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## Democracy and Truth

Annabelle Lever

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Believing is believing true, though any sensible person knows that they may be mistaken even in the beliefs they think best-founded. According to Misak and Talisse, we can get from the fact that we all take what we believe to be true, whatever our different and incompatible beliefs, to reasons to support democratic, as opposed to undemocratic, government ...and all in a few easy steps! Those steps are as follows: (1) believing x to be true commits us to being ready to test that belief (and its truth) against the best available evidence, under conditions suitable to establishing the difference between true and false beliefs. (2) Those conditions require an open society in which we can confidently expect the free circulation of ideas that may be relevant to the truth of our beliefs; and the maintenance of that open society implies a commitment to democratic government – or, at least, suggests an ‘affinity’ between democratic government and our commitment to being open-minded about where wisdom or truth will come from. Hence, Misak suggests, Peircean epistemic norms provide, ‘a built-in rationale here for democratic methods of inquiry and ways of living. If we want beliefs that would stand up to the experiences of all, we had better take the experiences of all seriously’ (this issue pp.3, 5-6)<sup>1</sup>

These stimulating claims raise many questions. Must believing x to be true commit us to testing it against the best available evidence, rather than getting on with life in the light of that belief until we experience some practical or theoretical problem that leads us to question its validity?<sup>2</sup> And is something inherently less transcendental about the idea that believing true commits us to favouring democratic over undemocratic government than Habermas’ famous claim, in *Theory of Communicative Action*, that communicative speech acts imply a commitment to justification under the idealised epistemic and moral conditions of his ideal speech situation, (ISS)?<sup>3</sup> Misak explicitly rejects Habermas’ transcendentalism in *TCA* (p. 5)<sup>4</sup> and insists – as does Talisse – that ‘The principles we need to assume, if we are to genuinely hold beliefs and engage in inquiry, are not necessarily true. So, the justification of democratic processes is modest’ (p.5)<sup>5</sup> However, the conditions necessary for unforced agreement in Habermas, however idealised, never guaranteed that the agreements were based on *true* beliefs. Modesty, then, may not favour Misak as clearly as she assumes.

However, rather than focus on such questions, important though they are, these brief comments on Misak and Talisse’s arguments will focus on their claim that democracy is a necessary part of the social conditions to pursue truth. They helpfully insist, here, that democracy is not *sufficient* for truth-supporting social conditions; (pp.21) How, then, are we

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<sup>1</sup> All page references to this issue will be in the text. Further references will be included below.

<sup>2</sup> Compare the accounts of Dewey’s approach in this special issue, pp...

<sup>3</sup> Jurgen Habermas, *Theory of Communicative Action* vol. 2 (Boston, Beacon Press, 1992).

<sup>4</sup> See also Cheryl Misak, *Truth, Politics, Morality: Pragmatism and Deliberation*, (London, Routledge, 2000), 35 - 47.

<sup>5</sup> See also Robert B Talisse, *Democracy and Moral Conflict*, (Cambridge, Cambridge University Press, 2009), ch. 3

to understand the importance of democracy compared to the other conditions necessary to pursue truth? After all, if democracy is relatively unimportant compared to other necessary factors, or inconsistent with other important ones, showing that democracy is necessary will be insufficient to justify democracy. Hence, in order to understand Misak and Talisse's views, it is necessary to understand what they do and don't involve. Unfortunately, I do not have room here to address their misunderstandings of the arguments in Lever and Chin (2019)<sup>6</sup>, and will therefore limit myself to noting them briefly in the footnotes.

### The Peircean Case for Democracy (PD)

The Peircean case for democracy is motivated by the idea that 'There is a built-in rationale' for 'democratic methods of inquiry and ways of living' (Misak p. 3) if we want to be sure that our beliefs 'stand up to the experiences of all'. A commitment to testing the truth of our ideas means being open to the experiences and beliefs of other people, without preconceptions about whose ideas are worthy of attention. Hence, as Dominik Gerber notes, the appeal of Peircean arguments for democracy lies partly in its epistemic egalitarianism, or the belief that we can learn from others, no matter the colour of their skin, their gender or sexuality, their social status or their political and moral convictions. (This issue pp) Arguments for withholding the vote from women, from racial and religious minorities, even from the poor, were often associated with, and sometimes depended on, the idea that these groups were epistemically deficient in some way, and therefore could not be trusted with political power.<sup>7</sup> Hence, justifications for undemocratic government appear to impugn Peircean norms of belief.

As Misak and Talisse explain, it is natural to suppose that social conditions propitious to determining the truth of our ideas require extensive and stringent protections for free expression and debate - what they sometimes refer to as a 'liberal' (10) and sometimes as an 'open' society' (17). If we care about the truth of our ideas, we will want to know that they are formed under conditions conducive to truth – where relevant information, ideas, expressions will be accessible to us and where we can test and make use of them without fear for our lives and livelihoods, or the wellbeing of others. Such a society requires 'robust protections for free inquiry, unfettered expression and individuality, the open exchange and dissemination of ideas, personal liberties of conscience and association and so on'. (17 this issue) Moreover, as Talisse insists, if we care about the truth of our ideas, we will want to create epistemically favourable social conditions that are reliable, and do not depend on the

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<sup>6</sup> Annabelle Lever and Clayton Chin, 'Democratic Epistemology and Democratic Morality: The Appeal and Challenges of Peircean Pragmatism', *Critical Review of International Social and Political Philosophy*, 22.4.2019, 432-453. See also Annabelle Lever 'Democracy and Epistemology: A Reply to Talisse', *The Critical Review of International Social and Political Philosophy*, (published with a reply by Talisse) in 18.1. (Jan. 2015) 74 -81

<sup>7</sup> See David Estlund, *Democratic Authority: A Philosophical Framework* (Princeton NJ, Princeton University Press, 2008), p. 36 on 'invidious comparisons'; Miranda Fricker, *Epistemic Injustice: Power and the Ethics of Knowing*, (Oxford, Oxford University Press, 2007) and Jorge Valadez, *Deliberative Democracy, Political Legitimacy and Self-Determination in Multicultural Societies*, (London, Routledge, 2001), esp. ch. 3 See also Genevieve Lloyd, *The Man of Reason*, (London, Routledge, 1984). The preface to the second edition of 1993, on maleness as philosophical metaphor, beyond the sex/gender distinction, is particularly interesting in light of the ways in which democratic political institutions and an open society manage nonetheless to perpetuate sexually unequal conceptions of people's epistemic capacities and attainments.

good will of a Platonic King, or anything of the sort.<sup>8</sup> Hence, he argues, our epistemic interests give us reasons to prefer constitutional democracy to rule by a Platonic ruler and, *a fortiori*, various forms of constitutional but undemocratic government. Without constitutional democracy, Talisse believes, we have no assurance that we can alter our epistemic environment so that it is conducive to truth.<sup>9</sup> Hence, while democracy alone is insufficient for confidence in the epistemic qualities of our environment, it looks as though a series of interlocking considerations give us compelling reasons to favour democratic over undemocratic government. (19-20) Indeed, because those reasons apply to us as individuals, and follow from our individual duties to establish the truth of our ideas, the Peircean case for democracy can apply to each of us equally, regardless of the particular beliefs that we happen to hold or, indeed, the circumstances in which we happen to find ourselves. Hence Misak and Talisse claim that Peircean ideas provide a distinctive case for supporting democratic government – an *epistemic justification* of democracy – whose force persists however disenchanted we are morally or politically with democracy, with our fellow citizens, or with our governments. (27, 30)<sup>10</sup>

Strikingly, the Peircean argument for democracy, as Misak and Talisse emphasise in this issue, is independent of any empirical correlates or evidence that democracy is better than other forms of government at discovering the truth, sharing it widely, or avoiding error.<sup>11</sup> Hence, ‘no high or special epistemic value’ attaches to democratic decisions’. (p. 20 this issue). That, indeed, is part of its appeal: that we do not need to suppose that democratic decisions are especially wise, nor that democratic citizens have special epistemic capacities individually or in the aggregate.<sup>12</sup> However, if the Peircean case for democracy is not to be a form of ‘étude transcendental’, we might suppose that empirical evidence should have *some* bearing on its claims. So, let’s look briefly at some of the conceptual, normative and empirical puzzles thrown up by the Peircean case for democracy. The first puzzle concerns the epistemically inegalitarian implications of the PD; the second concerns the types of freedom required for a ‘liberal’ or ‘open’ society; the third concerns the necessity of democracy and, finally, there is the puzzle of what sort of justification for democracy the PD is meant to provide.

#### *4 Puzzles or Questions Raised by the Peircean case for Democracy:*

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<sup>8</sup> Talisse, 2013, 517

<sup>9</sup> The point is developed at length in Talisse, 2013, 516-17 and is meant to be both instrumental and conceptual. Instrumentally, democracy helps to protect an open society by ensuring that we can self-reflexively ‘monitor and correct’ our epistemic environment. It is supposed to be non-instrumentally justified because ‘Open Society norms require political institutions by which they can be monitored and sustained’ as a conceptual matter. See also Talisse and Aikin, 2014, p. 63: ‘democracy is the political manifestation of our aspiration to rationally pursue the truth’ and is therefore ‘the political correlate of our individual rationality’.

<sup>10</sup> See also Talisse, 2013, 504.

<sup>11</sup> Misak and Talisse, p. 13 here, appears to think that Lever and Chin ascribe to him the ridiculous idea that democratic decisions are *ipso facto* true. We do not. No page number is offered for this misreading.

<sup>12</sup> Compare David Estlund – although on his view epistemic democracy implies only that decisions are a tiny bit better than random; or Hélène Landemore’s reliance on a version of the ‘wisdom of the masses’, and Goodin and Spiekermann’s reliance on Condorcet’s jury theorem. David Estlund, *supra*; Hélène Landemore, *Democratic Reason: Politics, Collective Intelligence, and the Rule of the Many*, (Princeton NJ, Princeton University Press, 2013); Robert E. Goodin and Kai Spiekermann, *An Epistemic Theory of Democracy*, (Oxford, Oxford University Press, 2018).

As we have seen, the appeal of the PD lies, in part, in its epistemic egalitarianism. We may not be equally brilliant, perceptive, or persuasive, but a willingness to be critical of our own ideas and conscientiously to seek the truth implies a willingness to learn from others, no matter their natural or social attributes. (5, 17-18) However, if democracy is necessary for epistemic confidence in our ideas and those of other people, the PD would seem to point to epistemically inegalitarian, rather than egalitarian premises in many, even most, circumstances.

Imagine that there are pockets of people, all over the world, interested in the same questions about political theory that we are interested in – the justification of compulsory voting, (CV) for example. And let us assume that because we each take our beliefs to be true (rather than for other reasons), we are ‘committed’ to taking the views of these dispersed others into account, on pain of not being a ‘genuine truth-seeker’ ourselves. (p.5). We each engage, then, in a wide ‘search’ of possible confirming and disconfirming views and evidence. In short, we each behave as a ‘genuine truth-seeker’ on our best understanding of that.

But what does that mean if, as is quite likely, none of us live in the same society, and when we may not even live in democracies? Are we to discount the credibility of other people’s views on the grounds that their society imperfectly supports their quest for the truth? If so, in what way? On all issues, or only on some? And if what we are concerned about are socially conditioned tendencies to bias, should we not be concerned with whatever biases are characteristic of democracies, and with the epistemic significance of the type of democracy to which people belong? Democracies, whether ideal or nonideal, can be more or less nationalist and cosmopolitan, capitalist and social democratic and these differences are likely to matter to the availability as well as the prestige/credibility of the views that they contain. So while the Peircean argument for democracy implies that even in an undemocratic society you can be a truth-aspiring and reason-responsive believer, so long as you accept that your adherence to epistemic norms implies the justification of democratic government, epistemic agents are labouring at a significant disadvantage if their society is undemocratic. Their obstacles to truth are greater, it would seem, than those of democratic citizens, who have a truth-supporting environment in which to form and test their beliefs. It would therefore be good to know more about the epistemically inegalitarian implications of the Peircean case for democracy, and the way that they are to be reconciled with the epistemic openness and egalitarianism that had seemed part of its appeal.<sup>13</sup>

Secondly, and relatedly, it would be good to know how the Peircean case for democracy understands the openness of an open society, given persistent disagreement about the proper limits of freedom of expression in many democracies. For example, feminists, critical race theorists or, indeed, democrats moved by republican, rather than liberal, philosophical convictions, sometimes claim that liberal ‘tolerance’ and ‘openness’ drowns out, devalues or actively undermines the truth-claims of disadvantaged social groups.<sup>14</sup> Such concerns appear prominently in debates about the effects of pornography, ‘hate’ speech, Holocaust-denial, racial and ethnic statistics and hijab-wearing by women in the public realm. The debates are

<sup>13</sup> On Peircean difficulties in handling national boundaries see Matthew Festenstein in this issue. It should be noted that in so far as democracies lack formal relations with each other, these epistemic obstacles would appear to reappear in the international relations amongst democratic citizens and, of course, their leaders.

<sup>14</sup> For examples from a very large literature: Mary Kate McGowan, *Just Words. On Speech and Hidden Harm*, (Oxford, Oxford University Press, 2019); Mari Mikkola, *Beyond Speech: Pornography and Analytic Feminist Philosophy* (NY, Oxford University Press, 2017); Gavan Titley, *Is Free Speech Racist?* (Cambridge, Polity Press, 2020); compare Eric Heinze, *Hate Speech and Democratic Citizenship*, (Oxford, Oxford University Press, 2016).

partly empirical – about the consequences of different legal rights, attitudes and practices on people’s social standing, security, and credibility. But the debates are also partly theoretical and, indeed, deontological: about what it means to respect others, to include them, to ‘hear’ them, to treat them as equals.<sup>15</sup> Thus, even if we are committed to seeking truth, it is unclear what forms of ‘openness’ and ‘inclusion’ we should be committed to and, therefore, how far our commitment to truth implies a commitment to *liberal* political ideals, and to democracy as the political expression and guarantor of that liberalism.<sup>16</sup>

Thirdly, it is unclear that democratic government is the political correlate of epistemic norms of self-criticism and openness to others as Misak and Talisse suggest; or that democracy is in some way necessary to the maintenance of an open society, as Talisse claims.<sup>17</sup> Not all justifications for a restricted franchise imply epistemic distrust. For example, republican justifications for excluding waged workers from the franchise implied no general epistemic incapacity on their part. Instead, the concern was that waged workers might have to subordinate their judgement to their employer’s will.<sup>18</sup> These arguments have their correlates in arguments about the enfranchisement of women. If religion requires women to be subordinate to men, for whatever reason, then the justification of their disenfranchisement need imply no epistemic incapacity on their part and, depending on the interpretation of God’s will, the case for political exclusion may rather be the threat to their virtue and ordained function, or the difficulty of reconciling their marital duties with the independent judgement that politics requires. Indeed, if politics is seen as a rather grubby trade, rather than a desirable occupation or a general right, justifications for a restricted franchise might reflect the idea that politics is debasing for people with a higher calling.

The justification of undemocratic voting rights often implies epistemic distrust of the excluded, but this is not a necessary truth nor empirically universal.<sup>19</sup> Hence, the affinity between epistemic and political norms, that Misak and Talisse suggest, are not established, let alone between epistemic norms and political institutions. As I’ve noted elsewhere, I can believe that I should have the same political rights as you for moral and political reasons,

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<sup>15</sup> Catherine A. MacKinnon, *Feminism Unmodified*; (Cambridge, MA, Harvard University Press, 1986) Cécile Laborde, *Critical Republicanism and the Hijab Controversy*, (Oxford: Oxford University Press, 2008). See also Charles Girard, *Délibérer entre égaux: Enquête sur l’idéal démocratique* (Paris, Vrin, 2019), and the bilingual French-English website of *Egalibex*, which Girard directs, on freedom of expression and democratic participation : <http://dev6.chris.mezcalito.net/en/home/>

<sup>16</sup> See Josiah Ober, *Demopolis: Democracy Before Liberalism in Theory and Practice* (Cambridge, Cambridge University Press, 2017) and Annabelle Lever, ‘Towards a Democratic Conception of Ethics’, *Critical Review of International Social and Political Philosophy* 22.1, 2019, 18-33.

<sup>17</sup> Ref issue of different emphases between them.

<sup>18</sup> As Carol Pateman shows, the need to protect the ‘independence’ of male waged workers played a fundamental role in the structuring of the welfare state, creating the terms for a poisonous and gendered dichotomy between ‘contributory’ benefits and ‘handouts’. See Carol Pateman, ‘The Patriarchal Welfare State: Women and Democracy’, in ed. Amy Gutmann, *Democracy and the Welfare State* (Princeton, Princeton University Press, 1988), ch. 10. See also Barbara Nelson, *Women, the State and Welfare*, (Wisconsin, U of Wisconsin Press, 1990)

<sup>19</sup> See also Kasper Lippert Rasmussen, ‘Estlund on Epistocracy: a Critique’, *Res Publica* 2012, 18.3. 241 -258. Although Rasmussen does not defend epistocracy, he objects to Estlund’s assumption that epistocrats must support some form of authoritarian government, noting that epistocratic positions can be much more nuanced than the dichotomy ‘friends of epistocracy’ versus ‘enemies of despotism’ dichotomy suggested by Estlund (246). See also his *Relational Egalitarianism: Living as Equals*. Cambridge: Cambridge University Press, 2018., pp. 63-64.

while supposing that we would do better, epistemically speaking, if you had two votes, and I had only one.<sup>20</sup> Unless moral or political arguments for democracy must proceed via claims about its epistemic superiority to alternatives, I can value political accountability for reasons that are not epistemic and, even, if democratic government hampers my pursuit of the truth.

It is also difficult to understand why democratic government is supposed to be especially efficacious at ensuring an open society, or what the contours of such an epistemically desirable form of government should look like. The difficulty is partly that democracies come in many different forms, and this affects the epistemic reasons to favour democracy as compared to the best of the alternatives. Plausibly, some types of democracy are better at safeguarding and using past knowledge; others are better at generating new ideas; some are better at sharing ideas equally amongst an educated population, and so on. Thus, epistemically the differences amongst democracies may be more striking than their similarities, especially when compared to governments that are constitutional, open but have some epistocratic restrictions on the franchise or support some form of plural voting, perhaps in order to protect a range of minorities from being consistently outvoted and ignored by the majority.

Moreover, if the Peircean case against Platonic rulers is that individual knowers have no effective control over them, then the same is surely true of democratic government as well. As individuals there is little we can do to influence democratic decisions. Rather, as Valeria Ottonelli emphasises in this issue, democratic politics requires us to engage in complex coalitions with others in order to be effective. Individual control of one's government, in other words, is no more likely in democracy than in a Platonic dictatorship, however important the forms of freedom that each protect. Even collective control depends on the type of democracy that one imagines, and the degree to which one is willing to identify people's epistemic interests with the decisions of an electoral majority, however small, or with a coalition of powerful minorities.<sup>21</sup> Indeed, our epistemic and political interests in democracy, as Tocqueville believed, may lie rather in our ability to correct our worst policy mistakes after the fact, rather than any *ex ante* virtues of democratic institutions, rights and values.<sup>22</sup> While the ability to correct mistakes, once made, is certainly valuable it is, of course, better to make fewer mistakes to begin with, as prevention is usually better than cure. Thus, whether one is concerned with instrumental or non-instrumental versions of the argument for democracy, it is unclear why democracy is epistemically necessary for our individual, or collective, quest for truth.

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<sup>20</sup> Lever and Chin, 441.

<sup>21</sup> See George Bingham Powell, *Elections As Instruments of Democracy: Majoritarian and Proportional Visions* (New Haven, Yale University Press, 2000).

<sup>22</sup> Misak and Talisse, p. 16 n 2 claims that we attribute to him the view that norms are constitutive of *moral* beliefs, v *beliefs tout court*. We do not, as p 433 shows. They also claim, p. 29 that we were wrong to assert that reasonable pluralism is as damaging to the ability of epistemic norms to ground democracy as it is, on their view, to moral norms. (Lever and Chin, pp.433-4). But our point was this: that what epistemic norms a *democratic* society should adopt is not clear; and so the move from our individual epistemic norms to collective ones, justifying political coercion, cannot be made as quickly as the PD assumes. On this point, see also Knight and Johnson's rejection of truth, as opposed to experimentalism and reflexive development, as the principal epistemic good in a democracy, cited in Lever and Chin, p.446 Jack Knight and James Johnson, 'The Priority of Democracy: A Pragmatist Approach to Political-Economic Institutions and the Burden of Justification', *American Political Science Review*, 2007, 101.1, 47 -61.

Fourthly, and finally, it is hard to know how to interpret the Peircean argument for democracy and what role, if any, empirical and conceptual considerations are meant to play in its argument. Given consistent philosophical disagreement about the freedoms and institutions necessary for an open society, on the one hand, and for a democratic society, on the other, it is by no means obvious that Peircean epistemic norms require some form of liberal constitutional democracy, let alone what social, political and legal rights, freedoms and institutions might thereby be justified.

Moreover, if democratic government is only one of several conditions necessary for individuals to fulfil their epistemic duties, the plausibility of an epistemic justification of democracy depends on the nature and weight of the others. Talisse and Misak do not discuss this issue systematically and it is therefore unclear what conclusions we should draw about the relative or absolute importance of democracy, compared to other factors necessary for us to form our beliefs in conditions conducive to truth. What my personal interests in democracy imply for my political interests and behaviour depends on how other people act, and on the alternatives available, rather than whether those interests are epistemic or not. So the path from our individual interests in truth to a justification of democratic government is likely to be far more contingent and lengthy than the Peircean justification of democracy implies, and may point in directions that are not especially liberal, constitutional or democratic, depending on how one defines terms and interprets empirical evidence and counterfactuals.

*Conclusion:*

As with other theses about the inherent advantages (or disadvantages) of democratic government, Peircean claims about the epistemic justification of democracy highlight how little we know about democracy and its relationship to seemingly allied ideals such as openness, inclusion, representation, accountability. Indeed, it is unclear that our understanding of an open and inclusive society can be given sufficient meaning for Peircean arguments about democracy until we understand the relationship between openness, democracy and laws on intellectual property, privacy, hate speech, Holocaust denial and pornography.

The appeal of Peircean arguments for democracy is that they speak to important questions about the justification of democracy, in ways that highlight the importance of history, economics and politics to philosophy. The flip side of that appeal, however, is the need to acknowledge the constraints that such dependence places on the types of philosophical claims we can make and defend. Those constraints are not reasons to abandon the effort to justify democracy, or to reject epistemic efforts to do so. But they are reasons to doubt that there are special advantages to epistemic justifications of democracy as compared to moral or political ones, and to suspect that an idea that can be fruitfully described as epistemic for some purposes can fruitfully be described as metaphysical for others. Whether our interests in truth give us reasons to support democracy, then, is a good question. It is a question worth examining whether we understand it as a question about epistemology, metaphysics, morality or politics.

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