

DEMOCRATIC EXPERIMENTS: AN AFFECT-BASED INTERPRETATION AND DEFENSE

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Abstract

I offer an interpretation and defense of John Dewey's notion of "democratic experiments," which involve testing moral beliefs through the experience of acting on them on a social scale. Such testing is crucial, I argue, because our social norms and institutions fundamentally shape the relationships through which we develop emotional responses that represent the morally significant concerns of others. Improving those responses therefore depends on deliberate alterations of our social environment. I consider deliberative and activist alternatives and argue that an experimentalist approach better models some prominent cases of social progress, such as the extension of marital rights to same-sex couples.

Keywords: John Dewey, Democracy, Pragmatism, Progress, Deliberation, Democratic Experiment, Same-Sex Marriage

1. Introduction

One notable feature of many episodes of moral progress is that social endorsement of the relevant improvements lags significantly behind action aimed at realizing those

improvements.¹ The case of school desegregation in the United States serves to illustrate this nicely. The landmark *Brown v Board of Education* decision in 1954 was implemented against massive social opposition that only gradually diminished over a period of many years. Likewise, legal measures designed to realize equal opportunity for women in the workplace were put in place against the backdrop of overwhelming structural sexism. A similar pattern has emerged more recently in the case of gay rights, where support for same-sex marriage (in the United States anyway) has begun to gain broad traction only after a series of major legislative and judicial victories.

One reason that this phenomenon is interesting is that it seems to be in tension with the now predominant deliberative model of democracy. That model holds, in the most general terms, that democratic societies should make decisions about political action by engaging in an inclusive exchange of reasons.² If action precedes endorsement in landmark cases of moral progress, however, then that at least seems to put some pressure on the idea that exchanging reasons alone is an adequate basis for social change. In the landmark cases just described, after all, the scenario seems to have gone differently: people who had good moral ideas tried to convince others, through deliberation, of the moral value of a significant social change. But they couldn't convince them, or at any rate couldn't convince a large portion of them. Not heeding their own deliberative

¹ I am grateful to Ansley Erickson, Brian Wilson, Daniel Groll, Dan Meyers, Daniel Viehoff, Jason Decker, Melissa Koenig, Philip Kitcher, and two anonymous referees for valuable feedback on various iterations of this paper. I have also benefited from the input of audiences at the University of Minnesota, Carleton College, the Center for Inquiry, Columbia University, and my own St. Olaf College, as well as the students in my seminar in Social Epistemology. Finally, I am grateful for generous funding from the Institute for Social and Economic Research and Policy at Columbia during the earliest development of these ideas.

² For classic statements see Joshua Cohen, "Deliberation and Democratic Legitimacy," in *Deliberative Democracy: Essays on Reason and Politics*, eds. James Bohman and William Rehg (Cambridge, MA: MIT Press, 1989), Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy* (Cambridge, MA: MIT Press, 1996).

failure, they organized what power they could to implement those changes, changes which in turn appeared to play a causal role in generating social assent *ex post*.

My proposal below is that we can best understand the achievement of progress in such cases by rejecting the deliberative democratic account and instead modeling them as instances of what John Dewey conceived as democratic "experiments." While Dewey recognized an essential role for deliberation in major episodes of moral change, his approach diverges in fundamental respects from deliberative democracy. Crucial to Dewey's notion of democratic experimentation is the pragmatist idea that the experience of acting on our moral beliefs over time – above and beyond deliberation, reflection, and communication – has a crucial *epistemological* role to play in our ability to improve those beliefs. On a Deweyan view, the *Brown* decision was essential to the broad social recognition of blacks' most basic liberties precisely because it enabled action to respect those rights in advance of any deliberative consensus.

While I am not the first to pursue a model of democratic experimentation, I offer a novel defense and interpretation by focusing on the distinctive significance that Dewey attributes to the emotional aspects of moral judgment.³ Testing our moral beliefs in

³ Elizabeth Anderson has done very recent work to develop the idea of Deweyan experimentation in the democratic context. I discuss Anderson's view further below. While there are important parallels between our views, Anderson conceives of experiment principally as a process through which morally significant expectations about consequences are tested. In contrast, I focus on the transformative properties of emotional experience as a source of epistemological insight. See Elizabeth Anderson, "Dewey's Moral Philosophy," in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, <http://plato.stanford.edu/entries/dewey-moral/> (2014), "Social Movements, Experiments in Living, and Moral Progress: Case Studies From Britain's Abolition of Slavery," in *The Lindley Lecture*, Department of Philosophy, University of Kansas (2014), "The Social Epistemology of Morality: Learning from the Forgotten History of the Abolition of Slavery," in *The Epistemic Life of Groups*, eds. Miranda Fricker and Michael Brady (New York: Oxford University Press, forthcoming). Philip Kitcher, *The Ethical Project* (Cambridge, MA: Harvard University Press, 2011) and Eric MacGilvray, "Experience as Experiment: Some Consequences of Pragmatism for Democracy," *American Journal of Political Science* 43 (1999): 542-65 also offer sophisticated and distinct takes on Deweyan experimentation.

practice is crucial, I argue, because our social norms and institutions fundamentally shape the relationships through which we develop emotional responses that represent the moral concerns of others. Improving those responses therefore hinges in crucial respects on practical interventions that alter our social environment. Democratic conditions are essential in this context, I argue, because they facilitate the introduction of experimental innovations, and the reliable moral evaluation of them over time. I thus offer an account of democratic social progress that is novel, both in the distinctive epistemological role that it attributes to practice, and in the particular connection that it draws between practice and moral emotions.

Before proceeding any further I should emphasize that, though Dewey is the starting point for the account that follows, and though I believe my account is broadly consistent with his ideas, my primary aim is not exegetical and, indeed, the view I will defend probably differs in some respects from a view that Dewey himself would endorse. Instead, I aim to mine some of his core ideas in order to provide the basis for an account that is independently compelling.

2. Dewey's Epistemology of Experiment

In order to get some conceptual foundations in place, I'll begin with a very selective exposition of Dewey's moral epistemology. Dewey held the idiosyncratic view that moral and other claims of value were "hypotheses" to be tested in the light of experience.⁴ Specifically, they express hypotheses that attempting to realize or respect

⁴ My take on Dewey's moral epistemology in this section has been significantly aided and influenced by the accounts in Anderson, "Dewey's Moral Philosophy," Henry S. Richardson, *Practical Reasoning About Final Ends* (Cambridge: Cambridge University Press, 1997), Robert

the value in question will eliminate dissatisfaction or frustration generated by our habitual course of proceeding, given full awareness of the consequences of pursuing and realizing that value. "Full awareness of consequences" in this case means that we must grasp (a) what is involved in realizing the value itself, (b) what means are required to realize the value, and (c) the consequences of (a) and (b) for other things that we care about. Value judgments thus subsume broad claims about how the satisfaction associated with resolving particular dilemmas comports with the full range of an agent's concerns under particular conditions.⁵ Our moral worldview matures over time as such claims are confirmed and refined under diverse circumstances. In this way, value judgments evolve from mere hypotheses to become settled (or discarded) theories, even as new circumstances may always prompt renewed scrutiny.

I want to focus here on two features of Dewey's view that are crucial to the idea of democratic experiment. The first is his rejection of a tidy division between rational and affective modes of evaluation. For Dewey, the emotions play a crucial role in directing our attention to objects of value and making them salient in our considerations of what to do:

We, indeed, estimate the import or significance of any present desire or impulse by forecasting what it would come or amount to if carried out; literally its consequences define its *consequence*, its meaning and importance. But if these consequences were conceived *merely as remote*, if their picturing did not at once arouse a present sense of peace, of fulfillment, or of dissatisfaction, of

B. Westbrook, *John Dewey and American Democracy* (Ithaca, NY: Cornell University Press, 1991), and many conversations with Philip Kitcher.

⁵ John Dewey, *Human Nature and Conduct: An Introduction to Social Psychology* (Amherst, NY: Prometheus Books, 2002), pp. 172-277, "Theory of Valuation," in *The Later Works: 1925-1953*, ed. Jo Ann Boydston (Carbondale, IL: Southern Illinois University Press, 1988)

incompletion and irritation, the process of thinking out consequences would remain purely intellectual. It would be as barren of influence upon behavior as the mathematical speculations of a disembodied angel. Any actual experience of reflection upon conduct will show that every foreseen result at once stirs our present affections, our likes and dislikes, our desires and aversions. There is developed a running commentary which stamps values at once as good or evil. It is this direct sense of value, not the consciousness of general rules or ultimate goals, which finally determines the worth of the act to the agent.⁶

Thus, deliberation is an experientially textured "imaginative rehearsal of possibilities,"⁷ in which our emotional responses to an envisioned course of action are crucial. Yet, at the same time, if our emotional responses are not guided by careful reflection, they function simply as blind and incoherent impulses.⁸ Reason thus involves reflectively ordering and refining those responses to make them more coherent and to set them in the widest social context:⁹ "Rationality, once more, is not a force to be evoked against impulse and habit. It is the attainment of a working harmony among diverse desires."¹⁰ In short, under adequate conditions of reflection, our desires are responsive to our rational assessment of the consequences of acting on them. And, at the same time, our rational attitudes about what is best to do reflect a sensitivity to our emotional make-up, in effect, the feelings provoked by envisaging a course of action.

⁶ John Dewey and James Hayden Tufts, *Ethics* (New York: Henry Holt and Company, 1929), p. 323

⁷ Ibid, Dewey, *Human Nature and Conduct*, p. 190

⁸ Dewey, *Human Nature and Conduct*, pp. 190-98, Dewey and Tufts, *Ethics*, pp. 298-300

⁹ Dewey and Tufts, *Ethics*, pp. 316-17

¹⁰ Dewey, *Human Nature and Conduct*, p. 196

The second feature of Dewey's moral epistemology which is crucial to the idea of democratic experimentation is his emphasis on the social character of moral values and, thus, the essential role that social institutions and interactions play in shaping those values:

"The social environment may be as artificial as you please. But its action in response to ours is natural not artificial. In language and imagination we rehearse the response of others just as we dramatically enact other consequences. We foreknow how others will act, and the foreknowledge is the beginning of judgment passed on action. We know *with* them; there is conscience. An assembly is formed within our breast which discusses and appraises proposed and performed acts. The community without becomes a forum and tribunal within, a judgment-seat of charges, assessments and exculpations. Our thoughts of our own actions are saturated with the ideas that others entertain about them, ideas which have been expressed not only in explicit instruction but still more effectively in reaction to our acts."¹¹

Thus, questions of value are social because they are "saturated" with the perspective of the community in which we live, and because they are shaped by a regard for that perspective. Indeed, Dewey thinks that we cannot so much as understand the thoughts and behavior of individuals independently of her social environment: "The individual *par excellence* is moved and regulated by his associations with others; what he does and

¹¹ Ibid., p. 315

what the consequences of his behavior are, what his experience consists of, cannot even be described, much less accounted for, in isolation."¹²

Given the inherently social character of values, inquiry into values – moral or otherwise – is not adequate without a full regard for how our own desires, beliefs, and practices interact with the desires, beliefs, and practices of others. That is why the pursuit of "satisfaction" is not an egoistic or utilitarian enterprise. Deweyan satisfaction is best understood as a form of carefully considered, socially informed endorsement that responds to diverse manifestations of value rather than a singular kind of pleasure or positive feeling.¹³ Moral inquiry thus entails going beyond immediate popular sentiment to achieve demanding conditions of information, reflection, and social engagement.

Dewey's emphasis on the social character of moral inquiry also leads him to argue that it requires democracy. Crucially, Deweyan democracy consists, not merely in a set of procedures for decision-making, but in the "idea of community life itself,"¹⁴ where citizens are brought regularly into contact with the desires, beliefs, and practices of others across a broad spectrum of civic and social engagement. Deweyan democracy thus plays out, not only in voting booths and town hall meetings, but also in the workplace, in civic and recreational organizations, and especially schools.¹⁵

Dewey's notion that value judgments express hypotheses in turn leads naturally to the suggestion that democracy might recruit the method of "experimental intelligence" in some way that parallels or resembles the scientific method.¹⁶ Though the

¹² John Dewey, *The Public and Its Problems* (Chicago: Swallow Press, 1954), p. 188

¹³ Dewey and Tufts, *Ethics*, pp. 301-03, Dewey, *Human Nature and Conduct*, pp. 199-209

¹⁴ Dewey, *The Public and Its Problems*, p. 148

¹⁵ *Ibid*, John Dewey, *Democracy and Education: An Introduction to the Philosophy of Education* (New York: Free Press, 1944)

¹⁶ Dewey, *The Public and Its Problems*, pp. 202-03

morality/science analogy evidently has significant limits, the core of the idea for Dewey is that moral ideals, like scientific theories, should be susceptible to revision in the light of experience based on "constant and well-equipped observation of the consequences they entail when acted upon."¹⁷ Experimentation involves "...institution of a definite and specified course of change. *The* method of physical inquiry is to introduce some change in order to see what other change ensues..."¹⁸ This provides a plausible and straightforward way of thinking about experimentation in a more general sense: experimentation involves intervening in the environment to initiate change in ways deliberately designed to serve epistemological objectives. And since moral values are social, they become settled when their projections of consequences are confirmed by diverse individuals under conditions of open inquiry over time. Through that process, a body of core commitments emerges (our commitment to basic forms of freedom and equality, for example) that become increasingly immune to legitimate social contestation, even as the important work of interpreting those commitments carries on.

Here is a first pass, then, at the idea of democratic experiments. *Democratic experiments* involve deliberate interventions in our habitual social practices, under broadly democratic conditions, that aim to discover how to resolve some socially present objection to the status quo. The germ of those interventions is the durable experience of moral dissatisfaction within some corner of society, and they are thus governed by a particular hypothesis about how changes in social practice would successfully resolve that dissatisfaction within a sufficiently informed and engaged citizenry.

¹⁷ Ibid., p. 203

¹⁸ John Dewey, "The Quest for Certainty," in *The Later Works: 1925-1953*, ed. Jo Ann Boydston (Carbondale, IL: Southern Illinois University Press, 1984), p. 68

Consistent with Dewey's capacious notion of democracy, the phrase "broadly democratic conditions" refers to a form of social and political organization which (in the ideal) involves: (a) some core set of meaningful (at least in the aggregate) and equitably distributed rights to exercise control over political decision-making; (b) robust protections for a conventional package of civil liberties, including freedoms of speech, association, conscience, and political participation; and importantly (c) institutions that enable the meaningful participation of citizens across the social spectrum in varied dimensions of public life. While (a) conventionally implies significant measures of majority or plurality voting, I also take it to be compatible with elements of technocracy, judicial review, and constitutional limitation (this point is important to my argument, as becomes clear later on). In Sections 3 and 4, I examine in detail the manner in which the dissatisfaction of a minority might translate into changes that upset the status quo. For now, though, I'll observe briefly that democracies as just defined tend to facilitate that kind of translation, both by distributing basic social and political powers equitably, and by enabling social interactions that foster a measure of sympathetic responsiveness to other kinds of people. More than any other form of social organization, democracies are engineered to make valid grievances identifiable, expressible, and actionable enough to instigate a measure of change.

But before developing that theme further, I want to focus on what is perhaps a more fundamental question: Why experiment? More specifically: how does experimentation better put us in a position to make better justified endorsements of our moral beliefs? My proposed answer hinges on the two crucial features of Dewey's moral epistemology identified above: interventions in practice, I will argue, are crucial to

improving the emotional and social capacities through which we represent the concerns of others. To make that case, I begin with an example.

In her reconstruction of the British abolitionist movement in the 18th and 19th Centuries, Elizabeth Anderson pursues Dewey's suggestion that experimental moral practice enables us to expose false assumptions about the consequences of realizing our moral beliefs. Prior to emancipation, she notes, it had been assumed that absent coercion, slaves would not be motivated to work beyond subsistence levels, thus fundamentally threatening the economic engine of social progress. The actual practice of emancipation, however, revealed both that economic incentives alone could induce sufficient productivity and also that, with greater industrialization, economic prosperity was far less dependent on the particular form of low-skilled agricultural labor that slaves provided.¹⁹ While the economic inferiority of slavery does not entail its moral inferiority, Anderson observes that the fear that emancipation would undermine productivity was substantially premised on the notion that blacks were naturally lazy and indifferent to the value of life's pleasures beyond bare subsistence.²⁰ Thus, to demonstrate the economic sustainability of free labor was also to reveal the way in which the morally and socially relevant character traits of workers were artifacts of an oppressive economic system rather than natural racial properties. The judgment of free labor's moral righteousness, in this respect, emerges from a historical transition in which all workers come to be seen as equal bearers of fundamental moral agency. Free labor thus comes to be understood as an intrinsic moral good that transcends assessments of economic value.

¹⁹ Anderson, "Social Movements, Experiments in Living, and Moral Progress: Case Studies From Britain's Abolition of Slavery"

²⁰ Ibid., pp. 19-20

Given that abolition emerged from highly non-democratic conditions, it does not yet exemplify democratic experimentation in the full sense. It nonetheless reveals the way in which our expectations about the consequences of acting on moral beliefs are often tightly coupled to representations of the morally significant traits of others around us. Because of this close relationship, social interventions that upset such expectations can often change our moralized representations of others, and thus our conception of what is morally valuable. But to fully understand how this sort of process works, I want to suggest that we must look more closely at the psychological and social mechanisms by which our moralized representations of others are formed. For that purpose, let us return to some crucial features of Dewey's moral epistemology.

As I noted earlier, Dewey sees our moral judgments as involving both rational and affective modes of evaluation. Those judgments are socially informed, he suggests, insofar as this sort of experience is "saturated" with the perspective of others, i.e., informed by a full regard for what matters to those around us. Crucially, this suggests that the value of novel experience lies, not only in its tendency to yield rationally significant information about consequences, but also in its capacity to educate our emotional responses to those consequences, and specifically those responses that allow us adequately to represent the concerns of others in our social environment. In the case of abolition, the point is that the tendency of whites to disregard the moral evils associated with slavery was in large part a consequence of the kinds of shallow, degrading, and objectifying relationships with blacks that the practice of slavery itself perpetuated.²¹ To end the practice of slavery was thus also to (begin to) create a context for the kinds of

²¹ Kitcher, *The Ethical Project*, pp. 153-62

substantive social interaction that sustain more veridical and sympathetic representations of blacks. Over time, those representations became more *sympathetic* in the sense that they gave greater moral weight and salience to the perspective of blacks as weighed against their own. In that way they better attuned whites to the proper status of blacks as moral equals, and made them less inclined to dismiss their perspective without due consideration. Likewise, over time, their representations became more *veridical* insofar as whites became appropriately sensitive to a fuller range of morally relevant considerations. Abolition, in other words, fostered an epistemological improvement via conditions in which whites could begin to feel and think more appropriately about the consequences of racial inequality.

To pursue this point further, consider the case of same-sex marriage which, like abolition, can be modeled as a paradigm instance of democratic experimentation. Those alive in the 2015 United States have lived through an extended period in which there has been a notable rise in traditional family structures within the gay community, most notably including marital unions and child-rearing. One consequence of this has been evidence against the dire consequences of same-sex marriage predicted by many of its opponents.²² But as the practice of homosexual family identity has expanded, heterosexual Americans have also had expanding (though still highly variable and, in many places, quite limited) opportunities for meaningful and transparent interaction with homosexuals and homosexual families. I say "transparent" here because the crucial point is not just that heterosexuals can interact with members of same-sex families, but also that the gay identity of those with whom they interact is openly expressed and thus

²² "American Psychological Association: Amici Curiae Brief, *In re Marriage Cases*," <http://www.apa.org/about/offices/ogc/amicus/obergefell-supreme-court.pdf>.

represented in their experience.²³ The opportunities I have in mind encompass all the diverse forums in which social interactions take place: neighborhoods, dining halls, public parks, school events, religious and political meetings, and so forth. The consequence of this has been the gradual formation of new social relationships (friendships, collegial working relationships, neighborly connections, passing social contact) that would previously have been impossible, at least when understood *qua* relationships with members of same-sex families.

Although the social shift I am describing here is still very new, we can nonetheless observe that, just as the practice of abolition led to systematic improvements in conditions for the sympathetic and veridical representation of blacks, so too has same-sex marriage created conditions for a richer and more sympathetic body of social relationships between heterosexuals and the gay community. To the extent that such relationships figure crucially in enabling us properly to think and feel about the concerns of others around us, we can see the practical changes associated with same-sex marriage as fostering a distinctive kind of epistemological improvement. And, unlike the example of abolition, marital rights for same-sex couples were achieved under conditions that much more closely approximate democracy as defined above. Although the gay community was, and continues to be, systemically marginalized in many aspects of social life, their achievement of marital rights was nonetheless dependent on the exercise of core democratic rights to speech, protest, and voting. And it was likewise dependent on the fact that homosexuals were so widely represented in diverse civic, economic, political, and artistic walks of life. While Anderson is correct to emphasize the way in

²³ *The Ethical Project*, pp. 164-65

which practice improves our grasp of the consequences of acting on our moral beliefs, experimental practice yields a further epistemological advantage. To test out a moral claim in practice is *to have one's representations of other people, along with their distinctive projects and concerns, shaped by the particular social order of which that claim's practice is partly constitutive*. In this respect, I want to argue, experimentation can be morally transformative in a way that deliberation, and communication more generally, cannot. I turn now to considering the advantages of democratic experimentation over these alternatives, and then to offering a fuller conception of the experimentalist model.

3. Emotion and Deliberation in Judgments of Social Morality

Standard conceptions of deliberative democracy (DD) hold that the primary mechanism for belief change in a properly functioning democracy is a free and egalitarian exchange of reasons.²⁴ As a number of critics of DD have pointed out, the problem with insisting on the normative priority of reasons is that it contradicts a large and growing body of psychological evidence indicative of a crucial role for the emotions in moral judgment.²⁵ Thus, for example, Haidt's well known experiments suggest that our rational judgments about morality reflect the outputs of prior, unconscious affective

²⁴ Cohen, "Deliberation and Democratic Legitimacy," Amy Gutmann and Dennis F. Thompson, *Democracy and Disagreement: Why Moral Conflict Cannot be Avoided in Politics and What Should Be Done About It* (Cambridge, MA: Belknap Press, 1996), Habermas, *Between Facts and Norms*

²⁵ Cheryl Hall, "Recognizing the Passion in Deliberation: Toward a More Democratic Theory of Deliberative Democracy," *Hypatia* 22 (2007): 81-95, Sharon Krause, *Civil Passions: Moral Sentiment and Democratic Deliberation* (Princeton, NJ: Princeton University Press, 2008), Michael E. Morrell, *Empathy and Democracy: Feeling, Thinking, and Deliberation* (University Park, PA: Penn State University Press, 2010)

systems.²⁶ Specific moral emotions such as disgust, anger, and compassion also appear to serve as "moral amplifiers" which prioritize particular kinds of moral considerations over others.²⁷ Consistent with these results, the moral condemnation of behaviors (such as smoking) is associated with the social development of predispositions to feel negative emotions in response.²⁸ Likewise, a range of studies show that manipulations in the physiological manifestations of emotion – such as facial expressions or bodily position – predict relevant changes in moral judgment.²⁹ Finally, a significant body of research indicates that the impairment of emotional capacities is closely associated with failures of moral judgment and, in some cases, an incapacity to reason more generally.³⁰ Emotions thus seem to play a crucial role in the process of moral reasoning itself. Whereas some traditional conceptions of moral emotions understand them as "brute" outputs of evolutionary hardwiring, a growing body of evidence indicates that they are in fact parts of complex learning systems that can supplement and inform rational judgment.³¹

It is also worth noting the ways in which the process of rational deliberation is itself guided and constrained by the emotional responses of participants. Thus, a large body of experiments on social dilemmas indicates that cooperation is substantially and reliably

²⁶ Jonathan Haidt, "The Emotional Dog and Its Rational Tail: A Social Intuitionist Approach to Moral Judgment," *Psychological Review* 108 (2001): 814-34

²⁷ Elizabeth J. Horberg, et al., "Emotions as Moral Amplifiers: An Appraisal Tendency Approach to the Influences of Distinct Emotions Upon Moral Judgment," *Emotion Review* 3 (2011): 237-44

²⁸ *Ibid.*, p. 242

²⁹ *Ibid.*, p. 241

³⁰ Antonio R. Damasio, *Descartes' Error: Emotion, Reason, and the Human Brain* (New York: Penguin, 1994), Shaun Nichols, "How Psychopaths Threaten Moral Rationalism, or Is it Irrational to Be Amoral?," *The Monist* 85 (2002): 285-304

³¹ Peter Railton, "The Affective Dog and Its Rational Tale: Intuition and Attunement," *Ethics* 124 (2014): 813-59

increased through face-to-face communication.³² This fact is indicative of the various ways in which the context, medium, and relationship between deliberators – all of which are mediated in important ways by emotions – bear on deliberative outcomes. Likewise a range of studies show, not surprisingly, that the degree of scrutiny that a subject places on an argument is sensitive to such factors as the source's attractiveness, her likeability, her power, her perceived similarity to the recipient, and her status as a member of the social majority or minority.³³ Another body of work on "motivated reasoning" indicates the various ways in which the evaluation of reasons is itself driven by desires to appear competent and reasonable to others, desires which tend to bias subjects in favor of evidence that confirms existing views.³⁴

As an alternative to DD, activist democrats such as Iris Marion Young and Lynn Sanders advocate moving beyond the deliberative ideal to accommodate forms of communication with vital non-rational elements, such as greeting, rhetoric, and storytelling.³⁵ Likewise, theorists such as Sharon Krause, Michael Morrell, and Cheryl Hall have elaborated models of political deliberation that explicitly incorporate emotion as a core constituent.³⁶ And more traditional deliberative democrats such as John Dryzek

³² Tali Mendelberg, "The Deliberative Citizen: Theory and Practice," in *Research in Micropolitics: Political Decisionmaking, Deliberation, and Participation*, eds. Michael X. Delli Carpini, Leoni Huddy and Robert Shapiro (Greenwich, CT: JAI Press, 2002), p. 155

³³ Richard E. Petty and Duane T. Wegener, "Attitude Change: Multiple Roles for Persuasion Variables," in *The Handbook of Social Psychology, Vol. 1*, eds. Daniel T. Gilbert, Susan T. Fiske and Gardner Lindzey (New York: McGraw-Hill, 1998), pp. 25-27

³⁴ Mendelberg, "The Deliberative Citizen: Theory and Practice," pp. 168-69, Hugo Mercier and Dan Sperber, "Why Do Humans Reason? Arguments For an Argumentative Theory," *Behavioral and Brain Sciences* 34 (2011): 57-111

³⁵ Lynn M. Sanders, "Against Deliberation," *Political Theory* 25 (1997): 347-76, Iris Marion Young, "Activist Challenges to Deliberative Democracy," *Political Theory* 29 (2001): 670-90

³⁶ Hall, "Recognizing the Passion in Deliberation," Krause, *Civil Passions: Moral Sentiment and Democratic Deliberation*, Morrell, *Empathy and Democracy: Feeling, Thinking, and Deliberation*

and Guttman/Thompson have defended a place for more emotionally charged forms of communication when traditional deliberation proves inadequate.³⁷

Broadening the deliberative paradigm so as to allow a valuable role for emotion and emotionally engaging modes of communication is an important improvement on classical DD. It is important to note, however, that these emotional responses are outputs of a complex body of psychological dynamics that represent our social relationships with others. To return to Dewey's phrase, such responses are "saturated" with a particular social vantage point. Among the most notable and well-documented of these dynamics is the tendency of individuals to conceptualize others as members of a common "in-group" that share vital characteristics with the subject, or instead as members of a moral "out-group." Out-group categorization of this sort can translate into dehumanization, the attribution of lesser intellectual or emotional capacities, perceptions of untrustworthiness, reduced empathy, or a reduced sense of accountability, for example.³⁸ Importantly, available evidence suggests that such representations are crucially shaped by the particularities of a subject's personal history and social context. Our capacity for empathy with the members of a given social group, for example, is significantly increased through positive personal interaction with that group.³⁹ Cross-group friendships

³⁷ John S. Dryzek, *Deliberative Democracy and Beyond: Liberals, Critics, Contestations* (Oxford: Oxford University Press, 2000), Amy Gutmann and Dennis F. Thompson, *Why Deliberative Democracy?* (Princeton: Princeton University Press, 2004)

³⁸ Susan T. Fiske, "Stereotyping, Prejudice, and Discrimination," in *The Handbook of Social Psychology Vol. 2*, eds. Daniel T. Gilbert, Susan T. Fiske and Gardner Lindzey (New York: McGraw-Hill, 1998), Nick Haslam, "Dehumanization: An Integrative Review," *Personality and Social Psychology Review* 10 (2006): 252-64, Susan Opatow, "Moral Exclusion and Injustice: An Introduction," *Journal of Social Issues* 46 (2010): 1-20

³⁹ Jared Kenworthy, et al., "On the Nature of Prejudice: Fifty Years After Allport," in *On the Nature of Prejudice: Fifty Years After Allport*, eds. John Dovidio, Peter Glick and Laurie Rudman (Malden, MA: Blackwell, 2005), Sara D. Hodges and Daniel M. Wegner, "Automatic and

also tend to reduce prejudice-related anxiety⁴⁰ and negative cross-group attitudes more generally.⁴¹ Our conception of other groups' moral considerability is, similarly, influenced by the ease with which we can think of exemplars from that group.⁴²

Given the significance of individuals' interactions with members of other groups in shaping group-based representations, it is not surprising that such representations are sensitive to broad social dynamics such as war, economic troubles, or political instability that shape and structure such interactions in crucial ways.⁴³ Likewise, racial integration in institutional environments such as schools has been causally connected to reductions in implicit bias.⁴⁴ Schools, in particular, seem to play a particularly crucial role in shaping citizens' representations of other groups insofar as emotional associations with particular groups develop early in life.⁴⁵

The general point toward which I have been working is this: The events that take place within deliberation, as well as the more emotionally engaged forms of communication that activist democrats envision, occur against the backdrop of each subject's complex and often unconscious representation of her social world and its

Controlled Empathy," in *Empathic Accuracy*, ed. William John Ickes (New York: Guilford Press, 1997)

⁴⁰ Elizabeth Page-Gould and Rodolfo Mendoza-Denton, "With a Little Help From My Cross-Group Friend: Reducing Anxiety in Intergroup Contexts Through Cross-Group Friendship," *Journal of Personality and Social Psychology* 95 (2008): 1080-94

⁴¹ Linda R. Tropp and Mary A. Prenovost, "The Role of Intergroup Contact in Predicting Children's Inter-Ethnic Attitudes: Evidence from Meta-Analytic and Field Studies," in *Intergroup Attitudes and Relations in Childhood Through Adulthood*, eds. Sheri R. Levy and Melanie Killen (Oxford: Oxford University Press, 2008)

⁴² Simon M. Laham, "Ease of Retrieval and the Moral Circle," *Social Psychology* 44 (2013): 33-36

⁴³ Ervin Staub, "Psychology and Morality in Genocide and Violent Conflict: Perpetrators, Passive Bystanders, and Rescuers," in *The Social Psychology of Morality: Exploring the Causes of Good and Evil*, eds. Mario Mikulincer and Philip R. Shaver (Washington DC: American Psychological Association, 2012)

⁴⁴ Heidi McGlothlin and Melanie Killen, "How Social Experience is Related to Children's Intergroup Attitudes," *European Journal of Social Psychology* 40 (2010): 625-34

⁴⁵ Frances E. Aboud, *Children and Prejudice* (New York: Basil Blackwell, 1988)

constituents. Consistent with Dewey's emphasis on the interrelationship of emotions and rationality in moral judgment, those representations are expressed in part through affective responses that shape the conceptualization of important social dilemmas, the attitudes towards groups involved in those dilemmas, and the manner in which reasons, arguments, and emotional expression are processed. Likewise, consistent with Dewey's suggestion that our evaluation is "saturated" by the perspective of those around us, these representations are a function of each subject's distinctive social and institutional environment, combined with the particularities of her life history: her friends, acquaintances, formative experiences, etc. Contrary to accounts of democracy that conceptualize moral change principally as a consequence of political and moral communication (rational or otherwise), these experiential bases of moral judgment are not, in general, gained as part of an intentional effort to refine our moral beliefs. Most of that experience is simply what happens to us as we go about the business of being people within a distinctive social environment.

One crucial implication of this point is that deliberation alone will tend in important cases to be too conservative insofar as our moral beliefs are shaped by the very social practices of which they are supposed to yield evaluations. The case of same-sex marriage once again illustrates this point nicely. The endorsement of differential marriage rights based on sexual identity has been sustained by the denial of gay family rights itself, i.e., by the suppression of gay family values and experience in social life. To consider another example, the question of what taxation scheme should count as just is sensitive to the way in which different economic classes represent the occupants of other rungs of the economic ladder. Opposition to redistributive measures, for example, is

often fueled by attributions of laziness, poor motivation, and other moralized negative character traits to the poor.⁴⁶ Those perceptions, however, are fueled in part by class-based social segregation which, in turn, is a consequence of the very tax structure whose moral status is in question. Here is one more example: opposition to laws that would make it easier for women to remain in the workplace during their child-bearing years is partly fueled by the perception that women's work/family decisions are driven by their own preferences rather than structural economic pressures, a notion that is closely tethered to deeper conceptions of women's natural domesticity.⁴⁷ Women's very capacity to realize and express their identity in the workplace, however, is itself dependent on the legal structures in question. The social experiences that shape our prevailing representations of women are thus distorted in a way that undermines the case for change.

The general problem exemplified in each of these cases is that the outputs of deliberation about moral change tend to reflect a social outlook that is itself substantially constructed by status quo norms and institutions. In response to this problem, activist democrats and others are correct to seek a vital role for non-deliberative forms of communication. But the lesson of the empirical work above is that our response to such communication tends to be constrained by our social environment in much the same way that our reasoning is. Dewey's own writings sometimes seem to suggest that thought experiments – in effect, moral imagination – might suffice for the purposes of inquiry (see the quotation on the top of p. 5 for example).⁴⁸ Certainly, it seems plausible that

⁴⁶ Catherine Cozzarelli, et al., "Attitudes Toward the Poor and Attributions for Poverty," *Journal of Social Issues* 57 (2001): 207-27

⁴⁷ Susan Moller Okin, *Justice, Gender, and the Family* (New York: Basic Books, 1989)

⁴⁸ I thank Philip Kitcher for raising this point. For a particularly rich take on this aspect of Dewey, see Steven Fesmire, *John Dewey and Moral Imagination* (Bloomington, IN: Indiana University Press, 2003).

moral imagination provides a crucial supplement to other modes of evaluation. But if our emotional and rational responses to moral questions are bounded in important respects by extant social norms and institutions, there is every reason to think that our responses to imaginary scenarios will be similarly bounded. Changing our moral response to the world thus requires more than imagination or communication. It requires change in the social environment itself.

Deliberative democrats could try to rescue their view by holding that, were the norms of rational deliberation actually satisfied, citizens' judgments would not be susceptible to the sorts of emotional influences that bias them in favor of an unjust status quo. Consistent with Dewey's view, however, the research cited above offers evidence that emotions play a pervasive causal role in moral judgment that at least functions closely in tandem with reason. That research casts some doubt on whether the rational deliberative ideal corresponds to a genuine psychological possibility. Setting aside this point, suppose it is in fact the case that, under the ideal conditions described by deliberative democrats, our judgments would transcend the sorts of emotional influences I have described above. Even if that is so, the historical episodes described above, combined with the empirical evidence I have cited, suggest that the deliberative ideal is at best deeply inadequate under the conditions that typically define episodes of major social transformation. Insofar as DD aspires to offer normative guidance for the actions of democratic citizens and institutions, and not only an abstract characterization of social morality, this would be a major failing.⁴⁹

⁴⁹ I do not mean to imply that an "abstract characterization of social morality" could not be valuable independently of guiding action in the real world. G.A. Cohen, *Rescuing Justice and Equality* (Cambridge, MA: Harvard University Press, 2008), for example, provides interesting arguments that it could. Nonetheless, even the most idealized versions of DD appear to present

4. The Role of Deliberation and Communication in Democratic Experiments

To refine our previous definition, we can understand *democratic experiments* as deliberate interventions in our social practice, under democratic conditions, that precipitate significant changes in the social experience of citizens, changes which are premised on the hypothesis that they will advance the epistemic perspective of citizens on questions of moral value. Citizens' epistemic perspective in this regard is improved to the extent that changes in their information and emotional dispositions yield what I characterized earlier as more veridical and sympathetic representations of other members of their community.

Though I have argued for the inadequacy of deliberation and communication as a basis for moral judgment, I do not mean to exclude a vital role for either in public inquiry. The gay rights movement, certainly, was crucially propelled by compelling narrative, highly public legal deliberations, and dramatic moments of civic action among other things. Characteristic of this and other moments of important social change is a kind of incubatory period during which a critical mass of social support gathers through social communication. Experimental interventions are thus made possible in large part through a communicative process in which the relevant social "hypothesis" is formulated, i.e., in which a conception of grievances and a proposed social remedy are developed. Deliberation also plays a crucial role in the ongoing evaluation of the moral consequences of a given social intervention.

themselves as a general normative framework for democracy, and the view has overwhelmingly been interpreted as a practically viable model. See, for example, James Fishkin, *When The People Speak: Deliberative Democracy and Public Consultation* (Oxford: Oxford University Press, 2009). In any case, I take real-world action-guidance to at least be a major desideratum of a democratic theory and thus I take a significant failure on that count to be a major flaw of DD.

Taking the proper role of deliberation and communication into account, a full experimentalist model of social progress is as follows: Standing social arrangements lead to a significant experience of frustration within some subset of the population. The raw experience of frustration leads to an increase in social deliberative reflection and communication concerning the source and validity of the frustration, alongside a consideration of social changes that would resolve a mature conception of the problem. Through rational and emotional mechanisms, social communication draws the support of some significant portion of the population for possible social interventions. Such communication is effective in drawing support to a greater or lesser degree depending on the distinctive rational and emotional constitution of various constituencies, some of whom will be more capable than others of a sympathetic and veridical representation of the relevant grievances. The growth in support for possible interventions culminates in the organization of available power – legislative, judicial, and social – for producing experimental changes. Early changes might arise primarily in a localized way such as, for example, modified norms of a particular workplace or classroom. As greater social power becomes available (for example, if the possibility of a systematic challenge in the judicial system becomes viable) experimental changes may be pursued on a larger scale. The implementation of change leads to further deliberative reflection, the results of which play a vital causal role in stabilizing experimental interventions as new social norms, initiating modifications, or identifying crucial grievances that lead to their rejection. Thus, an experimental model of social progress holds that deliberative rationality must be augmented (not discarded from political life) by social action that facilitates improved emotional representations of other social groups.

Of course, the very idea of experimentation entails the possibility of failure. Some social interventions will fail to address the grievances that motivate them, and some will introduce changes that are morally worse than the practices they aim to rectify. This raises an important worry: if our moral judgments are heavily shaped by extant social norms and institutions, won't we tend to endorse experimental outcomes no matter how morally regressive or progressive? Consider an alternative world in which the Civil Rights movement was replaced with the Even-Worse-Racial-Segregation movement. In a world of even-worse-racial-segregation, wouldn't we tend to view segregation as even-more-just as a consequence of the even-more-dehumanizing social context thereby created? If experimentation is to provide a model for social inquiry, we need a reason to think that it offers us, not just a pathway for changing social consciousness, but some reliable means of distinguishing between morally progressive and non-progressive changes.⁵⁰

The claim that democratic moral experimentation sufficiently tends to produce moral progress depends most fundamentally on the dual premise that, under democratic conditions, (i) progressive changes initiated through experiment sufficiently tend to stabilize as endorsed features of the social order, while (ii) non-progressive changes initiated through experiment sufficiently tend not to stabilize as endorsed features of the social order. Specifying precisely an appropriate time frame for (i) and (ii) is difficult, but the psychological mechanisms involved in belief change depend on reforms that play out gradually and often span multiple generations. Let's take the second premise first. In democracies, non-progressive changes will tend to destabilize insofar as social groups

⁵⁰ I thank Dan Meyers for pressing this worry on me in a particularly forceful way.

(and individuals) have the capacity to recognize threats to their well being that originate in social norms and institutions, and to mobilize sufficient power for change. While that capacity to recognize such threats is not guaranteed by human nature, it is supported by liberal-democratic institutions that encourage independent and critical reflection on the social order and the nature of one's own good, and that support group-level collaboration and organization in such reflection.⁵¹ Democracies likewise guarantee basic rights and powers that enable groups of citizens to articulate and mobilize grievances through the use of political and social resources. These rights and powers do not guarantee that non-progressive changes will always succumb to effective opposition (no set of political or social institutions could offer any such guarantee), but they create conditions that are maximally favorable for the articulation and mobilization of legitimate grievances against the status quo.

It is important to observe here that democracies function well in this regard, not by maximizing the epistemic powers of every individual citizen but, rather, by establishing conditions in which: (1) for any given moral injustice, it is likely that at least some among those most seriously aggrieved will be positioned to recognize and articulate that injustice and (2) those who do recognize injustice will be positioned to recruit others through communication, and to mobilize social power around their cause. In effect, democracies tend to destabilize unjust practices by creating conditions that leverage the powers of insightful, articulate, and resourceful individuals (and groups of individuals) who bear the gravest consequences of injustice.

Regarding the first premise, progressive changes will tend to stabilize insofar as

⁵¹ Allen Buchanan, "Political Liberalism and Social Epistemology," *Philosophy and Public Affairs* 32 (2004): 95-130, Michael Fuerstein, "Epistemic Trust and Liberal Justification," *Journal of Political Philosophy* 21 (2013): 179-99

moral improvements tend sufficiently to be accompanied by epistemological advances that diminish the force of unwarranted objections to those improvements. In effect, we are looking for some reason to think that moral progress tends to cause epistemic progress. In the case of same-sex marriage, I have argued that progress has been won because changes in our social practice enabled the more sympathetic and veridical representation of a valid but previously marginalized perspective. My suggestion is thus that, at least in this salient case, the institutional changes that realized moral progress also played a crucial causal role in realizing epistemic progress. On this hypothesis, social beliefs have begun to stabilize in favor of same-sex marriage rights because the institutional and social changes involved in realizing those rights also enhanced the public's capacity to recognize their moral validity on appropriate grounds.

These observations help to clarify the sense in which democratic experiments are indeed democratic. Like the case of racial integration and a number of others, same-sex marriage is an instance in which the radically anti-majoritarian institution of the U.S. Supreme Court played a crucial role. One might very reasonably suggest that, as such, these were technocratic rather than democratic experiments and that, indeed, democracy is in some sense precisely what stood in the way in these examples. However, as I noted early on, I follow Dewey in interpreting democracy as a broad ideal that is compatible with – and indeed, that typically requires – measures of technocracy and constitutionalism. Pursuing the details of these issues would go beyond the scope of this paper. Nonetheless, the general idea is to see majority rule as one important procedural tool among others that serves more fundamental values of public equality and social freedom. Those values are generally well-served by majority or plurality rule, but also

require widely recognized exceptions that protect basic rights, check mob psychology, and enable the effective expression of minority concerns. From this point of view, democratic experiments are democratic insofar as they depend on the various levers of power by which democracies enable diverse citizens to mobilize valid grievances. While that kind of mobilization depends in crucial cases on anti-majoritarian institutions like the Supreme Court, it depends more fundamentally on the equitable distribution of social and political power by which democracies are distinguished from aristocratic and authoritarian alternatives.⁵²

Nonetheless, I do want to go so far as to claim that democratic conditions are the only conditions in which interventions in practice can promote progress. The case of abolition discussed earlier, for example, clearly suggests otherwise. The point is that democratic conditions are those in which the epistemological advantages of experimentation are most reliably achieved. In this respect, the idea of democratic experimentation constitutes a normative ideal, i.e., a characterization of the conditions and manner in which social inquiry tends to go best.

But, to return to the same-sex marriage case: is it representative? Or is it a special outlier? I doubt that there is any perfectly general argument linking up moral progress with epistemic progress in the moral domain. We can observe, nonetheless, that most salient instances of moral progress are cases in which the capacities of some social group to freely articulate and pursue ideals central to its members' welfare are in some crucial respect improved. And we can observe, likewise, that improving capacities of that kind tends to entail systematic social changes that foster that group's greater participation in

⁵² All that said, my point is not to decisively vindicate the general notion of democracy on which I am relying. It suffices for my purposes to show that it is at least a plausible and well-motivated conception.

social and political life. That kind of improved participation, in turn, facilitates improvements in the epistemic perspective of other groups on their concerns.

Here are a couple of additional examples of moral experimentation that illustrate this phenomenon. I'll start with the case of racial desegregation, which I mentioned at the paper's outset, and which has some relatively obvious parallels with the case of gay rights. The systematic desegregation of American schools beginning in the 1950s, along with a number of other integrationist measures (such as the Civil Rights Act and the Voting Rights Act), precipitated a series of very significant shifts in the American social fabric that enabled whites to form more meaningful social relationships with blacks, and to encounter blacks in a more dynamic, less-demeaning range of social contexts.⁵³ The crucial point here is not only that racial integration can be nicely modeled as an instance of progressive experiment (albeit a-still-radically-incomplete experiment). The point is to highlight the way in which the practice of integration has facilitated the more sympathetic and veridical representation of the perspective of black citizens by reordering the social conditions in which interracial relationships were formed. The example thus nicely illustrates the way in which moral progress (in this case highly imperfect) tends to cause epistemological progress (in this case also highly imperfect).⁵⁴

A less obvious kind of example, perhaps, is the case of environmental values.⁵⁵ The

⁵³ For a comprehensive overview, see Richard Kluger, *Simple Justice: The History of Brown v. Board of Education and Black America's Struggle for Equality* (New York: Knopf, 1976)

⁵⁴ For a thorough account of the moral and epistemological significance of racial integration in general, see Elizabeth Anderson, *The Imperative of Integration* (Princeton, NJ: Princeton University Press, 2010). And for a helpful interpretation of Dewey's own views on the psychological and social underpinnings of racism see Gregory Pappas, "Dewey's Philosophical Approach to Racial Prejudice," *Social Theory and Practice* (1996): 47-65.

⁵⁵ Like the other examples I've discussed, this one only serves my purposes if this is in fact a case of progress. In this context, I'm going to assume that without argument. What if it isn't a case of progress? If it isn't a case of progress, then the implications of this case are at least problematic

extent to which, and particular respects in which, human beings attribute moral value to the natural environment has evolved significantly alongside the social practices which have governed our relationship with nature. One example of this is the preservation and promotion of wild spaces as objects of intrinsic beauty and places of recreation. The extent to which we see those spaces as objects of moral value above and apart from, say, narrow conceptions of economic productivity is dependent in part on the extent to which we have opportunities to experience the distinctive majesty of those spaces. The development of protected wilderness areas, alongside the promotion of wilderness recreation as restorative and intrinsically enriching, has facilitated a kind of human relationship with nature that promotes an emotional capacity to appreciate its value. At the same time, the fact that so many of the effects of human civilization remain radically removed from the normal course of our experience (at least in much of the world) presumably plays a crucial role in our continued tendency to undervalue nature from a moral point of view. From this perspective, initiatives such as the "local food" movement can be seen as efforts, not only to provide citizens with more relevant information, but also to change the everyday manner in which they relate to the natural world, its products, and some of its most direct stakeholders.

5. Is experimentalism illiberal?

Even if I am right that experimentation is epistemologically vital, the idea that we

for my claim that experimentation tends to be epistemologically reliable. Pursuing that line of reasoning will introduce complexities that I cannot address here. Still, my argument only presupposes that, in some very general way, our moral perspective on the natural environment is improved relative to whatever it was, say, one hundred years ago, and that this improvement is itself causally related to the protection of wild spaces and natural resources. I hope that isn't too much of a stretch for most readers.

might change the moral minds of others by forcing coercive measures through the government seems to rest uneasily with a liberal tradition that emphasizes rational autonomy and consent as conditions of legitimacy. These two conditions raise related but distinct concerns, which I will now consider in turn.

The worry about rational autonomy is that, to the extent that reformers can cause changes of belief through interventions in the social environment, their experiments amount to a kind of psychological manipulation that subverts the rational will. This worry is exacerbated by the fact that the primary mechanism for belief change in experiments is the transformation of our non-rational (insofar as the emotions are non-rational⁵⁶) constitution.

In response to this worry it is important to observe, first, that if the empirical perspective marshaled above is correct, then our moral perspective is causally shaped by our social environment and emotional constitution no matter what. Recommending that we make political decisions by seeking the rational approval of all citizens is fair enough. But what we can be brought to rationally approve is, as I have argued, deeply bound to the social and emotional context in which rational evaluation takes place. In that respect, it is not clear that experimental changes in the social environment contribute some new kind of rationality-subverting cause that wouldn't otherwise be present.

However, even if it is unavoidable that social and emotional factors shape our moral judgments, democratic experiments involve changing these factors in ways intended to achieve a particular psychological outcome. That suggests that the charge of manipulation applies in a way that it would not to ordinary deliberative reflection.

⁵⁶ Of course, for many cognitivists about emotion, this apparent gap between reason and the emotions is a non-issue. See, for example, Martha C. Nussbaum, *Upheavals of Thought: The Intelligence of Emotions* (Cambridge: Cambridge University Press, 2001).

Nonetheless, that charge is inconsistent with the fact that, as I recently argued, democratic experiments involve a process through which the public exercises a reliable capacity to discriminate between progressive and non-progressive innovations. The reliable capacity in question is one that proceeds through rather than around full and free powers of rational reflection. For example, racial desegregation has stabilized precisely because, once implemented, its moral advantages have withstood rational scrutiny under conditions of deliberative engagement. Were it unable to withstand proper rational scrutiny, one can reasonably anticipate that – for reasons argued in the previous section – objections would be successfully articulated by a durable minority at first, and ultimately mobilized more broadly through experimentation. Notably, if we cannot reasonably assume that such objections would be articulated, then that does not bode well for rationalist alternatives to experimentalism either.

So the charge of psychological manipulation fails because, in the cases where democratic experimentation is epistemologically significant, implementing experimental change x is (under democratic conditions) necessary but not sufficient to determine that x will be stably endorsed, and because (under democratic conditions) x will in fact only be stably endorsed if it survives rational deliberative scrutiny. Again: experimentalism holds, not that experiment supplants the role of rational deliberation but, rather, that it supplements such deliberation to yield epistemological advances that would not otherwise be possible, at least on a mass social scale. And though experimentation involves changes in emotional causes that contribute to moral judgment, I have argued that under appropriate circumstances such causes inform rather than undermine rational faculties.

I turn now to considering the worry that experimentalism is inconsistent with the liberal ideal of rational consent. To be sure, experimentalism entails that democratic norms and institutions gain their value in significant part from their tendency to cultivate minority opposition that initiates change in social practice. And it underlines the crucial role of judicial, legislative, and social powers that do not always depend on earning majority support to effect practical change. So experimentalism offers a general vision of democratic life that is less conciliatory in its decision-making procedures than some prominent conceptions of liberalism, that welcomes steadfast minority dissent as a condition of progress, and that predicts vigorous opposition in the early stages of social interventions that set the stage for moral change.

Thus, if rational consent entails that political powers must be used primarily as a consequence of rational deliberation that aims at consensus, then experimentalism is clearly not compatible with the rational consent condition. In this respect, experimentalism echoes the activist view that, if we interpret the rational consent condition in overly strong terms, liberalism will have difficulty accommodating the morally indispensable role of oppositional politics.⁵⁷ While I cannot pursue that issue at length, I will note here that a morally viable model of experimentation is intended to operate within the constraints of standard liberal individual rights – to speech, assembly, religion, lifestyle, etc. – and a conventional democratic procedural framework. It proposes that acting against the will of a substantial opposition is often a necessary condition of progress, but it does not hold that one may do anything to others in the name of progress, or that we should disrespect or disregard the will of others in considering the

⁵⁷ Michael Fuerstein, "Democratic Consensus as an Essential Byproduct," *Journal of Political Philosophy* 22 (2014): 282-301

appropriateness of a given social intervention.

The extent to which experiments entail coercion seems to vary with the moral failure being remedied. Thus, desegregation clearly leveraged minority power through the courts to effect significant coercion in its early stages (busing, for example). In contrast, though same-sex marriage has cut significantly against the will of a largely religious opposition, its coercive effects have been indirect at worst. They have played out mainly through undesired changes in the social fabric rather than political directives that directly require individuals to perform undesired actions. And although both of these cases have turned crucially on anti-majoritarian court decisions at some point, it is important to observe that progress has hinged just as much on a dynamic interaction between social beliefs and practice. Thus, in the same-sex marriage case, public ballot referenda have played a crucial role in creating new legislation, initiatives which in turn seem to have steadily eroded public opposition. As public opposition has eroded, in turn, yet more legislation could be passed. This sort of toggling between the reform of belief and the reform of practice counters the suggestion that democratic experiments involve an impassioned minority imposing its view without regard for the opposition. On the contrary, successful experiments typically involve initial, restricted interventions (pilot experiments?) that recruit broad public deliberation and participation to shape yet further such interventions. Even if experimentation requires action in the face of significant opposition, success can only be sustained if (the bulk of) that opposition is won over under conditions of freedom and reflection. From that point of view, legal measures that entrench new rights and institutions can and ought to make appropriate concessions to opponents. The legalization of same-sex marriage is compatible, for example, with

carving out exceptions for religious institutions that do not wish to participate in such marriages. Coercion can be minimized through careful reflection on the appropriate scope and scale of moral innovation in a given social context.

7. Conclusion

Drawing on Dewey's foundational perspective, I've articulated an experimentalist model of moral progress and have argued for its advantages over prominent deliberative and activist alternatives. On my view, the advantage of experimentalism is that it can best accommodate the distinctive role that emotions play in our judgments about social morality and, likewise, the role that social norms and institutions play in shaping those emotions. It also better explains some salient features of moral progress including, most notably, the fact that social belief tends to lag significantly behind social action. Though I don't focus on this above, experimentalism also nicely explains the typically slow pace of moral progress (because institutional change, and change in emotional dispositions, is a slow process), as well as the dependency of progress on generational change (because childhood experiences play a disproportionate role in shaping our emotional dispositions towards others social groups⁵⁸). The value of the experimentalist model, however, is not only explanatory. I have argued that democratic experimentation is a reliable route, over extended periods of time, to moral improvement. The account given is not a blueprint for every aspect of democratic life. But I have nonetheless tried to capture its distinctive and significant features as a general framework, particularly in contrast to salient theoretical alternatives.

⁵⁸ Aboud, *Children and Prejudice*

Here is one final caveat. Although I have shown how a range of significant cases can be modeled in experimentalist terms, it would be surprising if every interesting instance of moral progress could be fruitfully modeled in those terms. Certainly, it is doubtful that all epistemic failures on matters of social morality require the same kind of massive intervention in social practice as that of same-sex marriage, racial integration, or our care for the natural environment did. In some cases, it may be enough simply to facilitate more communication and reflection of the sort that DD recommends. The model of experimentation will be most apt where status quo social practice tends to facilitate detached, objectifying, dehumanizing, or exclusionary attitudes between social groups. I have appealed to a range of examples as evidence that such cases constitute a large share of our significant moral dilemmas, but there are inevitably going to be interesting exceptions. So democratic experimentation is best understood as a major and essential form of social inquiry rather than a model that encompasses all valuable forms of such inquiry. There is room for a measure of pluralism here.