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DEMOCRATIC DELIBERATION:
WHY WE SHOULD PROMOTE DEBATE
RATHER THAN DISCUSSION

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In this paper my focus is implementing deliberation, not justifying it. I shall assume that it is desirable for the members of a decision-making body to argue and give reasons before making a collective decision.

I shall not discuss the grounds on which deliberating about a collective decision prior to making it is superior to just aggregating individual wills unsupported by arguments. Let me note, however, that such grounds broadly fall into two categories. Deliberation may be defended on epistemic grounds. We may hold that a collective decision is more likely to be correct, whether in terms of facts or of values, if decision makers have argued over it. Deliberation may also be defended on moral grounds. In this case we would say that the autonomous agents composing the community on which the decision is obligatory are entitled to have such decisions binding on them justified by reasons that are, at least in principle, *acceptable* to them.[1] Obviously these two kinds of argument are not mutually exclusive.

Once we accept the desirability of collective deliberation prior to decision, however, one question is left: how should we implement collective deliberation? Deliberation may take place in a variety of concrete settings. We should then ask ourselves: which of such settings are suitable for securing the benefits of deliberation?

Over the last years a number of studies have focused on the actual workings of collective deliberation. Some people have performed and analyzed laboratory experiments in deliberation. Others have scrutinized real life deliberation, such as occurs in trial juries, in panels of judges, or in "citizens' juries", –a practice that has spread over the last decade. Yet others have studied quasi-experiments, such as the deliberative polling pioneered by James Fishkin. We now have a wealth of empirical information on how deliberation actually works. There is even a literature reviewing the empirical studies of deliberation and presenting their main results (Mendelberg, 2002; Delli Carpini et al. 2004; Ryfe, 2005). Such information should be of interest to theorists of democratic deliberation concerned with more than ideal theory.

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[1] In the actual course of deliberation reasons may or may not be accepted by those to whom they are addressed. What matters is that they advanced with a view to being acceptable by others.

These studies suggest that the impact of deliberation is largely context dependent. It turns out that under some circumstances discussion of an issue among members of a group brings about undesirable effects, thus disappointing the hopes of normative theorists. The institutional settings of deliberation seem to be of particular importance. This gives us reason to take a closer look at the settings under which such undesirable effects occur. Even if we grant, as a matter of principle, that collective deliberation prior to decision is of value, we should be concerned by the cases in which the actual practice of deliberation seems to result into undesirable consequences.

In what follows, I shall be using a thin concept of democratic deliberation. If we are concerned with implementing deliberation, we wish to investigate the various concrete forms it might take. Employing a richly detailed conception of deliberation would defeat this purpose. If we started from a thick definition, we would most likely end up examining a constricted, if not empty, set of feasible arrangements, with a number of options being excluded by definition. On the other hand, our concept of deliberation should not be so thin, and permissive, as to lose normative appeal.

Trying to strike a balance between these two imperatives, I shall understand by deliberation a process characterized by two features. Firstly, members of the deciding body communicate amongst themselves prior to coming to a decision. The generic notion of communication aims not to prejudge which form such communication should take. Communication may consist in interactive discussion, with people actively engaging each other, or in questions and answers between a public a panel of personalities, or in public discussion following expert debate in front of an audience, or in any combination of these. [2]

Secondly, on my definition, a communication process qualifies as deliberation only if the participants employ arguments, that is propositions aiming to persuade members of the decision making body by virtue of their *intrinsic* validity. Arguments may be about facts or values. However, a proposition counts as an argument only if it aims to change the minds of listeners by virtue of the validity of what it asserts,

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[2] On this definition, we would count as deliberation what Robert Goodin terms "deliberation within" to the extent that, in Goodin's understanding, such internal deliberation follows, and is shaped by exposure to external argument. See Goodin R.E., Niemeyer S.J., 2003. Goodin has apparently expanded on this theme in his newly released book: Goodin, 2005

whether it is moral rightness or factual accuracy, and not by offering rewards or issuing threats. Here, I am drawing in part on Jon Elster (Elster, 2000).

Deliberation thus understood retains, I would insist, the core elements of its normative appeal: collective opinion formation results from argument, undistorted by inequalities in bargaining power (not to mention coercion, naturally), and not from mere aggregation of already given preferences.

Under what conditions, then, is collective deliberation more likely to produce the benefits that we expect from it?

1. WHAT KEEPS DELIBERATING GROUPS FROM GOING TO EXTREMES?

Cass Sunstein has recently called attention to a particularly troubling phenomenon for theorists of deliberation: group polarization (Sunstein 2000, 2001, 2002).

It appears that members of a group discussing an issue end up having more extreme positions after discussion. More precisely: after discussion the median opinion in the group shifts to a more extreme position in the direction of the pre-deliberation tendency. A group in which the median opinion was mildly in favor of the death penalty prior to discussion will have a median opinion strongly in favor of the death penalty after discussion. A similar shift, but in the opposite direction, will occur with a mildly opposed median opinion before deliberation.

The name of the phenomenon, though standard in the literature, might be misleading. The dynamic in question could better be termed: "group extremization". It does not lead to intra-group polarization, but to inter-group polarization, among groups whose pre-deliberation tendencies were slightly apart from each other. Such groups will drift further apart from each other after discussion. This is perhaps the origin of the term. "Polarization" might also have been used because the shift may occur in opposite directions depending on which direction was predominant prior to discussion. In the social psychology literature studying this process, the notion of "polarization' is often contrasted with that of "averaging". Contrary to expectation, averaging of attitudes does not occur after discussion in a group.

Group polarization deserves special notice from theorists of deliberative democracy for a variety of reasons, some of which I will mention later. However, the first motive for focusing on this phenomenon is that it has long been a subject of research in social psychology. The fact was first established in the late sixties (Moscovici and Zavalloni, 1969).[3] Since then, it has been corroborated by numerous experiments. Indeed it has become a standard topic in social psychology, to the point of figuring in handbooks (Lindzey and Aronson, 1985, II: 396-402; Brown, 1986; 200-248). Sunstein has only brought to light a body of research that we had been neglecting. Some findings reported in recent empirical research about deliberative practices draw on studies that have not been much replicated. Group polarization, by contrast, appears to be a fairly robust and well-documented result.

While explanations of the phenomenon vary somewhat across authors, two main mechanisms seem to be driving it.

1. **Social comparison**. Individuals discern in the discussion an expression of what is socially desirable within the group. Intuitively we would not view discussion as expressing a social norm as we focus on the willingness to change and to listen to others. However, that is not how participants treat discussion. To them, discussion reveals what they perceive as the prevailing norm in the group. They change their initial opinion in the direction of the prevailing norm because they seek the good opinion and approval of others (Lindzey and Aronson, 1985, II: 399). A range of authors starting perhaps with Rousseau, have long noted that people tend to conform to the view that prevails in a given group (e.g. Asch, 1951, 1952, 1956; Noelle-Neumann, 1993). While not the same as conformity (Brown, 1986: 213-217), social comparison is consistent with it: people are prepared to shift to extreme positions in the direction of the prevailing tendency.[4]

2. Cascading of persuasive arguments. In a group that is leaning in favor of X, individuals are likely to hear more arguments in favor of X than against X. In such

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[3] Moscovici and Zavalloni took as their starting point an earlier literature documenting that, after discussion, groups made riskier decisions than their members had been initially willing to make before discussion (this fact was then known as the "risky shift"). Moscovici and Zavalloni showed that the shift was not a function of content (risk taking), but a more general property of group discussion and decision.

[4] Moscovici and his school emphasize that the varying degrees of involvement (commitment) among the group members plays a decisive role in polarization. Individuals holding extreme views are usually more committed than moderates, who therefore find it easier to shift (Moscovici and Zavalloni, 1969).

a group the pool of available arguments is tendentious and somewhat skewed in favor of X. People seem to respond to the sheer quantity of arguments (Burnstein et al. 1973; Burnstein and Vinokur, 1977), To be sure, cogency of arguments matters, but sheer numbers carry weight too, particularly if the arguments people hear are novel to them. Note that this second mechanism is not necessarily irrational: if the arguments put forward in favor of X are not redundant, that is, if each person speaking in favor X articulates an argument that has not been made before, it is not irrational on the part of listeners to be moved by the greater number of reasons.[5] This second mechanism should be particularly troublesome for theories of deliberation, because here, —unlike with the social comparison mechanism, which does not involve arguments—, it is the very process of advancing reasons that is driving the shift to the extreme. This is a further motive for giving particular attention to group polarization in reflecting on deliberation.

What is undesirable in this is not that people end up with an extreme position *per se*. On some issues extreme positions are objectively justified. The problem lies rather in that the shift to extremes occurs systematically, regardless of the merits of the issue being discussed. One can see no reason why such systematic shifts to extreme positions, irrespective of substance, and indeed in the direction of pre-existing tendencies, would be desirable.

Given that group polarization is a well-established fact, it is puzzling that James Fishkin should not find evidence of it in his deliberative polls (Fishkin 1991, 1995). In a study analyzing in depth one of the many deliberative polls that Fishkin has been conducting in various contexts, the authors specifically investigated whether a systematic shift to the extreme occurred among the participants. The study reports the analysis of a deliberative poll conducted in Britain in 1994 on the issue of crime and tools for combating crime (Luskin et al. 2002). The authors handed a detailed questionnaire to the participants both at the outset of the process and after deliberation has taken place.

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[5] Moscovici claims that speakers select the arguments they put forward on the basis of the dominant norm. "Discussion, he writes, inhibits the presentation of illegitimate arguments [i.e. arguments not going in the direction of the prevailing norm], thereby reinforcing the movement toward the choice of an extreme alternative." (Moscovici, 1976).

They were thus able to track with precision changes in attitudes. They found that no such systematic shift to the extreme had occurred (Luskin et al. 2002: 477-478).[6]

The absence of polarization suggests that we take a closer look at the particular setting of the event. Fishkin's formula is as follows:

> Select a national probability sample of the citizen voting age population and question them about some policy domain(s). Send them *balanced*, accessible briefing materials to help inform them and get them thinking more seriously about the same subject(s). Transport them to a single site, where they can spend several days grappling with the issues, discussing them with one another in randomly assigned, moderated small groups and putting questions generated by the small group discussions to *carefully balanced panels of policy experts and political leaders*. At the end, question the participants again, using the same questionnaire as at the beginning." (Luskin et al. 2002: 458.Emphasis mine) [7]

Such a setting differs in a number of ways from the experimental settings in which group polarization is observed. From among such differences, Fishkin himself stresses the following:

* Anticipation of the event. People are selected some time before the event. In the meantime they begin paying more attention to the issue.

* Participants receive a "*carefully balanced* booklet laying out the main proposals being discussed by political leaders and *the arguments being made for and against them.* " Fishkin also notes that: "By contrast information materials consumed under natural conditions are generally skewed by selective exposure." (Luskin et al. 2002:459. Emphasis mine).

* The random assignment to small discussion groups, following on random sampling for recruitment of participants, means that the "discussions feature a far wider variety of perspectives than most participants are likely to encounter in real life." (Luskin et al. 2002: *ibid*).

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[6] More precisely, the authors found shifts to the extreme on some items but not on others. No systematic shift was detected.

[7] Note that presenting balanced materials and views is a commonly used method in citizens' juries, consensus conferences and other such deliberative practices. See for example: Goodin and Niemeyer. 2003; French and Laver. 2005.

* Lastly, "the opportunity to hear and question *balanced* panels of policy experts and politicians. Yet again the *balance* is important. It is much harder than in real life to "tune out' Tories, Labour supporters or others with whom one expects to disagree."(Luskin et al. 2002: 460. Emphasis mine)

The question then is: which of these differences in the setting accounts for the absence of a polarization phenomenon? Fishkin plans to disaggregate the effects of the various components of his deliberative poll.[8] To my knowledge, he has not done so yet. The empirical answer is not available.

In a study of a "citizens' jury" that took place in Australia in 2000, the authors note: "Analysis of the deliberations of a citizens' jury on an Australian environmental issue shows jurors' attitudes changing more in response to the 'information' phase of the jury proceedings, involving a large degree of 'deliberation within', than during the formal 'discussion' phase." (Goodin and Niemeyer. 2003). The setting here was again different from that of the deliberative poll. The authors did not focus on the polarization phenomenon either. However, it is worth noting that disaggregating the effects of the various ingredients in these deliberative practices may yield important and unexpected results. Goodin's findings should certainly alert us to the possibility that discussion in the strict sense of interactive engagement among participants might not be the most consequential component of such experiments in deliberation. It may well be that the actual benefits of these deliberative forums derive less from interactive discussions among participants than from participants' exposure to information and arguments. Even so, we are still dealing here with collective deliberation in that the 'deliberation within' among members of the audience appears to result from the interventions of others –the speakers. Solitary deliberation, without the input and stimulation of others, would presumably not have led to an internal deliberation of the same quality.

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[8] By the end of their study of the deliberative poll in Britain, the authors write: "Another question is how of the information gains and changes in policy preferences came from the briefing materials, versus talking, reading and thinking about the issues in the gestation period between recruitment and deliberation, versus the small group discussions, versus the large group sessions with policy experts, versus the large group sessions with politicians, etc." (Luskin, et al. 2002:484). Such questions, however, are left for future research.

2. DIVERSITY IS NOT SUFFICIENT FOR ADEQUATE DELIBERATION

While we do not have yet conclusive empirical evidence in this matter, one element of these experiments in deliberation deserves particular attention: the presence of diverse *and* conflicting views among deliberators. A long tradition of liberal theorists praising the virtues of discussion have emphasized that a necessary and sufficient condition for those virtues to materialize is that participants in discussion hold diverse views and articulate a variety of perspectives, reflecting the heterogeneity of their experiences and backgrounds. That tradition ranges, to mention just a few names, from Mill, to Popper, to Sunstein, Sunstein for example, regards the choice by the American Constituents to establish a republican government in a heterogeneous country as "the Framers' greatest contribution". (Sunstein, 2003).

The problem with that line of thinking is that "diversity of views" and "conflicting views" get treated as roughly interchangeable notions. It is my contention that these notions are not interchangeable. Further, I shall claim that diversity of perspectives within an assembly or a larger body does not necessarily secure adequate deliberation.

I see three main reasons why diversity of views is not a sufficient condition for satisfactory deliberation.

II.1. Converging reasons

Suppose an assembly composed of members of diverse backgrounds, experiences, training etc. Suppose further that the fear of some danger is widespread among members. That fear may not be irrational or unfounded. Let us imagine, for instance, that a serial killer is still at large or that a wave of high profile bombings has occurred. In any case suppose that members all share one objective; they all wish to achieve better security. Suppose now that a measure *objectively* enhancing security is proposed: say, giving new powers to the police. My claim is that under such circumstances few if any, arguments pointing to the potential downsides of that measure will be heard, in spite of the diversity of perspectives within the assembly. The pool of

arguments will, then, be skewed. The mechanisms accounting for this outcome are as follows:

II.1.1. Costs of information search. Members will use the "satisficing" principle, telling themselves: "Stop the costly search for information once a good reason has been advanced in favor of a given course of action. And so, go no further than the good argument for giving new powers to the police."

II.1.2. The variety of perspectives and dispersion of social knowledge among them will ensure that many arguments, each deriving from the particular perspective, experience, or background of the speaker, are heard in support of expanding the prerogatives to the police. The set of arguments will be lopsided. In the discussion members will be piling reason upon reason to broaden the powers to the police.

II.1.3. Each member will be reluctant to search for the potential downsides of the measure, and to articulate them, for fear of being perceived as an opponent of a measure objectively promoting the common goal. Note that this is not the same as sheer conformity. This is not just thinking what others think and seeking their good opinion. It is thinking what they think *with a good reason*.

II.1.4. As a matter of personal responsibility members will feel disinclined to risk undermining the adoption of the measure that objectively promotes the common goal by advancing contrary reasons.

And yet, giving new powers to the police might have some downsides, too. If a body deliberates about the measure, it surely wants to explore whether any such downsides exist in order to weigh them against the good reasons for adopting the measure.

II.2. Confirmatory bias

There is a second reason why mere diversity of views and arguments may fail to bring about adequate deliberation. Suppose now an assembly or a larger body in which a belief or a view is prevailing at a given point. This belief or view bears on the decision to be made. In a diverse body or assembly, there are probably a number of other beliefs, each supported by argument and evidence. We would then hope, in Millian fashion, that those holding the dominant belief will give due consideration and weight to

the arguments advanced by the holders of other views. However, that will probably not happen.

Experiments in social and cognitive psychology suggest that people holding a given belief tend to interpret new information brought before them as confirming their prior belief. People do not process information in a neutral and unbiased manner. Submit the same documentary materials about the death penalty and its putative deterrent effects to two groups of subjects, one relatively favorable to the death penalty, the other mildly opposed to it, the former group will become more favorable to the death penalty, the other will become more strongly opposed to it (Lord et al. 1979). People, it turns out, systematically misperceive and misinterpret evidence that is counter to their preexisting belief. There is nothing irrational in taking prior beliefs as a starting point for interpreting new evidence. What is noteworthy, and not rational, is that people tend to misread evidence as *additional* support for their initial hypotheses. Such a phenomenon is known as confirmatory bias. It has been corroborated by a number of experiments.[9]

A subsequent experiment showed that the most effective way of countering the effects of the confirmatory bia*s* was to give greater salience to the information that ran counter to the subjects' priori belief (for instance, by casting into brighter light visual pieces of conflicting information). Such a strategy proved more effective in countering the confirmatory bias than instructing the subjects to give fair consideration to conflicting information (Lord et al. 1984).

Furthermore, a number of studies suggest that group settings and discussion accentuate the impact of the confirmatory bias. Groups process information in a more biased way than individuals do, preferring information that supports their prior dominant belief to an even greater extent than individual people (Schultz-Hardt et al. 2000). This in turn results from two mechanisms. First, as already noted, groups accentuate dominant tendencies among their members. If we consider the preference for supporting information a dominant bias, we should not be surprised to find that group settings accentuate this bias. There is also, however, a second mechanism at work that should particularly concern us. A body of research has revealed that groups mainly discuss and make use of information that was available to all group members before the

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[9] For a recent overview of the literature on confirmatory bias, see Rabin 1998.

start of the discussion. People primarily discuss "shared information". They partly fail in gathering and discussing information that was accessible to only one or a few members before the discussion.[10] Shared information seems more valid and stands a better chance of being mentioned, and therefore remembered, during group discussion than unshared information (Stasser and Titus, 1985; Gigone and Hastie, 1993; Stewart and Stasser, 1998). Further, information conforming to the group's preferred alternative is more likely to enter the discussion than information opposing this alternative (Stasser and Titus, 1985; 1470). If this is so, group discussion will generate a disproportionate amount of information and arguments reinforcing the already prevailing belief.[11] When we advocate deliberation, we certainly do not expect it to reinforce the pre-existing dominant belief, whatever it happened to be.

Returning, then, to our hypothetical assembly, if we wished to keep in check the force of the confirmatory bias, to which groups are particularly susceptible, we should take deliberate and affirmative measures, not just let diverse voices be heard. Conflicting arguments do not automatically get a fair hearing.

3. Segmentation

So far we have been considering relatively small discussing bodies, such as assemblies or the groups studied by experimental psychologists. Let us now turn to larger contexts, such the electorate in a given unit. In such broader settings, mere diversity or heterogeneity may very well result into the self-selection of enclaves of like-minded people. In that case, conflicting views will not come into contact with each other. A variety of internally homogeneous communities will coexist, each ignoring the views of the others. Such an outcome is not possible in small groups, particularly those studied in experimental psychology. In such constricted groups forming yet smaller subgroups

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[10] The importance of this finding deserves emphasis. The fact that discussion centers primarily on shared information raises a most serious objection to the claim that discussion pools information and aggregates pieces of information that were private prior to discussion. We shall return to this later.

[11] The evidence and arguments that I have been adducing so far seem to be pointing to the phenomenon known as "groupthink". One might wonder, then, why I have not mentioned the famous book by Janis, who coined the term (Janis, 1982). The reason is that the claims made by Janis, while fascinating in many ways, have never been subject to systematic testing. Unlike the evidence I have been mentioning here, they are based solely on anecdotal evidence (Schultz-Hardt, 2000:656)

avoiding contact with each other is not an option. In larger settings, by contrast, this is a distinct possibility.

In praising critical discussion, Popper once wrote:

"[…] the discussion will be the more fruitful the more the partners' background differ. Thus the value of a discussion depends largely upon the variety of the competing views. Had there been no Tower of Babel, we should invent it." (Popper 1989: 352)

Leaving aside the deliberately hyperbolic element in this reference, it is odd that Popper should have interpreted in this way the episode in *Genesis*. After God destroyed their common language, the inhabitants of the city did not take advantage of their language-based diverse perspectives, criticizing each other and thereby improving their construction skills, they just left off building, presumably talking only to their own kin.

Be it as it may, heterogeneity in a large population does not automatically lead to communication across lines of difference. There is every reason to be concerned about this today. Research suggests that crosscutting communication and exposure to opposing political views have declined in the U.S. over the last decades. The kind of people with whom any given individual discusses public matters is first a function of the availability of discussion partners in one's immediate environment. Now residential segregation operates primarily to produce greater homogeneity in interpersonal relations. Residential patterns suggest increasingly spatially segregated living, even within the heterogeneous populations of large cities. Heterogeneity may lead to balkanization, not to interaction with dissimilar people. A number of studies have documented, and deplored, the fact that Americans are increasingly separated from those with political views different from their own (Calhoun, 1988; Harrison and Bennett 1995; Frey 1995; Mutz and Martin 2001).[12]

Residential segregation is not, however, the sole factor in the emergence of such a landscape characterized by diversity *cum* homogeneity. Sociologists and psychologists have long noted that people exercise selectivity in the views they expose

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[12] Increasing residential segregation is also affecting Europe, notably France.. (Maurin, 2004). Note that Maurin finds evidence of residential segregation at all levels of the income and educational structure, not only, as might have been expected, at the higher and lower ends.

themselves to. Many studies in media research have explored the phenomenon known as "selective exposure" (i.e. the propensity to expose oneself selectively to media messages consonant with one's own views). After decades of research, media scholars came to the conclusion that selective exposure was not, on close analysis, well corroborated. However, the phenomenon seems well established in the domain of interpersonal interactions; people tend to select politically like-minded discussion partners (Frey 1986; Huckfeldt and Sprague 1995). The mechanism accounting for this is pretty straightforward: encountering disagreement in face-to-face interactions generates psychic discomfort. Here casual introspection may add some vividness to scientific findings.

If selectivity is less prevalent and robust in the domain of media exposure than in personal interactions, we could perhaps place hopes in the media, as Mutz and Martin (2002) do. Indeed these authors find that individuals are exposed to far more dissimilar political views via news media than through interpersonal political discussions. However, another recent trend keeps us from overestimating the potential of the media: the trend towards highly specialized rather than mass channels (Turow 1997). This trend is sometimes referred to as: "narrowcasting". If we care about exposure to dissimilar views through the media, we should say, borrowing the formulation from E. Katz, the media scholar; "And deliver us from segmentation" (Katz 1996).

Lastly, Internet news sources and specialized websites offer an increasing potential for tailoring news to one's own views, and for forming communities of like-minded people in a wider context of diversity.

Thus, diversity and heterogeneity do not necessarily lead to communication across lines of difference. When we advocate deliberation, we have in mind something other than the conversations of like-minded people, reinforcing their prior beliefs, and insulated from opposing views. Let us take a closer look, then, at what we mean when we use the notion of deliberation.

3. ADEQUATE DELIBERATION REQUIRES CONSIDERATION OF REASONS FOR AND AGAINST COURSES OF ACTION

Consider three definitions of deliberation. They all highlight a characteristic of deliberation that is not necessarily present in discussion, let alone in conversation.

> "Deliberation [*sumbouleuein]* consists in arguing for or against something [*to men protropè to dè apotropè*]." (Aristotle, *Rhetoric*, I, 2,)

> Deliberation: 1. "The action of deliberating, or weighing a thing in the mind; careful consideration with a view to decision". 2. "The consideration and discussion of the reasons for and against a measure by a number of councilors (e.g. in a legislative assembly)" (*Oxford English Dictionary*)

> "Deliberation is nothing else but a weighing, as it were in scales, the conveniencies, and inconveniencies of the fact we are attempting." (Hobbes, *De Cive*, XIII, 16)

These definitions cover both deliberation within the individual mind, as in definition 1 from the *O.E.D.*, and collective deliberation, as in Aristotle and in definition 2 from the *O.E.D.* However, the *O.E.D.* supplies the citation from the *De Cive* under definition 1. Whether individual or collective, then, deliberation would seem to imply consideration of reasons for as well as reasons against a given course of action.

Indeed we say that we deliberate, whether individually or collectively, when we engage in a distinctive mode of mental activity, more specifically in a distinctive mode of reasoning. We deliberate about a given course of action when we suspect that there might be reasons against it as well as reasons for it. If we did not think that there might be, at least potentially, reasons for not doing X alongside reasons for doing it, we would use reason in a different way. We would seek to prove, or at least to establish, that X is the right course of action by supplying solid argument(s) for it. We would not actively seek counterarguments. It is the seeking, and the weighing of pros and cons that distinguishes deliberation from other forms of reasoning.

Such a distinction is not merely a matter of stipulation. We observe that under some circumstances we actually engage in a kind of reasoning that involves such

seeking and weighing of pros and cons. We do not always reason in this way. Whatever name we wish to give to this mode, we can hardly deny that it exists. Nor can we deny that it is distinct from other forms of reasoning.

The first distinctive trait of this mode of reasoning, –which we usually denote as "deliberation"–, consists in its bifurcated character. We do not use such bifurcated reasoning when we search for the solution to a mathematical set; then we do not seek counter arguments or counter-solutions. The second distinctive trait is the one that the metaphor of "weighing as in scales" tries to capture. One could say that economic, or utilitarian, reasoning, too operates in a bifurcated way by searching for the costs and benefits of actions. However, the cost and benefits analysis differs from "weighing" considerations. In a cost and benefits analysis, we do not need actually to "weigh" the two sides of the equation. These are already weighed for us by the common metric in which they are measured. Once we have identified the costs and benefits, all we need to do is to compute them. Again it seems hard to deny that there exists a distinctive kind of mental activity, one that we usually denote as the weighing of reasons, which differs from computing already given weights.

So much, then, for the descriptive analysis of that peculiar mode of thinking that we commonly term "deliberation". Let us now turn to its epistemic value. If there are actions such as reasons for and against them might exist, then it seems obvious that agents will do better by considering both sides of any such action. Note in particular that agents will do better by considering reasons for and against each of the contemplated alternatives than by considering reasons for each of the alternatives. Suppose the following situation: a given country is affected by widespread unemployment. Two policies are proposed: establishing training programs for the unemployed, and creating jobs in the public sector. By hearing reasons for either of the alternatives participants in deliberation may not learn anything about the downsides of the other. This is because these two policies are alternatives by virtue of some extrinsic factor (the budget constraint).

Diversity of views is not a sufficient condition for deliberation because it may fail to bring into contact opposing views. It is the opposition of views and reasons that is necessary for deliberation, not just their diversity.

The epistemic merits of deliberation operate along lines different from those of the information pooling mechanism, as mentioned by Aristotle and Condorcet.

> "This is the reason why the many are better judges of music and the writings of poets; some appreciate one part, some another; and all together appreciate all" (Aristotle, *Politics*, III, 11).

The mechanism driving the Condorcet Jury Theorem is roughly of the same kind: pooling individual probabilities of finding the truth. The epistemic value of deliberation rests on a different mechanism. It is worth noting that in his famous argument about the wisdom of the Many, Aristotle does *not* employ the notion of deliberation (*sumbouleuein*). Condorcet, for his part, stresses that the epistemic benefits of collective decision-making rest on members expressing their opinions *independently* from each other (Condorcet, 1986:125-131). One can debate whether or not this independence of opinions rules out discussion and persuasion in a Condorcetian setting (Grofman and Feld, 1988. Estlund et. al. 1989). But it is undisputable that the jury theorem does not require them. Furthermore, Condorcet, very much like Aristotle, never employs the term 'deliberation' in commenting on his theorem.

Beyond historical observations, however, there is a key reason why the epistemic value of collective deliberation cannot simply derive from the pooling of information. When we collectively deliberate, we adduce arguments to support our position, trying to persuade others that we have the better case. In doing this, however, we are most likely to *suppress* some of the private information we have. We suppress the part that is not in line with our position in the discussion. Surely we have first reviewed and weighed for ourselves our private information, determining at the end of our internal deliberation on which side the balance of reasons was leaning. However, when deliberating with others, we share only the part of information that supports our public position. Suffice it to mention the experience of deliberation in recruitment committees. Granted, other participants who are taking a position different from our own may bring to light the pieces of information that we have suppressed. But the net effect of this process is an open question. There is no simple and straightforward reason why the aggregate amount of information disclosed should outweigh the amount of suppressed information.

If the goal were to pool private pieces of information, having participants just vote would do as well as having them try to persuade each other. Under a system of mere voting, each member would vote on the basis of what appears as the preponderant evidence or argument available to him, just as speakers in a deliberative setting take a public position on the same basis. The epistemic merit of collective deliberation must rest on a different mechanism: mutual criticism. Present day theorists of democratic deliberation have generally failed to note the difference between the two processes.

Athenian democrats might have sensed that diversity of voices was not sufficient in cases where adequate deliberation was advisable. Consider the institution of *graphè para nomon*. This institution amounted to a second hearing for some decrees passed by the Assembly. This second hearing, which was intended to be more thorough and thoughtful than the first one differed in many ways from the proceedings of the *Ekklèsia*. One such difference was that before the People's Court the procedure was necessarily adversarial, with one side speaking for the decree and the other side against it. The key point, however, is that the adversarial procedure could not possibly be based on considerations of fairness. Plaintiff and defendant were legal fictions. The plaintiff did not claim that he had suffered any damage at the hands of the defendant. In the absence of considerations of fairness, we may conjecture that the adversarial proceedings were required during that second hearing on grounds of their superior epistemic merits.

To be sure, when Mill extolled the merits of discussion, he had in mind critical discussion. Over and over again, he praised conflicting arguments, the articulation of pros and cons, and the "hearing of both sides". However, he mentioned diversity of opinion and conflicting views almost interchangeably, as if the former necessarily implied the latter. He did not think that the articulation of pros and cons needed specific and deliberate encouragement. Nor did he propose any arrangement aiming to bring into contact diverse self-selected groups of like-minded people. Still less did he offer advice on how to counter people's propensity to find confirmation of their existing beliefs. In a diverse society, he thought, conflicting opinions would spontaneously arise. They would confront each other, if only given a chance. This is why he famously wrote in *On Liberty* [1859]:

The most intolerant of churches, the Roman Catholic Church, even at a canonization of a saint, *admits, and patiently listens* to a 'devil's advocate'. (Mill 1991:26. Emphasis mine)

However, such an interpretation of the role of the *advocatus diaboli* is surely a mistake: the presence of a devil's advocate is *required* precisely because no one may spontaneously take the other side.

4. ACTIVELY PROMOTING DEBATE, NOT CONVERSATION, ON PUBLIC ISSUES

The foregoing analysis leads to the following propositions.

* As theorists of deliberation, we should shift our attention from the "conversation model" of deliberation to the 'oratory model'. (Remer 2000).

Authors vary somewhat in their characterization of the differences between the two models (Schudson 1997. Urfalino 2005). But there is a consensus that the 'oratory model', culled from the writings of Aristotle, Cicero, and Quintilian, includes the confrontation of conflicting arguments, while the 'conversation model' does not. Conversation, as first theorized by Habermas in the context of Eighteenth Century salons or coffee houses, and then taken up by many recent theorists of deliberative democracy, does not rule out conflicting arguments and opinions, but it does not *require* them. By contrast, for those who endorse the 'oratory model', the beneficial effects collective deliberation critically depend on the presence of opposing arguments. The analyses of group discussion mentioned earlier lend ample support to the idea that discussion and conversation do not *per se* lead to desirable outcomes.

Another key difference between the two models is that the oratory model does not require interactive discussion among participants, although it does not rule it out. On the oratory model a first and necessary stage is that participants as audience be exposed to conflicting arguments, after which they may or may not engage in discussions and conversation. On the conversation model, by contrast, it is the interactive engagement of participants with each other that gives value to collective deliberation. On this count too, what we have seen so far points to the oratory model, rather than to the conversation model.

We should probably say, then, borrowing the felicitous formula from Michael Schudson: "Conversation is not the soul of democracy."

* On a practical level, adversary debates on issues of public concern need to be actively promoted. Note that the two dimensions –the adversary character, and the focus on common issues– need active promoting. My claim is not, however, that such debates should serve as substitutes for interactive discussion. The point is that adversary debates, and not interactive discussion, need affirmative promoting. This in turn is based on three considerations. First, one cannot expect adversarial debates to arise spontaneously in a diverse society with freedom of speech. As noted earlier, communication may take on other forms and follow other patterns in such a society, not all of them desirable. Second, debate format is a more promising set up for exposure to conflicting views than discussion, as people tend to avoid the psychic discomfort of face-to-face disagreement. Third, the benefits of deliberation critically depend on the confrontation of opposing arguments, while discussion may or may not display this character, depending among other things on the composition of the discussing body. The adversary debates I am advocating could serve as supplements to interactive discussion, indeed as a prelude and stimulation to discussion. All the same, I would insist that the pro-active emphasis should lie on adversary debates.

* More broadly, these public debates are not intended to replace any existing practice in democracies –such as electoral campaigns and parliamentary debates, but to supplement those.

* Neither exposure to conflicting views nor communication across lines of difference can be mandated, to be sure. It does not follow, however, that it is therefore pointless to *facilitate* it. Availability of contact with conflicting views matters, as we mentioned earlier (Mutz 2001). Under present circumstances such availability tends to be shrinking. Pro-active promotion of adversary debates aims to counter these present trends.

* Given that the point of such debates is considering reasons for and against courses of action, the guiding principle should be that speakers advocate or criticize a given policy or position *for its own merits*, not for reasons *extrinsic* to that policy. The arguments advanced in these debates should concern the merits and

downsides, –whether "technical' or moral–, inherent in a given course of action. Call this the principle of relevant reasons. This principle in turn has two implications, one for the way in which issues are debated, another for selecting suitable speakers.

* Uncovering and weighing the merits and downsides of courses of action requires that each objectively unrelated issue be debated separately. In other words, multidimensionality and bundling of unrelated issues defeat the purpose of deliberation. For instance, people cannot weigh the merits and defects of a given plan for Social Security reform when they hear statements such as this: you have reason to support Social Security plan X because, by so doing, you will promote your preferred policy on gay marriage as people who share your views on gay marriage also support Social Security plan X. Gay marriage and Social Security reform are not objectively related. Nothing is said about the objective merits of a given Social Security scheme by arguing that choosing it will promote the desired outcome on gay marriage. The two issues should therefore be debated separately, each on its own merits, prior to decision time. At the time of voting, however, parties and politicians will necessarily propose policies on both issues. And this is how it should be, particularly in a representative government.

At decision time bundling of issues may even be considered desirable as it allows for welfare-improving collective decisions in the form of logrolling, bargains or compromises. In a multidimensional setting people can trade concessions in one policy area (relative to their most preferred position in that area) for gains in another policy area, thereby improving the aggregate level of preference satisfaction or welfare. But even if we regard welfare-improving bargains as desirable when it comes to decisions, considering voters as free and reasonable agents requires that they be aware of what they are bargaining away at decision time. Citizens must have formed views on each issue separately before choosing between multidimensional platforms. Otherwise they will not even know what they are giving up on one dimension in order to gain on another: even if the final outcome objectively enhances their welfare, they will have been duped into it.

A rigorous exclusion of irrelevant reasons –i.e. reasons not related to the substance of the advocated policy– is probably hard to achieve in organizing deliberative debates. The guiding principle stands, however: the presence of irrelevant reasons should

be minimized in those debates. Thus, debates should be organized on an issue-by-issue basis, not on the basis of multiple item platforms.

* The other implication of the principle of relevant reasons concerns the choice of speakers. Speakers may advocate a policy that favors their interest, but on the condition that such interest is inherent in that policy, and not deriving from extrinsic connections, such as their own career advancement, or the promotion of objectives unrelated to the policy in question (which brings us back to the previous point). On this principle speakers should primarily be policy experts, group leaders, activists, moral authorities. Politicians may be involved too, but on the condition that they comply in their interventions with the principle of relevant reasons, i.e. that they talk solely about the issue under consideration, to the exclusion of other items in their parties' platforms. Most importantly, the jobs and careers of speakers should not be on the line in such debates.

* The cleavages articulated in these debates would not be depoliticized, They would just differ from partisan cleavages on two counts: 1/ they would be formed on an issue-by-issue basis, rather than on the basis of multiple item platforms; 2/ they would be disconnected, as far as possible, from competition for office.

* Who should be in charge of organizing these debates? My answer is: citizens' organizations, foundations, debating societies or other voluntary groups should organize these debates. Such voluntary groups would gradually establish their civic reputation and commitment to public interest. The key point is that these debates should be left to private –although not for profit– initiative. In that way we would not face the problems that proved fatal to the "fairness doctrine": incessant litigation over what counted as a "controversial issue of public importance", and failure of the F.C.C. to develop a consistent jurisprudence on the matter, thus resulting in "sea of uncertainty" (Simmons 1978:54-55). In this too, I disagree with Sunstein (2001). Decentralized and multiple private initiatives would also alleviate the problems inherent in agenda setting: no single authority would be in charge of setting the agendas of such debates.

* Are there potential models for the organizing groups I am advocating? Yes, the *League of Women Voters* for the organizational dimension, the French "*Commision Stasi*" for the substantive dimension. This Commission was set up to discuss and encourage public debate over the issue of headscarves in public schools.

Disconnection from electoral politics was an explicit goal. Casual observation suggests that it was an astonishing success in promoting reasoned argument on a public issue, and even extensive discussion among citizens.

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