

Conjecture and Recognition

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Abstract: In this essay I try to shed some light on the role that conjectural reasoning plays within Ferrara's strategy to deal with pluralism. In the first section, I will attempt to determine which contexts prompt the recourse to conjecture and which problems it is called upon to solve. In the second section, I will try to offer a detailed reconstruction of the structure of conjectural reasoning. Finally, in the last section, I will put forth some critical remarks on the way Ferrara makes recourse to conjectural reasoning within *The Democratic Horizon*. The upshot will be that the recourse to conjecture may properly work only in those cases in which individuals already exhibit some relevant common traits that make them capable of recognizing each other as members of the same community.

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Alessandro Ferrara's *The Democratic Horizon* is a terrific book: it is full of provocative and ingenious ideas, which would certainly deserve a close and accurate scrutiny. Here I do not even dare to do justice to such richness and cannot but confine myself to debating a single issue. This issue, however, is probably one of the most fundamental for the success of the overall project: the role of conjectural reasoning within Ferrara's strategy to deal with pluralism.

The plan of the essay is as follows. In the first section, I will try to investigate the strategic role Ferrara assigns to conjectural reasoning. Particularly, I will attempt to determine which contexts prompt the recourse to it and which problems it is called upon to solve. In the second section, I will attempt to offer a detailed reconstruction of the structure of conjectural reasoning. Finally, in the last section, I will put forth some critical remarks on the way Ferrara makes recourse to conjectural reasoning within *DH*. The upshot will be that the recourse to conjecture may properly work only in those cases in which individuals already exhibit some relevant common traits that make them capable of recognizing each other as members of the same community.



The problem

In the conclusions of *DH*, Ferrara describes clearly the project of the entire book.¹ The aim is that of enriching the democratic vocabulary, making democratic politics capable of sustaining the challenges of the XXI century. This project is pursued through different stages that introduce different remedies to the maladies of contemporary democracies. First, Ferrara introduces the role of imagination, then the virtues of openness. Conjectural reasoning comes as a third step, designed to handle with otherwise intractable forms of pluralism. At the same time, this move implies also a shift towards public reason. Indeed, echoing Rawls's *Political Liberalism*, the adoption of a liberal stance requires the acceptance of other reasonable conceptions and the commitment to employ public reason within public political forum. Thus, the recourse to conjecture becomes the answer to the problem of "making the unreasonable reasonable".

In the third and fourth chapter, Ferrara characterizes the kind of pluralism that requires conjectural reasoning. The main target is religious pluralism. The compresence of several religious faiths represents a distinctive trait of modernity since the end of the religious wars. Liberal thought developed the notion of toleration in order to deal with religious diversity.² Nonetheless, religion still constitutes a problem for political theory.³ This is most true for contemporary political theorists. What is distinctive of our time is that we need to answer the question: Why be pluralist in the first instance? Ferrara reviews two standard responses to this question – *pragmatic pluralism*, that is, the idea that we must accept pluralism in order to protect us from the evils of conflict, and *principled pluralism*, that is, the view according to which accepting pluralism is required by respect for moral autonomy and equality between individuals – finding both wanting, before introducing the notion of *reflexive pluralism*. Reflexive pluralists maintain that the endeavor to establish a conclusive argument for pluralism involves a kind of performative

¹ A. Ferrara, *The Democratic Horizon: Hyperpluralism and the Renewal of Political Liberalism*, New York, Cambridge University Press, 2014, henceforth *DH*, pp. 210-20.

² See R. Forst, *Toleration in Conflict: Past and Present*, Cambridge, Cambridge University Press, 2013.

³ See Ch. Eberle and T. Cuneo, "Religion and Political Theory", in E.N. Zalta (ed.), *The Stanford Encyclopedia of Philosophy*, 2015 edn., available at the URL: <http://plato.stanford.edu/archives/spr2015/entries/religion-politics/>.



contradiction. Rather, “we should aim at a pluralistic defense of the grounds for accepting pluralism” (DH, p. 73).

It is at this point that conjectural reasoning comes on stage. Ferrara draws the notion of conjecture from Rawls’s “The Idea of Public Reason Revisited”. According to Rawls, the ideal form of this kind of argument is as follows:

we argue from what we believe, or conjecture, are other people’s basic doctrines, religious or secular, and try to show them that, despite what they might think, they can still endorse a reasonable political conception that can provide a basis for public reasons.⁴

In other words, conjectural reasoning seems to boil down to a kind of argument *ex hypothesi*: we assume as a starting point certain premises, which we do not assert, pertaining to some comprehensive conception, and try to derive an argument for pluralism. Therefore, it requires sincere and not manipulative attitudes: we must state at the outset that we do not share the relevant assumptions but we advance them only in order to provide a comprehensive understanding of the conception to which they belong.

Ferrara assigns conjectural reasoning a strategic role within his project. Indeed, in the ensuing sections, the model of conjectural reasoning is assumed as a blueprint for carrying on a reinterpretation of the contents of the main religious traditions capable of conciliating them with pluralism. Following such theorist as Robert Bellah (Christianity), Michael Walzer (Judaism) and Andrew March (Islam), Ferrara aims to show that, if properly interpreted, major religious traditions prove to be compatible with liberal pluralism and commitment to public reason.⁵

However, as Ferrara contends in the fourth chapter, our societies feature a level of pluralism even higher than that envisaged by Rawls. Our societies deserve to be called *hyperpluralistic* since massive immigration from all regions of the world has extended

⁴ J. Rawls, “The Idea of Public Reason Revisited”, *The University of Chicago Law Review*, 64 (1997), 3, pp. 765-807, p. 786. For a survey on the notion of public reason, see J. Quong, “Public Reason”, in E.N. Zalta (ed.), *The Stanford Encyclopedia of Philosophy*, 2013 edn., available at the URL: <http://plato.stanford.edu/archives/sum2013/entries/public-reason/>.

⁵ See R.N. Bellah, “At Home and Not at Home: Religious Pluralism and Religious Truth”, *Christian Century*, April 19 (1995), pp. 423-28; M. Walzer, “Two Kinds of Universalism”, in his *Nation and Universe*, Tanner Lectures on Human Values, Salt Lake City, University of Utah Press, 1990; A. March, *Islam and Liberal Citizenship: The Search for an Overlapping Consensus*, Oxford, Oxford University Press, 2009.



pluralism from the religious to the ethnic dimension, while, at the same time, mainstream democratic culture has turned from assimilationist politics to a more flexible pattern of integration. Such a predicament may be assuaged by an extensive application of conjectural arguments, differentiated according to each religious tradition, which focus on the main building blocks of the liberal democratic order. This approach differs both from *agonistic pluralism* – that is, the view, attributed to Chantal Mouffe, William Connolly, James Tully, Ed Wingenbach among others,⁶ which centers on the aim to safeguard spaces for the emergence of dissent within political community – and from what Ferrara calls “passepartout-conjectural” and “original position” strategies – followed, respectively, by Lucas Swaine and Mark Rosen,⁷ according to which hyperpluralism can be faced up by devising general arguments without addressing the specific traits that mark each culture or religious tradition (See *DH*, pp. 92-104).

However, even conjectural reasoning may prove incapable of taming hyperpluralism. Indeed, conjectural arguments require that others be disposed to learn from their interlocutors and to revise their views. Therefore, they must be at least partially reasonable. When such attitudes are absent, the only safe option is to resort to

conceiving of the democratic polity as a multivariate unity that includes both overlapping-consensus-type and *modus vivendi*-type relations between the citizens participating in the overlapping consensus over the political conception of justice and over the constitutional essentials, as well as other groups of citizens embracing partially reasonable comprehensive conception (*DH*, p. 107).

⁶ See. Ch. Mouffe, *The Democratic Paradox*, London, Verso, 2000; W. Connolly, *The Ethos of Pluralization*, Minneapolis, University of Minnesota Press, 1995; J. Tully, *Public Philosophy in a New Key*, vol. 1: *Democracy and Civic Freedom*, Cambridge, Cambridge University Press, 2008; E. Wingenbach, *Institutionalizing Agonistic Democracy: Post-Foundationalism and Political Liberalism*, Farnham, Ashgate, 2011.

⁷ L. Swaine, *The Liberal Conscience: Politics and Principle in a World of Religious Pluralism*, New York, Columbia University Press, 2006; M.D. Rosen, “The Educational Autonomy of Perfectionist Religious Groups in a Liberal State”, *Journal of Law, Religion & State* (2012), 1, pp. 10-29.



Two kinds of conjectures?

In the previous section, I have attempted to reconstruct the landscape within which Ferrara places his recourse to conjectural argumentation. Now, it is time to say something more about the origin, structure and requisites of conjectural reasoning.

As I said, conjectural reasoning was introduced by Rawls in *Political Liberalism* as a means of extending the range of public reason. Micah Schwartzman has subsequently clarified this point.⁸ According to his reconstruction, conjectural reasoning constitutes a form of *non*-public reason, which can be mobilized in order to weigh conflicting values. In conjectural arguments, those who share a commitment to public reason assume the point of view of the other and try to reason on the basis of a sincere reconstruction of her doctrine. They adopt the point of view of their interlocutors, even if they do not share their views because they recognize the fact of reasonable pluralism. This move may permit us to discover that an apparent conflict between what public reason demands and what one's comprehensive view dictates is in fact neutralized by a proper understanding of what the comprehensive view involves.

It is important to notice that conjectural reasoning is not a kind of rhetorical persuasion. Conjecture is indeed distinct from any kind of manipulation. It aims at generating rational agreement and giving good reasons to accept public reason *from within* the perspective of the others. Moreover, conjecturers must be fully sincere, in the sense that they must disclose that they do not believe the premises from which they argue and whether they believe their arguments are justifiable from within the others' comprehensive views.⁹

Schwartzman draws also another distinction, which is more contentious. It is the distinction between *conjecturer* and *social critic*. The conjecturer is someone who employs conjectural reasoning in order to find good reasons that support a given policy from within one's comprehensive view. The social critic, instead, is someone who is committed to the success of a particular culture, has an intimate knowledge of it and

⁸ See M. Schwartzman, "The Ethics of Reasoning from Conjecture", *Journal of Moral Philosophy*, 9 (2012), 4, pp. 521-544.

⁹ *Ibid.*, pp. 529-534.



advances some internal criticisms to the effect that her particular culture is, in fact, compatible with liberal values.¹⁰ The position of social critics has this advantage over mere conjecturers: that the former – but not the latter – can be deemed to possess a special epistemic authority, due to her internal knowledge of the tradition, which enables her to claim that her interpretation of the doctrine is the right one. As Schwartzman says it is much more difficult for conjecturers, who declare not even to believe the assumptions they make, to exhibit such a self-confidence.¹¹

At this point, we could be tempted to distinguish between two forms of conjectural reasoning. The first form – which we could name *true conjectural reasoning* – consists of a kind of argument directed to supporting the choice in favor of a given policy by pointing out certain considerations drawn from a particular comprehensive view. The other form – that, following Schwartzman, we could name *social criticism* – aims instead at providing an interpretation and transformation of a certain doctrine. This last enterprise may be attempted both by someone who belongs to the doctrine which is to be reinterpreted and by someone external to it. In the first case, we have *internal social criticism* as in Schwartzman’s example. In the second case, we can speak of *external social criticism*.

Schwartzman maintains that social criticism – at least internal social criticism – is different from conjectural reasoning. But is this opinion tenable? And can we assess external social criticism? The entire matter is somewhat complicated by Rawls himself. Indeed, in “The Idea of Public Reason Revisited”, Rawls seems to conceive of conjectural reasoning as a method to mobilize considerations not pertaining to public reason. He writes: “In endorsing a constitutional democratic regime, a religious doctrine may say that such are the limits God sets to our liberty; a nonreligious doctrine will express itself otherwise”.¹² However, this sentence ends with a lengthy footnote in which Rawls cites the work of Abdullahi Ahmed An-Na’im as an example of a re-interpretation of Islamic

¹⁰ *Ibid.*, p. 535.

¹¹ *Ibid.*, p. 540.

¹² J. Rawls, “The Idea of Public Reason Revisited”, cit., p. 782. Note that for Rawls the aim of the conjectural reasoning is not that of supporting a certain policy but that of establishing liberalism and public reason.



law. Now, it is fair to say, following again Schwartzman,¹³ that An-Na‘im is more an internal social critic than a mere conjecturer. Therefore, it is not completely clear which model of conjectural reasoning Rawls has in mind.

On the other hand, there are strong reasons, in my opinion, for accepting a broader notion of conjecture. Indeed, if we stick to a narrow concept – something like what I called true conjectural reasoning – the usefulness of the whole procedure becomes doubtful. The role performed by the conjecturer would be that of pointing out some consequences of a certain comprehensive doctrine that would otherwise be neglected. To begin with, this activity seems in no way controversial since it boils down to helping someone in forming a better image of the corpus of values to which she already adheres. Moreover, its worth seems questionable, too: indeed, if the consequence supported by the conjectural reasoning is already in line with what the comprehensive doctrine recommends the conjecture becomes irrelevant.

The only hypothesis in which it can make a difference is when the consequences of the conjectural argumentation are in conflict with other values drawn from the same doctrine. For example, consider arguing in favor of the birth control on the basis of the meaning that life detains within catholic religious tradition. The upshot of the conjectural reasoning is the discovery of a conflict between values, principles, and rules. Such a conflict may be resolved only through an overall hermeneutic enterprise that redefines the structure of the whole doctrine. For these reasons, I think that the distinction between true conjectural reasoning and external social criticism is not acceptable since the first kind of argument tends to shift into the second one. In other words, conjectural arguments, in so far are philosophically interesting, as they are productive of an overall reinterpretation of some comprehensive view. In turn, such a reinterpretation may be conducted by an internal critic or by an external observer. The latter case is that that better fits with the model conjectural reasoning as described by Rawls, which requires that the conjecturer reason on the basis of an assumption he does not share. In sum, conjectural reasoning is a form of external social criticism.

¹³ See M. Schwartzman, “The Ethics of Reasoning from Conjecture”, cit., pp. 535 ff.



The limits of conjectures

In the previous section, I have argued that the model of conjectural reasoning involves a comprehensive explanation of a given doctrine and cannot be reduced to a mere piece of reasoning *ex hypothesi*. This conclusion is perfectly aligned with the way in which Ferrara resorts to conjectural reasoning in *DH*. Take, for example, the case of March's reinterpretation of Islam, which Ferrara portrays as a paramount instance of conjectural argumentation: the worth of March's endeavor rests precisely in his attempt to reread the basic tenets of Islam in a way that accords with liberal pluralism. Therefore, it can be understood as an overall reinterpretation of some basic religious notions driven by a liberal attitude.

Such an attempt cannot draw its authority from the force of some argumentative chain. As Ferrara himself says:

the form of each conjecture does not rest on deriving consequences from a principle (so that a person who accepts the premises, but rejects the conclusion, could be labeled “irrational”). Rather, it rests on highlighting what would bring to exemplary realization a value core from which we start the conjecture (*DH*, p. 75).

The idea is that the force of the conjecture derives from the exemplary character of the reinterpretation it recommends. Here, Ferrara refers to his previous work, *The Force of the Example*, in order to develop a kind of intersubjective justification based on exceptional self-congruency.¹⁴

The circumstance that the force of the conjecture is based on the exemplarity of the reinterpretation allows sidestepping a prominent qualm advanced by Anthony Laden, that is, the risk that the model envisaged by Ferrara is not able to secure the desired result because it falls on a “paternalistic” paradigm, one centered on the relationship between a teacher, who provides an authoritative interpretation, and a pupil, who must learn the lesson given by the former.¹⁵ Indeed, the activation of the exemplary validity model

¹⁴ See A. Ferrara, *The Force of the Example: Explorations in the Paradigm of Judgment*, New York, Columbia University Press, 2008, especially pp. 22 ff. See also my “On the Very Idea of the Universality of Political Judgement”, *Jura Gentium*, 6 (2009), s.v.: *Validità esemplare, estetica e politica. Discutendo La forza dell'esempio. Il paradigma del giudizio di Alessandro Ferrara*, pp. 38-46.

¹⁵ See A.S. Laden, “On Democratic Justification: On Alessandro Ferrara's *Democratic Horizon*”, *Philosophy & Social Criticism*, 42 (2016), pp. 673-680.



requires the presence of some common ground between different subjects: this point clearly emerges from *The Force of the Example*, where Ferrara says that there are no irreducibly alternative perspectives because each two subjects define a new perspective common to both of them.

The key idea of a judgment view of justice is to identify that locus of intersection in order to have it play the role of a vantage point from which we can counterfactually envisage an identity encompassing the conflicting ones. Then this counterfactual identity can be treated like an identity in its own right whose own exemplary fulfillment [...] does all the work that traditional views of justice are supposed to do.¹⁶

My point here is that conjectural reasoning, drawing its force from the exemplary character of the reinterpretation it proposes, requires that the interlocutors share some common identity, which grants the cogency of the argument. One interesting way to think of such phenomena is by comparing them to Robert Brandom's *Vernunft* model of concept determination. According to Brandom, who credits Hegel with this conception, conceptual contents evolve over time through a process of recollective reconstruction of a tradition that projects itself into the future, setting the forthcoming standards of correctness.¹⁷ Now, we can say, the overall reinterpretation of a certain doctrine is not so different from the process through which a set of concepts gets reconstructed in light of a tradition and thus is projected into the future. Moreover, such a process is made possible by the interplay between the authority of the concept developers and their responsibility towards past uses.

We can try to express this predicament through the notion of recognition. Ferrara links openness and recognition in the second chapter of *DH*. Brandom, on his part, describes the process of never ending concept determination as a kind of recognition, which involves different traditions, rather than different individuals.¹⁸ In a more general vein, the idea behind the relation between conjecture and recognition is that the exemplarity of the reinterpretation from which the conjectural argumentation draws its

¹⁶ A. Ferrara, *The Force of the Example*, cit., pp. 39-40.

¹⁷ R.B. Brandom, *Reason in Philosophy: Animating Ideas*, Cambridge, MA, Harvard University Press, 2009. On the application of Brandom's conception to political philosophy, see also my "Inferentialism, Culture, and Public Deliberation", *Philosophy & Social Criticism*, 40 (2014), 1, pp. 25-42

¹⁸ R.B. Brandom, *Reason in Philosophy*, cit., pp. 103-4.



force may exert its virtue only within contexts in which the authority of the conjecturer is already recognized. Without such a tie, the exemplary character of the reinterpretation proposed would remain unexpressed and the whole reasoning would be ineffective.

At this stage, however, one should ask what exactly recognition involves. As it is widely known, the notion of recognition has been firstly elaborated in the context of idealistic philosophy by Fichte and, especially, Hegel. Since then, it has been employed by an array of different authors, like Axel Honneth and Charles Taylor. If we follow again the lead of Brandom in order to acquire some hints towards its basic content, we find that the relationship of recognition obtains whenever an agent is disposed to conform her behavior to the standards set up by another agent that is said to be endowed with authority. Brandom infers that a “community is implicitly constituted by one’s own recognitions, and actually achieved insofar as they are reciprocated”.¹⁹

The basic issue that we must confront is then the following: conjectural arguments derive their force from the exemplary character of the reinterpretation they recommend. In turn, exemplarity can be perceived only by those who already recognize the authority of the conjecturer’s reading. Recognition of someone’s authority, finally, defines the contour of a new community that comes to light with the exemplary reinterpretation. From this simple train of thought, we could conclude that the main limit that hampers Ferrara’s resort to conjectural reasoning is that conjectural arguments can work only within the context of a recognitive community, where the addressees can perceive the authority of the conjecturer. This is obviously different from mere paternalism because the conjecturer’s efforts to persuade her opponent cannot be seen – not even from an external observer – as an attempt to take advantage of her position in order to make her views prevail: after all, the authority of the conjecturer’s reading is grounded in the activation of a common attitude to recognize the marks of exemplarity.

To such a qualm, Ferrara could probably reply that conjectural arguments can shape the boundary of a new community by reason of the exemplary character of the

¹⁹ Cf. R.B. Brandom, “The Structure of Desire and Recognition: Self-Consciousness and Self-Constitution”, *Philosophy & Social Criticism*, 33 (2007), pp. 127-50, p. 148. See also R.B. Brandom, *Reason in Philosophy*, cit., pp. 70-1. It is noteworthy that Brandom elaborates on the Hegelian conception of recognition. However, it is fair to say that his theory is quite different from that of other Neo-hegelians, as Honneth.



reading they offer. This answer is acceptable, yet it cannot but confirm the limits of conjecture. Conjectural reasoning is not designed to move the fundamentalists, who are not able to look at their tradition as one among others – this point, however, is explicitly acknowledged in the text. It can give good reasons to those who are already persuaded by liberal values and are looking inside their comprehensive view for a route to support them. Its proper role is then that of a diagnostic tool, which reveals when a new community, built up around an exemplary reinterpretation of a given tradition, is actually achieved by virtue of the mutual recognition of their members.

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