

Debate: Pragmatist Epistemology and Democratic Theory: A Reply to Eric MacGilvray*

CHERYL MISAK
Philosophy, University of Toronto

and

ROBERT B. TALISSE
Philosophy, Vanderbilt University

ERIC MacGilvray closes his “Democratic doubts: pragmatism and the epistemic defense of democracy,” with a summary of the pragmatist conception of democratic legitimacy that he endorses (pp. 17–8). He holds, roughly, that the legitimacy of democratic rule is due to the fact that democratic decision-making processes embrace the values of truth and equality (pp. 14–5). We are largely sympathetic with MacGilvray’s position. Hence we find it puzzling that he takes our pragmatist view of democracy as his principal target and foil. In this response, we will indicate where MacGilvray gets us wrong; explain how his position complements ours; re-articulate our understanding of the relationship between pragmatism and democracy; and show that our position offers something crucial that his does not supply. We should add that, although the two of us (Misak and Talisse) do not hold identical positions, we have been running on parallel tracks for some years. This is the first piece we have written together and if that results in a helpful modification of our positions, we thank MacGilvray for prompting that.

Confusion arises because MacGilvray blurs the elements of two crucial distinctions, one in democratic theory, and the other in epistemology. The first is the distinction between two projects: (i) accounting for *democratic legitimacy* and (ii) providing a *defense* of democracy. The second is the distinction between two phases of epistemic activity: (i) belief *acquisition* and (ii) belief *maintenance*. The view we endorse offers a *defense* of democracy by way of an account of the epistemic norms that are proper to belief *maintenance*. MacGilvray, however, treats our view as if it were proposing a theory of democratic *legitimacy* based on a conception of belief *acquisition*.

*The authors thank two referees and Eric MacGilvray for their constructive comments.

I. GETTING PEIRCEAN PRAGMATISM RIGHT

MacGilvray's criticism turns on matters in our epistemology and begins with Peirce scholarship. There is not enough space here (nor perhaps appetite on the reader's part) to sort out who has Peirce right, so rather than go back and forth on that, we will simply summarize our view.¹

MacGilvray correctly notes that our epistemology aspires to preserve the truth-aptness of moral and political beliefs/assertions without appealing to anything transcendental. The founding Peircean insight is that our doxastic practices—practices regulating belief and assertion—are sufficient to ground a cognitivist account of moral and political discourse; appeal to anything outside of those practices is superfluous and metaphysically spurious.² Ours is a naturalist view of truth in normative matters. It takes normative statements to be truth-apt, but takes the concept of truth to be tied to human cognition.

Our argument, which comes from the founder of pragmatism, C.S. Peirce, has it that aspiring to truth is a *constitutive norm* of belief. When we believe or assert something, we are claiming that it is true, and vice-versa—when we claim that something is true, we mean that it is worthy of belief or assertion (in some robust sense of “worthy”).

Although this insight lies at the heart of deflationary views of truth, unlike the deflationists, we see the conceptual tie between belief and truth-aspiration as providing a fundamental norm for epistemic conduct.³ If one finds that one's belief that p does not recede in light of evidence against p , one no longer is able to regard one's state with respect to p as properly a *belief*. In such cases, the diagnostic language of obsession, delusion, self-deception, and confabulation ought to be introduced to characterize the state in question.

A closely-related point emerges. The truth-aspiring nature of belief explains the incoherence of direct doxastic voluntarism, the impossibility of “deciding to believe.”⁴ As beliefs are constitutively truth-aspiring, one cannot produce the belief that p except by way of activity that one regards as sensitive to truth-indicators with respect to p , namely, reasons, arguments, and evidence. When the evidence for one's belief is challenged or becomes insufficient, one must take epistemic action—one must reflect, inquire, revise, or reconsider. When a belief persists in the face of defeating evidence it becomes unrecognizable as a belief—it begins to look like something requiring diagnosis. Of course, people frequently believe on insufficient evidence; indeed, they often hold beliefs for objectively bad reasons. We don't deny that. We claim rather that when one

¹See Misak 2004a and 2000 and Talisse 2007 for the exegetical details.

²CP 5.423. Citations to Peirce's writings refer to the *Collected Papers* and follow the standard formula: (volume number. paragraph number).

³For discussion of Peircean and deflationary views of truth, see Misak 2007.

⁴Williams 1973.

believes, one *takes oneself* to be responding appropriately to the relevant reasons. Hence a second constitutive norm of belief: reason-responsiveness.⁵

These constitutive norms come together in a proper formulation of Peirce's account of truth. MacGilvray joins a long line of commentators who mistakenly read Peirce as offering a theory according to which truth is "simply the ideal endpoint of inquiry" (p. 4). However, as one of us has argued,⁶ Peirce aims not to provide a *definition* of truth, but rather a *pragmatist elucidation* of the force of the truth predicate in discourse employing it.⁷ And that elucidation is not that truth is the ideal endpoint of inquiry, but that truth is what would really stand up to all the reasons and evidence. Peirce's point is that we (implicitly) employ the truth predicate whenever we adopt a belief or assert a proposition, and in doing so we affirm that the proposition believed or asserted will withstand scrutiny. Accordingly, when one calls a belief true one predicts that it is, and will remain, undefeated no matter how much further investigation we conduct.

Our pragmatist cognitivism arises from this epistemology. What it takes for a proposition to be truth-evaluable is for it to be the kind of thing that can be seen to be responsive to reasons and thereby vulnerable to rational scrutiny. That we could not recognize our normative beliefs *except* as truth-aspiring and reason-responsive grounds a cognitivist conception of moral and political discourse.⁸ What's more, the pragmatist cognitivist holds that *what it is* for a discourse to be cognitive is for there to be well-ordered practices of argument, deliberation, challenge, critique, and revision with respect to the statements within it.

II. THE PEIRCEAN-EPISTEMIC DEFENSE OF DEMOCRACY SKETCHED

We can now formulate our Peircean-epistemic defense of democracy. The overarching thought is that the constitutive norms of belief can be reliably satisfied only within the kind of social-epistemic environment that is secured under democratic political conditions. One can take oneself to satisfy the doxastic norms only if one can take oneself to be adequately reason-responsive. And one can take oneself to be adequately reason-responsive only if one can take oneself to be functioning within a social context that reliably allows access to reasons. Hence, the doxastic norms give rise to social-epistemic norms concerning the exchanging, sharing, and evaluating of reasons. This means that the processes by which people reason together must be formally secured—there must be free speech, free

⁵Misak 2004b, p. 12; Talisse 2007, p. 62.

⁶Misak 2004a; 2004b.

⁷Curiously, MacGilvray cites Misak's work on these issues approvingly (p. 4, n. 11), but nonetheless affirms the view of Peirce against which she argues.

⁸We read Dworkin (1996) as pressing a similar point concerning the objectivity of value judgments; as we read him, Dworkin's argument is that we must be cognitivists because our moral beliefs and judgments would be *unrecognizable* to us were we to adopt a non-cognitivist conception of them.

association, freedom of conscience, as well as various protections for dissent, disagreement, and protest. We then contend that the social-epistemic environment requisite for proper believing is best secured under democracy. Every believer thus has compelling epistemological reasons to embrace democracy.

There remains much to be said to flesh out this view. We hope enough has been said to show that some of MacGilvray's worries miss their mark. First, he claims that non-cognitivists (not that he is one himself) will simply deny that truth is the "ideal endpoint of inquiry" (p. 4)—they will hold that moral expressions have no truth value. But non-cognitivists have a case only if truth is taken to be supernatural—they don't have a case against our naturalist account of truth.

Second, he argues that pluralists (not that he is one himself) hold that some objective goods are incommensurable with others. But the pluralist can hold that this is a truth upon which we would all converge in the course of inquiry.

Finally, he argues that the fact that believers should concern themselves with the arguments and evidence relevant to their beliefs is "as sure a prescription for Cartesian skepticism as there could be" (p. 10). But Peirce rejected Descartes' *methodological* principle that we must begin by doubting all of our beliefs. Peirce's anti-Cartesian point is that we cannot doubt at will. This renders Cartesian doubt disingenuous;⁹ consequently, we must begin from the beliefs we in fact hold.¹⁰

MacGilvray seems to read Peirce as claiming that once a belief is in place, it is impossible to examine the grounds upon which one holds it without instigating doubt. Peirce did not hold this untenable position. The Peircean view employs a familiar distinction between *belief acquisition* and *belief maintenance*. Peirce's anti-Cartesian thought concerns only *belief acquisition*. He argues that we cannot acquire beliefs from scratch, nor can we abandon them all because of the sceptic's worries, and start from scratch. This does not mean that we cannot revise a belief when evidence and argument speaks against it. Once we have acquired a belief, it is subject to rational scrutiny, inquiry, and overturn by reasons and evidence. Accordingly, there is a difference between the acquisition-question "What should I believe?" and maintenance-questions like, "Why should I continue to believe this?," "What are the grounds for my continuing believing this?," and "For what reasons do others hold beliefs opposed to mine?"

Because he neglects this distinction, MacGilvray takes us to hold that because believers must examine and consider objections and arguments from all quarters, they must exist in perpetual doubt (pp. 9–10).¹¹ That is, although MacGilvray begins by attributing to us the claim that one must stand ready to consider *objections* to one's beliefs, he slides into the charge that, on our view, another's

⁹CP 5.264.

¹⁰CP 5.265.

¹¹Perhaps the "radical" in Misak's statement that "pragmatism supports a kind of radical democracy" has led him astray. Misak is happy, indeed, keen, to drop the "radical" if it leads to such misunderstanding.

mere assertion of a contrary belief must throw one into doubt. We hold that in order to see one's belief as satisfying the constitutive doxastic norms, one must take one's belief to be able to withstand opponents' objections. In order to do *that* we obviously have to hear what the opponents say, what reasons they have to offer. And it helps to live within a social order where reasons, arguments, and evidence can be openly shared, exchanged, contested, and evaluated.

III. MACGILVRAY'S DILEMMA FOR PRAGMATIST COGNITIVISM

We turn to the trouble MacGilvray attempts to make for our cognitivism. He poses a dilemma that he claims results from our being committed to two "conflicting intuitions" (p. 8). The first is that "truth claims, and claims to epistemic authority more generally, are rooted in the beliefs and practices of particular communities of inquiry, and can claim no deeper authority than that" (p. 8). The second is that "we must appeal to something more solid than our own 'parochial' beliefs and practices, if we are going to respond adequately to (what we take to be) the morally abhorrent beliefs and practices of others" (p. 8). MacGilvray presents the force of the dilemma:

[I]f our standards of rationality, and thus of justified belief, are context-bound, then so too must be our answer to the question of which beliefs have successfully withstood critical scrutiny, and which challenges to our existing beliefs we are obliged to consider. (p. 8)

This issue is indeed a pressing matter for any view that tries to be true to the fact that our beliefs are rooted in context and practices, and yet seeks to avoid the conclusion that there are no norms, no sense to be made of right or better or wrong or worse views. It is the problem faced by Hume, and every naturalist who came after him, including the pragmatists. We have each tried to work our way through this problem. MacGilvray thinks we have not managed to pull off the difficult balancing act between no justification at all or an appeal (we would argue, leap) to a transcendental argument. Let us try to make this difficult and precarious argument again.

MacGilvray continues:

It follows that we must either deny that standards of rationality are context-bound in this way—and thus abandon pragmatism—or else admit that there is no necessary link between the desire to hold true beliefs and a commitment to democracy in inquiry. (p. 8)

Rather than seeing this as a devastating dilemma, the pragmatist's very point is that it is the central problem in philosophy and in life. The central problem (which can threaten to be overwhelming) for value theory is the problem of validity. How can we make sense of our standards of rationality, truth, and value as genuinely normative while recognizing that they are profoundly human phenomena? How do normativity and authority arise from within a world of

human experience and practice? The pragmatist tries to walk a fine line between the transcendentalist who would like to prove the necessity of, in this instance, democratic principles, and the reductionist, who says that there is no normativity at all, but only what this, that, or the other person or community happens to believe or value. Like most pragmatists, we try to walk that line. One of us, early on in this venture, contrasted her attempt with the communicative ethics of Habermas and Apel. Their appeal to “inescapable presuppositions of discourse,” Misak argued, erred on the transcendentalist side.¹² MacGilvray contends that Misak cannot avoid being impaled by one of the horns of the “dilemma.” Perhaps this criticism holds of the view articulated in her 1994 paper. But her considered position is that we must hold certain core practices in order to recognize ourselves as the kinds of beings that we are. This could change—the norms aren’t necessary in any strong sense. But we would find it hard, to say the least, to do without them. These include the norm that, in order to make sense of asking a question about what is right, good, or just, we must take there to be an answer (or set of answers) that is right, and that we must aim at truth.

Another way of putting the point is that we must not slip from the claim that our epistemic norms are rooted in our practices to the quite different claim that those norms are entirely “context-bound.” Epistemic normativity is indeed “rooted in the beliefs and practices of particular communities of inquiry” (p. 8). How could it be otherwise? But this does not entail that our epistemic norms are “context-bound” in the sense of being contingent, optional, or merely how we go on. That truth-aspiration and reason-responsiveness are norms *for us*, and are rooted in what we do, does not mean that they are parochial or peculiar to particular communities of inquiry.

Constitutive epistemic norms are rooted in our practices, and answerable to nothing beyond them, but they are not thereby optional. That is, one can appeal to “something more solid than [one’s] own ‘parochial’ beliefs and practices” (p. 8) in criticizing the morally abhorrent beliefs and practices of others; one can appeal to the reasons, argument, and evidence. Of course, this could occasion disagreement. The pragmatist needn’t deny that. But the important point is that it is possible to have *arguments* about epistemic standards; and this is so precisely because the very point of such standards is to get matters right, and to enable believers to respond properly to reasons.

Hence, the link between the epistemic norms and democracy remains intact. In order to see our beliefs as genuine, we must be able to assess them as truth-aspiring and reason-responsive. This means that we must be able to see them as strong enough to withstand the scrutiny and criticism of other inquirers. And this means that we must be able to see our fellows as fellow *inquirers*—truth-aspiring and reason-responsive sources of arguments, evidence,

¹²Habermas 1990, p. 8; Misak 1994.

and objections. We must also be able to see ourselves and our fellows as functioning together within a social and political order that permits and supports proper epistemic activity. Our claim is that democracy is the order that best supports genuine epistemic activity.

IV. DEFENDING DEMOCRACY VS THEORIZING DEMOCRATIC LEGITIMACY

We next address MacGilvray's critique of our view of democracy. What we offer is a particular kind of pragmatist epistemic defense of democracy. A theory according to which some procedure produces legitimate (viz., collectively-binding) outcomes must draw implicitly or explicitly from some broader theory of the good, value, or point of democracy (understood as something beyond the decision-making procedure). MacGilvray refers to an "epistemic defense of democracy" (pp. 1, 7), a "defense of epistemic democracy" (pp. 1, 6), an "epistemic theory of democracy" (p. 11), and a "theory of democratic legitimacy" (pp. 2, 13) as if these named the same thing. But, at the least, we must disentangle the *defense* of democracy and the theory of democratic legitimacy.¹³

A theory of democratic legitimacy attempts to say why democratically-produced decisions are binding. It is mainly concerned to explain the duty to obey the law and the corresponding moral right of democratic states to enforce laws. Consequently, a theory of democratic legitimacy is often focused on those who find themselves on the losing end of a vote. The aim is to provide an account of the minority voters' obligation to comply with the outcome they oppose. Such theories are frequently *proceduralist* in that they are concerned to identify features of democratic and majoritarian collective decision procedures that account for the bindingness of their outcomes. A proceduralist theory of democratic legitimacy is *epistemic* when it incorporates into its account of the bindingness of democratic outcomes some consideration for the epistemic properties of democratic collective decision procedures. A *pure epistemic* theory of democratic legitimacy contends that the epistemic features of democratic procedures are sufficient to explain the bindingness of democratically-produced outcomes. *Mixed* epistemic theories combine epistemic and non-epistemic considerations in explaining the ability of democratic procedures to produce binding outcomes. MacGilvray's conception of legitimacy is of this mixed kind. He holds that democratic decision procedures combine *epistemic reliability* with a respect for *equality*, and this combination is sufficient to account for the bindingness of democratic outcomes (pp. 14–5).

MacGilvray takes us to be proposing a pure epistemic theory of democratic legitimacy. In fact, we are proposing an *epistemic defense of democracy*. A

¹³At times, Misak might have used "legitimacy" in a broad and non-technical sense (to mean roughly "proper"), but the distinction we call attention to here is always at least implicit in her work.

defense of democracy is not an account of the ability of democratic procedures to produce binding collective decisions, and it is not principally addressed to the problem of the minority voter. Rather, it is an attempt to defend the basic norms and institutions of a democratic society, to defend democracy as a social order. In this, we take our cue from Dewey, who held not only that “democracy is a way of life,”¹⁴ but also that the questions regarding the value of democracy’s familiar collective decision mechanisms—Dewey mentions “universal suffrage, frequent elections, majority rule, congressional and cabinet government”¹⁵—can be answered only in light of a conception of democracy as a *mode of social association*.¹⁶ One of us (Talisse) has criticized the particulars of Dewey’s democratic vision,¹⁷ but we accept the broader point that the procedural questions about democracy cannot be answered in the absence of a more general account of democracy’s *ethos*. Again, our argument is that each person has compelling epistemological reasons—simply in virtue of the fact that he or she holds beliefs—to embrace social and political norms best secured within a democratic order.

So MacGilvray’s “prima facie doubt” (p. 5) about our view is misguided. MacGilvray thinks it is a consideration against our view to say that “When I have to make an important decision . . . I do not follow anything like a democratic procedure” (p. 5). Our defense of democracy is not a defense of the thought that majoritarian procedures should govern all important decisions, for our view is not about procedures at all. Of course, when making an important decision, coin-flipping would be inadvisable *precisely because* one thinks that (i) important decisions should be driven by reasons, and (ii) through inquiry, examination, and sometimes deliberation with others, one can assess the reasons one has and perhaps access relevant reasons that are currently not in view. But this second commitment makes sense only if one can take oneself to be operating under social-epistemic conditions that are generally healthy. Once again, our claim is that these conditions are best secured under democracy. It is *not* the claim that democratic majoritarian decision procedures are especially epistemically reliable. But we needn’t deny that they are—indeed, our view would be the kind of mixed model that MacGilvray puts forward.

It might be helpful to characterize our project in a way that is not tethered to MacGilvray’s critique. Plato seems to have inaugurated the thought that once it is claimed that politics has to do with truth, democracy is doomed. This idea has proven highly influential—Hannah Arendt, for instance, holds that in politics “truth has a despotic character.”¹⁸ This sentiment has led many democratic

¹⁴LW 14:227. References to Dewey’s work are keyed to the *Collected Works* and follow the standard formula: (volume number: page number).

¹⁵LW 2:326.

¹⁶LW 2:325.

¹⁷Talisse 2007; 2011.

¹⁸Arendt 1967, p. 114.

thinkers to hold that truth—along with its companions such as justification, warrant, reason, and evidence—has no place in democratic politics. The starkest version of this view has it that political assertions are non-cognitive, the mere expression of preferences. And this truth-denialism about the statements made *within* democratic politics quickly percolates upwards to statements made *about* democracy itself, eventually leading to the conclusion that there really is nothing that can be said in defense of democracy that is not merely circular, a matter of making “one feature of our culture look good by citing still another.”¹⁹ We see this kind of view as implying a different kind of despotism, namely, despotism of the status-quo.²⁰

Our defense of democracy aspires to show how one can affirm that political discourse is truth-apt while resisting the Platonic inference to despotism. As we have already indicated, the core of our view derives from the Peircean insight that the concern for truth carries with it a broader concern for preserving the conditions under which one can view one’s beliefs as reason-responsive. The concern with truth is not simply the concern to have beliefs that are true, it is also the concern to *conduct oneself* in ways that manifest one’s concern for truth—a kind of conduct that requires there to be in place the social-epistemic environment that is best secured within a democratic order. Hence an arrangement under which a benevolent dictator or religious leader who unflinchingly delivered true political pronouncements would nonetheless *fail* to satisfy our epistemic goals concerning truth.

A final point emerges. Although we offer an *epistemic* defense of democracy, we do not claim that *moral* reasons are irrelevant to the argument for democracy. Nor do we claim that the epistemological reasons that we propose be the only reasons that *motivate* democratic citizens. Our strategy, rather, is to attempt to supply a defense of the democratic *ethos* that is as far as possible epistemic. This is because the moral values central to democracy—equality, liberty, autonomy, and the like—are often matters of great contention even among democrats. The epistemic norms to which we appeal, however, are far less controversial, at least in that anyone who wants to contest them will invariably have to *assert* that our view of these norms is not correct, and then provide *reasons* why we’re wrong.

There is a plurality of values at play in discussion of politics generally and in democracy specifically. This fact makes it appear to some that there really is no truth and justification to be had in the political domain. But on our view, what is reasonable could (and we think would) be an affirmation of a plurality of values. Our defense of democracy also aims to accommodate the constraint imposed by what Rawls called “the fact of reasonable pluralism”;²¹ that is, we

¹⁹Rorty 1989, p. 57.

²⁰See Misak 2000 and Talisse 2005, pp. 68 ff., for engagements with Rorty’s truth-denialism—a different kind of pragmatism, from which we keep well away.

²¹Rawls 2005, p. 36.

aspire to give a defense of democracy that is not reasonably rejectable, yet more forceful than flat-footed appeals to the going norms embedded within modern liberal democracies and their constitutions.

V. CONCLUSION

With the requisite corrections and distinctions in place, it is clear that our view is consistent with MacGilvray's mixed epistemic theory of legitimacy. Our view is able to embrace the idea that the bindingness of democratically-produced collective decisions is the product of the way that democratic procedures combine epistemic reliability with egalitarianism. That is, we are able to agree that "the grounds of democratic legitimacy are both moral and epistemic in nature" (p. 18). We are also able to affirm that in the course of politics, we may "revise our political practices in a less democratic direction," given that MacGilvray here means simply that we may revise our collective decision procedures in ways that are less majoritarian and more reliant on expert judgment. We also agree that "not all objections to our existing beliefs give us reason to doubt them" (p. 18); we have argued that querying the grounds upon which one believes that *p* is consistent with holding that belief.

We think that MacGilvray's essay is ultimately constructive. With his misreading corrected, we see that his view of democratic legitimacy nicely complements our epistemic defense of democracy, and that the "four notable differences" (p. 18) MacGilvray catalogues between his view and ours are not differences at all. We agree with him, and thus with Anderson and Knight and Johnson, that democracy makes better use of socially distributed knowledge than its rivals (p. 11).²² We also agree that in the course of self-government, we will confront situations requiring trade-offs between our epistemic goals and our other values. As we have argued above, our epistemic defense of democracy addresses a different but related matter. It takes a step back and asks what we can say to and about those who would turn away from taking the views of others seriously, or who would entirely give up on democracy because they deem some particular outcome egregious. Unlike many of our rivals in democratic theory, we think it important to have something to say to anti-democrats. Our view holds that those who would turn their backs on democracy in favor of an autocracy, in favor of a religious hierarchy, or in favor of a might-makes-right regime, are failing to see that they betray their own practices of arguing, asserting, and defending their views, big and small. For as soon as one engages in the practice of giving and asking for reasons, one manifests one's commitment to the assessment of reasons and to the considering of reasons, whether they come from a powerless group, from the religiously misguided, or from the despised. One also

²²Anderson 2006; Knight and Johnson 2011.

manifests one's commitment to preserving a social-epistemic environment within which reliable assessments of this kind can be made. We hold that these epistemic commitments supply individuals with independent and compelling grounds for embracing democratic social and political conditions.

This prompts a final thought. MacGilvray concludes by mentioning a "likely objection" to his view: "a contextualist and reformist account like this one provides only weak critical leverage against (what some take to be) an objectionably undemocratic status quo" (p. 19). He thereby gestures towards the very point of our epistemological defense of democracy. By relying only upon constitutive doxastic norms, our view supplies the critical leverage MacGilvray's conception of democratic legitimacy lacks. In a world where the overarching *ethos* of democracy is increasingly under attack, the pragmatic import of the kind of defense of democracy we have proposed is difficult to overstate.

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