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## Finding the Truth

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# Finding the Truth

*Louise Antony\**

“Is Truth Dead?” asked Time magazine on March 23, 2017.<sup>1</sup> No, it is not.

People *do* care about the truth, at least in mundane contexts. If the automaker says a particular car gets 45 mpg, and it doesn’t, we care. If the information board says that our flight is leaving from Gate 24, and it’s not, we care. If our children say that they have done their homework, but they haven’t, we care. Truth still matters. Why, then, do we elect people who don’t seem to care about the truth? I think that the answer to this question is partly political, and partly epistemological.

Let me start with the epistemological issues. The first thing I want to call attention to is the difficulty of *finding* the truth on many matters of current concern. I am a highly educated person with lots of control over my daily schedule, and yet even I find it extremely difficult to gain more than a passing understanding of many of the important issues of our time. I certainly cannot personally confirm or disconfirm many of the propositions I believe to be true, including some that form the bases of my political allegiances. These include:

- my belief in human-caused climate change
- my belief that public job programs will help the economy more than tax reductions for the wealthy
- my belief that the “free market” produces neither efficacy nor efficiency in the delivery of health care.

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\* Professor of Philosophy, University of Massachusetts Amherst. I wish to thank Joseph Levine, Heidi Feldman, and Bruce Ledewitz for comments and questions that helped me develop this paper. I would also like to thank Professor Feldman and Professor Ledewitz for their kind invitation to speak at the “Will These Bones Rise?” conference. Finally, I would like to thank my audience at Duquesne University School of Law for their stimulating questions and remarks.

1. *Is Truth Dead?*, TIME, Mar. 23, 2017.

Why do I believe these things? Because I trust the experts who research them, and the news agencies who report them. But this just pushes the question back – why do I trust *these* experts, *these* reporters? Why do I trust the people I trust?

Here it's tempting to say – as I have heard people in my milieu say – that we trust the particular experts we trust because they are “objective.” And in what does this “objectivity” consist? I think what people have in mind is that the trustworthy experts have the following characteristics:

- they consider *all* the facts; they are not selective
- they *base* their conclusions *on the facts*, and not on their own opinions or feelings
- they consider *both sides* of a controversy, and respond *rationaly* to objections or problems.

Taken together, these tenets constitute an epistemological ideal that I like to call “Dragnet Objectivity.” Older members of the audience will catch the reference here to a once-popular television police procedural featuring two LA cops. One of them, Sgt. Bill Friday, was a no-nonsense guy. He eschewed any premature theorizing. If any of his interviewees ventured to offer an *opinion* about the circumstances of the crime or the identity of the criminal, Friday would cut them off curtly with his signature phrase, “Just the Facts, Ma’am.” Only after all the evidence was in, and only after carefully considering it, would Friday reach a conclusion about the crime.

Now no sensible person would expect ordinary mortals to live up to the sterling example set by Sgt. Friday, but I do think that a great many sensible people (including me in weak moments) believe that we ought to *try*; that the more closely we can emulate Sgt. Friday's method, the better our researches will be. Dragnet Objectivity represents an epistemological ideal.

This view gives rise to the corollary belief that epistemological success is explained by adherence to the method of Sgt. Friday. Thus, for those of us who believe in “science” (the scare quotes here indicating only that it's problematic to think of science as a monolithic institution – a point I'll return to in a moment), it is because science has been so spectacularly successful – the eradication of smallpox, the lunar landing – pick your favorite example. And science, we think, has been successful precisely *because* its methods so closely match Sgt. Friday's. (We don't think of it in those terms, of

course!) Indeed, if you look at any grade school science textbook,<sup>2</sup> you'll find an explanation of the "scientific method" that is virtually identical to the Dragnet procedure I outlined above.

Similar thinking is in play when we choose our experts. The New York Times and National Public Radio, for those of us who rely on those sources for much of our news, appear to many of us to closely approximate the Dragnet ideal.

But Dragnet Objectivity, I contend, is *not* a suitable ideal for human inquiry. Firstly, it is nearly impossible for human beings to implement, successful scientists and incisive reporters notwithstanding. But more importantly, secondly, it would be a disaster for human inquiry if we *were* to implement it. According to this conception of objectivity, individuals charged with finding or promulgating the truth must divest themselves of background beliefs and stick to "just the facts." Since it is impossible for human knowers to follow this advice, the charge of "bias" can be credibly leveled at almost anyone, including the scientists and reporters who compose the set of experts on whom most of us are forced to rely. This is the route through which an organization like Fox News is able to represent itself as "fair and balanced."<sup>3</sup> It is also the route through which white power and other hate groups can claim to be *redressing* discrimination.

The central epistemological problem that human beings have to solve is the problem that Quine labeled "the underdetermination of theory by evidence."<sup>4</sup> The problem is that (a) we always have only a finite amount of evidence, and (b) for any finite amount of evidence, there are an infinite number of hypotheses logically consistent with that evidence. This means that (a) there is no such thing, even for individual issues, as "all the facts" and (b) the facts alone cannot determine any particular hypothesis to be better than any other. Some other factor must come into the picture, if only to cut down the set of alternatives to a manageable number. This other factor, surprisingly, is *bias*. The explanation for our human ability to know is that we come to every epistemic challenge equipped with concepts and background beliefs that condition every step of the process of inquiry – where we look for evidence, how we

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2. Or indeed, most any college study notes. See, e.g., Jose Wudka, *What Is the "Scientific Method"?*, U.C. RIVERSIDE: PHYSICS (Sept. 24, 1998), [http://physics.ucr.edu/~wudka/Physics7/Notes\\_www/node6.html](http://physics.ucr.edu/~wudka/Physics7/Notes_www/node6.html).

3. Fox News had once used this phrase as its motto "Fair and Balanced," but abandoned it in 2017. See *Fox News Drops 'Fair and Balanced' Motto*, N.Y. TIMES (June 14, 2017), <https://www.nytimes.com/2017/06/14/business/media/fox-news-fair-and-balanced.html>.

4. WILLARD VAN ORMAN QUINE, *Epistemology Naturalized*, in ONTOLOGICAL RELATIVITY AND OTHER ESSAYS 69, 83 (Columbia Univ. Press 1969).

interpret evidence, which alternative hypotheses we consider, and how we respond to challenges.

The underdetermination problem is present both at the level of the individual knower, and at the level of societies of knowers, and bias is present at both levels. At the level of the individual, native biases enable us to learn important things that we would not otherwise be able to learn. The most dramatic example is language acquisition. Children typically manage, within three or four years, to acquire a very complicated system of symbolic communication, without explicit instruction or correction. (In contrast, highly intelligent non-human animals, like gorillas and chimpanzees, can master some vocabulary but virtually no syntax even after years of assiduous instruction.) Noam Chomsky famously offered the explanation that human beings are born with an innate cognitive structure that is primed to build a grammar based on minimal exposure to human speech.

More generally, it is clear that almost all animals operate with what Quine called “an innate similarity space,” native biases about what kinds of similarities among the objects in our experience are and are not important for understanding general features of our world.<sup>5</sup> Some animals, like birds and insects, have innate algorithms or procedures that guide them in noticing and using certain kinds of information.<sup>6</sup> For example, indigo buntings, who migrate up to 1,200 miles, are primed to attend to the fixed point in the rotating night sky – the North Star – and then to use that fixed point to guide their migration due south.<sup>7</sup> Similarly, human children are primed to attend to speech sounds – they show a preference for speech over other sorts of sounds at the earliest age at which contemporary methodology allows them to be tested.<sup>8</sup>

Bias, in these cases, plays a *constructive* role in the building of human knowledge. But there is a downside: the same cognitive biases that enable us to quickly sort other animals into groups, so that we can form useful generalizations about their characteristics and their behavior, can also work to enable pernicious social biases.

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5. See QUINE, *Natural Kinds*, in *ONTOLOGICAL RELATIVITY AND OTHER ESSAYS*, *supra* note 4, at 114, 123.

6. Stephen T. Emlen, *The Ontogenetic Development of Orientation Capabilities*, in *ANIMAL ORIENTATION AND NAVIGATION* 191, 191 (Sidney R. Galler, Klaus Schmidt-Koenig, George J. Jacobs & Richard E. Belleville eds., 1972), <https://ntrs.nasa.gov/archive/nasa/casi.ntrs.nasa.gov/19720017424.pdf>.

7. *Id.*

8. Janet F. Werker & Judit Gervain, *Speech Perception in Infancy: A Foundation for Language Acquisition*, in 1 *THE OXFORD HANDBOOK OF DEVELOPMENTAL PSYCHOLOGY* 909, 909 (Philip David Zelazo ed., 2013).

Sarah-Jane Leslie offers this sort of explanation for the development of certain kinds of social prejudice.<sup>9</sup> She argues, first, that we human beings are prone to making generalizations on the basis of just a few examples in cases where the salient property is “dangerous.”<sup>10</sup> So, she points out, we will agree that “ticks carry Lyme disease” even though it is only a tiny fraction of the tick population that actually carries the bacterium.<sup>11</sup> The utility of such a cognitive mechanism is obvious: it enables us, or at least enough of us, to avoid contracting Lyme Disease. But then, Leslie explains, if this cognitive mechanism is set into motion in environments shaped by social injustice, it can lead to such judgments as “black people are criminals” (by a white person) or “Muslims are terrorists” (by an American Christian).<sup>12</sup> The upshot, I want to argue, is that social prejudices are not necessarily the result of stupidity or sloppy reasoning. They may be the result of a normal, generally useful cognitive mechanism being deployed in a “bad” environment.

Another important fact: beliefs acquired through the operation of this cognitive generalization mechanism are resistant to counterexamples. Once I form the generic belief that ticks carry Lyme Disease, I will not give it up just because I have learned that there are some ticks that *are not* carriers. Confronted with a counterexample, I will say something like, “well, *in general*, ticks carry Lyme Disease.” Leslie explains this in terms of a folk theory of *essences*. If we have formed a generic belief about ticks, we have also adopted the view that there is some property that all and only ticks have, and that this property *disposes* ticks to carry the disease, even if they do not currently carry it. This hypothesis explains the persistence of certain racist and sexist beliefs even in the face of myriad counterexamples.

The kind of bias that I have been discussing operates *sub-consciously*. We do not realize that we are filtering evidence or failing to consider alternative hypotheses in the cases I have described above. But what happens when we *consciously* inquire? When we *explicitly* consider our evidence and weigh alternatives? To consider that question, let us switch to our main topic – how to responsibly form judgments about complicated matters.

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9. Sarah-Jane Leslie, *The Original Sin of Cognition: Fear, Prejudice, and Generalization*, 114 J. PHIL. 393, 394 (2017).

10. *Id.*

11. *Id.* at 397.

12. *Id.* at 399.

Start with science. Work beginning in the 1960's by Thomas Kuhn and other historians of science, as well as naturalistic philosophers like W. v. O. Quine and Hilary Putnam, showed that science as actually practiced failed to conform to the ideal of the "objective" scientific method.<sup>13</sup> Kuhn, in particular, challenged the idea that scientific hypotheses were subject to constant experimental testing, and that the hypotheses that failed were jettisoned. Rather, Kuhn argued, successful science depends on the existence of a form of social organization – what Kuhn called a "paradigm" – that is based on a set of broadly-shared background assumptions. These assumptions include a consensus about central tenets, an agreed-upon methodology and a common understanding as to what questions need investigating. The central tenets are, in practical terms, not revisable. There will be no experimental findings that challenge these tenets, because the tenets themselves structure the experiments – that is, the researcher's confidence that a certain experiment will yield useful information depends upon taking the background tenets to be true. If, however, enough "anomalous" observational results accumulate, and if some theorist comes up with an alternative theoretical framework – and that is a *crucial* "if" – there may be a "paradigm shift" – a wholesale migration of the scientific community from one organizing theoretical picture to another. The shift from Newtonian to relativistic physics is one example of a paradigm shift, and the shift from Linnaen to evolutionary biology was another. Sometimes the shift is, as it were, grown from below, with senior scientists clinging to the old paradigm while younger scientists bring in the new. (We see the same pattern in the introduction of new technologies, don't we?) The shifts are not *irrational* – they do occur largely because of empirical failures with the old paradigm, and so are responsive to evidence – but they also occur because they are *available*. Kuhn contends that the history of science demonstrates that old paradigms are not given up, despite accumulating experimental failures, unless and until a new paradigm is proposed.<sup>14</sup>

In short, science does *not* follow the "scientific method." In scientific domains, where a paradigm has emerged, scientists' commitment to background theory is a precondition for crafting useful ex-

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13. See Thomas Kuhn, *The Structure of Scientific Revolutions*, in INT'L ENCYCLOPEDIA OF UNIFIED SCIENCE (1962); W. V. Quine & J. S. Ullian, *The Web of Belief* (1978); Hilary Putnam, *Introduction, What Theories Are Not, and It Ain't Necessarily So*, in MATHEMATICS, MATTER AND METHOD: PHILOSOPHICAL PAPERS (1979).

14. See Kuhn, *supra* note 13.

perimental programs. Moreover – this is very important – *consideration of theories incompatible with the core tenets is ruled out*. Kuhn makes clear that, for example, progress in biology, dependent as it currently is on the evolutionary paradigm, would be seriously impeded if scientists had to stop and consider the hypotheses advanced by creationists. Contemporary biologists are justified, Kuhn argues, in dismissing such hypotheses *from the start*. It is precisely *because* biologists ignore such fundamental challenges that they have been able to make the progress they have.

The lessons Quine and Kuhn gave us about science, apply to ordinary knowledge-seeking as well. If we want to understand our complex world, we cannot behave like Sgt. Friday. We cannot garner *all* the pertinent facts – there are an unlimited number of those – and so we have to be selective. Not only that, however – we cannot even get *facts* in quite the sense Dragnet epistemology assumes. As I admitted earlier, I have only the vaguest clue what experimental evidence there is for human-caused climate change. I know what the experts I rely on *say* is the evidence, but I have not read the original papers by the original researchers, and if I tried to, I probably would not understand them. If a knowledgeable climate-change denier proffered counterevidence, I would not myself know how to refute it. In this matter, as in many other matters, I rely on *testimony*.

How does it work out for me – for us – this reliance on testimony? Here again, we have a generally useful cognitive habit – believing what people tell us – that works pretty well in a certain range of circumstances. Most of us, I expect, have asked directions of a total stranger, followed them, and arrived happily at our destination. Most of us believe, with a native credulity, much of what our parents tell us, at least initially. (It is hard to imagine a serious measure of this, but I venture to say that, if we take into account mundane information like “that stove is hot,” and “we call that a hippopotamus,” parental testimony is more often true than not.) But as we become more epistemically ambitious, we have to make explicit choices – who to talk to and what to listen to. What we will rely on as we make these choices is going to be guided, for better or for worse, by our background theories.

Facts alone cannot guide us. It is impossible to assess the significance of facts – that is, the significance of *truths per se* – without background theories. The reason is that empirical reasoning – reasoning that depends on propositions that are not self-evident, propositions for which we need evidence – such reasoning is *non-monotonic*. What that means is that adding a new truth to the truths

you already have can reverse the valence of your conclusion. Consider: Breitbart News reported that 402,000 crimes were committed by migrants in Germany in 2015.<sup>15</sup> This figure suggests that alt-right opponents of liberal immigration policies are right to think that such policies threaten domestic security. But now add the consideration that this figure includes the crime of “crossing the border as an asylum seeker.” Taking out those crimes leaves Germany’s crime rate roughly the same as in other years.<sup>16</sup>

Now when I first heard the Breitbart report, I had two reactions: the first was, “well, that is just Breitbart – they’re unreliable.” The second was, “I bet that’s a lie.” Both of these reactions were driven by my background theory, according to which (1) Breitbart has a political agenda and will lie if necessary in order to promote it, and (2) immigrants are generally law-abiding people who actually contribute positively to the economies and social wellbeing of the countries where they settle. The interesting surprise, then, for me, was hearing the Breitbart claim corroborated by Damien McGuinness, a BBC correspondent who has been reporting from Berlin for 14 years.<sup>17</sup> (The BBC is one of my trusted sources.) But then I was counter-surprised to hear that – as I tacitly hoped would be the case – there was context that changed the significance of the factoid. Breitbart had not reported *that*.

But a defender of Dragnet objectivity should not take comfort in this incident. My background distrust of Breitbart, and my near-reflexive trust of the BBC (and of *This American Life* from Public Radio International) are not based on my own careful comparison of the respective reliabilities of these news sources. (And how would I assess reliability, anyway? I would have to use the very sources I am evaluating to find out what the “facts” are.) My pattern of attitudes has much more to do with the coherence of the products of these sources than with my background theory of the world. And the project of justifying one’s background theory of the world to someone with a different background theory is huge. (“Spin” is bad, and something that one’s opponents do; “contextualize” is good, and is what is practiced by my fellow travelers.)

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15. Raheem Kassam & Chris Tomlinson, *Report: Migrants Committing Disproportionately High Crime in Germany While Media and Govt Focus on 'Far Right' Though Crimes*, BREITBART (May 23, 2016), <http://www.breitbart.com/london/2016/05/23/germany-registers-surge-crimes-right-wing-radicals/>.

16. *This American Life: Fear and Loathing in Homer and Rockville*, THIS AMERICAN LIFE (July 21, 2017), <https://www.thisamericanlife.org/radio-archives/episode/621/transcript> (quoting Damien McGuinness).

17. *Id.*

This is why I cringe when I hear friends bemoan the “stupidity” and “ignorance” of the masses. I do not believe that everyone who relies on Fox News is intellectually challenged. Nor do I believe that all of my fellow progressives are paradigms of epistemic responsibility. We cannot separate reliable news sources from unreliable ones on the basis of *formal* criteria. People who get their news from Fox do, it is true, operate within an “echo chamber.” But, it turns out, so do I. A multitude of studies indicate that people in general rely on news sources that reflect their own political perspective, a trend that has been exacerbated by the internet and the rise of social media.<sup>18</sup> (Which blogs do you read? I read *Truthout*, *Feminist Philosophers*, *Democracy Now!*, and *The Intercept*.)<sup>19</sup> Moreover, numerous studies in social psychology indicate that breaking out of one’s bubble is unlikely to make any difference. Mere exposure to disconfirming evidence has been shown, in several domains, to *increase* people’s confidence in their original opinions.<sup>20</sup>

What is to be done? To some extent, my advice here is negative. We must not exhort people to “check the facts”<sup>21</sup> to “be more critical,” to “find out what the other side has to say.”<sup>22</sup> Individualistic strategies like this are not going to work, at least not in a widespread or general way. As is true for scientists, a citizen aiming to be well-informed will do less well if he or she tries to follow this advice daily. (Even triangulating among a variety of left-wing news sources on just one issue takes my husband – who has a particular interest in Palestinian rights – a couple of hours each day.) What is needed, IMHO, is broad social support for institutions and social structures that enable concerned citizens to form *good* background theories.

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18. For a survey of the data, with special focus on the impact of social media, see Cass Sunstein, *#Republic: A Divided Democracy in the Age of Social Media* (2017); Eli Pariser, *The Filter Bubble: How the New Personalized Web Is Changing What We Read and How We Think* (Penguin ed., 2014). For an analysis of coverage of the 2016 election by liberal media, see Nate Silver, *There Really Was a Liberal Media Bubble*, FIVETHIRTYEIGHT (Mar. 10, 2017), <https://fivethirtyeight.com/features/there-really-was-a-liberal-media-bubble/>.

19. TRUTHOUT (April 15, 2018), <http://www.truth-out.org/>; FEMINIST PHILOSOPHERS (April 15, 2018), <https://feministphilosophers.wordpress.com/>; DEMOCRACY NOW! (April 15, 2018), <https://www.democracynow.org/>; THE INTERCEPT (April 15, 2018), <https://theintercept.com/>.

20. Charles G. Lord, Lee Ross & Mark R. Lepper, *Biased Assimilation and Attitude Polarization: The Effects of Prior Theories on Subsequently Considered Evidence*, 37 J. PERSONALITY & SOC. PSYCHOL. 2098, 2099 (1979).

21. I check my facts at [www.politifact.com](http://www.politifact.com).

22. See, e.g., Thorin Klosowski, *How to Spot Truth in the Sea of Lies, Rumors, and Myths on the Internet*, LIFEHACKER (Oct. 11, 2012), <https://lifehacker.com/5950871/how-to-spot-truth-in-the-sea-of-lies-rumors-and-myths-on-the-internet>; Dan Rockmore, *A Crisis for Critical Thinking*, HUFFPOST (Nov. 30, 2016), [https://www.huffingtonpost.com/dan-rockmore/a-crisis-for-critical-thi\\_b\\_13329298.html](https://www.huffingtonpost.com/dan-rockmore/a-crisis-for-critical-thi_b_13329298.html).

That brings me to the political problem. Remember the epistemological problem? That finding the truth is *hard*? That is also the political problem. Finding the truth takes time, a lot of time. As I said earlier, I occupy a position of extreme privilege in this regard. As Joshua Cohen and Joel Rogers point out in their 1983 book *On Democracy*<sup>23</sup> (still timely), because of the time and effort demands of most jobs in the U.S., time for reading and thinking is in especially short supply for anyone outside the educated elite.<sup>24</sup> Moreover, educational opportunity – the kinds of experiences that give people the knowledge and cognitive skills to educate themselves about complex issues – is declining rapidly and alarmingly.

But then, too, we must factor in the consideration that becoming an informed citizen is less and less *valuable* to people at median incomes and below. Political discourse – especially at the national level – has become largely irrelevant to the real-life issues that face large numbers of people in our society. People are cynical about politicians, and with good reason. Senatorial and presidential campaigns have turned into reality-show competitions, with candidates who spout substance-free banalities, disciplined only by market research about which wording best “sells.”<sup>25</sup> The real platforms and promises are the ones candidates negotiate in camera, in consultation with their donors. Polling suggests that most people are aware of, and unhappy about the role that big money plays in our political system.<sup>26</sup> The resulting cynicism, I suggest, makes it all too easy for voters to make their decisions based on nebulous criteria like “leadership” or “strength.” The vapidness of most campaigns also helps explain the appeal of Donald Trump, who was perceived as

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23. Joel Rogers & Joshua Cohen, *Structure*, in *ON DEMOCRACY: TOWARD A TRANSFORMATION OF AMERICAN SOCIETY* 51-62 (Penguin ed. 1983).

24. “Leisure time” must be understood not simply as time not working, but as time not working that an individual can control and utilize. Hourly wage-earners and unemployed persons spend more time not working than salaried and professional workers, but have less money, security, and cultural capital to make use of it. See KENNETH ROBERTS, *LEISURE IN CONTEMPORARY SOCIETY* (2006); see, e.g., Brendan Saloner, *Leisure Inequality: What Do the Poor and the Non-Poor Do for Fun?*, *INEQUALITIESBLOG* (July 7, 2011), <https://inequalitiesblog.wordpress.com/2011/07/07/leisure-inequality-%E2%80%93-what-do-the-poor-and-non-poor-do-for-fun/> (last visited April 17, 2018).

25. See David Flasterstein, *Focus Groups: Manipulation and Representation*, *WASH. U. POL. REV.* (Jan. 17, 2016), <http://www.wupr.org/2016/01/17/focus-groups-manipulation-and-representation/>.

26. See Dylan Scott, *House Republican: My Donors Told Me to Pass the Tax Bill “Or Don’t Ever Call Me Again”*, *VOX* (Nov. 7, 2017), <https://www.vox.com/policy-and-politics/2017/11/7/16618038/house-republicans-tax-bill-donors-chris-collins> (demonstrating the role that not-so-behind-the-scene machinations played in powering the recent tax reform bill in Congress).

someone who spoke plainly and sincerely, making him look very different from mainstream candidates whose every word had been focus-group tested.<sup>27</sup>

My background theory explains the degradation of political discourse in terms of a conspiracy theory. I believe that the United States government currently serves the interests of an economic elite: the Republicans a very narrow one, and the Democrats a somewhat broader one. (I am a member of the second elite – an academic, someone who, in effect, traded-off a certain amount of income for autonomy and the pleasure of making a living doing something I love.) According to this background theory, Democrats and Republicans alike have an interest in obscuring the political goals they actually have. So, Republicans claim to be helping the little guy by “getting government off your back,” and Democrats promise to foster economic prosperity by increasing social justice. But in fact, Democrats, most of them, are beholden to big money to the same extent Republicans are – it is just different big money. Democrats answer to the pharmaceutical industry and the health insurance industry, and the financial sector, which is a big reason we have never seen a proposal for single-payer universal healthcare from a mainstream Democrat. (Bernie, of course, is not a mainstream Democrat. And I hold out hope for Elizabeth Warren!) Thus, I share background assumptions with many Trump voters – we both think that the government is out to get us, we just think that it’s for different reasons. I think the government has been hijacked by the ultra-wealthy. The Trump voters think it has been hijacked by people like me.

In any case, my main point is that it is difficult for any individual to make any material difference with respect to large issues that affect his or her life. Members of the 1% have the financial resources to hire managers and lobbyists – and some lawyers, too, I suppose – to watch over and work for their interests. Members of the – I guess it is about 5% – have the leisure, education, and connections, and may well have the energy to join and work with direct action groups – Citizens’ Climate Lobby, Jewish Voice for Peace, the American Civil Liberties Union are some of the organizations to which I contribute time and money. These organizations and others like them magnify the effects of individual effort, making large-scale change at least conceivable.

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27. See *Bernie Sanders on Abortion*, ON THE ISSUES (Oct. 30, 2017), [http://www.ontheissues.org/senate/bernie\\_sanders.htm](http://www.ontheissues.org/senate/bernie_sanders.htm) (noting Bernie Sanders presented the same appearance, although in Sanders’s case, there is plenty of evidence from his voting record that his campaign statements were sincere).

There are some opportunities for collective action for people in the 95%. Religious institutions are one example, and indeed, a great deal of social justice and anti-war work is accomplished through churches, synagogues, and mosques. But one important organ of collective action – labor unions – is in deep decline. Even the unions that have persisted in the face of economic reorganization and anti-labor laws – notably public-sector and service unions – are facing a mortal challenge in the form of a court case – *Janus v. AFSCME Council 31* – which will be soon be heard by a Republican-majority Supreme Court, which is almost certainly going to rule against the “agency fee” charged by unions to bargaining unit members who do not join the union, but benefit from its collective bargaining.<sup>28</sup>

Unions are one way to address the “high-cost/low-payoff” reality of knowledge-gathering in the U.S. today. In their role as custodians of their members’ interests, they can perform some of the informational watchdogging needed to track the likely effects of employer and government actions. They can also increase the likely payoff of being well-informed, because, as collectives, they have the resources to fight for real benefits for their members. I say all this recognizing that this is an idealized picture of union activity. But it is still the case that the period of greatest economic equality in the United States, as well as the period of greatest economic growth, was a time when about a third of American workers were unionized. Now, nationwide, it is less than 10%.<sup>29</sup> (Massachusetts has one of the highest rates of unionization among teachers in the U.S., and also the best schools as measured by standardized tests.<sup>30</sup>)

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28. Teachers are one of the largest groups of workers who are still highly unionized. There are now springing up many pseudo-unions hoping to drain genuine teachers’ unions of members once the agency fee is eliminated by the *Janus* decision. The umbrella organization for these is the Association of American Educators (<https://www.aateachers.org/>) which offers “a modern approach to teacher representation...without a partisan agenda.” And also without bargaining power or job protection. See, e.g., *Who Are We*, ASS’N AM. EDUCATORS, <https://www.aateachers.org/> (last visited May 12, 2018).

29. See *Union Members Summary*, ECON. NEWS RELEASE (Jan. 19, 2018), <https://www.bls.gov/news.release/union2.nr0.htm>.

30. See Richie Bernardo, *2017’s States with the Best & Worst School Systems*, WALLETHUB (Jul. 31, 2017), <https://wallethub.com/edu/states-with-the-best-schools/5335/#main-findings>; Amber M. Winkler, Janie Scull & Dara Zeehandelaar, *How Strong Are U.S. Teacher Unions?*, ED EXCELLENCE (Oct. 2012), <http://www.edexcellencemedia.net/publications/2012/20121029-How-Strong-Are-US-Teacher-Unions/20121029-Union-Strength-Full-Report.pdf>; Valerie Strauss, *Are Teachers Unions Really the Scourge of the Nation?*, WASH. POST (Aug. 15, 2014), [https://www.washingtonpost.com/news/answer-sheet/wp/2014/08/15/are-teachers-really-the-scourge-of-the-nation/?utm\\_term=.9562baca15de](https://www.washingtonpost.com/news/answer-sheet/wp/2014/08/15/are-teachers-really-the-scourge-of-the-nation/?utm_term=.9562baca15de).

The demise of unions (and the rise of the “gig economy”) has resulted in the atomization of knowledge for a large segment of the U.S. population.

In short – the problem of an uninformed citizenry does not, in my view, reflect either a disregard for truth, or a general decline in intelligence. It reflects the fact that too few of us in this country enjoy what philosopher John Rawls called the “fair value of liberty.”<sup>31</sup> Too few of us have the resources and time to learn what the truth is, and too few of us can make any material use of the information once we have it. To support the truth, I contend, we must support the public institutions that support intelligence and erudition, beginning with public education. State support for public higher-education has declined precipitously over the last few decades, forcing state universities to charge higher and higher tuition and to strike more and more deals with corporate America.<sup>32</sup> The movement for “school choice,” where it has not been beaten back by concerned citizens (many of whom are members of unions), is decimating public K-12 schools. If we cannot offer *all* citizens quality education, ideological “fake news” will rush in to fill the gap. Together with public education, though, we must ensure that all citizens have access to collective action, so that they may join their individual efforts with those of others, to make genuine improvements in their own lives.

Do you want the truth? Then we must have justice.

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31. See JOHN RAWLS, *A THEORY OF JUSTICE* (Harvard Univ. Press rev. ed. 1999); Leif Wenar, *John Rawls*, STANFORD: PLATO, <https://plato.stanford.edu/entries/rawls/> (last updated Jan. 9, 2017).

32. See Michael Mitchell, Michael Leachman & Kathleen Masterson, *Funding Down, Tuition Up: State Cuts to Higher Education Threaten Quality and Affordability at Public Colleges*, CTR. ON BUDGET & POLY PRIORITIES, <https://www.cbpp.org/research/state-budget-and-tax/funding-down-tuition-up> (last updated Aug. 15, 2016).

