de Milton au cinéma n'est pas seulement une affaire de perfectionnement de soi, elle a des implications politiques: d'où le rôle politique du mariage, repris à Milton par Emerson.

La conversation du mariage le constitue en affaire à la fois privée et *publique*, et ce qui est en jeu dans la comédie du remariage, c'est aussi le sort de l'Amérique. *The Philadelphia Story* de Cukor se passe précisément dans un des lieux fondateurs de la nation américaine, et où il est répété avec insistance que le mariage annoncé (celui de l'héroïne, Tracy, qui finira en re-mariage de Tracy et Dexter, son ex-mari interprété par Cary Grant) est "une affaire d'importance nationale". "Je pense que nous devons comprendre que la présence de Kidd est le signe que c'est après tout *ce* mariage, ce remariage, qui est d'importance nationale. (Bien sûr, le marié ne semble guère habillé pour l'occasion. Mais, comme disait Thoreau, 'Prenez garde aux entreprises qui nécessitent de changer de vêtements.') "

Cavell en conclut que les comédies du remariage poursuivent chacune à leur façon la conversation politique: "J'affirme que la conversation invoque le fantasme de la communauté humaine accomplie, propose le mariage comme le meilleur emblème dont nous disposions pour cette communauté à venir - non le mariage tel qu'il est, mais tel qu'il peut être. La conversation dans *The Philadelphia Story* recentre plus étroitement de tels problèmes sur le problème de l'Amérique, sur la question de savoir si l'Amérique a réalisé son nouvel être humain, son union plus parfaite et sa tranquillité domestique, sa nouvelle ère de liberté; si elle a réussi à garantir la recherche du bonheur; si elle gagne la conversation qu'elle réclame."

Ainsi, Cavell poursuit le parallèle miltonien et émersonien du mariage et de la politique, en associant le rêve révolutionnaire de l'égalité et la recherche perfectionniste d'une aristocratie naturelle, – arrivant ainsi à une aspiration fondamentale de la démocratie, mais aussi du pragmatisme, d'une constitution de la société dans la conversation: "Mon rêve de cette histoire sur Philadelphie est l'histoire de gens qui se rassemblent pour conclure un contrat dans la ville de Philadelphie ou à peu de distance, et qui discutent de la nature et du rapport des classes desquelles ils sont issus. Mais l'idée de ce qui s'est passé à Philadelphie pendant la rédaction de notre Déclaration d'Indépendance et de notre Constitution n'est pas toute ma rêverie: c'est aussi le rêve perfectionniste d'une naturelle aristocratie".

Le génie d'Emerson, mais aussi l'aporie de sa politique – ce qui fait que sa politique est, pour toujours, une aspiration, comme la démocratie elle-même – serait alors de concilier, dans le perfectionnisme, aristocratie et démocratie. Pour avoir une idée de toutes les dimensions politiques de la *Self-Reliance*, il faudrait imaginer comment la confiance se déplace de cercles en cercles, de moi aux autres, à mes proches, et à ma société, créant non des communautés rivales ou des rassemblements d'égoïsmes de proximité, des "conspirations" et compromissions, mais ce que Cavell appelle une "cité de mots" (*city of words*), qui rassemble une communauté invisible d'égaux, non pas complices mais heureusement étrangers les uns aux autres.

Cavell, dans son essai "The Emersonian event" imagine que cette communauté est celle des lecteurs d'Emerson. "Aucun lecteur n'est *a priori* plus proche que lui qu'aucun autre, et personne n'est plus proche que lui qu'un véritable lecteur (pour eux, pour ceux qu'il appelle ses pauvres, il déclare qu'il rejette père et mère)".[51]

Cette communauté des lecteurs d'Emerson (cet ensemble discret d'étrangers égaux) peut alors représenter, *exprimer* l'aspiration démocratique, et certainement une tonalité commune au transcendantalisme et au pragmatisme. Qu'elle soit partiellement mal audible, voire méconnue de Cavell lui-même, n'est pas le moindre paradoxe des manières d'hériter Emerson.

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[51] Cavell, *Emerson's Transcendental Etudes*, p.189.

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School and Democracy: A Reassessment of G. H. Mead's Educational Ideas

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ABSTRACT

In this paper I wish to provide a re-examination of G. H. Mead's educational ideas and their radical democratic import. Drawing on both published and unpublished materials, I discuss how Mead applies his social psychological insights to a number of educational matters. In particular, I will focus on the relation between the family and the school, the role model performed by the problem-solving attitude of experimental science for teaching activities, the relation between the school and the industrial world, the importance of schooling to a participative conception of democratic politics, and Mead's conception of the university as a scientific institution devoted not to vocational training, but to fundamental research.

1. *Introduction*

In this paper, I re-examine George Herbert Mead's philosophy of education, a much neglected aspect of his thinking.[1] In what will be a necessarily brief discussion of Mead's ideas on education, I will focus on the function performed by the school system in the process of ontogenetic development of the human self. For Mead, as well as for other pragmatists such as John Dewey, the psychological development of the child should be intelligently moulded and promoted by means of an educational system inspired in the model of experimental science. In my view, this will give us a privileged vantage point from which to evaluate how Mead applies his social psychological insights to a number of educational matters. Among these, I will focus on the relation between the family and the school, the role model performed by the problem-solving attitude of experimental science for teaching activities, the relation between the

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[1] Excerpts of this paper have been published previously in my *Mead and Modernity. Science, Selfhood and Democratic Politics.* The bulk of the argument here being made, however, is original.

school and the industrial world, the importance of schooling to a participative conception of democratic politics, and Mead's conception of the university as a scientific institution devoted not to vocational training, but to fundamental research. This theme will be discussed by taking into consideration both published and unpublished materials written by Mead or notes made by others on his lectures. The pertinence of this methodological strategy is revealed as soon as one realizes that the only substantial text where Mead applies his theory of phylogenesis and model of action to educational issues is found in the 1910-1911 student notes from his course on 'The Philosophy of Education' (Mead, n.d.a).

2. *Mead's Philosophy of Education*

In these lecture notes, one can see how Mead articulates a 'psychological statement of the act' (Mead, n.d.a, p. 81) in light of which he proposes to explain the various stages of phylogenetic development of the human species. Mead identifies three main stages: the emotional, when man learns how to deal affectively with the objects that compose the surrounding environment; the aesthetic, when man learns how to appreciate the value of the surrounding objects; and the analytic or intellectual, when man acquires the cognitive ability to solve action problems (Mead, n.d.a, p. 82). Towards the end of the 1910s Mead's model of action undergoes a 'social turn'. Human rationality begins to be conceived of as gradually emerging in the history of the species due to the cooperative nature of social life. Indeed, in these lecture notes, one can already see Mead trying to draw the implications of such a social conception of human action and rationality for his theory of education. The efficient cause adduced by Mead for the phylogenetic development of the human species is the need for man to solve certain problems of adjustment to his surrounding environment. Education, from this point of view, is but the organized response of the community to the problem of teaching its individual members how to solve action problems. As always, in the back of Mead's mind there lies the scientific method as the ultimate example of a rational problem-solving procedure. The method of education is, then, a derivative of the method of modern experimental science (Mead, n.d.a, pp. 174-176). Mead's argument can be stated as follows. In modern times, the analytic level of thinking has attained predominance given the success of experimental science in attaining control over the surrounding environment. As a result, the school has to integrate science's methodological procedure if it wishes to provide the students with the re-

quired cognitive instruments to cope with the social, economic and political conditions of modern industrial societies.

Admittedly, Mead's philosophy of education cannot be fully understood if one does not take into account the fact that this was a very popular and controversial topic in Chicago at the turn of the century. In fact, Mead's theses on education are highly indebted to other colleagues and friends at the University of Chicago, especially to Dewey who wrote extensively on the subject. To begin with, it was Mead and his wife who edited and helped to publish Dewey's *The School and Society* (1900).[2] Dewey's theoretical interest in education gained concrete expression in the establishment of the University Laboratory School in January 1897, on the campus of the University of Chicago (Dewey, [1899]1976, p. 57). That this elementary school was often called 'experimental school' says a great deal about its approach to educational problems. That Mead's educational thought shared its basic psychological assumptions with Dewey's is clear when one realizes which were the chief working hypotheses that were adopted from psychology to the curricular organization of the Laboratory School. As Dewey explains, there were three main psychological theses adopted as educational principles. Firstly, the individual mind is understood 'as a function of social life' (Dewey, [1899]1976, p. 69) and education as an eminently social affair; secondly, the rejection of the dualism between mind and body, between psychological theory and educational practice ([1899]1976, pp. 70-71); thirdly, the conception of human mind as 'essentially a process – a process of growth, not a fixed thing' ([1899]1976, p. 71). Mead's published articles on education show the extent to which his proposals are in accord with Dewey's ideas.

3. *The Family and the School*

As early as in 1896, Mead can be seen asking his colleagues whether a child's mind can be conceived of as an 'empty country into which the educator can go, like the manager of a telegraph company, and put wires where he will' (Mead, 1896, p. 143). The rejection of such a conception stems from Mead's

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[2] In the author's note to the 1900 edition of this book, one can read: 'From my friends Mr. and Mrs. George Herbert Mead came that interest, unflagging attention to detail, and artistic taste which, in my absence, remade colloquial remarks until they were fit to print, and then saw the results through the press with the present attractive result – a mode of authorship made easy, which I recommend to others fortunate enough to possess such friends' (Dewey, [1899]1976, p. 3).

case against the principle of work being adopted as a principle of education. Instead, the school should adopt the notion of play as its key principle, in the sense that the stimuli provoked by the surrounding objects must be so arranged that they will 'answer to the natural growth of the children's organism, both as respects the objects he becomes successively interested in and the relations which they have, to each other in the life process that he will have to carry out' (Mead, 1896, p. 145). From the beginning, then, Mead conceived of education as a means of intelligent control over the children's natural process of development, rejecting both an authoritarian model of inculcation of information and a model where the absence of discipline prevents intelligence from guiding the child's impulses. According to the pragmatists' model of education, the school cannot be separated from the home since both are fundamental social spheres where the child's development takes place. As Mead holds in 'The Child and His Environment' (1898), his working hypothesis maintains that life in the family and in the school should be related and unified, 'with stimuli ready to call out the immediate connection between the different spontaneous acts of the child, as respects each other, and the life that lies behind them' (Mead, 1898, p. 7). In light of Mead's model of action, an act has a moral import insofar as it is oriented to the common good and thus transcends the order of the community in which it first arose: this is how, according to Mead, moral values are incorporated into intelligent action. Similarly, aesthetic values can be incorporated into human action in the phase of consummation, when the individual is able to appreciate the enjoyment that characterizes the successful accomplishment of the act (see Mead, [1926]1964, p. 296). In an unpublished fragment, Mead discusses the function performed by schooling for the development of the artistic impulses of the child. The school, he argues, can guide the child's artistic impulses so that he can see how these impulses are actually related to his other impulses, thus achieving a sense of life as a meaningful whole. As he explains, "The education in artistic expression for the young child involves the recognition of the essential relation between the artistic impulse and the other child impulses and such an emphasis upon this connection that the product of the artistic activity as a stimulus to succeeding acts will rise naturally to consciousness and become a control over the productive act" (Mead, n.d.c, p. 2).

Mead reasserts the close connection between the school and the family in an address delivered in 17 December 1903, as president of the School of Education[3] Parents' Association. In this speech, Mead explicitly subscribes to the

[3] This School of Education was another elementary school of the University of Chicago. The duplication of effort would lead to the merger of this school with Dewey's Lab School

positions presented by Dewey in *The School and Society*, when he emphasizes that the common ground between the home and the school is 'the social consciousness of our children' (Mead, 1904, p. 344). Yet, in the following year, Mead's intellectual relationship with Dewey would suffer a major setback. I refer to Dewey's unexpected resignation from the University of Chicago in the spring of 1904 and subsequent departure to Columbia University, where he would begin working in February of 1905. The abandonment of the Laboratory School by Dewey, the only concrete expression of his philosophy of education, led Mead to a progressive treatment of educational issues on a different scale, no longer limited to elementary educational matters at the University of Chicago, but still according to the psychological principles laid out above.

4. *Social Psychology and Education*

It is not surprising, therefore, to see Mead analysing school children through the lenses of his scientific psychology. A notable instance of this can be found in Mead's involvement in the Chicago Physiological School as president of its board of trustees.[4] This school, also known as the 'Hospital School' since it functioned under the joint supervision of the Departments of Philosophy and of Neurology of the University of Chicago, was created in 1900 by the initiative of President William Harper to provide students with learning disabilities with adequate training.[5] One can see here how closely linked were Mead's interests in social psychology and education. Mobilizing the conceptual apparatus of his scientific psychology and model of action, which laid strong emphasis on the 'biological individual', Mead had the necessary tools to support his pedagogical concerns regarding handicapped children. Due to financial reasons, the school eventually closed in May 1904, but this did not change Mead's motivation for in 1908 he wrote to President Judson of the University of Chicago asserting that the establishment of another Hospital School 'commanded

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in the fall of 1903, with Alice Dewey serving as principal. See Westbrook, 1991, pp. 111-112.

[4] Surprisingly, none of the major commentators on Mead refers to his involvement in this enterprise. The only article where this issue is discussed is Deegan and Burger, 1978, pp. 363-365.

[5] President Harper to Mead, 11 October 1900, University Presidents Papers, University of Chicago Library.

the immediate interest of the psychological and neurological departments'[6]. However, there are other examples that show Mead analysing educational issues from the perspective of a scientific social psychology. For instance, in December 1909, Mead was asked to discuss the social situation in the school as the subject of a scientific study before the American Association for the Advancement of Science in Boston. In this meeting, one can see Mead making use of his conception of the human consciousness, whose social character he was asserting with growing vehemence at the time. After having suggested that instruction takes the form of a conversation, and that language is an essentially social process, Mead then notes how the attention of the pupil should be conceived of as a 'process of organization of consciousness'. Given the fact that the individual consciousness arises with the recognition and definition of other selves, Mead claims that it is "unfruitful if not impossible to attempt to scientifically control the attention of children in their formal education, unless they are regarded as social beings in dealing with the very material of instruction. It is this essentially social character of attention which gives its peculiar grip to vocational training" (Mead, 1910, p. 692).

In two articles published in 1906, Mead sets forth his views on the teaching of science. These essays constitute, I believe, a crucially important statement of Mead's interrelated conception of experimental science, education and democratic politics. In 'The teaching of science in college' (1906a), Mead contends that the peculiar appropriateness of a course in the history of science lies in the fact that 'the special character of modern science would grow out of the conditions that made it natural and necessary' (Mead, 1906a, p. 394). Mead holds, in 'Teaching of science in high school' (1906b), that this fact is not acknowledged in most schools. As a consequence, high school students, at a time they are particularly sensitive to moral issues, are deprived of the opportunity to come into contact with 'the high morality of science, with its decalogue of disinterested exactness, its idealistic hypothesis, its gospel of human intelligence' (Mead, 1906b, p. 248). This passage certainly ranks amongst Mead's most eloquent apologies for the moral democratic virtues of modern science.

5. *The School and the Industrial World*

The modern world is as characterized by scientific achievements as it is dominated by a growing concentration of capital, increasing industrial competition,

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[6] Mead to President Judson, 2 December 1908, University Presidents Papers, University of Chicago Library.

and exponential urban growth resulting from the influx of immigrants. Mead refers himself explicitly to the consequences of these two last traits of modern societies for the educative system. The problems raised by Chicago's rapid urban growth for the educational system of the city are addressed by Mead in 'The Educational Situation in the Chicago Public School' (1907). In this article, Mead's chief concern is a controversy in Chicago's Board of Education concerning teachers' assessment and their responsibilities in the definition of the curricula. Such a crisis, Mead holds, is exacerbated by the circumstance of the growing number of attending students. With an acute sense of the nature and implications of the process of social change taking place in the American society of the turn of the century, Mead argues that this is a problem "no large city escapes. (…) We are finding out in very various ways that when children are multiplied and the rooms piled up into huge structures we have entirely different problems from those which gave rise to the public school system in the United States" (Mead, 1907-8a, p. 131).

The other feature of the societal shift to modernity in the light of which Mead discusses educational issues is an industrial world with a growing need for a qualified labour force. In the immigrant workers who poured into Chicago at that time, growing industry found the solution for its needs. Industrial education is seen by the 'captains of industry' as the only way of providing vocational training for the working classes, since the liberal arts colleges and universities were oriented to the formation of the upper classes of society. Mead had good reasons to oppose this dual conception of education. Firstly, as he explained in an address to the Woman's Trade Union League of Chicago in 1908, industrial education means much more than 'technically trained men. It means greater efficiency in the whole community, because if rightly brought in, we are going to have better men and women in the community' (Mead, 1908, p. 19). For this reason, vocational training should be made part of the public system of education 'which belongs to the body politic of which we are members', and thus it cannot be 'left in the hands of manufacturers who are only immediately interested in the training of skilled men' (Mead, 1908, p. 20). Secondly, as a member of the editorial board of the *Elementary School Teacher*, a Chicago-based journal dedicated to educational affairs, Mead conceived of the public system of education as a means to supersede the class divide. Mead deemed the 'vast industrial interests' that demand trade schools 'to supply them with the skilled labor of which they are in need' (Mead, 1907-8b, p. 402) to be a 'narrow class attitude' (1907-8b, p. 405), against which a broader democratic perspective should be proposed. Such class distinction, with the workers' children attending trade schools and the more affluent classes being

able to send their children to liberal arts colleges, is 'destructive of American democracy' (Mead, 1908-9a, p. 157). To the contrary, Mead contends that 'American industrial training must be a liberal education' (1908-9a, p. 157). This theoretical claim would gain empirical support with the findings of research on industrial and commercial training in Chicago that Mead conducted as chairman of the City Club Committee on Public Education, between 1909 and 1911. The main contention of this three-hundred-page long *Report on Vocational Training in Chicago* was that 'vocational training [ought to] be introduced into our schools as an essential part of its education – in no illiberal sense and with no intention of separating out a class of workingmen's children who are to receive trade training at the expense of academic training' (Mead, Wreidt and Bogan, 1912, p. 9). The same idea can be found in an unpublished manuscript entitled 'Social Bearings of Industrial Education', where Mead compares the cases of Chicago and Munich. Referring to a talk given by Kerschensteiner at the Commercial Club of Chicago in late 1910,[7] Mead points out that in that German city 'a boy can go to a continuation school and get direction in his own trade, a training something along the line of civics, which is an enormous advantage to him' (Mead, n.d.b, pp. 16-17), whereas 'the situation in Chicago is an entirely different situation from that in Munich' (n.d.b, p. 18). For this reason, the American public school system 'will have to care of the children from the period of fourteen until they enter into their vocation', 'it has got to undertake this task and carry it out, not only for those children who wish to go on to a college education, but for all the children' (n.d.b, p. 23).

6. *Towards an 'Informed Citizenry'*

Behind Mead's proposal, one finds the pragmatist *ethos* of an egalitarian democratic society, whose citizens must be both physical and mentally able to perform their social functions. In other words, it is not only against a class-divided society that Mead is directing his criticisms; it is also against the philosophical dualism between body and mind. Mead's ideal society is all-inclusive and cooperation is its chief principle of organization. All Americans are immigrants, he claimed, with only one difference separating them: some came in the Mayflower, while others arrived in later ships. The best means of securing social integration is the school. The socialization function performed

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[7] I would like to thank Harold Orbach for this information.

by schooling is a keystone of the pragmatists' philosophy of education. In Mead's case, the public school system is seen as the 'one American institution that will do more for the assimilation of this foreign population than any other means' (1909, p. 224). What Mead is calling for is a unified public school system, by means of which children from all economic and social backgrounds would acquire the intellectual and practical abilities necessary for the full exercise of their citizenship. As a consequence of his rejection of the Cartesian dualism between body and mind, Mead claims that 'there is nothing more democratic than intelligence', which consists in the 'constant interaction of theory and practice' (1908-9c, p. 376). The inherently democratic nature of scientific inquiry is thus mobilized by Mead to suggest that education should be seen as the central social institution through which American society could intelligently solve the problems posed by the process of rapid modernization. Hence the ethical function of the school is the development of citizens whose cognitive abilities are as well trained as their practical competences. Only in this way will individuals become citizens conscious of the social import of their particular activities.

The school is the most important instrument at the disposal of a community in order to provide its younger members with the cognitive and moral abilities needed for the informed exercise of citizenship. An active citizen, for Mead, is an individual capable of rationally addressing social problems taking into account all the values at stake, and of being able to reconstruct this problematic situation by transcending the particular order of the society in which he lives. Citizenship is not a merely juridical concept; rather, it is the continued involvement in civic affairs, a practice that requires a set of cognitive and moral competences. In this sense, the moral training provided by the public school system is of the utmost importance. In 1908-9, Mead compares the educational systems of Great Britain and of the United States from this vantage point. His conclusion is that only in the latter case would it be possible to mould the moral consciousness of the student body insofar as the 'school becomes organized as a social whole, and as the child recognizes his conduct as a reflection or formulation of that society' (1908-9b, p. 328). Moral training is, from this perspective, one of the school's educative aims, to be achieved through the same means as its other goals, namely through the application of the experimental method of science and of social psychology's conclusions about the development of the self. The pragmatists' theoretical claims on education would not, however, be applied in the Laboratory School for much longer. In 1909, due to internal divergences at the University of Chicago, Mead gives up editing the *Elementary School Teacher*, just as Tufts abandons

the editorship of the *School Review*. The educational profile of the Laboratory School would eventually come to assume a different character from that envisaged by Dewey, Mead, and their colleagues. As a result, Mead turns to other voluntary associations such as the City Club of Chicago (already in 1905) and the University Settlement (in 1909), in order to continue to pursue his reformist activities. The years 1909-10 thus mark a turning point in Mead's research and policy work on educational issues, curiously enough at a time when the social character of his conception of the human perception was becoming increasingly pronounced.

Some years later, Mead's theoretical claims would eventually receive concrete expression with the creation, in 1916, of the Bureau of Vocational Guidance by the Chicago education authorities[8]. At this time, Mead attributes to the university the functional role of, within the educational system, combining science's method, social psychology's findings, and morals' universalistic orientation for the benefit of the community. In one of his last published articles on educational issues, Mead argues that the university should perform the functions of finding out what culture is and of promoting it; it should determine what is proper professional training and provide it; it should find out what is right and wrong and teach it; and it should state research problems and solve them (see Mead, 1915b, p. 351). Mead asserts that the university 'does not know where it is going, but being self-conscious it does know that it is advancing or it is stationary, or even in retrograde motion, and it knows this by its success or failure in solving its own problems' (Mead, 1915b, p. 351). Curiously, it was to the university that Mead would devote the remainder of his career, either through his research activities on time and cosmology, or through his lectures on various subjects.

7. *Concluding Remarks*

The title of this paper – 'School and Democracy' – is deemed to show the centrality of the category of 'informed citizenry' for Mead's social and political thought. Mead's deliberative theory of democracy places its faith not on the skills of the professional party members, but on the wisdom of the informed

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[8] In the year before the creation of this Bureau, Mead commented on the evolution of the educational situation in Chicago since the early 1900s in the following way: 'Fortunately this gap between the community and the school has been bridged at a number of points. The schools have undertaken a certain amount of vocational training (…). It has been even in some degree sought by the school itself' (Mead, 1915a, p. 45).

laymen. Mead's model of democracy is not centred on the state; on the contrary, it presupposes a pluralistic and decentralized set of political institutions of which the state is simply the one operating at the national level. Below the state, there are the municipal authorities, whose importance Mead never ceased to emphasize; above the state, there should be an international institutional body able to arbitrate and settle the conflicts between national states. At each level, the existence of an active public sphere is of pivotal importance: the denser the communicative network between the individual members, the more democratic and effective the influence of that sphere of political activity. It is in such an 'informed citizenry' that Mead finds the ultimate source of legitimacy of a constitutional democratic regime. When Mead speaks of 'institutionalized revolution', he is drawing the borders between the piecemeal reformism of the pragmatists and the revolutionary means of the socialists.

This relative positioning allows us to better grasp the import of Mead's contributions to contemporary social and political theory. If 'science and democracy' is a common theme amongst classical pragmatists, it is to Mead that we owe the only communicative social theory that systematically connects science's problem-solving nature to democracy's deliberative character by means of social psychology that establishes the social nature of the human self. The ideal of a 'republic of letters', a radical democratic community in which violence and coercion have been rejected in favour of the force of the best argument, was indeed a life-long inspiration for Mead. Of course, as with any other ideal, this regulative notion of a 'republic of letters' has a dual character. On the one hand, it refers to the concrete historical experience of the literate elites of seventeenth-century Europe. On the other hand, it constitutes a normative ideal that transcends the boundaries of historical experience and is able to inspire the conduct of latter generations. Our generation, in particular, seems to have much to gain from the rational, deliberative understanding of democratic politics underlying such an ideal. At a time that scientific political inquiry is under the dominant influence of methodological individualism and instrumental conceptions of rationality and action, Mead's intersubjective model of politics offers a convincing alternative for all those that rest unconvinced by the application of rational choice theory to the political realm. Several reasons support this contention. Firstly, Mead's proposed model of action is more realistic and rigorous than the all-too-convenient abstractions of rational choice models. Instead of *presupposing* that social action is solely motivated by narrow instrumental reasons, political scientists need *to show* that other motivations and external factors do not play a role in explaining political conduct. If they happen to do so, then, it is the task of the political scien-

tist to incorporate them in his model: analytical parsimony is a valuable goal only insofar as it is not pursued at the cost of intellectual rigor and empirical complexity. Secondly, the 'deliberative turn' that political theory has experienced in the last thirty years has given origin to a substantial body of work (see, for example, Elster, 1988; Bohman, 1998; Guttmann and Thompson, 2004). These significant conceptual developments and empirical clarifications provide today's practitioners with excellent tools in order to transform Mead's (arguably sketchy) insights into consistent theories and models. Thirdly, the ahistorical, progressive narrative that legitimizes contemporary rational choice theory does not resist the critical scrutiny suggested by Mead's historically sensitive approach to science and democratic politics. Along with the rational communicative basis of his thinking, this ranks among Mead's greatest contributions to today's social and political theory. Reason and history, entwined in a democratic fashion under modern conditions, are the basic tenets of Mead's pragmatist approach to politics. It is my belief that they are as valid today as they were a century ago – at least, the adversaries against which Mead developed his theories in the early twentieth century, abstract individual rationalism and positivism, can still be seen, albeit in renewed fashion, having a prominent role in the social sciences today.

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John Dewey on the Public Responsibility of Intellectuals

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ABSTRACT

What is a "public intellectual"? And, what is the public responsibility of intellectuals? I wish to place these issues at the intersection of John Dewey's notion of "publics" and his call for a recovery of philosophy, which I take to be a broader call for a recovery of intellectual life generally. My analysis from such a perspective will suggest the public responsibility of intellectuals to be at least three-fold: 1) to identify and maintain citizens' focus on the concrete problems that define publics, thereby facilitating the bringing of publics into being and maintaining them as long as they continue to be useful for solving such problems; 2) to aid in the creation of experimental methods whereby social intelligence and resources might be better directed to those problems' resolutions; and 3) to bring publics to self awareness through the redirection of traditional symbols and the forging of new ones so as to create shared meanings and feelings of common interest, i.e., to aid in the transformation of the Great Society into the Great Community.

What is a "public intellectual"? And, what is the public responsibility of intellectuals? I wish, first, to place these issues at the intersection of John Dewey's notion of "publics" and his call for a recovery of philosophy, which I take to be a broader call for a recovery of intellectual life generally and a renewal of the role of intellectuals in public life. My analysis of this first point will suggest that the public responsibilities of intellectuals, for Dewey, are at least three-fold: 1) to identify and maintain citizens' foci on the concrete problems that define publics, thereby facilitating the bringing of publics into being and maintaining them as long as they continue to be useful for solving such problems; 2) to aid in the creation of experimental methods whereby social intelligence and resources might be better directed to those problems' resolutions; and 3) to bring publics to self awareness through the redirection of traditional cultural symbols and the forging of new ones so as to create shared meanings and feelings of common interest, i.e., to aid in the transformation of the Great Society into the Great Community. Second, I wish to identify a further important responsibility of intellectuals in public life at which I believe

Dewey only hints and which he insufficiently develops, namely, the responsibility to identify, to reach out to, and to include, in a rigorous fashion and not merely as an afterthought, the most marginalized members of society, to insure that they are heard, included in public action, and thereby brought into the Great Community that grows from vibrant publics.

Social philosophy, on one side, includes numerous theories concerning the nature of interpersonal, face-to-face relations, and the history of political philosophy, on another side, is largely a lengthy tale of competing accounts of the ideal state. Strikingly absent from the philosophical landscape are theoretical accounts of the vast in-between region that Dewey calls "publics." Indeed, one of Dewey's greatest contributions to political philosophy is that he is perhaps the first to offer a public philosophy, or, more properly, a philosophy of publics.

The distinction between "private" and "public," upon which this theory is premised, is nothing stable and constant: the private sphere is constituted by those acts whose consequences remain with their agents; by contrast, the public realm emerges out of the recognition of the shared, indirect consequences of human acts to "others beyond those immediately concerned."[1] Publics are thus defined by their problems, viz., those problems generated by the indirect consequences of actions; they are constantly in the making and transient; and there is no single, universal public: "In no two ages or places is there the same public. Conditions make the consequences of associated action and the knowledge of them different" (256). Dewey, therefore, is inconsistent with his own claims when he repeatedly speaks of *the* public, and his book more properly should be entitled "Publics and Their Problems."

Dewey's manner of distinguishing private and public seems extremely simple and eminently commonsensical but is nonetheless subtle, radical, and profound: by drawing the distinction in terms of the consequences rather than in terms of the origins of actions, Dewey, from the start, takes away from conservative interests the ability to deny public accountability for their actions by claiming such actions to be "private" by virtue of their origin. I think here of Seattle-based Simpson Timber denying any public accountability and hence culpability for the desecration of the Madd River in northern California because, after all, it was just cutting down trees on its own "private

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[1] *The Public and Its Problems: An Essay in Political Inquiry* (1927), in John Dewey, *The Later Works, 1925-1953* (hereafter cited as LW), ed. Jo Ann Boydston, Vol. 2, 1925-1927 (Carbondale: Southern Illinois University Press, 1984), pp. 243-44.

property." Similarly, downsizing corporations can not escape public accountability by claiming that decisions to hire and fire are "private" matters of the corporation because such decisions are made by the private owners of the corporation and their agents: such decisions, by Dewey's account, carry consequences for persons other than the private corporate owners and thus are public decisions and subject to public scrutiny.

Dewey's definition of "public" in terms of the consequences of actions has significance, too, in identifying who counts as a "public philosopher." Cornel West seems to apply Dewey's definition when he rightfully notes that "public intellectuals" are not necessarily those who speak outside the academy but those whose works have public effects. In an age of mass media and marketing, many of those who write from outside the academy and for audiences outside it, on the one hand, might gain significant notoriety but are merely ineffectual popularizes of ideas that are "vacuous and hollow," whereas many who work within the academy and write principally for other academics, on the other, powerfully influence the broader world.[2] By both West's and Dewey's accounts, the latter are far more deserving of the title "public philosophers" than the former.

Much of conventional political philosophy treats the public sphere as an accomplishment and property of states, as an arena wherein states, especially democracies, do their business. For Dewey such an account looks for the public in the wrong places and perverts the relationship between publics and states. Publics, as we have seen, grow out of the concrete problems generated by the indirect consequences of human actions. States, then, are primary machineries of publics, instruments by which publics aim to regulate such indirect effects and to solve the problems that have brought them into being (LW 2, 259). Healthy publics demand constant accountability from democratic state bureaucracies. The apparatuses of the state might propagate themselves in disregard for the publics that created them and for the latter's problems, which they were intended to solve, and they might persist even after the publics' problems have been resolved, as Max Weber already well described. Such tendencies focus much of Dewey's analyses. Political philosophers unwittingly contribute to the propagation of irrelevant, ineffectual, and obsolete state systems by seeing their task as determining "what the state in general should or must be" (256-57) and attempting to describe the universal, ideal form of the state, without regard for the concrete problems that generate the very

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[2] *The Cornel West Reader* (New York: Basic *Civitas* Books, 1999), p. 552.

publics for which states are but instruments, thereby allowing state structures to remain unaccountable to their publics (and their problems).

The recovery of a sense of public responsibility among intellectuals is not incidentally but essentially tied to the recovery and reconstruction of philosophy, with which Dewey was so much concerned. In the Platonic tradition the task of the philosopher was to rise above the confusing multiplicity (*panta*) of everyday affairs and problems in order to apprehend the simple, eternal, unchanging forms, and the philosopher king directs the state to the solution of its concrete problems by keeping the forms of justice and goodness steadily in view. William James had already reversed all that: philosophical rigor, for him, was precisely a matter of keeping the messy, existential problems of life steadily in view and relegating ideals to the role of tools for the solution of such problems: "I do not believe it to be healthy-minded to nurse the notion that ideals are self-sufficient and require no actualization to make us content, ... ideals ought to aim at the *transformation of reality*--no less!"[3] As Dewey puts it, "What empirical method exacts of philosophy is two things: First, that refined methods and products be traced back to their origin in primary experience, in all its heterogeneity and fullness; so that the needs and problems out of which they arise and which they have to satisfy be acknowledged. Secondly, that the secondary schools' methods and conclusions be brought back to the things of ordinary experience, in all their coarseness and crudity, for verification."[4]

James and Dewey thus stand on its head the popular notion, stemming from the Platonic tradition, that philosophy leads its students away from the concrete, bloody problems of life, into the world of sterile, anemic abstractions. Rather, Dewey assigns philosophy the role of, first, leading people, especially democratic citizens, back into the messy concreteness of their problems, which *they*, and not the philosopher, seek to evade; second, holding such problems, in all their complexity and messiness, tenaciously and steadily in view; and third, requiring all theoretical inquiry to answer to those problems: "Philosophy recovers itself when it ceases to be a device for dealing with the problems of philosophers [viz., the clarification of abstract concepts for its own sake] and becomes a method, cultivated by philosophers for dealing with the [concrete]

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[3]James, Letter to Charles A. Strong, April 9, 1907, in *The Letters of William James*, ed. Henry James, 2 vols. (Boston: Atlantic Monthly Press, 1920): II, 270 (emphasis in the original).

[4] *Experience and Nature* (1929), in LW 1, 39.

problems of men [sic]."[5] Healthy-minded philosophy preserves and deepens, rather than escapes from, the concreteness of life. Moreover, insofar as philosophical rigor consists in the philosopher's attentiveness to the concrete problems of life and publics are defined by a significant set of concrete, human problems, such rigor is not merely something the philosopher may or may not choose to bring to bear on public problems. Rather, philosophical rigor demands attentiveness to public problems: it demands that philosophers be public intellectuals, not as a luxury but as a requirement of disciplinary rigor. The notion of a "public intellectual," then, is, for Dewey, redundant: concern for public problems is an essential, not an incidental or optional, feature of intellectual life.

Thus we arrive at the first two public responsibilities of philosophers particularly, but also, I suggest, of intellectuals in general. First, intellectuals contribute to the creation and preservation of healthy publics by helping to define and to keep steadily in view the concrete problems that generate the latter. Second, intellectuals provide general methods, both derived from the storehouse of tradition and forged anew, that direct social intelligence and resources better to the experimental solution of those problems. In Dewey's words, "It is not the business of political philosophy and science to determine what the state in general should or must be. What they may do is to aid in creation of methods such that experimentation may go on less blindly, less at the mercy of accident, more intelligently, so that men may learn from their errors and profit by their successes" (LW 2, 256-57). By performing these tasks well intellectuals do much to help publics extract accountability from their states and help to insure that states remain the servants, and do not become the masters, of publics and the citizens who comprise them.

Publics, as we saw above, are distinct from states, but they are also distinct from communities. Communities contain private and public aspects, and while some publics include communities and some publics evolve into communities, not all publics *are* communities: publics may be mechanistic associations, aiming to solve their problems solely "from external circumstances, pressure from without" (330) and lacking consciousness and feeling of a common inner life, shared meanings, and mutual interests. For publics to become communities they must express symbolically their problems and aspirations as

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[5] *Creative Intelligence: Essays in the Pragmatic Attitude* (1917), in *The Middle Works, 1899-1924*, ed. Jo Ann Boydston, Vol. 10, 1916-17 (Carbondale: Southern Illinois University, 1980), p. 46.

shared and thereby engender a felt sense of a "general will." *My* problem and *your* problem initially merely happen to coincide—e.g., we each, independently and individually, want better schools for our children--and we each seek to solve that problem for ourselves individually and only incidentally in collaboration. But as a result of our working alongside one another, as a public, we come to experience the merging of *my* problem and *your* problem so that they become *our* problem, and *my* victory and *your* victory become *our* victory.

A main present barrier to the transformation of publics into communities is that publics have become "eclipsed" by restricted, largely moneyed corporate interests for control of the vast, sophisticated communications technologies of our time. Thus the latter are able to manipulate and direct cultural symbols, both of the past and of their own creation, so as to galvanize personal and social identities around *their* interests and aims and away from publics and their problems. For example, the symbols of patriotism are used to sell credit cards (Chase Bank's "Freedom Card"), automobiles, and clothing, and thus, to use present examples, individuals might identify themselves more commonly with the "communities" of Mac-users, mini-van drivers, mall shoppers, and Abercrombie wearers rather than with publics that, e.g., combat environmental degradation, improve education or workplace conditions, or fight for greater justice in the distribution of wealth. Without proper access to and appropriation of symbolic technologies, publics remain fractured, disorganized, and mere aggregates of self-interested individuals, i.e., they remain merely associations (*Gesellschaft*) and not yet communities (*Gemeinschaft*).

Intellectuals, though, are the master engineers of cultural symbol systems: they, through their education, best understand the history and power of those systems. For the most part, however, either they are employed by the moneyed corporate interests—for example, the majority of professional artists work in marketing—or they remain insulated and ineffectual in academic institutions, which, at least in the United States, are in the business primarily of producing human capital for the moneyed interests rather than solving public problems—many of which, of course, are generated by activities of those very moneyed interests. The *public* intellectual, then, wherever he or she may be employed, must swear unswerving allegiance to *res publica*, affairs of the public. Thus, a third public responsibility of intellectuals is to bring publics to self awareness by re-appropriating and redirecting cultural symbols and

forging new ones so as to create shared meanings and purposes and to cultivate feelings of common interest and will, feelings of a common life, and to thereby aid in the transformation of the Great Society into the Great Community.

I wish now to suggest another area in which intellectuals have public responsibilities but at which Dewey merely hints and about which he has too little to say, that is, the responsibility of intellectuals to insure that the society's most marginalized members are included in the publics that they—the intellectuals—help to form. William James had already contended that rigorous empirical method in philosophy means not to be content with generalizations derived solely from the experiences of professional philosophers but inclusion of every perspective, including those who suffer social exclusion: "the experience of the entire human race must make the verification, and … all the evidence will not be 'in' till the final integration of things, when the last man has had his say and contributed his share to the still unfinished x."[6] Therefore, it is the proper task of philosophers not to demolish other people's most cherished beliefs but to seek out actively wisdom in all the overlooked places and persons, and James modeled his teachings, as his student Walter Lippmann testifies: "There was no trace of the intellectual snob in William James; he was in the other camp from those thin argumentative rationalists who find so much satisfaction in disproving what other men hold sacred. James loved cranks and naifs and sought them out for the wisdom they might have."[7] James's remarks, however, seem to pertain to individuals, rather than to marginalized social groups, and to express something about what he takes to be a matter of methodological rigor in philosophy and not so much a matter of philosophers' public responsibilities, although our analysis above suggests that for pragmatists such as James and Dewey, the two cannot be separated: philosophical rigor largely consists precisely in addressing the pressing, concrete problems of public life.

In any case, the public responsibility of the intellectual, as we have seen above, might be summarized as one of cultivating a common world, a community, out of the public problems of citizens. Indeed, the very term "public intellectual" is redundant, too, for Cornel West, as it is for Dewey, because, for West also, intellectuals are essentially public persons, and not merely incidentally or as a matter of personal choice. West, however, puts the

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[6] James, "The Sentiment of Rationality" (1880), in *The Writings of William James: A Comprehensive Edition*, ed. John J. McDermott (New York: Modern Library, 1968), p. 343.

[7] Lippmann, *A Preface to Morals* (New York: Macmillan Co., 1929), pp. 24-25.

matter somewhat differently than does Dewey: "To be an intellectual really means to speak a truth that allows suffering to speak. That is, it creates a vision of the world that puts into the limelight the social misery that is usually hidden or concealed by the dominant viewpoints of a society."[8] West's shift from "problems" to "suffering" is significant because it emphasizes the more disadvantaged members of society in defining "publics": while all in the society experience problems, only the more disadvantaged are suffering. The latter experience their publics' problems most severely and thereby know them most profoundly.

Dewey hints in several places in *The Public and Its Problems*, and elsewhere, that healthy democratic communities are informed in the fullest possible measure by their entire membership: all members are enabled to speak and are listened to. Such sentiments seem to continue, in secular terms, a long tradition of the Reformation that imagines the equality of all believers before God and proclaims, as did Martin Luther, that "every man is his own priest": simple faith, without need of any theological or philosophical instruction, gives one access to Truth. English Puritans brought that Reform tradition to America, and Jacksonian Democrats, who held that the ordinary common sense of the masses, without any special cultivation through education, is sufficient for full democratic participation, continued the Reformation's egalitarian tradition in more secular terms. Transcendentalists, such as Whitman and Emerson, both of whom Dewey cites in this regard (LW 2, 350, 372), gave this tradition perhaps its most poetic expression, and as much as Dewey revolted against New England Puritanism, he retained at least this central tenet of that religion as part of his own democratic faith.

What follows from this egalitarian tradition, of which Dewey is an heir, are at least two implications: first, all members of the community deserve to be heard, and second, a proper role of the intellectual is not to make authoritative, priestly pronouncements for the community generally or to speak for the marginalized in particular but to help insure that all are equally heard themselves. The task of building a common world surely requires that every member of the society have an opportunity to participate in public life, that is, to articulate what they take the public problems to be and how they experience them. As W. E. B. Du Bois proclaimed, in speaking not only about African Americans and women but all marginalized members of society, "desperately we need this excluded wisdom," for "there is lost from the world

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[8] *Reader*, p. 551.

an experience of untold wisdom, and they [the voices of this 'excluded wisdom'] must be raised rapidly to a place where they can speak." However, "Only the sufferer knows his sufferings," and therefore those who suffer must articulate their own interests first-hand: others, such as the politician, social worker, or intellectual cannot speak adequately for them.[9] Futhermore, while everyone has a general responsibility to make sure that his or her neighbors are all heard, intellectuals, as a result of their education, have a special responsibility to be sensitive to and an ability to seek out those who have been silent and silenced.

Equality, though, is an insufficient principle by which to speak about participation in democratic community: not all suffer equally from public problems. For example, while all members of the society might desire better education, sanitation, and health care, not all suffer equally from deficiencies in such areas. Therefore, it is important that intellectuals, in performing their public duty of insuring that all members of society are heard from, make certain that those suffering the most from public problems are given special hearing. Indeed, numerous African American and feminist thinkers argue for this need to privilege the voices of the most marginalized and for intellectuals to seek them out systematically, to ask routinely and rigorously, "From whom are we not yet hearing?" and "Who are the most disadvantaged and suffering?"

Jane Addams provides a model of what it means for an intellectual, in West's sense of the term—as one who "allows suffering to speak"—to ask such questions habitually, systematically, and rigorously. In *Democracy and Social Action*, for example, she describes eloquently the need in a democracy for maximal inclusiveness of voices and how such inclusiveness is central to her understanding of "social ethics": "We know at last, that we can only discover truth by a rational and democratic interest in life, and to give truth complete social expression is the endeavour upon which we are entering. Thus the identification with the common lot which is the essential idea of Democracy becomes the source and expression of social ethics. It is as though we thirsted to drink at the great wells of human experience, because we knew that a daintier or less potent draught would not carry us to the end of the journey, going forward as we must in the heat and jostle of the crowd."[10]

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[9] Du Bois, *Darkwater* (1920), in *The Oxford W. E. B. Du Bois Reader*, ed. Eric. J. Sundquist (New York: Oxford University Press, 1996), p. 555.

[10] *Democracy and Social Ethics* (1902; Champaign: University of Illinois Press, 2002), p. 9. I

Addams's concern for inclusiveness, however, does not stop with theory. In *The Long Road of Woman's Memory* she describes how, in the context of her work at Hull House, she continuously sought out and listened to those women's voices that had been most silenced and marginalized by their cultures and were most perplexing to her.[11] Furthermore, her *Peace and Bread in Time of War* describes how she convened the International Congress of Women, at The Hague in 1915, in order to give voice to "the common lot" of humanity on an international scale.[12]

Furthermore, intellectuals who are also themselves representatives of traditionally marginalized social groups seem generally more capable of articulating this need for inclusion than those, like Dewey, who, because of their relatively privileged status in the society, too easily take participation in public life for granted. Consider, for example, African American philosopher Angela Davis's suggestion, in her pioneer essay making the case that Frederick Douglass warrants inclusion in the literature of philosophy, that those who have been historically denied human freedom might be better able to articulate the nature and conditions of freedom than those who take their freedom for granted and who might even have it in their interests to continue the denial of freedom to others: "Are human beings free or are they not? Ought they be free or ought they not be free? The history of Afro-American literature furnishes an illuminating account of the nature of human freedom, its extent and limits. Moreover, we should discover in Black literature an important perspective that is missing in so many of the discussions on the theme of freedom in the history of bourgeois philosophy. Afro-American literature incorporates the consciousness of a people who have continually been denied entrance into the real world of freedom, a people whose struggles and aspiration have exposed the inadequacies not only of the practice of freedom, but also of its very theoretical roots."[13]

Those who have suffered as a result of being systematically "denied entrance into the real world of freedom" have a special interest in articulating

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am grateful to Mr. Michael Jostedt for calling to my attention this and other important, related passages from Addams.

[11] *The Long Road of Woman's Memory* (1916; Champaign: University of Illinois Press, 2002).

[12] *Peace and Bread in Time of War* (1922; Champaign: University of Illinois Press, 2002).

[13] Davis, "Unfinished Lecture on Liberation—2," in *Philosophy Born of Struggle: Anthology of Afro-American Philosophy from 1917*, ed. Leonard Harris (Dubuque, IA: Kendall/Hunt, 1983), p. 90.

with maximal clarity those universal qualities upon which claims to rights and freedoms are made. By contrast, those who take such rights and freedoms for granted are not so motivated but are more likely to avoid such clarity so as to conceal and protect their privileged social status.

West makes a similar point with respect to Du Bois and correctly claims that Du Bois was the first to understand the privileged position of the suffering oppressed in bringing humanity to a fuller understanding of the universal conditions for its freedom, dignity, and noblest possibilities. "Du Bois goes beyond them all [all the pragmatists] in the scope and depth of his vision: creative powers reside among the wretched of the earth even in [especially in?] their subjugation and the fragile structures of democracy in the world depend, in large part, on how these powers are ultimately exercised."[14]

It is "the wretched of the earth" who, in speaking from their suffering, are best able to articulate the problems of publics. A generic problem of democratic publics is the expansion and protection of basic rights and freedoms, and those intellectuals who speak from the suffering of having been denied such rights and freedoms, will likely be able to describe best both the nature of and remedy for this problem. Their experiences and perspectives therefore need to be given not merely equal consider but to be privileged.

Thus, in this essay I have suggested that one of John Dewey's most profound and enduring contributions to political philosophy has been his introduction and development of a distinct notion of "publics," those forms of association wherein persons come together to solve their concrete common problems. Publics are distinct from both communities and states, although they might grow into communities and they use the machinery of the state as tools for solving their problems. Dewey further suggests several distinct responsibilities that intellectuals generally, and philosophers in particular, have with respect to publics: identifying and maintaining publics' foci on the concrete problems that define them, aiding in the development of experimental methods whereby social intelligence and resources might be best directed toward the solution of public problems, and bringing publics to self-awareness through the use of traditional cultural symbols and the forging of new symbols to create shared meanings and feelings of common interest. I have further suggested another responsibility that intellectuals have to publics, but at which Dewey merely hints, namely, rigorously and systematically seeking out

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[14] West, *The American Evasion of Philosophy: A Genealogy of Pragmatism* (Madison: University of Wisconsin Press, 1989), p. 148.

those who have been most marginalized in the society and creating opportunities for their "suffering to speak." I have offered Jane Addams as an example of a public intellectual who modeled admirably the fulfillment of this responsibility. Only by special attention to the suffering of their most oppressed members can publics effectively address their problems and Dewey's (and Josiah Royce's) hope for the "Great Community" be realized.

The Pragmatics of Parenthood: Rorty and West on the Politics of the Family

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ABSTRACT

In this article I argue that ideas about parenthood have become a point of connection where the neopragmatist theorists Richard Rorty and Cornel West have sought to intertwine two of the primary responsibilities of democratic citizenship. Both Rorty and West turn to parenthood as a reliable lodestar of virtue that allows citizens to navigate the challenging waters of contest. I argue that this strategy exacerbates rather than mitigates the problems that accompany the political uses of parenthood. When the experience of parenthood is used to circumscribe the realm of political contest, the substance of political debate can become shallow and contribute to political stagnation. When the virtuous citizenship that parenthood is meant to instill is subject to challenge, insecurities are exacerbated and the temptation to turn to undemocratic solutions intensifies.

1. *Introduction*

The question of developing accounts or the right, the true, or the good that are deeply felt yet open to contest is one of the central themes of the pragmatist tradition. Contemporary political theory has recently revisited questions of how to balance these two central notions of democratic citizenship. Stephen K. White identifies a trend in which many American theorists acknowledge, "all fundamental conceptualizations of the self, other and world are contestable," but also hold that, "such conceptualizations are nevertheless necessary or unavoidable for an adequately reflective ethical and political life."[1] In other words, contemporary theorists of democratic citizenship often seek to answer the question of how we make genuinely felt assertions about better and best ways to live as democratic citizens and how we open those assertions to contingency and reconsideration.

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[1] White, Stephen K. *Sustaining Affirmation: The Strengths of Weak Ontology in Political Theory*. Princeton: Princeton University Press. 2000. Pg. 8.

In this article I argue that ideas about parenthood have become a point of connection where the neopragmatist theorists Richard Rorty and Cornel West have sought to intertwine two of these two central aspects of democratic citizenship. Both Rorty and West turn to parenthood as a reliable lodestar of virtue that allows citizens to navigate the challenging waters of contest. Each of these theorists turns to the experience of parenthood to articulate a deeply felt and widely shared sense of the good in contemporary politics. In doing so, both theorists undermine their commitment to contest and reconsideration.

The desire to identify a unifying source of meaning is not new to pragmatism. Daniel Boorstin, Louis Hartz, and Timothy Kaufman-Osborn all note, as the later puts it, that "pragmatism furnishes philosophical expression to a society united upon certain core values and hence free to dedicate its energies to their most efficient realization."[2] Rorty and West, as I examine below, settled upon the experience of parenthood as the most important source of the core values of contemporary Americans. I argue that this strategy is counterproductive for each theorist. When the experience of parenthood is used to circumscribe the realm of political contest, the substance of political debate can become shallow and contribute to political stagnation. When the virtuous citizenship – the claim to a deeply rooted notion of the good – that parenthood is meant to instill is subject to challenge, insecurities are exacerbated and the temptation to turn to undemocratic solutions intensifies.

Rorty often described his preferred method of political persuasion as "enlarging the scope of one's favorite metaphor." Over the course of his career parental sentiments became Rorty's favorite metaphor for citizenship. In enlarging the scope of this parental metaphor Rorty would allow it to engulf both his private and public goals for liberal society. The result is a vision of politics that is in many ways the mirror opposite of Rorty's stated intentions – one that values uniformity over multiple perspectives and is acquiescent to the *status quo* rather than creative in the pursuit of political change. West hopes parental sentiments will help ward off the nihilism that can result from the chaotic forces of the market, and the impulse to authoritarianism that he believes threatens American freedom and democracy. But I argue that in staking his conception of citizenship upon parenthood West creates new difficulties. Nihilism can overwhelm even the altruistic feelings he associates with parenthood and family. When this last bastion of love and hope is threatened, West

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[2] Osborn-Kaufman, Timothy. *Politics/Sense/Experience: A Pragmatic Inquiry into the Promise of Democracy* (Ithica: Cornell University Press, 1991), 13. Kaufman cites Hartz's *The Liberal Tradition in America* and Boorstin's *The Genius of American Politics* in making this point.

is tempted by solutions that court hopelessness, limit freedom and flirt with authoritarianism.

2. *Rorty, Pragmatism and the turn to family*

Rorty's pragmatism has its philosophical roots in his *Philosophy and the Mirror of Nature*. In that book he sought to disabuse his fellow philosophers of the idea that they might arrive at foundational truths or fulfill their quests for certainty through discoveries about the "real" nature of the world. Rorty thought philosophers should abandon efforts "to get behind reasons to causes, beyond argument to compulsion from the object known, to a situation in which argument would be not just silly, but impossible, for anyone gripped by the object in the required way will be *unable* to doubt or to see an alternative. To reach that point is to reach the foundations of knowledge" (PMN 159).[3] Thus Rorty hoped to reclaim for philosophy a sense that claims are contingent, contestable, held to the standards of persuasion rather than truth or virtue, and subject to revision and being abandoned. Rorty did not see his reclamation of contest for philosophy to be particularly political, however. His account of philosophy, he suggested, "is a story of academic politics—not much more, in the long run, than a matter of what sort of professors come under what sort of departmental budget" (CP 228). Rorty did acknowledge that "there *are* relations between academic politics and real politics," but he argued that, "they are not tight enough to justify carrying the passions of the latter over into the former" (CP 229).

In the years that followed, however, Rorty would dedicate himself to exploring those relations. This was in part because his interpreters saw political implications in his work and sought to pull him in that direction. One of these was Cornel West. In an account of Rorty's early work,[4] an effort that Rorty called "as informed and sympathetic a treatment as [my work] has ever received,"[5] West depicted Rorty as a case of unfulfilled potential. West was im-

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[3] References to Rorty and West's major works will be made in text with the use of abbreviations. A list of abbreviations appears in the appendix at the end of this article.

[4] West's book was published the same year as Rorty's *Contingency, Irony and Solidarity*, 1989, and surveys much of Rorty's published work up to, but not including, that point. West, Cornel. *The American Evasion of Philosophy*, (Madison: University of Wisconsin 1989).

[5] Rorty, Richard. "The Professor and the Prophet." *Transition:* No. 52, 1991, 75. West summarized Rorty's ideas regarding philosophy in a way that began to apply his ideas to the realm of political contest. For example, he conflates disagreements about actual social

pressed that Rorty had taken on "the ambitious project of resurrecting prag-matism in contemporary North America."[6] But West worried that in continu-ally arguing with philosophers about the uselessness of abstract philosophy, Rorty had become too satisfied with tearing down previous ideas. He hoped Rorty would take on the task that Rorty's own philosophical work seemed to identify as the only important one: offering useful, rather than "true" ac-counts of contemporary real-world problems, and describing compelling sug-gestions regarding the right way to deal with them. West believed that in ar-guing that we can accept, live with, and celebrate contingency Rorty had be-come complacent in his relatively arbitrary preference for "liberal-democratic" ideals and too quick to accept the idea that "bourgeois capitalist" politics are "irrelevant to most of the problems of most of the population of the planet."[7] West worried that in becoming satisfied with irony, Rorty's philosophical pro-ject reflected and could contribute to "the deep sense of impotence among the middle classes in contemporary capitalist societies, the sense of there being no liberating projects in the near North Atlantic future, and hence to the prevail-ing cynicism…, narcissistic living, and self-indulgent, ironic forms of think-ing."[8] West hoped instead that Rorty might follow the example of John Dewey, whom Rorty admired, by articulating the sort of political projects that answer the contingency of current arrangements with compelling ac-counts of how they might be improved as well as which commitments were worth preserving – and do so in a way that dealt with the profound inequali-ties and injustices in the North Atlantic and beyond.

West summed up his critique of Rorty in a telling way – using reproductive language. He thought, "[Rorty's] project, though pregnant with rich possibili-ties, remains polemical…and hence barren. It refuses to give birth to the off-spring that it conceives."[9] It was right about the time that West offered this critique that Rorty began to articulate his ideas about the importance to the public realm of citizens' hopes for their children. West himself, at that time in his career, was writing about the role of hope in politics in the context of the Christian and pragmatic traditions. It was following this particular exchange

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practice with intellectual debates in saying that for Rorty, "In cases of conflict and dis-agreement, we should either support our prevailing practices, reform them, or put forward realizable alternatives to them, without appealing to ahistorical philosophical discourse as the privileged mode of resolving intellectual disagreements." West 1989, 200-1.

[6] West 1989, 199.

[7] West, 1989, 205. West is quoting Rorty's *Consequences of Pragmatism* p. 210. In his chap-ter on Rorty

[8] West, 1989, 207.

[9] West 1989, 207.

that West and Rorty would each go on to make ideas about parenthood more central to their political thought.

But first Rorty saw fit to defend his particular version of philosophical impotence (to borrow West's description). He did so with a lament regarding the sort of family-centered sentiment that he would later give a central place in his political ideas. Rorty was still suspicious of the "passions" of politics and their potential to cross boundaries (like those between politics and academics) and corrupt reasonable discussion. In responding to West, Rorty maintained that pragmatist philosophy would struggle to find a way to be helpful in contemporary political arguments – largely because argument had devolved into sentiment, particularly sentiment of the resentful sort. "Nowadays nobody even bothers to back up opposition to liberal reforms with argument. People merely say that taxes are too high, that their brother-in-law would have a better job had it not been for his company's affirmative action program, and that it is time for the poor and weak to start looking after themselves. In Dewey's America, as in Emerson's, there was work for intellectuals to do in cracking the crust of convention, questioning the need for traditional institutions. But nowadays, as far as I can see, the problem is not a failure of imagination – a failure of the sort which philosophers might help with. It is more like a failure of nerve, a fairly sudden loss of generous instincts and of patriotic fellow feeling."[10]

In the example Rorty offered, family-feeling gets in the way of fellow-feeling. Sympathy for a brother-in-law obscures our responsibility to fellow citizens. In the years that followed Rorty would begin to face this problem in the only way he knew. Rorty liked to call the sort of work that philosophers should undertake as *redescription*. Rather than trying to make their ideas conform to some "truth" about the world, Rorty's "method is to redescribe lots and lots of things in new ways, until you have created a pattern of linguistic behavior which will tempt the rising generation to adopt it" (CIS 9). For the purpose of politics Rorty would chose to redescribe one thing over and over – family. But his descriptions of family would be parental rather than fraternal—focusing on children rather than brothers-in-law—and would replace present resentments with future hopes. He would conceive of the "rising generation" not merely as a privileged audience but as the central part of the description itself.

Looking at American politics and finding it infused with resentful sentiments Rorty saw not a "failure of imagination" but "a failure of nerve" – he initially saw no need, as a philosopher, to help crack the crust of convention.

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[10] Rorty 1991, 76

But Rorty eventually worked up the nerve himself to wade into the political fray. But it might represent a failure of imagination that in order to do so he turned to the same sort of family-centered sentiment that he associated with wrong-headed conservatism in the example of the laid-off brother-in-law. Rather than cracking "the crust of convention" and questioning "traditional institutions," Rorty would rely upon conventional understandings of the most traditional of institutions.

As mentioned above, Rorty argued that through our redescriptions we should try, "to outflank the objections [of others] by enlarging the scope of one's favorite metaphor" (CIS 44). For the purpose of politics, parenthood became Rorty's favorite metaphor and he would stake his hopes for political progress on enlarging its scope. But in its expansion, Rorty's metaphor would grow out of control. Rorty would extend the parental metaphor outward into the political realm, so that family-feeling extends toward future generations and larger communities, and in doing so he would stretch the metaphor beyond its descriptive usefulness. The metaphor would come to obscure more than it illuminated. And parental sentiments would also expand inward, threatening the private realm of contest that Rorty hoped to preserve. The experience of parenthood would become a source of personal meaning that takes on the character of fundamentalism and must be protected from challenge – at first for the masses but eventually, in the end, for the ironists as well.

3. *Family and the Politics of Hope*

Honig summarizes Rorty's ideas about the difference between private life and politics this way: "Irony is recommended for private individuals…. For citizens, however, Rorty recommends romance…."[11] "Romance" is a word that Rorty only began applying to citizenship after his exchange with West in the late 1980s. West had included Rorty among those that he criticized, along with theorists like Foucault and Derrida, as politically paralyzed because of a one-sided focus on what was wrong with the world – on criticism rather than affirmation. West believed Rorty and other contemporary American pragmatists,[12] "…resemble their counterparts in postmodern literary criticism – postmodern American philosophers have failed to project a new worldview, a countermovement, 'a new gospel of the future.'" Regarding Rorty in particu-

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[11] Honig 2001, 166.

[12] In particular Kuhn, Quine, Sellers and Goodman.

lar, West saw his ideas as backward-looking. He thought Rorty's "ingenious conception of philosophy as cultured conversation rests upon a nostalgic appeal to the world of men (and women) of letters of decades past." Thus in West's view, Rorty did not offer any "visions, worldviews or... 'counter-philosophies' to the nihilism to which [his] position seems to lead."[13]

Rorty seemed to agree, and admired West's efforts to be forward-looking. Rorty noted that, "among prominent leftist intellectuals in the United States Cornel West may be unique in that he is patriotic, religious, and romantic."[14] It was West's romanticism, his ability to hold onto "social hope," that struck him most. Rorty thought this was an aspect of West's ideas that was worth defending: "Romantic hope is, for most American leftists, a sign of intellectual immaturity. For such hope is incompatible with the ice-cold man-from-Mars style of thinking and writing exemplified by Foucault, and with the scorn for social hopes of the Enlightenment which we postmoderns are supposed to have learned from Nietzsche and Heidegger. From the point of view of most of the American Left, West's *tone* is all wrong. So much the worse, in my view, for that Left."[15]

So Rorty began to change his own tone to be more romantic. He would defend a sort of patriotic romantic hope that was first and foremost *forward-looking*. And while Rorty would never endorse the sort of religious belief that West has made central to his political ideas, Rorty did seek to stake his forward-looking politics on something that approximates religious faith – our hopes for our progeny. As Rorty put it, people once believed, "hope of heaven was required to supply moral fiber and social glue - that there was little point, for example, in having an atheist swear to tell the truth in a court of law. As it turned out, however, willingness to endure suffering for the sake of future reward was transferable from individual rewards to social ones, from one's hopes for paradise to one's hopes for one's grandchildren (CIS 85)."

So while Honig figures Rorty in terms of a turn from "Romantic individualism" to "national romance,"[16] Rorty would come to embrace romance by one extra turn. He figured national politics as a family romance.

While Rorty had recommended private efforts to repeatedly redescribe "lots and lots of things," in his turn to politics he began to forgo multiplicity to take on a more singular tone: our unitary (glued-together) public culture should be given a single redescription. "[L]iberal culture needs an improved self-

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[13] West, Cornell. *The Cornel West Reader*. New York: Basic *Civitas* Books, 1999, 209-210.

[14] Rorty, Richard. "The Professor and the Prophet." *Transition:* No. 52, p. 70. 1991.

[15] Rorty 1991, 70.

[16] Honig 2001, 171.

description rather than a set of foundations" (CIS 52). And in shifting to a family-centered, future-oriented self-description, Rorty thought that liberal culture "has been strengthened by this switch." While scientific discoveries and philosophical innovations posed a continuous threat to public religion, Rorty believed that "it is not clear that any shift in scientific or philosophical opinion could hurt the sort of social hope which characterizes modern liberal societies – the hope that life will eventually be freer, less cruel, more leisurely, richer in goods and experiences, not just for our descendants but for everybody's descendants" (CIS 86).

While Rorty thought the nation's self-description should be forward-looking, he would defend it by first looking back, toward one of his philosophical "heroes" and a patron saint of American pragmatism – Dewey. Rorty explained that in conceiving of politics in terms of a hope for the future, he was articulating a pragmatic philosophy in the tradition of Dewey. "Dewey argues that so far the thrust of philosophy has been conservative; it has typically been on the side of the leisure class, favoring stability over change. Philosophy has been an attempt to lend the past the prestige of the eternal. 'The leading theme of the classic philosophy of Europe,' he says, has been to make metaphysics 'a substitute for custom as the source and guarantor of higher moral and social values.' *Dewey wanted to shift attention away from the eternal to the future,* and to do so by making philosophy an instrument of change rather than of conservation, thereby making it American rather than European.... (PSH 29)."[17]

In this sort of presentation of Dewey's ideas, one can see the connections that Rorty would like to make: a concern for metaphysics and eternal truths is tied to conservatism, the past, and Europe, and a more pragmatic approach to philosophy goes along with hope for the future and America. The latter connection is a particularly important one for Rorty. He believed America is the most fruitful ground for a pragmatic approach to both philosophy and politics because "America has always been a future-oriented country, a country which delights in the fact that it invented itself in the relatively recent past" (PSH 24).

While America may have "always been" future-oriented, Rorty liked to pick out and praise certain Americans, like Emerson and Whitman, who have

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[17] Rorty's quotations of Dewey are from *Reconstruction in Philosophy,* and from "Philosophy and Democracy." The idea of replacing looking for the eternal with looking to the future is one of Rorty's favorite ways to summarize what he is trying to accomplish (PSH 29, TP 174). Italics added.

best exemplified this spirit, and criticize others, like Henry Adams, who did not. He began to make the same distinctions regarding his contemporaries. While Rorty praised Dewey's association of metaphysical philosophy with conservatism, Rorty identified a group of intellectuals on the *left* side of the political spectrum who he believed had failed to exemplify a spirit of hope for the future. They were many of the same philosophers and theorists that West had lumped in with Rorty as "nihilistic." In joining West in romantic thinking, Rorty would also join this attack. Previously Rorty had found uses for postmodern theory in the private realms of life. "Theorists like Hegel, Nietzsche, Derrida, and Foucault seem to me invaluable in our attempt to form a private self-image,...."[18] When their ideas were applied to politics, they had struck Rorty as less than nefarious – "merely nuisances" (AOC 97). Such theorists and their ideas, Rorty suggested, are "pretty much useless when it comes to politics" (CIS 83). But in embracing a future-oriented politics of hope, Rorty began to find them much more troubling. He came to believe that due to the work of "postmodern" philosophers, "Hopelessness has become fashionable on the Left – principled, theorized, philosophical hopelessness. The Whitmanesque hope which lifted the hearts of the American Left before the 1960's is now thought to have been a symptom of a naïve 'humanism'.... The Foucauldian Left represents an unfortunate regression to the Marxist obsession with scientific rigor. This Left still wants to put historical events in a theoretical context. It exaggerates the importance of philosophy for politics, and wastes its energy on sophisticated theoretical analyses of the significance of current events (AOC 37)."

The essence of his criticism of these scholars on the left is that they "prefer knowledge over hope," in that they try to get behind appearances and understand the "true" nature of oppression, power, hegemony, et cetera.[19] They are

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[18] West describes the relationship between the early Rorty and the European postmodernists this way: "Rorty [...] ingeniously echoes the strident antihumanist critiques—such as those of Martin Heidegger, Jacques Derrida, and Michel Foucault—of a moribund humanism. Yet his brand of neopragmatism domesticates these critiques in a smooth, seductive and witty Attic prose and more important, dilutes them by refusing to push his own project toward cultural and political criticisms of the civilization he cherishes..." (West 1989, 206).

[19] See the chapter "A Cultural Left" in *Achieving our Country,* and "The Humanistic Intellectual: Eleven Theses" in *Philosophy and Social Hope.* Rorty is willing to give credit to these same leftist intellectuals for contributing to many noteworthy accomplishments, in particular for getting the US to realize that Vietnam was a disaster and for helping people in the US become more tolerant and sensitive toward minorities, women, and gays (AOC 68, 80-82). Rorty and West's condemnations of continental philosophers like Foucault and

stuck in the past, and in the deep origins of injustice, rather than looking toward the future.

Part of Rorty's problem with this sort of analysis was that he saw it as useless on the practical level. It offered a "dreadful, pompous, useless, mish-mash of Marx, Adorno, Derrida, Foucault, and Lacan. It has resulted in articles that offer unmaskings of the presuppositions of earlier unmaskings of still earlier unmaskings."[20] But more importantly, these ideas were affecting the "rising generation" that Rorty saw as the predominant group "redescriptions" are meant to "tempt" (CIS 9). Thus Rorty was particularly bothered that "Belief in the utility of this genre has persuaded a whole generation of *idealistic young leftists* in the First World that they are contributing to the cause of human freedom by, for example, exposing the imperialistic presuppositions of Marvel Comics...."[21]

In these debates with the "hopeless" left, Rorty was reenacting his old struggle with analytic philosophy. In that earlier struggle, he hoped to recover a spirit of philosophical contest from the search for foundational truths. In his battle with the postmodernists, he hoped to recover a sense of political contest from a search for deeper and truer understandings of power and oppression. While young academics influenced by this hopelessness might busy themselves with trivialities like comic books, young citizens might give up on politics altogether. "A contemporary American student may well emerge from college less convinced that her country has a future than when she entered. She may also be less inclined to think that political initiatives can create such a future" (AOC 10). So in taking on the "hopeless" left Rorty largely gave up his distinction between academic politics and real politics. Since the future was at stake, and the next generation was at stake, it was time for the philosopher to enter politics proper and once again "enlarge the scope" of his "favorite metaphor."

Rorty thought that liberal solidarity had been strengthened by coming to center upon the shared experience of hopes for our children's future. This "social glue" was so strong because the sentiment was so deeply felt. Most people's lives, Rorty believed, are "given meaning by this hope" (CIS 86). It was the public responsibility of philosophers, whatever their private "ironist" beliefs, to work with this meaning and explore its possibilities. Rorty complained

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Derrida are often, but not always, broadly drawn and in many cases their generalizations fail to do justice to the theorists they attack.

[20] Rorty, Richard. "Thugs and Theorists, A Reply to Bernstein." *Political Theory,* 15:4 (November 1987), 570.

[21] Rorty 1987, 569. Emphasis added.

that "The left has taken less and less interest in what the rest of the country is worrying about."[22] If regular people's lives were given meaning by hopes for their children, then philosophers should focus their efforts there instead of digging into the fundamental nature of power or oppression. Rorty summarized, "Philosophy should try to express our political hopes rather than ground our political practices."[23]

4. *Enlarging the metaphor: from family outward*

So Rorty took on the task of expressing political hopes by expanding upon the family-centered sentiment which, he believed, make our hopes feel meaningful. In taking up political contest in this fashion, Rorty would have to circumscribe contest as well. Contest would be constrained by the particular source of hope that gave meaning to people's lives and would involve competing efforts to expand upon parental virtue. In his own efforts Rorty would make the tendency to derive meaning in our lives from the experience of family life, especially parenthood, a central aspect of his descriptions and redescriptions of various groups in various contexts, from some Americans, to Americans in general, to people in the rich North Atlantic democracies, to people in the West, to human beings in general. Rorty saw the depth of family-feeling as the best basis upon which to expand, in a meaningful rather than purely philosophical sense, the way that people think of who is in their moral community. Rorty, in moving from the contest of philosophy to the realm of politics, would put ideas about family to use to craft a wider community of meaning and value, and in doing so come to embrace a politics of virtue.

But before Rorty could expand family-centered virtue outward to a larger community, he had to shore up its roots in our daily lives. Rorty believed that one of the main flaws of metaphysical moral philosophy, from Plato to Kant, is that it does not appreciate the way that the "natural" depth of family-feeling affects humans. As Rorty puts it: "The central flaw in much traditional moral philosophy has been the myth of the self as non-relational, as capable of existing independent of concern for others, as a cold psychopath needing to be constrained to take account of other people's needs" (PSH 77).[24] It is

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[22] Rorty 1987, 570.

[23] Rorty, Richard. "From Logic to Language to Play," *Proceedings and Addresses of the American Philosophical Association* 59 (1986), 752.

[24] Rorty actually ascribes this view to Dewey and Annette Baier, but he is clearly presenting it as a view he agrees with.

our experience with our families, according to Rorty, that prevents us from actually being this amoral psychopath postulated by western philosophy. Offering a rather upbeat take on the Freudian account of the family, Rorty summarized: "The most important link between Freud and Dewey is the one that [Annette] Baier[25] emphasizes: the role of the family, and in particular of maternal love, in creating nonpsychopaths, that is, human selves who find concern for others completely natural" (PSH 78). Rorty believed that because this concern for others feels so natural within the family, morality is not something that philosophers should feel obliged to argue for or seek theoretical "grounds" for in thinking about how we should behave: "…consider the question: Do I have a moral obligation to my mother? My wife? My children? 'Morality' and 'obligation' here seem inapposite. For doing what one is obliged to do contrasts with doing what comes naturally, and for most people responding to the needs of family members is the most natural thing in the world. Such responses come naturally because most of us define ourselves, at least in part, by our relations to members of our family. Our needs and theirs overlap; we are not happy if they are not. We would not wish to be well while our children go hungry; that would not be natural (PSH 78)."[26]

This "natural" solidarity between parent and child, the sense that your sense of well-being can not be separate from your child's, provides the basis for the sort of relationship that Rorty wanted to see between members of larger communities.

The way to accomplish this, Rorty believed, was to tell stories that might enlarge our solidarity by enlarging the familial metaphor. In order to include more people in the way we define ourselves – more people whose well-being we care about on a visceral level rather than through a sense of obligation based on the thin stuff of metaphysical speculations about morality – we must find a way to include more people "in telling ourselves stories about who we are" (PSH 79). We would not leave our children out of our story about who we take ourselves to be, Rorty believed, and that is why our care for our children is "natural." If we can find a way to include more people in our stories about ourselves, then the "natural" morality of parental care will expand outward to

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[25] Rorty is referring to Baier's *Postures of the Mind*. Minneapolis: University of Minnesota Press, 1985.

[26] Obviously, Rorty's view of the feelings that occur within families is wildly simplistic and optimistic. Freud believed that there are conflicting feelings of love and hostility involved in growing up in a family. It is the efforts to negotiate these conflicting feelings, rather than a sort of feel-good experience of love, that causes a person to develop a superego that determines what they consider moral behavior.

larger communities. "[T]he desire to feed [a] hungry stranger may of course *become* as tightly woven into my self-conception as the desire to feed my family" (PSH 79). This process has little to do with abstract morality in the Kantian sense, but to Rorty it represents a sort of moral progress. "Moral development in the individual, and moral progress in the human species as a whole, is a matter of re-marking human selves so as to enlarge the variety of relationships which constitute [people's] selves" (PSH 79).

Since the feelings of trust and interdependence that Rorty hoped to expand upon were most typical of the experience of parenting, Rorty thought parenthood should also be central to the sorts of stories we use to enlarge our moral imagination and achieve this moral progress. Because a "hope for the future" is the crucial attitude that Rorty would like to serve as the basis of our community feeling, it is logical that the familial role that would best intermingle hope for the future and a relational sense of "who we are" is the role of the parent caring about the child. For example, Rorty thought that if you want to explain to someone why they should care about a person who they do not know and are not related to, "a person whose habits [they] find disgusting," it is best to eschew arguments of the moral obligations humans have to other members of their species. Rather, "a better sort of answer is the sort of long, sad, sentimental story that begins, 'Because this is what it is like to be in her situation […]' or 'Because she might become your daughter-in-law' or 'Because her mother would grieve for her'" (TP 185). Applying the idea to real events of the most horrible kind, Rorty suggested that the citizens of Denmark and Italy who scrambled to help their Jewish neighbors escape from the Gestapo were possibly motivated by imagining them, if they had no more direct connection, as "a fellow parent of small children" (CIS 190-191).[27]

In stating the ultimate goal of the tradition of pragmatism with which he aligned himself, Rorty gives priority to what could be called the "procreative moment." "What matters for pragmatists is devising ways of diminishing human suffering and increasing human equality, increasing the ability of all human children to start life with an equal chance of happiness" (PSH xxix). Following the logic of Rorty's 'family feeling extended' model of moral progress – it is the profound feelings of hopefulness that Rorty believes a person experiences in having a child that provides the best basis for the creation of a more ideal society. And it is sympathy with other people's hopes for their children

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[27] Arendt offers a very different account of the reasons for these brave responses in her *Eichmann in Jerusalem* (New York: Penguin 1992). Arendt saw important differences between the situation in Denmark, where political leaders openly defied the Nazi occupiers, and Italy, where resistance to the European holocaust was carried out through subterfuge.

that represents, for Rorty, the culmination of the sort of moral development that he would like to encourage: "[T]he ability to shudder with shame and indignation at the unnecessary death of the child – a child with whom we have no connection of family, tribe, or class – is the highest form of emotion that humanity has attained while evolving modern social and political institutions" (CIS 147).

Rorty's notion of expanding feelings of obligations from the family, where they are "natural," outward to larger groups of people bears a family resemblance to Julia Kristeva's notion of cosmopolitanism as developed in her *Nations Without Nationalism*.[28] Kristeva also imagines feelings of community being extended outward from the self and family toward increasingly larger groups, each group serving as a "transitional object" for the previous one – from self to family, from family to nation, from nation to Europe, and so forth. An important difference between the two is that for Rorty, family and especially children always remain the important "transitional" object. People include others in their sense of themselves by thinking of those others in the context of their family lives, especially as fellow parents of children.[29]

In suggesting that the sentiments of parenthood should be central to the "better self-description" that we give to our own lives as well as to "liberal society," Rorty seemed to favor a description of parental sentiments that is rather sanguine, perhaps naively so. It seems possible that the particular aspirations one has for one's own children might interfere with, rather than provide the basis of, one's commitment to improve the life prospects of other people's children. Rorty himself offered several gestures in this direction. Though he prided himself on his "cold-war liberalism" and staunch anti-communism,[30] Rorty thought at least one aspect of Marx's insights had continued relevance: "To say that history is 'the history of class struggle' is still true, if it is interpreted to mean that in every culture, under every form of government, and in every imaginable situation...the people who have already got their hands on money and power will lie, cheat and steal in order to make sure that *they and*

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[28] Kristeva, Julia. *Nations without Nationalism*. New York: Columbia University Press, 1993, 40-41.

[29] Honig sees something similar happening in Michael Sandel's notion of liberal community. She notes, for example, that Sandel argues for the inclusion of gays in the moral community, because they are *basically similar* to other Americans. In particular, gay citizens, in their desire to marry and have children, affirm the "sanctity" of "procreation and marriage" (Honig 1993, 188).

[30] Rorty 1987. Rorty was willing to endorse the insights of the Communist Manifesto, "still an admirable statement of the great lesson we learned from watching industrial capitalism in action" (PSH 205).

their descendants monopolize both forever" (PSH 206).[31] Even when he was feeling less sweepingly Marxist, Rorty recognized the tendency of the rich and powerful to seek advantages for their own children at the expense of other people's children.[32] Sometimes Rorty wrote about this dilemma in terms of a "super-rich" class, liberated by globalization from traditional obligations and economic ties to poorer Americans. This group, in Rorty's analysis, seems to have had their moral development move in exactly the opposite direction from the "family-outward" development of sentiment that Rorty prefers. The super-rich, instead, have morally regressed from a feeling of responsibility to America to an exclusive focus on their own descendants. "The economic royalists whom Franklin Roosevelt denounced still had a lot invested in America's future. For today's super-rich, such an investment would be imprudent. There is too little public discussion of the changes that this globalized labor market will inevitably bring to America in the coming decades. Bill Bradley is one of the few prominent politicians to have insisted that we must prevent our country from breaking up into *hereditary economic castes*…[There are plausible scenarios in which] America, the country that was to have witnessed a new birth of freedom, will gradually be divided by class differences of a sort that would have been utterly inconceivable to Jefferson or to Lincoln or to Walt Whitman (PSH 258-9)."[33]

So for the super-rich, family-feeling and caring for your children doesn't radiate warmth and care outward toward the larger community. Rather family

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[31] Emphasis added. Where I have inserted an ellipsis, Rorty listed a number of examples of historical places and periods where the people who have their hands on money and power acted to preserve it for themselves and their children. Among these examples are "America under Reagan."

[32] Keith Topper offers a critique of Rorty that makes a similar point in a different way. Topper is dubious about Rorty's notion that private and public can be considered separately, and in particular that the public realm should be insulated from the complexities of private existence. Topper suggests that the work of Pierre Bourdieu in which he demonstrated that University professors assess students on the basis of the sort of stylistic indicators of class background one picks up from one's parents, rather than on the quality of their work, demonstrates complex relations between the public and private realms that Rorty ignores. I address Rorty's take on the public role of professors below. "Richard Rorty, Liberalism and the Politics of Redescription," The American Political Science Review, Vol. 89, No. 4 (Dec., 1995).

[33] Emphasis added. It is hard to believe that Jefferson, slave-owner and the President whose executive order expanded slavery into the Louisiana territories, could not have conceived of a society in which different castes, defined by genetic criteria, have radically different life chances. Rorty discusses the same danger of America being divided into hereditary castes in *Achieving our Country*, 98

feeling legitimates the consolidation of wealth and contributes to the development of "hereditary economic castes." But the super-rich are different from the rest of "us," right? Not necessarily, since Rorty offered a very similar analysis of the behavior of the entire American middle (or upper-middle) class. "It is as if, sometime around 1980, the children of the people who made it through the Great Depression and into the suburbs had decided to pull up the drawbridge behind them. They decided that although social mobility had been appropriate for their parents, it was not to be allowed to the next generation. These suburbanites seem to see nothing wrong with *belonging to a hereditary caste*…(AOC 86)."

While Rorty wrote about the hereditary castes of the super-rich as a frightening possibility the future might hold, he wrote about the hereditary castes of the well-off suburbanites as something that had already come about.[34] He worried not whether hereditary castes might form in the future, but "if the formation of hereditary castes *continues* unimpeded…" (AOC 87).[35] And he worried not if the United States would *some day* be split apart into groups defined by family, but rather accepted that the split had already occurred, and worried instead whether Europe would follow our lead and "create such castes not only in the United States, but in all the old democracies…" (AOC 87).

Rorty did not bring this economic analysis of the consequences of family feeling and parental care, in which wealth and power are consolidated and preserved for one's children rather than other members of the community, to bear on his family-outward theory of moral development. He never considered whether family-centered economics might suggest that family-centered morality offers, as Dewey might suggest, "a consecration of the *status quo*."

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[34] Habermas noted as well that the modern conjugal family, though it conceived of itself in terms of a "community of love," was also a mechanism for the consolidation of wealth and the passing on of strict standards of behavior. "[T]he conjugal family's self-image of its intimate sphere collided even within the consciousness of the bourgeoisie itself with the real function of the bourgeois family […]. As a genealogical link it guaranteed a continuity of personnel that consisted materially in the accumulation of capital and was anchored in the absence of legal restrictions regarding the inheritance of property. As an agency of society it served especially the task of that difficult mediation through which, in spite of the illusion of freedom, strict conformity with societally necessary requirements was brought about" (Habermas 1991, 47). Stevens also explores this aspect of the modern family, and the way the laws of the state have traditionally assisted in this familial accumulation of capital (32, 264).

[35] Emphasis added.

5. *West and the path to parenthood*

Cornel West would trace an analogous path through the concerns of pragmatism to the answers provided by parenthood. Turning, with his book *The American Evasion of Philosophy*, from black protestant theology to the tradition of pragmatist philosophy in the United States, West began to admire the pragmatist attempt to find a middle ground between "rapacious individualism and… authoritarian communitarianism. To walk a tightrope between individualism, hedonism and narcissism…and…conceptions of community that impose values from above, thereby threatening precious liberties" (BEM 32-33). But West would go on to articulate a romantic quest for personal wholeness and political harmony centered on parenthood, and to suggest political measures that limit personal freedom and enlarge the scope of state power.

West argues for a version of democratic citizenship that maintains a productive tension between the hopeful and utopian impulses of romanticism, and the skepticism, openness and suspicion of fundamentalism of political contest. He worries about the authoritarian impulses that might result from romanticism and about the nihilism that lurks on the other end of the spectrum. But it is possible to detect in his work a competing desire that such tensions be resolved – that a single solution be discovered which can redeem politics and provide a respite from the difficulties of contest. West's impulse to find a source of unity and harmony was something that Rorty noticed in the 1980s, before either West or Rorty began to write extensively about family and parenthood. It is possible to see in this exchange the shared interests that would lead each to give parenthood a prominent and problematic place in their thinking, as well as the differences that would determine the divergent ways that they would put ideas about parenthood to use.

West saw Rorty's critique of analytic philosophy as backward looking and self-satisfied – happy to tear down ideas but not eager to build alternatives in their place. This frustrated West because he believes the American tradition of pragmatism might offer valuable ideas for thinking about contemporary democratic citizenship – the sort of hopeful and future-oriented yet self-critical and anti-authoritarian citizenship that West favors. West explores this possibility more extensively in *The American Evasion of Philosophy*, his book on the pragmatist tradition. West argues that the tradition of American pragmatist philosophy offered resources "to reinvigorate our moribund academic life, our lethargic political life, our decadent cultural life, and our chaotic personal lives for the flowering of many-sided personalities and the flourishing of more democracy and freedom" (AEP 5).

What West likes most about the American pragmatist tradition is very similar to what Rorty praised in it: its thinkers attempt to articulate hopeful and progressive political projects that respond to the actual circumstances of the moment rather than "metaphysical" and "epistemological" questions. In other words pragmatism offers a compelling argument for the politics of contest, balanced by the hopeful spirit of the romantic. In doing so, West believes, the pragmatic tradition can prove itself far more useful than the sort of philosophy that seeks to be "a tribunal of reason which ground claims about Truth, Goodness and Beauty" (AEP 4). But West believes pragmatism has often failed to meet its potential and has stagnated in contemporary times. He hoped his book would "speak to the major impediments to a wider role for pragmatism in American thought" (AEP 7).[36]

As mentioned above, Rorty found much to appreciate in the West volume that criticized him. But Rorty also identified in West's thought a "basic tension […] between a wish to evade philosophy and a hope that something rather like philosophy will take its place."[37] Following West, Rorty referred to this "something rather like philosophy" as the "prophetic," and linked it with the sort of "social hope" that would come up so often in Rorty's own later philosophy. And though he had yet to do so himself, Rorty seemed to endorse West's efforts to articulate a "prophetic pragmatism." As Rorty put it, "[Pragmatism] is socially useful only if teamed up with prophesies – fairly concrete prophecies of a utopian social future."[38]

But while Rorty acknowledged the importance of articulating social hope, he was critical of one particular way that West went about it – the hope for a deeper theory of oppression. "I agree with West that what the American Left most needs is prophecy – some sense of a utopian American future…. Sometimes (as in Rousseau, Dewey, and Unger) theory has been the helpful auxiliary of romance. But just as often it has served to blind the intellectuals to the

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[36] In this vein West offers a critical overview of the tradition picking out the aspects of each thinker that he finds most useful, and pointing out problems that prevented thinkers from fulfilling the potential their ideas possessed. Thus Emerson is praised as a prophet of self-creation, but criticized for elevating personal integrity over political projects – "human personality disjoined from communal action" (AEP 40). Peirce is commended for balancing individualism with a sense of the "higher duties" to the community imposed by the Christian notion of love. Dewey is appreciated for his activism, but criticized as blind to the depth of the problems of the underclass. West thought Hook and Mills veered too far toward pessimism, while Niebuhr's religious and "tragic" sensibility might provoke a hopeful and heroic approach to seemingly insurmountable problems.

[37] Rorty 1991, 75.

[38] Rorty 1991, 77.

new possibilities that romantics and prophets have envisioned."[39] In particular, Rorty worried that West's search for a more complete "worldview" was hindering his appreciation of specific, partial, contingent political claims and movements. Thus Rorty did not see much promise in West's hopes to discover "a unified theory of oppression… [integrating] issues of race, class and gender."[40] It annoyed Rorty that West would temper his appreciation of a particular pragmatist and romantic political project – like the one articulated by Roberto Unger in his *Politics* – by calling it "Eurocentric and patriarchal" because is does not "grapple with forms of racial and gender subjugation" (AEP 223). Rorty worried that West might undermine his own appreciation of pragmatism's greatest source of political potential – the willingness to articulate claims and visions for a community without reference to universal, metaphysical and timeless truths or conceptions of the good – through his attraction to such a unified theory of oppression. West believed that Rorty had accepted contest, but only so far as it is trivial – linguistic, conversational, personal, ironic. Rorty, on the other hand, suspected that West's embrace of contest was endangered by his longing for a deeper unification or a final answer.

6. *Parenthood and the attainment of unity*

Rorty was right to worry. Following this exchange, both theorists would start down the path that led each to give ideas about parenthood a prominent place in their political thought. One can sense in Rorty's description of Foucault as "ice-cold" and "man on the moon" that he did not like how West had lumped them together by linking Foucault's "paralyzing" anti-authoritarianism with Rorty's commitment to irony. In turning to family and social hope, Rorty would try to warm his up his philosophy. Rorty began to think of parents' love for their children as the source of "social hope" that provided the best motivation for political projects. And though he had been critical of West's attraction to universals, Rorty would argue that the best way to expand the circles of concern that define communities was to tell sentimental family-centered stories about the lives of the poor, the foreign, and the weak – making the case that everyone is alike in their love for children. In thinking about family, Rorty would become more like the West he criticized.

But they would not become just alike. Rorty would treat the sentiments of parenthood and family feeling as natural and assumed – leaving them largely

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[39] Rorty 1991, 78.
[40] Rorty 1991, 77.

unexamined and offloading the problematic question of socialization to teachers and professors. By keeping the actual experience of parenthood at a distance, Rorty found it uncomplicated to presume that an ever-expanding unity and moral universalism might be achieved through the shared experience of a child-centered hopefulness. West examines the role of parenthood in personal and political identity more closely. In bringing his existing set of concerns to bear on the role that parenthood might play in citizenship he would bring quest for unification – theoretical and otherwise – along with him. In doing so, he undermines his commitment to a productive tension between the politics of virtue and contest that he had developed in his other work.

Whereas Rorty attempted to insulate his commitment to contingency and irony from his family-centered universalism by splitting apart the public from the private realm, West has always been a lumper and not a splitter. Throughout his career West's instinct has been to combine insights and combine traditions in search of a more useful theory and orientation toward politics. For example, in ending his study of pragmatism, West summarizes that "prophetic pragmatism" would borrow from "Emerson's sense of vision... re-channel[led] through Dewey's conception of creative democracy and Du Bois' social structural analysis," and incorporate "the tragic sense found in Hook and Trilling, the religious version of the Jamesian strenuous mood in Niebuhr, and the tortuous grappling with the vocation of the intellectual in Mills" (AEP 212). Such a project would be combined with others. Thus Iris Marion Young, in describing the orientation West developed over his career, adopts the agglomerative label "genealogical materialist prophetic pragmatism," and describes its development in terms of "additions" of "ingredients" to a "theoretical mix"[41]

Young appreciates this aspect of West's work, and she is critical when she detects a shift from his "theoretical projects" and his later "popular and political" coauthored works.[42] According to Young, West forgets his recipe of theoretical commitments when he turns to consider, with Hewlett, the family. She argues "that in his eagerness to offer solutions to America's persisting sources of suffering and cynicism, West has wrongly distanced himself from the sub-

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[41] Young, Iris Marion. "Cornel West on Gender and Family." In *Cornel West: A Critical Reader*. George Yancy, ed. Hoboken: Wiley-Blackwell 2001. p 180-182. West's enthusiasm for combining the perspectives of other thinkers has also been noted by his harshest critics. For example, Leon Weiseltier suggests that West's work amounts to "a long saga of positioning" (Leon Weiseltier "All or Nothing at All." The New Republic. March 6, 1995. p. 32).
[42] Young, 179.

tlety of genealogical materialist prophetic pragmatism."[43] But it was actually the turn to parenthood which struck West as a way to finally weld together issues of race, sex and class[44] – a project he had pursued for his whole career.

However, West accomplishes this not through the sort of theoretical complexity that Young admired but by sentiment and shared transformative personal experience. West and Hewlett would like to use the experience of parenthood to transform American politics. Their book *The War Against Parents,* blurbed by several senators as well as the CEOs of both the NAACP and Toys "R" Us, focuses on the way having children can effect a self-transformation that can then change the way a person thinks about and participates in politics. It is the depth of this personal experience and its transformative potential that allows it to transcend the divisions that West hoped to overcome. "By giving moral heft to the art and practice of parenting and by crafting a political agenda capable of delivering new and substantial support to parents, we have found a repository of comfort and strength that has the potential to bridge the deep divides of race, gender and class" (WAP xi). The authors use themselves as an example. To an extent that is unusual in an academic work, Hewlett and West focus upon the relationship between the authors – the experiences that brought them together and that qualify them to write about the topic. The book begins, "Ours is a special partnership. A black man and a white woman come together to confront our nation's war against parents and our consequent inability to cherish our children. Such a collaboration is rare and precious…And our work together is not merely some cloistered, scholarly endeavor but involves high stakes political action. It requires nothing less than the launching of a new political movement…. (WAP xi)."

What allows Hewlett and West to come together is not the effort to solve difficult problems by juxtaposing different perspectives, but rather a common experience: "…the fact is, our 'blackness' and 'femaleness' pale in the light of

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[43] Young, 179. Young extended this criticism to include the set of "economistic" policy proposals offered by West and Unger in *The Future of American Progressivism*. Young is frustrated, for example, that despite "gestures acknowledging how racist, sexist and heterosexist structures intersect with economic class, [West and Unger] do not offer a description of the workings of privilege and disadvantage in America that integrates these different structural axes" (186). Her criticism of West and Unger echoes very closely the terms that West had used to critique Unger's *Politics* (AEP 223).

[44] While West sometimes includes sexual orientation as another social divide and locus of discrimination or oppression in his other works, he does not discuss it in *The War Against Parents*. Though they mention gay parents a few times, the authors defend the idea that the best parents for any child are the biological parents.

an even more fundamental identity: that of being a parent. After all, we share the bedrock stuff: we are crazy about our kids" (WAP xii).

So Hewlett and West's political project is about the building of consensus out of democratic variety, but it does so through the exploitation of a more fundamental similarity. This is also the case for the population of parents at large. "Strange as it may seem, the identity of being a parent – unlike those based on race, gender or class – is relatively undeveloped in American society, and enormous potential lies in identifying people first and foremost as parents" (WAP xii). Just as, despite their different backgrounds, the authors found they shared a fundamental outlook because they have "the bedrock stuff" in common, the authors believe the American population of parents has uniform opinions if a person knows where to look. Hewlett and West argue that parents in American society only seem to have different opinions on matters of public concern because politicians "like to use parents as political footballs in their ideological games, magnifying differences and dividing a constituency that is already weak and vulnerable" (WAP 216). The authors present the results of a poll they conducted to show that if you ask the right questions there is "a remarkable degree of consensus among parents…," and that "there is *enormous unity across race, class, and gender*" (WAP 215-216).[45]

This unity also carries across generations, allowing Hewlett and West to sympathize with their parents' suspicions regarding liberalism, feminism, self-realization and non-familial sources of emotional fulfillment. They worry, for example, that feminists spread the idea that "the enormous quantity of other-directed energy absorbed by families gets in the way of freedom of choice and ultimately self-realization…which is why radical feminists tend to see motherhood as a plot to derail equal rights and lure women back to subservient, submissive roles in the family" (WAP 95). And this unity across generations also extends forward toward the future, allowing Hewlett and West to believe that parents should be able to represent their children's interests by literally casting votes for them. "This makes intuitive sense: today's elections will affect today's children well into maturity, and they should have an opportunity to influence that future, if only through their parents. But the measure also has immense practical ramifications: overnight it would almost double the potential size of the parent vote" (WAP 240-241).[46] The authors see no problem with the assumption that parents can be trusted to offer an enlightened representa-

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[45] Emphasis in the original.

[46] Had this suggestion been incorporated into the 2008 election, it likely would have cost Obama, who West campaigned for, his victory. People with school age children slightly favored McCain (according to a CNN analysis of the exit polls).

tion of their children's interests in the election booth, since "the data from our survey…[reveals that] parents display a vision that is extremely responsible. They have no desire to offload their kids; on the contrary, they are struggling to take back territory and function. Without necessarily knowing the theory or the jargon, they understand that the parent-child bond is precious and that it is imperiled in new and serious ways" (WAP 219).[47]

In discovering a long-elusive unity across race, class, gender, and generations through the experience of parenthood, Hewlett and West appear to have developed a unified theory of virtue – describing how the experience of parenthood instills the "most sublime and selfless feelings," "heroic energies" and renders parents "extremely responsible" (WAP xvi, 25, 219) – rather than the unified theory of oppression West long sought. But oppression looms nearby. The parent-child bond is precious but it is also "imperiled." This oppression is implied by the title of the book; *The War Against Parents* focuses less upon parents than on the hostile culture that opposes them. Because of this oppression heroic energies sometimes lag, and sometimes disappear. The book's opening lines, quoted above, suggest, "a black man and a white woman come together" not so much because they love their kids, but because they can't: they are united by an "inability to cherish our children" (xii). They acknowledge that they "share a load of impotence and guilt – and mounting rage – with other parents" (xii).

The authors are eager to pass this guilt on to someone else. Their book uncovers new culprits: "One of the best kept secrets of the last thirty years is that big business, government, and the wider culture have waged a silent war against parents, undermining the work they do" (WAP xiii). This is a very particular sort of unity then, one of victimization, which allows West to recapture the spirit of the Marxist philosophy he explored in *The Ethical Dimensions of Marxist Thought*. Describing Marx's ideas as "fecund criticism" and "pack[ed] with life juices so that it will not only condemn, but give birth," West quotes Marx's description of what gives the working class its unique *status* in history. The proletariat is, "a sphere of society having an universal character because of its universal suffering and claiming no *particular wrong*

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[47] Despite the absence of any desire to "offload their kids," parents did become fascinated by events that followed Nebraska's passage of a "safe-haven" law that lifted any legal penalties if a parent choose to abandon a child at a church or hospital. While the law was intended to prevent young mothers from leaving newborns in dumpsters or trash cans, a number of parents took advantage of the law to turn over to the state older children including teenagers. A *New York Times* article on the subject was one of the most read articles online that month. Eckholm, Erik, "Older Children Abandoned Under Law for Babies." *The New York Times*. October 2, 2008.

but *unqualified wrong* is perpetrated on it; a sphere that can invoke no *traditional* title but only a *human* title…a sphere…in short, that is the *complete loss* of humanity and can only redeem itself through the *total redemption of humanity*" (EDMT 42)."

Parents would come to play a similar role for West: united and universal because of their suffering, afflicted at the most existential levels of human existence, and for those reasons uniquely suited to lead us to redemption.[48]

So, in thinking about the use of parenthood for citizenship, West manages to contradict many of the commitments that he has developed through a variety of projects in an unusually wide-ranging intellectual career. Throughout that work, West, like Rorty, incorporates aspects of both the virtue and contest conceptions of democratic citizenship. Rorty balanced virtue and contest notions of citizenship through a problematic division of spheres in which he confined self-creation and contest to a private realm, and suggested family feeling as the key to a virtuous orientation to politics – a division that his ideas about parenthood persistently helped to undermine. West's inclination is in many ways the opposite of Rorty. If Rorty attempts to strike a balance between virtue and contest by pushing his ideas, see-saw style, to the far ends of the plank, West balances by straddling the middle – with, predictably, more dynamic results. West is willing to let his commitments to the values of virtue and contest come to bear on one another. He has sought to integrate these two traditions of thinking about citizenship, to preserve the strengths of both, and develop them in ways that are eclectic, searching and experimental. Throughout these efforts, West has tried to identify resources for the sort of democratic individuality he favors by identifying an amalgam of virtue and contest ideas in black theology, Marxism, American pragmatism and American politics more generally. In dealing with persistent problems that emerged through his work, he became attracted to parenthood as the experience that best informs citizenship. Imagined by West as a bastion of virtue in the face of a creeping nihilism, he discovers that parenthood threatens to reveal our failures. Described by West as an experience that instills openness and engagement, parenthood ultimately pulls West toward a politics of fear and fundamentalism.

In his own right, Rorty has said that the best self-identity for citizenship in an ideal liberal state is one in which one sees "one's language, one's conscience,

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[48] In that same book West quotes Marx regarding the essence of man's species-life – that he "reproduces himself…actively and in a real sense, and he sees his own reflection in a world which he has constructed" (EDMT 58). This desire to reproduce yourself and to see your own reflection would come to play a large role in West's exploration of the uses of parenthood for citizenship, as I will discuss below.

one's morality, and one's highest hopes as contingent products, [...]" (CIS 61). But Rorty did not seem to think that the human experience of hopes for one's children is really contingent. Given his broad generalizations, he did not even seem to think this hope was contingent on whether a person is a parent. He discussed these hopes as if they are universal. Rorty had suggested "We have to give up on the idea that there are unconditional, transcultural moral obligations, obligations rooted in an unchanging ahistorical human nature" (PSH xvi). Yet all of Rorty's ideas about the expansion of sympathies rest on the assumption of a universal and "natural" feeling of caring about our children. Rorty made his philosophical career as an anti-foundationalist, but for the purpose of politics he made caring about children foundational.[49]

In this sense, Rorty's description of politics contributes to a conception of citizenship that has been criticized by Lauren Berlant, among others. Berlant describes a situation in which "a nation made for adult citizens has been replaced by one imagined for fetuses and children."[50] Under this modern American political condition, according to Berlant " [...] citizenship [is seen] as a condition of social membership produced by personal acts and values, especially as originating in or directed toward the family sphere. Personhood is [no

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[49] Nancy Scheper-Hughes has offered several studies to suggest that such hopes are indeed contingent upon circumstances and not universal. In one she examines the practice in some rural Irish families of singling out one child to be discouraged from developing feelings of competence in life. That child, lacking confidence to strike out on his or her own, will stay at home to care for the parents when elderly. In another she examines the practice of letting particularly weak infants pass away among the shanty-town poor of Brazil. Because life is difficult, some of these women explained to Scheper-Hughes, not every child will want to undertake it. (*Saints, Scholars and Schizophrenics: Mental Illness in Rural Ireland*, Berkeley: University of California Press, 2000; and *Death without Weeping: the Violence of Everyday Life in Brazil*, Berkeley: University of California Press, 1993). There are, of course, countless things that parents do which limit possibilities for their children's future. Rorty spent little time considering them.

[50] Berlant, Lauren. *The Queen of America goes to Washington City*)Durham: Duke University Press, 1997), 1. Several examinations of the child-centeredness of contemporary American political culture exist. They include Berlant's *Queen of America*; George Lakoff's *Moral Politics*, (Chicago: University Of Chicago Press; 2nd edition. 2002), which argues that two competing visions of family are the cognitive source at the root of conservative and liberal views on most political issues; Nina Eliasoph's *Avoiding Politics*, (Cambridge: Cambridge University Press, 1998), which explores how political activists use child centered language to avoid the not just the appearance but the uncomfortable feeling that comes from being "too political;" and Michael Shapiro's *For Moral Ambiguity: National Culture and the Politics of the Family*, (Minneapolis: University of Minnesota Press, 2001), which explores the way the rhetoric of "family values" moralizes American politics in a way that destroys contingency and openness.

longer valued as] something directed toward public life [...]."[51] Berlant suggests that such an orientation is fundamentally conservative. Rorty's tendency to fix a particular meaning upon the experience of parenthood in his own scheme of family-outward morality seems conservative as well.[52] Rorty liked to cite Dewey's statement that "moralities [...] either are, or tend to become, consecrations of the *status quo*" (CIS 69), but he seems to have little concern for how a child-centered public morality might consecrate our own *status quo* rather than contribute to the imagination of a different, better future.

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[51] Berlant, 5.

[52] Simon Stow notes the way that Rorty undermines his own efforts to suggest literature can help instill an openness appropriate to democratic citizenship by insisting upon particular interpretations of literary works and dismissing alternative interpretations. Rorty does something analogous in his single-minded take on the political effects of the experience of parenting. *Republic of readers?: the literary turn in political thought and analysis.* Albany: State University of New York Press, 2007.

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Dewey and Goodin on the Value of Monological Deliberation

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ABSTRACT
Most contemporary deliberative democrats contend that deliberation is *the* group activity that transforms individual preferences and behavior into mutual understanding, agreement and collective action. A critical mass of these deliberative theorists also claims that John Dewey's writings contain a nascent theory of deliberative democracy. Unfortunately, very few of them have noted the similarities between Dewey and Robert Goodin's theories of deliberation, as well as the surprising contrast between their modeling of deliberation as a mixed monological-dialogical process and the prevalent view expressed in the deliberative democracy literature, viz., that deliberation is predominantly a dialogical process. Both Dewey and Goodin have advanced theories of deliberation which emphasize the value of internal, monological or individual deliberative procedures, though not to the exclusion of external, dialogical and group deliberation. In this paper I argue that deliberative theorists bent on appropriating Dewey's theory of moral deliberation for political purposes should first consider Goodin's account of 'deliberation within' as a satisfactory if not superior proxy, an account of deliberation which has the identical virtues of Dewey's theory—imaginative rehearsal, weighing of alternatives and role-taking—with the addition of one more, namely, that it operates specifically within the domain of the political.

> Deliberation is an experiment in finding out what the various lines of possible action are really like. It is an experiment in making various combinations of selected elements of habits and impulses, to see what the resultant action would be like if it were entered upon.
> J. Dewey[1]

> [. . .] the more democratically deliberative our internal reflections manage to be, the less it will matter that external-collective decision procedures can never be as directly deliberatively democratic as we might like in large-scale societies.
> R. Goodin[2]

0. *Introduction*

Most contemporary deliberative democrats contend that deliberation is *the* group activity that transforms individual preferences and behavior into mutual understanding, agreement and collective action. A critical mass of these deliberative theorists also claims that John Dewey's writings contain a nascent theory of deliberative democracy. Unfortunately, very few of them have noted the similarities between Dewey and Robert Goodin's theories of deliberation, as well as the surprising contrast between their modeling of deliberation as a mixed monological-dialogical process and the prevalent view expressed in the deliberative democracy literature, viz., that deliberation is predominantly a dialogical process. Both Dewey and Goodin have advanced theories of deliberation which emphasize the value of internal, monological or individual deliberative procedures, though not to the exclusion of external, dialogical and group ones. In this paper I argue that deliberative theorists bent on appropriating Dewey's theory of moral deliberation for political purposes should first consider Goodin's account of 'deliberation within' as a satisfactory if not superior proxy, an account of deliberation which has the identical virtues of

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[1] J. Dewey, "The Nature of Deliberation" in *Human Nature and Conduct*, LW 14:132. Citations are to *The Collected Works of John Dewey: Electronic Edition*, edited by L.A. Hickman (Charlottesville, VA: Intelex Corp., 1996), following the conventional method, LW (Later Works) or MW (Middle Works) or Early Works (EW), volume: page number.

[2] R. Goodin, "Democratic Deliberation Within," *Philosophy and Public Affairs*, vol. 29, no. 1 (2000): 81-109, 109.

Dewey's theory—imaginative rehearsal, weighing of alternatives and role-taking—with the addition of one more, namely, that it operates specifically within the domain of the political.

The paper is organized into five sections. In the first section, I summarize the positions of those scholars defending the view that John Dewey was a proto-deliberative democrat, anticipating the deliberative turn in democratic theory. The second section examines Dewey's monological theory of moral deliberation. In the third section, I present the key features of Goodin's theory of monological political deliberation and reveal some commonalities between it and Dewey's theory of moral deliberation. The fourth section asks and answers the question: Is there greater continuity or discontinuity between dialogical and monological theories of deliberation? In the fifth and concluding section, I share a lesson that the Dewey-Goodin comparison might impart to commentators enamored with the idea that Dewey's vision of democracy is essentially deliberative.

1. *Dewey, a Deliberative Democrat?*

Over the past decade, the claim that John Dewey was a deliberative democrat or a proto-deliberative democrat has become increasingly common in both the literature on deliberative democracy and classical American Pragmatism. Among deliberative democrats, John Dryzek acknowledges that "an emphasis on deliberation is not entirely new," and points to "[a]ntecedents" in the ancient Greeks, Edmund Burke, John Stuart Mill and "in theorists from the early twentieth century such as John Dewey."[3] Likewise, deliberative theorists Amy Gutmann and Dennis Thompson note that "[i]n the writings of John Dewey [. . .] we finally find unequivocal declarations of the need for political discussion [. . .] [and] widespread deliberations as part of democracy."[4] Deliberative democrat Jürgen Habermas invokes John Dewey's argument that genuine democratic choice cannot be realized by majority voting alone, but must also be complemented by deliberation—or in Dewey's words, "prior recourse to methods of discussion, consultation and persuasion."[5] Jane Mans-

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[3] J.S. Dryzek, *Deliberative Democracy and Beyond: Liberals, Critics, Contestations* (Oxford: Oxford University Press, 2000), p. 2.

[4] A. Gutmann and D. Thompson, *Why Deliberative Democracy?* (Princeton and Oxford: Princeton University Press, 2004), p. 9.

[5] J. Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, trans. W. Rehg (Cambridge, MA: MIT Press 1996), p. 304. J. Dewey, "The Problem of Method" in *The Public and Its Problems*, LW 2:365.

bridge and John Gastil have taken these Dewey-inspired theories of deliberative democracy a step farther, employing them to study the actual phenomenon of deliberation in communities and small groups.[6] Still, while the general idea can be traced back to John Dewey, the name 'deliberative democracy' has a fairly recent origin. With genealogical precision, James Bohman pinpoints "its recent incarnation" in the work of the political scientist "Joseph Bessette, who [in 1980] coined it to oppose the elitist and 'aristocratic' interpretation of the American Constitution."[7]

Among Dewey scholars, the coronation of Dewey as a nascent deliberative democrat has been comparatively slow. One remarkable conversion was signaled by Dewey biographer Robert Westbrook's admission that Dewey's democratic vision resembles deliberative democracy more than participatory democracy. Writing after the publication of his widely heralded Dewey biography, he confesses: "[. . .] I think we might say that Dewey was anticipating an ideal that contemporary democratic theorists have dubbed "deliberative democracy." Indeed, I wish this term was in the air when I was writing *John Dewey and American Democracy*, for I think it captures Dewey's procedural ideals better than the term I used, "participatory democracy," since it suggests something of the character of the participation involved in democratic associations.[8]

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[6] J. Mansbridge, *Beyond Adversary Democracy* (Chicago and London: University of Chicago Press, 1980). J. Gastil, *Democracy in Small Groups: Participation, Decision Making, and Communication* (Philadelphia: New Society, 1993).

[7] J. Bohman, "The Coming of Age of Deliberative Democracy," *The Journal of Political Philosophy*, vol. 6, no. 4 (1988): 400-25, 400. Likewise, Mansbridge writes, "[i]n . . . a prescient paper . . . presented at the American Political Science Association annual meeting but never published . . . [demonstrating] that in Congress deliberation on matters of the common good plays a much greater role than either the pluralist or the rational-choice schools had realized." Mansbridge, "Self-Interest and Political Transformation," in *Reconsidering the Democratic Public*, eds. G. E. Marcus and R. L. Hanson, 91-109 (University Park, PA: Pennsylvania State University Press, 1993), p. 94. Bohman and Rehg claim that John Dewey and Hannah Arendt were precursors to contemporary deliberative democrats, but then qualify their claim with the disclaimer that "[t]he term 'deliberative democracy' seems to have been first coined by Joseph Bessette." Bohman, J. and W. Rehg. "Introduction." In *Deliberative Democracy: Essays on Reason and Politics*, eds. J. Bohman and W. Rehg, ix-xxx. Cambridge, MA: MIT Press, 1997), p. xii.

[8] R. B. Westbrook, "Pragmatism and Democracy: Reconstructing the Logic of John Dewey's Faith," in *The Revival of Pragmatism: New Essays on Social Thought, Law and Culture*, edited by M. Dickstein, 128-140 (Durham, NC: Duke University Press, 1998), p. 138. J. Bessette, "Deliberative Democracy: The Majority Principle in Republican Government," in

In other words, Dewey developed an ideal of intelligent social action that outstripped the ideal of participatory politics. While Westbrook saw the mass politics and direct action of grassroots groups in the 1960s (e.g., Students for a Democratic Society) as distinctly Deweyan, he later revises his view. Even more than participatory democracy, Dewey's democratic vision resembles the deliberative strain of democratic theory. Why? If we follow Joshua Cohen's definition of deliberative democracy (as Westbrook does), that is, an association for coordinating action through norm-governed discussion, then deliberative democracy appears surprisingly similar to Dewey's vision of democracy. In Dewey's *The Public and Its Problems*, democratic methods encompass communication and collaborative inquiry undertaken by citizens within a community and against a rich background of supportive institutions.[9] Through the social activity of appraisal or evaluation, private preferences, or what Dewey terms "prizings" (i.e., what is valued or desired), are converted into publicly shared values (i.e., what is valuable or desirable).[10] Similarly, deliberative democrats model deliberation as a communicative process for resolving collective problems that depends on converting individual ends and preferences into shared objectives and values. For instance, deliberation-friendly political theorist Ian Shapiro claims that "[t]he unifying impulse motivating [deliberation]

How Democratic is the Constitution?, edited by R. Goldwin and W. Shambra, 102-116 (Washington, D.C.: American Enterprise Institute, 1981).

[9] Dewey connects the concepts of communication and community: "To learn to be human is to develop through the give-and-take of communication an effective sense of being an individually distinctive member of a community; one who understands and appreciates its beliefs, desires and methods, and who contributes to a further conversion of organic powers into human resources and values." Dewey, "Search for the Great Community," in *The Public and Its Problems*, LW 2:332.

[10] Dewey, "Propositions of Appraisal" in *Theory of Valuation*, LW 13:216-8. Id., "The Construction of Good" in *The Quest for Certainty*, LW 4:207. Moreover, Dewey denies that individuals are typically cognizant of their own values: "Values and loyalties go together, for if you want to know what a man's values are do not ask him. One is rarely aware, with any high degree of perception, what are the values that govern one's conduct." "The Basic Values and Loyalties of Democracy," LW 14:275. Hickman connects Dewey's theory of valuation to his theory of deliberation: "What is experimentally determined to be *valuable* is constructed from the inside of what Dewey calls a deliberative situation, or what some have described in more general terms as deliberation within a 'lifeworld.'" L. Hickman, *Pragmatism as Post-Postmodernism: Lessons from John Dewey* (New York: Fordham University Press, 2007), p. 160.

is that people will modify their perceptions of what society should do in the course of discussing this with others."[11]

A new generation of Dewey scholars has emerged to enthusiastically endorse the proposition that Dewey anticipated the deliberative turn in democratic theory. Some locate the source of Dewey's ideas about democratic deliberation in his books and articles on politics, while others see a closer connection to his works on ethics.[12] Two of the more prominent scholars in this group, Noëlle McAfee and William Caspary, explicitly tie Dewey's nascent theory of democratic deliberation to operative concepts in both his political and ethical writings. For McAfee, "Dewey's emphasis on publicness" and "public discourse" clarifies "how a given policy would or would not satisfy their [i.e., the discoursing citizens'] own concerns, values, and ends—including the value they place on the welfare of the community itself."[13] Publicness for Dewey resembles the contemporary deliberative democrat's full-blooded sense of public deliberation, that is, discourse intended to transform individual perspectives and goals into shared ideals and public values. Even though deliberation for Dewey is a way of addressing moral problems, on Westbrook's account, it also represents a method for confronting social and political problems: "Dewey's goal [in offering a theory of ethical deliberation] is to move toward an account of public deliberation on issues of society-wide concern."[14] As we shall see, Westbrook's case for Dewey's theory of moral deliberation converging with contemporary theories of deliberative democracy might not be as water-tight once we gain a fuller appreciation for Dewey and Goodin's theories of monological deliberation.

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[11] I. Shapiro, "The State of Democratic Theory," in *Political Science: The State of the Discipline*, eds. I. Katznelson and H. Milner, 235-265 (New York: W.W. Norton, 2002), p. 238.

[12] Among those scholars who see the connection between Dewey's theory of democratic deliberation and his political writings, see, S. Ralston, "Deliberative Democracy as a Matter of Public Spirit: Reconstructing the Dewey-Lippmann Debate." *Contemporary Philosophy*, vol. 25, no. 3/4 (2005): 17-25; and Z. Vanderveen, "Pragmatism and Democratic Legitimacy: Beyond Minimalist Accounts of Deliberation." *The Journal of Speculative Philosophy*, vol. 21, no. 4 (2007): 243-258. For those who see a closer tie to his ethical works, see V. Colapietro, "Democracy as a Moral Ideal," *The Kettering Review*, vol. 24, no. 3 (Fall 2006): 21-31; and G.F. Pappas, *John Dewey's Ethics: Democracy as Experience* (Bloomington and Indianapolis: Indiana University Press, 2008).

[13] N. McAfee, "Public Knowledge," *Philosophy and Social Criticism*, vol. 30, no. 2 (2004):139-157, 149.

[14] W. R. Caspary, *Dewey on Democracy* (Ithaca and London: Cornell University Press, 2000), p. 140.

Lastly, it should be mentioned that Dewey never employed the term 'deliberation' while addressing political subject-matter. Instead, terminology such as 'communication' and 'dialogue' took center-stage. For instance, in *The Public and Its Problems*, Dewey writes: "Systematic and continuous inquiry . . . and its results are but tools after all. Their final actuality is accomplished in face-to-face relationships by means of direct give and take. Logic in its fulfillment recurs to the primitive sense of the word: dialogue."[15] Moreover, moral deliberation is not exhausted by dialogue, for as Dewey notes, only "[s]ome people deliberate by dialogue."[16] Other deliberators engage in visualization, imaginative agency and imaginative commentary. Despite the terminological shift, moral deliberation often pervades dialogue about politics because these communications involve the disclosure and clarification of personal preferences, or "prizings," as well as their conversion into shared moral values and ideals.

To avoid foreclosing the many possible avenues for creating a democratic community, Dewey did not lay out the particulars, a plan of action or a final destination in the struggle to institutionalize a better (or best) form of democracy—let alone, a deliberative democracy. According to Aaron Schutz, "Dewey resisted calls for him to develop a specific model of democratic government, arguing that it must look differently in different contexts."[17] Unfortunately, Dewey's vagueness about how to institutionalize democracy has given rise to a series of trenchant criticisms concerning the feasibility of his democratic ideal.[18] Nevertheless, Dewey did propose a set of leading principles or postulations that together he calls the "social idea" of democracy.[19] As pos-

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[15] Dewey, "The Problem of Method," in *The Public and Its Problems*, LW 2:371.

[16] Dewey, "Psychology of Ethics," Lecture XXIX, March 18, 1901, in *Lectures on Ethics: 1900-1901*, ed. D. F. Koch (Carbondale: Southern Illinois University, 1991), pp. 241-245, 245.

[17] A. Schutz, "John Dewey and 'a Paradox of Size': Democratic Faith and the Limits of Experience," *American Journal of Education*, vol. 109, no. 3 (2001): 287-319, 288.

[18] See Alfonso Damico and Richard Posner's critiques. Damico, A. J. *Individuality and Community: The Social and Political Thought of John Dewey* (Gainesville, FL: University of Florida Press, 1978), pp. 118. Posner, R. *Law, Pragmatism and Democracy* (Cambridge: Harvard University Press, 2003), pp. 109-110.

[19] Dewey writes: "We have had occasion to refer in passing to the distinction between democracy as a social idea and political democracy as a system of government. The two are, of course, connected. The idea remains barren and empty save as it is incarnated in human relationships. Yet in discussion they must be distinguished." Similar to Fukuyama, though, Dewey defines political democracy, generally, in liberal-democratic terms, that is, as those "traditional political institutions" which include "general suffrage, elected representatives, [and] majority rule." Dewey, "The Search for the Great Community," in *The Public and Its Problems*, LW 2:325-6.

tulations, these ideas are intended to direct subsequent investigations into the design of stable and viable governing apparatuses; however, taken alone, they have no direct correspondence with any particular set of institutions.[20]

2. *Dewey on Moral Deliberation*

Dewey's theory of moral deliberation is integral to a broader theory, namely, a theory (or method) of ethical inquiry. So, to fully appreciate moral deliberation, one must first look to his larger account of how one inquires about ethical subject-matter. Ethical inquiry loosely resembles the pattern of experimental inquiry in positive science, involving the (i) identification of a problem, (ii) formation of a hypothesis, (iii) working out the implications of the hypothesis and (iv) testing the hypothesis.[21] With respect to their differences, ethical inquiry and scientific inquiry have separate objectives: improving value judgments and explaining phenomena, respectively.[22] "[T]he moral phase of the problem," Dewey notes, is just "the question of values and ends."[23] Values direct choice and action when existing habits prove unhelpful or obstructive to good conduct. Value judgments can be assessed naturalistically, that is, in terms of whether they cultivate intelligent habits of ethical conduct—habits that make humans better adapted to their natural and social environment.[24]

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[20] Dewey's reluctance to specify model institutions for realizing his democratic ideal is mirrored in the aversion that contemporary critical theorists have to institutional design. Dryzek explains: "Overly precise specification of model institutions involves skating on thin ice. Far better, perhaps, to leave any such specification to the individual involved. The appropriate configuration will depend on the constraints and opportunities of the existing social situation, the cultural tradition(s) to which the participants subscribe, and the capabilities and desires of these actors." Dryzek, "Discursive Designs: Critical Theory and Political Institutions." *American Journal of Political Science*, vol. 31, no. 3 (1987): 656-679, 665.

[21] More precisely, Dewey explains the five stages of inquiry, as follows: "Upon examination, each instance of [intelligent inquiry] reveals more or less clearly, five logically distinct steps: (i) a felt difficulty; (ii) its location and definition; (iii) suggestion of possible solution; (iv) development by reasoning of the bearings of the suggestion; (v) further observation and experimental leading to its acceptance or rejection; that is, the conclusion of belief or disbelief." "The Analysis of a Complete Act of Thought" in *How We Think*, MW 6:236.

[22] Dewey, "Judgments of Value" in *The Logic of Judgments of Practice*, MW 8:24-32. Id., "Valuation and Experimental Knowledge," MW 13:23-28.

[23] Id., "Democracy and America," in *Freedom and Culture*, LW 13:184.

[24] Id. (with James Hayden Tufts), "The Moral Self," in *Ethics* (1932 revision), LW 7:285-309.

They can also be assessed instrumentally, that is, in terms of their efficacy or success in achieving favored ends. Finally, they can be evaluated conventionally, that is, by recourse to widely approved or potentially approv*able* community standards. [25] In sum, ethical inquiry for Dewey is a form of experimental inquiry, or method, a way of improving our value judgments relative to naturalistic, instrumental and conventional criteria of acceptability.

Deliberation for Dewey occurs during the third stage of ethical inquiry. In *Human Nature and Conduct*, Dewey defines moral deliberation as "a dramatic rehearsal (in imagination) of various competing lines of action."[26] To deliberate, the moral agent must, first, temporarily disengage the engine of action; then, imagine the possible consequences, good or bad, of "various competing lines of action" (i.e., rehearsing them); and, lastly, decide on the best, or most morally defensible, course of action given the rehearsal of possibilities.[27] Moreover, Dewey's dramatic rehearsal resembles George Herbert Mead's notion of ideal role-taking, whereby an agent will adopt the perspective of all those affected by the imagined course of action.[28] So, deliberation involves the indi-

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[25] Dewey's ethics requires that we locate the conditions of justification for our value judgments in both the individual's community (i.e., in terms of standards of general approval) and human conduct itself (i.e., in terms of instrumental efficacy), not in *a priori* criteria, such as divine commands, Platonic Forms, pure reason, or a fixed Aristotelian *telos*. Dewey, "Three Independent Factors in Morals," LW 5:278-88. Id. (with James Hayden Tufts), "Moral Judgment and Knowledge," in *Ethics* (1932 revision), LW 7:262-83.

[26] Dewey, "The Nature of Deliberation" in *Human Nature and Conduct*, MW 14:132.

[27] In *Human Nature and Conduct*, Dewey compares ethical deliberation to an imaginative "experiment." Each possible course of action, once worked out, remains tentative and "retrievable." Dewey writes: "It [i.e., deliberation] starts from the blocking of efficient overt action, due to that conflict of prior habit and newly released impulse to which reference has been made. Then each habit, each impulse, involved in the temporary suspense of overt action takes its turn in being tried out. Deliberation is an experiment in finding out what the various lines of possible action are really like. It is an experiment in making various combinations of selected elements of habits and impulses, to see what the resultant action would be like if it were entered upon. But the trial is in imagination, not in overt fact. The experiment is carried on by tentative rehearsals in thought which do not affect physical acts outside the body. Thought runs ahead and foresees outcomes, and thereby avoids having to await the instruction of actual failure and disaster. An act overtly tried out is irrevocable, its consequences cannot be blotted out. An act tried out in imagination is not final or fatal. It is retrievable." "The Nature of Deliberation" in *Human Nature and Conduct*, MW 14:132-3.

[28] Mead writes: "A difference of functions does not preclude a common experience; it is possible for the individual to put himself in the place of the other although his function is different." *Mind, Self, and Society* (Chicago: University of Chicago, 1934), p. 325. Cited by G. Pappas, *John Dewey's Ethics*, p. 235. Habermas states that discourse ethics formalizes the

vidual moral agent projecting her possible choices and actions into the future. Since it occurs "in imagination" and involves individual moral judgment, there is good reason to believe that deliberation for Dewey is for the most part a monological process.[29] And since deliberation is abductive (i.e., concerned with hypothesis formation and testing), it is instrumental in the sense that it is aimed at experimental confirmation or disconfirmation (relative to tentative, not fixed, standards of acceptability), but not in the sense that it satisfies an absolute standard or realizes some final end. In contrast, a utilitarian deliberator judges the relative worth (or value) of the alternatives before her relative to a single fixed criterion, viz., whether the alternative maximizes hedonistic pleasure, happiness or utility.[30]

In James Gouinlock's essay, "Dewey's Theory of Moral Deliberation," he attempts to show that Morton White's critique of Dewey's ethical theory rests on several faulty assumptions. In White's criticism of Dewey's theory, he directs his attention to the distinction between 'desired' and 'desirable'.[31] Rather than appreciate 'desirable' as Dewey does, that is, as the moral quality of a situation which is open to "question,"[32] White interprets 'desirable' as a good that 'should be desired,' 'imposes a duty' or 'is desirable under typical circum-

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process by which roles are exchanged in Mead's theory of ideal role-taking: "Practical discourse may be understood as a communicative process that induces all participants simultaneously to engage in ideal role-taking in virtue of its form, that is, solely on the basis of unavoidable universal presuppositions of argumentation." *Justification and Application*, p. 50.

[29] Given that value judgments are assessed relative to conventional standards, though, the process is never wholly monological. One could say that it is always tainted with dialogue, since the conventions were likely settled upon by a community of fellow value-choosers engaged in discourse and conversation.

[30] Pappas, *John Dewey's Ethics*, p. 198.

[31] Dewey introduces the distinction in the following passage from *The Quest for Certainty*: "The formal statement [of the difference between immediate and mediated experience] may be given concrete content by pointing to the difference between the enjoyed and the enjoyable, the desired and the desirable, the satisfying and the satisfactory. To say that something is enjoyed is to make a statement about a fact, something already in existence; it is not to judge the value of that fact. There is no difference between such a proposition and one which says that something is sweet or sour, red or black. It is just correct or incorrect and that is the end of the matter. But to call an object a value is to assert that it satisfies or fulfills certain conditions. Function and status in meeting conditions is a different matter from bare existence. The fact that something is desired only raises the question of its desirability; it does not settle it." Dewey, "The Construction of the Good," in *The Quest for Certainty*, LW 4:207-208. Stevenson, as we will see, overlooks or misunderstands the last sentence.

[32] Ibid.

stances.' However, on Dewey's view, a good being desired does not settle the issue of whether it is desirable; rather, it invites further inquiry. Consequently, White challenges a claim Dewey never made, namely, that desiring a good operationalizes its normative value, providing a formula for making a thing desired universally desirable.[33] On White's account, Dewey attempted to close Hume's fork, or the cleavage between descriptive and normative statements, and ultimately failed. Gouinlock responds to White's interpretation: "[T]he assumption that Dewey was working on the 'is/ought' problem is simply gratuitous."[34] Instead, Dewey was concerned with how inquiry transforms a disrupted situation into a unified one, from a situation fraught with difficulty to one that is enjoyable, from a situation in which goods are merely desired to one where the goods are reflectively determined to be desirable. According to Gouinlock, "'desirable' [for Dewey here] means 'that which will convert the situation from problematic to consummatory'" in a process that Dewey called "moral judgment."[35] Still, what is instructive about White's objection is that it relies on the contested assumption that Dewey's theory of moral deliberation is wholly monological, or an individual process of choice, rather than dialogical, or a shared process of discussion and decision making.

Contra Gouinlock, there is plenty of evidence to support the assumption that Dewey's theory of moral deliberation is wholly monological, or a matter of the individual imagining possibilities and weighing (deliberating about) the acceptability of alternative courses of action. Individuals test their value judgments in lived experience, by (i) acting in accordance with them, (ii) observing the outcomes, and (iii) evaluating the degree to which they are acceptable.[36] Later in Gouinlock's essay, he contends that agreement "is possible in public affairs" only when we see moral deliberation as "public and social"—that is, as dialogical.[37] Gouinlock continues, "[a]s Dewey repeatedly insisted, social problems *are* moral problems, for they involve the conflict of values. Hence, democracy, or social intelligence, is moral method."[38] In other words,

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[33] Gouinlock summarizes "White's misunderstanding" in the following manner: "He supposes that Dewey equates 'desired under normal conditions' with 'desirable' and then 'desirable' with 'ought to be desired.'" "Dewey's Theory of Moral Deliberation," 224.

[34] Gouinlock, "Dewey's Theory of Moral Deliberation," 219.

[35] Ibid., 224, 220.

[36] Dewey, "Value, Objective Reference, and Criticism," LW 2:78-97.

[37] Gouinlock, "Dewey's Theory of Moral Deliberation," 224.

[38] Ibid., 225. Gouinlock also echoes this idea in his introduction to a collection of Dewey's writings on ethical theory: "Intelligence is far removed from dogmatism. Dewey has no kinship with doctrinaire philosophies and moral finalities. His advocacy of intelligence and his faith in the possibilities of human nature constitute a recognition that the responsibility for

democratic inquiry is a political extension of Dewey's method of ethical inquiry. Likewise, democratic deliberation is a social extension of Dewey's theory of moral deliberation. Anticipating McAfee's thesis by over two decades, Gouinlock insists that the common thread between the two is publicness: "The method is social in that deliberation and consultation are public."[39] In seeking to resolve issues of common concern, democratic citizens engage in communication—a notion that, Dewey reminds his reader, is intimately connected with the concept of community.[40] Similar to moral deliberation, political deliberation involves the disclosure and clarification of personal preferences, or "prizings," as well as their conversion into shared moral values and ideals.

So, the issue returns with a vengeance: Is Dewey's theory of deliberation monological or dialogical? When elaborated by Gouinlock, McAfee and Westbrook, deliberation has a distinctly dialogical flavor. What Dewey offers in the deliberative stage of his ethical inquiry, Gouinlock insists, is a way of intelligently coordinating individual actions, forging shared moral values, and solving common problems. So, we can safely conclude that Dewey's theory of moral deliberation is *not* exclusively monological. Instead, Dewey's *dialogical* theory of moral deliberation nicely harmonizes with contemporary theories of deliberative democracy. However, on reading *Human Nature and Conduct* and consulting White's interpretation, Dewey's theory of moral deliberation appears predominantly monological. The truth of the matter is likely somewhere in between: Dewey's theory integrates monological and dialogical aspects into a holistic and balanced model of deliberation. At this point, we turn to consider Goodin's model of political deliberation.

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continued inquiry and social effort is shared by all." Gouinlock, "Introduction," in J. Gouinlock (ed.), xix-liv, *The Moral Writings of John Dewey* (Amherst, NY: Prometheus Books, 1994), p. liii.

[39] Gouinlock, "Dewey's Theory of Moral Deliberation," 226.

[40] Dewey writes: "Communication can alone create a great community. Our Babel is not one of tongues but of the signs and symbols without which shared experience is impossible." Dewey, "The Eclipse of the Public," in *The Public and Its Problems*, LW 2:324. Again, he states: "To learn to be human is to develop through the give-and-take of communication an effective sense of being an individually distinctive member of a community; one who understands and appreciates its beliefs, desires and methods, and who contributes to a further conversion of organic powers into human resources and values." Id., "Search for the Great Community" in *The Public and Its Problems*, LW 2:332. "As in no other method," Gouinlock affirms, "Dewey's proposed decision procedure involves communication." "Dewey's Theory of Moral Deliberation," 226.

3. *Goodin on Deliberation Within*

In his essay "Democratic Deliberation Within," Goodin rejects two failed strategies that deliberative democrats typically use to negotiate the problem of scale, or the difficulty of instituting deliberative democracy on a massive, society-wide basis: (i) constraining the number of participants and (ii) constraining the amount of communication.[41] According to the first strategy, the aggregated decisions of networked deliberative forums or a single randomly-selected 'microcosm' forum should reflect the profile of how the entire population would, *ex hypothesi,* decide if it were feasible for them to gather and deliberate together. The problem with this kind of "*ersatz* deliberation," Goodin complains, is that there is no way of guaranteeing that the outcome would map on to the outcome of a deliberation *en masse.*[42] In the second strategy, certain formal and institutionalized mechanisms limit the scope of informal deliberations and the impact they can have on the policy-making process. For instance, on Jürgen Habermas's account, public deliberation occurs in two channels, one informal and the other formal, that parallel each other and permit mutual uptake: "Informal public opinion-formation generates 'influence'; influence is transformed into 'communicative power' through channels of political elections; and communicative power is again transformed into 'administrative power' through legislation."[43] Unfortunately, when deliberative theorists employ this second strategy, they champion a severely weakened form of deliberation. "In guaranteeing the free and equal expression of opinions in the

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[41] Goodin, "Deliberation Within," 81-90.

[42] Ibid., p. 89. Goodin has one particular theorist in mind, James Fishkin, whose deliberative polling technique gathers a randomly selected group of citizens, and polls them before as well as after deliberation to determine how the whole population would shift its preferences if it had the opportunity to deliberate. Fishkin, *The Voice of the People: Public Opinion and Democracy* (New Haven: Yale University Press, 1995).

[43] Habermas, "Three Normative Models of Democracy," in *Democracy and Difference: Contesting the Boundaries of the Political,* ed. S. Benhabib, 22-30 (Princeton: Princeton University Press, 1996), p. 28. Public deliberation occurs "along two tracks that are at different levels of opinion- and will- formation, the one constitutional, the other informal." Id., *Between Facts and Norms,* p. 314. Informal discourses take place within what Habermas terms "public spheres," spaces in which publics--or groups of citizens, including social movements and private organizations at all levels of civil society--interact and deliberate independently of the state, and in ways that are typically critical of state power. Meanwhile, "[s]tanding in contrast to the 'wild' circles of communication in the unorganized public sphere are the formally regulated deliberative and decision-making processes of courts, parliaments, bureaucracies, and the like." Id., "Constitutional Democracy: A Paradoxical Union of Contradictory Principles?" *Political Theory,* vol. 29, no. 6 (2001): 766-781, 773.

public sphere," Goodin notes, "they guarantee everyone a voice but no one a hearing."[44] Thus, public deliberation becomes a "blinkered" or "emaciated" activity whereby citizens discuss public issues *in* public forums, but with no assurance that formal institutions and their representatives will meaningfully engage their deliberated opinions.

Goodin's alternative to these two failed strategies is 'deliberation within', an account that bears a striking resemblance to Dewey's theory of moral deliberation. In contrast to the dominant modeling of deliberation as an almost entirely external process, Goodin sees deliberation as primarily an internal matter of "weighing [. . .] reasons for and against a course of action" and "imagining [oneself in] [. . .] the place of others."[45] However, to interpret Goodin's position as stating that deliberation is exclusively a monological process would be a mistake. Instead, it is a shared monological-dialogical process, one that has the distinct advantage of being parallel rather than serial and thus capable of permitting the inclusion, comparison, recollection and evaluation of "five more people/perspectives at once."[46] Indeed, Goodin's claim that deliberation is initially an internal process of considering alternative rationales or courses of conduct closely resembles Dewey's idea that moral deliberation involves "a dramatic rehearsal (in imagination)" and the evaluation of "various competing lines of action."[47] The rough equivalent of Goodin's process of 'deliberation within' and Mead's notion of ideal role-taking in Dewey's oeuvre

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[44] Goodin, "Democratic Deliberation Within," 92.

[45] Ibid., 81, 99.

[46] Goodin, "Democratic Deliberation Within," 105. Goodin relies on Herbert Simon's studies of human attention. These studies show that serial orderings of information permit the human brain to process one block of information at a time; parallel orderings allow another five blocks to be processed; therefore, serial and parallel processes working together enable six blocks of information to be taken up at one time.

[47] "The Nature of Deliberation" in *Human Nature and Conduct*, MW 14:132. Indeed, Goodin approvingly quotes Dewey's *The Public and Its Problems* at length: "'Artists,' John Dewey says, 'have always been the real purveyors of news, for it is not the outward happening in itself which is new, but the kindling by its emotion, perception and appreciation . . . Democracy,' he continues, 'will have its consummation when free social inquiry is indissolubly wedded to the art of full and moving communication.'" Goodin, "Democratic Deliberation Within," p. 96. Hearing and reading Josh Houston's paper, "Contestation and Deliberation Within: Dryzek, Goodin, and the Possibility of Legitimacy," helped me to make this connection between Dewey and Goodin. During his talk, he associated John Dryzek and Robert Goodin's deliberative theories with the ideas of another pragmatist, George Herbert Meade. His paper was presented at the International Social Philosophy conference, Portland, Oregon, July 18, 2008, and received an award for the best paper by a graduate student.

is sympathy. "A person entirely lacking in sympathetic response might have a keen calculating intellect," Dewey writes, "but he would have no spontaneous sense of the claims of others."[48] Likewise, Goodin argues that imagining "the claims of others" helps deliberators forecast how alternative choices will affect the interests of those not present. By allowing "internal-reflective deliberations" to complement "external-collective ones in large groups," Goodin argues that deliberative theorists can overcome the problem of scale, enabling smaller assemblies of deliberators to "imaginatively represent" the concerns of those for who cannot be present or participate.[49]

Finally, for Goodin, deliberative practice does not needlessly displace current institutional arrangements or threaten political stability: "Instead, aspects of the deliberative ideal must be adapted for and incorporated in the core elements of democratic institutions as they already exist."[50] In this way, Goodin's democratic theory, similar to Dewey's, posits a regulative ideal for political theorists, policy-makers and institutional designers to diligently pursue.

4. *Mono/Dia-logical Deliberation*

Two crucial standards of democratic behavior are that citizens should be (i) responsive and (ii) responsible. In Robert Goodin's words, "Democratic citizens are supposed to act *responsively*, taking due account of the evidence and experience embodied in the beliefs of others. Democratic citizens are supposed to act *responsibly*, taking due account of the impact of their actions and choices on all those (here and elsewhere, now or later) who will be affected by them."[51]

For deliberative democrats, responsiveness and responsibility—or what Goodin calls the "pieties of democratic citizenship"—function as relatively uncontroversial norms for regulating citizen deliberations. Unlike most deliberativists, though, Goodin does not believe that responsiveness and responsibility manifest predominantly in dialogue with others. "[D]emocratic theorists can and should," Goodin argues, "be more sensitive to what precedes and underlies it, accepting internal-reflective deliberations of a suitable sort as broadly on par with . . . the sort of external-collective deliberations that look so impracti-

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[48] Dewey (with James Hayden Tufts), "The Place of reason in the Moral Life: Moral Knowledge" in Ethics (1932 revision), MW 5:303.
[49] Goodin, "Democratic Deliberation Within," 105.
[50] Id., *Innovating Democracy* (Oxford: Oxford University Press, 2008), p. 5.
[51] Id., *Reflective Democracy* (Oxford: Oxford University Press, 2003), p. 1.

cally demanding in modern polities."[52] External deliberations are enriched, as both a descriptive and a normative matter, when supplemented by internal deliberations. So, Goodin's conception of the relationship between "external-collective" and "internal-reflective" deliberation mirrors the connection between Dewey's theories of moral deliberation and social intelligence (especially on Guoinlock's reading).

Despite the promise of the Dewey-Goodin comparison, mainstream Dewey scholars would have at least two objections to Goodin's theory of 'deliberation within'. First, Goodin's account of deliberation operates largely within the domain of political decision making, whereas Dewey's theory ranges over many kinds of social − including moral and political − inquiry. Admittedly, Dewey's theory of moral deliberation does pertain to a much wider domain of subject-matter than Goodin's theory of 'deliberation within'. However, this difference is, at best, superficial − a matter of what Dewey calls "selective emphasis."[53] Dewey's concern was with how humans engage in inquiry generally. In contrast, Goodin's concern is with how humans clarify and justify their political beliefs − that is, with political deliberation specifically. If anything, this difference of emphasis − as mentioned at the outset of the paper − is a virtue of Goodin's theory, transforming it into a more effective tool for analyzing political subject-matter, such as the technicalities of preference change in deliberation.[54] The second difficulty that Dewey scholars might have with the Dewey-Goodin comparison is that Goodin's framing of the distinction between 'internal' and 'external' betrays a vicious dualism. Unfortunately, Goodin's language carries with it the intellectual baggage of a long history of epistemological and metaphysical system-building, whereby the tools of previous inquiries, particularly the labels 'external' and 'internal', were treated as absolute categories prefiguring all future inquiries, rather than what they are: tentative and functional distinctions which are the products of previous inquiries.[55] In addi-

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[52] Ibid., p. 2.

[53] Dewey writes: "Selective emphasis, choice, is inevitable whenever reflection occurs." "Experience and Philosophic Method" in *Experience and Nature*, LW 1:34.

[54] Goodin and Niemeyer have also shown through an empirical study of a citizen jury that more dramatic preference changes occur during the presentation of information to deliberators than when they engage in dialogue with each other. Goodin and S. J. Niemeyer. "When Does Deliberation Begin? Internal Reflection versus Public Discussion in Deliberative Democracy," *Political Studies* 51 (2003): 627-649.

[55] Dewey argued that this faulty move of converting tentative and precarious distinctions of function into absolute and stable categories of existence—what he called the "philosophic fallacy"—was not only disingenuous, but symptomatic of a larger problem in philosophy, a doomed "quest for certainty," whereby philosophers perpetuated, rather than resolved, ar-

tion, Goodin's claim that "very much of what goes on in a genuine face-to-face conversation is actually contained inside the head of each of the participants" would raise concerns for Deweyans.[56] According to Larry Hickman, "Dewey held that mind arises as a complex tool out of such natural interactions as a result of increasing levels of complexity."[57] Thus, deliberation for Dewey is not solely a mental event, or something that occurs "inside the head."[58] Rather, it is a more inclusive and organic process implicating a nervous system, a brain, a neural cortex as well as, and equally important, a multitude of factors within the human organism's environment. Still, there is a solution to this apparent incompatibility between Dewey and Goodin's accounts of deliberation. Rather than speak of deliberation as either an internal-mental event or an external-political activity, Goodin could instead refer to it more generically and without reliance on the internal/external dualism. So, on a Deweyan reconstruction of Goodin's theory, deliberation would be conceived as a mono/dia-logical cycle, whereby 'monological' and 'dialogical' stages alternate as part of the continuous and flowing process of patterned deliberative inquiry.[59]

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tificial problems. Dewey writes: "It [the philosophic fallacy] supplies the formula of the technique by which thinkers have relegated the uncertain and unfinished to an invidious state of unreal being, while they have systematically exalted the assured and complete to the rank of true Being." "Existence as Precarious and Stable" in *Experience and Nature*, LW 1:51.

[56] Goodin, "Democratic Deliberation Within," 92.

[57] Hickman, L. *Pragmatism as Post-postmodernism*, p. 238.

[58] Gregory Pappas affirms this point: "Moral deliberation is not something that happens in one's mind. It is experienced as an intermediate phase in the process of transforming a morally problematic situation into one that is determinate." *John Dewey's Ethics*, p. 94.

[59] The distinction between monological and dialogical deliberation is introduced by Habermas, *The Philosophical Discourse of Modernity*, translated by F. G. Lawrence (Cambridge: MIT Press, 1987), pp. 298-30. Modeling deliberation as a phasal process, similar to Dewey's stage-by-stage pattern of inquiry, is nothing new for deliberative democrats. It has been undertaken by a number of normative theorists and positive researchers. Habermas proposes "a two-stage process," which applies to a single deliberative episode "consisting of justification followed by application." Whereas in the first stage claims and norms are validated through the test of rational discourse, deliberators in the second stage employ a "principle of appropriateness" to adapt the justified claim or norm "in light of the salient features of the situation." Habermas, *Justification and Application: Remarks on Discourse Ethics* (Cambridge, MA: MIT Press, 1993), pp, 36-7. The weakness of Habermas's two-stage model is that it implicates the highly abstract theory of discourse ethics without giving concrete guidance for the conduct of practical deliberation. In their study of an Australian deliberative forum, Goodin and Niemeyer also construct a two-phase account of the deliberative process, with an 'information phase', including "site visit[s], background briefings, presentations by and interrogations of witnesses", and a 'discussion phase', wherein "collec-

5. *Conclusion*

What distinguishes Goodin and Dewey's conceptions of deliberation is that Dewey's concerns the personal and collective activity of imagining possible ways to solve moral problems, whereas Goodin's pertains to the internal procedure of clarifying one's political beliefs that precedes civic dialogue and decision making—what he terms 'deliberation within'. Notwithstanding this minor difference of emphasis, Dewey's theory of moral deliberation shares more in common with Goodin's model of 'deliberation within' than it does with the predominantly dialogical models of deliberation widely embraced by deliberative democrats. So, if deliberative theorists truly wish to appropriate Dewey's theory of moral deliberation and convert it into a model of political deliberation, then I recommend that they first look to Goodin's similar, though more politically-oriented, theory of deliberation as a suitable if, not superior, substitute.

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tive conversations among a group of coequals [takes place] aiming at reaching (or moving toward) some joint view on some issues of common concern." Goodin and Niemeyer, "When Does Deliberation Begin?" 633. Although this account does not a comprehensively describe the deliberative process, it does have the merit of modeling some features of an actual deliberative event--in this case, a Citizen Jury--and in a way that assists researchers in experimentally testing a working hypothesis about the effects of each phase on preference change. Among empirical researchers, David Ryfe and James Hyland propose more complex multistage models of deliberation. Ryfe recommends "three moments of the deliberative process: [(i)] the organization of the deliberative encounter; [(ii)] the practice of deliberation within an encounter; and finally, [(iii)] the product of deliberative talk." The benefit of Ryfe's account is that, in contrast to Habermas's, it does deploy an actionable--although perhaps over-simplified--procedure for programming deliberative events: viz., plan, participate, and decide. Ryfe, "Does Deliberative Democracy Work?" *Annual Review of Political Science*, vol. 8 (2005): 49-71, 50. James Hyland (1995:56-7) presents a model wherein "every [deliberative] decision has four logically distinct stages or 'moments'": namely, (i) agenda-setting or "the identification of both the necessity of choosing and the set of available options for choice," (ii) debate and discussion which "involves explicit deliberation," (iii) the decision itself or "the choice to implement one of several available alternative courses of action," and (iv) implementation, when "the choice arrived at is translated into action." Hyland, *Democratic Theory: The Philosophical Foundations* (Manchester: Manchester University Press, 1995), pp. 56-7. The advantage of Hyland's model is that it captures two features of deliberation which are conspicuously absent in Ryfe's model: first, the very important (and most easily manipulated) stage of establishing the agenda and, second, the final stage of acting on the deliberated decision.

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Democracy and Law: Situating Law within John Dewey's Democratic Vision

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ABSTRACT

In this paper I argue that John Dewey developed a philosophy of law that follows directly from his conception of democracy. Indeed, under Dewey's theory an understanding of law can only follow from an accurate understanding of the social and political context within which it functions. This has important implications for the form law takes within democratic society. The paper will explore these implications through a comparison of Dewey's claims with those of Richard Posner and Ronald Dworkin; two other theorists that intimately link law and democracy. After outlining their theories I will use the recent United States Supreme Court case, *Citizens United,* to discuss how practitioners of the three theories would decide a case that implicates both the rule of law and democratic procedures. In order to do this judges following each theory, "Dews, Dworks and Poses," are imagined. Ultimately this paper will show that drastically different results to *Citizens United* would follow. The (tentative) conclusion of the paper is that Dewey's conception of the relationship between democracy and law is a superior option to either that of Dworkin or Posner.

1. *Introduction*

John Dewey is known for his democratic theory. He is less known for his philosophy of law. In this paper I will show that he developed a sophisticated philosophy of law that follows directly from his conception of democracy. Indeed, under Dewey's theory an understanding of law can only follow from an accurate understanding of the social and political context within which it functions. If correct, this claim has important implications for the form law takes within democratic society. This paper will also explore the theoretical relationship between law and democracy through a comparison of Dewey's claims with those of Richard Posner and Ronald Dworkin. After outlining their theories I will use the 2010 Supreme Court case, *Citizens United,* to discuss how practitioners of the three theories would decide a contemporary case that implicates both the rule of law and democratic procedures. Judges following each

theory, "Dews, Dworks and Poses," will be imagined. Ultimately through using this device this paper will show that drastically different results to *Citizens United* would follow from the theories of Dewey, Dworkin and Posner. The (properly tentative) conclusion of the paper is that Dewey's conception of the relationship between democracy and law is, in a complex world such as ours, a superior option to either that of Dworkin or Posner.

2. *Dewey on Democracy*

It is often stated that Dewey's philosophy of democracy is difficult to pin down with precision.[1] Whether or not this claim is accepted, and I do not think it should be, there are some core ideas that can be noted without much controversy. First, democracy in its most central meaning is, for Dewey, a way of life that is social before it is seen more narrowly as a political concept. Real democracy to be realized "must affect all modes of human association."[2] Most important here is the claim that political institutions are secondary to, and are the effects of, the underlying culture. For there to be a working political democracy there is the antecedent need for various aspects of a democratic culture. Not only is it the case that a solely political democracy will not suffice, but we must "realize that democracy can be served only by the slow day to day adoption and contagious diffusion in every phase of our common life of methods that are identical with the ends to be reached and that recourse to monistic, wholesale, absolutist procedures is a betrayal of human freedom no matter in what guise it presents itself."[3] Second, for Dewey democracy entails pluralistic values and a decentered picture of social institutions. By having plural and decentered institutions as well as a form of life that practices democratic social habits there are multiple avenues that allow for information to be communicated and solutions to be proposed. The pluralism also relates to Dewey's specific acceptance of the great complexity of causal forces in human

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[1] For instance the generally very sensitive and friendly expositor Robert Westbrook states, "In the case of Dewey, knowing a lot about what his beliefs were is a difficult task, for precision and clarity often escaped him." Robert Westbrook, *John Dewey and American Democracy* (Ithaca: Cornell University Press, 1991), p. xiii.

[2] John Dewey, LW 2, p. 325. (All references to Dewey's work will be to the scholarly edition edited by Jo Ann Boydston and published at Southern Illinois Press. The convention used will be as follows: for the early works "EW," middle works "MW," and later works "LW," followed by volume number and page number.)

[3] Dewey, LW 13, p. 187.

society. A "monistic view" just cannot handle the multiple forces that operate in human society. Indeed, one of the great challenges for human society is being able to coordinate, communicate and understand such multiple and diffuse forces. As Dewey describes the process, social groups feel consequences before being able to label them. Noting and finding ways to control/solve unfortunate consequences of social life demand the construction of symbols. Common or "mutually understood" meanings are created through the construction of symbols and therefore animate a public discussion. This whole process is optimized by the proliferation, interconnection and overlapping of associations. Third, Dewey defines the public in functional terms. Here is where a distinctly political democracy comes into being. A public is created when social consequences that affect people beyond the immediate group are noted and found to be in need of social control.[4] Political democracy, therefore, comes into being where there is a recognized need to control consequences of social activity. Because problems are in constant change, states need to be continuously "remade."[5] Indeed, the state is seen as a secondary type of association formed because of perceived externalities of individual or group activities and based upon the given fact of social and intersubjective life. Once the democratic state is defined by the consequences it is constructed in response to, "The only statement which can be made is a purely formal one: the state is the organization of the public effected through officials for the protection of the interests shared by its members."[6] For Dewey this eliminates the possibility that there is an *a priori* rule or procedure identifiable as sufficient to define democratic government. As a prime example of the naïve and mistaken hope for an *a priori* solution to democracy, Dewey cites the imposition of constitutions "ready-made" upon governments.[7] In a properly democratic state, instead of a top-down constitutional structure determining the parameters of governmental rule, the state reacts to multiple groupings formed upon the basis of interests and acts in order to encourage more socially desirable associations. Fourth, going back to democracy as a social way of life prior to the political and to the functional idea of the public as formed in relationship to specific and immediate social issues, Dewey claims that a living democratic society rests upon experimental intelligence. For Dewey, though, this is only taking a type of intelligence that has proven useful across various human societies and that every

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[4] Dewey, LW 2, p. 244-245.
[5] Dewey, LW 2, p. 255.
[6] Dewey, LW 2, p. 256.
[7] Dewey, LW 2, p. 264.

human being habitually enacts in everyday life and utilizing it more consistently for the problems of governance. This is why Putnam notes that for Dewey, democracy is a precondition of full application of intelligence.[8] Fear of change and the psychological need for greater certainty have kept society from fully utilizing this greater use of experimental intelligence in social life. Instead, "we have set undue store by established mechanisms." A blatant example of this is "idolatry of the Constitution."[9] Fifth, the public and its government are institutions based upon real conflict. Democracy is based upon specific problems as problems. It needs no argument to acknowledge that here are real conflicts.[10] The only question worth answering is how to settle them in manner that is best for the widest amount of people. Finally, for Dewey democracy utilizes both scientific knowledge and creativity for communication and solution. But, importantly, social problems cannot be solved through allocation of decision-making to technocrats. There are unavoidable problems in the appeal to expertise and "elite" democracy where voting is relegated to the function of safety valve. For example, Dewey argues that if this theory of "elite" representative democracy is accepted it cannot account for democracy's usefulness because: 1) the populace's purported inability to understand, deliberate and vote upon the complex and technical issues of the day is not remedied by representation of an elite because the same problems are just replicated one step later (the general claim is that governmental problems are too complex for the voters to understand, but why at one step removed and at the level of voting for representatives the issues would be better understood by the voters is unclear); 2) policies must be framed before technical expertise can be utilized and technocrats are not any better or more informed at foundational policy choice than the general populace (indeed the general populace will be better at identifying the location of the "pinch"); and 3) the "elite" become necessarily isolated from the social world and therefore cannot represent the voters needs.[11]

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[8] Hilary Putnam, *Renewing Philosophy* (Cambridge: Harvard University Press, 1992), p. 186.

[9] Dewey, LW 13, p. 175.

[10] Indeed, it is surprising the number of claims to the effect that Dewey underestimates the kind and amount of social conflict. This is absurd. First, Dewey does not feel the need to "prove" there is social conflict – this is accepted as a given. Second, Dewey does not claim that all conflict is, in the end, eliminable. What is claimed, is that if it is eliminable in a manner that harmonizes interests, his proposed form of government is best placed to find the solution.

[11] Dewey, LW 2, p. 364.

This is a picture of democracy decidedly at odds with those more in current favor. As Robert Westbrook describing Dewey's theory puts it, and I think correctly, "For him, it was always liberalism that that had to meet the demands of democracy, not democracy that had to answer to liberalism."[12]

3. *Dewey on Law*

Dewey's philosophy of law neatly dovetails with his overall philosophy of democracy. Law, ultimately, is seen as just one of multiple social institutions that might, when utilized properly, further the social goal of a truly democratic society. "My Philosophy of Law," will serve here as a helpful general statement upon which will be constructed a more detailed description of Dewey's philosophy of law. In this article he describes three central questions as most important: what is law's: (1) source; (2) end; and (3) application?[13] All are important in order to properly justify and critique existing legal practices. Ultimately, all philosophy of law needs to answer one main question; what standard or criterion are we to use to evaluate legal practice? The quest for a standard, though, Dewey claims, does not transcend the issues of the period in which the analysis is produced because legal philosophies are products of their time and place and the issues relevant to that specific context. Therefore standards cannot be judged outside of acknowledgement of context. It follows that law "can be discussed only in terms of the social conditions in which it arises and of what it concretely does there."[14] This specificity of context and use "renders the use of the word "law" as a single general term rather dangerous."[15] In good pragmatic fashion, Dewey writes, "A given legal arrangement *is* what it *does*, and what it does lies in the field of modifying and/or maintaining human activities as going concerns."[16]

When investigating the sources of law, Dewey's philosophy of law becomes clearer in the context of his critiques of two other jurisprudential theories, legal positivism and natural law. Dewey examines legal positivism and finds issue with Austin's "confusion of sovereignty with the organs of its exercise."[17]

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[12] Westbrook, *John Dewey*, p. xvi.
[13] Dewey, LW 14, p. 115.
[14] Dewey, LW 14, p. 117.
[15] Dewey, LW 14, p. 117.
[16] Dewey, LW 14, p. 118.
[17] Dewey, EW 4, p. 73.

On Dewey's view, Austin confuses sovereignty with a specific source of command. Further, Austin's search for the location of sovereignty is doomed from the start due to his unexamined assumption that sovereignty must be numerically determinate. For Dewey this assumption is problematic because it conflicts with the possibility of popular sovereignty. Dewey tests the theory against what he sees as the actual practice of sovereignty in the United States. In this context Austin's theory is described as resting sovereignty on the electorate as an aggregate body. But Dewey counters that this raises innumerable problems for the concept of the numerically determinate sovereign. For instance, is this electorate a class or a set of particular members? And what happens to each individual when they vote with the minority or majority? These problems mean that in this case "sovereignty is not determinate until after it is exercised," and this fails to satisfy Austin's conceptual need for it to be always discretely or numerically identifiable.[18]

What Dewey finds most problematic in Austin's positivism is the identification of government with sovereignty. Dewey argues that law is only explainable on the theory that government is an organ of sovereignty, not sovereignty itself. First, in the US, constitutional law determines government, therefore there is some other force behind the government that determines its character. In order to avoid this problem, Austin denied that constitutional law is law at all, but called it "positive morality," a type of pseudo-law. This claim Dewey believes is plainly unacceptable in relation to a document that is universally described as the law of the land. Further, for Dewey it appears that any change, from constitutional to the most minor modifications of daily government, is left conceptually unexplained (and unexplainable) in Austin's theory. This problem is seen, for example, in the relationship of custom and development of law within the state. Austin's theory forces the claim that custom is not law until expressly declared by the judiciary. Dewey, on the other hand, believes that with the exception of legal positivists, nobody finds this position descriptively or normatively tenable.

Positivism's hope for a single determinate source of law is therefore thought indefensible. Dewey's legal theory, to the contrary, rules out any search for a unifying rule of recognition, and instead allows for plural sources of law. But not every potential source of law is equal. For instance, Dewey is quite suspicious of natural law. Not that Dewey ignores the central importance of natural law in jurisprudential history; in fact, Dewey finds that in the

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[18] Dewey, EW 4, p. 79.

past appeals to natural law have often served to promote legitimate and progressive human aims. Dewey, though, notes that "nature" can also be taken as the given, the status quo. This means that injustice may also be supported by an appeal to natural law. Therefore, appeal to natural law may be used to fossilize given values or rules. For Dewey, "the effect of any theory that identifies intelligence with the given, instead of with the foresight of better and worse, is denial of the function of intelligence."[19]

Instead of positivist or natural law answers to the sources of law, Dewey develops an empirically interesting description of law as emanating from "the minor laws of subordinate institutions — institutions like the family, the school, the business partnership, the trade-union or fraternal organization."[20] This allows for a pluralistic and "bottom-up" conception of the sources of law, one that maps nicely on to traditional legal practice. For instance, it easily handles the case-based and analogical reasoning central to the common-law tradition. It can also handle statutory law as well as the thought that constitutional law is law and not positive morality.

Law often arises out of other habits, traditions and customs within society. Importantly though, when law recognizes a custom, it also "represents the beginning of a *new* custom."[21] Further, Dewey observes "while there would not be laws unless there were social customs, yet neither would there be laws if all customs were mutually consistent and were universally adhered to."[22] Of course law itself is a type of custom, and Dewey notes that much of law is made up of the concepts it inherits from earlier decisions. So, Dewey develops a historicized picture of law that, for example, explores the survival in modern maritime law of the concept of a ship "as personal and responsible being."[23] For Dewey, this illustrates that in law, "the old is never annihilated at a stroke, the new never a creation *ab initio*. It is simply a question of morphology. But what controls the modification in the historic continuity is the practical usefulness of the institution or organ in question."[24]

Ultimately Dewey argues that law is "social in origin, in purpose or end, and in application."[25] It is historically based and yet contextually varied. In-

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[19] Dewey, MW 7, p. 63.
[20] Dewey, EW 4, p. 87.
[21] Dewey, LW 3, p. 327.
[22] Dewey, LW 3, p. 327.
[23] Dewey, EW 4, p. 40.
[24] Dewey, EW 4, p. 40-41.
[25] Dewey, LW 14, p. 117.

deed, law as an institution and as a concept "cannot be set up as if it were a separate entity, but can be discussed only in terms of the social conditions in which it arises and of what it concretely does there."[26] Finally, for Dewey, because his theory of law is decentralized and flexible it can allow for multiple sources for law and, further "the development of quite new organs of law-making."[27]

The end of law is, for Dewey, a matter of how and why legal force will be used in society. Dewey refuses to call all force violence because, he claims, force can be utilized in different ways. For instance various uses of force can be described as energy, coercion and/or violence. Law, when properly utilized, can be thought "as describing a method for employing force economically, efficiently, so as to get results with the least waste."[28] Law is not a substitute for force – but institutionalized force. Law should be justified, therefore, not by its "lawfulness," but by whether or not it is "an effective and economical means of securing specific results." If it is not effective and economical, then "we are using violence to relieve our immediate impulses and to save ourselves the labor of thought and construction."[29] Power becomes violence "when it defeats or frustrates purpose instead of executing it or realizing it."[30] Dewey realizes this analysis might scare people who admire legal stability and adherence to tradition. But, as he sees it, the analysis doesn't call for radical changes across the board. For example, experience has shown that it is inefficient for parties to judge their own case, so some type of third part adjudication seems pragmatically warranted. Further, existing legal systems were built up "at a great cost" and constant recourse to other means "would so reduce the efficiency of the machinery that the local gain would easily be more than offset by widespread losses in energy available for other ends."[31] Ultimately, though, for Dewey the use of force within a legal system is judged by an external standard. In Dewey's case the standard is that of a democratic society and the values this entails. This conclusion entails that the legal profession cannot be fully justified by appeals to an internal perspective, but must always be sensitive to the greater goals of society.

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[26] Dewey, LW 14, p. 117.
[27] Dewey, LW 17, p. 102.
[28] Dewey, MW 10, p. 212.
[29] Dewey, MW 10, p. 214.
[30] Dewey, MW 10, p. 246.
[31] Dewey, MW 10, p. 247.

Finally, Dewey details the area of application. For instance, recall Dewey's critique of natural law. According to Dewey, Spencer's *laissez-faire* theory of human reason is a form of natural law theory and, accordingly, appeals to the natural simply to avoid acknowledgement of alternative possibilities. Dewey outlines the implications of this idea in a series of legal decisions pertaining to ideas of *due diligence* and *undue negligence*, wherein reason is used as the standard, and personal liability rests upon whether the care and prudence exercised was "reasonable." Courts, Dewey notes, often equate the word "reasonable" with "the amount and kind of foresight that, as a matter of fact, are customary among men in like pursuits."[32] Further, this use of reasonable is then applied even though the results are undesirable. Dewey would redefine reasonable functionally as the "kind foresight that would, in similar circumstances, conduce to desirable consequences."[33]

Dewey also explores the concept of corporate personality used in law and considers the practical function it serves. Dewey finds that the content of "person" in law is attached to a "mass of non-legal considerations," among which are "considerations popular, historical, political, moral, philosophical, metaphysical and, in connection with the latter, theological."[34] Dewey argues that instead of following the various meanings resulting from the concept's historical attachments the legal content of "person" should be centered upon the practical reslts created by adopting the doctrine. Any appeal to a "metaphysical" nature of person is misguided. Instead he offers a pragmatic option – define corporations, and legal persons, by the specific consequences that they bring about, not by any inner or intrinsic essence. The problem is that metaphysical conceptions of personhood, just as metaphysical notions of natural law, function as "rationalizations" to support specific parties in legal struggles. Dewey thus calls for the elimination of "*any* concept of personality which is other than a restatement that such and such rights and duties, benefits and burdens, accrue and are to be maintained and distributed in such and such ways, and in such and such situations."[35] Concepts are to be applied and understood in terms of consequences, and not intrinsic essences.

The nature of how legal reasoning is applied in specific cases is also investigated by Dewey. Logic, for Dewey, "is ultimately an empirical and concrete

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[32] Dewey, MW 7, p. 59.
[33] Dewey, MW 7, p. 59.
[34] Dewey, LW 2, p. 22.
[35] Dewey, LW 2, p. 38.

discipline."[36] This conception of logic is contrasted with that dismissed in Holmes' famous line that "the life of law has been experience and not logic." Dewey explains that Holmes is attacking a picture of logic based solely upon "formal consistency," whereas according to Dewey's conception of experimental logic, "the undoubted facts which Justice Holmes has in mind do not concern logic, but rather certain tendencies of the human creatures who use logic, tendencies which a sound logic will guard against."[37] For Dewey, the formalist picture of logic is dangerous because it distorts the actual reasoning process and gives rise to a unrealistic expectation of certainty. For instance, in the actual activity of legal practice, premises are not just found but "only gradually emerge from analysis of the total situation."[38] Further, the lawyer usually begins with the conclusion that is hoped for, and then analyzes the facts so as to "form" premises. But this is only part of the real story. Courts are also expected to justify their decisions. This is a different type of logic. The judge's exposition of a decision aims at making the investigatory logic seem clearer, less vague and situational. Dewey argues that this is where formalist legal reasoning comes most clearly into play. Courts are tempted to substitute for the "vital logic" which had been used in the process in order to reach the conclusion, "forms of speech which are rigorous in appearance and which give an illusion of certitude."[39] Such exposition may have the salutary effect of strengthening legal stability and regularity, but the packaging also risks confusing a form of apparent logical rigor with stability of practical results in the world. The implication is that law needs to focus much more upon a "logic *relative to consequences rather than to antecedents*."[40] Dewey does not argue that logic is useless, or that there is only the illusion of logical reasoning in law. What is argued is that there are various types of argumentation in law - various types of logic - and that a conflation of the various tasks and tools used creates mistaken expectations and distorted processes.

In the context of a couple of notorious cases of his time Dewey inquires into the ways in which legal process can be misused. Through an analysis of the Fuller advisory committee's report on the Sacco and Vanzetti case he shows how legalistic reasoning can be misused. Dewey contends that the final report represented the use of "strictly legalistic methods of reasoning" in a

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[36] Dewey MW 15, p. 68.
[37] Dewey, MW 15, p. 69.
[38] Dewey MW 15, p. 71.
[39] Dewey MW 15, p. 73.
[40] Dewey MW 15, p. 75.

manner that enabled the committee to avoid the main issue at question. The committee did this by, first, segregating the question of fair trial procedure from that of newly discovered evidence and, second, by splitting the issue of whether the speed to execution had constituted a miscarriage of justice into six separate and isolated questions.[41] Dewey claims that the important question was whether the cumulative impact of various irregularities gave reasonable ground for the possibility of a miscarriage of justice. But, by investigating the six issues in isolation, the commission moved from the conclusion that each by itself was inconclusive to the very different conclusion that all together must be inconclusive as well. This type of argument by divide and conquer allowed the committee to "whittle down the significance of the admitted facts."[42] Further, this approach was used in combination with the ability to shift the standards of evaluation throughout, therefore allowing the commission to conclude whatever they wanted. A concrete example was the inconsistency in levels of credibility afforded the various participants. The jury was portrayed as accurate and unbiased. On the other hand, every statement made by the defendants was treated as highly suspicious. Here Dewey shows sensitivity to the way alternate legal procedures, different agenda setting strategies and various levels of evidentiary scrutiny, can profoundly change the outcome.

On the other hand, legal procedure can also have its proper place. Dewey, to show this, analyzes the case of *Kay v. Board of Higher Education of the City of New York (1940)*,[43] where Bertrand Russell was found unfit to teach at The College of the City of New York. The evidence the court used was Russell's writings on ethics, marriage and sex. First, Dewey admits that the passages cited by the court as evidence of moral turpitude are contained in Russell's writings. "And yet," he explains, by adopting the same editing method employed by the court he could show that Russell's opinions were "in substantial harmony" with traditional views on the topics involved.[44] Dewey further notes that the Court's opinion is largely an attack upon Russell's views, which, "by the justice's own admission," were outside of his professional jurisdiction.[45] Here Dewey highlights the virtues of legal process and properly constructed evidence laws and therefore argues that it is important to encourage limits to judicial reach. What this shows is that Dewey is not properly read as a full

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[41] Dewey, LW 3, p. 188-189.

[42] Dewey LW 3, p. 190.

[43] 18 N.Y.S.2d 821 (1940)

[44] Dewey, LW 14, p. 237.

[45] Dewey, LW 14, p. 243.

"anti-formalist," or as against procedure or professionalism in law. He clearly accepts the necessity and virtues of institutional rules. What is not accepted, on the other hand, are self-justifying institutional rules untested by empirical and scientific methods. For Dewey law is one of a number of institutions that, at best, helps further democratic society. As such, law is evaluated as a system in terms of its effectiveness towards this goal.

4. *Dworkin on Democracy and Law*

Dworkin's philosophy of democracy and its relationship to law is in great contrast to Dewey's. If for Dewey law is just one institution within political democracy, which in turn is parasitic upon democratic social habits, it appears fair to say in Dworkin's theory democracy is fully reliant upon law. The issue of democracy is first raised for Dworkin in context of his advocacy of rights as "trumps," where the individual is expressly protected from the group will, even in the face of policies that are thought to be more beneficial to society as a whole.[46] This conception of rights creates the problem of antimajoritarianism, that is, the fact that the popular vote can be overturned by an elite tribunal. Dworkin claims that despite the anti democratic appearance of antimajoritarianism, judges and law in general actually have a distinctly foundational role in a democracy. Dworkin's ideal judge, Hercules, does not always defer to legislative acts because he sees himself as the ultimate protector of real democracy. Indeed, this is why constitutional law is so important and central to Dworkin's philosophy of law. For him, a strong "moral reading" of the constitution is "practically indispensable to democracy."[47] As opposed to what he calls democracy based upon the majoritarian or statistical premises, where democracy is conceived of as just an aggregation or market device, Dworkin advocates a "communal" or "cooperative" constitutional democracy founded upon the aim of treating all members of the state with "equal concern and respect", as well as having "inherent value" and "personal responsibility."[48] Legal decisions, when made by Hercules, protect the democratic conditions necessary for a properly structured democracy by utilizing these concepts. Judges

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[46] Ronald Dworkin, *Taking Rights Seriously* (Cambridge: Harvard University Press, 1978), p. xi.

[47] Ronald Dworkin, *Freedom's Law* (Cambridge: Harvard University Press, 1996), p. 6.

[48] Dworkin, *Freedom's Law*, p. 17, see also *Is Democracy Possible Here?* (Princeton: Princeton University Press, 2008) p. 9-11, p. 133.

are, therefore, the supreme "guardian's of principle."[49] For Dworkin, "The American conception of democracy is whatever form of government the Constitution, according to the best interpretation of that document, establishes. So it begs the question to hold that the Constitution should be amended to bring it closer to some supposedly purer form of democracy."[50] The Constitution is "America's moral sail," and Hercules is the United States' moral interpreter.[51]

What exactly such a communal or cooperative constitutional democracy entails, other than judicial review and a strong moral interpretation of the Constitution, is not made explicit by Dworkin. He allows that there must be structural and relational conditions as well as the assumption of personal moral independence. These conditions include equality and respect conditions. Further, the communal conception of democracy presupposes a type of collective agency. This requires that the whole community can and must see the law as "theirs," as being properly of "the people." Though pretty bare in its characterization, this conception of democracy is stated by Dworkin to be more "realistic" that Dewey's.[52] Whether or not it is more "realistic," it clearly conceives of democracy as resting upon a foundation created by legal means, and so relies heavily upon law.

Ronald Dworkin offers his theory of law, "law as integrity" as centered around his ideal judge, Hercules. This imaginary and perfect judge is useful, Dworkin believes, because as an ideal construct he shows us the "hidden structure" of actual judicial decisions. That structure is, when analyzed, a scheme of abstract and concrete principles, which in turn provides a coherent justification for the practice of law in every realm. This, in turn is best conceived of as "law as integrity." Integrity is a type of principled "coherence" or "consistency" in laws. Such laws are described as the opposite of "checkerboard" laws. Principled decision is thought more desirable, but this is not because checkerboard laws are by definition less fair, indeed in many cases they might bring about better results. "Principle," though, is the central quality that justifies attachment to law as integrity. Principled legal practice requires a general style of argument that treats democratic community as distinct type of community, a corporate moral agent where people "accept that their fates are

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[49] Dworkin *Freedom's Law*, p. 31.
[50] Dworkin, *Freedom's Law, p.* 75.
[51] Dworkin, *Freedom's Law*, p. 38.
[52] Dworkin, *Is Democracy Possible*, p. 150.

linked."[53] This, in turn, gives legal decisions moral legitimacy because principled integrity creates the reason for legal obligation.

According to Dworkin an understanding of law as integrity is properly informed by analogy to the project of writing a "chain novel." In creating a chain novel, novelists write a novel as a team. After the previous writers have completed the earlier chapters in the order they are to be read, the author in question writes the next chapter so as to make the novel being constructed the best it can be. Each author is to construct the "best" novel through testing upon two dimensions. First, there is "fit." This conceptual test entails that the next chapter should, as far as possible, "flow" and not leave "unexplained" major aspects of the text as previously constructed (for example it should not ignore already developed major subplots). Second, if after satisfying the fit requirements there are options left over, the author must construct a chapter that is best "all things considered," or that best "justifies" the previous chapters. Here, though, Dworkin notes that the analogy is not perfect because the novelist uses aesthetic standards, but the judge must use moral principles.

Therefore, Hercules as the ideal practitioner of law as integrity practices constructive interpretation. That is, acting as a judge necessarily requires interpretation and construction of the activity at the deepest and most philosophical level. Indeed, "any judge's opinion is itself a piece of legal philosophy, even when the philosophy is hidden and the visible argument is dominated by citation and lists of fact." In fact, philosophy of law is the "silent prologue to any decision at law."[54] Hercules therefore knows that only a community based upon law as integrity "can claim the authority of a genuine associative community and can therefore claim moral legitimacy-that its collective decisions are matters of obligation and not bare power-in the name of fraternity."[55] Indeed, as Dworkin puts it, when Hercules "intervenes in the process of government to declare some statute or other act of government unconstitutional, he does this in service of his most conscientious judgment about what democracy really is and what the Constitution, parent and guardian of democracy, really means."[56]

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[53] Ronald Dworkin, *Law's Empire* (Cambridge: Harvard University Press, 1986), p. 187-188, 211.

[54] Dworkin, *Law's Empire*, p. 90.

[55] Dworkin, *Law's Empire*, p. 214.

[56] Dworkin, *Law's Empire*, p. 399.

5. *Posner on Democracy and Law*

While Dworkin places law in a central position and highlights moral principle, Richard Posner sees law and democracy largely in terms of limits to the market economy. Posner begins by theoretically dividing all democratic theory into two types: *concept 1 democracy*, an aspirational, utopian or deliberative democracy, modeled upon a faculty workshop; and *concept 2 democracy* which is "realistic, cynical, and bottom-up," a democracy based upon the aim of satisfying private interests, and founded upon economic competition.[57] Posner advocates for concept 2 democracy because he argues that it is constructed upon an "unillusioned conception of the character, motives, and competence of the participants in the governmental process."[58] Within concept 2 democracy the private realm of the market is to be left alone as far as possible, and government's limited function is to structure those areas where the price system is seen to be in need of small corrections. Concept 2 democracy sees the democratic process as a competitive power struggle of a political elite for the votes of the masses. This "realistic" democratic and pragmatic liberalism emphasizes "the institutional and material constraints on decision making by officials in a democracy."[59] Ultimately, our "pragmatically successful democracy" is successful because it "enables the adult population, at very little cost in time, money, or distraction from private pursuits commercial or otherwise, to punish at least fragrant mistakes and misfeasances of officialdom, to assure an orderly succession of at least minimally competent officials, to generate feedback to the official concerning the consequences of their policies, to prevent officials from (or punish them for) entirely ignoring the interests of the governed, and to prevent serious misalignments between government action and public opinion."[60] Under this conception democracy largely functions as a means of protecting the private sphere and enabling the public to create laws to curb the external costs of other people's behavior. This type of democracy is "nonparticipatory," because "the benefit of voting to the individual is negligible."[61]

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[57] Richard Posner, *Law, Pragmatism, and Democracy* (Cambridge: Harvard University Press, 2003), p. 188.

[58] Posner, *Law, Pragmatism*, p. 385.

[59] Posner, *Law, Pragmatism*, p. ix.

[60] Posner, *Law, Pragmatism*, p. 182.

[61] Richard Posner, *Overcoming Law* (Cambridge: Harvard University Press, 1995)l, p. 26, see also Posner's *Economic Analysis of Law* (New York: Aspen Law & Business), p. 773-774.

So, for Posner, democracy is not a way of social life, rather it is a particular manner of limited government parasitic upon commercial life. And here "Not only do philosophical, theological, and even scientific theories have little direct relevance to commercial life; they impede it, by drawing resources and attention away from the market and by stirring conflict and animosity."[62] Indeed, too much deliberation is seen as a recipe for social unrest. At the end of the day, "Commercial activity and private life are not only more productive of wealth and happiness than the political life; they are also more peaceable, which in turn reinforces their positive effect on wealth and happiness."[63]

Where Posner does seem to agree with Dworkin is that the question of what law is centers around the judge. The main issue in law is how an admittedly oligarchic judiciary fits in to the implementation of governmental aims. First, Posner believes that "pragmatism is the best description of the American judicial ethos, "in the sense that judges show a mood or disposition to look to facts and consequences before "conceptualisms, generalities, pieties, and slogans."[64] The pragmatist judge is a forward-looking antitraditionalist who uses past cases as information, not as a source of duty to be followed. Most important is that pragmatic judge doesn't believe legal formalism is a viable option. "Principle" is not determinative, so the pragmatic judge will need to be better empirically informed than judges traditionally feel necessary. Of course all of this is in service of a picture of society bifurcated into a private realm of market transactions (the "price system") and a limited public realm where government, and therefore law, is called for when adjustments are needed due to various types of market failure. This leads to the second major part of Posner's theory (and what he is most famous for); the law and economics theory that judges should make decisions that either further the functioning of markets or, if this is not directly possible, decide in a manner that "mimics" the market. Democracy itself is seen as only a useful means towards a better functioning "private" market.

6. *Dworks, Poses and Dews Decide Citizens United*

In order to see what the theories of Dewey, Dworkin and Posner entail for legal decision making with a democratic framework I will analyze them in rela-

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[62] Posner, *Law, Pragmatism*, p. 31.
[63] Posner, *Law, Pragmatism*, p. 173.
[64] Posner, *Law, Pragmatism*, p. 3, 26.

tion to the results of a recent US Supreme Court case; *Citizens United v. FEC*, 558 U.S. _____(2010).[65] In this section I will first outline the arguments in the case, and then look at how judges following Dewey, Dworkin and Posner would handle the issues. For this, I will imagine judges characterized as "Dews," "Dworks" and "Poses" deciding the issues in *Citizens United.*

The question before the Court was whether or not a corporation or union could be prohibited from using the company's general treasury funds for the express advocacy of the election or defeat of a candidate near the actual election. Congress had banned such direct corporate advocacy but allowed a corporation to create a separate political action committee (PAC), if it wanted to fund such messages. The regulation in question, the Bipartisan Campaign Reform Act of 2002 (BCRA), was passed ostensibly in response to the fear that the economic power of corporate entities in the US could both distort elections and create the appearance of corruption in government. An earlier case, *Austin*,[66] had accepted the antidistortion interest in relationship to corporate speech not only for the above reasons, but also because under U.S. law corporations, as "artificial persons" (as opposed to natural persons), get special privileges such as limited liability and perpetual life. In other words, *Austin* accepted the premise that it might sometimes be necessary and proper under the First Amendment to regulate corporate speech in service of a better functioning democracy.

The *Citizens United* majority opinion ultimately held that "restrictions distinguishing between different speakers" are flatly prohibited due to both the "history" and the "logic" of the First Amendment.[67] Chief Justice Roberts' concurrence put it this way - that because the "text and purpose" of the First Amendment point the "same direction" it necessarily follows that "Congress may not prohibit political speech, even if the speaker is a corporation or union."[68] They also found that there was no historical evidence for the allowance of a distinction between speakers under the First Amendment (Scalia's concurrence is most insistent upon this point). In fact, they claimed that such regulation is a significant departure from "ancient" First Amendment principles.

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[65] *Citizens United* is available as a slip opinion but does not have final pagination. I will refer to each section by the main author's last name and then page number. All references are to page numbers from the opinion as available from the Supreme Court's web cite: *www.supremecourtus.gov/opinions/09pdf/08-205.pdf*

[66] *Austin v. Michigan Chamber of Commerce*, 494 U.S. 652 (1990).

[67] Kennedy, *Citizens*, p. 24-25.

[68] Roberts, *Citizens*, p. 5.

Further, the Court stated, "we now conclude that independent expenditures, including those made by corporations, do not give rise to corruption or the appearance of corruption."[69] The Court also found that the regulation created an ongoing chill of core political speech and interfered with the "open marketplace" of ideas, and therefore overruled the part of the BCRA that disallowed the use of corporate treasury funds for direct political advocacy for or against candidates and, further, overruled *Austin.* Ultimately, the decision announced the broad rule that "The First Amendment does not permit Congress to make these categorical distinctions based on the corporate identity of the speaker and the content of political speech."[70]

A dissent written by Justice Stevens argued that the majority's analysis was suspect on multiple grounds. First, Stevens noted that the majority had to go well beyond what the parties had claimed in their briefs or supported in the record. By doing this they not only ignored judicial values of only deciding real cases and controversies, but also made a decision uninformed by a fully developed record (indeed any real record at all). Stevens thought this especially worrisome because actual evidence is necessary to verify a real chill in speech as well as to not impede further "legislative experiments" aimed at constructing "democratic integrity."[71] Second, the dissent claimed (correctly) that the majority ignored precedent and cobbled together an opinion that mostly cited the earlier dissents of the various members of the new majority. Third, Stevens claimed that the distinction between the speech of natural persons and artificial persons such as corporations is significant, because corporations are not actual members of society or citizens of "We the People," and cannot vote or run for office. Of course corporations can be owned or managed by nonresidents, and due to favorable government legislation, can also represent great concentration of economic power. In addition, Stevens noted, it is unclear who is speaking when a corporation spends money on political communications. Presumably not the customers, shareholders or the workers; and the officers and directors are legally obligated to not use corporate money for personal interests. Because of this position of the corporation in law, Stevens argues that corporate speech should be seen as "derivative speech, speech by proxy."[72] Further, without the limits legislated by the BCRA there may be an "escalating arms race" of corporate spending in elections. This escalation could ulti-

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[69] Kennedy, *Citizens*, p. 42.

[70] Kennedy, *Citizens*, p. 49.

[71] Stevens, *Citizens*, p. 56, 59-60.

[72] Stevens, *Citizens*, p. 77.

mately act like an "election tax" because corporations will need to spend in order to be favored or avoid retaliation after an election.[73] Stevens also notes that only in a world of infinite time populated by creatures with perfect rationality would the assumption of the majority that more speech is always better speech make any sense. In the real world some speech can crowd out other speech both physically and cognitively. Fourth, the dissent argues that it is perfectly consistent with the history of American law to regulate corporations in relationship to political speech because the corporation in earlier American law had been a suspect form of association, and since the Tillman Act of 1907 (which banned all corporate contributions to candidates) regulation of campaign speech in relationship to corporations has been accepted. Finally, Stevens noted that the case at hand "sheds a revelatory light on the assumption of some that an impartial judge's application of an originalist methodology is likely to yield more determinant answers, or to play a more decisive role in the decisional process, than his or her views about sound policy (39)."

It is clear that the issues in *Citizens United* created a strongly polarized Court. So how would *Citizens United* be decided under the legal theories discussed in this paper? First, Dworks, in order to decide *Citizens United*, start by imagining themselves as Hercules, the guardian of the Constitution. Of course, the Constitution is seen by Dworks as the ultimate "parent and guardian of democracy." Further, there is no recourse to conceptions of democracy outside of the Constitution because whatever the Constitution is in relationship to Hercules' best interpretation is what the word democracy means to a Dwork. To come up with this best interpretation, a Dwork must identify with the idea of integrity conceived along the lines offered by the image of the chain novel. Through principled and non-checkerboard reading of the law, Dworks construct a picture of "law as integrity" and see themselves as the ultimate moral readers deciding upon the proper foundations of communal or cooperative democracy.

Dworks would certainly identify with the appeals to principle made by Kennedy in the majority opinion. Further, the appeal to ancient ideas and the need for fit between precedents would be lauded. The majority members of the *Citizens United* Court certainly see themselves as being the final word upon the Constitution and how it structures the domain of U.S. democracy. Dworks probably would also agree that treating corporate speech differently than that

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[73] Stevens, *Citizens*, p. 78.

of a natural person's speech seems too checkerboard to be principled.[74] As opposed to Scalia and Roberts, though, Dworks would be embarrassed to make statements as to the obviousness of the text and purpose of the First Amendment or pretend to read a literal categorical prohibition from one simple sentence. This would look to a Dwork judge to be either an ignorance of the underlying interpretive assumptions determining the judge's own opinion or a bad-faith attempt to disguise a policy decision under false literalism. This is, of course, because for Dworks all judicial decision nmaking is interpretive and therefore even the clearest language is subject to various interpretations (Dworks further accept the right answer thesis that one of these interpretations will be best all things considered). Dworks would probably not agree with the dissent's claim that the majority in *Citizen's United* overreached, because practitioners of law as integrity do not value judicial restraint or humility as highly as they do the integrity of the whole system, especially because Dworks are self consciously the ultimate moral protectors of Constitutional and, therefore, democratic values. Further, the dissent's talk of the need for a more developed record of the facts and the need to allow for legislative experiments in democratic integrity seems to a Dwork to misunderstand the judge's role, which is that of guardian of principle, (a role which is not dependent upon the knowledge of specific facts.) Therefore, all the talk of policy, such as the worry that the decision might create an arms race of corporate spending, is difficult to reach within a purely moral and principled decision. Given these considerations, it seems likely that a Dwork (though, not necessarily Dworkin) would side with the majority.

Poses, of course, think that Dworks have an insufferably high opinion of themselves and their abilities to come to principled decisions based upon moral reasoning.[75] As opposed to seeing judges as central to law and as a foundational force protecting society's formal ground rules, Poses see themselves as peripheral to the main business of society, which is business. The price system and the market encompass the main system of allocation within society and

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[74] Though Dworkin himself is of the opposite opinion and strenuously sides with the dissent. I side with the dissent as well, but I am not so sure that Dworks could really get there following the model of Hercules. Even if Hercules can get to the same decision it seems highly unlikely that the same decision would be guaranteed. This is a recurrent problem with Dworkin's work - he has a conclusion about a specific law, and he has his law as integrity, but the road from the one to the other is obscure and often left completely undeveloped.

[75] See Richard Posner, *The Problematics of Moral and Legal Theory* (Cambridge: Harvard University Press, 1999), p.7.

politics serves, at best, to temper rent seeking activities and correct market failures. Government does this by structuring clear laws and having periodic democratic elections in order to keep the most egregious failures of the market and various rent seeking activities under check. Economic elites contest for the public's votes and through this process get to pursue their own interests to an extent limited by the proximity of the next election. Poses see this description of liberal democratic society as realistic and unillusioned. They see themselves as "pragmatic" in relationship to this system of "elite" democracy and therefore judge so as to further the virtues of the private market and the limited and limiting factors of representative democracy. This pragmatism is more a tough-minded "mood" than a philosophy, but it does entail that the judge must look not just to moral principle but also more directly to policy and empirical fact.

Given this, Poses would have a difficult time with the majority opinion. Poses look at the talk of principle as so much window dressing for underlying policy preferences. In this sense Poses agree with Stevens that the majority's opinion in *Citizens United* is good evidence for the ultimate indeterminacy of appeals to originalist methodology. On the other hand, Poses will appreciate the majority's talk of a First Amendment "marketplace of ideas." Of course, the majority opinion utilizes the marketplace of ideas slogan, but does not pursue the implications of such a conception of speech. Poses, though, as practitioners of law and economics, are attuned to how markets might fail. Therefore Poses will agree with Stevens in the dissent when he states that sometimes Congress or the Court might actually enhance the functioning of a speech market by restructuring specific entitlements. The economic power of corporations might actually distort the speech market through distortion of the political vote "price system." More plausibly perhaps, because of the ability of political office to enhance rent seeking effectiveness, not limiting corporate electioneering speech might very well create an "arms race" of corporate spending, if only because of the possibility of political retaliation for not spending. On the other hand, Poses are not attached to the importance of rigorous democratic debate so therefore they are more interested in furthering the vigor of market transactions than in the foundations of a deliberative, cooperative and principled democratic vision. Ultimately, for Poses the decision would rest upon whether or not the BCRA furthers the proper functioning of the market. Because in this case what this entails is ambiguous, and because the Constitution is interpreted along a forward-looking fallibilist line, Poses probably would have not reached outside of the given issues that had been plead and in-

stead would have allowed for incremental regulations aimed at curbing potential failures of the speech market. On the other hand, because the Poses' representative democracy is modeled upon the idea of a voting market, it might be the case that corporate funding of speech could make the vote market more efficient. In light of this ambiguity, a Pose would not display the "principled" assurance of the *Citizens United* majority and would allow for flexibility in corporate speech regulation.

Dews are quite different than both Dworks and Poses. As opposed to Dworks, Dews think that appeals to principle, like that of appeals to natural law, might often support good causes, but could also support causes much less just. The problem is that "principle" is a quite vague term with multiple possible conceptualizations. Further, Dews are very skeptical of appeals to principle if such appeals are mostly retrospective because this ignores the real important constructive and active aspect of actual legal inquiry. Further, instead of seeing themselves as the ultimate moral guardians of the Constitution and the necessary structural conditions of democracy, Dews think such a picture is a type of naïve institutional fundamentalism.[76] For a Dew, society has to have a democratic set of habits for a democratic government to be possible, not vice versa. Further, to believe the latter is to put a quasi-religious worship of text or institution in place of careful empirical inquiry. In addition, not only do Dews think that society must have some democratic habits in order to create a democratic political realm, but law, at its best, is for them just one of a number of institutions both political and social that can further democracy. Law is not the ultimate and foundational rule creator or protector of democracy. Instead, social democracy creates the grounding for a political realm wherein law serves a limited role in public administration. Further, the Constitution is a document that must be constructed in practice, it is best seen as a blueprint for experiments, not a tether to the past.

As for Poses, Dews see them as false pragmatists much too attached to an *a priori* and non-experimental conception of what is humanly possible combined with dogmatic acceptance of free market ideas. Dews are more humble than Poses in their claims to knowledge of human nature and the relative virtues of disparate social coordination and arrangement strategies. They also are wary of reducing the complexities of human society down to a private realm of market transactions and a public sphere of elite liberal democracy. Certainly they will wonder whether or not the open marketplace of ideas is an apt image

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[76] See Amartya Sen, *The Idea of Justice* (Cambridge: Harvard University Press, 2009), p. 5-6 for an analysis of this concept.

to account for the complexities of political speech. At the same time, Dews are open to a more ambitious and flexible conception of political aims and arrangements because without fixed assumptions as to what is possible, experiments in governance are encouraged.

As can be inferred from the above, Dews will have a difficult time with the majority opinion in *Citizen's United*. First, they will see talk of principle and constitutional requirements as either an unproductive and indeterminate appeal to a duty to the past or, just as worrisome, as a quest for logical certainty that gets in the way of facing the complexity of political reality. This will also be true of any appeals to plain readings.[77] Second, Dews would see the conflation of natural persons and artificial persons under the general category of "speakers" as a confusion caused by an analogical and historically accidental use of the word "person" to help reason out earlier corporate cases. In other words, the majority fell into bad metaphysics through the (unconscious?) assumption that using the same word entails meaning much the same thing. What should be emphasized instead are the actual ends in view. For Dews, corporations are functional social institutions (as is law) that are politically and legally engineered to bring about the best possible social results with the least amount of waste. Therefore, they should be seen as subject to re-engineering, including the creation of new limits, if changes can plausibly be thought to bring about more desirable social consequences for natural persons. More strikingly, Dews would find a Court holding that certain social practices do not give rise to the appearance of corruption without any empirical data to be an example of extreme conceptual hubris. Maybe not real corruption, but certainly the appearance of corruption is a matter of public perception and not something the Court can in any manner decide through judicial fiat. Of course Dews accept that there is no *a priori* guarantee that different corporate laws will actually enhance the effectiveness of election speech, but just because of this they will decide each case in a manner that reserves as many options for the other branches to socially experiment with as possible. Because of this, Dews would find the majority decision tragically wrongheaded. Dews will not

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[77] Just like Stevens they will have no difficulty using the same style of reasoning to show how easy it is to refute a claim like Scalia's that the First Amendment makes no distinction between speakers. All that needs to be noted is that after referencing speech, the clause also separately references the press. This either distinguishes between types of speakers or pushes towards a narrow reading of speech more attuned to what would happen in a town hall meeting and less like monetary support. Either way, Scalia's literalism is blatantly selective and not fully literal either.

ignore the need for strong side constraints to certain types of state regulation, but will aim to not prematurely rule out plausible options.

Dews have much more in common with the reasons offered by the dissent. Stevens emphasizes the need for facts and data, talks of legislative experiments, and seems quite wary of looking at the Supreme Court as the ultimate and properly inflexible word on the Constitution. More specifically, Dews find it more than plausible to see a strong distinction between the speech of natural persons and artificial persons (especially when boats are included in the category of artificial person). It is also plausible to see corporate speech as derivative speech as well as speech by proxy. Dews, of course, will test all options by looking to results. In this sense the decision will be largely determined by forward-looking aims and goals and not ancient ideals. Precedent, for Dews (as for Poses), functions as important data, and as important determinants of social expectations. But precedent does not carry the moral weight that Dworks or the members of the majority opinion hold it to have. Further, Dews will find economic reasoning important to utilize as a tools of analysis all the while being sensitive to the virtues and limits inherent in such reductionist systems. Dews are pluralists and therefore expect multiple values to be present and important to weight in just about any but the easiest case; indeed, it is plausible to think that the clash of values is why there is a case or controversy to begin with. (In this sense Dews have more in common with Dworks than Poses who seem to think that all values can be mapped on to one metric.) Finally, Dews are not nearly as comfortable in placing the judge in the center of attention as are Dworks and Poses. Further, Dews are cognizant of the shifting issues that create the need for various publics, and are suspicious of any conception of "Law" supposedly able to structure a solution to every need, or to any need in a once-and-for-all fashion. Dews therefore defer to more empirically effective and sensitive branches of government unless they have overwhelming reasons. Therefore, in the case of *Citizens United,* Dews would most certainly defer to Congress.

7. *Conclusion*

Of the above theories, Ronald Dworkin's clearly puts the most pressure upon law in relationship to democracy. Constitutional law sets the game plan within which democracy functions and Dworkin's judge has to set that structure solely through recourse to principle. In an empirically simple world, or, con-

versely, a world of moral reasoning that was largely uncontroversial this might be plausible. In a highly complex modern world like ours, though, the idea that judges on high could understand all that needs to be understood, and structure it solely in terms of principle, seems doubtful. Richard Posner's theory, on the other hand, relegates law to the position of minor player. Of course his theory also relegates democracy to a marginal position as well. In fact, if the market worked perfectly, it appears that Posner would be happy to see democracy disappear. Ultimately Posner's legal theory is too numb to values outside of the market system. This conception of society, of democracy and of law is not one that will commend itself to most people who place themselves in the role of citizen, judge or politician. Indeed, what Posner's theory gains in clarity and "tough-mindedness" it more than loses in its reductivist picture of society and its inability to appreciate the plural values people actually embrace. Finally, John Dewey's theory offers a bottom-up, pluralist and experimental conception of democracy and law. It certainly does not offer the priest-like certainty of Dworkin's system, or the tough-minded clarity of Posner's. On the other hand, it does offer flexibility and pushes for judicial humility. In light of a decision such as *Citizens United*, Dewey's theory seems to offer a more attractive alternative (subject to further testing, of course). In a complex world where technological changes and conflicting needs and values are the norm, a flexible and experimental description of democracy such as Dewey's seems proper. If this is correct, Dewey's philosophy of law, one that follows directly from his conception of democracy, is more conducive to the creation of a legal system that furthers democratic society than either Dworkin's or Posner's.