

Chapter 4

Folk Epistemology and the Justification of Democracy

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4.1 Introduction

Imagine a society in which the legitimacy of the government is held to rest, at least indirectly, upon the consent of those it governs. Imagine further that action on the part of both the government and the citizenry is constrained by a set of rules specified in a public constitution. This constitution contains procedural provisions not only for holding elections, dividing authority, checking power, and punishing abuses, but also for its own revision. Additionally, let us say that the constitution specifies a menu of individual rights and liberties. This menu specifies rights to hold and exchange property, to privacy, to equal protection under the law, to due process, and so on. In addition to these, the constitution also identifies rights of conscience. Individuals in our imagined society enjoy freedoms of thought, expression, assembly, petition, and religion, all within the constraint that each is entitled to as extensive a share of such liberties as is consistent with there being an equal share for all.

Under conditions secured by such a constitution, it is natural to expect there to emerge a vibrant civil society of varied organizations and groups directed to a diversity of ends. Accordingly, citizens will belong to or participate in a range of voluntary and affective associations, from religious groups, ethnic organizations, and political alliances to social clubs and cliques. One result of this is that a variety of moral doctrines will flourish in the society. We should expect that our imagined citizens will not share a common collection of moral commitments.

It seems suitable to suppose further that citizens will take such commitments to be *basic*. Each citizen will take his moral or religious doctrine to specify values, aims, and ends that are *fundamental* to living a proper life. Moreover, we should expect that the varied moral doctrines that thrive among citizens do not form a consistent set. Our imagined citizens will *disagree* over fundamental matters of right, obligation, good, virtue, and justice. Of course, we should expect that many, if not all, of the doctrines endorsed by citizens will include a conception of toleration for opposing views. But we should also expect the notion of toleration to be interpreted differently by each doctrine. Within every doctrine there will be a discrimination made between opposing doctrines that are acceptable objects of tolerance and those that are beyond the pale, so to speak, and therefore *intolerable*. Hence we may specify for each doctrine

the *scope* of its conception of toleration. On some doctrines, toleration will be construed very broadly, and thus very few opposing doctrines will be taken to be underserving of tolerance. Other doctrines will contain a narrow conception of toleration, extending tolerance only to those opposing doctrines that are very close relatives to themselves. There will of course be a wide variety of positions in between these two poles. Thus citizens will differ not only at the level of their substantive doctrines of the good; they will also disagree about which sub-optimal moral and political arrangements are even tolerable. Given this, there will be not only *disagreements*, but *conflicts* among citizens holding different doctrines.

Finally, let us suppose that *pluralism* obtains. That is, let us suppose that there is a plurality of moral doctrines that conflict with each other but nonetheless individually meet some loose conditions for minimal plausibility. Let us say that a doctrine is minimally plausible if it is internally coherent, is able to speak to the normal range of moral phenomena, seems based in a reasonable conception of human moral psychology, can proffer moral prescriptions that can guide action, and is supported by a range of considerations typically thought to be relevant to the justification of a moral doctrine. The presumption of pluralism, then, comes to this: For every citizen holding a plausible doctrine, there are other citizens holding opposed but also plausible doctrines.

To be clear, pluralism in this sense is neither relativism nor skepticism. Rather, pluralism is the strictly descriptive thesis that, at present, there are many rationally defensible moral doctrines. Given that pluralism obtains, conflict among citizens over fundamental commitments is not only inevitable, but many such conflicts are, at least at present and probably for some time to come, rationally irresolvable. Consequently, the fact that citizens disagree at the level of plausible doctrines does *not* indicate that at least some citizens are irrational, foolish, or benighted. Pluralism means that reasonable, intelligent, and sincere persons operating under favorable epistemic conditions can come to different defensible conclusions about fundamental questions. Under conditions of pluralism, then, consensus at fundamental levels is a signal of irrationality, insincerity, or even, as John Rawls held, oppression (1996, p. 37).

To fix ideas, let us say that this society instantiates a kind of political order that we will call *constitutional democracy*, or just *democracy* for short. If we are willing to allow that this imagined democracy resembles our own in the relevant respects, then we must confront a potentially crushing dilemma. The idea that political legitimacy rests upon the consent of the governed calls us to articulate principles that provide the justification for our government. The fact, however, that citizens are deeply divided over fundamental commitments renders any such principles contestable and therefore unlikely objects of widespread agreement. It seems, then, that the very liberties that constitute the core of democracy render the democracy's own conception of legitimacy unsatisfiable. Call this the paradox of democratic justification.

It may appear that the paradox is of little consequence for the real world of democratic politics. But this is not the case. Contemporary democratic societies are plagued with controversies that emerge from the need for a democratic political order to justify itself to a morally conflicted citizenry. Consider two examples drawn from the United States.

(A) The Science Curriculum

Throughout the United States, citizen groups and various religious organizations have fought to introduce referenda regarding the State-controlled science curriculum in public schools. According to many citizens, the theory of evolution, the cornerstone of modern biology by any reasonable measure, conflicts with their fundamental commitments concerning the origins, nature, and purpose of human life. In fact, according to some citizens, the theory of evolution is not simply *incorrect* in its account of life, but is in addition morally and intellectually corrupting. Given the compulsory nature of primary and secondary education, citizens demand that the curriculum of the public schools reflect – or at the very least not *undermine* – the values and commitments of the communities they serve.

Biologists and other science advocates contend that the evidence in favor of evolution is overwhelming, and that the duty of a science curriculum is to impart science's best understanding of the truth. Opponents have countered that the theory of evolution is in fact *not* the best understanding of biological life, and have contended that a competing theory, the theory of intelligent design, is a viable competitor. They have thus called for a curriculum that gives equal time to intelligent design theory, insisting that the biology curriculum should "teach the debate." Biologists have responded that intelligent design is *not* properly a scientific theory and hence *not* a viable alternative to the theory of evolution.

(B) Same-sex Marriage

In 2004, 12 states placed on their election ballots referenda calling for amendments to their respective state constitutions to officially define marriage as a relationship between one man and one woman, thereby blocking marriage among same-sex couples. Much of the opposition to gay-marriage is driven by the moral commitment, shared by many religious citizens, that homosexuality is a grave moral evil, and therefore something that the state should not endorse. According to such citizens, extending marriage to same-sex couples is tantamount to *morally validating* homosexual relationships, something they feel morally compelled to oppose.

Advocates of gay marriage contend that the issue has nothing to do with the morality of homosexuality, but is instead a simple question of justice. Advocates hold that legal equality demands that the same rights and privileges available to heterosexual couples by way of the institution of marriage must be available to all citizens, regardless of sexual orientation. To restrict marriage to heterosexual couples is to discriminate against homosexuals on the basis of a morally irrelevant characteristic, which is blatantly unjust.

For each case, a political decision must be made that will affect persons on all sides of the dispute. And in each case the legitimacy of the decision reached rests ultimately upon the success of the justification for the decision that can be offered to all affected parties. However, each party to these disputes understands the controversy in question to implicate some value that they hold as *fundamental* and hence *inviolable*. Hence the conflict is intractable unless at least one party is willing to compromise its fundamental commitment.

For those who understand the conflicts in this way, no resolution that does not fully reflect their own values is morally acceptable; yet *something* must be done, and in each case *some* party's most fundamental values will lose out. Hence the paradox: legitimacy requires that democratic decisions be justifiable to all citizens, but when citizens are deeply divided at the most fundamental moral levels, they are also divided over what constitutes a successful moral justification. And so it seems that democratic justification – and thus democratic legitimacy – is impossible when citizens are divided at the level of basic moral commitments.

Rawls proposed his 'political not metaphysical' (1985, 1996) interpretation of constitutional democracy in response to this paradox. Rather than attempting to articulate a moral foundation for democratic politics, Rawls's *political* liberalism aspires to formulate the core commitments of liberal democracy in a way that "stays on the surface, philosophically speaking" (1985, p. 395) by implicating no controversial moral doctrine in particular. The hope is that such a formulation can be the focus of an overlapping consensus among reasonable persons. Where an overlapping consensus exists, citizens holding disparate and incompatible moral doctrines nonetheless freely endorse a common conception of justice because each supplies moral reasons in support of that conception that draw from his or her own moral doctrine.

But the Rawlsian strategy, though ingenious, seems increasingly fragile. Since deep moral controversy permeates contemporary democracy, the search for a political theory that can "avoid philosophy's longstanding problems" (Rawls 1996, p. 10) is Quixotic (Dworkin 2006, p. 65). Dworkin's response is to propose a full-on philosophical defense of a moral and universally accepted conception of human dignity (2006, p. 160f.). Dworkin's contention is that this conception of human dignity entails characteristically democratic political commitments (2006, p. 144f.).

I cannot engage Dworkin's arguments here. I can only assert that Dworkin's conception of human dignity and his claim that this conception is normatively basic are contestable. Consequently, he does not resolve the paradox of democratic justification.

In this chapter, I will sketch an approach to democratic justification that accepts the fundamental Rawlsian insights that (a) the very freedoms that are secured by democracy give rise to a multiplicity of plausible moral doctrines that conflict with each other, and (b) that this 'reasonable pluralism' means that any straightforwardly moral justification for democracy cannot succeed. However, my account also rejects the Rawlsian response of attempting to articulate a 'freestanding' account of democracy. To use the Rawlsian terminology, I shall sketch a comprehensive view of democracy that nonetheless duly accommodates that fact of reasonable pluralism. The way to accomplish this, is not to look to moral principles that may underwrite our democratic commitments, but to *epistemic* principles. In particular, I shall argue that there is a set of epistemic commitments that we hold in common, no matter how deeply we are divided over our moral doctrines. I refer to these commitments as *folk epistemology*.

4.2 Folk Epistemology

By folk epistemology, I mean something analogous to what philosophers of mind call folk psychology. *Folk psychology* refers to the “prescientific, common-sense conceptual framework that all normally socialized humans deploy in order to comprehend, predict, explain, and manipulate the behavior of humans and the higher animals” (Churchland 1994, p. 308). Folk psychology is manifest in the “everyday psychological discourse we use to discuss the mental lives of our fellow human beings” (Dennett 1996, p. 27), and employs a collection of familiar concepts such as *belief, intention, desire, pain, memory* and so on. The man on the street exhibits an amazing facility with philosophically unwieldy concepts such as belief, intention, understanding, and ‘seeing red’. He will with remarkable confidence attribute to himself and to others such complex states as ‘believing that Orcutt is a spy’, ‘wanting a sloop’, and ‘intending to read *Waverly*’. Folk psychological categories are so entrenched that they are frequently taken as the *explananda* of the philosophy of mind. Thus, accounts of the mind that deny that there is, for example, a ‘what it’s like’ to see red are, in the eyes of many, *ipso facto* inadequate.

Analogously, the term *folk epistemology* is intended to capture the epistemic practices of the man-on-the-street, the pre-theoretical and intuitive epistemic commitments that are so deeply embedded in our cognitive lives that it is the task of professional epistemologists to explain them and render them systematic.¹

In this section, I will sketch the fundamental contours of folk epistemology. For my limited purposes here, it will suffice if the description that follows resonates with the reader from her own first personal perspective. That is, for each characteristic commitment of folk epistemology, I ask the reader to ask herself whether her own epistemic practice acknowledges the commitment. Analysis of our second and third personal epistemic assessments – how we evaluate the epistemic states and commitments of others – is a matter that cannot be engaged here.

We may begin with what I hope seems a truism:

1. *To believe that p is to hold that p is true.*

Since we are articulating *folk epistemology*, we must avoid putting too fine a point on the constituent concepts: belief, proposition, and truth. Yet we can say that a proposition is a statement about the way the world is. A belief is the state of affirming that some proposition is true. And, as Aristotle taught us, a proposition is true if and only if it says of what is the case that it is the case.

We can cash out Aristotle’s nearly empty insight about truth in proto-Peircean, non-metaphysical terms: To say of a proposition that it is true is to say that it will square with the best reasons, evidence, and argument. Of course, this is not to say that

¹This helps to explain why the standard analysis of knowledge as justified true belief has been with us since Plato: the idea that true belief is not sufficient for knowledge, and that one needs in addition *reasons* or *evidence*, resonates deeply with our pre-theoretic understanding of knowledge. This is also why the Gettier-problem, which shows that there are cases of justified true belief that we are nonetheless drawn to say are *not* cases of knowledge, is so shaking.

the truth of a proposition consists in its squaring with the best evidence.² Any viable conception of truth will hold that a true proposition will square with the best reasons and evidence. Hence, when one believes that p , one takes oneself to have sufficient reasons for p 's truth. Similarly, when one discovers that one has no good evidence for p , one's belief that p typically recedes. As we say, beliefs aim at truth, and this aiming consists in the attempt to square beliefs with evidence and reasons. Thus:

2. *To hold that p is true is to hold that it is supported by the best reasons, evidence, and arguments.*

Folk epistemology countenances a fairly strict symmetry between belief and assertion such that to assert that p is to indicate or express your commitment to the truth of p . However, as assertion is characteristically public, to assert that p is incur a prima facie epistemic obligation to provide the basis of your judgment that p if called upon to do so. Generally, when one asserts that something is so, one presents oneself as having reasons for that declaration that one can articulate. That is, to make an assertion is to open the logical space of giving reasons; it is to undertake the project of justification. Hence:

3. *To hold that p is supported by the best reasons, evidence, and arguments is to incur the obligation to articulate one's reasons, evidence, and arguments when called upon to do so.*

However, in supplying the justification of one's beliefs one simultaneously opens oneself to challenge. One's reasons can fail. The logical space of giving reasons is a dialectical space in which one could find that one's justification comes up short, and that one must change one's belief. So:

4. *To articulate one's reasons is to enter into a social process of reason exchange.*

In this way, folk epistemology is *actional* rather than *contemplative*. It understands the fundamental cognitive categories in terms of the activity of truth-seeking; it contends that epistemology is something that we *do*. Accordingly, folk epistemology differs importantly from many forms of epistemology proper. Epistemology is often focused exclusively on the evaluation of beliefs, Folk epistemology, by contrast, seeks also to evaluate believers. As it sees believing as the exercise of a certain kind of agency, it recognizes that epistemic evaluation in part concerns one's epistemic character. One's epistemic character is comprised not only of cognitive skills – such as the ability to concentrate or to reason effectively – but also of one's dispositions towards the process of justification itself. Someone who is cocksure and dismissive of counterarguments is as epistemically blameworthy as someone who is especially prone to the fallacy of affirming the consequent. Both are ways of failing at the epistemic enterprise, regardless of the fact that being dismissive or committing a fallacy may sometimes lead one to believe the truth. Thus:

²Such a view is commonly attributed to Peirce. It's probably the case that Peirce in fact did *not* hold this view. On the issue of Peirce interpretation, see Misak (2004a).

5. *To engage in social processes of reason exchange is to at least implicitly adopt certain cognitive and dispositional norms related to one's epistemic character.*

Here we have, then, a rough description of folk epistemology.³ These principles are well entrenched in the pragmatics of everyday conversation. When you make an assertion, your colleagues are typically entitled to ask for your reasons. When the assertion is especially mundane, mundane reasons typically will suffice, and the process of reason exchange will be exhausted quickly. In other cases, the exchange may extend to several rounds. Of course, the process of justification must end somewhere, and there is indeed a point at which it would be inappropriate for an interlocutor to press further. But even in such cases, the inappropriateness does not derive from there being a point at which your interlocutor *owes* you epistemic deference or *must* acquiesce in your say-so. It is, rather, a matter of etiquette, politeness, or prudence. Similarly, to respond with hostility or indignation to *any* request for reasons is not merely rude, it also betrays a failing of epistemic character: someone who routinely refuses to enter his reasons into the dialectical space in which they may be evaluated betrays an insufficient concern for the truth of his beliefs.

4.3 An Elaboration of Folk Epistemology

Perhaps it may seem that folk epistemology applies only to uninteresting factual assertions. No so. The phenomenology of moral belief and assertion also squares with its tenets. Persons who disagree about, say, abortion or the justice of a war do not take themselves to be simply expressing different preferences, or prescribing attitudes, or trying simply to persuade. Moral argument aims to win agreement for the right reasons; it aims to convince by means of reasons and arguments that indicate the truth of some judgment. When we discover that we disagree about some moral issue, we may of course elect to bracket the disagreement or change the subject, but, again, this is not an epistemic requirement. Quite the contrary, when we discover that we disagree, each of us infers that the other has made some kind of mistake, a mistake that reason, evidence, and argument could, at least in principle, correct. And if the setting is right and the issue important, we proceed to engage each other's reasons.

To be sure, this is not to deny the existence of demagogues. It is not to deny that moral discourse can be engaged for manipulative purposes. What is being claimed is that sheer moral rhetoric cannot present itself as such. The sophist who is interested only in persuasion cannot confess to his audience that he has no concern for the truth of his position. To announce to an interlocutor, 'I am trying by means of sheer rhetoric to persuade you of p , but I have no reason to think p is true' is to lose all chance of success. The transparent sophist is doomed. Why should this

³My characterization of folk epistemology bears certain resemblance to Habermas's views about the pragmatics of discourse. I address below a crucial difference.

be except for the fact that we take our moral beliefs, and our sources of moral instruction, to be answerable to the general folk epistemic tenets above?

Someone may object here that my analysis is undermined by popularity of moral relativism. After all, the newly appointed Pope has warned of an encroaching “dictatorship of relativism,” and President Bush has echoed his concern.⁴ The thing to note is that relativist maneuvers are most often employed as moral conversation stoppers. When someone says ‘It’s all just a matter of opinion’, he is not admitting that his own opinion is no better than yours, and he is not saying that it makes no difference to him that he believe one thing rather than another; instead, he is saying, ‘Let’s not discuss this further’. But why should an alleged moral relativist be so eager to eschew moral discussion? On the relativist view, remember, there is literally nothing at stake in moral discourse, so why be so adamant in avoiding it? The fact is that there is something at stake in moral discourse. If we find that some moral assertion of ours is without support, we shall have to change our belief. But we are invested in the truth of our moral judgments, and this explains the many mechanisms that we deploy in order to avoid discussion of these commitments in the presence of potential critics. To be sure, we skirt around difficult and controversial issues for the sake of civility and politeness; but it is precisely our individual commitment to the truth of our own beliefs on such matters that makes disagreement potentially volatile and uncivil. [Au1]

Notice that current modes of political discourse are couched in strikingly epistemic terms. In the United States and elsewhere, television news channels profess to offer ‘no spin zones’ and ‘fair and balanced’ reporting that is ‘accurate’ and ‘trusted.’ Popular books of political commentary, the publication of which is now a multi-million dollar industry, claim to expose ‘lying liars’ and various other agents of ‘fraud’, ‘illusion’, and ‘deception’. Similarly, critiques of the media target ‘bias’, ‘slant’, and ‘propaganda’. Popular criticism of George W. Bush, both in the United States and abroad, focuses almost exclusively on his intelligence, truthfulness, and judgment. Representatives and pundits are commonly criticized for being blindly loyal to a prefabricated party line and thus irresponsive to the arguments and reasons offered by the opposition. And the new mode of political activism practiced by Michael Moore and others is compelling precisely because it claims to use truth as a weapon against power.

For the most part, this epistemic self-image is merely an image. Claims to epistemic fairness, trustworthiness, and honesty function mostly as slogans that serve marketing objectives. However, in light of the market pressures operative in the media industry, we must conclude that such slogans are effective. And these slogans are effective precisely because citizens tend to hold that reasons, evidence, argument, and truth matter for politics.

⁴ At an address to a Catholic group, President Bush said, “we risk sliding into a dictatorship of relativism where we can no longer defend our values” (May 20, 2005 address to a National Catholic Prayer Breakfast, <http://www.whitehouse.gov/news/releases/2005/05/20050520.html>, accessed March 24, 2007).

4.4 How Folk Epistemology Justifies Democracy

If you will grant that the foregoing characterization is roughly accurate and not simply a distillation of our local epistemic folkways,⁵ then we are well on our way to justifying democracy. The argument is intuitive. Only in a democracy can an individual practice proper epistemic agency. As we have seen, believing and asserting commit us to certain epistemic activities. More specifically, that we hold beliefs commits us to the activities associated with the open exchange of reasons and evidence. These activities can be engaged only within a political context in which individuals are afforded certain protections and liberties. Furthermore, these activities require us to acknowledge each other as participants in the epistemic enterprise of justification; we owe to each other reasons. Proper believing hence requires not only that we tolerate criticism, but that we actively seek it out. There are no a priori experts that are beyond question and no fixed epistemic hierarchies that are beyond challenge. We are equal participants in the enterprise of justification. Thus epistemology justifies democracy in this sense: only in a democracy can we live up to our folk epistemic commitments. Insofar as our moral doctrines, however opposed they may be, bid us to make informed and epistemically responsible moral judgments, each of us has a compelling reason to endorse a democratic political order.

4.4.1 Folk Epistemology and Deliberative Democracy

The folk epistemic justification of democracy fixes a specifically *deliberative conception* of democracy. Deliberative conceptions of democracy reject the idea that democracy is strictly a formal procedure by which individual preferences are fairly aggregated according to a majoritarian decision rule. Deliberativists contend that the essence of democracy lies in processes of public deliberation and debate.

There are, to be sure, several versions of deliberative democracy in currency. The version that is entailed by folk epistemology has advantages over many of its competitors. Although I cannot launch a full argument for this claim here, allow me to contrast my view with two influential versions of deliberative democracy.⁶

⁵I have not argued this here. A full argument of this claim lies beyond the scope of this chapter. However, I do think that there are good reasons for thinking that my characterization of folk epistemology is not provincial. In highly authoritarian societies where individuals really do defer to the authority (rather than merely act as if they defer), they do so precisely because they (mistakenly) invest epistemic authority to the ruler, or party. Similarly, it is impossible to imagine a hunter-gatherer society surviving if its members did not hold the general epistemic commitments to evidence outlined above. Again, these considerations do not suffice to quell with worry of provincialism, but they point in the direction of the more extended argument I would deploy.

⁶My position obviously is allied most closely with Cheryl Misak's; see Misak (2001, 2004b) and her contribution to this volume.

Citizens who owe one another justifications for the laws that they seek to impose, according to Amy Gutmann and Dennis Thompson, must take seriously the reasons their opponents give. Taking seriously the reasons one's opponents give means that, at least for a certain range of views that one opposes, one must acknowledge the possibility that an opposing view may be shown to be correct in the future. This acknowledgement has implications not only for the way they regard their own views. It imposes an obligation to continue to test their own views, seeking forums in which the views can be challenged, and keeping open the possibility of their revision or even rejection. (Gutman and Thompson 2000, p. 172)

When Gutmann and Thompson are pushed on the question of why citizens must "take seriously" each others' views, they offer an account that presumes a commitment to characteristically democratic moral values such as reciprocity, publicity, and accountability (2000, pp. 167–170). These values are, they claim, "partly independent" of the deliberative process, but they nonetheless constrain it (1996, p. 366, n. 18).

But what warrants this presumption? Gutmann and Thompson are clear that their model of deliberation will preclude the positions of those who advocate racism (1996, p. 69) and those who "claim that God is speaking literally through the Bible". They contend that such views are beyond the pale of democratic discussion because the reasons offered in their support "can be shown to be rationalizations" (1996, p. 70). This invites the objection that their deliberativism is in fact rigged to favor the kinds of positions that they happen to support.⁷ And so their justification of democracy is circular, it presumes the validity of democratic values. This is, to be sure, an ironic difficulty for a view that is motivated by a perceived need for citizens to "reason together to reach mutually acceptable decisions" (1996, p. 1) when confronted with deep disagreement.

By contrast, the view I am advocating does not presume an antecedent agreement upon a set of values, but begins with the folk epistemic practices of justification. We must take seriously opposing views because truth-seeking requires this.

Consider next the discourse-theoretic view of Jürgen Habermas (1990, 1996), according to which democracy is a necessary presupposition of all proper communication because communication itself requires that "participants coordinate their plans of action consensually, with the agreement reached at any point being evaluated in terms of the intersubjective recognition of validity claims" (1990, p. 58). This entails that radically antidemocratic speech involves what Habermas calls a performative contradiction. The act of expressing a radically antidemocratic position is inconsistent with the conditions under which such speech acts are possible.

But here it seems that Habermas is open to the same objection as Gutmann and Thompson. Just as the latter build democratic values into the very definition of deliberation, Habermas defines communication in a way that precludes radically antidemocratic positions. But consider that, despite Habermas's appeals to "inescapable presuppositions" of discourse (1990, p. 89), antidemocrats do indeed

⁷See Fish (1999) for a criticism of this sort.

communicate. Habermas's rejoinder is that anyone who does not adopt his norms of discourse "voluntarily terminates his membership in the community of beings who argue" (Habermas 1990, p. 100). The problem of circularity again emerges.

Instead of seeking for a *proof* of the legitimacy of democracy that purports to show that the radical antidemocrat is rightly excluded, the folk epistemic view appeals to common epistemic practices and attempts to show that even the antidemocrat is motivated from her own point of view to uphold the epistemic norms that entail democracy. The commitment to democratic norms arises from an internal commitment to folk epistemology rather than from an external commitment to communication. In this way, the folk epistemic view avoids the ambitious claim that democratic commitments are necessary prerequisites for all communication without thereby resigning itself to simply presupposing those commitments.

Let us consider a Habermasian rejoinder. Just as I criticized Habermas for employing a view according to which communication itself requires that one argue in the way Habermas advocates, a critic could charge me with employing a conception of belief according to which being a believer means inquiring in the way I advocate. Yet it seems obvious that antidemocrats do hold beliefs despite the fact that they reject folk epistemology.

In response, I need to draw a distinction between belief *de facto* and *de jure*. That is, my precise view is that genuine or proper believers must be deliberative democratic truth-seekers and that antidemocrats are specious believers. The challenge is to produce an argument in support of this distinction that preserves the implication from folk epistemology to democracy but avoids circularity.

The charge of circularity is defused by noting that the distinction between proper and specious belief derives from epistemic norms that are internal to belief. To explain: It is impossible to sustain your belief that *p* once you are convinced that you have no reasons or evidence for *p*. This may sound controversial, but it is simply to point out that statements of the sort, 'I believe that *p* for absolutely no reason', admit of a Moorean contradiction, because when we believe we take ourselves to have reasons and evidence. Of course, this is not to say that it is impossible to believe that *p* and in fact have no evidence for *p*. Again, it is rather to say that for any belief, *p*, you take yourself to have evidence and reasons for *p*. Epistemic error is common, but doxastic persistence in the face of recognized epistemic failure is impossible. Genuine beliefs are those that do not resign when the believer properly assesses his reasons and evidence. Thus the distinction between genuine and specious belief is a distinction between self-aware and deluded epistemic agents. Self-aware epistemic agents – agents whose epistemic practice reflects their epistemic commitments – must uphold the epistemic norms that can be practiced only within a democratic political framework. This is the sense in which folk epistemology justifies democracy. There is no circularity.

Of course, the folk epistemic justification of democracy does not provide a theory of legitimacy. It shows only that despite our deep moral differences we each have a reason – the *same* reason – for upholding democratic commitments even in the light of democratic outcomes that strike us as morally unacceptable. This reason, however, might not be overriding in every case. Consequently, more needs to

be said about the source of the legitimacy of particular democratic outcomes. There must be an account of why democrats who find themselves in the minority with regard to some specific democratic decision have an obligation to obey.

Here, the folk epistemic view complements David Estlund's position. In his contribution to this volume and in other writings (1997, 2007), Estlund defends a view he calls *epistemic proceduralism*, which holds that democratic decisions are legitimate because democratic procedures are epistemically best among morally available collective decision procedures. Of course, Estlund's epistemic proceduralism raises the specter of rule by Philosopher Kings, what Estlund calls "epistocracy". Epistemic proceduralism blocks this implication by adopting the moral premise that "citizens cannot be expected or assumed (much less encouraged or forced) to surrender their moral judgment" (1997, p. 183). The folk epistemic view provides an epistemic defense of this principle. The commitments that are internal to our folk epistemic practices compel us to take up the project of justifying ourselves to others and to regard others as fellow epistemic agents.

4.4.2 *Epistemic Perfectionism*

We have seen that folk epistemology commits us to the practice of engaging each other in processes of reason exchange. But these processes require institutional support. To see this, consider that since genuine belief requires reason exchanging, one cannot be a genuine believer in isolation from others. Further, since proper belief requires that what gets exchanged are reasons rather than slogans, insults, or threats – one cannot be a proper believer in the absence of other genuine believers. Hence a community of genuine believers is necessary. Consequently, folk epistemology entails a commitment to an epistemically proper community. Insofar as such a community requires interventions from the state aimed at promoting proper epistemic practice, we are committed to an *epistemically perfectionist* state.

This perfectionist commitment conflicts with some interpretations of the neutralist core of contemporary theories of liberalism. On the neutralist view, "the state should not favor, promote, or act on any particular conception of the good" (Sher 1997, p. 1). The precise meaning of neutrality is something about which liberals disagree. It is, however, frequently understood as "a constraint on what factors can be invoked to justify a political decision" (Larmore 1987, p. 44). This constraint has it that the justification for a policy or institution must not rely upon any specific conception of the good; the liberal state must be neutral in aim (Rawls 1996, p. 193).

The folk epistemic view of democracy is not neutral in this way. Democracy is justified by appealing to certain epistemic goods, and is endorsed for the sake of proper epistemic practice. Accordingly, the folk epistemic view allows for a state that promotes proper epistemic habits. A full discussion of the policy implications of this view cannot be attempted here. The general ramifications are, however, evident in recent work by Cass Sunstein.

Sunstein agrees with the folk epistemic view that democracy is a system designed to “protect the process of reason-giving” (2001b, p. 239). Noting that recent advances in communications technologies make it easy for citizens to “live in echo chambers of their own devising” (2003, p. 106), and recognizing that such epistemic “self-insulation” (2001a, p. 192) poses specific threats to democracy, Sunstein endorses a series of interventions designed to increase “society’s total stock of argument pools” (2003, p. 157). Among his most well known suggestions is that politically partisan websites should be required by law to carry links to sites espousing opposing viewpoints (2001a, p. 169f.).

According to Sunstein, then, the democratic state should aspire to create a “republic of reasons” (2001b, p. 239). He acknowledges that proper deliberation requires that citizens embody certain epistemic character-traits (2003, p. 110), and that these attitudes must be maintained by means of policies designed to ensure their exercise. The folk epistemic view follows Sunstein in endorsing a politics that attempts to cultivate citizens by developing institutions that encourage and foster proper deliberation.⁸ The point at present is that if folk epistemology entails democratic commitments, it also entails an epistemic perfectionist interpretation of the democratic state.

4.5 Conclusion

In 2004 the US conducted a presidential election with an unusually high degree of participation (over 50%). This level of participation is a good thing, no matter what one may think of the election results. But consider two studies conducted by the University of Maryland’s *Program on International Policy Attitudes* just prior to Election Day. One of these studies showed that a large majority of Bush supporters based their support on false beliefs about Bush’s policies (PIPA 2004). An earlier study by the same organization showed that misperceptions concerning the Iraq war “formed strong patterns highly related to respondents’ primary source of news”, such that “Fox viewers had the highest level of misperceiving (69 percent) and NPR/PBS the lowest (26 percent)” (Kull et al. 2003–2004, p. 594, 585). If you find these results disturbing, you have already accepted the core of the folk epistemic view of democracy. Furthermore, these findings indicate the need for state policies and institutions that cultivate and enable proper epistemic practice.

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⁸I have elsewhere characterized proper deliberation in terms of deliberative *virtues* (Talisie 2005, p. 109ff.). I cannot elaborate on this theme here, but see Misak’s contribution to this volume.

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