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Democracy as Value-Experimentalism:
A Deweyan Alternative to Ethical Neutrality

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I: Introduction: Liberalism and Ethical Neutrality

“It really is of importance,” John Stuart Mill asserts in Chapter III of his celebrated *On Liberty*, “not only what men do, but also what manner of men they are that do it. Among the works of man, which human life is rightly employed in perfecting and beautifying, the first in importance surely is man himself.”¹ Lest we think this is a merely personal ideal, he reprises the theme in *Considerations on Representative Government*:

The state of different communities, in point of culture and development, ranges downwards to a condition very little above the highest of the beasts. The upward range, too, is considerable, and the future possible extension vastly greater. A community can only be developed out of one of these states into a higher, by a concourse of influences, among the principal of which is the government to which they are subject... And the one indispensable merit of a government, in favor of which it may be forgiven almost any amount of other demerit compatible with progress, is that its operation on the people is favorable, or not unfavorable, to the next step which it is necessary for them to take, in order to raise themselves to a higher level.²

On its face, this would seem to be a strange comment coming from one of history’s most eloquent defenders of intellectual and moral pluralism. Indeed, it is owing to comments like this that Mill has been criticized as a “confused” thinker, torn between “two Mills,” one the doctrinaire liberal whose harm principle exalts “individuality” above all but the most essential demands of associated life, the other a socialist-leaning democrat with illiberal plans for man’s “improvement.”³ Twentieth-century commentators in particular have found the dichotomy nearly inexplicable, and

¹ Mill, *On Liberty*. From Mill: the Spirit of The Age, on Liberty, the Subjection of Woman. W.W. Norton & Company, 1997. Ed. Ryan, Alan. p.87 (Hereafter cited as “Mill, Norton Edition”)

² Mill, *Considerations on Representative Government*, from Mill, John Stuart. *On Liberty, Utilitarianism, and Other Essays*. Oxford University Press, 2015, Ed. Mark Philip and Frederick Rosen. p.203.

³ See, for instance, Himmelfarb, Gertrude. *On Liberty and Liberalism: the Case of John Stuart Mill*. Knopf, New York, 1974. Chapter III, “Liberty of Action: Individuality.”

some have questioned Mill's status as a liberal altogether – a fact which is made all the more striking given *On Liberty*'s widely-recognized status as the founding document of modern liberalism.⁴

Beneath this incomprehension, I believe, lies an important shift in the liberal intellectual tradition. Whatever the reason, the discourse of ethical and communal “development” (though evidently not *material* development), and particularly the implication that government has an important role to play in this process, has become largely alien to mainstream liberal political philosophy. Although Mill was probably the 19th century's most influential liberal, and John Rawls that of the subsequent, one cannot imagine such statements coming from him; the language of civilizational progress, of which Mill makes such free use, is foreign to Rawls' vocabulary. In its place, Rawls substitutes a vision of ideal political institutions as essentially *neutral* to various conceptions of the human good. Since, he argues, history has shown that disagreement on questions of “comprehensive ethical doctrines” is inevitable, any attempt to ground common social institutions on one such doctrine would require an “authoritarian” use of power to induce conformity. Accordingly, although Rawls insists that his “political liberalism” is a “moral” doctrine – as opposed to a mere *modus vivendi* – its normative commitments must be independent of ideals of human perfection. It seems clear that Mill's vision of government as “raising” the people to a “higher” state of total cultural development would not pass this test.

This neutrality to competing “comprehensive” ethical ideals is a common thread running through the whole of Rawls' mature political philosophy. In addition to his extended examination and defense of liberal neutrality in *Political Liberalism*, the notion underlies his most essential theoretical contribution, the derivation of principles of justice from the “original position”: the very

⁴ See, for example, Isaiah Berlin, “John Stuart Mill and the Ends of Life.” From Mill, Norton Edition. p.254.

point of this thought experiment is to require us to abstract from all socially and culturally relative particulars, in considering what principles of right a collection of free, equal, and rationally self-interested subjects, lacking all specific knowledge about themselves (including what comprehensive doctrine they acknowledge), would choose to structure their basic social institutions.⁵

As will soon become clear, I view this shift toward neutrality as a mistake which generates serious problems for both political theory and practice. In the first place, taken on its own and divorced from any historically and culturally contingent values, the abstract formula of liberal legitimacy - respect for the equality and freedom of persons - cannot ground a complete and consistent vision of an ideal basic social structure. To use Rawls' terms, it would be impossible, on the basis of the notion of "justice as fairness" alone, to justify either 1) the actual coercive imposition of liberal institutions (i.e. liberalism itself), or, 2) any specific scheme of rights and duties within them. To develop a coherent account on either of these scores, I believe, we must have recourse to something beyond the "basic intuitive idea" of persons as free and equal. In particular, it is necessary to broach the subject of value, or "comprehensive ends."

Although it is not my immediate purpose to develop either of these claims at length, a brief word on each is in order. As to point 1, my thinking is as follows: the claim that persons should be treated as free and equal moral subjects, absent further justification, has no logical force, any more than any conceivable alternative maxim. If we are to regard this proposition as morally-binding, something else must be said; a *reason* must be given for its validity. Such, I hope, is beyond question. For his part, Rawls is well aware of this fact. He is quite clear that justice as fairness is not

⁵ Later in his career, Rawls did acknowledge that his theory of justice was not entirely "neutral" (i.e. universal): the basic moral commitment of liberalism – that persons are to be regarded as free and equal – itself relies on certain culturally and historically specific values (See, for instance "Kantian Constructivism in Moral Theory," esp. Lecture I). Nevertheless, his *Political Liberalism* is a defense of the aspiration to ethical neutrality, at least as regards the competing "comprehensive doctrines" present in modern liberal societies. And he certainly never regarded moral progress as the responsibility, let alone the essential goal, of political institutions.

a proof, but rather a conceptualization, or distillation, of the liberal view of justice. Accordingly, the conceptual device of the original position acts as a *representation*; it illustrates justice as fairness, but is not, and cannot be, its own *justification*.⁶

By point 2 I intend the following: even accepting the view of persons as free and equal, no determinate social and political theory can be derived on the sole basis of this conception. In short, there are a plurality of principles of justice which can, with equal reason, be developed from this presupposition. The only means of adjudicating this conflict would be refer to the historically contingent value-hierarchies which Rawls insists upon cleaving off from political theory. Thus, while Rawls and I agree that something beyond the formula of “justice as fairness” is required to justify it, I part from him in holding that this “something” is also needed to give the formula a concrete meaning in practice. If we are to decide, in a reasonably coherent manner, *what* justice as fairness requires of us in practice, we must know *why* it is worth pursuing in the first place. In other words, we must have a conception of ideal ends in order to develop a conception of ideal institutions.

As regards this second point in particular, my view is anything but original. Its origins lie in Hegel’s critique of Kantian ethics in *Elements of the Philosophy of Right*, in which he describes the categorical imperative as an “empty formalism.”⁷ The mere idea of duty for duty’s sake, embodied in the requirement that one act only on maxims capable of being universally adopted by all rational beings, cannot specify any actual course of action; Hegel notes that there is nothing inherently self-contradictory about even such hypothetical universal laws as would require, to take his examples,

⁶ Rawls, “Justice as Fairness: Political not Metaphysical,” from *John Rawls: Collected Papers*, ed. Samuel Freeman, Harvard University Press, 1999. p.400-401

⁷ G.W.F. Hegel, A. W. Wood, & H. B. Nisbet. *Elements of the Philosophy of Right*. Cambridge University Press, 2002. Sec.135

“universal absence of property,” or “universal absence of human life.”⁸ These maxims are only unacceptable to us given our possession of certain *interests*, however general – i.e., in the institution of property, and the continuation of human life.

Of course, Rawls’ philosophy, despite its self-acknowledged Kantian basis, differs from Kant’s in its abandonment of transcendental claims. Agents in the original position do not agree upon a basic social structure in light of “pure practical reason” alone. Instead of formal non-contradiction, they base their legislative accord on their knowledge of the general circumstances and needs of human life (with the proviso that their specific identity and place in the social structure remains unknown). This is an important distinction. But even accepting the premise that certain “primary goods” are truly anthropologically universal, it is not possible to resolve on a ranking of their relative importance without reference to culturally-specific values.

Again, none of these criticisms are terribly original. Far beyond the Kant-Hegel dispute, many of these points have been made, in one form or another, by the so-called “communitarian” critics of Rawls.⁹ What I hope will distinguish my contribution from others is rather the following: First, I present a reconstruction of the logical steps by which Rawls’ came to the ethically neutral approach adopted in *Political Liberalism*. I suggest we regard this strategy as a response to a crucial practical challenge – namely, what he calls “the fact of reasonable pluralism” – and argue that is insufficient to that end, in important ways. My second major intervention is therefore to propose an alternative response to the challenge of diversity in conceptions of the good-life, grounded in John Dewey’s pragmatism. I term this new approach *value experimentalism*, and show how it departs from Rawls’ version of liberalism in requiring the expansion of participatory institutions to all

⁸ Ibid.

⁹ See, for instance, Michael J. Sandel, “Political Liberalism, By John Rawls,” *Harvard Law Review*, vol. 107, no. 7, 1994, pp. 1765–94. *JSTOR*, <https://doi.org/10.2307/1341828>.

domains of social life. Crucially, though, I argue that this approach, beyond being merely compatible with Rawls' liberalism, actually better secures the aim which *motivates* his insistence on neutrality: namely, his desire to leave ample space for diverse conceptions of the good life.

Rawls probably came closest to Deweyan pragmatism in his emphasis on the practical activity of consensus-building, in political philosophy no less than actual political practice. In this spirit, I hope the decision to center my critique on the response to reasonable pluralism will be preferable to alternative ways of getting at the same issues, for several reasons. For one, my focus on the question of reasonable pluralism avoids the endless intricacies of debates regarding the particular principles of justice which Rawls derives from the original position (especially the difference principle). At the same time, it avoids replaying the abstract, and thus equally interminable, disputes between teleological and deontological ethics. Perhaps most importantly, it seems to me that this emphasis is true to Rawls' basic self-understanding: in "Justice as Fairness: Political not Metaphysical," he intimates as much.¹⁰ He clearly sees the challenge of pluralism as an issue which animates much of his work - and even implicitly recognizes that the related notion of ethical neutrality represents a major point of vulnerability for his thought, so much so that it motivated the entire project of *Political Liberalism*.

As I can testify from personal experience, the Rawls-communitarian or ideal/non-ideal theory dispute has come to be regarded by many in the field as a rather sterile one. But, given the foundational importance of the issues involved for the entire enterprise of normative political thought, its questions cannot simply be set aside - particularly at a time when liberalism finds itself more threatened and uncertain than at any point since perhaps the Second World War. Accordingly,

¹⁰ Rawls, "Justice as Fairness: Political not Metaphysical," 412

my hope is that in approaching this controversy from a new angle, this thesis will prove somewhat more fruitful, regardless of where one stands on either side of the divide.

So what, in outline, is this angle? As opposed to Rawls' ethical neutrality, value experimentalism self-consciously accepts that every normative orientation, including itself, presumes certain historically and culturally relative notions of the good; notions which, moreover, are necessarily operationalized in political and social institutions. However, its unique response to this fact is to insist upon a *methodology of social practice* which foregrounds above all others the *value of contestability* and the *ongoing, empirical practice of communicative justification, in all domains of social life*.

This value-orientation, which in Dewey's social thought is comprehended under the term "democracy," evidently remains just that: adherence to the democratic method is ultimately a good which, like any other, must be argued for on the basis of its consequences. As such, value-experimentalism does not regard itself, or its preferred social method (democracy), as an absolute moral fact. But Dewey argues convincingly that we can nevertheless regard democracy as unique (and ultimately uniquely preferable) relative to all other value-orientations, for it is the only social method capable of forming individuals who are genuinely capable of *critically reflecting upon and debating the merits of that very method*. Value-experimentalism, when fully realized in democratic social institutions, therefore subjects even itself to the demands of empirical justification.

As the above suggests, the fundamental difference between this approach and Rawls' lies in the fact that it *returns the discussion of value to the legitimate sphere of public reason*. For Rawls, the inevitability of value pluralism means that, in our common reasoning on political matters, we should restrict our arguments to premises which derive from the "basic intuitive ideas" embedded in

the public political culture.¹¹ His hope is that a variety of comprehensive value-systems, all operating independently in the private sphere, will, each for their own reasons, lend support to those basic ideas. But neither those fundamental ideas, nor the conceptions of value which provide their justification, are to be a matter for public discourse. As a result, a large portion of the ethical domain (and, I would add, perhaps the most significant portion) is cordoned off from democratic deliberation – and ultimately from the ethical implications of democratic practice.

Value-experimentalism rejects this theory. Its radical contention is that no authority should be treated as though it were above justification in the light of ongoing experience – the authority of norms and values no less than that of the state.

Such, in outline, is the revision which I propose in the following. Before delving into the substance of my argument, however, a brief word is in order as to how I regard its place in the broader trajectory of modern liberalism. Although the arguments advanced above reveal serious disagreements with Rawls on a number of fundamental theoretical and practical issues, I would submit that what they amount to is more a change in self-understanding than a divergence from his basic, liberal normative orientation. What I disagree with is not Rawls' commitment to tolerance and value pluralism, but rather the idea that neutrality is a viable strategy for realizing this commitment. In seeing its own value-specificity more clearly, I believe, liberalism will be able to make the requisite practical adjustments. This is not to downplay the seriousness of my objections to Rawls' thought, or the extent to which committed Rawlsians will likely find them objectionable. Nevertheless, my hope is that even such opponents will be able appreciate the extent to which I sympathize with Rawls' basic concerns, if not his ultimate solutions. For this reason, amongst

¹¹ Ibid., 390

others, I have chosen to take what I see as his own fundamental preoccupation – the problem of reasonable pluralism – as my point of origin.

One need not be a philosopher to know that where each party to a conflict is unable to understand and sympathize with the other's motivating concern, reconciliation is impossible; nor to realize that where such sympathetic understanding *is* present, compromise cannot be too far at hand. In working through and taking seriously the challenge posed by reasonable pluralism, I believe my account suggests a version of liberalism which, while abandoning the concept of ethical neutrality, may actually *better* address the very real problem that notion was intended to solve. As such, my hope is that even Rawlsians may be able to regard it as a necessary extension, rather than a rejection, of liberalism's basic project. On the other hand, in presenting a coherent, though value-specific philosophical justification of liberalism's essential normative commitments, I believe this analysis shows that it is ethical neutrality, not liberalism per se, which should be set aside by those who share my concerns with aspects of Rawls' thought.

Faced with the totalitarian menace of the mid-20th century, Cold-War liberalism tended to view political theory in binary terms: one had to choose between a "positive" concept of freedom, which specified a particular social or moral ideal and dubbed it liberty, or a purely "negative" (i.e., neutral), liberal one, which separated politics from all such ideal aspirations. In this context, the quotation cited at the outset of this introduction, in which Mill frames politics as a means to communal self-development, reads as dangerously illiberal. What I hope to show, however, is that the sort of moral progressivism which Mill and Dewey have in mind is actually anything but moral absolutism – the positing of a single, final ideal, to be imposed coercively on individuals. Moral progress, on this view, is dependent *precisely* on society's openness to change; hence it admits

discussion of value to the sphere of public deliberation (from which it can never really be separated anyway) only on the condition that such deliberation is never regarded as complete.

In fact, beyond showing how a politics grounded in the pursuit of ethical improvement can fully tolerate pluralism, I believe this older version of liberalism, embodied by Mill and Dewey, allows us to go still further: it implies that the opposite is also true – a pluralistic liberalism, if it is to be sustainable, must purposively act to fortify the ethical structures on which it rests. This point is especially significant in our contemporary context, given the so-called “crisis” of liberal democracy. In the period following the Second World War – characterized by high rates of economic growth, relative social cohesion, and the unifying specter of Communism – it may have been possible to trust that liberal institutions would hold up of their own weight, guaranteed by a broad consensus in favor of the status quo. Such thinking was undoubtedly encouraged by the apparent triumph of Western liberalism at the close of the Cold War. Today, however, Dewey’s insistence that lasting democratic progress would depend upon the unprecedented *development* of a critical public, equipped to deal with the equally unprecedented and powerfully disorienting forces of modern technological, economic, and social change, is perhaps more prescient than ever. This being the case, contemporary liberals are not in a position to regard such general social development with a detached “neutrality” – nor the structural – and ethical – change it would require.

II: The Paradox of Liberal Pluralism

In his 1985 paper “Justice as Fairness: Political not Metaphysical,” Rawls lays out the basic points of the argument which would develop into *Political Liberalism*. Responding to the significant criticism of the Kantian account of the person which he sketched in Part III of *A Theory*

of Justice,¹² he now aims to clarify that the core theory of justice as fairness does not depend upon “philosophical claims I should like to avoid, for example, claims to universal truth, or claims about the essential nature and identity of persons.”¹³ Rawls stipulates that he does not mean to deny the validity of such comprehensive philosophical arguments; rather, the point is that they should be kept separate from the basic theory of justice as fairness, which he describes as a “political conception of justice.” Explaining what this term means, he specifies that “While a political conception of justice is, of course, a moral conception, it is a moral conception worked out for a specific kind of subject, namely, for political, social, and economic institutions.”¹⁴ This is an important distinction: Rawls insists throughout the paper that the citizens of a well-ordered society must treat the principles of justice as having *moral* force – they should not be regarded as a mere “modus vivendi,” which all accept for the sake of convenience.¹⁵ But he considers justice as fairness to be a *limited* moral conception, in that it does not presuppose any particular fundamental doctrine of ethics (for instance, teleological or deontological). Thus, instead of providing a complete justification of his principles of justice, Rawls derives them from certain “basic intuitive ideas” – summarized by the idea of society as a fair system of cooperation between free and equal persons – which he believes are common to a number of these foundational doctrines.

So why does Rawls adopt this approach? Why disavow responsibility for justifying liberalism, on the most fundamental, ethical level? Is he simply trying to avoid the difficult task of defending the underlying Kantianism of *A Theory of Justice* – to retain the widely attractive superstructure of his political thought while digging up its more controversial philosophical

¹² See Sandel, “Political Liberalism, By John Rawls,” 1766-1770

¹³ Rawls, “Justice as Fairness: Political not Metaphysical,” 388. I lack the space to challenge Rawls’ assertion that he is simply “clarifying” the account expressed in *A Theory of Justice*, but Sandel seems to me right in reading this change as a fundamental argumentative shift.

¹⁴ *Ibid.*, 389

¹⁵ *Ibid.*, 411

foundation? I think not. As both Rawls and certain of his “communitarian” critics (for instance, Michael Sandel) seem to recognize, at issue here is the viability of liberalism itself – at least as Rawls’ understands it.¹⁶ That is, Rawls turns to political liberalism, which avoids committing itself to any comprehensive ethical doctrine, because he realizes that the liberalism of *A Theory*, summarized in the formula of “justice as fairness,” cannot be sustained without it.

To understand his anti-foundational shift, then, we need to look first to Rawls’ basic understanding of liberalism itself. He expresses this understanding most clearly in what he calls the “liberal principle of legitimacy”:

Our exercise of political power is fully proper only when it is exercised in accordance with a constitution the essentials of which all citizens as free and equal may reasonably be expected to endorse in the light of principles and ideals acceptable to their common human reason.¹⁷

Putting aside the question of what things are included in the “essentials” of a constitution, this statement seems to boil down to the following: a liberal political order treats citizens as free and equal persons. As such, the “basic structure” of social institutions must be grounded in *valid reasons* that *all citizens can be expected to accept*, insofar as they are reasonable. This second point is implied by the conception of persons as free and equal, because only on such terms would free and equal individuals consent to have their freedom limited. The decision situation specified by the original position (which is the key theoretical contribution of *A Theory of Justice*) models the conditions under which such an agreement would be reached by the contracting parties: by placing the hypothetical agents behind a “veil of ignorance,” in which they lack all knowledge of their

¹⁶ See Sandel, “Political Liberalism, By John Rawls”

¹⁷ Rawls, *Political Liberalism*. Columbia University Press, 2005. p.137

specific personal qualities or beliefs, they are reduced to nothing but free and equal persons with the capacity for “reasonable” – i.e. intelligently self-interested – behavior.¹⁸

Put differently, Rawls’ formulation of the liberal principle of legitimacy demands each instance of coercion be in *every reasonable person’s interest*, qua reasonable person (i.e., when “persons” are considered in the abstract). Otherwise, the law is merely an arbitrary imposition of the particular interests and preferences of *some*, at the expense of the free and equal status of others. Here, it is worth noting for our purposes that there is already present in this initial account an element of neutrality: political power *cannot* serve interests and values about which hypothetical persons can reasonably disagree. To these potentially controversial values, the basic social structure is neutral: for instance, public funds cannot be used to build a house of worship, regardless of how passionately a majority of citizens believe in the values associated with religious observance. On the other hand, neither can the law prohibit the construction of a house of worship, no matter how objectionable the majority of citizens find the doctrine preached therein. Since, presumably, no one religious doctrine can be regarded as definitively more reasonable than another, in neither case can a reasonable justification for the public’s decision be provided to the religious minority, without denying their right to freedom and equality.

So far so good. But what happens if we step back, and ask an even more fundamental question: namely, how can *liberalism itself* be justified on its own terms – i.e., such that it meets the liberal standard of legitimacy? This question may seem on its face like a merely scholastic exercise. But it is not. For liberalism itself – liberalism as an actual constitutional order – is in fact a coercive legal structure. Its principle of legitimacy is *not optional*, and it is frequently challenged within liberal societies, most often from the perspective of supposed “group rights.” Indeed, in many

¹⁸ See, for instance, Rawls, “Justice as Reciprocity,” in *Collected Papers*, p.191-92

societies today, and probably the vast majority throughout history, that basic principle is widely denied. For many people, the notion that all coercive restrictions must be shown to have a basis in the universal interests of rational persons, viewed in the abstract as mere contracting parties, is itself a highly immoral doctrine.

At this point, the liberal theorist is placed in a difficult position. Consider, for instance, the case of a minority religious sect in a liberal society, whose faith demands certain practices which are incompatible with the liberal principle of legitimacy. Liberalism requires, of course, that even these dissenters be required to respect the freedom and equality of persons – the law must be imposed on them. At the same time, it would also seem to demand that this very requirement be justified – for surely members of the group will ask “why should I be required to abide by your liberal principle of legitimacy, if my faith teaches otherwise?” And we know that such answers as “the majority’s values differ from yours, and so require you to act a certain way,” or “such is the cultural and historical tradition of our society” are insufficient responses, from a liberal point of view. For these “reasons” are not universal – abstract persons, distinguished only by their status as free and equal, would have no reason to accept them.

In short, if we are to impose the liberal principle of legitimacy (i.e., the freedom and equality of persons) on those who do not support it, that same principle demands we show that adherence to it is in the interest of all persons, qua free and equal. Some reference must be made at this point to an anthropologically universal good, which is secured by liberal norms. Historically, this has been done in one of two ways. The most straightforward option would be to ground liberal norms in what we commonly think of as “interests”: desired objects. Accordingly, this approach, which is broadly empirical and consequential in nature, justifies liberalism by claiming that people are generally happier when they are subject only to forms of coercion which regard them as free and equal. In *On*

Liberty, for instance, Mill understands himself to be making a utilitarian case for individual rights guarantees, and particularly for absolute toleration in “self-regarding” matters.¹⁹ He connects this anti-paternalistic orientation to the overwhelming value of “individuality”: even if particular actions manifestly tend to diminish an individual’s happiness, to coerce him for the sake of his own good (whether legally or by the force of social pressure) would be to prevent the development of “any of the qualities which are the distinctive endowment of a human being. The human faculties of perception, judgement, discriminative feeling, mental activity, and even moral preference, are exercised only in making a choice...”²⁰

Compelling as Mill’s impassioned defense of self-development may be, on its own this argument for liberalism is vulnerable to critique (though I must note that I believe Mill himself has been consistently maligned by subsequent commentators, and actually has a much more nuanced view of liberal freedom than may appear on a surface-level reading of *On Liberty*). For it will quickly be pointed out that not all individuals or cultures may place the same degree of importance on the ideal of autonomous personality or creative self-invention. First, if some non-Western societies, or even certain social groups within the liberal West, regard other values – say, for instance, social harmony or filial piety – besides individual originality as equally or even more important, who’s to say that they are “unreasonable,” for doing so? Moreover, even in societies in which the value of autonomy has a strong cultural heritage, individual diversity is such that some people may be much less interested than others in the sort of critical, radically independent mind-set that Mill seems to idealize. If Mill’s argument for individuality were adopted as the basis of our public conception of justice, would the state be justified in pressuring such people to change their character, or abandon traditional customs? In this case, Mill’s argument for toleration would

¹⁹ Mill, *On Liberty*, 50

²⁰ Mill, *On Liberty*, 86

ultimately pose a threat to pluralism. On the most fundamental level, it seems that any argument for the freedom and equality of persons grounded in the specific utilities they produce will be an unstable foundation for liberalism; as Mill himself recognized with unusual clarity, the diversity of human beings and cultures is such that any attempt to develop from empirical evidence *universal* claims about what promotes happiness will likely fail.

The second option for liberalism's justification thus drops reference to actual consequences, and replaces them with a conception of universal "interests" (ultimately equivalent to the idea of duty) which are said to be somehow inherent in human rationality, or the notion of personhood. This deontological approach is broadly identified with Kant, and Rawls seems to have experimented with various forms of it in his early career – as, for example, in his Wittgenstein-influenced account of "rules of practice" inherent to certain cooperative activities.²¹ *A Theory of Justice* (the book as a whole, as distinct from the conception of justice as fairness, which Rawls later argues can be more or less extracted from such claims) belongs to this general family of views, insofar as it endorses and grounds liberalism in the priority of the right to the good, an argument which in turn relies upon a Kantian conception of the person. Consider, for example, such statements as the following:

We should not attempt to give form to our life by first looking to the good independently defined. It is not our aims that primarily reveal our nature but rather the principles that we would acknowledge to govern the background conditions under which these aims are to be formed and the manner in which they are to be pursued. For the self is prior to the ends which are affirmed by it...

And

[T]he desire to express our nature as a free and equal rational being can be fulfilled only by acting on the principles of right and justice as having first priority. . . . It is acting from this precedence that

²¹ See Rawls, "Two Concepts of Rules," in *Rawls: Collected Papers*

expresses our freedom from contingency and happenstance... [H]ow far we succeed in expressing our nature depends upon how consistently we act from our sense of justice as finally regulative.²²

It is clear from these passages that Rawls, at least at this point in his career, views his theory of justice as tied to a particular philosophical account of the person, and what constitutes his “nature.” It would be beyond my purposes here to assess the validity of these claims, though I confess I find highly implausible the Kantian notion of a self which is somehow able to separate itself, morally or otherwise, from empirical conditions. The point I want to make here is rather one which Rawls himself comes to realize later in his career: even if this account were viable, it is far from certain to be widely accepted by all reasonable persons. As Rawls found in the decades of scholarly controversy which followed the publication of *A Theory*, many people, including a sizable proportion of professional philosophers, find it plainly dubious. Now, the fact that others disagree with one’s philosophical view is not normally a compelling reason to alter it. But the demands of liberal political philosophy are peculiar, in that the legitimacy of institutional norms depend on our ability to provide reasons which “all citizens as free and equal may reasonably be expected to endorse in the light of principles and ideals acceptable to their common human reason.” In order to include the Kantian conception of the self as part of the official justification of liberalism, therefore, we would have not only to find it plausible; rather, we would have to consider it so compelling an account that it could be described as generally acceptable to “common human reason.” In other words, we would need to be confident enough to say that the numerous, well-established views opposed to Kantianism are somehow “unreasonable.”

From this perspective, it is not terribly difficult to imagine why Rawls chose to change tack later in his career and drop the Kantian conception of the person. As I have noted, one could read

²² Rawls, *Political Liberalism* (quoted in Sandel, p.1769)

this shift as a shrewd tactical choice on Rawls' part. But I would propose a more sympathetic reading. We might actually say that it was Rawls' intellectual humility about the seriousness of the objections to his own deeply-held Kantian view (which, by the way, he never seems to have *personally* given up on²³) which prompted him to accept that it could not be the final basis of a liberal political philosophy. From the beginning, Rawls framed his account of justice as fairness as establishing a common point of view from which all citizens can participate in deliberation on matters of justice.²⁴ Whatever position one ultimately takes on Kant's metaphysics of the person, the evidence of history, if not common sense, suggests that it would be unreasonable to assign it a place in a general conception of these specifications. The same would likely apply of any other metaphysical doctrine one might substitute in place of Kant's: although such philosophical abstractions may appear to be less vulnerable than consequential modes of justification to the empirical reality of affective diversity, they ultimately suffer the same fate – only their capacity to garner universal consensus is undermined by the fact of theoretical disagreement.

But if neither of these options can consistently ground a liberalism centered on the theory of justice as fairness, on what basis can such a view be defended? Rawls basic answer to this question, developed in the two decades following the publication of *A Theory of Justice*, is his account of political liberalism. His concise description of this account and its underlying concerns in "Justice as Fairness: Political not Metaphysical," is especially useful. First, he acknowledges what I have just been discussing: given social conditions which have obtained since at least the Reformation, he explains, it is clear that "as a practical political matter no general moral conception can provide a publicly recognized basis for a conception of justice in a modern democratic state." Accordingly, "a workable conception of political justice... must allow for a diversity of doctrines and the plurality

²³ See Rawls, "Preface for the Revised Edition," in *A Theory of Justice: Revised Edition*.

²⁴ Rawls, *Political Liberalism*, 9

of conflicting, and indeed incommensurable, conceptions of the good affirmed by the members of existing democratic societies.”²⁵

Note that by saying a political conception of justice “allows” for a diversity of doctrines, Rawls means that such a conception *abstracts* from them – it avoids taking a position. Here, finally, is the genesis of ethical neutrality. If the historical experience of liberal societies (here Rawls uses the term “democratic,” but I take its meaning to be the same, as in colloquial discussion) shows that unforced agreement on a single comprehensive ethical doctrine is impossible, Rawls concludes, the effort to construct a generally acceptable, public conception of justice must abandon reference to such controversies. In short, liberal political philosophy should give up on the task of justifying liberalism itself. Instead, it “applies the principle of toleration to philosophy itself,” and relies solely on the basic intuitive ideas of liberal political culture:

It should be observed that, on this view, justification is not regarded simply as valid argument from listed premises, even should these premises be true. Rather, justification is addressed to others who disagree with us, and therefore it must always proceed from some consensus, that is, from premises that we and others publicly recognize as true; or better, publicly recognize as acceptable to us for the purpose of establishing a working agreement on the fundamental questions of political justice.²⁶

It is important here to emphasize that although Rawls frames the shift to political liberalism as motivated by “practical” considerations, we should not view it as a merely expedient political compromise. The essential point is that liberal justification/legitimation relies on the possibility of consensus. Accordingly, the apparently permanent reality of reasonable disagreement on comprehensive ethical issues – Rawls refers to this as “the fact of reasonable pluralism” – precludes us from providing a comprehensive justification of liberalism, without thereby violating the liberal

²⁵ Rawls, “Justice as Fairness: Political not Metaphysical,” 390

²⁶ Rawls, “Justice as Fairness: Political not Metaphysical,” 394

principle of legitimacy. I term this “the paradox of liberal legitimacy.” As a result of this sequence of ideas, ethical neutrality is the only viable path for liberalism as Rawls understands it. This is brought out most clearly following Rawls’ conclusion that there is “no way to resolve” contested moral and philosophical issues “politically”:

The only alternative to a principle of toleration is the autocratic use of state power. Thus, justice as fairness stays on the surface, philosophically speaking. Given the profound differences in belief and conceptions of the good at least since the Reformation, we must recognize that, just as on questions of religious and moral doctrine, public agreement on the basic questions of philosophy cannot be obtained without the state’s infringement of basic liberties. Philosophy as the search for truth about an independent metaphysical and moral order cannot, I believe, provide a workable and shared basis for a political conception of justice in a democratic society.²⁷

Here, an essential dichotomy is established. We are told that “the only alternative” to *toleration* is *autocracy*. Liberal political philosophy must either adopt the “method of avoidance”²⁸ as regards comprehensive philosophical disputes, or betray itself. Later in this thesis, I will argue that this statement, though consistent given Rawls’ premises, reveals two fundamental and interrelated problems. In the first place, although toleration is indeed the only alternative to autocracy, *toleration need not mean neutrality*. In order to establish this fact, however, we must contest Rawls’ view on an even more fundamental level: that of the meaning of philosophy in general. If we are to go beyond “the surface, philosophically speaking,” in our understanding of democratic liberty, I believe we must not only set aside, but replace altogether the practice of philosophy as “the search for truth about an independent metaphysical and moral order.” For this, it will be necessary to turn to Dewey’s pragmatism.

²⁷ Ibid., 394-5

²⁸ Ibid., 395

First, though, I have to explain why this alternative is needed in the first place – why the commitment to ethical neutrality causes problems for liberalism which necessitate Dewey’s pragmatic account.

III: Comprehensive Doctrines and Pluralism

Rawls’ account of political liberalism does not end with his advocacy of philosophical “toleration.” As we have seen, he believes, on normative grounds, that a public conception of justice should remain neutral to the various comprehensive ethical arguments for liberalism. However, this view is not to be confused with the conclusion that there are *no* viable comprehensive arguments for liberalism. On the contrary, Rawls’ point is that there already exists *a plurality* of “reasonable” ethical doctrines, each of which could serve as the basis for a philosophical justification of liberalism. From this view he develops the crucial notion of an “overlapping consensus.” He outlines this sequence of ideas most clearly in the first part of *Political Liberalism*:

Since there is no reasonable religious, philosophical, or moral doctrine affirmed by all citizens, the conception of justice affirmed in a well-ordered democratic society must be a conception limited to what I shall call “the domain of the political” and its values... I assume, then, that citizens’ overall views have two parts: one part can be seen to be, or to coincide with, the publicly recognized political conception of justice; the other part is a (fully or partially) comprehensive doctrine to which the political conception is in some manner related... The point here to stress is that, as I have said, citizens individually decide for themselves in what way the public conception all affirm is related to their more comprehensive views.²⁹

²⁹ Rawls, *Political Liberalism*, 38

This approach should make quite a bit of sense, given what we know already about political liberalism. Recall Rawls' keenness to deny that his amended account of justice as fairness represents a mere "modus vivendi" which could prove useful to liberal societies. In order to regard the intuitive foundations of liberalism as a genuine moral consensus, something has to be said in favor of the freedom and equality of persons beyond "such a view has been found generally serviceable as a basis of public deliberation in our society." In Rawls' telling, this "something" is supplied by each reasonable doctrine, in its own terms. Crucially, however, this foundational justification is relegated to the *private sphere* – a *political* conception of justice begins only from those essential ideas, deeply engrained in the public political culture, which all the prevalent moral doctrines in modern liberal societies conveniently agree upon. Since there is no comparable consensus on totalizing ethical doctrines, to do otherwise would be to threaten the possibility of "free agreement, reconciliation through public reason," as regards the basic structure of society.

In this way, Rawls' "neutral" liberalism is able to set aside the vexed issue of ultimate justification in a political context, without therefore turning into relativism: rather than invalidating moral arguments of a universal quality, it simply demands they be kept separate from the explicitly political sphere.³⁰ By decoupling the question of the underlying theoretical basis of liberalism from its public practice, Rawls is able to retain *both* the possibility of complete philosophical justification, and a consistent liberalism. Richard Rorty's dubious endorsement notwithstanding, the later Rawls' decision to jettison his Kantian foundations was not an effort to achieve a practical settlement by giving up on normative systematicity.³¹ On the contrary, his point was that, given the pre-existence of a plurality of reasonable comprehensive doctrines, all supporting liberalism, it

³⁰ Again, this is consistent with the reconstruction of Rawls' thought I proposed in the last section: his fundamental preoccupation was always to defend liberalism as a consistent normative orientation.

³¹ See Richard Rorty, "The Priority of Democracy to Philosophy," in *The Virginia Statute of Religious Freedom*, p.257, (Merrill D. Peterson & Robert C. Vaughan eds., 1988)

would be not only unnecessary, but fundamentally *illiberal* for a political conception of justice to single out one such doctrine.

Having established what I take to be the essentials of Rawls' political liberalism, I will turn now in a more critical direction. Some preliminary comments are necessary here. First, from a pragmatic point of view, this reconstruction of ethical neutrality raises serious doubts from the outset. For, as I just suggested, it rescues the practice of liberal public justification by detaching it from its theory. Second, though I find this resolution untenable, I want to be clear that my alternative is not Rorty's: I share with Rawls and (contrary to Rorty's misreading of him) Dewey the project of defending a philosophically coherent liberalism.³² What I disagree with is the way in which Rawls goes about this task: the method of philosophical neutrality. Ultimately, I believe that Dewey's pragmatism represents a preferable alternative to this method, in that it is able to reunite the theory and practice of democratic liberalism. This is not to deny that that Rawls' account, as I have laid it out to this point, is internally consistent. Rather, as is often the case when theory and practice are disconnected, my belief is that it cannot adequately respond to several serious practical challenges. Before proposing the Deweyan alternative I have in mind, I will briefly outline these challenges. In doing so, I take as my starting point the conclusion (attributed to Rawls) just reached: "given the pre-existence of a plurality of reasonable comprehensive doctrines, all supporting liberalism, it would be not only unnecessary, but fundamentally *illiberal* for a political conception of justice to single out one such doctrine."

I want to take issue with this statement on two levels. First, the underlying sociological assumption is seriously questionable: it is not clear that a broad moral consensus in favor of the

³² See Rorty's discussion of the philosophical basis – or lack thereof – of liberalism in *Pragmatism as Anti-Authoritarianism*, Ed. Eduardo Mendieta and Robert Brandom, The Belknap Press of Harvard University Press, 2021. See esp. Preface, Chapters 1-2.

basic tenets of liberalism exists across the comprehensive ethical and religious doctrines prevalent in contemporary liberal societies – at least not in a thoroughgoing sense. Moreover, even if this were presently the case, it is by no means assured to continue indefinitely into the future. And, given the stakes involved, it would seem an act of great imprudence to leave such a thing to the happenstance of cultural trends. Nor will it do to simply say that this is a problem to be addressed by the various philosophical and religious views supporting liberalism, in the private sphere: Rawls acknowledges that a political conception of justice should be able to account for the conditions of its own stability.³³

As any observer of recent political history will know, established democracies have in the past two decades seen an unprecedented resurgence of liberal-skeptic, and even openly anti-liberal political movements.³⁴ But it is not merely this fact which should lead us to question the sufficiency of the apparent moral consensus in favor of liberalism. For instance, even amongst the “mainstream” religions common to modern liberal societies, none of which seem to explicitly challenge the liberal-democratic constitutional order, we should not overlook the inherently exclusionary quality of many basic theological conceptions. At least for the Abrahamic religions, the necessary corollary to the end of salvation is the potential for damnation: those who do not accept this or that belief, or follow this or that practice, are “damned.” This is certainly not an

³³ Rawls, “The Domain of the Political and Overlapping Consensus,” 486-7. Two points are worth mentioning here. First, I want to distance myself from any firm predictive sociological claims in the following – I lack both the space and the expertise to reject with any degree of finality Rawls’ hope that present comprehensive doctrines will provide a durable foundation for liberalism. But my purpose here is much more limited: I simply want to suggest that there is good reason to be uncertain about this optimistic thesis, and thus the conclusion that liberalism can be neutral to comprehensive doctrines. My hope is that these general observations are at least sufficiently well-grounded in readily available social data to give an open-minded reader motive for reading on. Second, when I say that a political conception of justice should take responsibility for the issue of the ethical good, as opposed to avoiding the issue, I certainly am not suggesting that the state needs to solely, or even primarily responsible for this task. What I am saying is that public reason cannot avoid the issue. This may imply a certain role for the state, but it should go without saying that I do not mean to advocate that a single comprehensive ethical doctrine should be imposed as a state dogma (for this would indeed be completely illiberal).

³⁴ Broder, David. “The Future Is Italy, and It's Bleak.” *The New York Times*, The New York Times, 22 July 2022, <https://www.nytimes.com/2022/07/22/opinion/italy-draghi-meloni-government.html>.

attitude conducive to toleration and a healthy practice of open, public deliberation. It is perhaps unsurprising, then, that religious fundamentalism has become increasingly tied to the growth of far-right, xenophobic populism in contemporary American politics.³⁵

These concerns do not apply solely to conventional religious doctrines. The problems of tribalism, an instinctive hostility to those outside a particular in-group, and the unwillingness to confront opposing ideas, are hardly confined to the conservative end of the social and political spectrum. Indeed, there is reason to believe that the decline of traditional belief-systems may pose just as serious a threat to the long-term stability of the moral consensus in favor of liberalism as their perseverance. For it is unclear whether many of those who at present implicitly accept the liberal constitutional order possess anything resembling a “comprehensive ethical doctrine” at all. This may not seem on its face to represent a major threat. But the erosion of strong moral and communal ties is often anything but a benign phenomenon. Where the need for fulfillment in shared and ideal goals is left unsatisfied, politics can easily become a new sort of religion, severely damaging the prospects for a genuinely deliberative political process. On the other hand, the atomizing and alienating effect of modern life can just as easily produce a sense of apathy, causing ordinary citizens to cede the political ground to the most extreme or interested actors.

Scholars and lay commentators may disagree about whether these circumstances and others pose an immanent threat to the liberal constitutional order.³⁶ In fairness to Rawls, it seems true that most individuals and groups in contemporary liberal societies are at least willing to formally accept the principle of equal citizenship under the law. The most central tenets of liberal government are

³⁵ Dias, Elizabeth, and Ruth Graham. “The Growing Religious Fervor in the American Right: ‘This Is a Jesus Movement’.” *The New York Times*, The New York Times, 6 Apr. 2022, <https://www.nytimes.com/2022/04/06/us/christian-right-wing-politics.html>.

³⁶ See, for instance, Aziz Huq & Tom Ginsburg, “How to Lose a Constitutional Democracy,” 65 *UCLA Law Review* 78 (2018)

not, at least explicitly, the subject of significant public contestation: I think here of such fundamental notions as the rule of law, respect for basic liberties, free elections, and independent courts. But as regards the indefinite future and all its potential for further decay, it is difficult to feel confident enough in the durability of the liberal consensus to renounce political philosophy's role in maintaining it.

This brings me to the second major problem with the strategy of neutrality towards comprehensive ethical doctrines: even if it were true that the range of comprehensive doctrines currently prevalent in liberal societies will, at least for the moment, guarantee the stability of a liberal constitutional order, *the way in which people develop and regard their comprehensive beliefs and ideals should not be a matter of indifference to liberals*. If individual liberty is to have any meaning, democratic citizens must be capable of at least a modicum of critical reflection on their values.

This view may cause a certain degree of discomfort for some liberals. By and large, the principle of authority has been the dominant force in the reproduction of comprehensive ideals and personal values; accordingly, to suggest that the democratic public should concern itself with this fact seems to open the door to an unprecedented expansion of state authority. Most obviously, religious dogmas almost inevitably rely on divine revelation, or the infallible instructions of a priestly hierarchy. But subtler and yet equally powerful modes of non-discursive socialization abound: individuals learn how to act and what ends to pursue from their parents, their social milieu, or society at large (mass media, etc.). Now, obviously, this is inevitable to an extent: no one can or would want to create themselves and their values *de novo*, without any outside input. But it is possible to accept this and still believe that people can and should be able to step back from their inherited ideas and consider them in a reflective manner. By the same token, there is certainly

nothing intrinsically wrong with choosing traditional values or customs – only, if this *choice* is to have any meaning, those who make it must at least be aware that alternatives exist, and sufficiently critically-minded to genuinely consider them. This, I would suggest, is hardly an illiberal or “intolerant” notion.

For his part, Rawls says that as far as the public conception of justice is concerned, individuals are viewed as “capable of revising and changing” their conception of the good “on reasonable and rational grounds, and they may do this if they so desire. As free persons, citizens claim the right to view their persons as independent from and not identified with any particular such conception with its scheme of final ends.”³⁷ Curiously, though, he adds the following:

It is essential to stress that citizens in their personal affairs, or in the internal life of associations to which they belong, may regard their final ends and attachments in a way very different from the way the political conception involves. Citizens may have, and normally do have at any given time, affections, devotions, and loyalties that they believe they would not, and indeed could and should not, stand apart from and objectively evaluate from the point of their purely rational good. They may regard it as simply unthinkable to view themselves apart from certain religious, philosophical, and moral convictions, or from certain enduring attachments and loyalties. These convictions and attachments are part of what we may call their “non-public identity.”³⁸

This view is particularly difficult to reconcile with Rawls’ account of public justification. It is one thing to suppose that people will be able to separate the content of their public conception of justice from the comprehensive doctrines which support them. But it is quite another to think that they will be able to *do* effectively in the “domain of the political” what they have been trained not to do in the context of their innermost life: that is, reflect and communicate with others in a spirit of

³⁷ Rawls, *Political Liberalism*, 30

³⁸ Rawls, “Justice as Fairness: Political not Metaphysical,” 405

openness on complex ethical questions, without falling back on the authority of dogma or tribal loyalties. Furthermore, beyond its importance to a “well-ordered” democratic political life, critical socialization is also essential from the perspective of individual freedom, understood in a negative, liberal sense. As Rawls would certainly agree, liberalism prioritizes respect for individual choice and pluralism. But what use is choice, no matter how extensive one’s civil and political rights, if the basis upon which individuals make their choices is already decided for them? What use is the toleration of pluralism if homogeneity has already been pre-ordained? A liberalism which insists upon self-determination in all respects except the most essential – and what could be more essential than one’s “scheme of final ends”? – is a hollow one.

As we have seen, Rawls’ conception of liberalism allows only those instances of coercion which can be *justified* to persons, as choosing (free and equal) agents. To impose certain values on individuals, without a reasoned justification in the universal interests of persons, violates this principle – indeed, this was precisely the logic which motivated the turn to ethical neutrality. To coerce agreement on the good, he says, would require an “autocratic” use of state power. But is coercion any less incompatible with the essential principle of liberalism because it occurs in the private sphere? And we should make no mistake: moral doctrines, socialized habits of conduct, and unexamined ideas about one’s responsibilities, aims, and proper place in the world limit individual action no less than legal interference.

In response to this argument, two points are likely to be made. First, it will be said that the unique quality of state interference with choice, which is backed by the coercive force of the law, differentiates it from the “power” relations which may subsist in the liberal private sphere. This seems to me a weak argument in general, but more to the point is the fact that Rawls implicitly denies such a view: his theory of distributive justice depends on the idea that power imbalances in

the economic sphere must be corrected (not accepted because they do not depend on the possibility of literal, physical coercion) in the name of the freedom and equality of persons.³⁹ Even accepting this, one might still say that, unlike economic power, there is simply no way of avoiding the coercion involved in socialization. As Dewey was keenly aware, the “individual” is inevitably constituted by the world in which he develops, far more through the impersonal environmental forces which regularize his behavior than the direct intervention of any legal, parental, or religious authority.⁴⁰

This is undoubtedly true. What I am suggesting, however, is that the individual’s freedom demands he be equipped with the resources necessary to *consciously reflect upon and criticize* these pervasive structures of power. Full individual freedom, on a Deweyan view, thus lies not in the absence of socialization, but in a socialization which emphasizes the value of self-development, in free communication with other similarly capable agents. In a parallel fashion, rather than attempting to negate the power involved in the exercise of political authority by reference to a hypothetical universal consensus, we will see that Dewey’s democratic liberalism centers on the actual potential for disagreement; put otherwise, it locates the standard of legitimacy in the actual practice of justification.

In the remainder of this thesis, I develop this argument, explaining how value-experimentalism represents a preferable – and still liberal – alternative to Rawls’ ethical neutrality, as a response to the problem of reasonable value pluralism. Though value-experimentalism openly acknowledges that historically and culturally specific value judgments, of which it is one, cannot be excluded from the domain of public reason, it is fully “tolerant” of competing approaches to value,

³⁹ This, as I understand it, is what is meant by the point that such differences are regarded by the principles of justice as “morally irrelevant.” See, for instance, “Distributive Justice: Some Addenda,” in *Rawls: Collected Papers*

⁴⁰ See Dewey, *Democracy and Education*. Duke Classics, 2020. P.14-15.

and it never enforces adherence to a single conception of the comprehensive good life. On the contrary, I contend that the political order it implies, which may be thought of as “comprehensive democracy,” fulfills the liberal vision of persons as free and equal.

IV: Ethical Foundations

As recent scholarship has shown, John Rawls came to philosophy as an alternative mode of explaining the moral universalism to which he had originally been committed on theological grounds.⁴¹ Before graduating early to serve in the Pacific theater of the Second World War, he completed an intensely religious undergraduate thesis, “An Inquiry into the Meaning of Sin and Faith”; by the time he returned to the United States, he had experienced a crisis of faith, and soon enrolled as doctoral candidate in philosophy.⁴² His doctoral advisor, Walter Stace, wrote in a 1948 article titled “Man Against Darkness” that the central problem facing contemporary philosophy was “to show that neither the relativity of morals nor the denial of free will really follows from the grounds which have been supposed to support them. They can also try to discover a genuine basis for morals to replace the religious basis which has disappeared.”⁴³ In a recent article, P. Mackenzie Bok shows that Rawls took up just this imperative: as his theory of justice as fairness was taking shape in the 1950s and 60s, Rawls argued with the “moral point of view” theorists that the aim of moral reasoning should be to take a “God’s-eye-view” of the world.⁴⁴ In a sense, it is precisely this

⁴¹ See P. Kenzie Bok, “To the Mountain Top Again: The Early Rawls and Post-Protestant Ethics in Postwar America,” *Modern Intellectual History*, 2015

⁴² See Nagel and Cohen, “Introduction,” from Rawls, *A Brief Enquiry into the Meaning of Sin and Faith*, ed. Thomas Nagel, 2009. p.1-2.

⁴³ Bok, “To the Mountain Top Again,” 153-54

⁴⁴ *Ibid.*, 172

perspective which Rawls modeled in justice as fairness, through the conceptual device of the original position. Indeed, Bok reports that in a 1993 interview, he himself

...characterized his work as having a religious cast: "I think on the whole I have asked... what the actual social institutions have to be for society to redeem itself as a society. And this I think of as a quasi-religious question, or indeed it is a religious question." If there were no possibility of such redemption, Rawls mused, then one couldn't regard nature or society as "good," and his project seemed pointless.⁴⁵

Needless to say, John Dewey's pragmatism approaches the problems of ethics and politics from a very different angle: his basic point of reference as a philosopher and political theorist was not religion, but science. Hence in "Philosophy and Democracy" he notes that "there has been roughly speaking, a coincidence in the development of modern experimental science and of democracy," and asserts that "philosophy has no more important question than a consideration of how far this may be mere coincidence, and how far it marks a genuine correspondence."⁴⁶ As we will shortly see, his pragmatic theory of democracy answers this question in the affirmative. But before I can fully develop this point, it is necessary to offer a brief description of Dewey's pragmatic philosophy more generally, and particularly his theory of practical judgment.

First of all, it is vital to understand the precise meaning of Dewey's attachment to "modern experimental science." What mattered to him about such inquiry was, as he put it, "not the carrying on of experimentation like that of laboratories," but "a certain logic of method."⁴⁷ Above all, Dewey's pragmatism centers on a conception of experience as a perpetually-developing and active process, an "undergoing" which is both conditioned by, and in turn conditions, the objective

⁴⁵ Bok, "To the Mountain Top Again," 182 (quotation from an interview with Thomas Pogge)

⁴⁶ Dewey, "Philosophy and Democracy," 42

⁴⁷ Dewey, *The Public and Its Problems: An Essay in Political Inquiry*. Ed. Melvin L. Rogers, Swallow Press, 2016. P.202

environment in which the “patient-agent” is situated.⁴⁸ In dissolving the hard boundary between the “subjective” and “objective” worlds, assumed by both traditional empiricism and its rationalistic opponents, this view leads to a radical re-evaluation of the meaning of truth itself.⁴⁹ This no longer appears as a static feature of the objective world, to be grasped more or less accurately by the potentially-clouded eye of the human intellect, or as a “really real” thing beneath the “apparent” surface of sense-experience. Accepting all experienced phenomena as equally real (that is, equally “objective”), Dewey’s pragmatism exhorts us to seek truth not in a comprehension of the absolute “nature” of things, but rather in a method: our conceptions become “tools of inquiry,” working hypotheses to be evaluated on the basis of their continuous application in the course of practical activity.⁵⁰

In “The Logic of Judgments of Practice,” Dewey applies the same reasoning to the theory of value. Rejecting both “mechanism” and “utopianism” as opposite sides of the same coin, he situates practical judgment in the context of a “developing” objective situation, defined by both the obstacles and opportunities it presents for the intervention of human intelligence.⁵¹ Like truth, value is not a quality inhering in the objects of thought, but the *product* of the interaction between the experiencing subject and her environment.⁵² Accordingly, Dewey would certainly have agreed with Rawls’ view that “philosophy as the search for truth about an independent metaphysical and moral order” should be set aside as the basis of political philosophy.⁵³ Only he would have gone further: this conception of philosophy, he believed, needed to be replaced altogether. For, given the

⁴⁸ Dewey, “The Need for a Recovery of Philosophy,” excerpted in *The Political Writings*. Ed. Debra Morris and Ian Shapiro, Hackett, 1993. P.4-6

⁴⁹ See Dewey, “The Problem of Truth,” excerpted in *The Political Writings*.

⁵⁰ Ibid.

⁵¹ Dewey, “The Logic of Judgments of Practice,” Chapter XIV of *Essays in Experimental Logic*, University of Chicago Press, 1916.

⁵² Dewey, “The Logic of Judgments of Practice,” 362

⁵³ See, for instance, Dewey, “The Problem of Truth”

interpenetration of subject and object, the search for such an order is an altogether fruitless one. The upshot of this logic is a fundamental re-evaluation of the project of ethics: if our ideas of value, which make up the content of practical judgment, are just as much an integral part of the ongoing process of experience as any other belief, then ethical reasoning is always empirically conditioned and never absolute.

As radical as this idea may seem from the perspective of conventional notions of morality – it is certainly incompatible with any system which attempts to take a “God’s-eye-view” of human affairs – Dewey insistently rejected critics’ accusations that it amounts to a form of relativism, or “moral subjectivism.”⁵⁴ Instead, Dewey regards moral arguments as possessing essentially the same epistemological status as scientific hypotheses. This analogy is apt in two crucial respects: first, we do not regard scientific theories as “merely subjective” simply because they are empirical, and therefore uncertain. Instead, we weigh the evidence for and against them, and make reasoned judgments about their plausibility. On the other hand, the analogy to scientific theory shows why any system of ethics which sets up a fixed hierarchy of values or (what is essentially the same) a list of categorical duties, to be imposed on experience without the possibility of flexible re-adjustment as consequences are observed, ultimately serves only to restrict the operation of critical intelligence. For, on this view, the validity of a value judgment, like that of a scientific one, relies entirely upon its continuing application to a *developing* practical situation.

Ultimately, therefore, Dewey contends that the recognition of the empirical/historical quality of practical reason is actually necessary to making intelligent moral judgment *possible*. Unless we are willing to hold our ethical beliefs open to revision, they are nothing but dogmas:

⁵⁴ See Dewey, “The Logic of Judgments of Practice,” 364-65

The man who is not accessible to such change in the case of moral situations has ceased to be a moral agent and become a reacting machine. In short, the standard of valuation is formed in the process of practical judgment or valuation. It is not something taken from outside and applied within it— such application means there is no judgment.⁵⁵

Now, it is important to understand that, while scientific and ethical *judgment* are both empirical on Dewey's view, scientific and ethical *knowledge* (if the term is even properly applied to ethics) are by no means the same thing. We should not shake off the misconception of pragmatism as "subjectivism" only to make the opposite error of regarding it as a form of moral objectivism. The logic of method used in science is equally applicable to practical judgment, because both concern the real, empirical world: ethics is not the search for a transcendental reality, "an independent metaphysical and moral order." But the *questions* of science and ethics are fundamentally different. For while science describes the world *as it currently is* (for the sake of our practical purposes), ethics evidently deals with the world *as it will (or will not) become*, depending on our choice of action. As Dewey explains in the 1919 lecture "Philosophy and Democracy,"

And this explains what is meant by saying that love of wisdom is not after all the same thing as eagerness for scientific knowledge. By wisdom we mean not systematic and proved knowledge of fact and truth, but a conviction about moral values, a sense for the better kind of life to be lived. Wisdom is a moral term, and like every moral term refers not to the constitution of things already in existence... As a moral term, it refers to a choice about something to be done...⁵⁶

What distinguishes ethics from science, then, is its direct orientation towards *future action*. Dewey also regards scientific reason as future-oriented (this is the crucial distinction between

⁵⁵ Dewey, "The Logic of Judgments of Practice," 373-4

⁵⁶ Dewey, "Philosophy and Democracy," from *The Political Writings*. P.39

pragmatism and both correspondence and coherence theories of truth⁵⁷), but as he explains in “The Logic of Judgments of Practice,” only practical reason, “as a proposition about the supplementation of the given... is a factor *in* the supplementation — and this not as an extraneous matter, something subsequent to the proposition, but in its own logical force...”⁵⁸ Accordingly, practical judgment presupposes empirical knowledge (“the given”), and on this basis determines future action. This action in turn alters empirical conditions. Philosophy thus

assumes the responsibility for setting forth some ideal of a collective good life, by the methods which the best science of the day employs in its quite different task, and with the use of the characteristic knowledge of its day...⁵⁹

The implications of this account are clear: if ethical reasoning both relies upon empirical facts and then shapes those facts, its determinations can never be final or absolute. It is true that “all knowledge... makes a difference” to ethics, as “it opens new perspectives and releases energy to new tasks.”⁶⁰ Nevertheless, ethics cannot be reduced to knowledge. For even if absolute knowledge of the external world were possible, Dewey says, a man suddenly granted such insight would

... begin to ask himself[:] what of it?... What does it all mean? And by these questions he would not signify the absurd search for a knowledge greater than all knowledge, but would indicate the need for projecting even the completest knowledge on another dimension – namely, the dimension of action.⁶¹

To put Dewey’s conception of ethical reasoning into practice, then, we must now decide a crucial question: namely, given the knowledge that there are no absolute values or transcendent

⁵⁷ See Dewey, “The Need for a Recovery of Philosophy.”

⁵⁸ Dewey, “The Logic of Judgments of Practice,” 339

⁵⁹ Dewey, “Philosophy and Democracy,” 41

⁶⁰ *Ibid.*, 42

⁶¹ *Ibid.* 41-2

norms, valid independently of practical context, what should we *do*? One seemingly reasonable answer would be to simply give up on the project of constructing a systematic philosophy altogether. On such a view, we might still exchange reasoned arguments about particular political and moral issues, but no attempt would be made to provide a comprehensive justification of the basic normative structure on the basis of which such questions are adjudicated. In this sense, philosophy itself would be set aside. Richard Rorty, a self-described Deweyan, thus describes pragmatism as

... equally compatible with enthusiasm for democracy and with contempt for democracy. The frequent complaint that a philosopher who holds the pragmatic theory of truth cannot give you a reason not to be a fascist is perfectly justified. The choice between enthusiasm and contempt for democracy becomes a choice between, for example, Walt Whitman and Robinson Jeffers, rather than between competing sets of philosophical arguments.⁶²

Interestingly enough, Rorty endorses the later Rawls' political liberalism as the logical fulfillment of pragmatism *on exactly these grounds*: there being no way to rationally justify the basic "intuitions" of liberalism, he suggests, we should simply accept this mode of life as our way of doing things. Rawls' revised (political) liberalism ultimately amounts "only to a historico-sociological description of the way we live now," for it is concerned not with "supplying philosophical foundations for democratic institutions, but simply trying to systematize the principles and intuitions typical of American liberals."⁶³ On this view, justice as fairness allows us to structure our thinking about what the core values of liberalism would mean in practice, without referring to inevitably flawed comprehensive moral arguments. We simply have to accept that the choice of liberalism in the first place is a purely aesthetic one: as Rorty puts it in his characteristically

⁶² Richard Rorty, *Pragmatism as Anti-Authoritarianism*. Ed. Eduardo Mendieta and Robert Brandom, The Belknap Press of Harvard University Press, 2021. P.83

⁶³ Rawls, *Political Liberalism* (Quoted in Sandel, "Political Liberalism, By John Rawls," p.1775)

provocative manner, philosophy cannot supply “neutral principles on the basis of which to decide between Hitler and Jefferson.”⁶⁴

As should be clear from the above discussion, and particularly the quotation on philosophy’s “setting forth some ideal of a collective good life,” Dewey plainly rejects this view, as well as Rawls’ ethical neutrality. Instead, his pragmatism singles out one comprehensive ethical orientation as the most reasonable practical response to the fact of value relativism: what I call value experimentalism, or, in political terms, comprehensive democracy. In the sphere of ethics, the core contention of this attitude is that moral judgments should always be held open to revision in light of ongoing experience and open communication. Crucially, this attitude rejects *both* moral relativism and moral absolutism, the view that certain moral duties exist always, independently of time and circumstance: since value experimentalism is an *ethical disposition* grounded on the fact of value relativism, it is both prescriptive and explicitly non-absolutistic. In other words, the essential normative prescription of Dewey’s ethics is that no normative prescription should be regarded as absolute.

Now, it will likely seem to many that to call this principle a “norm” is to stretch the meaning of that concept. It is true that, in itself, it does not imply any determinate *moral* precepts.⁶⁵ However, for Dewey, moral and ethical ideas, in any familiar sense of these terms, really only apply in a *social*, and thus *practical* context: for this reason, in order to make sense of the principle elaborated above, we need to turn to Dewey’s social and political thought. More particularly, it is his account of democracy which gives a determinate meaning to Dewey’s pragmatic conception of

⁶⁴ Rorty, *Pragmatism as Anti-Authoritarianism*, 115

⁶⁵ For instance, all we could say of the maxims “do not steal,” and “steal” would be that neither should be regarded as absolute.

ethics. For, as he writes in “The Ethics of Democracy,” that political method is at bottom “a form of moral and spiritual association,” or “a social, that is to say, an ethical conception.”⁶⁶

V. Democracy as the Politics of Experience

In a speech given on the occasion of his eightieth birthday in 1939, Dewey lays out the theoretical core of what I have termed value experimentalism, as well as its intrinsic connection to democracy:

... I shall ask your indulgence if in concluding I state briefly the democratic faith in the formal terms of a philosophic position. So stated, democracy is belief in the ability of human experience to generate the aims and methods by which further experience will grow in ordered richness. Every other form of moral and social faith rests upon the idea that experience must be subjected at some point or other to some form of external control; to some “authority” alleged to exist outside the processes of experience. Democracy is the faith that the process of experience is more important than any special result attained, so that special results achieved are of ultimate value only as they are used to enrich and order the ongoing process.⁶⁷

But what does this mean in plain terms? What constitutes the sort of “external” “authority” which Dewey opposes to the free unfolding of experience, and why does democracy solve this problem? Once again, to understand Dewey’s philosophy, we need to look to the methods of experimental science. As I noted at the outset of this section, Dewey defends democracy on the grounds of an analogy to the methods of science. But on its face, this seems like an odd connection to make: what should experimental science have to do with government by majority vote?

⁶⁶ Dewey, “The Ethics of Democracy,” from “The Political Writings.” Ed. Morris and Shapiro, Hackett, 1993. p.59

⁶⁷ Dewey, “Creative Democracy – The Task Before Us,” from *The Political Writings*. P.244

In itself, not much. That is to say, the notion of democracy which reduces it to the rule of the greatest number holds little attraction for Dewey. He insists that, despite their historical utility, “there is no sanctity in universal suffrage, frequent elections, majority rule...”⁶⁸ This view might seem strange for such a devoted democrat, and it certainly puts him at odds much of the traditional myths of popular sovereignty. But it makes sense in light of Dewey’s pragmatic philosophical orientation. His allegiance to democratic procedure cannot and does not rest on a metaphysical commitment to self-rule, as if politics could, as Rousseau hoped, restore the mythical independence of the state of nature.⁶⁹ He takes up this theme in “Philosophy and Democracy,” explaining that the theory of popular sovereignty was no more than “another absolute” conception to replace the discredited “divine right of kings” thesis: “The voice of the people was mythologized into the voice of God.”⁷⁰ Dewey does not rely on a religious faith, either in God, or the popular will.

But, Dewey explains, majority rule “never is *merely* majority rule.”⁷¹ Instead, for Dewey the democratic method is above all indicative of a determination to prioritize *discussion* in the resolution of social questions: “In theory,” he writes, “the democratic method is persuasion through public discussion... The substitution of ballots for bullets, of the right to vote for the lash, is an expression of the will to substitute the method of discussion for the method of coercion.”⁷² Like Mill, Dewey locates the normative significance of democracy in the *discursive*, rather than the *decisive* aspect of popular government. Indeed, Mill goes so far as to call representative democracy

⁶⁸ Dewey, *The Public and Its Problems*, 144-5

⁶⁹ See Rousseau, Jean-Jacques. *The Major Political Writings of Jean-Jacques Rousseau: The Two Discourses and the Social Contract*. Edited by John T. Scott, The University of Chicago Press, 2014.

⁷⁰ Dewey, “Philosophy and Democracy,” 46

⁷¹ Dewey, *The Public and Its Problems*, 207

⁷² Dewey, *Freedom and Culture*, from *The Political Writings*. P.228

“government by discussion.”⁷³ This point is essential, and through it we can make sense of the connection to experimental science.

First, we must understand clearly how democracy is a uniquely discursive political order – why it is that government by majority vote implies a commitment to discussion, in a way that other decision procedures do not. For it is theoretically possible to imagine a political order in which the majority decides, but without discussion.⁷⁴ The important thing, however, is that it is *not* possible to have “government by discussion” *without* majority rule. Here it is necessary to specify what is meant by Mill’s seemingly paradoxical phrase. Obviously, government is at bottom non-discursive; political power involves the exercise of coercive force. In this sense, there is no such thing as government by discussion. What varies in different constitutional forms is rather the means by which the governing authority is chosen. Accordingly, the only coherent meaning of the phrase “government by discussion” is a system in which legal authority – the right to decide – is ultimately derived from preceding deliberation.

Now, discussion does not spontaneously produce a decision – only those who discuss can evidently do that. And if anything can be said about human life in general, it is that a plurality of qualitatively distinct persons engaged in deliberation will inevitably arrive at a plurality of different decisions, provided that the question is even slightly controversial. The question, therefore, is how collective decisions will be made on the basis of discussion, provided that participants in the discussion reach different conclusions. It seems fairly clear that the only practicable way of doing so would be by majority vote: since there is no unitary “outcome” of public deliberation, the best

⁷³ See Mill, *Considerations on Representative Government*, p.238

⁷⁴ Indeed, various historic political theorists – Rousseau being the most notable example – have advocated this sort of “democracy,” in one way or another. See Rousseau, *The Social Contract*, in *The Major Political Writings of Jean-Jacques Rousseau*; Carl Schmitt, *The Crisis of Parliamentary Democracy*, Trans. Ellen Lee Kennedy, The MIT Press, 1985.

that can be done to approximate one is the counting of heads. This relatively crude expedient can hardly be looked upon as revealing “the” true outcome of the deliberative process, in some absolute sense – but it nevertheless tells us what balance of reasons appeared most persuasive to the greatest number of persons. And in this sense, it serves as a functional consensus, such that we can in some meaningful sense regard the resulting a decision as issuing from the deliberation.

Accepting that majority rule is the closest we can come to government by discussion, it remains to be seen why we should pursue this ideal at all. To this end, it is helpful to refer to the dichotomy which Dewey establishes in the above quotation: the alternative to the “method of discussion” as the source of social decisions can only be “the method of coercion” – i.e. naked force. This point seems to me ironclad. After all, what other options are there in cases of disagreement among persons? Either both sides communicate, and interests are mediated on the basis of mutual agreement, or one side exerts power on the other – that is, either does violence or threatens it – to compel what it would not freely consent to do. Given this fact, it is not difficult to imagine why Dewey favors the method of discussion: clearly, the fact that the possessor of superior force demands adherence to a proposition is not an argument for it.

At the same time, it should be apparent by now that public discussion and majority voting, *in themselves*, are also not a guarantee of good political judgment, on Dewey’s view – he was no folk democrat, with a naïve faith in “the people” to choose correctly, even after extensive deliberation. More fundamentally, though, discussion itself is *never* a sufficient guarantee of a practical judgment’s validity, no matter how adept the participants. Finally, we should return here to Dewey’s analogy between democracy and the methods of experimental science. In scientific inquiry, open discussion is indeed requisite. But discussion alone is not sufficient, no matter how unanimous the scientific consensus which results from this deliberation. Rather, any judgment

which is held above the demands of *ongoing*, empirical verification becomes a mere dogma. What legitimates science's claim to "truth" is ultimately its experimental aspect: the fact that hypotheses can be tested over time, in practice, and *then discussed*, on the basis of new evidence.

Unsurprisingly, this logic of method is identical to that which we saw lay behind Dewey's experimental approach to practical judgment. Once it accepted that practical judgments can only ever be provisional, the question of *what* values/dispositions to action one adopts becomes secondary to that of *how* one adopts them. The crucial point, it should be clear by now, is that practical judgment must never be closed off, or treated as such; to do so would be to freeze the process of ongoing experimentation, the "hypothesis testing" which is the only guarantee of intelligent moral reasoning.

Democracy, for Dewey, is simply this value-experimental attitude applied to the domain of social practice. It places ultimate importance not on *what* social policies are adopted at any given time, but rather on *how* they are adopted – in particular, it conditions authority (the right to decide) on the requirement that the ruling power continually justify itself in open discussion. As in scientific inquiry, the decisions reached through democratic debate are justified because the method employed is *unlimited*, both in time and in terms of who can participate: no majority decision is final, for a new majority can arise and overturn it at any time, and every individual is entitled to be a part of that future majority (or even organize it). Anything which intervenes to obstruct or limit democratic deliberation, in turn, is a form of the "authority" Dewey refers to in the above passage. It is a means of imposing a particular, final outcome on a process which *justifies its outcomes on the basis of their contingent nature*. The scientific analogue of the democratic principle of legitimacy would thus be the concept of *empirical falsifiability*.

In this sense, government by discussion is actually instrumental to a still deeper commitment: namely, openness to intelligent change in the light of experience. Democracy is the means by which experience can “generate the aims and methods by which further experience will grow in ordered richness,” because it ensures that if, in the light of experience, the current normative orientation – in the case of the narrow “political” domain, this would be the legal order – does not stand the test of open and communicative evaluation, the direction of social practice will change (without the need for violent conflict). In the vocabulary of political theory, Dewey’s conception of democracy prioritizes *contestability* as the legitimating feature of political authority; public deliberation and control is necessary because it renders all authority responsible, and thus *provisional*.

The meaning of these points becomes more evident if they are compared with the alternative. In contrast to democracy, autocratic political systems implicitly reject the need for the flexible revision of political judgment. For they place political authority above responsibility to public judgment – that is, above the only entity which has full *experience* of the practical consequences of political decisions. Of course, this is not to say that an autocratic regime can never change the course of its policy, or even that it cannot be attentive to the lived experience of its subjects: as every dictator is well aware, it is also possible to contest authority derived from force. But to do so requires violence; that is, recourse means which the political authority regards as illegitimate, and attempts to repress. Coercion, unlike public judgment, cannot be contested *within* the existing political order. Thus, insofar as the regime operates as genuinely autocratic – that is, insofar as it perpetuates itself by mere force, without regard for public consent – it declares itself beyond legitimate contestation. This is the case whether the authority involved is that of an individual, a particular caste, or even of a great many.

It is worth noting that this remains true even if the non-democratic regime formally tolerates dissenting speech: the public may be allowed to openly evaluate the ruling power's decisions, but if the regime is able to simply ignore that evaluation, it is effectively above contestation. The point is that political power is legitimate in a Deweyan sense to the extent that *all* persons subject to it (and thus all the evidence of experience available to the community) may contribute to deliberation which then *leads to decision*. Only insofar as these conditions are fulfilled can political decisions be made and evaluated "intelligently"; everything else precludes certain avenues of inquiry and experimentation, either by excluding certain ideas from deliberation, or by simply rendering deliberation futile. And whatever is not amenable to intelligent change is beyond contestation.

On the other hand, this line of thinking also suggests that a democratic regime (one in which political decisions are made by majority voting) which restricts or interferes unduly with public deliberation is hardly more legitimate, from Dewey's perspective, than a pure autocracy. For what good is the responsibility of political power to the public if that public cannot effectively reason about its needs and interests, and reflect on its previous decisions? If the ongoing contestation and experimentation which lies at the heart of democratic legitimacy is to be at all intelligent, in Dewey's sense, it must be grounded in reasoned communication – otherwise it is merely random, an unlimited flailing. Such blind (silent) contestation would be equivalent to experimentation without reference to prior experimental evidence.

For this reason, Dewey's conception of democracy as an experimental approach to politics, analogous to experimental methodology in science, must include more in its standard of legitimacy than the responsibility of political power to majority control. If democracy is to have any meaning, it must guarantee both unlimited contestation and unlimited deliberation; either one without the other is pointless. This may seem like a relatively anodyne point. But from the perspective of

political theory, its quite significant implication is that democracy, on Dewey's pragmatic view, is not only compatible with, but inextricable from liberalism. Although his pragmatic outlook eschews talk of natural or absolute rights, belonging to individuals in abstraction, liberals can rest assured that the social method of democracy necessarily relies on the maintenance of basic liberal rights.

I refer here first of all to the obviously politically essential freedoms of speech and expression (as well as government transparency), without which open public deliberation is manifestly impossible. But from the Deweyan perspective, intelligent public deliberation on matters of value – the communicative exercise of practical judgment – requires much more than just these formal rights to expression. If this deliberation is to be genuinely open (unlimited), and thus if democratic contestation is to be genuinely experimental, it is crucial that a variety of competing approaches to value are actually represented in the public deliberation. In other words, the value-experimental attitude also implies a deep commitment to social pluralism, beyond the sphere of public discussion: insofar as citizens, the participants in democratic deliberation, are socialized to homogeneity in their non-public lives, the range of potential social experiments available to the deliberating public is constricted. It is thus particularly essential on this view that society leave a wide berth for individuals to conduct their own, personal value-experimentation. That is, toleration must extend not only to ideas, but, as far as possible, to individual behavior; from the perspective of pragmatism, freedom of thought in matters of value would mean very little if no room were left for the actual living out of, and intelligent reflection upon, one's ideas of the good life.

Evidently, in matters of public concern, individual "experimentation" must be limited, or else anarchy would result.⁷⁵ To this extent, the stock of experimental evidence available to the democratic public as it deliberates on matters of value will be inevitably limited. But there is every

⁷⁵ Clearly, individuals cannot be allowed to experiment with the lifestyle of a murderer, or an environmental polluter.

reason, if we take seriously Dewey's account of democracy as the politics of experience, to ensure unlimited freedom to experiment in at least what Mill refers to in *On Liberty* as "self-regarding" concerns.⁷⁶ These include such varied freedoms as the rights to unimpeded religious practice, sexual behavior, and recreational activity. Of course, there is no absolute means of distinguishing exactly where these activities impinge on the substantial interests of the public. As a result, Dewey did not propose any hard and fast standard for rights-protected behavior, akin to Mill's Harm Principle.⁷⁷ But I believe I am justified in saying that there is compelling reason, on the basis of Dewey's thought as we have laid it out, to restrict the authority of the democratic public in a variety of traditionally rights-protected domains.⁷⁸ In particular, I would note that value experimentalism should be especially hostile to any form of paternalistic interference with individual conduct (once again, a key concern of Mill's). Such interference, after all, has no aim *but* to preclude the individual's exercise of his own practical judgment, and serves no purpose but the restraint of value experimentation. In general, though, my point is that value experimentalism seems to strongly imply a maximum of toleration of difference, at least when others' practices are not directly threatening to the interests of the public.

Finally, I would note that this same logic should be understood as applying to both speech and practices which are either implicitly or explicitly opposed to the basic ethical orientation of value experimentalism. For example, the right to hold religious beliefs and perform rituals which have no basis in critical inquiry should be fully protected on this view, as long as they are not imposed on anyone. Now, this point, especially as regards religious toleration, may seem to sit

⁷⁶ Mill, *On Liberty*. For an instructive discussion of the harm principle as an anti-paternal maxim, see P.N. Turner, "The Absolutism Problem in 'On Liberty.'" *Canadian Journal of Philosophy*, vol. 43, no. 3, 2013, pp. 322–340. [JSTOR, www.jstor.org/stable/26452158](http://www.jstor.org/stable/26452158).

⁷⁷ Given the seemingly endless scholarly debate on the so-called Harm Principle of *On Liberty*, this seems to have been a wise decision.

⁷⁸ This contention reflects both his fundamental approach to practical judgment, observed in the previous section, and his clearly instrumental view of majority rule, discussed above.

uncomfortably beside my central contention that Dewey's political thought is committed to a comprehensive ethic of experimentation. But the essential thing about value experimentalism, as I have laid it out, is that it is an ethical view grounded in the belief that *no* ethical judgment should be regarded as final. As a result, it locates the standard of ethical judgment in the uninhibited process of experience. What makes this view unique, as compared to other moral theories, is that it regards *even itself* as provisional: just like every other ethical judgment, the pragmatist openly admits, value experimentalism can only be defended on an ongoing, empirical basis. As such, its own legitimacy relies on its tolerating competing views, however fundamentally opposed. Regarded from this perspective, it becomes clear that value experimentalism is a *deeply* pluralistic and tolerant ethic. I will develop this point in greater detail in the following section.

For his part, Dewey is quite explicit in tying the essentially anti-authoritarian, pluralistic character of his political thought to the pragmatic theory of value. Philosophy has "largely been committed to a metaphysics of feudalism," he writes, because

it has thought of things in the world as occupying certain grades of value, or as having fixed degrees of truth, ranks of reality... Now any such philosophy inevitably works in behalf of a regime of authority, for it is only right that the superior should lord it over the inferior. The result is that much of philosophy has... become unconsciously an apologetic for the existing order, because it has tried to show the rationality of this or that existent hierarchical grading of values and schemes of life... Or when it has questioned the established order it has been a revolutionary search for some rival principle of authority.⁷⁹

Dewey's allegiance to democracy is not an attempt to substitute the authority of the collective, nor even of modern science, for that of the elite. On the most fundamental level, value

⁷⁹ Dewey, "Philosophy and Democracy," 45

experimentalism is opposed to any *authority*, in the genuine sense; that is, power which lacks the necessity of justifying itself in reasonable terms to the democratic public, in the course of unlimited public contestation. Ultimately, this is because it refuses to establish a hierarchy of values and truths, inaccessible to the test of experience.⁸⁰ For the same reason, it is an inherently pluralistic philosophical persuasion. For what individual or group can claim authority to forcefully impose their particular judgments or ends on others once we understand that their ideas of values are no more absolutely “true” than anyone else’s? In this way, Dewey’s rejection of absolute value judgments is the basis for his normative allegiance to both liberalism and democracy.

VI: Comprehensive Democracy as the Fulfillment of Liberalism

Up to this point, one could be forgiven for thinking that the differences between Rawls and Dewey are more abstract or philosophical than substantive. Indeed, in a certain respect, this is exactly my point: I have just explained why, contrary to Rawls’ worries about basing political philosophy in a comprehensive philosophical view, Dewey’s pragmatism leads him to adopt a highly tolerant form of democratic liberalism. But this is not the end of the story. The comprehensiveness of Dewey’s political philosophy is also reflected in the substance of his theory – Rawls was quite right to think that this theoretical distinction has vital practical consequences. Accordingly, my aim in this final section is to explain why the same value-experimental attitude which we just saw demands liberal tolerance also requires that the procedures of democratic participation and contestation be expanded to all domains of social life. Most importantly, I argue that this revision is not a violation, but a fulfillment of the liberal project. Despite its clearly value-

⁸⁰ Dewey analyzes Plato’s *Republic* on exactly these terms, calling it “a splendid and imperishable formulation of the aristocratic ideal.” (“The Ethics of Democracy,” 59)

laden character, Dewey's comprehensive ethic of experimentation expands liberal toleration: if it were made the basis of public life and institutions, value experimentalism would further Rawls' essential attachment to the toleration of pluralism.

To this end, we may begin by returning to the matter of the liberal principle of legitimacy, as sketched in section II. I showed there that Rawls' turn to ethical neutrality in *Political Liberalism* can be understood as a logical consequence of his interpretation of the legitimacy principle: since no comprehensive ethical doctrine can be regarded as universally acceptable to free and equal persons as such, a liberal political philosophy must avoid the task of justifying the "basic intuitive ideas" of liberalism (i.e., the freedom and equality of persons). Because *consensus* is not possible on matters of the ethical good, the only alternatives left to a public conception of justice are neutrality, or "autocracy" – presumably either in the form of an artificially-induced consensus (through indoctrination), or the mere coercive imposition of a particular scheme of ends, ignoring consensus. But the Deweyan account I have laid out to this point presents a third option.

Since Dewey's pragmatism understands value/ethical judgment as an integral part of the ongoing process of experience, it rejects the attempt to derive norms from an abstract decision situation. Instead, his strategy of value experimentalism evaluates the legitimacy of practical "hypotheses" on the basis of their subjection to unlimited empirical justification and contestation, including practical judgments about the use of coercive power (i.e., political judgments). In short, political legitimacy is a function of the ongoing, critical exchange of reasons. Obviously, this view differs from Rawls' formulation of the liberal principle, in that it grounds legitimacy in the "real-world" potential for continued *disagreement*, rather than the hypothetical possibility of consensus among abstract persons. Crucially, because the Deweyan conception of legitimacy thus abandons reference to consensus, institutions *need not be value-neutral* in order to be legitimate: it is indeed

implausible to hypostasize a consensus on matters of the “comprehensive ethical good,” but this problem is irrelevant if legitimacy is no longer conditioned on consensus. In this way, Dewey’s (liberal) response to the “fact of reasonable pluralism” avoids generating what I have called the “paradox of liberal pluralism.”

Accordingly, the value-experimental account of liberal democracy is able to accommodate (legitimize) political “comprehensiveness,” in two senses. First, it makes unnecessary Rawls’ strategy of “avoidance” as regards fundamental moral and philosophical questions. Even if we took seriously Rawls’ proposal that discussion of the political meaning of justice as fairness could be divorced from consideration of its theoretical basis (a suggestion which Dewey would probably consider highly suspicious to begin with, given his insistence on the interrelation of theory and practice), there is nothing intrinsically problematic about open public discussion on the underlying ideals and justification of liberalism itself. All democratic legitimacy requires is that those who express such value-laden arguments refrain from regarding them as absolute – in other words, that, regardless of their ethical commitments, citizens remain tolerant in this most fundamental sense.

A brief example may serve to bring out the advantages of this approach. Consider the issue of attitudes towards homosexual relationships, which remains (though increasingly less so) a matter of significant moral disagreement. On the Rawlsian view of public neutrality, we would be required in our public capacity as citizens to put aside whatever personal feelings we may have about this issue, and where political questions are concerned deliberate solely on the basis of the intuitive idea of persons as free and equal. Those citizens who, on account of their religious beliefs or personal tastes, find homosexuality to be morally wrong or even disgusting, would simply be required to jettison those views in a political context – these arguments express controversial value judgments, and thus violate the principle of public neutrality. On the other hand, however, we would also have

to rule out arguments from the other side. The view that homosexual conduct harms no one and represents a fact of natural human diversity, for example, would be equally inadmissible to the sphere of public deliberation. Clearly, the most natural conclusion of this hypothetical debate would be that gay citizens should be guaranteed equal legal rights, as they are, obviously, persons. But the cause of pluralism and genuine toleration would be served far better if, in addition to legal toleration, citizens were able to advocate openly and in public for *moral* toleration of gay people. On Dewey's view of liberalism, this sort of discourse would be perfectly acceptable.

The flip-side of this admission, of course, is that intolerant views would also need to be admitted to public discussion. However repugnant to our liberal sensibilities, value-experimentalism would suggest that even speech which expresses hateful values must be tolerated. To those who would prefer not to be confronted with such views, I would simply respond that it seems to me far preferable to meet the forces of dogma and unreasoning violence on liberalism's own turf – the domain of open communication – rather than resorting to methods which, in their silencing of discussion, implicitly accept the logic of rule by force.

This brings me to the second major repercussion of the non-neutral character of Dewey's liberalism. In addition to opening the sphere of public deliberation to ethical disagreement, Dewey's revised conception of legitimacy is responsible for the comprehensively democratic quality of his social thought. He argued insistently for the expansion of the democratic ethical orientation to all social domains. "The idea of democracy," he wrote "is a wider and fuller idea than can be exemplified in the state even at its best. To be realized it must affect all modes of human association, the family, the school, industry, religion."⁸¹ Accordingly, he calls in "The Ethics of Democracy," for "a democracy of wealth," writing that "democracy is not in reality what it is in

⁸¹ Dewey, *The Public and Its Problems*, 143

name until it is industrial, as well as civil and political.”⁸² For his part, Rawls was undoubtedly also quite egalitarian in terms of economic distribution. He even characterizes the difference principle as representing the “democratic” ideal of distributive justice.⁸³ Quite unlike Dewey, however, he is self-professedly agnostic on the question of whether “property-owning democracy,” or “liberal socialism” would best fulfill this ideal, specifying that the question of private property in the means of production should be “left to be settled by historical conditions and the traditions, institutions, and social forces of each country.”⁸⁴ In contrast, Dewey writes that from the perspective of democracy “it is absolutely required that industrial organization shall be made a *social* function.”⁸⁵

This distinction is not coincidental; its roots lie at the heart of Dewey’s pragmatic liberalism. As we have seen, the conception of legitimacy I have attributed to Dewey views normative justification as a perpetually unfinished, *real-world activity*. The legitimacy of social institutions thus rests on the actual practice of contestation, and the extent to which public deliberation is actually carried out in an open, critical manner. As a result, the legitimacy of economic structures *necessarily* depends on their responsibility to democratic control, quite independently of the matter of fair distribution; the fact that they distribute resources in a hypothetically consensual matter is insufficient. Therefore, although Rawls and Dewey agree that the economic domain must be held to the standards of liberal legitimacy, only Dewey interprets this to mean that cooperative procedures are necessary.

⁸² Dewey, “The Ethics of Democracy,” 63-4

⁸³ Rawls, “Distributive Justice: Some Addenda,” 159. Contrary to the oft-repeated notion that Rawls set out to justify the welfare state, his idea of a “property-owning democracy” is committed to significantly more than a minimum standard of living for all citizens (see, for instance, “Preface to the French Edition of *A Theory of Justice*,” in “Collected Papers”). Meanwhile, Dewey specified that in an industrial democracy “numerical identity [of wealth] is not required, it is not even allowed.” (“The Ethics of Democracy,” 64).

⁸⁴ Rawls, “Preface to the French Edition of *A Theory of Justice*,” 420, from “John Rawls: Collected Papers”

⁸⁵ Dewey, “The Ethics of Democracy,” 64

Tellingly, this characteristically “comprehensive” ethical focus on the *way* production is carried on in the first place, as opposed to the subsequent assignment of distributive shares, is also evident in the fact that Dewey, unlike Rawls, is quite comfortable speaking about economic life itself – as opposed to the basic principles of justice which *regulate* the economy – in explicitly moral terms. In a particularly strident passage, he writes that

We admit, nay, at times we claim, that ethical rules are to be *applied* to this industrial sphere, but we think of it as an external application. That the economic and industrial life is *in itself* ethical, that it is to be made contributory to the realization of personality through the formation of a higher and more complete unity among men, this is what we do not recognize; but such is the meaning of the statement that democracy must become industrial.⁸⁶

This point represents a useful way of framing the difference between Dewey’s liberalism and Rawls’: although Rawls deserves credit for recognizing the incoherence of a liberalism which limits the demand for interpersonal reciprocity to the political sphere, he certainly still sees the principles of liberal justice as *applying* to the economic domain. Dewey, by contrast, was never shy about his view that the ultimate meaning of economic democracy, like that of political democracy, would amount to a “unity of interest and purpose,” among citizens, and a new sense of ethical community: “The clear consciousness of a communal life, in all its implications, constitutes the idea of democracy.”⁸⁷ The point is that citizens should *experience* their productive activity as an act of social cooperation undertaken for common purposes. As Mill put it, only socialism can effect “the conversion of each human being’s daily occupation into a school of the social sympathies and the practical intelligence.”⁸⁸ Although he clearly regarded the political principles of justice as fairness

⁸⁶ *Ibid.*, 65

⁸⁷ Dewey, *The Public and Its Problems*, 89

⁸⁸ J.S. Mill, *Principles of Political Economy: with Chapters on Socialism*. Edited by Jonathan Riley, Oxford University Press, 2011. P. 153

in moral terms, Rawls' commitment to ethical neutrality does not allow him to make comparable statements. For these are, at bottom, comprehensive ethical claims: since they involve ideals of how individuals should subjectively regard their activity, they make implicit reference to an idea of the good life.

At this juncture, it is necessary to step back and seriously reconsider whether Dewey's view is indeed a liberal one. For lest we regard Dewey's allegiance to democracy as a dry, epistemological matter, it has become evident that this account is comprehensive in more than just a philosophical sense: it is openly committed to the idea that a single ethical attitude should ground public institutions. As he puts it,

democracy is a *personal* way of individual life... it signifies the possession and continual use of certain attitudes, forming personal character and determining desire and purpose in all relations of life. Instead of thinking of our own dispositions and habits as accommodated to certain institutions we have to learn to think of the latter as expressions, projections, and extensions of habitually dominant personal attitudes.⁸⁹

Now there is no use in attempting to argue that this comprehensively democratic ethic is somehow "universal." Clearly, human beings have lived and do currently live in other ways, have and do prize other values besides social cooperation in the service of intellectual and human progress. Nor, evidently, do these values represent "basic intuitive ideas" which all in contemporary liberal societies are likely to share. To take the most obvious example, it is certainly not true that there is a general consensus in favor of the belief that economic activity should be organized to express the "unity of interest and purpose" of all citizens.

⁸⁹ Dewey, "Creative Democracy – The Task Before US," 241

At the same time, I insist that there is a difference between this view and the sort of “comprehensive ethical doctrines” which may come to mind when we contrast liberalism with “intolerant” political theories – value experimentalism and theocracy are quite different things. We have already observed this on a practical level, in seeing that Dewey’s conception of democracy requires extensive protections for speech, religious pluralism, and self-regarding activities. But there is an important theoretical reason for this fact.

Unlike the religious and philosophical doctrines Rawls has in mind, Dewey’s comprehensive social ethic is grounded in a fundamental *methodological*, rather than *metaphysical* claim: no ethical judgment, however deeply felt, should be held above justification. At bottom, this amounts to a commitment to the methods of critical inquiry. Again, I acknowledge that this methodological disposition is not neutral – pragmatism shares the view, more frequently associated with Continental critical theory, that even scientific inquiry should be understood as a practical activity, shaped and given ethical content by its social function.⁹⁰ Nevertheless, value experimentalism is distinct in crucial ways from other “social faiths.” For it is, in its very essence, open-ended.

As I have emphasized, the pragmatic theory of value explicitly refuses to regard even itself as an absolute normative judgment. It involves no absolute claims about the way the world is or always will be, and makes no reference to ideas which, in their derivation from transcendental intuition divine revelation, transcend the shared process of experience in which human beings organize their common social life. Consequently, although this attitude is, like all other moral and philosophical persuasions, contestable – i.e., uncertain – *it is unique in that it openly admits and*

⁹⁰ See, for instance, Dewey, *The Public and Its Problems*, 173-5: “Science is converted into knowledge in its honorable and emphatic sense *only* in application. Otherwise it is truncated, blind, distorted... At present, the application of physical science is rather *to* human concerns than *in* them. That is, it is external, made in the interests of its consequences for a possessing and acquisitive class.”

makes provision for this fact. In fact, as we have seen, this commitment to contestation *is* the ethical (and thus social) core of value-experimentalism.

By contrast, Rawls' neutral liberalism may "avoid" metaphysical arguments, but it nonetheless *relies* on them. As Rawls' account of the overlapping consensus recognizes, if any normative force is to be ascribed to the "basic intuitive idea" of persons as free and equal – or, for that matter, any of the moral "intuitions" on which the method of reflective equilibrium depends – something further needs to be said for this fundamental view. Moreover, the fact that Rawls consigns this work of foundational justification to the private sphere does not make the doctrines therein elaborated any more "neutral." Consequently, indoctrination by parents, religious leaders, or any other non-public actor is no less threatening to Rawls' own principle of legitimacy than the sort of state-sponsored "intolerance" which he so fears – unless of course, we take the unaccountable step of restricting our concerns to solely legal coercion. And if this were the case, if it were permissible for certain persons or groups to exercise unjustified authority over individual citizens, so long as this occurs in the private sphere, then the freedom and equality of Rawls' liberalism would hardly apply to the "individual" as such.

In order to illustrate the significance of this distinction, as well as what I take to be the advantage of Dewey's view, it is worth turning in these final pages in a somewhat novel direction. Up to now, I have largely treated value experimentalism as a social methodology; accordingly, the concept of freedom (I am assuming the liberal sense of the term) has been somewhat absent in the later sections. This fact partially mirrors Dewey's own approach. He insists on the deceptiveness of the individual/social dichotomy, particularly in the context of his polemical struggle with the characteristically American "rugged individualist" notion of freedom.⁹¹ But whatever terminology

⁹¹ See, for instance, Dewey, "Liberty and Social Control," in *The Political Writings*, p.158-9; see also "Can Education Share in Social Reconstruction?" in *id.*, p.126

we use, this point about individual socialization cannot be divorced from the basic issue of individual freedom. And since our object here is to consider the relation of Dewey's theory to liberalism, we must do so.

I mentioned at the end of Section III that Dewey's pragmatism reframes the discourse of freedom, moving from a conception centered on "individual non-determination" to one which foregrounds the capacity for self-criticism. Here I want to conclude by developing this point, with the benefit of reference to the clearer picture we have developed of Dewey's value-specific liberalism. I have argued that the normative core of Dewey's conception of democracy lies in his commitment to the absence of any authority "external" to the process of ongoing experience. Experience, in Dewey's view, is never static. As the "politics of experience," democracy rejects those forms of power which, because they are irresponsible to the demands of open communication and contestation, impose an artificial stasis on social "experimentation." Another way of framing this point would be to say that democracy involves a perpetual activity of *social self-development*. Rather than relying on an external authority, a democratically-organized public must *continually* interpret and develop its own shared experience.

My suggestion is that Dewey's writings imply a conception of individual freedom which both mirrors and complements this "developmental" picture of political liberty – even though he often did not make explicit reference to the term "freedom." Instead, this ideal is frequently encapsulated in Dewey's thought by the crucial notion of "individuality." Once again, one cannot help here but recall Mill's *On Liberty*. As with Mill, individuality for Dewey is distinct from atomistic "individualism" – which he rejects, together with collectivism⁹² – because it is an ideal of

⁹² See Dewey, *The Public and Its Problems*, 200: "The disciples of Lenin and Mussolini vie with the captains of capitalistic society in endeavoring to bring about a formation of dispositions and ideas which will conduce to a preconceived goal."

character which views self-invention and improvement as a perpetually unfinished project, not a call for the uninhibited satisfaction of the individual's present desires. In keeping with the word's usual connotation, Dewey's concept of individuality relies in part on individual spontaneity, though he tends to emphasize this aspect somewhat less than Mill. For Dewey, what individuality ultimately requires is rather the capacity to separate oneself from habit – which he views as omnipresent in social life, for both good and ill – and respond creatively and intelligently to the particular, unforeseeable challenges which arise in the course of practical activity. In “Individualism, Old and New,” he writes that

Individuality is at first spontaneous and unshaped; it is a potentiality, a capacity of development. Even so, it is a unique manner of acting in and with a world of objects and persons. It is not something complete in itself, like a closet in a house or a secret drawer in a desk, filled with treasures waiting to be bestowed on the world. Since individuality is a distinctive way of feeling the impacts of the world and of showing a preferential bias in response to these impacts, it develops into shape and form only through interaction with actual conditions; it is no more complete in itself than is a painter's tube of paint without relation to a canvas. The work of art is the truly individual thing.⁹³

Dewey's individuality thus absolutely requires individual uniqueness, and in order for it to flourish society must respect personal diversity. But it is not in any way a solipsistic ideal. On the contrary, individuality develops only “through interaction with actual conditions,” foremost among which are *social conditions*. This is hardly a controversial point: human beings are not born unique individuals, unless by “unique” we mean taller or shorter, or more or less adept at crying when hungry or cold. Certainly, an infant may have more or less latent capacity for development in one

⁹³ Dewey, “Individuality in Our Day,” from “The Political Writings,” p.86

respect or another, but the qualities which make anyone a full person are developed only in time, and as social conditions permit.

At the same time, individuality is a not static product, the result of superimposing socialization on innate personal proclivities: the above quotation also indicates the crucial point that genuine individuality is an ongoing process, a dynamic *interaction*. The individual's natural characteristics and social environment may be given to him, but what he does with these factors as new challenges and opportunities for development arise is the true aspect of "artistic" creation in his life. Genuine individuality, in Dewey's sense, is not merely a high degree of "external" cultivation, regardless of how unique and aesthetically impressive the resulting person may be. It requires a basic capacity for *self-cultivation*. In particular, since both the problems and solutions of human life are essentially social in nature, individuals must gain practice expressing themselves intelligently and creatively in a social context.

If, therefore, social institutions are to be organized so as to promote and not inhibit individuality, two criteria must be met. On the one hand, individuality requires social support and ultimately amounts to the capacity to respond effectively to social conditions; for this reason, Rousseau's *Emile* is a defective pedagogic model.⁹⁴ On the other hand, if this social support comes in the form of habituation to a particular, inflexible mode of action, individuality is crushed. Crucially, this means that the essential task of socialization should be to nurture a capacity for intelligent reflection and judgment. What must be supplied to ensure the potential for self-development, then, is not so much any specific set of skills or knowledge, but rather a general practical disposition – an educated habit of responding flexibly to new problems as they arise, without the need to fall back on a pre-determined formula.

⁹⁴ See Dewey, *Democracy and Education*, 119-21

Unsurprisingly, these themes lie at the heart of Dewey's progressive educational theory, which was a central preoccupation throughout his career, and remains his most important intellectual legacy. In such works as *The School and Society* and *Democracy and Education*, he advocates an active and practical pedagogical model, in which the teacher facilitates the class in its shared undertakings⁹⁵; this stands in sharp contrast, of course, to the distinctly passive and mechanical quality of traditional schoolhouse lessons. Accordingly, rather than the uniform absorption of facts, Dewey emphasizes that school activity should be organized around practical tasks, in which each student learns to contribute what he or she can best do, in the pursuit of a conscious, shared end. "The moment children act," he writes, "they individualize themselves; they cease to be a mass and become the intensely distinctive beings that we are acquainted with out of school..."⁹⁶ In doing so, they also learn to work cooperatively with others, without dictation from authority. Whereas the current practice of dry dictation, in which competitive examination is the only impetus to learning, leads to a selfish rivalry between pupils to see who can perform the same mindless task (usually some form of memorization) more efficiently,

Where active work is going on, all this is changed. Helping others, instead of being a form of charity which impoverishes the recipient, is simply an aid in setting free the powers and furthering the impulse of the one helped. A spirit of free communication, of interchange of ideas, suggestions, results, both successes and failures of previous experiences, becomes the dominating note of the recitation.⁹⁷

By now it should be clear that this picture of education as a means to individuality is simply the mirror image, on a more intimate scale, of the practical disposition which we have seen

⁹⁵ Dewey, *The School and Society*. The University of Chicago Press, 1930.

⁹⁶ *Ibid.*, 15

⁹⁷ *Ibid.*, 16

underlies Dewey's view of democracy. It is also clearly ethically committed, in the most flagrant sense. For it involves a deliberate attempt to inculcate certain values, personal and moral, in those who are most susceptible to psychological influence – children. At this point, the only significant question remaining is whether Dewey's comprehensive ethic of experimentation would, if made the basis of political theory and practice, serve to further or hinder what I, with Rawls, take to be the moral core of the liberal project: namely, the determination to treat persons as beings distinguished by the equal capacity to choose for themselves which among the infinite plurality of human values to prioritize in their own lives.

In approaching this general question, we may begin by asking a more specific one: given the previous discussion, does a political view which insists that all citizens receive an education grounded in this ethic of cooperative individuality expand or restrict individual freedom, understood in the “negative,” liberal sense (i.e. as the range of individual choice)? It seems to me fairly clear that it effects an expansion.

Now, from the perspective of much contemporary liberal discourse, this statement may initially appear paradoxical: how can a uniform requirement enhance freedom? But it is obvious in the case of children that liberty as straightforward non-interference is simply inapplicable – someone must decide for a child what sort of education he or she will receive. The only remaining question, as far as individual freedom is concerned, is what can be done to maximize individual choice under these circumstances.⁹⁸ It seems fair to say that, from the point of view of the individual child, Dewey's “child-centered” pedagogy is the best means to this end: in addition to providing children with formal skills (and thus giving them the resources to eventually choose a

⁹⁸ I take it for granted that we are concerned here with the child's future choice as an adult, not the caprices of schoolchildren.

fulfilling career), it prepares them to reflect critically on matters of value throughout their lives, and in doing so expands their range of choice in the most fundamental sense.

Although Dewey's ethical commitments are comprehensive, in that they are meant to attach to the individual's basic self-consciousness and apply to all social relations, they do not single out one particular *lifestyle* to which every individual must conform. On the contrary, this would be quite obviously incompatible with the ideal of self-development. Rather than indoctrinating children into a single worldview, or even dictating what precise tasks they undertake, the pedagogy of cooperative individuality allows them to develop their own capacity for practical judgment. The universal imposition of the value experimental ethic in child education would thus be a support, not a hindrance, to pluralism.

I think these considerations are enough to demonstrate that Dewey's comprehensive democracy is at least a viable interpretation of liberalism – there is nothing overtly “autocratic” about the inclusion of the ethical commitment to individuality in a philosophical account of public institutions. Before we can be confident in this conclusion, however, it is necessary to make a final point. For it may reasonably be asked whether this revised interpretation of liberalism merely sacrifices one sort of pluralism in order to respect another. Although the universal adoption of Dewey's progressive pedagogical doctrine would expand the individual's range of choice in life-plans, it does so by imposing a particular value to which all must conform: namely, individuality. Dewey's comprehensive liberalism does in practice prevent individuals from pursuing certain ways of life. Insofar as his educational project is successful, individuals will no longer accept comprehensive doctrines which are incompatible with critical inquiry and reasoned self-direction. This is indeed a restriction of pluralism.

But the question which needs to be answered here is not whether this approach restricts pluralism to some extent; rather, my specific concern is whether Dewey's value-specific liberalism should be *preferred* to Rawls' "neutral" theory. Once it is recognized that theory and practice are inevitably co-determinant, there is simply no way to avoid the form of arbitrary power involved in socialization. If, as pragmatism and modern social science contend, the individual's *mind* is formed in the course practical behavior, then our norms and values must be accepted as contingent and historical. Thus, while all social orders restrict pluralism, I would suggest that methodology of self-development has unique features which ultimately render it more favorable to the long-term prospects of toleration and respect for difference on matters of value than any other conception.

As should be apparent by now, particularly given the previous discussion, the experimental ethic involved in the notion of individuality is a *limited* one. This is what I have intended by characterizing Dewey's comprehensive ethic as methodological, rather than metaphysical. Value experimentalism does not insist on a particular ethical outcome, deemed true beyond the ongoing test of experience. On the contrary, its essence is the disavowal of any such final determination. This commitment underlies the open-ended, self-driven quality of Dewey's educational *method*. As he puts it, "the educational process has no end beyond itself; it is its own end."⁹⁹ Similarly, his allegiance to democracy rests upon the method of deliberation, without making reference to a supposed ideal of social justice. In some sense, this commits him to a still deeper "philosophical neutrality" than that of Rawls.

It is important to note, once again, that this "open-ended" quality of Dewey's experimental ethic should be understood as applying even to value-orientations which apparently conflict with the methods of critical inquiry. If an individual, having received an adequate secular education, chooses

⁹⁹ Dewey, *Democracy and Education*, 54

as an adult to adhere to traditional values and beliefs, this is perfectly acceptable. I mean this not only in the sense that such values must be legally tolerated; rather, I believe I am justified in saying that there is nothing in the substance of Dewey's pedagogic theory which aims to preclude this outcome. In fact, any such intention would run directly counter to the entire spirit of critical inquiry, as Dewey understands it. For who can determine, in advance, which outcomes of the educational process are justified on the basis of an experimental logic? The only means of verifying any such claim is to allow individuals to decide for themselves what to do with their foundational capacities, and allow for open communication of the resulting consequences. I would ask, moreover, whether the same be said of any traditional comprehensive doctrine – does any religious dogma, for instance, accept that the outcome of the educational process, as far as its particular values are concerned, cannot be determined in advance?

Lest my point here be mistaken, I want to be clear that, no matter how open-ended, the pragmatic ethic of self-development is nevertheless value-specific; even a methodology implies a value-judgment, for it is after all simply a *general* disposition to action. My point is rather that the scope of the value judgment involved in this method is limited in a way which proves significant for the prospects of human pluralism. In limiting itself to providing the conditions under which students may actively and cooperatively exercise their practical judgment, Dewey's pedagogy involves no absolute claims about what constitutes the individual "good life," except for the view that it is best, as far as possible, that this decision is made actively and thoughtfully, rather than passively and out of sheer habit. In essence, this is simply a commitment to critical thought.

Now, does this commitment amount to intolerance on the part of Dewey's political theory? It is true that children, on this account, cannot be allowed to decide for themselves whether they wish to exercise their critical capacities. But it seems impossible to even approach the task of

political theory without at least making the assumption that acting on the basis of reasons and evidence is better than the alternative. Certainly, Rawls' thought assumes this. As such, Dewey's experimental ethic involves a minimum of unjustified premises: specifically, even the idea of persons as free and equal is given an explanation, and thus made an object of public contestation. For this reason, it seems to me the best that can be done on the part of political theory for the liberal attachment to pluralism.

Finally, it could be pointed out here that, as I have discussed at length, Dewey's comprehensively democratic ethic involves much more than an attachment to critical thought. In particular, we saw earlier in this section that his conception of democratic cooperation has an explicitly moral dimension. Even if the method of active engagement in education and politics could be traced back to this sole underlying principle, does the moral commitment to "unity of interest and purpose" among citizens not constitute an additional, unexplained value-judgment? I would argue that it does not. Instead, this moral view is best understood as a *corollary* of the basic determination to prioritize intelligent judgment in the direction of social practice. As Dewey recognized, the democratic practice of open communication and decision on the basis of shared reasons is a difficult enough task in itself, without adding to the usual complications of public discussion the antagonisms produced by conflicts of interest.¹⁰⁰ For the same reason, the methodological commitment to critical inquiry in social practice is threatened by various forms of bigotry and intolerance. As Dewey puts it,

Intolerance, abuse, calling of names because of differences of opinion... as well as... differences of race, color, wealth or degree of culture are treason to the democratic way of life. For everything

¹⁰⁰ He took quite seriously Walter Lippmann's pessimistic assessment of popular rule, and understood that the realization of political democracy in any worthwhile sense would require the slow development of habits of action nurtured from childhood on. See Dewey, *The Public and Its Problems*, IV: "The Eclipse of the Public."

which bars freedom and fullness of communication sets up barriers that divide human beings into... antagonistic sects and factions... Merely legal guarantees of the civil liberties of free belief, free expression, free assembly are of little avail if in daily life freedom of communication, the give and take of ideas, facts, experiences, is choked by mutual suspicion, by abuse, by fear and hatred.¹⁰¹

For this reason, Dewey's value-experimental liberalism not only permits public discourse and institutions to account for moral ideals beyond the formal view of citizens as free and equal, but requires them to do so.

On the other hand, it is worth noting that even this clear ethical commitment to mutual respect can be regarded as limited, in a certain sense. Dewey's political writings are conspicuously lacking in what we would typically think of as moral exhortation. What his pedagogy does teach, and his political theory relies upon, is a practice of mutual cooperation in the service of consciously shared goals. Hence his comment that in education

the ethical has been conceived in too goody-goody a way... Such teaching as this, after all is said and done, is external... Ultimate moral motives and forces are nothing more or less than social intelligence – the power of observing and comprehending social situations – and social power – trained capacity of control – at work in the service of social interest and aims.¹⁰²

Rather than imposing any single, absolute conception of moral goodness by the methods of dumb repetition or reward/punishment, Dewey's methodology of self-development sets the conditions such that self-developed individuals may actively and cooperatively define the terms of their own personal and social ideals. It is thus a moral conception, but not a "moralizing" one. The virtue of benevolence may contribute in important ways to the effective practice of such cooperation, and thus may develop out of the practical activities of school and politics. Contrary to

¹⁰¹ Dewey, "Creative Democracy – The Task Before us," 243

¹⁰² Dewey, "Ethical Principles Underlying Education," from *The Political Writings*, p.104

the supposition that political democracy represents a secularized form of the Christian ethic of universal benevolence, however, there is no a priori reason to dismiss the possibility that different and even conflicting values may also prove valuable to the attainment of social ends, provided that a minimum of social solidarity is maintained: I think here of such virtues as the attitude of competitive striving, or the pursuit of personal and professional excellence.

In the final analysis, this is why a political theory which hinges on the notion of “moral progress” need not be illiberal or intolerant. Dewey’s view that democracy, if it is to have any meaning, will require the development of significant, as-yet unrealized intellectual and moral capacities in the majority of citizens does not amount to a totalitarian call for the imposition of a particular vision of human improvement on passive individuals. On the contrary, like Mill, he understands that these capacities must be developed by individuals themselves, and consistently rejects the sort of progress which is merely “external,” and thus leaves no room for further growth. He insists, however, that in order for this process of ongoing self-development to be truly possible, individuals must engage in cooperative social relations with others who are similarly capable of critical reflection. On this basis, he asserts that democracy is ultimately nothing less than “an ethical idea, the idea of a personality, with truly infinite capacities, incorporate with every man.”¹⁰³

¹⁰³ Dewey, “The Ethics of Democracy,” 65

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