

A Call for Inclusion in the Pragmatic Justification of Democracy

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Despite accepting Robert Talisse's pluralist critique of models of democratic legitimacy that rely on substantive images of the common good, there is insufficient reason to dismiss Dewey's thought from future attempts at a pragmatist philosophy of democracy. First, Dewey's use of substantive arguments does not prevent him from also making epistemic arguments that proceed from the general conditions of inquiry. Second, Dewey's account of the mean-ends transaction shows that ends-in-view are developed from within the process of democratic inquiry, not imposed from without. Third, Talisse's model does not satisfy another general norm of inquiry – that of charity.

A sure sign that a philosophical movement has reached maturity is that it takes a moment to stop fighting enemies from without and sets its sights on enemies from within. When absolutists, realists, idealists and postmodernists are at the gate, we pragmatists have to stand united. Once secure, we begin to take roll to find who fits within the movement and who does not.

This appears to have happened in one area of contemporary pragmatic thought. Until recently, if thinkers such as Richard Rorty, Stanley Fish, and Richard Posner are to be believed, it was an open question whether pragmatism has any particular relevance for politics. Now, it is accused of having a commitment to democracy so thick that it is no longer appropriate for a pluralistic nation. In this article, I discuss a recent turn inward among those who seek a pragmatic, epistemic defense of democracy and argue that there is sufficient room for the contending strands of the pragmatic tradition.

The recent attempt to derive a pragmatic-epistemic defense of democracy is part of the broader effort to develop an argument on behalf of democracy while acknowledging that our world is increasingly pluralistic. We may not assume that citizens of modern, democratic nation-states will share an image of the good life. For democrats, this poses a special problem, since they want to believe that their position is rationally defensible at the same time that they want to respect those who reasonably disagree.

Rather than attempt to eliminate the fact of moral disagreement, contemporary democratic theory has often tried to find the ground of democracy within moral disagreement itself. Whether it is John Rawls, Jürgen Habermas or the pragmatic theorists Cheryl Misak and Robert Talisse, there is a shared project to derive democratic principles from the structure of moral argumentation, rather than the content of any particular moral doctrine. Habermas and Apel argue that principles of justice – requiring that we seek mutual agreement rather than sheer victory, that there be the greatest possible inclusion of speakers, and that communication be undistorted by any power other than that of the better argument – are embedded in communicative action itself, and any communicator who denies them is engaged in a performative contradiction, whether they are aware of it or not. To act undemocratically is to act irrationally, or to colonize the lifeworld in the name of instrumental rationality. For Rawls, whom we will discuss further, deliberation constrained by a Kantian public reason results in a conception of freedom, equality and rights amenable to a democratic welfare state.

A new and intriguing advance in pragmatic thought is the attempt to derive a defense of democratic principles from the nature of pragmatic inquiry alone. Perhaps the most systematic and compelling argument is that offered by Cheryl Misak in her *Truth, Politics, Morality* (Misak 2000). Inspired by Charles Peirce's account of belief and inquiry, she has argued that the minimal assertion that one's beliefs are true entails a number of further commitments to present evidence and argument in support of your position, to respond to others' arguments, and to be as inclusive of as many arguers as possible. Proper inquiry entails a commitment to democratic values.

Misak has been joined by Robert Talisse, a driving force in the attempt to develop a pragmatic and deliberative model of democracy. Talisse has built upon her foundation to create a more comprehensive account of the failures of liberal democratic theory, including those deliberative theories that rely, ultimately, on unquestioned liberal beliefs (Talisse 2005, 2007a). As Talisse argues:

The Peircean image of a community of inquiry is inherently democratic. Proper inquiry requires that believers be continually open to revising their beliefs in light of new reasons, arguments, and evidence. And this requires that believers exhibit a perpetual readiness to engage in the process of reason-exchanging and argument.... In short, proper inquiry can be practiced only within a democratic political order. (2007, 66)

By rooting democracy on epistemic norms rather than substantive moral commitments, Misak and Talisse hope to provide a firmer foundation than that provided by Rawls, Habermas and other contemporary democratic thinkers.

Peirce is not the only source of inspiration for a pragmatic-epistemic philosophy of democracy. Hilary Putnam, Elizabeth Anderson, and Robert

Westbrook have attempted to recover an epistemic defense of democracy from John Dewey's thought. (Putnam 1992, Anderson 2006, Westbrook 2005) The structure of Dewey's argument largely parallels that of Peirce – the nature of inquiry commits us to substantive, democratic principles. Therefore, as soon as one asserts the truth of one's beliefs, even anti-democratic believers unwittingly affirm the very principles they deny.

However, a split is forming between Peircean and Deweyan advocates. As readers of this journal know, Robert Talisse has argued that Dewey's argument is insufficiently epistemic. (Talisse 2007b; see also 2003, 2005, 2007a) Instead, he claims that it relies on a comprehensive moral doctrine, meaning that Dewey's commitment to the moral-political values of liberty, equality, and fairness is not the result of his commitment to inquiry, but independent of and prior to it.

Talisse's direct and unflinching style has angered a number of Dewey scholars, perhaps so greatly that they have been blinded to the value of his argument. I am largely sympathetic to the Rawlsian argument that, under conditions of pluralism, any attempt to justify democracy on the basis of one image of the Good is suspect. However, I also believe that Talisse's argument does not require us to exclude Dewey from any future pragmatic and pluralistic philosophy of democracy.

To make this case, I first present an account of Talisse's argument. Second, I argue that this argument fails to take into account Dewey's discussion of ends and ends-in-view. I conclude with an argument for interpretive charity that would allow us to bring Dewey back into the fold as a pluralistic, democratic thinker.

1. Inquiry and Reasonable Pluralism: Excluding Dewey

The epistemic defense of democracy bears a resemblance to the transcendental defense of Habermas and Apel and to the procedural defense of John Rawls. The common concern is that of admitting the variety of reasonable moral doctrines, respecting them when we can and yet defending democracy against its radical enemies.

The pragmatist does not seek such principles from the transcendental structure of argumentation, but from more modest empirical claims about how people assert beliefs. We may not assume that communication necessarily strives toward mutual agreement. However, we may argue that people have beliefs, they hold these beliefs to be true, and that they desire beliefs that are resistant to scrutiny. To hold that a belief is true is also to assert that the belief will resist evidence and arguments brought against it, that it is responsive to the world. Those who assert that their beliefs are true, yet close off the path of inquiry by a priori excluding the experience, evidence and arguments of others, are contradicting themselves. Certain modest democratic principles are therefore entailed by a pragmatic account of belief and inquiry. (Misak 2000, Misak 2008)

Talisse's critique of Dewey also draws from Rawls' political liberalism. Rawls acknowledges that we live under conditions of reasonable pluralism. Any sufficiently large and free society will produce a variety of comprehensive moral doctrines (CMD) that provide an account of the nature of the world and man's place in it. Unless we want to resort to violence and propaganda, we must ground our society in certain mutually accepted principles of justice. These principles arise out of deliberation under certain argumentative restrictions. Out of respect for other citizens as free and equal beings (and out of the practical needs of forming a stable, overlapping consensus), we must not derive these principles from any one substantive moral vision. Any argument that requires that my interlocutor convert to my CMD in order to accept it as just is illegitimate. I must appeal to reasons that I may reasonably expect members of other CMDs to accept. (Rawls 1996)

However, Talisse and other critics note that Rawls' argument, despite his intent, makes implicit appeals to substantive liberal beliefs. For example, those CMDs are 'reasonable' only insofar as they are willing to accept that others are free and equal beings deserving of respect – a liberal standard. Or Rawls recurs to a Kantian model of autonomy or metaphysics of the self as a free chooser unencumbered by substantive moral commitments. For all of his intent to isolate the moral from the political, Rawls ultimately relies on a comprehensive liberal doctrine. (Talisse 2005, 58–63 and 50)

The pragmatist counters by providing an epistemic – rather than substantive – defense of democracy. She does not appeal to any comprehensive moral vision, but to the nature of inquiry, of seeking truth or knowledge. From this vantage point, Talisse argues that Dewey is insufficiently pragmatic. Rather than basing his argument for democracy on a commitment to inquiry, Dewey relies on a substantive liberal vision doomed to fail under conditions of reasonable pluralism. This vision cannot secure the overlapping consensus that grounds a stable, pluralistic society. Let us see how Talisse makes this argument.

Following Schumpeter (among others), Talisse's procedural model of democracy imagines a state that is neutral between competing normative visions. Instead, democracy provides fair procedures according to which individuals and groups may pursue their own happiness, "a procedure by which elites compete for political office." (2007b, 20) Therefore, the scope of democracy is the state and its procedures, not society and its moral beliefs.

Dewey, however, did not accept this restriction on the scope of democracy. He believed that political democracy, a set of institutions or procedures such as frequent, open and fair elections, is not the full meaning of democracy. 'Democracy' speaks to the full breadth of human community and communication, insofar that they placed experience at their center (LW 2: 328). Democracy runs, perhaps latently, through all associated endeavors. This vision culminated in his oft-quoted claim that democracy is "a way of life" (LW 13: 155).

Dewey's accounts of democracy and of inquiry are said to rest on a developed metaphysics of experience and to assume a vision of human flourishing within a community bounded by unquestioned ideals. His thick account of nature, humanity and community are too substantive for a pluralist democracy and undercut his supposed commitment to free inquiry.

So let us not be naïve: Deweyan democracy is antipluralist in that it places decisive constraints upon the kinds of voices we need to include. ... Consider that the Deweyan-democratic commitment to inquiry excludes not only those who refuse to inquire, but also those who hold views that are incompatible with the fallibilism and experimentalism at the heart of inquiry. (2003, 13)¹

Talisse concludes that, to the extent that Dewey appeals to this broadly moral vision of democracy extending beyond the state's regulation of elite power struggles, he is not a proceduralist. And, to the extent that he is not a proceduralist and upholds a pre-deliberative account of the good, his defense of democracy is not sufficient for a pluralistic world.

Like Rawls, Dewey ultimately relies on a substantive moral doctrine. Insofar as Dewey brings such ideals to inquiry from outside, he abandons his pragmatic theory of inquiry.

Questions of which philosophical system is best, or which are the correct metaphysical, epistemic, and moral propositions, are questions to be settled by means of inquiry. Any conception of inquiry that even implicitly presupposes decisive answers to such questions is, in the end, not a conception of *inquiry* at all. (2007a, 88)

This resembles Fabienne Peter's contention that Dewey's consequentialism makes deliberation or inquiry only instrumentally valuable and in service of the fixed end of "solving social problems." Therefore, Dewey's position is insufficiently epistemic and pragmatic. (2007a, 45, 51)

The result is for Talisse to consign Dewey's thought to the flames. "[W]e must bid farewell to the Deweyan ideal of democracy as a way of life. Pragmatists who want to theorize about democracy must look elsewhere." (2007a, 53) Whereas Peirceans are concerned with normatively justified procedures underlying democracy, Deweyans care only about the outcomes of these processes and whether they reflect previously held democratic ends. Talisse concludes that only a Peircean, epistemic defense like that reconstructed by Misak is true to a pragmatic model of inquiry and provides an adequate defense against radical anti-democrats (2007a, 21–23).

2. The Place of Substantive Arguments

It is a virtual certainty that Talisse knew that such a claim would stir a sharp response from the Deweyan community. His argument is well-honed and pointed at the heart of Dewey's project. As presented by Talisse, Dewey's democratic ideal is too thick, desiring consensus on an image of the good life permeating all aspects of common life. This is quite ironic, given that Dewey spent much of his career defending himself against those who tired of vague calls to use the method of intelligence in moral and political life. When critics demanded absolute ideals, Dewey offered only growth. When they wanted absolute Ends to guide the ship of state, he provided flexible, fallible ends-in-view that were found only within the context of inquiry. (Russell 1910, 10–11; Horkheimer 1947; Adler 1941)

There is some weight to this criticism. Dewey clearly had robust commitments ranging from metaphysics to politics: a transactional account of experience, theories of child development and of human flourishing generally, proposals for economic and political reform, and more. But the question is not whether he had deeply held beliefs. Any inquirer or political agent will. Rather, as we will see, the criticism is that he brings these to inquiry from without. Insofar as Dewey bounds inquiry by some image of the democratic community, rather than develops ends from within inquiry, his arguments do not speak to all humanity and are less legitimate. However, in this section I argue that, according to both liberal and pragmatic proceduralists, democrats may make use of substantive arguments in certain contexts. In the next section, I will argue that Dewey's commitment to inquiry, and the democratic values that follow, do not collapse into an independent and prior commitment to a substantive moral doctrine.

Even the staunchest advocate for public reason does not deny that there is a place for argument from substantive moral doctrines. Once we acknowledge this, then the question is not whether Dewey makes use of appeals to liberal values, since he certainly does. As Westbrook notes, Dewey made use of virtually any argument he could find over the course of his long life (Westbrook 2007, 33). Rather, the real issue is whether it is appropriate to make such appeals in the public sphere – during campaigns, on the floor of the legislature, in the courtroom, etc.

Much of contemporary political theory descends from Kant's notion of public reason. Without going too far into this concept, Kant distinguished the public from the private use of reason. Reason is public insofar as it answered to no authority other than itself. The private use of reason is heteronomous, answering to some authority such as the Church or the Crown. It is restricted in the scope of its premises and what conclusions it is willing to accept. If one bases one's argument on religious authority, for example, one cannot speak to those of another faith, those who serve another master. Only insofar as I am willing to set aside these restrictions am I able to speak across traditions and

institutions and speak to all humanity on the basis of autonomous reason alone. The language of public reason is the tongue of angels, compelling others by virtue of their universal reason alone. Carried into the context of political justification, the conclusion is that only those political norms that transcend a prior commitment to some image of the Good or some political ideal are universal and binding. Normativity arises entirely within the process of political deliberation, not from the approximation of norms to some pre-political ideal.²

This provides a clue to modern deliberative Kantian theory like John Rawls' political liberalism. Rawls argues that we must refrain from basing our arguments on our comprehensive moral doctrine (CMD) out of respect for others as free and equal beings with comprehensive moral doctrines of their own. In any free society of sufficient size, there will be a plurality of reasonable moral worldviews. Therefore, when arguing publicly, we must refrain from making conversion to one's own doctrine a *de facto* requirement for agreement. If another must share my Catholicism (or liberalism, or Marxism, or any other CMD) in order to find my argument persuasive, then my argument is not fit for public debate. Rather, debate about fundamental principles of justice must respect all.

This might seem to imply that arguments from substantive moral belief are simply disrespectful. However, it is a matter of context. To eliminate such arguments in *all* contexts would be to destroy our moral traditions. It would be absurd to claim that Jesuits must refrain from arguing about Church doctrine and on the basis of their long hermeneutic tradition – unless, of course, we wanted that moral tradition to end.

Rawls makes room for substantive argumentation. Though all must use public reason when arguing in the public sphere and across doctrinal divides, believers of whatever doctrine are not required to use public reason when arguing among themselves. Nor are they required to affirm the principles of justice on the basis of public reasons. A Protestant may affirm them in the basis of a respect for the created individual, a Catholic because of an interest in social justice, a Muslim because of a belief in the values of mutual consultation (*shura*) and stewardship (*khalifah*), a liberal because of a commitment to liberty and equality, and so on. Admittedly, once one affirms the principles of justice, their value is not a function of one's CMD. But the process of internal argumentation that leads one to affirm these principles need not be the same for all traditions and it need not refrain from moral appeals.³

The importance of context holds for the pragmatic, epistemic defense of democracy as well. Misak frequently and openly uses both substantive and epistemic arguments in her defense of democracy. Arguing against laws criminalizing homosexuality, she writes:

They are bad laws for the first-order reason that they are oppressive and that they claim a harm to individuals and to society where there is no harm. And they are bad laws for the

second-order reason that they try to make the public ear deaf to the experiences of those engaged in what the moral majority takes to be a sordid way of life. (2000, 115)

Does this condemn Misak to the criticism that Talisse levels against Dewey – that she makes use of substantive liberal beliefs and is therefore not ‘epistemic’ enough?

Again, one must attend to the context, as Misak makes clear. The democrat turns to epistemic arguments once substantive agreement has failed. When speaking to a fellow liberal about homosexual rights, she does not begin by noting the performative contradiction of excluding the experience of homosexuals while also asserting the truth of ones beliefs. Rather, she says that it is a denial of the rights of privacy and self-expression. “Justification is something at which we arrive through open deliberation, but deliberation does not have to be open because we are all committed to the idea of the equal worth of persons.” (2000, 124–125) It is only when she must argue with someone who does not share a commitment to those rights that she must, possibly, shift to the epistemic level. It is a philosophical weapon of last resort.

What does this mean for Dewey? Clearly, the issue is not whether Dewey makes use of substantive arguments for democracy, but whether he makes these arguments while expecting to persuade those who do not share his democratic faith. Against Misak’s Schmittian fascist who rejects the ideals of equality, inclusiveness and social cooperation, Dewey’s liberal assumptions will have little traction. But this is not necessarily his audience.

Take *Liberalism and Social Action*. The argument from liberal ideals is apparent. He argues that liberal ideals of individuality and inquiry developed under unique historical circumstances. Those ideals continued of their own inertia, sedimented in the habits and institutions of liberal cultures. However, circumstances have changed as material life moved from agrarian to corporate. Appealing to fellow liberals, he argues that these values must find a new ground and a new articulation. If not, they are turned against themselves and the ideals of individual development and autonomy become corporate America’s excuse to deny workplace safety and a minimum wage. He pleads for fellow liberals to recover and reconstruct the best of their tradition. (LW 11: 1–67; LW 2: 290–294) Similarly, he confronts the coming of fascism in *Freedom and Culture* by demanding that democrats recognize the flaws in their *own* culture while they criticize events overseas. (LW 13: 98) In short, we may not exclude Dewey simply because he appeals to liberal ideals. Substantive and epistemic arguments are not mutually exclusive.

But perhaps I have damned Dewey with faint praise. Dewey’s critics may concede that substantive arguments have their place and are complementary to epistemic ones without losing the essence of their critique. If Dewey’s arguments appeal only to those who share his deepest ideals, then they do not have sufficient force in a pluralistic world where these ideals are widely

contested. If Dewey's defense of democracy is based exclusively on ideals independent of inquiry, then he is in fact vulnerable to Talisse's criticism. In the following section, I argue that Dewey's commitment to inquiry, and the democratic principles that follow, do not reduce to prior substantive commitments.

3. Democratic Ends and the Ends of Inquiry

For Talisse to be correct, Dewey must argue for a thick ideal and that inquiry is valuable only insofar as it produces the fixed ideals of Democracy or Growth. Further, this end must be valued independently of his commitment to inquiry. Dewey consistently fought the tendency of philosophers to take the products of inquiry and act as if they were antecedent to inquiry. Calling this "the philosophic fallacy," it would be a sad irony for Dewey to commit it.

In this section, I argue that Dewey's ideal of democracy is the result of – not independent and prior to – his commitment to inquiry. This account of inquiry is both more and less than Talisse believes. Inquiry includes more than those general norms derived from the assertion of belief. It is also the process of inquiry itself, which entails both the assertion of ends and their critical examination. It proceeds through the mutual constitution of ends and means that is the stuff of democratic inquiry. It is deliberation about ends, not merely the calculation of means to achieve the democratic end-in-itself. However, this account is also less than Talisse believes, because it does not require a prior commitment to a democratic, comprehensive moral doctrine.

Others have tried to reconstruct an epistemic argument from Dewey's thought. Perhaps the first to set us on this path was Hilary Putnam, who coined the phrase "the epistemological justification of democracy" in his "A Reconsideration of Deweyan Democracy." In it, he briefly sketches an argument that, of all forms of government, democracy is unique, as "it is the precondition for the full application of intelligence to the solution of social problems." (1992, 180) Only democracy provides the requisite conditions for knowledge, including the claim that as a form of public inquiry it is legitimate. Only democracy has institutionalized the methods of fruitful inquiry. "The need for fundamental democratic institutions as freedom of thought and speech follows, for Dewey, from requirements of scientific procedure in general: the unimpeded flow of information and the freedom to offer and to criticize hypotheses." (1992, 188) Only democracy offers the opportunity to articulate the good through a process of free and open inquiry. To be experimental is to be democratic, and vice-versa.

Robert Westbrook makes explicit use of Putnam's argument in his own reconstruction. However, in the course of his account, he still finds Dewey's "argument" thin enough to warrant scare quotes and writes elsewhere, "One cannot find in Dewey's considerable logical writings (or elsewhere) an *argument* that one could call a logical argument for democracy" (2005, 179)⁴ Nevertheless, Westbrook agrees that we can reconstruct such an argument and

that it provides resources for a deliberative theory of democracy. Further, he argues against neo-pragmatists like Richard Posner who sever the tie between pragmatism, democracy and epistemic values.

Elizabeth Anderson's reconstruction of Dewey's epistemic argument argues that his theory has the distinct advantage of valuing dissent and taking into account "the epistemic diversity of individuals." (2006, 11) This feature of Dewey's theory makes it superior to other epistemic models of democracy in that it accounts for both the epistemic power of democratic institutions and the ability of these institutions to self-correct. She argues that only democracy – and, specifically, a Deweyan version – can claim the epistemic superiority of its ideals while also seeing disagreement as a value rather than the failure to achieve consensus.

Referring directly to Westbrook and Anderson, Talisse rejects pragmatic-epistemic arguments derived from Dewey's thought as not "distinctively Deweyan." Even Westbrook's tempered support of a Deweyan, epistemic philosophy of democracy will expose him to critique. Though Dewey may share these 'Peircean' points that support a pragmatic-epistemic defense of democracy, it is argued, they do not display what is most essential to his philosophy of democracy.

Though I find Talisse's argument weak, I will defer my criticism until after we have a stronger presentation of Dewey's own position. Instead, let us turn to a discussion of an aspect of Dewey's thought that has not been integrated into the preceding reconstructions – an aspect that both protects Dewey from the charge that his democratic ideals are grounded in a substantive moral doctrine and yet remains distinctively Deweyan.

As noted above, it seems odd to accuse Dewey of having too thick a commitment to ends that are prior to and separate from inquiry. The number of texts in which Dewey argued that moral inquiry must model itself on the best of scientific inquiry, that ideals are internal to ongoing human practice, or that the assertion of absolute ideals is fruitless (if not wholly destructive) is extensive. To claim that Dewey took substantive ends to be fixed and beyond rational inquiry is to overlook an overwhelming amount of his writings, including his *Ethics*, *Human Nature and Conduct* and *Theory of Valuation*. Hence the impact of the pluralist objection: to accuse Dewey of being a dogmatist, even a sympathetic and democratic one, strikes at the core of his project. However, I argue that Dewey's democratic ideals are themselves internal to the transaction of means and ends that characterizes scientific-democratic inquiry.⁵

Dewey's critique of fixed ends is present throughout his collected works, but one particularly sharp argument is made in "The Nature of Aims" from *Human Nature and Conduct*. In it, Dewey argued that ends are a function of action, internal to practice itself. Dewey argued that fixed ends and the sharp division of goods have no place in scientific inquiry. Rather than accept an Aristotelian teleology wherein the end of activity is fixed by a species-nature, the ends must be developed by way of the deliberative process itself. These

ends-in-view are hypotheses proposed to resolve a morally problematic situation. Dewey did not believe in fixed ends, but favored provisional ideals that are instrumental to further inquiry. They direct ongoing practice in the hope of organizing competing goods, or images of the Good. This undercuts the well-worn dichotomy of means and ends, since the latter serve as means to present action.

As Peirce well knew, if we enter inquiry with fixed ends, at best the way of inquiry is blocked. The search for fixed ends-in-themselves that are unchanged by inquiry is ultimately fruitless. Moral deliberation begins in the need to resolve a concrete, problematic situation. If the ends were known and certain, there would be no need for inquiry, other than to determine what means to use to attain them. But ends-in-view are not only ideals to be sought, but also means to the resolution of problems. Values are hypotheses, put forward in a bid to integrate the varied competing goods already in play. For, if there were not competing goods, then there would be no morally problematic situation. The task at hand is to identify those goods that should predominate at this time and in that manner. Ends will be brought to present inquiries, as no particular inquiry arises *ex nihilo*, but that is not the same as bringing fixed ends to inquiry itself. Ends-in-view carried over from previous inquiries provide a relatively stable platform for future inquiry, but they are not beyond revision and critique. The assertion of fixed ends institutes a number of divisions into inquiry between instrumental and intrinsic goods, material and ideal goods, and natural and moral goods. Fixed ends may not be measured against one another and the needs of the situation, which “inevitably leads thought into the bog of disputes that cannot be settled.” (MW 12: 174)

At worst, fixed ends produce fanaticism. Adherence to eternal values expresses the fear that experience cannot regulate itself from within, to provide its own ideals. (LW 4: 204) The isolation of ends from means “leads to narrowness; in extreme cases fanaticism, inconsiderateness, arrogance and hypocrisy.” (MW 14: 157; see also MW 12:176 and LW 13: 226–236) The process of truth-seeking and its accompanying virtues are lost. To claim one End is beyond inquiry is to be willfully ignorant of the plural goods at hand and the plural effects of action. It is an attempt at rationalization rather than justification, “a refusal adopted in order that we may justify an act by picking out that one which will enable us to do what we wish to do and for which we feel the need of justification.” (MW 14: 158) Dewey holds that (if way may carry these comments to our context) any process of political justification must admit of a plurality of goods and show how the prioritization of one is not simply a ploy, a strategy designed to close one’s self off from the reasons and evidence offered by others.⁶

The fundamental failing of a doctrine of absolute ends is that such ends are not open to public scrutiny and result in instrumental reason. Untested preferences are taken to be absolute Truth and imposed on others. This has political implications, as fixed ends eventually line up behind the dominant

social institutions and sanctify the status quo. (LW 4: 211, 224) In short, “the doctrine of the isolated, complete or fixed end limits intelligent examination, encourages insincerity and puts a pseudo-stamp of moral justification upon success at any price.” (MW 14: 159) Political argumentation collapses into instrumental rationality or, as modern political operatives might put it, ‘spin’.

Democracy is “belief in the ability of human experience to generate the aims and methods by which further experience will grow in ordered richness.” (LW 14: 229) Dewey remarked that ‘democracy is radical’, in that within democratic practice, the end and the means are inextricably bound. (LW 11: 159–161) Dewey’s commitment is to that intuition which lies underneath public reason – reason that serves an external master is not truly rational. There is no authority outside of practice that can provide the norms of future practice. Faith in democracy is not instrumental, desiring it as a means to some independently valued end. Rather, faith in democracy is a commitment to the capacity for associated citizens to determine the principles by which they will interact and the ends they will collectively pursue.

When pressed to define an overarching end, Dewey notoriously wrote, “Growth itself is the only moral ‘end’.” (MW 12: 181) Overlooking the scare quotes, Talisse repeatedly states that ‘growth’ indicates a thick, substantive image of human flourishing, but he does not indicate what, precisely, that image is (2003; WP; see also 2007a, 44). In his own criticism of Talisse’s conception of growth, Shane Ralston has argued that “In his first formulation, Talisse identifies Dewey’s notion of growth with “the republican concept of freedom,” or the positive freedom to participate in politics; and in his second formulation characterizes it as a “moral vision of human flourishing” and “a species of *perfectionism*.” (2008; for the original citations, see Talisse 2003, 8; 2007a, 44) Rather than being too thin, ‘growth’ is taken to mean a thick conception of the good life akin to the communitarian vision of Michael Sandel.⁷

In fact, Dewey’s ‘fixed’ ends of democracy, growth or human flourishing indicate the generally teleological structure of inquiry. They are an acknowledgement that inquiry is immanent, dialectical and ongoing. The general end of inquiry is the elimination of doubt through the ideational and material reconstruction of the problematic situation. When the habits of inquiry are generalized and made part of the habits and institutions of a society, we term that ‘democracy’. When transformed through the process of inquiry, experience and the ends-in-view that partially constitute it have been deepened, enlarged and set into new and fruitful relations. Experience has ‘grown’.

It is difficult to conceive of a pragmatic model of inquiry – certainly not any Peircean model – that is not minimally committed to these ends of immanent growth and a democratic community of inquiry. However, this is a fundamentally different teleology than one grounded in a comprehensive moral doctrine. Most importantly, it does not posit a fixed human telos. Dewey shared Aristotle and Hegel’s immanent teleology. Ideals develop from within human practice and this process is taken up as an explicit object of concern in inquiry.

However, he differed sharply from them because he did not believe that development has a set goal, nor that it will ever conclude. Growth is immanent, yet without an End. This indicates the goal-oriented structure of inquiry but does not imply substantive ends outside of inquiry itself.

Dewey did not believe his liberalism and pragmatism to be mutually exclusive, as he understood himself to be part of an evolving tradition, one that was at its best when it was self-reflective, fallible and yet committed to the general end of human flourishing. Social inquiry and critique require ends-in-view, provisional ideals posited to organize the activity. Anyone involved in inquiry will make use of them, but we may not conclude that ideals like individuality, community and the virtues of inquiry are fixed ends rooted in a CMD. To cite Ralston again, “Commitments to experimentalism and fallibilism serve as operational requirements for the conduct of intelligent inquiry, not discrete values in a particular worldview, elements in a perfectionist theory of the good life or substantive limitations on the democratic process.” (Ralston 2008)

Specifically regarding the prior imposition of liberal principles of justice, Dewey wrote, “there is no antecedent universal proposition which can be laid down because of which, the functions of a state should be limited or should be expanded.” (LW 2: 281) That is not to say that such limits are meaningless. Rather, principles of justice such as the guarantee of basic rights and liberties are historically and experimentally funded tools for the regulation of political life. The flaw would be in weaving them on the level of pure theory and introducing them to the arena of democratic inquiry inviolate and whole cloth. Even if liberal ideals were to originate in a CMD, there is in Dewey’s work a deeper commitment to inquiry and to the fallibility of one’s system of beliefs.

In the context of inquiry, we are not required to exclude arguments that rely on reasonably rejectable beliefs. After all, it is difficult to find any substantial belief that is *not* contestable and, if the deliberators do not disagree over matters of substantial belief, then there would be no need for inquiry. As Talisse notes, this deliberative restriction regards the *types of reasons* that may be offered. What inquiry requires is that we not put forward any assertion that claims to be infallible or beyond argument.

As Talisse argued in 2003, commitment to inquiry requires that we exclude the fundamentalist, the violent, those who claim to have received an intuition or revelation, etc. It does not require that we exclude those with substantive moral visions. According to pragmatic epistemic standards, we are only required to be willing to subject our claims to opposing evidence and argument. We may not argue from fixed ends, substantive worldviews that are not open to scrutiny. However, we can – and must – argue with an orientation toward ends-in-view. The sheer facts that Dewey appeals to ends-in-view like that of an organic democratic community, and that this is contestable, do not result in the conclusion that Dewey has oppressed those who disagree. He would

if he were to claim that this end-in-view is fixed and outside of inquiry. But he does not.

Much of this depends on what is meant by “reasonable.” A pragmatic theory includes a concept of reasonableness that neither relies on a comprehensive moral doctrine nor refuses to accept any contestable outcome of inquiry. Concerning Dewey’s philosophy of inquiry and democracy, public justification requires that any doctrine he holds must be open to further inquiry if it is to be considered reasonable. It also means that we may not damn it as oppressive simply because another may reject it. For it to be an oppressive doctrine, it must undercut the process of inquiry itself. Under an overly broad definition, any “reasonable” person may reject any number of doctrines. Under a Rawlsian definition, “reasonable” is attached to the type of reason given in public debate. Citizens must offer reasons in terms that all citizens coerced by the law may accept. This denies appeal to one’s image of the good life, human nature, or the nature of reality. A pragmatic definition leaves room for substantive, yet contestable and fallible, doctrines. Dewey’s relatively thick commitment to democratic ideals retains a fundamental commitment to inquiry itself, a deeper commitment to the process rather than any particular outcome or vision of the good life.⁸

An unreasonable position is one that subverts the process of inquiry itself. Peirce provides four such blocks on the path of inquiry: assertions of absolute truth, the belief that there are foundational elements beyond analysis, the false hope that inquiry will ever end in a final formulation, and assertions of unknowability. (CP 1.135–140) The third block forms the basis of Talisse’s critique of a non-pluralistic philosophy of democracy. Supposedly, any assertion that inquiry is oriented toward mutual agreement violates the principle that inquiry has no conclusion. Underlying the pluralist objection is an attack on the Deweyan faith that, given enough time, enough sincerity and the proper method, there is hope that even the most deep-rooted disagreements may be overcome. This article of faith is said to run against the fact of reasonable pluralism, which entails that these basic disagreements are intractable, short of the use of ideology and violence. Unfortunately, a strong pluralism violates the fourth block on the path of inquiry – assertions that something is *in principle* unknowable. A Peircean philosophy of democracy must hold that the answer to the problematic situation is in principle attainable but, at the same time, must also hold that any answer we have may be false or that the search for the answer may always escape us.

What is minimally required of a pragmatic justification of democracy? In broad strokes, it includes a doubt-belief arc resulting in the formation of new habits / institutions, fallibilism about the outcome of any inquiry and openness when carrying forward these outcomes to future inquiries, and responsiveness to others’ evidence and arguments. On this basis, we may argue that political institutions and deliberation must embody free inquiry or they may not claim to embody the preconditions for true beliefs. Incorporating pragmatism into

contemporary liberal theory, Eric MacGilvray concludes, “The success of political liberalism in this regard should not be judged by its ability to forge a consensus on a particular set of public ends, but rather in its ability to engage in an ongoing process of inquiry” (2004, 177).

In Dewey’s *Freedom and Culture*, we see many of these elements of a pragmatic-epistemic justification of democracy – the arc of doubt-belief, the norms governing inquiry and demand that assertions of belief be open to evidence and argument:

[F]reedom of inquiry, toleration of diverse views, freedom of communication, the distribution of what is found to every individual as the ultimate intellectual consumer, are involved in the democratic as in the scientific method. When democracy openly recognizes the existence of *problems* and the need for probing them *as* problems as its glory, it will relegate political groups that pride themselves upon refusing to admit incompatible opinions to the obscurity which already is the fate of similar groups in science. (LW 13:135)

For Dewey as for Peirce (as reconstructed by Misak and Talisse) there is a certain isomorphism in scientific and democratic inquiry. The norms of both are the same, as is the exclusion of those who refuse to submit their truth-claims to public justification.

4. Charity as a Norm of Inquiry

Talisse predicts objections such as mine, that Dewey’s account of democracy is inherently self-reflective and constantly overturns its provisional ideals. (2007a, 46) However, his refutation is weak. The refutation has three parts and I will address the first before addressing the other two together.

First, he contends that the pragmatist’s argument that their account of inquiry is melioristic, fallible and self-reflective just shifts the problem of reasonable pluralism rather than truly confronting it. For example, responding to Charlene Haddock Seigfried, he argues that the Deweyan makes a prior judgment of what worldviews and participants will be allowed to inquire, a judgment that surreptitiously excludes anyone who does not share Dewey’s substantive commitment to democracy. “Seigfried has claimed that assembling an ‘appropriately diverse’ range of viewpoints is a precondition for proper Deweyan democratic inquiry.” (2007a, 47) Her modifier ‘appropriately’ then reveals a prior restriction on what viewpoints may be included in inquiry. There is a surreptitious act of exclusion underlying Deweyan inquiry.

However, this argument rests on a simple misreading. She lauds pragmatism for advocating “the actual inclusiveness of appropriately diverse viewpoints, including those of class, color, ethnicity and gender, as a precondition for resolving problematic situations.” (Seigfried 1998, 187–188)

Seigfried argues that we must include a wide variety of worldviews if we are to successfully *resolve* – not *begin* – inquiries. She does not claim that judgments of what is appropriately diverse are prior to and separate from the inquiry itself. In substance, this is consistent with Talisse’s own argument that inquiry must as broadly inclusive as possible, but even a Peircean position does not require universal inclusion. There is no more reason to believe that exclusions from inquiry would be grounded in a prior, unquestioned CMD.

Talisse also argues that (2) Dewey’s account of inquiry assumes a thick model of experience, one Darwinian in nature (2007a, 42–44) and (3) even if we may derive an epistemic defense of democracy from Dewey’s work – as we saw Westbrook, Putnam and Anderson attempt above – then there is nothing “distinctively Deweyan” about it. (WP) Quoting the work of contemporary Deweyans, he argues that Dewey’s theory of inquiry is inextricably bound to his broader theory of experience and of democracy as an ideal reaching beyond politics to all branches of social life. To isolate certain aspects of Dewey’s thought – say, his theory of inquiry, his account of means-ends transaction, or his identification of scientific and democratic reason – is to cut them off from his democratic comprehensive moral doctrine. (2007a, 48–52) One may not extract an epistemic argument from Dewey because all elements of his thought are wedded to his broader vision. On the other hand, Talisse contends, Peirce’s account of inquiry does not entail any *weltanschauung* and one may lift out Peirce’s theory of inquiry without leaving a scar.

So we may extract general norms from Dewey’s model of inquiry but, he argues, we will not find anything that we do not already find within a properly pragmatic – that is, Peircean – model. Rather than conclude that Peirce and Dewey share a pragmatic account of inquiry and both have something to offer any future pragmatic philosophy of democracy, he concludes that we owe the good to Peirce and the bad to Dewey, the procedural and epistemic to one, the substantive to the other.

I have attempted to argue that Dewey does, in fact, make a unique contribution to a pragmatic account of moral inquiry and democratic deliberation. Specifically, Dewey provides what Peirce does not: an account of the transaction of means and ends as an aspect of democratic inquiry. So we may not neatly conclude that anything of value that Dewey brings to a theory of inquiry was done first and done better by Peirce. (Not to downplay Peirce’s own great contributions.)

However, there is another response to Talisse’s charge that a Deweyan-epistemic defense of democracy is not “distinctively Deweyan”: It is uncharitable. Talisse borrows a number of rules of inquiry from Sidney Hook. (2005, 114–115; 2007a, 119) We may add another – be charitable in our interpretation of others’ positions. We may not make straw men of our opponents. Though stopping well short of a caricature, I believe that he has extended a certain charity to Peirce that he refuses to Dewey.

Talisse acknowledges that Peirce's architectonic goes well beyond his pragmatism. However, he simultaneously asserts that Peirce's pragmatism is the basis for the rest of his philosophy *and* that it does not result in any specific philosophical commitments. (2007a, 6) His theory of inquiry, it is argued, neither implies nor requires a *weltanschauung*. For example, Misak and Talisse deny that Peirce's model of truth requires a belief in an eventual consensus among the community of inquirers. In short, it is asserted that Peirce's theory of inquiry is "wholly detachable" from the rest. (2007a, 88) He claims that Peirce's pragmatism is the core of his project, but it is not clear that that is so.

They ignore the notion that inquiry begins in the failure of habits to fruitfully engage the external world or that the outcome of inquiry is a reconstituted habit, both of which have physiological and ontological implications. Peirce had clear metaphysical commitments, as when he asserted, "The one intelligible theory of the universe is that of objective idealism." (CP 6.25) One could argue that Peirce's pragmatism is the articulation of his scholastic realism, an attempt to understand the meaning of generals. Or that fixation of belief is part of the habit-forming process by which cosmic love produces a structured and self-reflective universe. I am not claiming that one must be a Scholastic Realist in order to accept Peirce's model of inquiry, but it is not *obvious* that Peirce's pragmatic theory of meaning may be hermetically sealed from his other substantive commitments, or that it is their foundation. Given that the pragmatic test of meaning and account of the doubt-belief arc are tucked away as a subset (to the sixth degree) of a philosophical system that Peirce believed would rival that of Aristotle, surely we cannot simply assume it may be lifted out without remainder.⁹

It is hard to contend that *any* element of a philosopher's work is "wholly detachable" from the rest. For example, though William James claimed that his pragmatism was separate from his radical empiricism, it is clear that they both manifest his search for a heroic and sympathetic engagement with lived experience. Similarly, Peirce's and Dewey's pragmatisms reflect the scientist / objective idealist or social reformer/educator. No part is wholly detachable from the whole if, by "wholly detachable" we mean "Able to move to new contexts, new sets of relations, without changing its meaning." Meaning is contextual and relational. Rather than saying that Peirce's model of inquiry may be removed without a scar, we would be better off saying that it may be carried over to other contexts to take on other fruitful meanings. Embedded in an idealist architectonic, a program of social reform or an account of political justification under pluralism, this model is going to manifest a different character. The question is not whether Peirce's or Dewey's account of inquiry is pure, but whether it may be relocated to engage fruitfully with new problematic situations. Dewey's can be, just as Peirce's can.

In criticizing Dewey, it is posited that any substantive philosophical positions must be the result of an independent, un-pragmatic commitment to an ontology, ethic, or democratic ideal. However, I have tried to argue that we may

interpret Dewey in much the same way that Talisse has interpreted Peirce – that Dewey’s substantive positions are the outcome of either a general commitment to inquiry or particular inquiries into morality, social psychology, politics and inquiry itself.

There is sufficient reason to believe that using *either* Peirce or Dewey for a contemporary political theory depends on a selective reading of their texts, that is, on the reader’s own charity. If, as William James believed, essences are teleological weapons of the mind, then we might say that what Talisse considers to be essentially Peircean or Deweyan is a matter of what use he hopes to make of each. To cordon off the procedural elements of Peirce’s thought from his broader architectonic and label them as the truly Peircean parts – the truly *pragmatic* parts – while denying that strategy to Dewey’s thought is uncharitable.

I contend that both offer important resources for a pragmatic philosophy of democracy capable of addressing modern pluralism. Peircean models will emphasize the strict, quasi-transcendental procedural norms embedded in inquiry generally, while Deweyan models will draw more from the outcome of concrete inquiries and emphasize the ongoing natural history of social inquiry itself. Or we might separate out those elements of Dewey’s and Peirce’s thought regarding inquiry in general from those that are more moral, social, anthropological and metaphysical. The former are more conducive to a pluralist and political liberalism while the latter might represent one of the many competing images of the Good that are debated within the framework of public, principled and experimental inquiry. We are by no means required to try them together.

Pragmatist political theorists are quite right when they plead for a pragmatic, democratic philosophy that is more than resentment of the varieties of neo-pragmatism or, to paraphrase Dewey’s “The Need for a Recovery of Philosophy,” a happy chewing of the cud of past pragmatic thought. I am deeply sympathetic with the effort and believe that pragmatism must engage our pluralistic world. However, I also believe it is odd that this venture would begin by consigning Dewey’s democratic thought to the dustbin of history.

NOTES

1. Ironically, his present Peircean theory accepts the exclusion of those who refuse to participate according the norms of inquiry. But, at that time, Talisse was an unrepentant Deweyan anti-pluralist. See Talisse and Aiken 2005.

2. For a fine account, see O’Neill 1986.

3. Many critics, including Cheryl Misak, have disputed Rawls separation of morality and public reason, but we need not follow that through here.

4. An earlier version of this reconstruction appears in Westbrook, 1998: 128–140.

5. For a parallel defense, see Pappas 2008, chaps. 12–13.

6. At the other extreme from absolutism is emotivism. When ideals are held to be outside deliberation, one is inclined to conclude that morality is a matter of emotion, taste or sheer preference – as “there is no disputing taste.” The valuable reduces to the fact of liking. Hence, absolutism and emotivism are two sides of the same position, mutually constitutive and mutually dependent upon a belief in fixed ends (LW 4: 205–212). Neither has space for public deliberation on contested goods.

7. The criticism that Dewey retains nostalgia for a certain type of local democracy has a long history. C. Wright Mills had perhaps the strongest version in Mills 1964. As a counter, see LW 13: 177.

8. For an incisive and sustained discussion of this point, see MacGilvray 2004, especially part 3.

9. Perhaps most significantly, as Robert Westbrook notes, Peirce himself certainly was no democrat and did not share Dewey’s belief that pragmatism had an internal relation to democracy (2005: 21–51, especially 27–28).

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