

John Dewey on  
Pragmatism and Modern American Democracy

-A Critical Analysis of Modern American Democracy, and Philosophy's Proper Role Therein-

By

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Philosophy has been defined in many ways, and the nature of one's definition directly guides the work that one sets out to accomplish under its banner. Plato famously believes that philosophy is the process of acquiring knowledge,<sup>1</sup> while other figures such as John Dewey maintain that it is the rational and methodical search for solutions to contemporary problems. Depending upon how philosophy is defined, one could argue that it is parasitic to modern American democracy just as easily as one could argue that it is absolutely crucial.

In this paper, I will argue that philosophy is in fact necessary for the proper functioning of modern American democracy and examine its proper role therein. This argument will utilize Dewey's form of pragmatism, or "instrumentalism," and rely upon his definitions of philosophy and democracy.

For the sake of clarity, the paper begins with (I) a general account of Dewey's instrumentalism and conceptions of philosophy and democracy, which are then (II) utilized to flesh out what Dewey thinks is problematic with American democracy. Following, the paper will (III) isolate the key problem with American democracy so as to provide a more comprehensive and fruitful analysis. (IV) Dewey's analysis will then be extrapolated in order to comment on the state of American democracy today. (V) His analysis will then be supported by comparing it to several competing models of democracy, most notably Judge Richard Posner's "Concept One" and "Concept Two."

The focus of the discussion will then shift from the nature of America's problems to (VI) an examination of Dewey's solution to said problems. This will include a commentary on its basis in the scientific method and address various obstacles that inhibit its implementation. After, (VII) the paper will explicitly address why, under Dewey's model, theory must be allowed to influence practice.

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<sup>1</sup> Plato. *Euthydemus*. (Oxford: Clarendon Press, 1905), 288d.

The paper will then move to (VIII) an explicit argument for the importance of including philosophy in the modern American democratic system in order to fix its problems. To support this argument, (IX) we will re-examine in greater detail the disagreement between Dewey and Posner's solution to modern America's problems. The paper will (X) conclude with several closing remarks aimed at reinforcing the thrust of Dewey's lessons for modern American democracy.

I.        *JOHN DEWEY'S PHILOSOPHICAL BACKGROUND  
             AND THOUGHTS ON DEMOCRACY*

John Dewey is a pragmatist, but this title has historically designated several different, sometimes conflicting, schools of thought. Accordingly, it will be beneficial to briefly flesh out his specific formulation of pragmatism to gain an understanding of his basic belief structure. However, I will first address Dewey's far more general conception of philosophy.

At the most fundamental level, Dewey contends that philosophy is a tool that can be utilized to empower one over one's environment. Philosophy begins with, and ends in experience: it emerges when a problem is detected in experience, and it ends when that problem is resolved. It is not, as it has often been portrayed, the practice of occupying one's self with senseless or necessarily bewildering problems. In short, it is a way of critically engaging with one's environment. Dewey explains that, "Philosophy recovers itself when it ceases to be a device for dealing with the problems of philosophers and becomes a method, cultivated by philosophers, for dealing with the problems of men."<sup>2</sup> Philosophy is a tool that aides one in understanding the nature of one's environment, and consequently in solving problems that may be encountered.

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<sup>2</sup> Dewey, John, comp. *Creative Intelligence*. (New York, H Holt & Co., 1917), 65.

As a philosopher, Dewey is often described as a pragmatist or as an instrumentalist, depending upon whom you ask. The Merriam-Webster dictionary defines a pragmatist as one who fundamentally believes that the “meaning of conceptions is to be sought in their practical bearings, that the function of thought is to guide action, and that truth is preeminently to be tested by the practical consequences of belief.” Dewey believes that knowledge is ultimately worthless in and of itself, and that its value is derived from its ability to empower one over their environment, i.e. in lived experience. The philosopher Sidney Hook succinctly explains that “[pragmatism] is primarily an extension of the logic and ethics of scientific inquiry,” suggesting that experience comes before theory, and that the latter is based on the former. But while experience must come first, it alone does not provide answers. Rather, experience must be critically examined in order to be fruitful.

Dewey describes himself as an instrumentalist instead of a pragmatist in order to emphasize his belief that theory, and thought in general, is only of instrumental use and therefore should not be valued in its own right. He asserts that the function of theorization and knowledge is to effectively bridge the gap that exists between professed theory and actual practices. As an instrumentalist, Dewey is also a pragmatist by definition, but as was mentioned, there are various, sometimes conflicting, formulations of pragmatism. However, most of these models share a handful of commitments, and we will now examine several of them.

First among these similarities, pragmatists tend to place great emphasis upon action and experience. But despite the emphasis on action, pragmatists are not necessarily committed to hold a sharp dichotomy between theory and practice. Authors Michael Sullivan and Daniel J. Solove elaborate on the way in which pragmatists tend to conceptualize the theory/practice dichotomy:

Under the traditional model of the theory/practice relationship, philosophical theory is seen as a foundation for practice. One should learn the theory and then put it into practice. But pragmatists, such as Dewey, never expected theory to guide practice in this way and never pretended that practice was independent of theory. Rather than embrace this dualism, the classical pragmatists sought to make practice more intelligent and more critical, in part by recognizing its theoretical dimension.<sup>3</sup>

Theory influences practice, so it should not be considered in total isolation. However, it is wrong to say that theory came first because theories are formed by reflecting on experience. Critically formed theories help people to act more intelligently in the future, increasing the odds that their goals will be actualized. While pragmatists such as John Dewey do not entirely distinguish theory from practice, they tend to draw a distinction between intelligent and unintelligent actions. Intelligent action is obviously superior to unintelligent/uninformed actions, but it is only possible when theory is allowed to influence practice.

And because pragmatists are concerned with theories only in relation to practice, they measure the worth of a theory by its ability to aide intelligent action. Dewey elaborates:

Thus there is here supplied, I think, a first-rate test of the value of any philosophy which is offered us: Does it end in conclusions which, when they are referred back to ordinary life-experiences and their predicaments, render them more significant, more luminous to us, and make our dealings with them more fruitful? Or does it terminate in rendering the things of ordinary experience more opaque than they were before, and in depriving them of having in "reality" even the significance they had previously seemed to have?<sup>4</sup>

Pragmatists believe that theories help people to act more intelligently by helping them understand and subsequently manipulate their environment.

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<sup>3</sup> Sullivan, M. & Solove, R. A. Can Pragmatism Be Radical? The Yale Law Journal, 113(3), 701. 2003. Web.

<sup>4</sup> Dewey, John. Experience and Nature. (Dover Publications:1958), 7.

Second, pragmatists disavow the unhealthy habit common to much philosophy, and other fields of academia, of engaging ‘pseudo-problems.’ One is almost guaranteed to commit a metaphysical mistake if they set out to find problems instead of letting them present themselves in lived experience. Pragmatists are generally of the mind that if it is not broken, then you do not need to fix it. Trying to make changes without a reason tends to make things worse than they were in the beginning.

Third, and most importantly, pragmatists deny the existence of an absolute, objective and irrefutable Truth of any sort. A pragmatist understands the term ‘true’ to denote a kind of working theory, i.e. something that coincides with commonly agreed-upon observations from experience. Pragmatists see inquiry as a tool, an instrument that can help one to better understand and engage their environment. But, if pragmatists deny the existence of any objective Truth, one may then ask, ‘What does it mean when a pragmatist declares that a particular idea is true?’ Sidney Hook provides an insightful response to this question from a pragmatist’s point of view:

A true idea is one whose consequences, when the operations which constitute its meaning are carried out, are such that they are confirmed by experience, enabling us to solve the problem in relation to which the idea was projected as a plan of action.<sup>5</sup>

Pragmatists critically engage the world in a methodical manner and make conclusions from their experiences so that they may then act more intelligently and have more control over their environment. A conclusion drawn from experience is ‘true’ when the consequences wrought by its implementation confirm expectations. ‘True’ ideas help people to not only understand the mechanics of the world, but they also enable future intelligent action.

Finally, pragmatism discourages individuals from being skeptical in response to the non-existence of an objective Truth. Pragmatists generally hold a neutral stance in relation to the

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<sup>5</sup> Hook, Sidney. Pragmatism and Existentialism, 1959. Web.< [www.jstor.org](http://www.jstor.org)>.

world and all conceptions of ‘reality’ until a problem is presented. In this sense, skepticism is an anti-pragmatic response to the non-existence of an objective Truth because in order to doubt, one is required to provide just as much justification as they would in order to justify holding a belief. In pragmatism, there is at least a general presumption that there is some discoverable order to the world because without this presumption, one would likely fall into a skeptical void and continue to be subjected to the whims of their environment, but they still do not aspire to gain absolute knowledge. A pragmatist must bear a receptive attitude to the world so that she may be aware of problems and take advantage of fleeting opportunities.

Those, in brief, are the beliefs that almost all pragmatists share. Above all else, Dewey holds that we must methodically and intelligently analyze the consequences of both our own and others’ actions so that we can then draw conclusions from them that can then empower us over our environment(s).

It is clear that John Dewey is a pragmatist, but there truly is some merit in referring to him as an instrumentalist because his desire to continually develop and improve upon theories and methods of inquiry is qualified by an even more fundamental belief that doing so is only of instrumental use insofar as it helps one to resolve the problems which prompted the creation of such theories and methods of inquiry. He contends that methodical inquiry and philosophical theorization help people to better understand and manipulate the apparent nature of the world. By constantly bearing a critical disposition to the world and by refining one’s method(s) of inquiry, one becomes more capable of making reliable conclusions. There is no objective truth to be discovered, but theorization helps people to cope with this reality to the best of their abilities. Theory, and therefore philosophy, is of no intrinsic worth, but they do help people to advance

their own ends as much as possible, and as we shall shortly see, they are useful in correcting problems found in modern American democracy.

In the absence of any objective Truth, pragmatists tend to define concepts broadly in order to avoid overstating their case. Such general concepts effectively operate as working theories and help guide people to act more intelligently in the future. At the same time, using general concepts allows one to avoid making extreme claims that would likely misguide future actions. For example, Dewey defines “democracy” in rather general terms, leaving plenty of room for critics such as Clarence Carson, an Associate Justice of the Supreme Court, to argue that he describes it inconsistently and far too abstractly to consider it a cogent model.<sup>6</sup>

Carson argues that Dewey uses the term “democracy” so loosely that he unwittingly contradicts himself several times. He claims that Dewey’s “democracy” designates, at different times, a political system, a form of government that is ruled by consent, an educational process, a type of freedom and a theory of knowledge, just to name a few. In fact, there are over thirty separate meanings that Carson believes Dewey associates with the term democracy.

In the face of such criticism, Dewey would readily admit that he does in fact use the term “democracy” loosely, but he would defend his actions by arguing that he must do so in order to avoid contradicting experiential evidence.<sup>7</sup> Dewey’s model of democracy is a very general concept and it includes various, more specific sub-notions. For instance, he distinguishes between democracy as a form of government and democracy as a way of life, but argues that both understandings belong to a broader, more continuous conception of democracy that infiltrates all facets of our American lives. At times, “democracy” can denote a form of government that is ruled by consent, and at other times it can be used with equal validity to

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<sup>6</sup> Carson, Clarence B. *The Concept of Democracy and John Dewey*. (Modern Age: 1960), 180-7.

<sup>7</sup> The term “experiential evidence” refers to observations / knowledge gained from experience, and is used because one could argue that such evidence is not “empirical” in the strictest sense of the word.



describe a form of communal living. Critics such as Carson charge that his model of democracy tends to designate many inconsistent things, and that it is ambiguous, discontinuous, and therefore invalid. Dewey would defend himself by arguing that the roughly thirty different meanings identified by Carson are best understood as representing different moments in the application of a single, very broad concept.

Dewey's democracy entails much more than the prescription of a specific form of government. "Democracy" *can* describe a certain structuring of governmental features, but Dewey intentionally does not provide any positive, substantive guidance on how the institutions of a government should be structured or operated. He explains that, "A democracy is more than a form of government; it is primarily a mode of associate living, of conjoint communicated experience."<sup>8</sup> Dewey has his own personal beliefs regarding how America's government should be structured, but he leaves such preferences out of his basic conception of democracy because his goal is to fix American democracy in general and not to make it fit a specific mold.

Dewey also understands democracy as a sort of methodology that involves the critical analysis of belief, speaking to his distaste for the unreflective adherence to dogma. Stability is not valuable in and of itself, so one should view popular sentiments in a critical light in order to get rid of antiquated beliefs that are no longer compatible with the contemporary environment. Beliefs are valuable only insofar as they reliably and accurately foretell future outcomes in a way that empowers one over the environment. One's beliefs should not be viewed as immutable law because beliefs merely represents the best explanation from a specific point in time and are therefore subject to revision upon discovery of contradictory evidence from experience.

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<sup>8</sup> Dewey, John. *Democracy and Education*. (New York: The Macmillan Co., 1916), 101.

As a form of government, Dewey argues that purpose of democracy is to educate the population in an interactive and ongoing manner so as to give them a better understanding of their social, political, and economic environments. He believes that it is extremely important for a democracy to educate its population in order to dissuade them from passively adhering to the status quo and its transient trends. To give one a better understanding of their environment is to give them the ability to analyze, criticize and therefore manipulate its structure.<sup>9</sup>

Dewey's conception of democracy also helps the public to recognize itself as a community with shared interests, and it does so by means of education and communication. Deweyan democracy educates people in order to give them a better understanding of their environment, and Dewey's conception of education fundamentally involves an emphasis on communication, i.e. sharing beliefs and discussing the subject-matter of observations. Education brings people together by identifying commonalities with the world via a sort of shared-consciousness, which is useful in identifying and actualizing large-scale goals.

## II. *DEWEY, AMERICAN DEMOCRACY AND ITS PROBLEMS*

Today, American democracy is plagued by a long list of problems, so analyzing Dewey's conception of democracy during the first half of the nineteenth century is an extremely valuable exercise. Modern American democracy is stifled by a public that is unarticulated and consequently confused. Such a muddled population is problematic because people tend to

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<sup>9</sup> Dewey believes that educating the public is critical to the process of fixing modern American democracy because peoples' perspectives of their environment are shaped by, among other things, definitions and conceptual models. Education gives people the ability to analyze, debate and then act intelligently. Dewey thinks that education should effectively deconstruct such definitions and concepts, and then instill individuals with a critical disposition in relation to their environments. Education, like deliberation, is based on experience, and in a way, it is a type of experience itself. Education is not meant to 'brainwash' the population into believe the same dogma, but rather it is to empower the public to determine its own beliefs. Education also exposes how disagreements in the past have been resolved and put entirely to bed. For example, it used to be commonly agreed-upon that women were subordinate to men and should not work or vote; their role was to be a mother in the household. The same narrative held true for African-Americans. Needless to say, such beliefs have been outgrown and it is very enlightening to see how such "knowledge" eventually comes to be seen as outdated masochism and bigotry. Education teaches the individual that other, often time more reasonable, beliefs / explanations exist, and sometimes exposure is enough to incite criticism and change.

appease their confusion by conforming to the status quo. And when people blindly accept the status quo, there is very little hope that they will be able to articulate the sorts of genuinely common interests that are inscribed in the status quo itself. Dewey contends that thoughtless acquiescence to institutions and traditional norms is a fundamental source of the public's confusion, and he argues that philosophy must play a large role in rectifying this malady. At the very least, his model of democracy provides a chance for the population to become both educated and united, and as we will see, these are prerequisites for the remediation of modern American democracy's sordid state.

Deweyan democracy, whether thought of as a mode of associated living, a form of government structure, or as an approach to education, can generally be conceived of as a methodology for actualizing the common interests of the public. The public as a whole benefits from Deweyan democracy because it illuminates commonalities amongst the population, uniting them into a stronger, more motivated group, empowering them over their environment and the prevailing status quo. Deweyan democracy is not necessarily a prescription for "representative democracy," or "deliberative democracy" per se, but it does allow for both depending upon the collective public experience and sentiment.

Cooperative and organized associated living, which Dewey argues is the bedrock of democracy, identifies shared interests and unites people under its banner. By encouraging people to work together in the name of their common interests and mutual concern/respect, democracy facilitates "a breaking down of those barriers of class, race, and national territory which kept men from perceiving the full import of their activity."<sup>10</sup>

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<sup>10</sup> Democracy and Education, 101.

Dewey's analysis suggests that primary problem with modern American democracy is the unarticulated and confused public, but it also identifies several other underlying causes of America's problem. For instance, the public is in its unfortunate condition due largely to the fact that America is controlled *almost* exclusively by a small class of wealthy individuals but is said to be guided by the common interest of its citizens. The vast majority of American people are effectively motivated by the will and actions of a small elite class, meaning that the average citizen lacks adequate power to affect change. The problem appears even graver under Dewey's model of democracy due to the public's ignorance with respect to this state of affairs. We will return to the topic of the public's ignorance again, but for now it will suffice to know that the first step to fixing the disenfranchised state of the public involves the public acknowledging their condition.

As was mentioned, Dewey's conception of democracy advocates a fundamental element of education which itself places great emphasis on communication. It is easy to see how Deweyan democracy could improve the current state of American democracy, namely by instilling the population with a critical disposition, so that they may understand the condition of the government, and encouraging them to share their critically-formed beliefs. It is very important that the population be aware of problems so that they may then determine how to fix them. If the public is collectively ignorant of the source of their disenfranchisement, then it is very unlikely that they will be able to motivate any solution to their condition. Acknowledging the current circumstances in modern American democracy, i.e. that the government has been usurped by monetary influence and selfish motives, removes the public's blinders, so to speak, and allows for the public to identify their common interests. Only then can the public begin to discuss ways in which they may motivate change in favor of their goals.

The problems of the public are made even worse, under Dewey's model, because voting is an insufficient check on the actions of government officials. Ideally, citizens would vote based on their authentic, personal beliefs, values, and preferences that are well informed and constructed through social debate(s). Following an election, in this ideal model, a sincere and well-intentioned counting of the votes would provide a clear determination of public opinion in a timely fashion. Finally, since government officials would be dependent upon the support of their constituents in order to advance their political careers, they would feel a responsibility to become familiar with their constituents' interests and then work to actualize them. Again, this is how the democratic process would function in an ideal world, which is, for all intents and purposes, virtually unattainable.

America, however, is not fortunate enough to embody this sort of utopian democracy. The issues involved in modern American democracy are extremely complex and involve intricate consequences, making it extremely difficult for the average citizen to become genuinely familiar with even a small fraction of relevant issues in a meaningful way. This general inability to recognize or understand modern issues fosters the existence of a public that is confused, apathetic and ultimately discouraged.

Modern American voting also falls short of this ideal model for other large-scale, institutional reasons. In addition to the complexity of issues, the existence of an apathetic public, and the tendency of money to influence actions, the American voting system falls short of its ideal because it institutes a proverbial middleman between the public elections and the final determination of the president. I am, of course, referring to the Electoral College.

The Electoral College was established by the Constitution as a veritable compromise between direct election of the President and appointment by Congress.<sup>11</sup> The U.S. Office of the Federal Register explains “Under the Electoral College system, we do not elect the President and Vice President through a direct nation-wide vote. We select electors, who pledge their electoral vote to a specific candidate.” Citizens appear to vote for candidates, but it is more accurate to say that they are voting for electors who will in turn determine the winner of the Presidential race. Shortly before the Presidential election in 2004, TIME Magazine wrote an article in the effort to demystify the Electoral College. It explains, “When you head to the booth this Tuesday, you won't actually be pulling the lever for [a Presidential candidate]. Rather, you will be casting a ballot for a slate of electors pledged to a particular candidate, who are then supposed to vote for the person you want to be president.”<sup>12</sup> The Founding Fathers of the United States thought this model was ideal because it seemingly allows for the public to express their opinions and guarantee that the actual appointment of the President is well-informed so as to aide national health and stability.

Prima facie, this does seem to be a sensible compromise between two models for democratic voting, i.e. between rule by the elite and rule by popular vote. However, the Constitution provides a caveat, or an intentional loophole rather, with regard to the Electoral College that is rather troubling with respect to the political efficacy of the general public: no constitutional provision requires that an elector votes in accordance with the popular vote of their state. A document in the National Archives explicitly states, “It is possible that an elector could

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<sup>11</sup> United States. Office of the Federal Register. U.S. Electoral College, Official. Washington, DC: National Archives and Records Administration, Web. <<http://www.archives.gov>>.

<sup>12</sup> Dell, Kristina. "The Electoral College Explained." *Time Magazine*, Web. <[Time.com](http://Time.com)>.

ignore the results of the popular vote, but that occurs very rarely.”<sup>13</sup> In this way, modern American democracy allows for the possibility of the public clearly electing one candidate while the Electoral College elects the opposing candidate.<sup>14</sup>

The net result of modern America’s democratic process is a confused, apathetic, and ultimately powerless citizenry. It is easy to see how the structure of America’s democratic system *allows* for the public to slip into a deep state of confusion. Today’s challenging circumstances encourage people to withdraw from the political spheres, leaving such issues for the ‘professionals.’

The current American model of democracy also creates a sort of rotating door for professional politicians whose are charged with upholding the institutions that the public has effectively given up on. Career politicians have become increasingly alienated from their responsibility to the American people, as financial entities have usurped the role(s) of individual citizens in the democratic process. While the structure of American democracy does not directly force the public into a state of confusion or invite financial influence, it does discourage the public from actively participating in the democratic process. And insofar as the public’s non-participation allows for, and even motivates wealthy entities to exert their power on the political process, it can be argued that the structure of the government too allows for this state of affairs.

So far, we have taken a look at Dewey’s definitions of philosophy and democracy, examined his philosophical background, and briefly addressed what he identifies found most troubling with modern American democracy. However, his grievances with the American

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<sup>13</sup> United States. Office of the Federal Register. U.S. Electoral College, Official. Web. <[www.archives.gov/federal-register/electoral-college](http://www.archives.gov/federal-register/electoral-college)>.

<sup>14</sup> While it is extremely unlikely that the Electoral College would elect a different candidate than the candidate chosen in the popular election, I bring this possibility up because, though slight, it is real. It is not meant to describe one of the more imposing threats to modern American democracy, but rather it is to compliment my more general argument that there are institutional threats to the public’s political power/efficacy, regardless of their likelihood.

democratic system are much more complex they have thus far been portrayed. Given Dewey's pragmatic background, we will now move on to an expanded discussion of what he sees as the primary problem with modern American democracy, and then proceed to identify and examine his solution.

### III. *ELABORATION UPON THE PROBLEMS FOUND IN AMERICAN DEMOCRACY*

As we have seen, modern American democracy fails to satisfy Dewey's model because it is characterized by a confused and impotent public, but we have yet to discuss why this confusion exists. The processes that formed this apathetic and confused public occurred slowly and imperceptibly as the consequence of major, yet gradual, changes in an era characterized by radical transformation.

A confused public is a major problem under Dewey's conception of democracy because ignorance translates to political impotence, or at best, inconsistency. Writer Jason Kosnoski describes a lost public as "a phenomenon that both discourages political activity and leads citizens to become increasingly dependent upon traditional norms which seem to provide stability in an increasingly chaotic world."<sup>15</sup> As the Industrial Revolution, the introduction of the machine, and traditional cultures were changing society rapidly and simultaneously, the public failed to adjust its values, methods of inquiry, and general knowledge-base that are necessary in order to stay familiar and engaged with contemporary affairs.

It has been roughly two-hundred thirty-five years since America declared its independence from England, and to say that it has changed dramatically is quite the understatement. Despite the profound significance of these changes, they occurred gradually and

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<sup>15</sup> Kosnoski, Jason. *John Dewey's Social Aesthetics*. (US: Northeastern Political Science Association, 2005), 195.



discontinuously, and as such, many of them transpired without the public's awareness. Referring to the Industrial Revolution, Dewey urges that "The machine took us unawares and unprepared,"<sup>16</sup> noting that it effectively fragmented society into increasingly nuanced sub-populations, which tended to, or at least appeared to, have conflicting interests.<sup>17</sup>

The public's lack of self-awareness makes it exceedingly difficult for people to distinguish their collective needs from outdated norms pressed upon them by tradition and prevailing trends. One *could* argue that such prevailing trends themselves represent a public opinion, and that line of argument may stand, but only up until a certain point. After that point, adherence to trends lacks a sense of authenticity.<sup>18</sup> Two contentious examples of such modern trends are the Tea Party Movement and the Occupy Wall Street Movement. Before going any further, I am not utilizing these examples to criticize the nature of either movement in any way, but rather to comment on the phenomenon that surrounded each trend as it entered the public domain. To be clear, I will not address their respective political valences.

What strikes me as 'unauthentic' about the adherence to such rapidly-forming movements, or prevailing trends, is not that they embody a particular sentiment that attracts followers, for that seems to be the mark of authentic public opinion. Rather, this in-authenticity comes from the way in which these movements either take on a specific political agenda over time which may not correspond with the political opinions of those hordes of citizens who agreed with the movement's foundational sentiment(s), or else they stagnate in indecision and

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<sup>16</sup> Dewey, John. *Individualism Old and New*. (New York: Prometheus Books, 1958), 46.

<sup>17</sup> John Dewey's *Social Aesthetics*, 193.

<sup>18</sup> When I say that adherence to fleeting trends lacks a sense of authenticity, it is not meant to discredit the individual and their beliefs. Rather, what seems to lack authenticity in these sorts of situations is the way in which such beliefs are disseminated. New ideas are often portrayed and perceived as 'trendy' or 'cutting-edge,' making them more attractive to potential adherents. On the other side of the coin, ideas and trends that persist over time tend to be seen as being valid simply because they are popular, with large groups of followers. Certainly, people subscribe to such trends for the right reasons, i.e. after periods of critical evaluation and analysis, but I believe that a large number of people latch onto both new/trendy as well as engrained ideas. The thrust of my observation being that people tend to subconsciously collect beliefs for the wrong reasons, and that this sort of behavior is dangerous both to their well-being as well as to the well-being of modern American democracy.

paltry attempts to maintain the bureaucracy involved in maintaining such political movements. Because they generally lack a centralized structure and the means to implement decisions, they only very rarely embody any actionable opinions. Grassroots movements inspire change but they do not actualize those changes. This is why Dewey argues that political power must be wielded within existing government channels. While there is merit to the foundational merits of such movements, they tend to be political ineffective.

The conditions of the American social, political, and economic environments have changed radically since the country was founded, and yet, many of the beliefs traditionally associated with its designers and founding generations persist in a way that fosters a disparity between professed beliefs and actual practices in modern politics. Dewey explains, “[the] rapid industrialization of our civilization took us unawares.... [and] our older creeds have become ingrowing; the more we depart from them in fact, the more loudly we proclaim them.”<sup>19</sup> People have tried to combat the effects of these changes by adhering to traditional beliefs as a source of guidance. To be clear, a belief or practice is not condemnable because it is traditional or old; it is condemnable when it is no longer fit with one’s environment, and even more so when it is consciously upheld for the sake of maintaining tradition.

Economic, social, and political conditions are constantly evolving, and Dewey believes that a belief becomes “ingrown” when another option reveals itself to be a more accurate reflection of one’s environment. He contends that “conduct proceeds from conditions,”<sup>20</sup> and that any “change in theory is itself a reflection of a social change.”<sup>21</sup> The problem with the democratic system in modern America is that any alteration to theory is currently an

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<sup>19</sup> Individualism Old and New, 8.

<sup>20</sup> Dewey, John. *The Public and its Problems*. (New York: Henry Holt & Co., 1927), 103.

<sup>21</sup> Individualism Old and New 23.

insurmountable task because the public fails to recognize the significance of the consequences of these major changes.

Dewey explains that the gap between theory and practice exists because “Mental and moral beliefs and ideals change more slowly than outward conditions.”<sup>22</sup> While conduct does indeed proceed from environmental conditions, it just so happens that conduct is lagging substantially due to the chaotic state of the public. In order for the public to reclaim control of the government, it must embrace systematic inquiry, experimentation and debate. In short, the public must integrate philosophy into the democratic process as well as into their daily lives.

Dewey straightforwardly advocates for the inclusion of philosophy in public debates because it helps the public to “achieve such recognition of itself as will give it weight in the selection of official representatives and in the definition of their responsibilities and rights.”<sup>23</sup> Clearly, Dewey’s solution does not call for the complete reconstruction of American democracy, but rather necessitates that citizens be more critical of their environment(s).

Over time, America has grown many times over, amidst the introduction of revolutionary technologies, and this served to segment the population between the laborers and professionals. Policymakers have become estranged from the sorts of actual conditions that the average person experiences, and over time, the public itself has become alienated from its own circumstances. Dewey argues that this is because “There are too many publics and too much of public concern for our existing resources to cope with,”<sup>24</sup> meaning that there is too wide of a range between the wealthiest and the poorest, the most political efficacious and the least. He suggests:

Indirect, extensive, enduring and serious consequences of conjoint and interacting behavior call a public into existence having a common interest in controlling these consequences. But the

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<sup>22</sup> The Public and its Problems 141.

<sup>23</sup> *ibid.* 77.

<sup>24</sup> *ibid.* 126.

machine age has so enormously expanded, multiplied, intensified and complicated the scope of the indirect consequences, have formed such immense and consolidated unions in action, on the impersonal rather than a community basis, that the resultant public cannot identify and distinguish itself. And this discovery is obviously an antecedent condition of any effective organization on its part.<sup>25</sup>

Modern American democracy is currently hindered by the public's inability to acknowledge changing circumstances and its failure to identify itself as a community with shared goals, capable of affecting self-interested changes. The public lacks genuine opinion, making it impossible for people to realize such sought-after ends. All of this works to undermine the American public's ability to "perceive the relationships between themselves and society." Together, this causes individuals to become increasingly disillusioned about their relationship with the public, social issues, and the impact of their actions on both themselves and the public as a whole.

#### IV. *EXTRAPOLATION FROM DEWEY'S EXPLICIT MODEL TO MODERN AMERICAN DEMOCRACY, AND SUBSEQUENT EVALUATION*

Dewey argues that the type of democracy found in America deprives the public of its rightful role in the operation of the government, and sadly this observation is more accurate today than ever before. Exacerbating the problem of a disillusioned public, monetary influences have increasingly perverted the modern American democratic system and further alienated the average citizen from the political process.

In 2010, the Federal Election Commission, the independent US agency responsible for regulating campaign finance legislation, legalized "unlimited independent expenditures" from

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<sup>25</sup> *ibid.* 126.

individuals and corporations to political action committees (aka “PACs,” or “Super PACs” in this case). Super PACs utilize their coffers to further their own cause(s), and this often entails supporting a particular candidate by financing rallies, TV commercials, and other modes of marketing.<sup>26</sup> While there are laws that prohibit collusion between candidates and Super PACs, in reality these laws are often skirted via well-known loopholes. For instance, while candidates and Super PACs are forbidden from co-planning their future actions, they *are* allowed to discuss past actions, in response to which candidates can express their tacit assent or disapproval, effectively allowing the candidates to loosely guide their conduct.

Dewey would be appalled that Super-PACs effectively allow for financial interests to usurp political power away from individual. He would likely argue that Super-PACs are a manifest example of what is wrong with modern American democracy insofar as they redistribute political power from the hands of the many to those of an elite portion of the population. While everyone is allowed to contribute money to such committees, there are only a handful of entities that possess enough capital resources to make a significant impact on their own. In fact, USA Today recently featured an article on this phenomenon, revealing that “Five wealthy people...have donated \$1 of every \$4 flowing into the Super PACs, raising unlimited money in this year’s presidential race.”<sup>27</sup> Dewey would likely agree that the existence of such financial and political juggernauts threatens the political efficacy of the public and therefore imperils the health of modern American democracy in general.

Later in this paper, I examine a distinction made by Judge Richard Posner between “Concept One” and “Concept Two” democracy, but for the sake of complimenting the current

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<sup>26</sup> United States. The Federal Election Committee. FEC and the Federal Campaign Finance Law. Washington, DC: , 2011. Web. <<http://www.fec.gov/pages/brochures/fecfeca.shtml>>.

<sup>27</sup> Schouten, Fredreka, Gregory Korte, and Christopher Schnaars. "Who Donates the Money." USA Today, Web. <USAToday.com>

discussion, I will briefly summarize both models and save the elaboration for the following section. For now, it will suffice to understand Concept One democracy as a form of deliberate democracy and Concept Two as a model that holds competition as the ultimate test of a candidate's competence.

Concept Two democracy welcomes Super-PACs because it maintains that offices should be granted to the most competent individuals, and holds that competence is determined via competition. Therefore, it views any entity that is in the financial position to contribute money to Super-PACs as being entitled to do so because the financial success of said entity bespeaks its ability to beat the competition. In short, Concept Two believes that any given winner deserves their victory because they won. In a way, Concept Two views success as both the end goal and the means by which that goal is attained. Under this model, democracy, as a form of government, facilitates this competitive electoral process and provides the mechanisms to enforce its outcome. Proponents of Concept One democracy, however, argue that such a model does not represent any form of democracy at all.

Concept One democracy believes that making political elections and governmental actions into matters of competition defeats the purpose of democracy in the first place. This model believes that any given democracy should be guided by the people and their interests, as opposed to the motives of a few wealthy entities. Relinquishing political control to financial interests deviates so wildly from Dewey's "democracy" that he would likely refuse to refer to it as such.

One could argue that Super PACs and their efforts to convert money into political power are compatible with Dewey's conception of democracy because the economy is a function of independent choices, but such an argument, i.e. one that equates purchases with authentic

desires, only works to a minimal degree. One's personal spending habits do reflect a certain amount of information about that person, such as their preferences of shampoo or their preferred brand of cheese, but they do not reflect anything *fundamental* about who that person is, or more importantly, how they feel about the current political, social and economic environments.

Competition is a straightforward and rather transparent method for allocating resources, but unfortunately, it also tends to redirect attention away from actual problems to the competition itself. Today, elections *are* politics for all intents and purposes. One does have the option to staying informed on current events, file grievances of sorts or call their representatives, but when officials are not accountable to the individual citizen for the preservation of their careers, the average American citizen ultimately has no *real, effective* power to engage current events, short of entering that political competition themselves.

However, the problems with modern America's government are so entrenched that even a renegade, pro-Deweyan democrat with wholehearted intentions to solve its problems would likely find it exceedingly difficult to affect change on her own because the vast majority of government institutions are fundamentally based on the notion of competition, the rules of which have come to undermine the very nature of how Dewey believes democracy is supposed to function.<sup>28</sup> If American democracy is supposed to be a government *by* the people, then exchanging political power in return for monetary rewards is contradictory to its function and purpose.

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<sup>28</sup> This is not to say that it is impossible for one to become involved in politics and successfully implement changes. Rather, I aim to emphasize the difficulty of such a task. The competitive and grand stage of national politics render it unlikely that one would be able to make it there on one's own terms (and the terms of one's prospective constituents). When you add the influence of money on politics, the barrier to entry is revealed to be extremely high.

Moving forward, I will continue to utilize Posner's distinction between "Concept One" and "Concept Two" democracy, so I will now take a moment to elaborate upon the nature of both concepts. Judge Richard Posner originally made this distinction in an effort to highlight the difference between Concept Two, the model which he thought was representative of modern American democracy, and Concept One, which he described as an unattainable ideal and the product of outdated theory and norms.<sup>29</sup> Posner's creation of Concept Two democracy was largely influenced by the late Austrian-American economist, Joseph Schumpeter. Schumpeter argues that the traditional way of thinking about democracy, i.e. a government of the people, for the people, and by the people, is unrealistic, idealistic, and ultimately venomous to the health and stability of modern American democracy.

In disagreement with Dewey, Posner denies that democracy is supposed to be a mechanism by which the public actualizes its common interests via elected officials. Showing his economic influence, Posner argues that democracy is supposed to be a method of controlling the ambitions of would-be leaders in a competitive and constructive manner. Concept Two would have officials compete for the public's vote in a manner that is governed by economic principles, such as supply and demand. In other words, it calls for a definite number of candidates who market themselves to the electorate in order to gain favor. Once the votes are counted, the candidate with the most demand is deemed the winner.

Concept Two democracy holds that the self-interested ambitions of public officials are kept in check by their need to maintain favor with their constituency, but as I have argued, this belief is rooted in a severe mischaracterization of current affairs. In reality, modern government officials are more concerned with, and therefore more accountable to, money than they are with the public electorate and its needs. Candidates in modern America do not need to conform their

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<sup>29</sup> Posner, Richard. *Law, Pragmatism and Democracy*. (US: Presidents and Fellows of Harvard College, 2003), 130-157.



political platforms to mesh with the sort of ideologies held by their constituents because in order to win, a candidate must only have the *most* votes, not all of them. In effect, a candidate only needs to beat the competition in order to win and therefore does not necessarily have to change their political views in order to win. In the end, candidates are interested in acquiring votes instead of identifying and solving problems.

The trouble with Concept Two democracy is that it relegates the individual citizen to the extremely-diminished role of an impotent elector: it actively discourages the public from participating in government affairs, as well as diminishing the impact of those who do in fact participate. Concept Two believes that leaders hold their offices for a legitimate reason (namely because they beat their competitors), and that they legitimately wield the power and authority to conduct national changes, whereas it sees the public as possessing no such authority.

There are several preeminent philosophers who have weighed in on this issue, and we will now briefly take a look at what Plato and Hobbes have to say. Plato does not advocate democracy as an ideal form of government because he holds that the average citizen lacks the level of intelligence/knowledge required for rational decision-making.<sup>30</sup> He dismisses the ideal of deliberative democracy for the reality of rule by the elite(s), or an elite philosopher king as the case may be. Concept Two democrats agree with Plato's position that representative democracy is not feasible, or even desirable for that matter, but differ in that they do not want to be governed by a permanent, institutional figure. Concept Two democrats believe that offices should be reserved for the most capable and motivated individuals, and ultimately that their election should boil down to the relatively transparent matter of competition.

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<sup>30</sup> Christiano, Tom. Democracy, Web. < plato.stanford.edu >

Hobbes similarly argues against the ideal of democracy as a form of government run by the people because he believes that such a model generates dissension amongst the people.<sup>31</sup> He maintains that a government that is ruled by the people ultimately fosters disillusionment and confusion within the population because it is hard for any one person to perceive the impact of one's own actions on the grand scale of government mechanisms. In such a system, he argues, people are incapable of adequately perceiving the significance involved in acting on the political stage.

Concept Two democracy does not advocate a form of monarchy, as Hobbes desires, but it comes close to it by arguing for rule by a competitive and self-interested elite subset of the population. This way, or so the theory says, democracy can empower a few individuals to operate the government while freeing the rest of the population from that burden. Concept Two also believes that democracy helps to redirect the self-interested motives of the elite minority in a manner that most benefits the country as a whole. Concept One argues that this simply does not represent a government by the people, and that the reality of Concept Two democracy is precisely what is wrong with modern American democracy.

Posner argues that Concept One democracy is too idealistic and the result of a futile struggle to apply theory to reality. He contends that Concept Two democracy is a more realistic and critical model because "Concept Two models the democratic process as a competitive power struggle among members of a political elite (not to be confused with a moral or intellectual elite) for the electoral support of the masses."<sup>32, 33</sup> He concedes that Concept One democracy is

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<sup>31</sup> *ibid.*

<sup>32</sup> Law, Pragmatism and Democracy 130.

<sup>33</sup> *ibid* 130.

“civic-minded, [in that it is] oriented to the public interest rather than to selfish private interests,” but then argues that this is a problem and the result of a mismatch of theory and practice.<sup>34</sup>

Richard Posner and other Concept Two democrats are generally wary of theory’s influence on practice, and as such, they tend to fundamentally oppose the inclusion of both philosophy and the public into modern America’s democratic system. Posner believes that the inclusion of the public into the electoral process would be destructive to a properly functioning democratic government because, like Plato and Hobbes, he believes that the public generally lacks the intelligence and knowledge required to make rational decisions involving serious consequences. Posner states that “Few citizens have the formidable intellectual and moral capacities (let alone the time) required for the role that Concept One assigns to the citizenry.”<sup>35</sup> Posner does not want the public to be involved in the determination of government actions because he thinks that they are incapable of doing so intelligently and therefore responsibly.

On the other hand, Concept One calls for public to become involved in the democratic process, and claims that philosophy must be involved in order to fix modern American democracy. It holds that the public should deliberate and ultimately determine the goals and actions of the government. Concept One believes that philosophy is capable of illuminating and subsequently resolving most disagreements amongst the public, and that doing so is necessary for the health of modern American democracy. Concept Two, on the other hand, contends, “deliberation is not effective in bridging fundamental disagreements.”<sup>36</sup> Concept Two argues that individuals tend to have fixed subjective opinions, and consequently that disagreements are insurmountable, despite the optimism of Concept One. I charge that Posner commits a mistake in his analysis of Concept One. Concept One democracy does not claim that deliberation can

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<sup>34</sup> *ibid* 131.

<sup>35</sup> *ibid* 133.

<sup>36</sup> *ibid* 135.

resolve fundamental differences in opinion, for there *are* beliefs which people refuse to relinquish, and arguing that this is not the case is simply unrealistic. Deliberation is merely a tool with the goal of forging a consensus, but sometimes that is impossible.<sup>37</sup>

According to Concept One, deliberation is instrumental to reaching a relative consensus and it does not require an absolute consensus as the mark of success, but rather, it only needs a clear majority. Deliberation alone does not assure that a consensus will be reached because there are people who refuse to let go of particular beliefs for any reason. Deliberation merely facilitates the sharing of experiences so that, ideally, the public can arrive at some sort of consensus that can then be implemented. Dewey suggests that ideas should be tested via experimentation in lived experience because this increases the likelihood of establishing mutual agreements and subsequently actualizing them.

In disagreement with Dewey, Posner argues “Concept Two democracy best describes the American political system today.”<sup>38</sup> Concept One theorists agree that modern American democracy is closer to Concept Two than Concept One, but they also contend that this is exactly what is wrong with modern American democracy. Posner argues that American democracy was created to be “closer to elite than to deliberative democracy,” as evidenced by the institution of the Electoral College and other governmental mechanisms and procedures. Peculiarly, Posner

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<sup>37</sup> Ideally, deliberation helps individuals to collectively arrive at some form of consensus, but realistically, such agreement is not always possible. Sometimes, deliberation ends in a stalemate, with opposing parties refusing to adjust their opinions and beliefs. However, arriving at this sort of draw does not directly indicate a shortcoming in deliberation. In fact, by recognizing that different groups of people hold views which contradict their own just as steadfastly as they adhere to their own beliefs, it may be argued that deliberation, even in a draw, aides in breaking down the bulwarks to genuinely productive conversations.

For example, when America heavily relied upon slave labor, there were groups of individuals who sang its praises while others admonished it as inherently immoral to use another human being as means to their own selfish ends. If two individuals, one from each extreme of the argument on slavery, were to meet for a cordial and sincere discussion on the institution of slavery, it is unlikely that one party would convince the other that he or she is wrong (though, that is not to say it is impossible). However, despite not being able to reach an agreement, such deliberation identifies different perspectives on the world and the reasons why such perspectives are held. If either party were to engage in a similar conversation in the future, then he or she would be much better equipped to understand and participate both openly and critically.

In short, deliberation is itself a type of experience, and as such, it is instrumentally valuable. A consensus need not be reached in order for deliberation to be ‘successful.’

<sup>38</sup> Law, Pragmatism and Democracy 147.

alleges, “If the framers were living today they would be different people.” For some reason, he tries justifying Concept Two by gesturing to the intentions of the Founding Fathers, while in the next breath claiming that the intentions of said governmental architects would likely be different if they were to undertake the same task today.

Concept Two democracy, as characterized by Posner, holds that modern American democracy should be more competitive than deliberative in nature because that is the way it was designed to operate. However, Posner also argues that the intentions of the framers, and thus the purpose of the subsequent form of democracy, would have been different if they were situated in modern contexts. So, Posner justifies his argument by relating to the past while arguing that the past does not constrain current practices. To say the least, this argument cannot stand on its own.

I find it intriguing that Posner validates model two democracy by gesturing to the intentions of the Founding Fathers and claiming that their goals would have been different if they were to rewrite the Constitution today. It seems as though Posner is adhering to tradition, precedent and the status quo for its own sake. As we will see, Dewey argues that such mindless adherence to precedent is harmful to modern American democracy, and damningly, Posner makes a similar claim several times throughout *Law, Pragmatism and Democracy*.

Concept One theorists agree with Posner that the circumstances surrounding the initial formation of the United States were incredibly different than the sorts of conditions found in modern America. However, such thinkers believe that such a gap between currently professed theory and actual practices is extremely parasitic to the health of the country’s democracy. On the other hand, Concept Two seems to allow for, and even embrace such incongruities for the sake of stability. Concept One values stability, but not for its own sake, and especially not if it means abandoning the critical disposition that Dewey argues is so useful.

Modern American democracy is in trouble because it ostracizes the public to the extent that, collectively, they are almost entirely politically impotent. Simultaneously basing one's model on the Founding Fathers' intentions and claiming that said intentions would have been different if they were based on modern circumstances accomplishes nothing beyond stability. Proponents of Concept One democracy want to bring theory up to speed with practice, and in so doing create theories via philosophy to act as potential solutions to contemporary problems. In short, they want to bridge the gap between professed theory and actual practices by coming to grips with real, observed conditions. In the end, Dewey argues that philosophical deliberation is the means by which individuals can share their opinions and experiences.

Regarding modern American democracy, Posner argues, "the proponents of deliberative democracy overlook the biggest mistake committed by the Founding Fathers, namely the excessive fear of democracy."<sup>39</sup> He believes that officials "have made the federal government more democratic than it was in 1789"<sup>40</sup> but goes on to conclude that "American government as a whole has not become notably more democratic." This is problematic for Posner, as an advocate of Concept Two democracy, because the inclusion of such fear into the operation of the government manifests itself in citizens as a lack of responsibility for their own actions. When citizens become fearful of the government, they distance themselves from political spheres. As he describes, "There is not enough at stake for [the average citizen] to make the effort required to resist taking the path of least resistance, the path of lazy thought."<sup>41</sup> This institutionalized fear of democracy causes the public to detach from politics, and is largely responsible for Posner's belief that the average citizen is incapable of exercising political power. As a result, the average American citizen is both political ineffective and apathetic.

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<sup>39</sup> *ibid* 150.

<sup>40</sup> *ibid* 150.

<sup>41</sup> *ibid* 152.

It is extremely difficult for the individual - citizen, official, or otherwise - to influence public policy due to the complex nature of modern American democracy and public offices. Consequently, people tend to take political decisions much more lightly than they would if they perceived their opinions and vote to be significant with respect to eventual outcomes.<sup>42</sup> Proponents of Concept Two democracy believe that we should think of modern American democracy in terms of healthy competition, and not public deliberation. Dewey finds this aspect of Concept Two democracy very troubling, but more on that later.

Posner contends that Concept One is outrageously idealistic, and that Concept Two is a realistic portrayal of modern American democracy. Dewey would likely agree that Concept Two is realistic insofar as its negative features are unfortunately integrated into American democracy, but he would contest Posner's claim that Concept One is too idealistic. He would readily admit that, as with any idea, Concept One democracy cannot be realized to its complete and full potential, but then add that it can motivate the public to act in a manner that improves the nature of modern American democracy. Posner concludes "Concept One democracy is aspirational whereas Concept Two is realistic."<sup>43</sup>

[Representative] 'democracy' is something of an oxymoron....it is actually a form of aristocracy in Aristotle's sense of the world - rule by 'the best.'....the framers of the Constitution, consistent with their suspicions of democracy, *wanted* to attenuate the principal-agent relation between the people and their elected official....Concept One democrats are thus in a bind. Realism requires them to prefer representative democracy. But realism teaches that elected representatives cannot be depended on to deliberate in the public interest. Realism is Concept Two democracy.<sup>44</sup>

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<sup>42</sup> *ibid* 153. People *generally* invest more time in matters that they believe they can impact. For example, someone living in a gated community may invest more time in local homeowner committees than that person does regarding city, state, and even national issues simply because that person believes that they can affect what happens on the extremely local level whereas national politics seem distant and immovable. One may act in this manner either intentionally or subconsciously, but in any case, Sullivan is making a generalization. As such, it *tends* to hold true, but is far from being law.

<sup>43</sup> *ibid* 158.

<sup>44</sup> *ibid* 154.

Posner dismisses all conceptions of democracy that do not portray elections as competitive matters. Dewey, as well as most Concept One proponents, believe that this great emphasis on competition is a fundamental part of the problem and thus should not be considered integral to the solution of a country's problems.

V. *OVERVIEW OF DEWEY'S SOLUTION TO PROBLEMS  
IN AMERICAN DEMOCRACY*

Having examined Dewey's analysis of modern American democracy and its problems, the discussion will now address his solution. In order to restore democracy to its potential, the public must reclaim political power by recognizing itself as a group with shared interests and a proper role in the democratic process(es). Dewey describes this as the transformation from "Great Society" to "Great Community."<sup>45</sup>

This transformation is possible only when the public embraces a form of systematic inquiry, experimentation, and subsequent debate about their findings. In order to do so, people must utilize intelligence and then share their results.<sup>46</sup> Dewey utilizes a specialized definition of "intelligence":

[Intelligence] is a shorthand designation for great and ever-growing methods of observation, experiment and reflective reasoning which have in a very short time revolutionized the physical and, to a considerable degree, the physiological condition of life, but which have not as yet been worked out for application to what is itself distinctively and basically human.<sup>47</sup>

It is not something to be gained or lost, but rather, it entails adherence to methodology and the adoption of a critical disposition to the world. It involves systematically approaching problems by paying special attention to both past and present consequences so that people may act more

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<sup>45</sup> The Public and its Problems. 147.

<sup>46</sup> *ibid.* 147.

<sup>47</sup> Dewey, John. *Reconstruction in Philosophy*. (New York: Beacon Press, 1957), viii-ix.



intelligently in the future. This way of engaging the world provides an element of predictability to one's environment and makes rational discussion and decision-making more feasible.

By embracing Dewey's conception of intelligence, the public would have a better chance of being able to influence government actions and advance their own ends. Dewey stresses that "The important question is whether intelligence, whether observation and reflection, intervenes and becomes a directive factor in the transition. The moment it does intervene, conditions become conditions of forecasting consequences."<sup>48</sup> When one bears a critical disposition to the world with an eye towards improvement, one can account for phenomena with theories and share them with others so as to aide intelligent action in the future. Theories represent observed trends in experience, and as such, they should be allowed to influence practice insofar as it helps the public to understand and manipulate their environment

Deweyan intelligence entails much more than simply being aware of how you are affected by your own actions and the actions of other; it fundamentally involves an awareness of how both your actions and the actions of others affect the public at large. By paying attention to the conditions of others, people become more capable of making judgments concerning important issues. This attention to the condition of others helps to identify common interests, which in turn help maintain a sense of unity and cooperation.

While Dewey encourages the application of theory on practice, he urges us to avoid consulting abstract theories or principles of causation as guides to action. Instead, he would have us analyze the consequences of past and present practices in a methodical manner to illuminate trends that may then be taken advantage of by the public. Theorization and the allowance for it to influence practice ultimately enable the public to become more self-aware and to act more intelligently, but theory can also be harmful when it is not criticized.

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<sup>48</sup> Individualism Old and New 69.

If a given theory becomes outdated, if an unfitness is detected between theory and practice, then Dewey says that we should analyze it with an eye to experience in order to form a more reliable theory that may then facilitate intelligent action in the future. He elaborates:

We must in any case start from acts that are performed, not from hypothetical causes for those acts, and consider their consequences. We must also introduce intelligence, or the observation of consequences *as* consequences, that is, in connection with the acts from which they proceed.... We take then our point of departure from the fact that human acts have consequences upon others, that some of these consequences lead to subsequent effort to control action so as to secure some consequences and avoid others.<sup>49</sup>

Dewey believes that American democracy would be much better off if the public systematically identified logical connections by analyzing experience, because doing so encourages individuals to act more intelligently and to become more effective when participating in political processes. While intelligence is a prerequisite for the transformation from Great Society to Great Community, it alone will not fix all of the problems that Dewey identified with the public. The public must also maintain an open channel of intercommunication.

Dewey believes that people must continually foster cooperative associations with one another in order to arrive at some shared interest and to develop a social consciousness, both of which are foundational to the transformation he desires.<sup>50</sup> One person is incapable of observing all the phenomena displayed around the world, and therefore everyone stands to profit by discussing their results with each other.

Dewey eventually suggests that the solution to America's problems includes free public debates that are facilitated and disseminated through education. He contends that education

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<sup>49</sup> The Public and its Problems 12.

<sup>50</sup> *ibid* 143-184.

should be an ongoing, interactive and social process because “it is only through induction into realities that mind can be matured. Consequently the effective education...is obtained when graduates come to take their part in the activities of an adult society.”<sup>51</sup> He is not concerned with knowledge for its own sake, but rather only insofar as it can help to remedy observed problems.

Formal education prepares people to participate in the eventual associations that they will take a part in as adults who are engaged with contemporary issues. Deweyan education extends everywhere and at all times since everyone is supposed to maintain a critical relationship with his or her environment. Dewey believes that in order to realistically fix modern American democracy, we must operate within existing social and political channels, most notably through education. He perceives education as the proper forum for affecting social and political changes because it instills a standard for how to engage the world, which then serves as a foundation for subsequent deliberation.

Dewey’s proposed solution involves much more than being self-aware and participating in rational discussions. It fundamentally involves making inductive conclusions from our lived experiences and discussions in order to guide future action. Formally, an induction is an “inference of a generalized conclusion, from particular instances,” suggesting that Dewey wants to leave it up to the individual to construct their own working theories based on personal experiences.<sup>52</sup> As was previously mentioned, all laws of physics, logic, etc are of instrumental use to Dewey; their value is derived solely from their ability to correct problems.

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<sup>51</sup> Individualism Old and New 62-3.

<sup>52</sup> "Induction." *Merriam-Webster.com*. Merriam-Webster, 2012. 8 February 2012.

That being said, under Dewey's model, any such law is seen as a 'postulate,'<sup>53</sup> or, "a thing suggested or assumed as true as the basis for reasoning, discussion, or belief."<sup>54</sup> So, while theories are only of instrumental use, Dewey makes the pragmatic move to hold them *as if* they were true in order to help guide people in their everyday lives. To Dewey, theories are *operationally a priori* in that they account for phenomena that have been taking place long before such theories were originally postulated.

Under his model, *nothing* is absolutely true or beyond question. However, after extended periods of time living in the world and making subsequent inductions from and about that experience, individuals become more capable of making claims into the *reality* of the world, i.e. the way in which events actually unfold. Dewey does not believe that there is any absolute Truth, but still suggests that we should draw conclusions from our experience in a search for the most likely explanation for apparent phenomena. The result of such inferences into reality is a collection of working theories, and Dewey argues that people should hold such theories until there is a certain sort of 'unfitness' detected between them and reality (Under Dewey's model, it is, by definition, impossible to know the objective nature of the world, i.e. "reality," but in this case, the objective operation of the world is most closely apprehended by making well-informed, inductive conclusions about the world, based on lived experience). In this way, Dewey likens his proposed solution of continuous experimentation to the scientific method.

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<sup>53</sup> Dewey, John. *Logic: The Theory of Inquiry*. (NY: Holt, Rinehart & Winston, 1938), 17.

<sup>54</sup> "Postulate." *Merriam-Webster.com*. Merriam-Webster, 2012. Web. 8 February 2012.

VI. *ELABORATION ON DEWEY'S SOLUTION AND THE INFLUENCE  
OF THE SCIENTIFIC METHOD*

Dewey's solution to American democracy's problems bears a striking resemblance to the "scientific method." While his solution and the scientific method are not one in the same, the latter's influence on the former is undeniable. Accordingly, it will be useful to first examine Dewey's thoughts on the scientific method before deconstructing his explicit solution and analysis of philosophy's role therein.

Arguing for its merits in the physical realm, Dewey suggests that it would be enormously beneficial to apply the scientific method to human affairs. He thinks that we must "use [the] scientific method, and intelligence with its best equipment, to bring about human consequences."<sup>55</sup> He argues that the primary problem with modern American democracy is the existence of a disorganized and disillusioned public, and upholds that the scientific method should be utilized as the template by which the public critically observes their environment(s). Its utilization helps the public to illuminate trends that can then facilitate intelligent action in the future.

Dewey contends that the scientific method holds great potential for American democracy and its citizens because "It is a property of science to find its opportunities in problems, in questions," and it goes without saying that the disparity between public's current interests, if they can even be articulated, and actual actions presents more than an abundance of problems. Science addresses uncertainties by methodically analyzing the consequences of actions, making tentative conclusions, formulating theories, and then testing those theories in experience. Dewey tells us that "If [the scientific method] were generally applied, it would liberate us from the

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<sup>55</sup> Individualism Old and New, 67.

heavy burden imposed by dogmas and external standards”<sup>56</sup> because it bases conclusions on observable consequences found in reality as opposed to abstract theories posed by outdated norms and people in positions of power.

Dewey’s conception of the scientific method calls one to critically examine their environment and models of inquiry, and then to discuss their opinions/theories with others via existing institutions. Communication is a prerequisite for the development of a distinct and articulate public, and therefore must occur before the public is capable of getting its interests represented in government theory and practice.

Viewed from another angle, the scientific method also solves the problem “of adjusting groups and individuals to one another [because]....the actual problem is one of reconstruction of the ways and forms in which men unite in associated activity.”<sup>57</sup> The scientific method provides a common platform from which individuals can observe, analyze and discuss their environment, and because they are approaching the world similarly they are more likely to arrive at similar conclusions. Based on this systematic method of inquiry, individuals create theories and discuss them with the goal of recognizing common beliefs.

Dewey’s solution, with its embrace of scientific methodology, makes the world more understandable to the individual as well as to the public as a whole. It encourages individuals to come together in a social dialogue in order to identify genuine interests. Dewey elaborates on the critical importance of incorporating a communicative element into the scientific method:

Record and communication are indispensable to knowledge. Knowledge cooped up in a private consciousness is a myth, and knowledge of social phenomena is peculiarly dependent

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<sup>56</sup> *ibid.* 75.

<sup>57</sup> *The Public and its Problems* 192.

upon dissemination...Communication of the results of social inquiry is the same thing as the formation of public opinion.<sup>58</sup>

The scientific method provides a systematic method of inquiry and promotes the eventual formation of common interest by fostering cooperation in public debates. Dewey argues, “general guidance of serious intellectual endeavor by a consciousness of the problem would enable at least one group of individuals to recover a social function and so rekind themselves.”<sup>59</sup> This ‘general guidance’ is based upon the observation and experimentation that is so critical in isolating knowledge and gaining control of one’s environment.

Dewey’s admits that his commentary on American democracy is largely influenced by his “instrumentalist” background, but this does not jeopardize the *relative* objectivity of his inquiry because its scope is so wide. The relative objectivity of his inquiry is ensured because it necessitates the analysis of its own methodology and fundamental tenets, just like the scientific method. Michael Sullivan, an Associate Professor of Philosophy at Emory University and the author of *Legal Pragmatism*, explains that “Pragmatism is thus an invitation to a different kind of debate,” namely, a debate that is focused on actual consequences and the way in which those consequences should be evaluated.<sup>60</sup> Philosophy is contained within the scope of this type of debate and therefore presents no challenge to its integrity as long as its conclusions are based on lived experience. After all, “The goal of a society is to make obtaining fulfillment possible for individuals, and society discovers the methods to do so through dialogue amongst individuals...[It is an attempt at an] ongoing (re)formation of a society that can best empower

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<sup>58</sup> *ibid.* 176-7.

<sup>59</sup> Individualism Old and New 68.

<sup>60</sup> Sullivan, Michael. Richard Posner and Legal Pragmatism. (Yale Law Journal: 2003), 704.

individual growth.”<sup>61</sup> The application of the scientific method prevents any sort of normative belief from confusing the systematic and cooperative inquiry, which he contends, *is* the solution to America’s most prevailing problem.

*VII. THE NECESSITY OF THEORY’S INFLUENCE  
UPON PRACTICE, EXPLAINED*

Having addressed his solution, let us examine what its implementation would mean for modern American democracy. Dewey believes that theory should loosely guide action, but he cautions us not to uncritically accept ideas, beliefs, practices, etc. Theories that are the result of methodical observation and communal debate can help one to act more intelligently in the future, but the opposite is often true with regard to theories based on whim, fancy, or precedent for their own sake. He condemns the unhealthy habit of passively accepting whatever idea or norm appears to embody the status quo of one’s environment(s). One must utilize all of the available means/methods of inquiry and experimentation in order to validate or invalidate a given theory. To act or hold beliefs without reason, especially when confronted with evidence that illuminates contradictory explanations, is harmful to both to the individual and the community because that individual is either contributing such theories to the public dialogue, thereby perverting it, or they are not contributing to the dialogue and are instead adding to an already confused, apathetic and politically-inactive public.

Dewey argues that the social and political dialogue in America is artificial in the sense that it is inconsistent with genuine claims made by individuals, and this is primarily because the government is controlled by a very small elite section of the population; the beliefs and actions embodied by the government do not accurately reflect those of the average citizen. In

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<sup>61</sup> Sullivan, Michael. *Legal Pragmatism*. (Indiana: Indiana University Press, 2007), 12.



*Individualism Old and New*, Dewey argues that the mind can only be matured by making conclusions from experiences, warning that it is therefore stifled by thoughtlessly accepting outdated norms pressed upon it by the ruling elite.<sup>62</sup> Dewey aims to cut through this artificial dialogue by utilizing aspects of the scientific method, but there is a huge range of obstacles to the implementation of Dewey's solution, several of which I will now address in order to explain why theory (and the scientific method) must be allowed to influence practice.

One obstacle to implementing Dewey's solution is the way in which money has been allowed to usurp political power away from individuals. I do not mean to imply that there is an institutional or deliberate element of nepotism embedded in the framework of the US Constitution; America was not created as an oligarch masked by a democratic facade. Nor do I mean that there is a definite and stable set of entities that have continued to influence the government for generations. No, what I mean to say is that, since America was established, it has incidentally contained certain elements that allow for, and arguably encourage, money to guide the nation's political agenda, a de facto diminishment of private citizens' political power and efficacy. The effect of this has been a perversion of the public dialogue in a manner that continues to oppress the public and silence their needs.

The U.S. Constitution is the supreme law of America and it serves as the model for its government. It provides a model for a three-part government, divided into the Executive, Legislative and Judicial Branches. The Executive Branch is the office of the President, an American-born citizen of at least thirty-five years of age, and elected by a combination of popular voting and the Electoral College, which, as I previously mentioned, arguably represents the public's interest only in a vague, detached manner. The Legislative Branch is composed of

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<sup>62</sup> *Individualism Old and New* 62-3.

the House of Representative and the Senate; the House holds four-hundred thirty-five representatives, and the Senate holds one-hundred Senators. Regarding the Judicial Branch, the official White House website states that “Where the Executive and Legislative branches are elected by the people, members of the Judicial Branch are appointed by the President and confirmed by the Senate,”<sup>63</sup> and the Supreme Court acts as the final court of determination of U.S. law.

*Prima facie*, this model of government appears to be a transparent effort to isolate and represent the public’s interest, or at least it does not seem to represent an intentional oppression of their interests. I believe that the aforementioned government structure is permissible under Dewey’s model, and it might even represent the best possible option, but that does not imply that it is problem-free. Within the framework provided by the Constitution, officials belonging to the Legislative and Executive branches are transient and therefore not intended to impart their influence for extended periods of time. But while government officials are themselves temporary installments, financial interested have continued to guide government actions for quite some time. If theory is allowed to influence practice, then individuals can become more aware of their surrounding conditions so that they may then recognize and actualize their needs.

The pervasiveness of money in politics is one of the most serious problems facing modern American democracy. This problem is attributable partly to financial influences as well as partly to the public, but I do wonder to what degree these financial influences have contributed to the stagnated condition of the general public. It would be exceedingly difficult to determine exactly how true this is, and it lies far beyond the breadth of this paper, but I raise the thought merely as an aside.

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<sup>63</sup> whitehouse.gov

The U.S. Constitution was a revolutionary document that established a marvelous model of democracy. That being said, this claim is relative to the era in which the Constitution was conceived. As we have seen, conditions have radically changed since America was incepted into the world, but its policies and actions have remained largely unchanged. The solution to America's problems does not require any fundamental restructuring of the government, or a complete overhaul of the Constitution; however, it is foolish to permit existing faults to create ever-larger chasms simply in the name of consistency. What is needed is the inclusion of philosophical theorization and the allowance for it to influence our actions.

Maintaining the status quo does aide the stability of a nation, but blindly doing so for its own sake damages that very stability by creating a disconnect between the reality experienced by individual citizens and the policies/action of their nation. Stifling cultures foster dissension, whereas Dewey's solution encourages cooperation and advancement of the public's needs, despite what others have charged.

Although Thomas Jefferson is technically not a founding father since he did not sign the Constitution or attend the Constitutional Convention in 1787 due to his station as the U.S. Minister to France, he did famously argue with James Madison that the "dead should not govern the living."<sup>64</sup> Jefferson believed that the content of the U.S. Constitution should be revisited and to some degree re-written every nineteen years, arguing that a living document would stay current with the changing social, economic and political environments. And by adapting to changing conditions, he thought, it would be better equipped to serve the citizens of America.

The counter-argument to Jefferson's plea is easy to see, however. While I cannot locate Madison's official response to Jefferson, I can only assume that he objected to it based on a fear that such regular revisions would endanger the preservation of the country and its founding

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<sup>64</sup> Elkins, Zachary. *The Endurance of National Constitutions*. (Chicago: Cambridge University Press, 2009), 1-2.

principles. I think that this argument is backwards; blind adherence to the status quo is harmful to the health of a country's government and citizenry. One thing is sure, the nation would be markedly different had Madison entertained Jefferson's notion, for better or for worse.

Fast-forward a little more than two-hundred thirty years to modern America, and we can see that thoughtless preservation of the status quo for its own sake has effectively held the public hostage to its inherent flaws, and since Jefferson's plea was never actualized, the U.S. populace has no recourse to affect any large-scale changes.

The structure of the government, for all intents and purposes, is fixed, and money has become an increasingly prevalent force in government affairs. While the actual structure of modern America's government does not provide a direct indication of, or mandate for, financial influence, a slightly different story begins to emerge when one examines historical statistics on American demographics. Save for several financial catastrophes, there has almost always been a vast income/net-worth gap amongst the American population, and I argue that it is the very small and dynamic group of wealthy entities that perverts U.S. democracy through their financial influence, and that they are only capable of doing so because the laws of this country allow for it to occur. A study published in 2007 revealed that the top one percent of the population represented 34.6% and 42.7% of Americans' total net worth and financial wealth, respectively.<sup>65</sup>

While discontent with these circumstances tends to remain just below the surface, there has been a recent and dramatic spike in the number of protests that oppose the influence of corporations on the political agenda. Such protests are a manifest example of people wanting to take the government back from the hands of the wealthiest one-percent of the population, and the most recent of these movements' calls for the "ninety-nine percent" to "occupy" financial

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<sup>65</sup> Domhoff, William. *Who Rules America*. (Santa Cruz: University of California, 2011), <[sociology.uscs.edu/whorulesamerica](http://sociology.uscs.edu/whorulesamerica)>.

districts across the nation in order to convey this general message of discontent. The emphasis on occupation speaks of a rather pacifist, almost defeatist, perspective which characterizes the majority of the modern American population. Beginning in New York, NY with the “Occupy Wall Street” movement, it still lacks a single, united voice; whether this is intentional or incidental is up for debate. It has grown beyond the ability to voice a coherent opinion, but rather serves as a large-scale representation of the public’s discontent with the condition of the country. In a way, this discontent bespeaks a growing recognition of America’s problems and their collective involvement, a step that Dewey urges is necessary to begin the transformation from a Great Society to a Great Community. The protestors are exercising one of the few avenues left to them to garner attention from the political world, but they are not working to actualize any single ideology, other than that the government should work on giving political power back to the average citizen.

The protestors at these events are united together not so much by financial or social similarities, for these rallies are composed of the old and the young, the poor and the upper-middle class. In fact, the general arguments presented by members of these movements have been embraced by some extremely wealthy and influential members of this “top one percent.” Warren Buffett, ranked by Forbes Magazine as second-richest man in America, with a net worth of roughly \$39 Billion,<sup>66</sup> provides a shockingly down-to-earth description of the sort of financial inequalities that oppress most Americans and therefore stifle their political efficacy. He states, “Our leaders have asked for ‘shared sacrifice.’ But when they did the asking, they spared me. I

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<sup>66</sup> "Warren Buffett." The Forbes 400. Forbes, Sep 2011. Web. 11 Oct 2011. <<http://www.forbes.com/>>.

checked with my mega-rich friends to learn what pain they were expecting. They, too, were left untouched.”<sup>67</sup>

The average American is frustrated that their government seems to *effectively* necessitate a certain level of wealth in order for them to be politically efficacious, and this frustration is further compounded by the preferential treatment given to the wealthiest Americans by the government. That quotation from Warren Buffett is an excerpt from an opinion-piece he authored in the New York Times, in which he goes on to explain:

Since 1992, the I.R.S. has compiled data from the returns of the 400 Americans reporting the largest income. In 1992, the top 400 had aggregate taxable income of \$16.9 billion and paid federal taxes of 29.2 percent on that sum. In 2008, the aggregate income of the highest 400 had soared to \$90.9 billion — a staggering \$227.4 million on average — but the rate paid had fallen to 21.5 percent.<sup>68</sup>

The source of Americans’ anger and confusion is very complex, to be sure, but one common factor focuses on the wealthiest one-percent of the population and the ways in which modern American democracy treats them favorably both politically and fiscally. Again, Dewey would argue that the solution to this state of affairs must begin with the public recognizing itself as a cooperative group and then analyzing their environment/form theories in order to guide future actions.

The worst thing that the average American can do is blindly accept the status quo and the direction it prescribes for the nation. Instead, American citizens need to analyze their experiences according to the scientific method and rationally make conclusions in order to help them act more intelligently in the future, allowing them to realize their self-determined goals.

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<sup>67</sup> Buffett, Warren E. "Stop Coddling the Super-Rich." New York Times 04 Aug 2011. Web. 12 Oct. 2011. <<http://www.nytimes.com>>.

<sup>68</sup> *ibid*

VIII. PHILOSOPHY'S CRITICAL ROLE WITHIN  
DEWEY'S SOLUTION

As we have seen, a large aspect of Dewey's proposed solution involves the systematic inquiry into observed consequences. He states "interest in technique is precisely the thing which is most promising in our civilization, the thing which in the end, will break down devotion to external standardization and the mass-quantity ideal."<sup>69</sup> We must reflect upon the findings of our inquiries in order to make reasonable conclusions about how and why certain consequences were wrought by particular events. The creation of, and adherence to theory is integral to the proper functioning of modern American democracy because it helps the public to act more intelligently. This is precisely why Dewey believes that philosophy is critical to fixing American democracy.

Dewey identifies several benefits of including philosophical discussion into the democratic process. Reflecting on history, he admits that there is a tendency to over-abstract in much philosophy, but urges that this is not common to *all* philosophy. He describes "philosophy" as a lens through which one can view and engage the world in a more systematic and therefore productive manner. Dewey's conception of philosophy originates from problems in experience and ends when those problems are resolved; it is not entertained for its own sake. Like the scientific method, philosophy involves methodically observing current circumstances and analyzing the consequences of real actions in a way that helps people to make thoughtful conclusions that in turn empower them over their environment.

Philosophy brings people into a more transparent relationship with their environment by encouraging them to draw conclusions from experience, which can then be validated or invalidated by testing them in experience. Philosophical theories are *operationally a priori*; they are working theories about the nature of particular phenomena but in no way alter the

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<sup>69</sup> Individualism Old and New, 15.

phenomena by their postulation. Since no theory can be objectively true, the value of any conclusion is measured by its ability to predict future events and resolve the problems that prompted its creation in the first place.

In Dewey's eyes, philosophy is the constant criticism of current conditions with the goal of facilitating future intelligent action. Such an outwardly critical public is capable of discussing their conclusions and theories in a manner that encourages both communally-developed theories and subsequent implementation. As defined, philosophy is absolutely necessary to the restoration of modern American democracy.

No one is omniscient; everyone is bound to make some mistaken conclusions during their lifetime. Consequently, theories should be viewed as instrumental to one's life insofar as they fill the gaps in our knowledge base, and therefore should not be valued in and of themselves. Dewey proposes a solution of trial and error: when something works, people should choose to replicate those actions in similar, future circumstances. People must be critical while remaining open to the repudiation and replacement of current theories.

Right now, as in Dewey's time, American democracy is struggling. In the Gettysburg Address, President Lincoln declared that democracy is supposed to be a government of the people, by the people, and for the people, but this is not the case with modern American democracy. Government policy and action has been, and continues to be guided by a handful of individuals from an elite minority in a nation that exhibits a remarkable wealth/income gap even amongst the top one-percent of the population.<sup>70</sup> By getting together and discussing contemporary problems, the public increases its ability to motivate change in its favor via

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<sup>70</sup> Domhoff, William. "Wealth, Income, and Power." University of California, Sociology Department, Web. <[www.sociology.ucsc.edu/whorulesamerica](http://www.sociology.ucsc.edu/whorulesamerica)>



existing channels and institutions. Public debates force people to critically examine the circumstances of their environment, instead of simply adhering to whatever opinion seems prevalent or ingrained in culture/tradition.

However, Dewey admits to his regret, “Our pronounced trait is mass suggestibility...Homogeneity of thought and emotion has become an ideal.”<sup>71</sup> What is lacking - that which is preventing the public from progressing - is the inclusion of philosophy into public debates. Uncritically accepting contemporary conditions leads to a confused public that is incapable of articulating both its identity and its unique needs. The public must become educated and habituated to critically examine public practices in relation to their consequences.

Pragmatism, or “Instrumentalism,” allows for theory to guide practice with the understanding that said theories are constantly criticized through experimentation in experience. If a given theory is examined and subsequently endorsed due to the acceptability of its consequences, then it is in the public’s interest to have that theory represented in practice. Dewey believes that the solution to the confused American public - and thus to modern American democracy - is the endorsement of a new approach to inquiry, namely one that includes experimental analysis and philosophical discussion/theorization.

Dewey believes that modern American democracy is ailing primarily due to the state of the public, and explains that this public must be re-educated to examine its environment and discuss results. Thus construed, the restoration of modern American democracy absolutely requires the inclusion of philosophy in social debates. Fellow pragmatist Michael Sullivan explains that, “For Dewey, philosophy is not the exclusive domain of academic philosophers; rather, it is the development of intelligent, critical, and reconstructive methods for the problems

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<sup>71</sup> Individualism Old and New, 12.

of lived experience.”<sup>72</sup> Philosophy can help the currently disorganized public by methodically addressing those contemporary issues that plague the average American citizen. Sullivan argues that “The goal of philosophical inquiry is thus to make habits ‘more intelligent,’”<sup>73</sup> or in other words, it is to guide the public through the formation of explanatory theories that empower the public over its environment.

Clearly then, Dewey’s conception of philosophy does not taint clear inquiry. Since his model of philosophy originates in lived experience, it is in no way immune from refutation based on the results of observation and experimentation. As a pragmatist, Dewey is first and foremost committed to approaching problems by first examining empirical evidence of the relevant consequences, and this means that nothing is purely a means or an end. All ends are at some other time the means to other ends.

Reconstruction of the public is a feasible task, but it requires that people justify their goals because empirical evidence alone does not provide clear guidance on how to act in the future. Consequences must be accounted for by empirical theories; alone, evidence merely catalogues phenomena. For Dewey, it is of the utmost importance to keep theory in accordance with the apparent reality, which again, is shaped by those explanatory theories that are reached by means of public discussions.

This is what distinguishes the pragmatist from causal theorists: the pragmatist is committed to testing theories in practice, and not simply acquiescing to popular ideas, as Dewey argues is the case in America. This is problematic because “As Dewey warned, many of our

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<sup>72</sup> Legal Pragmatism 53.

<sup>73</sup> *ibid.* 56-7.

stated goals ‘have come to us through unexamined customs, [or] uncriticized tradition,’”<sup>74</sup> which tend to be unfit for handling contemporary issues.

Philosophy must be viewed in concert with contemporary conditions because it finds its opportunities in real problems and uncertainties. All philosophy is a response to unsatisfactory conditions in society, and as such, it is an inclusive product with regard to the larger public discourse of any given time. Sullivan explains:

Philosophy is something that everyone does or at least can do, not an insular club that only those in the ivory tower can join. Therefore, although the academic practice of philosophy often can be overly technical and disengaged from the problems of society, this does not imply that philosophy should be abandoned.<sup>75</sup>

All philosophy must originate from lived experience, which is why Dewey discourages us from occupying ourselves with ‘pseudo-problems.’ Instead, he urges us to intelligently analyze real consequences in an effort to aide future decision-making and the actualization of our goals.

Sullivan explains that “The function of pragmatic philosophical thought, stated negatively, is criticism - the amelioration of the problems encountered in lived experience....[and] Stated positively, the function of ‘intelligence’ is to actively guide the development of community and individual as an interrelated whole.”<sup>76</sup> There is no reason why philosophy, as defined by Dewey, should be denied an influential role in public debate within modern American democracy.

The distinction to be made is that pragmatism, with its ongoing refinement of methodology, is not bound by specific and immutable norms or theories, unlike under other branches of philosophy. If observation reveals a sort of incongruity, or an unfitness, between professed theory and apparent reality/actions, then the pragmatist must re-examine not only the

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<sup>74</sup> *ibid.* 61.

<sup>75</sup> Richard Posner and *Legal Pragmatism* 700.

<sup>76</sup> *ibid.* 34-5.

conditions and consequences of past and present theories, but also one's guiding methodology. Theory, precedent, and philosophy in general, are of instrumental use to the pragmatist in all matters. Discussing the importance of precedent in modern American adjudication, Sullivan explains, "Although pragmatists are interested in developing precedent to help people plan, their primary interest is to see that legal decisions function as effective solutions to the host of problems that gave rise to them."<sup>77</sup> Dewey does not value conclusions or theories for their own sake; their worth is determined by the degree to which they resolve the problem(s) that motivated their creation.

#### IX. THE IMPORTANCE OF PHILOSOPHY AND A COMPARISON BETWEEN DEWEY AND POSNER'S MODELS FOR DEMOCRACY

In contrast to Dewey and Sullivan, Judge Richard Posner holds a form of pragmatism that dismisses philosophy wholesale, effectively denying it any role in modern American democracy. He explains, "The simplest definition of pragmatism is that it is the rejection of Platonism root and branch."<sup>78</sup> Posner describes philosophy as a mode of thinking that fundamentally adheres to dogma, and pragmatism as the search for practical solutions to real problems. While Dewey would agree that pragmatism aims to resolve real problems, he would argue that philosophy is not a dogmatic way of thinking. Unlike Dewey, Posner argues that pragmatism necessarily excludes philosophy's involvement in modern American democracy.

Posner mischaracterizes both philosophy, generally, and pragmatism, specifically. He states that "With its claim to possess privileged access to ultimate truths, traditional philosophizing resembles theology in fostering an outlook that, being dogmatic, is unfriendly to

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<sup>77</sup> *ibid.* 40.

<sup>78</sup> *Law, Pragmatism and Democracy*, 30.

compromise and tolerance and therefore to democracy.”<sup>79</sup> He rejects philosophy because he sees it as a way of conceptualizing in terms of universal truths, but this is a severe mischaracterization. Pragmatism is definitively a brand of philosophy, but as such, pragmatism *does not* make any type of universal claim to objective Truth. Ironically, Posner’s dismissal of everything philosophical is amongst the most universal, broadly-aimed commitments held by any self-professed pragmatist. Anyone who defines pragmatism in specific terms is no pragmatist at all because pragmatists do not believe that simple essences can be captured by definitions.

While Posner denies philosophy a role in the remediation of contemporary American problems, he does advocate a unique form of pragmatism that allows for the formation of theories, albeit on a minimalistic scale. He distinguishes between “orthodox pragmatism,” and “everyday pragmatism,” the latter being a model of his own formation. Everyday pragmatism is defined by Posner as an experimental mood which one holds in relation to their environment. He elaborates that “pragmatism is more a tradition, attitude, and outlook than a body of doctrine.”<sup>80</sup> He explains that “orthodox pragmatism has little to contribute to law at the operational level”<sup>81</sup> because it allows for abstract, formal philosophy to permeate into practice.

Dewey and Posner’s disagreement can be distilled down to a difference in definitions of “philosophy.” If Posner were to accept Dewey’s more general definition, i.e. philosophy as experimental criticism with the goal of guiding the public in the future, then Posner would have to admit that philosophy is invaluable to the proper functioning of modern American democracy.

Additionally, Posner draws an unrealistic distinction between the operation and theory of law. This is problematic because such a clear-cut distinction implies that there is, or should be, a

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<sup>79</sup> *ibid.* 43.

<sup>80</sup> *ibid.* 26.

<sup>81</sup> *ibid.* 41.

certain removal of reason from legal actions. In reality, not all legal actions do, or should, proceed from explicit legal theories, but the judicial system is a much more cohesive, self-aware and self-articulated entity than is the public, and as such, it is accurate to claim that legal actions are more purposive, thought-out, and regulated than are actions that come from the public.

An examination of Posner's pragmatic conception of democracy reveals it to be little more than a mechanism to increase the efficiency of selecting the means to predetermined ends. In fact, he directly states "the choice of an end need not, perhaps cannot, be a product of reasoning."<sup>82</sup> According to Posner, democracy does not fundamentally include the public determination of goals for a nation, but rather he believes that it serves as a way to determine the most efficient way to achieve preset ends, i.e. those of the status quo. Posner accepts the apparent ends of the status quo, whatever they may be, but Dewey thinks this absurd. Dewey argues that it is vital to the health of the public, and therefore to democracy, to critically examine the consequences from our and others' actions, and formulate theoretical conclusions/explanations which in turn help the individual and the community to act more intelligently in the future, thereby allowing them to actualize their own self-determined ends.

Posner's "everyday pragmatism" is unfaithful to the pragmatic tradition because it abandons all hope for the public determination of ends. Dewey, unlike Posner, thinks that acquiescence to the status quo contributes to the public's existing confusion and is therefore destructive to American democracy. Whereas Dewey demands that we justify our political goals, Posner believes that doing so is unnecessary. Sullivan elaborates on Dewey's argument:

Since ends do not emerge from a transcendent realm, the pragmatist should not simply accept her own ends uncritically. She must subject them to critical inquiry....This involves

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<sup>82</sup> *ibid.* 28.

understanding the origins of our ends, the reasons for their existence, and whether these reasons warrant continued allegiance today. Through pragmatic criticism, we may discover that particular ends have merely survived through inertia or that the reasons for their existence no longer apply to our present situation.<sup>83</sup>

People hold a particular set of beliefs and form habits due to the ways in which they perceive their past and present experiences; as individuals gradually recognize which beliefs ‘work’ and which do not in practice, they replicate those working beliefs in order to further their own interests. Over time, the public becomes more efficient in determining the means to given ends, but Dewey believes that the public should also determine their own ends.

To be fair, there is merit to the rational analysis and selection of means to given ends, but doing this alone leave the individual susceptible to the collective will of the ‘authors’ of the status quo, i.e. the elite, wealthy governing class. It is a far greater accomplishment to achieve a goal that has personal significance and satisfies real needs than it is to simply ‘follow the leader.’ In addition, individuals tend to be more motivated to contribute to goals that they helped establish. When the community gets together, voices their concerns and determines what they want to work towards, then individuals of that community are more likely to work towards the actualization of those communally-determined ends. The goals characterized by the status quo by definition do not confront the type of contemporary issues that plague the average citizen in modern America. Allowing the public to establish their own goals increases the likelihood that they will confront the sort of problems that have been entrenched in the status quo for time immemorial.

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<sup>83</sup> Richard Posner and Legal Pragmatism, 706.

Sullivan astutely points out that Posner's distaste for philosophical theories and axioms ironically end up committing him to many of the beliefs entailed in those very theories due his lack of critical reflection and unwillingness to conceptualize in terms of ends. Posner, in agreement with both Dewey and Sullivan, argues that we should examine the results of actions in order to help guide future decision-making, but unlike Dewey and Sullivan, Posner contends that the application of such critical reflection should be limited to the selection of means to established ends. He argues that a nation should adhere to the apparent ends of the status quo, and that the governing class should determine the most efficient means of achieving those ends. Dewey's model of democracy stands at odds with Posner's because he contends that democracy is fundamentally concerned with determining and actualizing the desires of the public, and that philosophy plays a vital role in the public discussion that leads up to both the recognition and realization of their desired ends. Posner's refusal to let the public deliberate over ends and his distaste for philosophy commits him to follow the whims of the status quo, which Dewey sees as being fundamentally detrimental to the health of modern American democracy.

Posner argues that deliberative democracy is unattainable, undesirable and ultimately unstable because "Deliberation compete[s] with democracy."<sup>84</sup> Posner contends that, instead of communication and public deliberation, the key to a stable democracy is competition. He believes that democracy is a competitive mechanism that is controlled by forces comparable to economic laws, such as supply and demand. Based on Posner's economic bias, it makes sense that he readily accepts the inertia of the status quo as a sufficient reason for adhering to its beliefs and professed ends.

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<sup>84</sup> Law, Pragmatism and Democracy 188.



Despite his rejection of ‘philosophy,’ Posner does see a need for some limited theorization because, “Pure trial and error operates too slowly to be a feasible research strategy, and this is where theorizing comes in...[because] theorizing is the beginning of inquiry, not its end.”<sup>85</sup> Unlike Dewey, Posner begins with a given end, and then sets out to achieve it by utilizing various means, and if one trial does not work out, then the theory that yielded that approach is deemed inaccurate, and therefore should be discarded, but the goals remain unchanged.

Posner, largely under the economic influence of Schumpeter, adheres to what he calls “Concept Two” democracy, and sees policy and governmental composition as matters of competition instead of systematic inquiry. He states, “In practice, corporate democracy is Concept Two democracy.”<sup>86</sup> Posner defends his Schumpeterian allegiance by saying that “[Schumpeter’s] theory is a theory of democracy, not a theory of government.”<sup>87</sup> This defense, this concern with theories of democracy as opposed to actual government practices, is rather unpragmatic, and an example of the sort of ‘intellectual pretension’ that Posner so passionately criticizes when speaking about ‘philosophy.’ According to Dewey, a theory of democracy is useful only insofar as it can be tested and reasonably verified/supported through experience, analyzed, and then disseminated in a way that assists the public to recognize itself and actualize its interests. Dewey implicitly provides a theory of democracy in his description of its current problems and proposed solution, but he is not concerned with such a theory for its own sake.

Despite the aforementioned differences in beliefs, a commonality exists between Posner and Dewey, and it can best be described as an adherence to pragmatism for instrumental reasons. They both undertake their respective projects in order to aid democracy by helping the public to

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<sup>85</sup> *ibid.* 32.

<sup>86</sup> *ibid.* 201.

<sup>87</sup> *ibid.* 203.

actualize certain goals. The difference between their models is that Dewey wants people to rationally reflect on ends and not to simply accept them as given. Sullivan argues that “Indeed, pragmatists view theories as tools,” and then elaborates on the relation between this form of pragmatism and philosophy.<sup>88</sup>

Pragmatism does not reject a role for moral theorizing but recommends instead that we critically reconstruct our normative ideals by testing them in experience. . . . In this manner, pragmatism is not empty and devoid of substance. Pragmatism has substantive commitments that are not separable from method. In other words, no method of inquiry is neutral. All inquiry begins with a particular direction, some preconceived notion of what is being sought. . . . The starting points of pragmatic inquiry are certain critical stances toward the status quo. This does not mean that one must reject the status quo, but it requires an inquiry into certain assumptions and basic social institutions that Posner will not undertake.<sup>89</sup>

Posner contends that “Pragmatism has no political valence,” and while Dewey and Sullivan agree with this point, their version of pragmatism encourages people to select and work towards ends as long as the consequences of doing so prove to be the most effective method of resolving the social problem(s) that prompted the inquiry in the first place.<sup>90</sup> Dewey and Sullivan admit that there are implicit commitments inherent in all philosophy, but they argue that this is not a problem. Philosophy is derived from lived experience, and as such, it makes perfect sense that it bears a certain attitude to the conditions from which it was formed.

Posner ignores what Dewey and Sullivan see as the purpose or function of pragmatism, namely continuous inquiry for the sake of personal and collective enlightenment, and therefore empowerment. Posner is merely concerned with determining the most efficient means to established goals, while Dewey sticks to a more traditionally pragmatic approach by arguing that

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<sup>88</sup> Legal Pragmatism 54.

<sup>89</sup> Richard Posner and Legal Pragmatism 714.

<sup>90</sup> Law, Pragmatism and Democracy 44.

acceptance of the status quo only further institutionalizes the current problems of the public and their inability to solve them. Posner dismisses all philosophy as pseudo-science, while Dewey contends that all philosophical theories originate from conflicts or problems in lived experience, and as such, are entirely relevant to social discussions. Therefore, philosophy is a critical part of the solution to modern American democracy's problems.

Dewey believes that philosophy serves the instrumental purpose of initiating and facilitating public dialogues. Philosophical theories do not differ from theories born within the social sciences in any substantial way because they are all traceable back to experience. Consequently, all theories can be tested and evaluated empirically to some degree. Sullivan explains "we can critically assess our original hypothesis that 'X is the best for the future' by evaluating its consequences with respect to how well it solves the problems of the original experience in which it arose."<sup>91</sup> Theories are neither intrinsically good nor bad, devoid of context. Philosophical theories are created in response to social disturbances with the goal of resolving them, and therefore should be valued only insofar as they remedy the particular problems that prompted their creation.<sup>92</sup>

*Prima facie*, it may sound appealing to dismiss philosophy in favor of direct, concrete engagement with problems as we find them in our lives, but doing so would eventually come back to hinder our ability to understand the significance of those very problems. The way in

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<sup>91</sup> Legal Pragmatism 38.

<sup>92</sup> Philosophical theories are byproducts of disturbances in one's environment and therefore can be tested by evaluating how a given hypothesis resolves the problem which prompted its formation. For example, consider a family that just moved to America from a country with a culture so radically different from America's to the extent that they display symbols in their yard which Americans find very offensive, but they know from their foreign country to be symbols of good luck and well-being. Such a situation might motivate some of their more unruly neighbors to vandalize their house and property during the night. At first, the foreigners may be confused at the vandalism, but unable to speak English and therefore communicate with their neighbors, they clean the mess up. But, if the vandalism persisted, they would determine that there must be an identifiable cause. After a process of trial and error, they might remove the offensive symbols, causing their neighbors to leave them alone. The foreign family, then, would likely assess the order of events and conclude that the symbols were in fact the source of their neighbors' discontent. The family would be able to confirm that there was indeed a reason for the vandalism, and if they desired, they could replace the symbols to see if it resumed, and if so they could conclude with equal validity that the reason was the symbols. This last step is both impractical and unlikely to occur, but it shows how one could isolate social cause-and-effect relationships with high levels of assurance that they are accurate.

which Posner denies philosophy a position in social and political dialogues in modern American democracy ultimately threatens to rob the public of its ability to fully comprehend, and subsequently resolve, the nation's most pressing needs.

Posner's miscalculated account of pragmatism and American democracy is largely due to his adherence to Concept Two democracy. This model of democracy trades philosophical insight for rule by an elite minority of the population and the unregulated influence of money on the part of interest groups and nation-sized corporations, which Dewey would steadfastly reject. Posner believes that "The fact that voters tend to take their cues from others who are better informed... may actually be efficient mechanisms for coping rationally with uncertainty, including uncertainty about political candidates and issues."<sup>93</sup> Dewey, on the other hand, believes that deliberation and experimental observation is antecedent to the formation of a public in the first place, and that philosophy plays a crucial role in these sorts of debates. For Dewey, Concept Two democracy is injurious to the public, and consequently also to modern American democracy in general, because it encourages the public to abstain from actively participating in public deliberations. In reality, only the inclusion of the public in political discussions and the subsequent development of philosophical theories will allow for the population to identify and articulate its shared goals.

Dewey views uncertainty as a social problem, as an impediment both to one's understanding of current issues and one's ability to affect change for the betterment of the community. Uncertainty tends to prompt the use of philosophy as an attempt to address the underlying problem(s) by experimenting with methods of inquiry, observation and making inductive conclusions. The public must critically examine uncertainties and observe past and

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<sup>93</sup> Law, Pragmatism and Democracy 206.

present consequences in order to enhance their understanding, and not simply accept the status quo, as Posner suggests. After a period of intelligent observation and experimentation, Dewey would have the public construct theories and then test them in experience. By doing so, and then communicating the results, the public can begin to form a community. Recognizing that they cannot be cognizant of all possible or actual consequences, individuals would be encouraged to form a state to look out for their collective interests by protecting certain artificial rights, created and agreed upon by the public. The public, in an effort to realize its needs, must allow for the formation of a government to serve as an enforcement mechanism for the rights that have been agreed upon as the result of a public discussion on current conditions and needs, while maintaining focus on what is to come.

## X. *CONCLUSION AND CLOSING REMARKS*

Dewey's solution to modern America's problems is based on methodical inquiry, experimental theorization, and public discussion, but he warns that his solution of methodological inquiry is not immune from failure. The fast pace and complex nature of modern American society, in addition to the correlative technologies that facilitate rapid experimentation and communication, effectively place a limit on what the average citizen can understand.

Methods of inquiry are susceptible to certain flaws, so we must continuously examine the ways in which we try to understand our environment. Dewey says that "Only continuous inquiry, continuous in the sense of being connected as well as persistent, can provide the material of enduring opinion about public matters,"<sup>94</sup> again referring to the formation of public opinion, and not concrete knowledge, because as a pragmatist he denies any universal objectivity or claims to Truth. He explains that "in its strict sense, knowledge can refer only to what *has* happened and

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<sup>94</sup> The Public and its Problems 178.

been done. What is still *to be* done involves a forecast of a future still contingent, and cannot escape the liability to error in judgment involved in all anticipation of probabilities.” Even the most stringent methods of inquiry and subsequent public discussions are likely to at some point arrive at a mistaken conclusion, but this inherent fallibility does not necessitate that it be substituted by another method of inquiry because all methods are imperfect and it may still be the best available option. Dewey urges us to constantly evaluate our guiding methodologies by observing the consequences of real actions, and to modify our approach only when it is incapable of reliably predicting the outcome of events any longer. Despite the inherent fallibility of any given methodology, Dewey contends that “genuinely public policy cannot be generated unless it be informed by knowledge,” and knowledge cannot exist unless there is a systematic and comprehensive method of inquiry and communication.<sup>95</sup> Consequently, the restoration of modern American democracy calls for the influence of theory on practice, i.e. the inclusion of philosophy in the public debate.

The public can only identify itself and advance its interests if it practices philosophical theorization, just like in the scientific method, because “The smoothest road to control of political conduct is by control of opinion,” and the scientific method, with its philosophical components, is the perfect conduit for identifying and solidifying such opinions in a public forum.

Dewey’s solution is a systematic method of reflecting on observation to guide future intelligent action(s). It helps to both formulate and validate/invalidate theories by testing them in reality; it does not presuppose any end outside of context. The point I wish to make in closing is that modern American democracy fails to meet Dewey’s standards, and that in order to fix this, the public must embody a pragmatic sensibility. The public must come together, recognize their

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<sup>95</sup> *ibid.* 178-9.

goals, and then try to devise a method to actualize those goals. While many have argued otherwise, philosophy is *critical* to the transformation from a Great Society to a Great Community. It also requires that people utilize the methodologies employed by the scientific method because philosophy and the scientific method are two aspects of the very same approach, and ultimately are co-dependent. Alone, they are incapable of resolving the current shortcomings of the American democratic system, but together they give the public a fighting chance to take the government back for themselves by regaining real political power.

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