

# Religion and the Ritual of Public Discourse<sup>1</sup>

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## Introduction

What role should religion play in public discourse? Not too long ago, Richard Rorty argued, in more than one place, that religion is a “conversation stopper” which polite people refer to only in private conversations.<sup>2</sup> Religious believers complain, however, that this practice renders it impossible for them to participate in public discourse. They ask whether a democratic community is worthy of the name if it effectively forbids (by custom or legislation) a significant segment of its citizens from acknowledging and drawing upon their own traditions to help justify their moral and political claims?<sup>3</sup>

In *Democracy and Tradition*, Jeffrey Stout argued that democratic communities are established by cultivating the *habit* of “holding one another responsible” in public discourse.<sup>4</sup> By highlighting habit in this way, Stout is picking up on and developing Dewey’s conviction that *all* of our moral sensibilities, including those that make possible democratic discourse, are specifications of the *broad collective habits* which form the basis for social life.<sup>5</sup> This pragmatic explanation for social and political practices effectively supplants attempts to justify democracy by appealing to things like a “commonly held human

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1. An earlier version of this article was originally presented at the “International Symposium on Rorty, Pragmatism and Confucianism” (East China Normal University Shanghai, People’s Republic of China, July 2004). I’m grateful to Professor Rorty, conference organizer Professor Huang Yong, and many symposium participants for their generous comments. It was also shared with the “NeoConfucianism and Global Philosophy Conference,” organized by Professor Stephen Angle (Wesleyan University, Middletown, CT, February 2006).

2. Richard Rorty, “Religion as Conversation-Stopper,” *Common Knowledge* 3, no. 1 (1994): 1–6; and *Philosophy and Social Hope* (London: Penguin Books 1999), 169. Toward the end of his career, Rorty refined the focus of his critique of religion so that it is explicitly anticlerical rather than broadly antireligious. I’m going to explore this shift later in this paper.

3. Stephen L. Carter, *Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion* (New York: Doubleday, 1993).

4. Jeffrey Stout, *Democracy and Tradition* (Princeton: Princeton University Press, 2004). Stout indicates throughout the book that what he means by “holding one another responsible” is an extension of arguments made by Robert Brandom in *Making it Explicit: Reasoning, Representing, and Discursive Communities* (Cambridge, MA: Harvard University Press, 1994).

5. John Dewey, *Human Nature and Conduct* (1922; repr., Mineola: Dover, 2002).

reason” or “transcendentally justified human rights.” Instead of assuming that democratic behavior is founded on these forms of ultimacy, Stout and Dewey argue that it came about by nurturing democratic *practices* in as broad a range of people as possible. For this reason, Stout seeks in *Democracy and Tradition* to forge a middle path between contractarian liberals (like Rorty and Rawls) who complain about the intrusion of religious ideas into public affairs and religious traditionalists like Stanley Hauerwas<sup>6</sup> and Alisdair MacIntyre<sup>7</sup> who argue that the sorry state of contemporary public discourse is largely the result of the modern tendency to marginalize voices that draw their moral sensibilities from tradition-based religious and cultural values. Stout’s stated goal was to get both sides in this “culture war” to tone down their rhetoric and acknowledge the extent to which their tendency to speak of one another in apocalyptic terms undermines rather than strengthens our democratic traditions.

I bring Stout’s book to the attention of *American Journal of Theology and Philosophy* readers for two reasons. First, I find a certain resonance between Stout’s approach to moral and political discourse and several themes that are central to my understanding of Confucian thought in general and Confucian ritual in particular. In short, I believe that Confucian insights could be used to lend support to Stout’s arguments. Second, as a religious tradition, Confucianism has something at stake in the outcome of Stout’s argument. Rorty’s desire to relegate religious appeals to the realm of private discourse applies to Confucian spirituality as much as fundamentalist Christianity. If Robert Neville is right to claim that Confucianism has left its original home in East Asia and become a resource for the developing self-understanding of both East Asian and at least some non-East Asian Americans and Europeans,<sup>8</sup> then Confucians of all ethnic backgrounds will want to know whether Confucian spiritual insights are to be welcomed and respected within the “public square.”

In sum then, my argument proceeds as a series of developing generalizations about religion and democracy. In part one I examine Rorty’s shift from a strong secularist assertion that religious justifications have no place in public discourse to a more nuanced understanding that in certain contexts appeals to religion might be compatible with his understanding of democratic discourse.

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6. Stanley Hauerwas, *A Better Hope: Resources for a Church Confronting Capitalism, Democracy, and Postmodernity* (Grand Rapids: Brazos Press, 2000).

7. Alisdair MacIntyre, *After Virtue* (Notre Dame: University of Notre Dame Press, 1984); and *Whose Justice? Which Rationality?* (Notre Dame: University of Notre Dame Press, 1988).

8. Robert C. Neville, *The Highroad Around Modernism* (Albany: State University of New York Press, 1992).

This shift becomes possible in part because of changes in his assumptions about how one defines democracy and how one defines religion. In part two I turn to Stout whose subtle analysis of the role of authority within democratic traditions provides a broader context which encompasses both democratic and religious discourses. Along the way, his efforts further redefine what we mean by religion and democracy in ways that extend and are consistent with Rorty's later positions. Finally, in part three I suggest that the trajectory of this conversation on religion and public life which I trace from Rorty to Stout (and others) can be advanced further by attending to insights provided by contemporary scholars who are reflecting on the Confucian understanding of ritual (*li*).

### Rorty on Religion through the Eyes of his Critics

Rorty's contribution to the revival of American pragmatic thinking has been well chronicled since the publication of his landmark work *Philosophy and the Mirror of Nature*.<sup>9</sup> Though pragmatists owe much to Rorty, many squirmed as they saw Dewey's opposition to absolutism recast by him as an antireligious conviction. In an article titled "What is Religion," Raymond D. Boisvert says testily, "When Rorty's own predilections are factored in, the multidimensional Dewey who left us subtle formulations is transformed into a one-dimensional thinker whose work was an attempt to redescribe America in terms of 'thoroughgoing secularism.' The case is now closed. Although 'privatized religious belief' is tolerated, secularism is the only real public position for pragmatists."<sup>10</sup> A quick look at Rorty's *Achieving our Country* reveals that Boisvert does have a point. Rorty says: "For both Whitman and Dewey, the terms 'America' and 'democracy' are shorthand for a new conception of what it is to be human—a conception which has no room for obedience to a nonhuman authority, and in which nothing save freely achieved consensus among human beings has any authority at all."<sup>11</sup>

Rorty does seem to be presenting Dewey as someone who has little tolerance for religious beliefs and creeds. But this focus on beliefs and creeds raises an interesting issue. I suspect that most pragmatists would agree with Rorty that Dewey in particular (and pragmatism in general) is suspicious of those aspects

9. Richard Rorty, *Philosophy and the Mirror of Nature* (Princeton: Princeton University Press, 1979), 210.

10. Raymond D. Boisvert, "What is Religion," in *Pragmatism and Religion: Classical Sources and Original Essays*, ed. Stuart Rosenbaum (Urbana: University of Illinois Press, 2003).

11. Richard Rorty, *Achieving Our Country: Leftist Thought in Twentieth Century America* (Cambridge: Harvard University Press, 1998), 18.

of religion which tend toward rigidity and absolutism. Dewey famously rejected most forms of authoritarianism, beginning with his mother's understanding of the doctrine of original sin. But Rorty's unease with religion seems to extend beyond this standard Deweyan critique of authoritarianism. According to the literary theorist and contemporary cultural critic Giles Gunn: "Religion . . . has not played a very significant role, except perhaps negatively, in the recent renewal of pragmatism. There are no doubt many reasons for this, but none is more important than the responsibility that Richard Rorty deservedly bears for helping to promote this revival and the connection he has made between the development of pragmatism and liberalism's project of disenchanting the world religiously."<sup>12</sup> Gunn goes on to argue that in *Consequences of Pragmatism* and *Contingency, Irony, and Solidarity*, Rorty posited "two different genealogies for pragmatism, both of which narrativize its development as a secular coming-of-age story."<sup>13</sup> According to Gunn, Rorty's pragmatism rejects notions of "ultimacy" and refuses to worship anything as divine now that we know the extent to which all things are "product[s] of time and chance."<sup>14</sup>

Attempts by Rorty to carve out "space" for religious beliefs within the private sphere have done little to quell Rorty's critics. They argue that Rorty's famous public/private split divides human experience at precisely the wrong point, effectively separating cognitively held beliefs from the very experiences that render them plausible and useful. As Boisvert points out in the article cited above, the term religion has etymological links to ligature—something that binds things together. For most religious practitioners, religious beliefs are a cognitive expression of distinctive *experiences* which bind a person to fellow practitioners, other human beings, and ultimately the whole of things. Speaking of Rorty's privatized religious beliefs, Boisvert says "such a faith, whether theist or not, lacks the dimensions that would situate it on the religious side of the spectrum (a place where Rorty, at any rate, does not want to be)."<sup>15</sup> In short, according to Boisvert, Rorty's focus on privatized religious beliefs leaves out the crucial element of religious experience.

Boisvert's comments fit nicely with the observations by Dewey biographer Robert Westbrook, who locates the original source of Rorty's discomfort with religion in Rorty's own early commitment to the linguistic turn. According to

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12. Giles Gunn, *Beyond Solidarity: Pragmatism and Difference in a Globalized World* (Chicago: University of Chicago Press, 2001), 111.

13. *Ibid.*

14. *Ibid.*, citing Richard Rorty, *Contingency, Irony and Solidarity* (Cambridge: Cambridge University Press, 1989), 22.

15. Boisvert, "What is Religion," 222.

Westbrook, the linguistic turn effectively rendered Rorty tone-deaf to what James, Peirce and Dewey might have meant when they spoke of religious experience. Rorty actually originated this metaphor when he says about himself and other secularists, "One can be tone-deaf when it comes to religion just as one can be oblivious to the charms of music."<sup>16</sup> According to Westbrook, "Rorty has nothing to say about religious experience, and he wishes James and Dewey had not rooted their religious thought in its investigation. For him, religion is strictly a matter of beliefs. Experience—religious or otherwise—is a notion that he has explicitly repudiated, lamenting that James and Dewey clung to it. He numbers himself among those philosophers who 'tend to talk about sentences a lot but to say very little about ideas or experiences as opposed to such sentential attitudes and desires.'"<sup>17</sup> On this point Westbrook gets closest to what I take to be one of the key explanations for Rorty's early attitudes toward religion. Rorty's secularist reading of the pragmatic tradition only becomes plausible when you follow Rorty's lead in rejecting as unhelpful the pragmatic interest in noncognitive experience. Rorty sees Dewey's "primary experience" and James's "buzzing blooming confusion" as holdovers from a form of thought that both were struggling to overthrow, one where the distinction between appearance and reality is rooted in a felt disjunction between the cognitive and noncognitive. But from Dewey's and James's own points of view, without noncognitive experience there would be no way to register the situatedness that is so crucial to the entire pragmatic enterprise. Westbrook sums this up with respect to religion when he says, "James and Dewey both understood religious experience as nondiscursive, noncognitive experience—immediate experience that is 'had' rather than known. . . ."<sup>18</sup>

Those who take the linguistic turn effectively cut themselves off from any discussion of religion except for what can be contained within abstract propositions. Within a pragmatic context, however, such a move seems forced and out of step with the principle observations of the movement's central figures. Of course, being out of step with the classical pragmatists doesn't make Rorty wrong. But

16. Richard Rorty, "Anti-Clericalism and Atheism," in *The Future of Religion*, ed. Mark A. Wrathall (Cambridge: Cambridge University Press, 2003), 37.

17. Robert Westbrook, "An Uncommon Faith," in *Pragmatism and Religion: Classical Sources and Original Essays*, ed. Stuart Rosenbaum (Urbana: University of Illinois, 2003), 192; citing Rorty, "Dewey between Hegel and Darwin," in *Modernist Impulses in the Human Sciences, 1970–1930*, ed. Dorothy Ross, (Baltimore: Johns Hopkins University Press), 55.

18. Westbrook, "An Uncommon Faith," 193–94. I discuss the epistemological implications of Rorty's commitment to the linguistic turn extensively in Warren G. Frisina, *The Unity of Knowledge and Action: Toward a Nonrepresentational Theory of Knowledge* (Albany: State University of New York Press, 2002), 145–62.

Westbrook's observation does render visible one of the key points that separates Rorty from his pragmatic critics. It also helps explain why some religious people find Rorty's urge to privatize their language about religion unduly restricting. Where Rorty seems to believe he is merely asking people to hold aside a few abstract assertions when they enter into public discourse, he is really asking them to put aside a much more pervasive and in many cases vaguely felt orientation or attunement to themselves, other human beings, and the whole of things. Rorty is right, of course, to argue that some public debates can't get very far when one of the speakers appeals to an individually felt "attunement" as justification for her position. Nevertheless, I agree with Westbrook that we shouldn't be distracted by the linguistic turn into thinking that discussions of religion only involve a few relatively discrete beliefs about nonhuman powers.

Like each of the critics mentioned so far, Jeffrey Stout is deeply unhappy with Rorty's earlier attitudes toward religion. His line of criticism, however, doesn't appeal directly to the classical figures, nor is he concerned with a central pragmatic concept like primary experience. Instead, Stout accuses Rorty of being inconsistent and impractical. Rorty was inconsistent, Stout says, because he insisted that discussions in the public square be restricted to premises that can be held in common even though he had no grounds for determining which premises should be included and which should be excluded. Unlike traditional liberals such as Rawls, Rorty the pragmatist couldn't appeal to a universally available reason. This means that any distinction between what could and could not be included in public discourse would necessarily have some element of arbitrariness. If religious assumptions could be excluded, Stout asks, what about other Rortyan "final vocabularies?"<sup>19</sup> For example, in a discussion over abortion rights and the proper balance between state authority versus individual autonomy, what grounds might we have for taking seriously the assumptions of those whose final vocabularies stem from their experiences as feminists, social workers, or medical professionals (to name just a few interested parties) and excluding those whose final vocabularies stem from their experiences as Christians, Jews, Muslims, Buddhists, etc.? Given Rorty's own understanding of the nature of human conversation, there is no way to justify allowing his liberal values to trump religious values.

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19. Rorty posits the term "final vocabulary" in *Contingency, Irony and Solidarity* (73) where he says: "All human beings carry about a set of words which they employ to justify their actions, their beliefs, and their lives. These are the words in which we formulate praise of our friends and contempt for our enemies, our long-term projects, our deepest self-doubts and our highest hopes. They are the words in which we tell, sometimes prospectively and sometimes retrospectively, the story of our lives. I shall call these words a person's 'final vocabulary.'"

In addition to being inconsistent, Stout complains that Rorty's call to restrict the premises for public discourse to those "held in common" is also impractical. According to Stout, "reasons actually held in common do not get us far enough toward answers to enough of our political questions. The proposed policy of restraint, if adopted, would cause much silence at precisely the points where more discussion is most badly needed. The policy itself would be a conversation stopper".<sup>20</sup> In short, according to Stout, Rorty has gotten things precisely backwards. On democratic grounds we should need extraordinary reasons to convince ourselves that it is necessary to limit, by legislation or custom, participation by anyone in the public square. Under normal circumstances, we have a responsibility to draw as many different types of people into the discussion as possible, especially when dealing with contested issues. This means, of course, that part of the process of public deliberation ought to involve invitations by opposing parties to explore, consider, and take seriously appeals to principles that are foreign to them.

In an article in the *Journal of Religious Ethics*, Rorty acknowledges the validity of arguments by Stout and others, and does what "backpedaling" he can in order to take them into account.<sup>21</sup> In responding to the theologian Nicholas Wolterstorff, Rorty says: "He has convinced me that he is right to insist that both law and custom should leave him free to say, in the public square, that his endorsement of redistributionist social legislation is a result of his belief that God, in such passages as Psalm 72, has commanded that the cause of the poor should be defended. For I can think of no law or custom that would hinder him from doing so that would not hinder me from citing passages in John Stuart Mill in justification of the same legislation."<sup>22</sup> This passage shows that Rorty was willing to travel a long way in the direction that thinkers like Stout and Wolterstorff want him to go. Whereas the earlier Rorty argued that appeals to religious texts should be confined to the communities where those texts carry authority, in this passage he recognizes that there is no clear way to distinguish religious texts from his own favorite works. Therefore, with respect to public discourse, he concludes that everyone should feel free to bring whatever authorities they can to the table. In instances where there is a serious dispute, the conversation will entail assessments of both the direct assertions and the texts that are used to support those claims. This was the point that Stout made.

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20. Stout, *Democracy and Tradition*, 89–90.

21. Richard Rorty, "Religion in the Public Square: A Reconsideration," *Journal of Religious Ethics* 31, no. 1 (2003): 141–49.

22. *Ibid.*, 141.

It would be interesting to see whether Rorty's willingness to allow appeals to religious texts in public discourse could be extended to include appeals to religious experience along the lines suggested by Westbrook. Rorty was largely silent on that issue in two articles where he took up the question of the role of religion in public life.<sup>23</sup> My *guess* is that he would still resist such appeals on two grounds. First, his theory of knowledge is designed to eliminate appeals to experience because he is convinced that such appeals lead inevitably down the garden path toward representational theories of knowledge and the unsolvable problems that stem from a felt disjunction between appearance and reality. Rorty might also have a second reason for resisting such a move since religious experience would be private and inaccessible to those who don't share in it. Unlike appeals to authoritative texts, the religious person can't actually make her own experience available to an opponent without literally converting him. Rorty would likely complain that such appeals do little more than frustrate conversation partners who are attempting in good faith to make their own reasons available and vulnerable to criticism.

Despite his newly found willingness to allow religious individuals like Wolterstorff, Stout, and others to bring their religious texts to the public square, Rorty remained critical of the role that religious *institutions* sometimes play in public discourse. Declaring himself an anticlericalist, he told his readers that "despite all the good they [religious institutions] do—despite all the comfort they provide to those in need or in despair—[religious institutions] are dangerous to the health of democratic societies."<sup>24</sup> Rorty criticized appeals to religious institutional authority on two grounds. First, as an empirical matter he was convinced that religious institutions do more harm than good.<sup>25</sup> This puts their authority in question when it comes to public discourse. Following Rorty we can imagine a nonreligious interlocutor asking her opponent: Why should I take seriously the claims of an institution which is responsible for so much suffering and evil, even if it can point to a small amount of good that it has accomplished? Secondly, Rorty argued that in a liberal democracy, statements like "Proposition x must be true because my religious leader tells me so,"

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23. *Ibid.*; and Rorty, "Anti-Clericism and Atheism." Rorty does mention this issue in a footnote where he says, "My distinction between the epistemic arena and what lies outside is not drawn on the basis of a distinction between human faculties, nor of a theory about the way in which the human mind is related to reality. It is a distinction between topics on which we are entitled to ask for universal agreement and other topics. Which topics these are—what should be in the epistemic arena and what should not—is a matter of cultural politics." "Anti-Clericism and Atheism," 45.

24. Rorty, "Anti-Clericism and Atheism," 40.

25. Rorty, "Religion in the Public Square," 142.



certainly are conversation stoppers in the way that originally led him to suggest that all religious principles be excluded from public discourse. In the end then, Rorty refocused his critique of religion through the prism of a single precise sentence. He says, "What should be discouraged is mere appeal to authority."<sup>26</sup> Elaborating on this, Rorty says: "I would not consider myself to be seriously discussing politics with my fellow-citizens if I simply quoted passages from Mill at them, as opposed to using those passages to help me articulate my views. I cannot think of myself as engaged in such discussion if my opponent simply quotes the Bible, or a papal encyclical, at me."<sup>27</sup> Rorty's point, of course, is that authoritarianism is not limited to religious appeals. In itself citing John Stuart Mill is no better nor worse than citing the New Testament. The key is in *how* the citation is made and to *what end* in the argument.

I find it interesting that in responding to his critics (especially Stout), Rorty willingly moved back toward the original Deweyan attitude toward religion. As I indicated at the beginning of this discussion, most of Rorty's pragmatist critics complained that Rorty had turned Dewey's rejection of authoritarianism into an antireligious attitude that amounted to a secularist orthodoxy. These days Rorty's main concern is no longer with religion *per se* but with the empirical question: Are religious institutions doing more harm than good?; and the democratic question: How can we avoid authoritarianism when engaging in public discourse? While not all of Rorty's pragmatic critics would agree with his empirical assessment of the impact religious institutions have on the world, virtually all of them would join him in resisting *authoritarianism*. Stout in particular wants to reject authoritarianism while arguing that not all appeals to religious traditions amount to authoritarianism.

This brings us then to Stout's description of democratic culture, and his assertion that democracy, like any other tradition, functions by inculcating certain habits and values.

### **Authority, Tradition, and the Emergence of Democratic Culture**

Part of the reason Rorty and other scholars get so tangled up when it comes to understanding the proper role religion should play in public discourse is that most carry the mistaken impression that democracy is unalterably opposed to virtually all forms of authority other than that which rests within the individual's own rational sensibilities. This derives in part from the fact that

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26. *Ibid.*, 147.

27. *Ibid.*

the revolutionary period is typically characterized as a complete break with traditional, “divinely authorized” social structures. It also stems from the way the Enlightenment makes universal reason the “ultimate authority” that trumps all others. While acknowledging that this is the generally accepted account of the rise of democracy and the role of the Enlightenment, Stout insists that both assertions are more myth than reality. Instead, Stout argues that “democratic culture is best understood as a set of *social practices* that inculcate characteristic habits, attitudes, and dispositions in their participants. Because those practices do involve a sort of deference to authority (as well as much defiance of authority) and have achieved enough stability to be transmitted from one generation to another, it makes sense to call them a tradition in their own right.”<sup>28</sup> The reasons for Stout’s rejection of the standard myth are complex and beyond the scope of this paper. For our purpose it is sufficient to note that Stout is building his explanation for democracy’s origins on a Deweyan understanding of habit and Robert Brandom’s recent arguments that discursive practices are at the root of all social order.

Brandom sums up his position nicely in the deceptively simple assertion that “the core of discursive practice is the game of giving and asking for reasons.”<sup>29</sup> Stout follows Brandom’s definition of discursive practice and argues that *democracy* stems from the cultivation and extension of these core discursive practices. To understand where Stout is headed, it is necessary to get a sense of what he and Brandom believe the process of “giving and asking for reasons” involves:

By exchanging reasons and requests for reasons with one another, participants in the practice *hold one another responsible* for their commitments and actions. To be able to exchange reasons for this purpose, they must be able to do certain other things as well. They must be capable of undertaking both cognitive and practical commitments. They must be able to express such commitments, by avowing them and acting on them. They must know how to attribute commitments to others on the basis of what those others say and do. And, they must have a grip on the distinction between being entitled to a commitment and not being entitled to it.<sup>30</sup>

For Stout and Brandom, the key notion in this description of social practice is the way we “hold one another responsible.” This entails an ability to make, recognize, and interpret *commitments*. Most importantly, it means we under-

28. Stout, *Democracy and Tradition*, 203–4, emphasis added.

29. Robert Brandom, *Making it Explicit: Reasoning, Representing and Discursive Commitment* (Cambridge, MA.: Harvard University Press), 159.

30. Stout, *Democracy and Tradition*, 209; summarizing Brandom, *Making it Explicit*, 157–68.

stand how commitments relate to one another and what it means to be *entitled* to a commitment.

Almost every action or statement entails a host of commitments. Imagine yourself in your friend's kitchen for the first time. Your friend picks up a glass, turns on the tap, fills the glass with water, and drinks from it. Picking up the glass and turning on the faucet assumes at least the following three commitments: a commitment to the act of filling the glass, a commitment to the judgment that the water is potable, and a commitment to drinking the water. Having seen these actions, you could choose to accept the validity of the second commitment and serve yourself a glass of water too. In that case, you'd be taking at face value your friend's judgment that the water is drinkable. But perhaps you are in an area where tap water sometimes contains dangerous levels of arsenic. In such an instance, before pouring yourself a glass of water, you might stop and ask, "Is this water drinkable?" Of course, such a question is likely to strike your friend as awkward and a result of your inability to put two and two together. He's already answered that question by actually drinking water from the tap.<sup>31</sup> If you were paying attention to his commitments, the answer should have been obvious before you asked the question. A question more likely to satisfy your concerns would be, How do you know that this water is drinkable? In this instance you'd be asking your friend for reasons to justify his commitment to the judgment that the water is drinkable. He could respond in a variety of ways. He might refer to past experience ("I drink water from that faucet all the time with no ill effects"); or, he might refer to an external authority ("I had the water tested for purity this morning"); or he might say, "I have faith in the competency and integrity of the municipal employees who maintain the system." Any of these responses might be sufficient to satisfy your concerns. Of course, you could also follow each of them up with more questions such as: Does your doctor include an arsenic test in your annual health exam? What techniques did the testing company use? Or, How do you know that the municipal employees are competent?

This simple act of making, clarifying, and holding one another responsible for our commitments is what Brandom and Stout mean by discursive practices. According to both, we live in and through this game of giving and taking reasons: "Holding one another responsible for commitments involves keeping track of the commitments we attribute to each other and of the entitlements we attribute to or withhold from the commitments thus attributed. Commitments and entitlements are socially tracked normative statuses. Participating

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31. I'm going to leave aside for now the possibility that the friend in this situation is in anyway crazed or delusional.

in a discursive social practice is in part a matter of keeping track of oneself and one's fellow participants in terms of these normative statuses. It is an exercise in what Brandom calls normative 'scorekeeping.'<sup>32</sup> According to Stout, Brandom chooses to call our actions and judgments *commitments*, "to draw attention to the appropriateness of being held responsible for them, of being deemed entitled to them or not."<sup>33</sup>

Stout observes that in most instances we operate as if everyone is *entitled* to the vast majority of their commitments. If after watching your friend drink you filled a glass and drank water from your friend's tap, you would be *deferring* to his *authority* when it comes to determining whether the water is drinkable, even if you harbored some doubt about that region's water quality. You would be operating under the assumption that he is *entitled* to his commitment, and that you are *entitled* to use his commitment as a basis for forming your own commitments. If asked, how do *you* know that the water is drinkable?, the best you could do is point to your friend and his behavior. According to Stout, "All discursive practices involve authority and deference to some extent."<sup>34</sup> It simply isn't possible to conduct normal human discourse without deferring to the authority of others in most instances. If we were to challenge every commitment, the level of discourse would certainly devolve to something akin to that of the five year old who begins by asking "why?" and follows every attempted response with yet another "why?"

Of course, there are moments when we do challenge someone's authority and ask them to justify their commitments. We say to our friend, "How *do* you know that the water is drinkable?" Such instances are far fewer than those where we defer, but they do occur, and they are a crucial element in the discursive process. If they did not occur, there would be no genuine inquiry, no chance to reform or improve a given set of assumptions.

At its core then, discursive practices cannot require that we reject all appeals to authority. Some are taken at face value, others are open to challenge *when there are good reasons*. Democratic discourse is merely an extension of these same practices. Democratic discourse requires that we stand ready to give good reasons for any particular commitment, *when there are good reasons for wondering about its validity*. Absent such reasons, however, it is natural and appropriate to defer to those authorities that seem plausible. To drive this point home, Stout quotes Wilfred Sellars who says, "A discursive practice is rational, not because it has a *foundation* but because it is a self-correcting enterprise which can put

32. Stout, *Democracy and Tradition*, 210; citing Brandom, *Making it Explicit*, 180–98.

33. Stout, *Democracy and Tradition*, 211.

34. *Ibid.* 212.

*any* claim in jeopardy, though not *all* at once.”<sup>35</sup> On Stout’s view, democracy extends and thematizes this game of giving and taking reasons. It renders obsolete foundationalist quests that aim to substitute a set of absolute certitudes for the game of give and take. A democracy cultivates in its citizens the *habit* of making oneself vulnerable whenever good reasons are brought forward. It also leaves those same citizens free to act as if their commitments are valid absent good reasons for doubting that they are.

This brings me back to the question that initiated this paper: What role should religion play within public discourse. Readers will recall that Rorty’s early instinct was to insist that religion be excluded from public discourse on the grounds that it typically involved appeals to principles that were not universally available. And yet, ultimately, Rorty retreated from this strong secularist stance to say he now believes it is fair for a person to draw upon religious texts and values when engaged in public discourse, so long as that person doesn’t succumb to the dangers of authoritarianism. Simply quoting other authorities should not count as genuine engagement with the issues. Appealing to sacred texts to help articulate a position, however, was something that Rorty came to accept as a legitimate part of public discourse.

Stout’s analysis of public discourse, and its implications for our understanding of democracy, provides a better theoretical basis for the position that Rorty has lately adopted regarding religion’s role in public discourse. Stout has shown us *why* it is reasonable for religious traditions to be welcomed into the public sphere and *how* they can legitimately join in the debate. The tradition of democratic discourse demands only one thing of all participants: you must stand ready to provide a rationale for any commitment whenever there is good reason to doubt its validity. Absent such doubts, however, there is no reason not to rely upon whatever commitments have rendered life meaningful. In fact, it would be foolhardy to throw over all commitments that were not founded on absolutely certain principles. Life as we know it requires that we take some things on faith, even if the faith is that our friends have good reasons for what they say and do.

### **Ritual, Tradition, and Religious Experience**

Stout’s attempt to reconcile democracy and tradition may seem quixotic to some. Objectors might say: Of course it would be “nice” if everyone exchanged reasons in the way you and Brandom suggest, but that’s not the way real people argue, and it doesn’t help when we are at loggerheads and unable to agree on

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35. *Ibid.*, 213.

a way of navigating between conflicting claims. Such criticisms, however, miss the point. Stout's analysis of democratic discourse is not about how we "get along" in arguments. Rather, he's urging us all to recognize that the process of "exchanging reasons" and "keeping score" is far more complex and subtle than most of us realize. It involves much more than self-consciously held principles and the rational conclusions that we can draw from them. It involves a gestural language, a form of communicating commitments that are sometimes felt before they are known. Whereas classical liberals tend to believe we can only make progress in public discourse when we locate a set of commonly accepted abstract principles that serve as a basis for our inductive and deductive arguments, Stout and Brandom are suggesting that such principles (if they exist at all) could only be a thin distillation of a much thicker set of social practices that convey far more than could ever be fit onto a standard truth table. Even more importantly, Stout is arguing that when we view democratic discourse from the perspective of Brandom's discursive practices, it becomes clear that democracy is a *tradition*, a *habitual way of being with others* that must be cultivated and canalized if it is to remain effective.

Confucians know a great deal about the need to cultivate and canalize traditions as a way of rendering human experience more meaningful and satisfying. According to the Confucians, human life becomes meaningful only when our energies are channeled into the more complex and sophisticated patterns (rituals, *li*) that define them as human. In his early short classic *Confucius—The Secular as Sacred*, Herbert Fingarette said: "The basic conception of man in the *Analects* is that he is a being born into the world—more especially into society—with the potentiality to be shaped into a truly human form."<sup>36</sup> Virtually all of the early Confucians (e.g. Confucius, Mencius, Hsun Tzu) agree that each of us begins life with a capacity to *discern*, *appreciate*, and *contribute to* the vast network of social meaning. They also agree that these capacities must be cultivated in each of us. We don't start out already in possession of such powers. Instead, we *learn* to recognize human patterns of relating for what they are—cultural achievements. We *develop* our ability to value such cultural achievements over less sophisticated and less subtle forms of relatedness. Finally, we must be *trained* to recognize our own responsibility to contribute to these cultural achievements by participating in their preservation, cultivation, and extension.

Two things should be noted about this Confucian starting point. The first is the Confucian ontology of human relatedness. Tu, Wei-ming summed this

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36. Herbert Fingarette, *Confucius—The Secular As Sacred* (New York: Harper Torchbooks, 1972), 21.

up neatly when he said: “The self as a center of relationships rather than as an isolable individual is such a fundamental premise in the *Analects* that man as ‘an ultimately autonomous being’ is unthinkable, and the manifestation of the authentic self is impossible ‘except in matrices of human converse’”<sup>37</sup> This Confucian ontology of human relatedness meshes comfortably with Rorty’s claim that humans are nothing but “tissues of relatedness,” as well as with Stout’s assumption that our understanding of human meaningfulness is dependent upon an analysis of social discourse. For Confucianism, Rorty, and Stout, it makes no sense to posit an independent, autonomous self that preexists its forms of relatedness. Human relations are rather like the layers of an onion, if you peel them away there will be nothing left.

The second important aspect of the Confucian starting point is their complete faith in the role ritual plays in giving structure and meaning to our lives. On this point Fingarette says: “Men become truly human as their raw impulse is shaped by *li*. And *li* is the fulfillment of human impulse, the civilized expression of it—not a formalistic dehumanization. *Li* is the specifically humanizing form of the dynamic relation of man-to-man.”<sup>38</sup> Without rituals, human expressiveness can’t achieve much. When our expressions are channeled through the humanizing form of *li*, however, they are situated within a network of meanings that extends their influence by making it possible to coordinate our movements with those of the people around us. “In well-learned ceremony, each person does what he is supposed to do according to a pattern. My gestures are coordinated harmoniously with yours—though neither of us has to force, push, demand, compel or otherwise ‘make’ this happen. Our gestures are in turn smoothly followed by those of the other participants, all effortlessly. If all are ‘self-disciplined, ever turning to *li*,’ then all that is needed—quite literally—is an initial ritual gesture in the proper ceremonial context; from there everything else ‘happens.’”<sup>39</sup> Obviously, this Confucian understanding of *li* extends well beyond so-called high ceremonies. When the Confucians use the term *li*, they

37. Tu, Wei-ming, *Confucian Thought: Selfhood as Creative Transformation* (Albany: State University of New York Press, 1985), 83; citing Wayne Booth in *Modern Dogma and the Rhetoric of Assent* (Chicago: University of Chicago Press, 1974). Tu’s point is very close to the one made in much more detail by Hall and Ames in their book *Thinking from the Han: Self, Truth and Transcendence in Chinese and Western Culture* where they argue that many of the approaches to understanding selfhood that have dominated Western philosophy are, for the most part, not relevant to the Chinese since their starting points are so different. David Hall and Roger Ames, *Thinking Through Confucius*, (Albany: State University of New York Press, 1987).

38. Fingarette, *Confucius*, 7; see also 6–17.

39. *Ibid.*, 8.

mean us to have in mind virtually every form of human relatedness. On this view language is a subset of *li*. The earliest felt exchanges between a hungry child and its nursing mother, including the associations of warmth, security, and satisfaction, all are considered aspects of *li*. Every time someone reaches out to another in order to satisfy some felt need, that exchange is accomplished either by virtue of learned patterns of human communication or by the creative extension of such patterns into new forms of human relatedness.

My own sense then is that there are a good many conjunctions between Stout's analysis of social discourse and the Confucian understanding of *li*. Aside from the previously noted agreement on the ontology of human relatedness, they both appeal to a much broader matrix of human communication strategies. Moreover, they both appreciate the extent to which those strategies are each "traditions" that are sustained through habit and social reinforcement. In short, as I said in the beginning, my sense is that there is a great deal of common ground to explore between a Confucian understanding of ritual and Stout's analysis of social discourse.

Perhaps the best recent example of the contribution Confucianism might make to a conversation about democracy is to be found in Sor-Hoon Tan's wonderful book titled *Confucian Democracy: A Deweyan Reconstruction*. In this book Tan explains how democratic practices can be adapted to an Asian context that is dominated by Confucian, rather than liberal traditions. She says: "Philosophical and cultural resources within Confucianism could foster democracy, as understood by John Dewey. It would not be the liberal democracy that currently exists in the United States and Western Europe but a democracy based on a conception of individuals as inherently social, on a commitment to building a harmonious community in which every member contributes, participates and benefits. . . ."<sup>40</sup>

Tan's reconstruction involves more than merely assimilating Chinese practices to Western models. Quite the contrary, she sees in Confucianism a powerful engine for critique and reconstruction of the Western basis for democratic practices and traditions. In this paper I have been following a similar path by arguing that Confucian ideas about the relational self and rituals (*li*) could actually lend support to those themes that Stout picks up from Brandom while trying to construct a vision of democracy that welcomes religious believers into the public square. Tan speaks directly to this point when she says: "Common goods must be constructed through ritual practice and cooperative inquiry in which each person participates according to his or her capacities. Such a community

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40. Sor-hoon Tan, *Confucian Democracy: A Deweyan Reconstruction* (Albany: State University of New York Press, 1985), 201.



would be a democracy, with government of the people, by the people, and for the people. Freedom would be balanced with authority, so that everyone would have the best chance of personal fulfillment within a flourishing community."<sup>41</sup> In short, properly interpreted, Stout ought to see Confucianism as an ally capable of challenging the authoritarianism he rejects and providing a very different rationale to support the notion that Brandom's discursive practices are the real basis for our democratic traditions.

Earlier I said that "Stout's analysis of public discourse, and its implications for our understanding of democracy, provides a better theoretical basis for the position that Rorty eventually adopted regarding religion's role in public discourse." My argument there was that Stout and Brandom presented a theory of communication that recognizes the extent to which we manipulate virtually all aspects of our bodies and our environment in making our commitments explicit and engaging in the game of giving and taking reasons. From this perspective it became possible to see the extent to which virtually all communication is a product of tradition and that it necessarily includes a tendency to defer to authority unless there are good reasons not to do so. Now, with a brief outline of the Confucian understanding of ritual also before us, I'd like to expand on my earlier argument and suggest that while it remains true that Stout provides a better basis for justifying the inclusion of religious voices in public discourse, the Confucian understanding of *li* has at least one advantage that Stout's position lacks. The Confucian tradition is explicit in relating its understanding of *li* to religious experience.

During my review of Rorty's critics, I pointed out how Robert Westbrook and others complained that Rorty's tone-deafness to religious voices had much to do with his unwillingness to take religious experience seriously. Westbrook's argument was that the "linguistic turn" had effectively inoculated Rorty against the notion that noncognitive experience could ever be a useful category for philosophic analysis. As a result, when Rorty writes about religion, he tends to talk mostly about creeds and beliefs and ignore any discussion of religious experience and praxis. Many religious practitioners chafe under this tendency to reduce religion to the cognitive, because it renders mute the extent to which their sensibilities are rooted in the assertion of some felt conjunction between themselves, others, and the world as a whole.

From the point of view of religious practitioners, Stout is surely headed in the right direction on this issue because his analysis of social discourse points beyond well-formulated cognitive principles and opens us up to considering the multifarious ways we communicate with one another. Still, Stout's analysis of

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41. *Ibid.*, 202.

human discourse falls far short of what we see in classical pragmatists such as James and Dewey who acknowledge explicitly the extent to which our cognitive experiences are rooted in and dependent on a felt engagement with the world. When Dewey or James talked about religious experience, they typically included some reference to this vague penumbra of feeling which plays in the background and forms the basis for our higher-order cognitive experience.

Confucianism, like early pragmatism, does not share the modernist allergy to noncognitive experience.<sup>42</sup> In a statement on the religious sensibilities of Confucianism, Tu, Wei-ming says: "The fundamental concern of the Confucian tradition is learning to be human. The focus is not on the human in contrast with nature or with Heaven but the human that seeks harmony with nature and mutuality with Heaven. Indeed, learning to be human, in the Confucian perspective entails a broadening and deepening process that acknowledges the interconnectedness of all modalities of existence defining the human condition. Through an ever-expanding network of relationships encompassing family, community, nation, world and beyond, the Confucian seeks to realize humanity in its all-embracing fullness."<sup>43</sup> He goes on to describe Confucianism as an anthropocosmic tradition that urges us to cultivate our humanity by expanding our attunement and responsiveness to the whole of things.<sup>44</sup>

I began this paper by suggesting that Stout had made much progress in marking out a middle road between classical liberals who believe religion ought to be excluded from public discourse and religious practitioners who felt that such an exclusion was undemocratic. Along the way, I demonstrated how far one such liberal (Rorty) has come in responding to the sorts of arguments that Stout and others have mounted against his desire to exclude religion from the public square. In the end, I hope that I've suggested a few ways that Confucianism could contribute to this conversation by reinforcing the basic strategy adopted by Stout, and by pushing him to consider rendering his analysis even more open to religious practitioners by taking seriously the philosophic implications of religious experience. Ever since the publication of Wayne Proudfoot's monumental book *Religious Experience*, many religious thinkers like Stout have been loathe to take seriously anything that even hints of Schleiermacher's claim that religious experience is "independent of concepts and beliefs and

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42. For a full analysis of this allergy and its consequences, readers should see Robert Neville's *The Highroad Around Modernism* (Albany: State University of New York Press, 1992). Also helpful is Joseph Grange's book *John Dewey, Confucius, and Global Philosophy* (Albany: State University of New York, 2004).

43. Tu, *Confucian Thought*, 64.

44. *Ibid.*

that it can be identified under such descriptions as a sense of the infinite or a feeling of absolute dependence."<sup>45</sup> My own sense is that the ground has shifted a bit since 1985. There is now a tremendous body of work being developed in cognitive psychology which could only be described as an attempt to map the precognitive response of the human organism to its environment and the way those responses contribute to and are ingredient in cognitive experience.<sup>46</sup> In this climate, I suspect there will be room to take up once again the question of religious experience with new lenses. No longer is this a simple battle between the religionists who want to protect religion from the encroachment of the natural scientists. In fact, it is the natural scientists who are leading us to take another look at this old issue.

With respect to the issue at hand, however, I'm convinced that Stout is right to chide his interlocutors for incivility, and to blame both secularist liberals and religious traditionalists for pulling at the threads of our democratic tradition. I can only hope that the influence of his arguments continue to extend beyond the halls of academe and make their way into the realm of public discourse.

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45. Wayne Proudfoot, *Religious Experience* (Berkeley: University of California Press, 1985), 228.

46. See for example: George Lakoff and Mark Johnson, *Philosophy in the Flesh: The Embodied Mind and its Challenge to Western Thought* (New York: Basic Books, 1999); and Alva Noë, *Action in Perception* (Massachusetts Institute of Technology Press: Cambridge, 2004).

