

The Paradox of Democracy

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1. Overview

Not only are there problems with the day-to-day workings of democracy, say critics. Democracy itself is often seen as the problem. How should we respond when, for example, citizens say that, while they are committed to representative self-rule, they have tolerated enough tolerance? Should we take their complaints seriously, and believe that because of current social or political conditions they are being forced to choose between political coexistence and their fundamental beliefs? On the one hand, it would seem irresponsible not to take these complaints seriously. On the other hand, it is unclear what it would mean to take them seriously, and even if we could, we might end up questioning just how committed to democracy these citizens really are.

It is usually one thing to grumble about such issues, and another thing to write about them. In *Democracy and Moral Conflict*, Robert Talisse does both, and suggests ways to restore some of the political faith that he thinks we have been losing.¹ He warns that the discussions which we need to have about moral values are too often close to breaking down. Talisse then makes a number of predictions about where we might be headed if we don't address the growing number of citizens who say that they are ready to give up on democracy, much less civil discourse, in spite of our efforts to make them more tolerant. Still, although Talisse avoids defeatism, as well as many of the abstract generalizations that tempt other writers on the topic, he leaves a few questions unanswered. I will try to address those questions in this essay, though I have no illusions that it will be a simple matter to answer them.

2. Paradox and Its Prospects

Skeptical arguments about multiculturalism and church-state relations (two topics that Talisse considers) are often presented as reflecting differing interpretations of rationality and values. To the extent that we understand democracy as a system where rational, free decisions can be made

¹ Unless otherwise noted, all references are to Robert Talisse, *Democracy and Moral Conflict* (Cambridge: Cambridge University Press, 2009).

about individual and collective values, such arguments deserve our attention. Along these lines, Talisse suggests that we are awash in information, yet seem at the same time to have become jaded toward the idea that we might resolve our differences through careful, open dialogue. The obvious question this raises is what we think that all of this information, and our ability to share it, is supposed to be for. We know that the information that we have doesn't always convey or accurately express the beliefs that we hold about controversial issues. We know as well that, despite some promises that the digital age will be one of political leveling and "access," giving a voice to everyone with an Internet connection, there is reason to wonder whether anything is being leveled, at least in an inarguably good way. As Talisse notes, technology is increasingly becoming part of the political process, almost to the point of becoming, for some people, the process itself.

Where does this leave disagreements about values? One answer would be that the problem is not simply that, with a little reflection we could see what we should have known by now, that as citizens we can't always get what we want from democracy. This would have us recognizing that technology or not, many of our wants will remain unsatisfied. Our form of government could instead be seen as a mechanism for compromises once we take that fact for granted. But more than ever, citizens are standing up, and asking, "What if I insist that what I want is of critical importance, and I judge democracy on the basis of how strongly it resists interfering with my values?" To make matters worse, these citizens frequently do this on the basis of what would seem to be dubious arguments. Do we have an obligation to correct their views, even if as Talisse claims, these citizens may have misjudged something or been misled by slick TV commentators?

We can of course reply that such citizens are being unreasonable, but we must at some point be able to explain why the angry citizen should take our word on her rationality. In addition, we ought to be able to give some account of what we mean by *rationality*, and do so in a way that can avoid the suspicion that our bias in favor of democracy is coloring that definition. This is a special problem where the citizen's accepting a particular view on rationality would mean that she would also have to accept the way that we rank what are in the end still going to be her values, not ours. In other words, it might seem that we could more easily stare down the disgruntled citizens if we knew more about what rationality is. But concepts like rationality and reason are very much context-bound, and even the powers that we attribute to reason seem to vary with different historical periods.

It might be that what reformers really want to say is that the key to reforming our democracy is to get people to think more critically, or even logically. Talisse argues that we could learn much if we would closely examine folk epistemology, which he thinks "entails commitments to core democratic norms of freedom of speech, thought, and expression, freedom of conscience, political equality (including equality of participation), freedom of the press, protected dissent, political accountability and so on" (p. 6). Yet these are interpretive notions, too, and when we try to clarify them across

cultural or political viewpoints, I'm afraid that we will encounter many of the same problems of subjectivity and circularity. We seem to need an understanding of how rationality is distributed among the members of society. Possibly more importantly, we need to know how rationality, whatever we decide that is, *should* be distributed. I'm skeptical that we can, outside of the philosophy classroom, do much more than arrive at a crude model of rationality. (I am also skeptical that my results should apply to the classroom down the hall.) But even if we could do that, I am not sure that the resulting model of rationality or epistemology would help us to resolve moral disputes between large groups of citizens who differ on what are, we might say, already controversial topics like abortion.

Talisse is right that we should be concerned about the prospect that one side seems content with labeling those on the other side as "murderers." But this rhetoric does not seem to be the result merely of a lack of rationality or an insufficient awareness of epistemic commitments, though that is certainly part of the problem. It seems that what we also lack are convincing answers to questions about how people should use reason when they order their wants and preferences, and when they then take to the streets or to their keyboards. On that point, the skeptic can reply that if we had such a normative model of rationality, and we had a way to obtain widespread acceptance of it, we would by now have resolved a number of issues related to justice and tolerance along the way. If we could depend on some assurances of truth and sincerity, it might seem doubtful that citizens would have much to be disgruntled about.

It is true that citizens can become so dissatisfied and distrustful that they declare that they have run out of options. For them, additional compromise on a controversial moral issue, such as stem-cell research or abortion, can no longer be justified. Yet the question is what these citizens really distrust. I am not sure we know that, so I am also unsure whether they can be brought to the bargaining table by politely reminding them that this is a democracy, and that they have agreed to be rational. Even setting aside the practical question of how we could do that, we would still encounter the moral question of whether we should want to. Would it work to emphasize that "at the core of democracy is the belief that *reasoned argument* is possible, even among people who are very deeply divided over moral and religious doctrines" (p. 9)? This seems reasonable on some accounts of democracy. But what does such an argument really amount to, and should we think that the potential for argument really translates into a desire for compromise?

Often those who seem most interested in argument are the least interested in cutting a deal. We can argue that "the presumption of moral pluralism, then, comes to this: for every citizen holding a plausible doctrine, there are other citizens holding opposing but also plausible doctrines" (p. 13). Still, how do we make compromise appealing again to citizens who feel that they have already gone as far as they can in that direction? I don't know how we can do that, if what we want is for citizens to see that democracy presupposes a specific approach to resolving their differences. Attempts to get

citizens to see that they are being irrational never go over very well in part because of the difficulty of convincing them that they shouldn't want the things that they say they do.

Take believers in religious values (p. 181). We can show them where their beliefs are inconsistent or contradictory. In doing that, we would presumably move closer to getting them to bend a bit on some policy issue that they now reject on religious grounds. That approach to reform is as old as the Socratic *elenchus*. It is also a short step from there to the idea that citizens who hold inconsistent beliefs about X should not be voting one way or another on important moral issues related to X. But we know that we would encounter considerable practical difficulty if we invited the religious to debate with the atheist (or with a member of another religion). That suggests that what we need are reasons more compelling than the ones that each side currently holds. It is unclear where we should look for those reasons.

The compelling reasons that I am envisioning would have to do with, for instance, the need to subject our existing beliefs to scrutiny, to live an examined life, and so on. That is only the start of any such list, yet we can already see that there is a problem in knowing how we would expose false or contradictory beliefs. This is not to deny that there are grounds for thinking that democracy is best served by clear-headed voters. But we seem also to have agreed that, in order to convince the citizen that he is irrational, we will need what we seem to need to convince him of anything else: a rational argument. And if he has decided that argument has already done all that it can, our work will be cut out for us.

The participants in Socratic conversations seemed troubled by the revelation that they did not have knowledge. Today, those disenchanted with democracy can claim that knowledge is not really at issue. That is, they might grant that writers on political philosophy know a thing or two about the procedural side of things. They might even grant that they should have paid attention in logic class. Nevertheless, at issue for them might be a deeply felt sense that, when I reject your ideas about abortion, it is because I feel that you are missing something that neither I nor anyone else can provide in the way of evidence. In my experience, this degree of moral conviction, or moral *certainty* really, can bring our conversations about policy issues to a standstill.

When that happens, how can we get the discussion going again? Talisse is right to think that solutions like those offered by Jurgen Habermas, in which we piece together still more inclusive and open models of conversation, are often question-begging. Still, let us suppose for the moment that I am the disaffected voter whom Talisse describes. As a participant in a contentious political discussion, I am going to take a very dim view of any governmental action that would attempt to override my moral beliefs. If I claim to believe that abortion is murder, and I believe other things about my right to determine which values should take precedence, it will be hard to get me to accept taxpayer-funded abortion clinics. I have, after all, been told that democracy will not ask me to choose between state and conscience. I will then

reach what Talisse calls “the paradox of democratic justification” (p. 15), where

the issue is that of *justifying* the democratic requirement that citizens must tolerate—or at least not judge *intolerable*—a wide range of moral and religious doctrines and be willing to accept democratic compromises in cases where their fundamental values conflict with standing democratic outcomes. (pp. 21-22)

In this state of paradox, dissenters like me will seem content to shout at each other, feeling that our arguments have done all that they can. The alternatives I have, Talisse explains, can include civil withdrawal and disobedience. In more extreme cases, disenchantment with democracy will turn into a paranoia that Hobbes would have understood: I might withdraw, arm myself, and dare others to press their demands for compromise (see p. 37). This is a plausible way to think of what can happen when beliefs are in conflict. It is plausible enough that I am not sure there is very much *paradoxical* about it.

On the contrary, it seems to me that we could understand this outcome as one that is consistent with some interpretations of the social contract, particularly as that theoretical-historical concept is transformed within our actual political system. What we might think of as having started as an experiment in political organization, driven by our desire to reconcile the incompatibility of our intuitions about how to live together, concludes with each side accusing the other of renegeing on the contract. As disenchanted citizens, we contend that we cannot be bound by laws that call on us to abandon values that we regard as central. Frustrated and distrustful, we protest that our loyalty to democratic ideals was based on the promise that it was precisely this form of government that was supposed to respect our moral values. More to the point, citizens can protest that democracy was supposed to mean that they would not have the values that others hold injected into their lives without some say in how this would happen.²

Social-contract theories, and other approaches to justifying democracy, will seem to the disenchanted to have been too slow in getting around to spelling out just how all of this compromising is supposed to play out. Talisse notes that once cynicism and distrust take hold, it is going to be difficult for citizens to make responsible choices about policies and leadership. As Talisse explains, we probably do know what is wrong with insults and other rhetorical tactics: they interfere with the type of meaningful

² Ronald Dworkin (in his *A Matter of Principle* [Cambridge, MA: Harvard University Press, 1985]) gives some examples of how we might understand liberal democracies in this way. I realize that I am speaking only in very general terms, and there are various interpretations of liberalism. But I think that my claims, and Talisse’s for that matter, apply adequately to a very generic version of liberalism.

dialogue that we should be having, if we are serious about truth. Is it true, however, that most of us, if we reflect on the benefits and rewards involved, would be able to say how serious we really are about that? It is easy to misjudge how eager citizens will or should be to put their account of epistemology before their account of moral values. We can recommend that people adopt a particular style of discourse. But how appealing is that going to be if the version that we advocate seems to them only to open up the possibility of continued discussion with those whose values are seen as unacceptable anyway? Talisse suggests that “no matter what their moral comprehensive doctrines happen to be,”

citizens have, from their own epistemic perspective, compelling reasons to engage each other in critical, reasoned dialogue. Given that such engagement requires that participants exercise certain epistemic capabilities, all citizens have compelling reasons from their own epistemic perspectives to support political institutions that aim to cultivate the requisite capabilities. (p. 182)

I wonder whether the disaffected can question the legitimacy of our political structure as soon as they feel compelled to give up what they regard as their *fundamental beliefs*. And in some respects, we can understand why citizens might want to stake more and more of a claim for their beliefs, and look on any attempt to keep them from acting on those beliefs as an unacceptable intrusion into their lives. That response seems selfish maybe, but as I interpret the conventional portrait of a liberal democracy, this is a predictable course wherever people enter into a consensual arrangement on a national scale.³

The conditions for the paradox are built into the social-contract tradition, in other words, if that tradition also presupposes some vague provision for what we have for the past few decades been calling “tolerance.” After all, what, exactly, did we agree to tolerate? It is probably an exaggeration to say that there are as many answers to that as there are citizens with beliefs. But it does seem that toleration has got to involve your accepting my way of life, to the degree that I can claim that it reflects my fundamental beliefs. There are, of course, limits on what I can demand that you tolerate. My suggestion is that the perceived limits on that will tend to move further and further back by citizens as distrust grows, and *vice versa*. Talisse claims that “the liberties of conscience secured by a democratic constitution lead to a pluralism of moral commitments among the democratic citizenry” (p. 35). He thinks that “where there is a pluralism of moral commitments, there will be a plurality of moral conflicts, and some of these conflicts will engage the values

³ Here I am thinking of the kind of social-contract theories that Roberto Alejandro outlines in his book *The Limits of Rawlsian Justice* (Baltimore, MD: Johns Hopkins University Press, 1998).

and commitments that citizens take to be *fundamental* and hence non-negotiable” (p. 35). But once more, wiggle room seems to be built into whatever it is that we mean when we speak of liberties of conscience.

Within the social-contract tradition, talk of liberty and its relationship to conscience could mean that those who consent, or who are given to believe that consent was already made on their behalf by their ancestors, are to think that their political dealings are both grounded in and protective of their moral values. So far, so good, as we have seen. But if this is our rendering of *conscience*, we may seem also to be reassuring citizens that those values cannot be trumped by, for example, an obligation to the state or to each other. On the one hand, we might think that this emphasis on conscience, on the citizen’s sense of moral integrity, helps us to look back and see where the moral high ground was when luminaries like Henry David Thoreau or Martin Luther King, Jr., took their stands.⁴ Their consciences, we now tend to think, were reliable judges of Right and Wrong. In short, they were onto something, even if the rest of us didn’t know it then. On the other hand, if we let it be known that we are willing to cut that type of deal with citizens and their moral compasses, I am not sure that we should be surprised if we also find that self-interested citizens choose to hoard as many of their values as they can.

That shouldn’t surprise us because this is something that those citizens too might defend on the grounds that they know better than their opponents what is good for the country. Announce that citizens can appeal to fundamental values when they don’t want to compromise, and in time we might all find reasons to have as many of those values as we can. All the while, we could claim that no one else is entitled to raise questions about just how fundamental this or that value is to us. It can seem to be a point of pride for some citizens to declare that they are unwilling to bend to an employer’s demand that they, for example, remove head scarves in accordance with company dress policy. The matter of following religious traditions, they will respond, is not up for discussion.⁵ From the citizen’s perspective, it is the employer’s fault for not seeing how essential those traditions are for the employee’s sense of self.⁶

⁴ As Stephen Nathanson puts it, “one can take seriously one’s duties as a citizen without forfeiting independent judgment or moral autonomy”; see Stephen Nathanson, *Should We Consent to Be Governed?* (Belmont, CA: Wadsworth, 2001), p. 88.

⁵ Talisse elaborates in *Democracy and Moral Conflict* on such cases in several passages like this one: “Consider religious commitment. Many religious believers do not, indeed, cannot, regard their deepest value commitments as bargaining chips with which to attempt to strike the best political deal they can in light of their interests. Indeed according to many religious believers, their commitments are not quite interests at all; they are instead more like categorical commands or inviolable directives from god or from some other source of ultimate moral authority” (p. 27).

⁶ Although I think that there are some important differences between this and claims that, for instance, obeying a state policy would threaten one’s integrity, the net effect

Upon hearing about cases like these, we can say that this kind of reasoning does not make much sense. We can even say that anyone would be overly generous if the suggestion was that such positions on values are the product of reasoning. From there, we can bring back our concerns about what type of voice such beliefs should be given in debates about policy or when electing leaders. But the point may be that we can only confront views like this by making interpretive moves, questioning motives, alleging fallacies, and so on. As we have seen, there is a way to accomplish something by exposing what we see as inconsistencies or logical fallacies in the claims for value-exemption; the trouble is simply that the disgruntled citizen might only see circularity in our routine.

We might also ask just how sincere we have to be when we assert value claims, or what test of authenticity or logical rigor our value-commitments, through all of this, have to meet.⁷ If I declare that I am now Jewish, and that by my reasoning should therefore not be required to work on Friday evenings, there are no developed traditions of discourse that will let my employer follow up with questions about just how Jewish I am, even if concert tickets for that night are visible on my desk. And where would that discussion go? Would it ultimately have me trying to state how strongly my beliefs were held, or about the possibility of my offending a deity through my actions? It does seem that the questions that we have about values could be answered, and the paradox avoided, if people found that, on reflection, they only had a minor or superficial attraction to the values in contention or even a practical rationale, as in the Friday concert example. It is an open question, and an important one, whether we should speak in terms of citizens who believe that their values are not merely tacked-on parts of their personalities, the way that an accent might be a coincidental feature of a person's speech, or whether they should be able to describe themselves according to those values.

Another approach would be to say that conflicts over values might seem avoidable if we could get everyone involved to adopt the same process of subjecting their beliefs to scrutiny. This might have been Plato's dream, that considerations of logic and epistemology would precede each political moment. But this is what the norms of toleration seem to restrict us from doing, which is one reason why Plato was not an advocate for political

on the person's views toward the state itself might be the same. The distinction between one's sense of self, or personhood, and integrity, might also relate somehow to beliefs about who one is accountable to. In the case of religious toleration, the believer might argue that, while personhood can be maintained, integrity cannot, if that parameter is to be judged by God. On the latter point, see William Lyons, "Conscience: An Essay in Moral Psychology," *Philosophy* 84 (2009), pp. 477-94.

⁷ Mike Martin makes several interesting observations on this theme, namely, that the way we assign the roles of principled actor and earnest interrogator has a lot to do with what we think about the cultural status of values; see Mike Martin, *Self-Deception and Morality* (Lawrence, KS: University of Kansas Press, 1986), pp. 44-59.

accommodation. We can't insist that anyone comply with such a request to subject their value claims to much scrutiny. Talisse might agree with this, as he seems to say that there is something vacuous in the many calls for citizens to simply be "civil" when they differ on moral issues, where being civil only amounts to their pretending not to object. Still, I am not sure that calling on citizens to be tolerant makes any more sense if we want to instill the idea that transparency and dialogue are primary values in a democracy.

There is nothing particularly original about the skeptical position that I am describing. Alexis De Tocqueville and others were getting at the same thing. But with the benefit of a few centuries of practice at liberal democracy, we can now see that once we start the toleration ball rolling, so much will rest on just how committed we are to tolerance, and even to what constitutes an acceptable level of respect for beliefs.⁸ This is why I think it is reasonable that we will find ourselves differing over whether my respect for your right to worship entails that, for instance, you must respect my right to keep my business open on Sunday. Push me a bit more, and ask me to work on Sunday, and I can allege that you are doing more than just challenging my religious practices. Now you are attacking my moral personhood, and that is downright undemocratic of you.

An objection would be that there is a rational way to resolve our conflict. The employer could ask questions about why other employees, some of whom might be of the same religion, do not seem to have the same model of personhood. We could imagine, for example, that one member of a religious tradition sees nothing wrong with employee dress codes and shopping on Sundays. Isn't the reaction that others, who align with the same tradition, have against the restrictions therefore arbitrary? We might also ask why the religious believer seems to accept state intervention into some aspects of religious practice, but not others. Perhaps the point is not to deny that in cases like these there are many skeptical questions that we might ask. But anyone entering into this kind of discussion is going to need an account handy of where toleration begins and ends, and I tend to doubt that reflection on an idealized model of epistemology or inference will suffice.⁹

The trouble, if it is a trouble, seems to be that as long as even one person can appeal to conscience, and cite fundamental beliefs, it is unclear

⁸ Writers on moral pluralism can seem to assume that it is obvious which beliefs would be worthy of tolerance, and that the sticking point is simply what we are supposed to do with those who ask, but do not deserve, tolerance. In an otherwise good analysis of the issues, for example, we find vague remarks like this: "when a community calls for tolerant treatment, we need not answer that call if the community itself exhibits various forms of intolerance to its own members or members of other groups"; see Hans Oberdiek, *Tolerance: Between Forbearance and Acceptance* (Lanham, MD: Rowman & Littlefield Publishers, 2001), p. 131.

⁹ Kyle Swan, "Legal Toleration for Belief and Behaviour," *History of Political Thought* 31, no. 1 (2010), pp. 87-106.

how we would ever judge anyone to be acting unreasonably or undemocratically in these situations. Closely related to this would be the suggestion that we can use these conflicts as teaching moments. Talisse contends that

our paradigmatic objective is having true beliefs, and in order to pursue the truth properly, we must allow our own beliefs to be scrutinized and criticized by those with whom we disagree. Thus, to refuse to engage in this way is not simply to violate the norms of a traditional democratic ethos to which we are supposedly committed, it is to violate the very epistemic norms that account for the depth of our moral and religious commitments. (p. 152)

Again, however, pointing out what we think are contradictory or inconsistent beliefs among the citizens seems unlikely to resolve anything. I don't doubt that many of our public discussions about values would not meet high standards of openness or fairness. But in light of what we know about how value-claims can play into a person's self-image, the real problem seems to be that a government which would intervene is going to risk the appearance of *moral* illegitimacy. It would, at any rate, if we think that liberal democracy is supposed to allow for the flourishing of different kinds of personhood.

We can imagine something analogous to the clash of values in our previous examples going on in cases of jury activism. In those cases, the jurors' stance, which can be contrary to what they would admit is warranted by the evidence, is sometimes said to be justified by appeal to the jurors' conscience or to values that they take to be more basic than those which are expressed in the court's instructions. Suppose that the accused in a murder trial is an ethnic minority, and that some of the jurors are convinced that the legal system has too often been prejudicial toward members of that demographic. When explaining how they reached their verdict, the jurors might cite fundamental values, and suggest that these should take priority over, say, the judges' instructions. Are the jurors acting immorally? Given the power of deliberation and freedom from persecution for dissent, people will order their values in ways that can reflect highly individualized, private hierarchies.¹⁰ When we tell people that they can, through it all, listen to their consciences, we open the door to the overriding function of this notion of basic beliefs and values. It should then not seem odd that, however much they cherish democracy and self-rule, citizens would try to grab as many other value claims, and maintain that, as it turns out, *those* claims are more basic.

¹⁰ Jonathan Cohen raises a similar question with regard to voters: To what extent can we demand that they rid themselves of contradictory intuitions in order to qualify for the right to vote? See Jonathan Cohen, *The Dialogue of Reason: An Analysis of Analytical Philosophy* (Oxford: Oxford University Press, 1986), p. 192.

We asked above whether we should conclude that this means that citizens are not thinking clearly when they make these value judgments. Have they misunderstood the terms of the contract, in this case, as it relates to their obligation to serve the legal system? I gather that Talisse supports something like that conclusion. He thinks, for example, that “the views that [we] already have about how we should think and reason commit [us] to a democratic political order” (p. 4). He also stresses that

the case for democratic politics . . . draws from principles that are *epistemic* rather than *moral*. . . . [N]o matter what you believe about morality, you have overriding epistemological reasons—reasons concerning how, what, and when one ought to believe something—to endorse democratic politics. (p. 4)

But I am not sure that one can simply choose to hold a belief. Beliefs must come from somewhere, and it seems that they must strike us as convincing or worthy of acceptance. If that is true, the problem of hoarding beliefs won't be solved by convincing citizens to privilege a belief about what their preference for democracy should commit them to. While Talisse might be right that we already have commitments to something like that belief, we surely also have many other commitments, as well as beliefs about how strong those commitments should be and how we can best discuss them.

We are over-simplifying if we think of beliefs as though they have sharply defined edges, that we could with the right tools isolate the belief about how open we should be to compromise from the belief in rationality or the democratic process. I wonder if the average person's stock of beliefs is not too messy for that. I also wonder about Talisse's suggestion that we separate epistemology and morality. I don't deny that a belief can be tested according to a particular model of epistemology, and the criteria that we want to go along with that. We routinely do this in philosophical argument as well as ordinary conversation. But it is rare that we focus on beliefs *per se* without letting on that they are meant to apply to or describe something. Our beliefs have to be *about* things, or it is hard to see what good they would do us. This applies here in the sense that a theory of liberal democracies might presume that two people might have radically different beliefs about moral values, and that is only a sensible assumption if we also think that those people hold, in turn, different beliefs about how such values might be known, and if they are items of potential knowledge in the first place. And that thought brings us back to the epistemic principles that Talisse mentions in the quotation above. There are of course epistemic principles, including those having to do with things like verification or consistency, but these seem to be very much a part of our moral and political lives as well.

To see how this works, we could now suppose that we are asked to decide whether a parent should be allowed to keep a child home from school

so that the family might observe some religious ceremony.¹¹ I think that most would agree that there is no objective way to decide whether we should treat the issue as a moral or an epistemic one (or both). Even better, why not think in terms of political, legal, or even aesthetic issues? The point, then, is that a determination of how we ought to reason about our beliefs and commitments cannot be made in isolation from what we think the benefits of doing so are. On some interpretations of political theory, we must work from a theory of what it is good for citizens to have, and how much of what they consider valuable can be secured through a particular mode of reasoning. Yet when we approach things that way, we are already in the thick of things, morally speaking. It is unclear what we would gain by trying to think about these contested values in purely epistemic terms.

Even the notion that moral pluralism commits us to a specific type of rational discourse seems to me questionable, if the basis of the commitment is not supposed to be a moral value. If one wants to recommend a particular method of arguing, one way to make the case is to show that it is superior to the alternatives. But how might the alternatives be ranked? The difficulty isn't so great that we have to be reduced to silence or disaffection. It is not as though values were inherently mysterious to us. If we are talking about a decision procedure for purchasing used cars, we will probably want to appeal to things like price, reliability, and so on. If we are talking about a decision regarding how tolerant and open to compromise citizens should be, even the term *citizen* is going to denote moral responsibilities, which makes the term essential if we mean to explain rules against treason, for instance. All of this bears on the issue of a separation of epistemology and morality in the following way. For Talisse's claims about folk epistemology to make sense, he might have to be thinking about arguments that citizens might make for one way of life as opposed to another. Yet even the idea that we might have to respect other faiths can be read as an expression of various moral principles. Once we grant the inter-connected nature of beliefs and values, we seem to be back at the start, asking why I should tolerate, and what I am to be tolerant of.

I have tried to suggest that it is unclear whether epistemological theories can give us the leverage that we need if we mean for that answer also to accommodate particular views about citizenship. I hinted above that things will be even more complicated, if we mean for our answer about values and how they should be ranked to draw upon an understanding of our history. By that I mean that someone who feels pressed to the wall about his values could note that, while the general concept of democratic government has remained stable, the prevailing beliefs about moral values within it have not. The idea that Thomas Jefferson and others might have tried to set down strict laws for the protection of these and other basic freedoms, while they also took it to be essential that they were able to safeguard their own rights to own slaves

¹¹ Talisse discusses such an example; see his *Democracy and Moral Conflict*, pp. 177-81.

strikes us today as tragically misguided. If it seems that way, however, that is partly because we know so many other details about our past.¹²

Living in the U.S., it is appealing to think that we long ago, after listening to better reason, outlawed slavery and extended the vote to women, for instance. But such knowledge does not license our saying that we have finally clarified the limits that ought to be placed on things like life, liberty, and the pursuit of happiness. On the contrary, we have within the same history added even more rights-claims to our list of basic demands that citizens can make on a liberal democracy, and ultimately, on each other. We have done this, interestingly, even as we have tried to embrace the idea that it would be culturally imperialistic for us to tell other democracies how they should define hate speech, dissent, or gender-equality. We are told to be tolerant of a framework like the one that Germany relies on now. There, we concede that Germany can claim to be a liberal democracy despite the fact that it is illegal to deny the Holocaust. The American citizen caught in the paradox of democracy might protest that, if there were a unitary way to define freedom of speech or truth, and a way for those who are offended by certain claims about history to resolve their disputes over respect or toleration, it should be easy to say that those who support rules against offensive speech simply need to compromise.

Perhaps citizens who live under political systems slightly different from ours need to think of the greater good, or perhaps think of some liberal ideal about the difficulty in defending one way of life over another. Yet claims about progress throughout history do not come self-contained, without a particular package of historically mediated values to go along with them. We cannot pretend that we have resolved controversies about which values ought to take priority, as long as not everyone agrees, for instance, on the degree to which religion should be injected into school curriculum, or the amount of evolutionary theory to which all students must be exposed. Taking what the skeptic might regard as moral drift into account, the citizen might reason that, as soon as one group sees another achieve victory for its value-stance, the first group will seek to improve its own position before the next round of compromises, so that what counts as an unfair advantage is going to change over the years. This too seems a predictable feature of tolerant, pluralistic democracies.

3. Concluding Thoughts

Talk of toleration and liberalism is everywhere. Talisse asks that we consider a number of relevant issues that arise when we try to unpack these concepts. I have tried to focus on one of those issues, on the ways that claims about tolerance relate to the perceived strength of political justification. How can the moral principles that drive a person into the contractual arrangement

¹² Jean Imbert, "Toleration and Law: Historical Aspects," *Ratio Juris* 10, no. 1 (March 1997), pp. 13-24.

not continue to exert their force when it comes time to evaluate the way the arrangement actually unfolds?¹³ Talisse seems to suggest that we could learn how to respond to that kind of question, if we could do a better job of acknowledging the depth of our commitments, mainly those associated with folk epistemology. I have tried to show why I think that to some extent our satisfaction with our political arrangements will have to correspond to the level of confidence that we have in the methods that it provides us for resolving moral differences. But we may not agree how far, when I announce that I have my doubts concerning democracy as a way for us to organize and govern, I can let my doubts go.

Where Talisse points out that it is important for us to decide how seriously we should take such doubts, he is getting at a moral issue that, on any credible interpretation of democracy, citizens should be talking about. Talisse has gone quite far toward showing how incomplete most of our answers have been up to this point. It could be that our theories of social contract and political legitimacy must do more than explain what could have motivated citizens to enter such arrangements. It might be equally important to ask what provisions citizens should make for second thoughts. Still, I think that the more that the arrangement we enter into is voluntary, and presumes to be accommodating, pluralistic, and so on, the more it will encounter the type of problem that Talisse describes. While I do not agree with some of what Talisse says about such things, in the end, we differ mostly on what type of overhaul our preferred methods of reasoning really need, or what type of reform of their thinking most citizens are likely to accept.

¹³ Bernard Williams discusses this issue as it might relate to social contract theories, in his “Rawls and Pascal’s Wager,” in Bernard Williams, *Moral Luck: Philosophical Papers 1973-1980* (Cambridge: Cambridge University Press, 1981), pp. 94-100.

