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### February 27, 2016: Democratic Experimentalism and the Other Beginning

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Title: Democratic Experimentalism and the Other Beginning

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2/27/2016—There is a similarity between Martin Heidegger and Roberto Unger. For both of these thinkers the greatest problem for change is the inability to imagine an alternative way of life. Such is the power of Western thought.

So both of these men use phrases that suggests new possibilities. Unger writes in his 1996 book, *What Should Legal Analysis Become?*, of Democratic experimentalism. Democratic experimentalism is the phrase that Unger uses to confront what he calls institutional fetishism, which is “the belief that abstract constitutional conception, like political democracy, the market economy, and a free civil society, and a single natural and necessary institutional expression.” Institutional fetishism prevents even imagining alternative arrangements.

For Heidegger, the intention to provoke thinking toward new possibility is expressed as preparation for the other beginning. Traditional metaphysics as expressed by Hegel and Nietzsche has become exhausted. Its accomplishments have faded. Its words – – all of its great words – are dead.

We see the fatalism that has infected our public life in America by the response to Bernie Sanders. And I include myself in this fatalism. I have become convinced that nothing really can change, except, ironically, for the worse. I do not believe that anything can really be done that will improve the inequality in society and create genuinely flourishing community.

In part, of course, this is a function of age. I will be 64 on Tuesday. This is not generally a time of life for innovation. In other part, it is a function of class. I am well off. Every day, I see on the bus people whose lives are so hard that I find their irrepressible optimism almost unbearable. Yet still I cannot really believe that things will be that different.

The fundamental dishonesty in my pessimism is twofold. First, I have no reason to believe that things cannot change. I have no evidence. Yes, there is the failed experiment of Communism, a horrible and violent experiment. But why should I think that one failed experiment precludes all other experimentation? Second, all the while that I say to myself that nothing can change, social arrangements are changing radically and wildly in favor of the super wealthy. Social arrangements are different in 2016 than they were in 1970. From my perspective, in many important ways, things are better. That is true in matters of social equality.

But, of course, in matters of economic inequality and opportunity things are genuinely far worse.

So, as Lincoln said, we must think anew. Heidegger and Unger are right. Fatalism is sinful. And we must fight this tendency in ourselves before we can do anything about society in general.