

Modest Praise for Political Deliberation

Elogio modesto a la deliberación política

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ABSTRACT

This text analyzes the relationship between political deliberation and democracy. Its content differs both from a scarcely normative idea of competitive politics, predominant in contemporary Political Science, and from a philosophical defense of the deliberation, founded on an idea of common reasonability or on an ideal of communicative speech. The central argument of the author is that deliberation constitutes a good instrument of improvement of competitive democracy. The reasons he gives are not those held by some contemporary political philosophers, inspired by problematic generalizations about the basic structures of the rationality and reasonability of citizens and their agents. The author stresses instead the capacity of deliberation to strengthen the epistemic and normative basis of the political decisions of the majority. The text discusses different visions of the benefits of political deliberation, some of them centered on their procedural conditions, others on the substantive quality of their results. Besides, this paper analyzes, from a perspective closer to a neo Aristotelian vision than to a modern contractualist tradition, the validity of the consensualist criteria to judge the quality of the deliberative reasons. Finally, the text identifies the democratic deliberation with a critical instance of the justifying discourses of the exercise of political power, within contexts of pluralism and disagreement.

Key words: Democracy, Political Deliberation, Political Theory

RESUMEN

Este texto analiza las relaciones entre la deliberación política y la democracia. El mismo se desmarca tanto de una idea escasamente normativa de la política competitiva, predominante en la Ciencia Política contemporánea, como de una defensa filosófica de la deliberación, fundada en una idea de razonabilidad común o en un ideal de habla comunicativa. El argumento central del autor es que la deliberación constituye un buen instrumento de mejora de la democracia competitiva, pero no por las razones esgrimidas por algunos filósofos políticos contemporáneos, inspirados en problemáticas generalizaciones sobre las estructuras de racionalidad y razonabilidad de los ciudadanos

y sus agentes, sino por su capacidad para fortalecer los fundamentos epistémicos y normativos de las decisiones políticas mayoritarias. Tras pasar revista a distintas visiones sobre las bondades de la deliberación política, unas centradas en sus condiciones procedimentales, otras en la calidad sustantiva de sus resultados, el texto discute, desde una perspectiva más cercana al neo aristotelismo que a la tradición contractualista moderna, la validez de los criterios consensualistas para juzgar las buenas razones deliberativas, asimilando la deliberación democrática a una instancia crítica de los discursos justificativos del ejercicio del poder político, en contextos de pluralismo y desacuerdo.

Palabras clave: Democracia, Deliberación política, Teoría política

Deliberative democracy and politics are two separate poles of attraction for both theory and political practice, and now occupy a central place in the main lines of thinking and research of the most diverse academic and political geographies. Democracy, after having been devaluated, has lately been revalued from arguments from the most diverse political stripes. This revaluation of democracy has happened in unison, in some cases, with revisions of some tragic political paths of authoritarian regimes and in others, with the decline of the power attributed to philosophical or scientific reason as a tool for the reconciliation of society. In turn, political deliberation, in addition to having a prestigious lineage nurtured with dear normative ideals such as those of public justifiability, common reason and rational-consensus, has been exercising an irresistible attraction among many political theorists, already unhappy with some performances of competitive democracy, and who tend to consider the principles of a public and fair exchange of argument as the best basis for governing the social antagonisms and resolving political conflicts rationally.

Thus, it is possible to find a recurring inclination to take a stand for or against of public deliberation or deliberative democracy in cases so diverse as theoretical circles dissatisfied with the liberal democracies, closer to dialogue and republican self-government than to the negotiated balance or the primacy of aggregated majority opinion; or the school of political thought inseparable from a policy of reasons, neo-contractualist-inspired or based on an ethics of communication; and political science theorists more sensitive to a discursive formation of public opinions and preferences.

It could even be said, without falling into excessive a priori speculation, that democracy and political deliberation transcend the local crops of various thematic issues, not only because they reflect the existence of some common concerns of different currents of thought and action, but because the political systems sooner or later, one way or another, face problems and challenges whose formulations and concrete responses can vary depending on the ages and circumstances, but must be resolved on genuine moral and institutional bases if these systems aim to achieve any lasting significance, and not be satisfied with the mere application of technology or skills to a given or contingent historical reality.

Well, echoing these theoretical movements and the voices here and there calling for more and better democracy, or for more and better political deliberation, in this paper we discuss the desirable and possible relationships between democracy and deliberation, seeking to unravel the theoretical and practical demands that discursive

rationality poses to democratic politics, trying to clarify the specific contribution from the political deliberation to the government of democracy or to a citizenship democratically governed.

We put emphasis on the governmental aspects of democracy, because: first, some practitioners of the policy deliberations did not adequately take it into account, secondly, because favoring the governmental ends of deliberation requires that we consider its attributes to solve issues of power or of a common authority in contexts of pluralism and disagreement, and thirdly, because properly designed political deliberation can contribute to turning the governed citizens into responsible civic agents endowed with strong political capabilities.

In the analytical context of this text, democracy is seen as the *ultima ratio* on the issues that motivate a collective and binding decision, which cannot be entrusted to any source external to participation or to the will of those involved or affected by it. Our definition of democracy is, therefore, minimalist. It describes a system of political decision based on three fundamental criteria: i) the equal participation of citizens in making collective decisions; ii) the free choice between different alternatives, and iii) the majority rule under a common legal framework.¹

However, egalitarian inclusion criteria based on free choice and majority rule contain two basic promises, this is to say, they accept two different alternatives of political rationality: i) the ability to openly dispute prominent political positions and shape majority aggregates of opinion and preference through competitive methods and ii) the possibility to contrast the quality of the reasons justifying a common course of action and review the preferences or public opinion, under deliberative methods. Such promises or rationalities lead to different routes or times of formation of elective and majority wills, admitting different procedural rules and rules of action.

Certainly, nothing prevents the competitive and deliberative views of democracy agree on an equal valuation of its egalitarian, elective and majority aspects, recognizing the importance of these procedures against any historical contingency. But theories that support them and, hence, their practical consequences, favor different *means* to ensure strict compliance with the inclusive, majority and elective side of democracy, making legitimacy depend, in one case, the political competition, and in another, deliberation. Thus, when contemplating the rest concomitant conditions of the democratic process (such as freedom of expression and information, respect for differences and minorities, and reciprocity rules for political advertising), they are treated differently by the competitive and deliberative theories of democracy, to the point that what the former can tolerate willingly, on behalf of political competition, the latter may reject radically, in defense of deliberation.

¹ This definition reflects our special analytical interest in internal and formal criteria of legitimacy of democratic decision. In other words, what interests us is what makes any political decision democratic, giving it binding legitimacy from the point of view of procedural correctness and forcing all parties to comply with its result regardless of the external conditions of access to the process and the concrete substance of their products. Nevertheless, this definition contains some substantive normative value since, on one hand, recognizes that each citizen has an equal share of political authority, measured in votes, having each one the same right to influence the process of collective decision and; on the other hand, offers guarantees of justice to all parties, legitimizing the use of common power through a simple majority rule allowing any citizen to challenge or defend a status quo on an equal footing, without favoring or detracting from any of the parties. Definitions of this nature can be found in Dahl (1987), Bobbio (1986), Nelson (1996), O'Donnell (2007), Pasquino (1999), y Nino (2003).

In fact, the theory of competitive democracy is the greatest source of inspiration for contemporary Political Science and its research currents, in accordance with its spirit of realism, its normative agnosticism or its sensitivity to political conflict. In contrast, the deliberative idea, even though it has a wide range of learned supporters and, having been established today as a center of theoretical challenge to the paradigm of competitive democracy, still has several controversial edges, due in part to some brands of its aristocratic past, and partly also because many of their existing defenses foreshadow excessive regulatory requirements, demonstrating a greater concern to solve problems of moral philosophy or to claim a communicative rationality, than taking into account the elective and experimental nature of democratic politics².

The central argument of this paper the following: political deliberation is desirable and possible, to the point of constituting a powerful instrument for improving democracy, though not for the reasons given by some contemporary political philosophers, based on controversial Universalist perspectives or in problematic generalizations of the basic structures of rationality and reasonability of citizens and their agents. These perspectives are exposed as well to multiple objections tending to underscore the historical or contextual constraints of political reason. In turn they are criticized, *pour tout dire*, for their propension to relativism or their accommodation to a mere contingent or arbitrary decisionism.³

In positive terms, if the deliberative ideal aspires to a place among the ruling principles of democracy, it must possess an internal theory of the process of political decision in contexts of pluralism and disagreement, according to the just treatment of the legitimal claims of the adoption of a common norm. In other words, in order to overcome the realist and skeptical objections of their critics, deliberative view of politics must reconcile with public dissent and majoritary democracy, on one side guaranteeing true equity and neutrality of public speech, and on the other hand, delivering a deliberative praxis that works as a critical instance of the substantive quality of the political justification, its rational acceptability and not merely a pragmatic and consensual one, based on strong epistemic or normative standards.

In short, the practical accreditation of deliberation theory depends on its ability to overcome, on one hand, the consensualist or contractualist demands of political thought focused on a disproportionate normativism committed to a disembodied exercise of public and communicative reason, and, in the other hand, the skeptical or relativist reduction of political differences to antagonisms which are normatively undecidable, aimed at making social pluralism an end in itself, or nurture, by taking sides, the politics of power.

² Analogically, let us say that democracy is not the most desirable political system exactly for prudential, procedural and consequentialist reasons (weberians, tocquevilians or schumpeterians) invoked by political scientists more inseparable from the theory of rational choice, but rather for reasons coming from a philosophical tradition familiar with the principles of political equality and self-government, autonomy and rational control of conditions both individual and collective in political communities struggling to break free from the power of arms and arbitrary rule.

³ Similarly, say that democracy is the most desirable political system not for the prudential, procedural and consequentialist reasons (Weberian, tocquevilian or Schumpeterian) invoked by most political scientists who are inseparable from the theory of rational choice, but for normative reasons from a philosophical tradition familiar with the principles of political equality and self-government, autonomy and rational control of the living conditions of individual and collective political communities engaged in freeing themselves from the power of force and arbitrary rule.

We start, then, from two basic premises. The first is that political deliberation is not equal, in any case, to a disembodied dialogue inspired by ideals or voluntarily subject to a speech oriented to rational understanding or “good manners” -in the name of a common reason ideal or the rational pursuit of impartial agreements- that allegedly rule the academic or judicial environments (where, certainly these high epistemic standards, guarantees of a rational judgement, do not always apply, nor are missing cases of intellectual abuse or crude majority imposition).

The second premise is that competitive democracy, which is perceived by some as a prudential arrangement among agents unable to participate in a mutually justificative dialogue, forced to play a less onerous game for each side than any attempt to suppress it, and others identify as a principle of free choice and the impartial counting of individual preferences, does not ensure, by itself, enough bases of equity and procedural neutrality, given the information asymmetries between politicians and citizens that it generates, the negative externalities that transfer costs to groups with less numbers or negotiation ability and its tendency to devalue dialogical cooperation, according to the special incentives that the political market offers to a winning or maximizing strategy (Ovejero Lucas 2001, 2008). If this is so, for democracy and deliberation to reconcile in normative and political terms, the former must distance itself from a chimerical ideal of a Universalist and consensual public reason, while the latter must emancipate from a disputative political purview, which is happily installed in the realm of uncertainty or blindly trusting in the institutional intelligence of competitive markets.

Ultimately, transit through these theoretical boundaries leads to three basic questions: i) what are the distinctive properties of *demo-political* deliberation and its differences with competitive democracy? ii) is it enough to justify deliberation in terms of its procedural correctness or, do its benefits depend on the epistemic quality of its substantive results? iii) what are the good reasons for a good discussion on a good democracy?, considering we think the latter is not pure or ideal, but in light of our current political practices and our general experience as citizens members of pluralistic political communities, subject to the imperative of making common decisions. Of course, this text does not aim to provide a conclusive answer to these questions, but instead use them to advance in the design of a valid –both rationally acceptable and politically viable -concept of political deliberation compatible with democracy.⁴

As can be seen, our assessment of the political discussion shows a greater attraction to Aristotle's political philosophy than to contractualist morality or neo-Kantian approaches, aimed at establishing the ideal conditions of moral reasoning or communicative speech, tending to require excessive justifying of practical pretensions, with a view to their conversion into binding rules that comes backed in impartial reasoning or reasons unobjectionable to all parties. Despite the important contributions of these theories to the revitalization of a discursive or argumentative political reason, our pro-deliberative approach is inspired by some of the basic principles of Aristotelian political philosophy, characterized among other things for their sensitivity to a diverse composition of the demos or deliberative assemblies, for his attention to the diverse moral motivation of individuals and by its identification of deliberation with elective and prudential rationality, equally attentive to principles and right judgments.

⁴ In this paper the *demo-political* and *demo-deliberative* nouns are used to refer (according to the classical sense of the terms *isonomy* and *isogory*) to the political practices that conjugates principles of participatory equity and public speech, equality in political treatment and discursive interaction, inclusive legitimacy, as an end, and of justificative correction of the common power.

In my view, and in the view of current devotees of neo-Aristotelianism (Galston 1994; Nussbaum 1995; Sherman 1998; Thiebaud 2004), a critical return to Aristotle's theoretical findings and empirical observations can help supply the necessary credentials to political deliberation rules and policies, making it a standard to evaluate democratic decisions. Deliberation can be called upon to correct, in any case, some of the structural weaknesses of the competition regimes or regimes of political negotiation. What we mean, ultimately, is that, stripped of its original naturalistic and aristocratic bent, the Aristotelian tradition can still bear valuable fruit, serving to articulate a constructive and realistic view of political deliberation, modestly close to the political ideal of the republic or demo-pluralist *politeia*

In the next section we distinguish different meanings of the term deliberation, outlining a conceptual distinction between deliberative politics and competitive politics, understanding the two, if not as mutually exclusive categories, at least as ideal types, enabling different intermediate situations. Then we review different views about the normative merits of political deliberation, some focused on procedural conditions and others focused in the substantive quality of their results. Finally, after making some critical objections to procedural conceptions of deliberation, as well as to approaches designed to subordinate to the prevalence of consensual or indisputable reasons to all parties, we argue for a deliberative rationality compatible with democracy and majority and at the same time able to be incorporated to a critical analysis of the reasons justifying a political action in pluralistic and disagreement contexts.

1. Which deliberation?

Different definitions of deliberation harbor different visions of its structural and contingent features, while they determine distinct conditions of political possibility for deliberative reason, enabling diverse compatibility of the latter with an elective, majority democracy. Consequently, this section distinguishes different meanings of the term "deliberation", of unquestionable relevance to their theoretical and practical defenses, emphasizing the differences that constitute the model of deliberative and competitive democracy.

Let us remember, first, that deliberation in political and civic venues has an illustrious theoretical lineage⁵. Thus, fair exchange of reasons and public arguments or,

⁵ Just run a quick look back at some of the main lines of political thought, classical and modern, to check that none of them questioned the normative and political deliberation. Since "I Pericles", Thucydides associated political superiority of the Athenian polis to its deliberative practices, more than any other quality that might distinguish it from its rival systems. But it Aristotle who was the first to assign deliberative reason a genuine moral and political status by agreeing on its primary role in resolving practical issues, which, unlike theoretical or scientific reason, may be different from what they are and admit diverse possible decisional alternatives, being irreducible, in any case, to expert determination or rule-case judgement. Among the modern defenses of deliberation it's worth mentioning Rousseau's allegation in favor of the transcendent public interest reasoning or identities -not quite deliberative, say some-, and the Madisonian celebration of the reasonable ways of discussion of select civic strata, filtered by appropriate electoral rules. Not to mention the praise of John Stuart Mill to a kind of argumentative public workout, directed against the hegemonic views and public prejudices. And even today, who have questioned the validity of the political or democratic deliberation, not always do so on its own merits, but because of its contingent risks (Przeworski 1991).

if preferred, the public process of inquiry in common, has been for a long time the object of a particular veneration by different theoretical schools, being valued as the basis of the ability of citizens' bodies to decide together and bind each other, or as a guarantee of performance of a self-reflective and critical citizens regarding the actions of political power. Even today, those who are looking to the moral and political virtues of deliberation tend to claim it as a constitutive component of procedural and substantive integrity of policy decisions, more important even than the authoritative view of the popular will, which in due course was criticized by Schumpeter's revision of classical democratic theory, and was formally questioned by the "anti-populist" school of public choice theory, tending to cast doubt on the rational consistency of majority opinion aggregates (Schumpeter 1984; Arrow 1951)⁶.

Certainly, the normative requirement of rational deliberation as an antidote to factionalism majority, passions or political party interests, was accompanied, in general, by unconcealed elitist inclinations, as evidenced by the political writings that in very different times and circumstances, defended the policy discussion with the same zeal with which they expressed their resentment against the policy plebeian, popular, or among many, showing their distrust of the sovereign power of a majority doxa.

However, for current advocates of deliberative politics, as well as for the coldest scholars of its current normative revival, the principle of political deliberation connotes a strong democratic demand, as it calls for consideration on an equal footing of all the voices with right to influence public choice, regardless of numerical or bargaining power (Elster 2001). To which must be added the fact that the current normative claims of political deliberation, both attribute it a moral universalist historical value as a contextual one. So while some associate the deliberation to a principle of fair treatment to all participants, each one recognized as free and equal agent, regardless of their attributes and identities (Benhabib 2008), others identify it with the right of members of a particular political community to decide, based on genuine conversational challenges, its rules of common life, through its civic heritage and their most enduring historical roots (Gallardo 2005, Nino 2003).

In any case, deliberation means, at least since Aristotle, a comprehensive contrast of reasons, within the individual or others, in favor or against a course of action. Today the term is used to designate a public exchange of arguments and considerations fought following a common argument, intended to justify, on a public and rational basis, the choice of a joint action. But both in the case of self-reflection or of a public speech, the truth is that the idea of deliberation refers to a discourse of justification, sensitive to all relevant considerations for action, aimed to provide a common decision accepting the highest quantum of voluntary and rational acceptance. In short, any discussion assumes a commitment for rational justification and an interest in making a reasonable and informed choice.

⁶ Ian Shapiro (2005) discusses this point, as does Ovejero Lucas (2001, 2008).

However, deliberation may harbor different regulatory requirements or admit various practical applications, depending on their various adjectives or predicates. Thus, public deliberation is equivalent to an open exchange and manifest (accessible to anyone who wishes) of justifications and considerations aimed at common understanding. This requirements excludes the secret process of discourse or, more precisely, the discretionary use of information or private reasons. Deliberation is incompatible, in any case, to the "double talk" and to self-justification refractory of critical examination of the motivations of each participant in the discussion. Put in another way, the public principle of deliberation requires all participants to give wide publicity to the contents of the discussion and transparency to their positions and information, restricting opportunistic or manipulative speech, and outlawing the instrumentalization of any party involved directly or indirectly to the subject of discussion.

As for political deliberation, while it includes the mentioned characteristics, given its public relevance and its intrinsic value for the future of the political community, it consists essentially of an open exchange of reasons and arguments designed to justify adopting a collective decision, having binding or mandatory effects for all, whose scope, legal or coercive, calls for a widespread public basis of legitimation. The action of deliberating in political offices is inextricably linked, therefore, to a principle of reciprocity, which requires, first, that political claims are directed to the common understanding of free citizens, and secondly, that bases of support of those claims (beliefs, evidence, information and practical inferences) can be compared or contrasted by all parties involved in the decision. Hence, in a genuine political deliberation, the reasons that a rational political actor (monological) gives to himself for or against a course of action, according to their purposes or their pre-established strategic calculations, are nor acceptable. Nor are the reasons likely to be valid for an impartial observer or agnostic about the quality of the purposes of the agent, focusing on the success of the action, according to a means-ends or cost-benefit rationality.

Strictly speaking, political deliberation requires, both in terms of participant and observer, a justification (dialogue) of the agent to others who have different perspectives and are in a position to object to their motivational reasons, and have effective capacity to influence the outcome of the action. As a consequence, standards of conduct of deliberative political discourse rule discarding self-supporting arguments or those focusing exclusively on the intentional perspective of the speaker; rendering irrelevant or unacceptable merely rhetorical self-affirmative policies or self-referred, sectarian speeches that may be closed to other's perspective. Ultimately, political deliberation differs from other forms of public speaking as its results depend on public scrutiny of the arguments and supporting arguments for a collectively decided action with binding effects. In this case, the deliberative principles (information transparency,

reciprocity and dialogical openness to others), apply to the discursive formation of public preferences and the legitimate exercise of power of joint action⁷.

In turn, the democratic predicate of deliberation introduces a set of egalitarian regulatory requirements, not at all well understood by deliberative theorists who are mostly committed to the full exercise of public reason justifying a course of unobjectionable action. Before further explanation let us indicate that democratic deliberation is based on principles of equal access to public speech and equal listening to all voices affected by common decision, without conversational reserves or authoritative epistemological canon, without arbitrary cuts of the public agenda public nor "normalizing" pressures on any party. Thus, the democratic component of deliberation would be called to ensure an open and inclusive discursive exchange, capable of promoting the most diverse challenges to established consensus or disagreements (Shapiro 2005). In other words, such an exchange would accommodate the diverse languages of the claims supporting public, led to common understanding in the framework of communicative intersubjectivity, but also protected against discursive hegemony and against ideological or cultural guardianship. Deliberative democracy would come to ensure, in short, the right to seek reasons before each act of political authority and the obligation to provide reasons justifying such requirements, enabling an "appropriate confrontation" of all the arguments and reasons relevant to the collective decision (Pettit 2001).

Therefore, if we stick to the democratic dimension of deliberation, the latter would not necessarily be justified on the basis of the epistemic or moral goodness of its results, nor it would be desirable for reasons of political enlightenment. Rather, it would be based on a principle of non-domination (2005 Shapiro), aimed at securing the right of the most vulnerable, marginalized or unprotected people to demand and influence with their own reasons and arguments in the policy decision. However, the principle of equal and plural speech not only serves to ensure the procedural integrity of a decision freed from dominating pressure. It is also, as we shall see, a necessary condition of rational consistency of majority decisions (Nino 2003), contributing to strengthen the critical attributes of deliberation in face of the political justifications accepted or rejected in each political community⁸.

⁷ Note that there is a constitutive identity between the principle of public and political deliberation, since that principle has a strong vindication of the ability of citizens to judge the motivating reasons of public officials, according to their common powers of understanding and trial. From a Kantian perspective, any interest or action affecting individual and collective rights is incorrect if the maxim or principle that underpins it cannot be made. Of course, the principle of publicity does not require that all policy discussions and decisions should be made known *urbi et orbi*, but the general rule that supports them should be in a position to be disclosed and justified to the common understanding of citizens. Therefore, the requirement of publicity requires actors to declare, without concealment or simulation, the reasons for an action of authority because otherwise the action has no moral authority and should be rejected. The principle of publicity would then contribute to fight two evils: i) actions designed to promote acceptable decisions or agreements, rather than just or correct ones, tending to seek approval shortcuts and not follow straight paths of public justification, and ii) costly actions motivated by success, paying the price of concealment of the true intentions or reasons of the agent at the cost of discretionary use of "noble" or "necessary" lies. The principle of publicity would even place deliberation right in the field of genuine political democracy because its effective implementation would challenge the paternalistic attitudes of superiority to the lay public of political elites or experts

⁸ Note also that the justifying reasons in a context of deliberation, regardless of their contextual environment, its formal structure and its semantic content, must comply with a constitutive principle of dialogic reciprocity or to the regulative ideal of intersubjective communication, which are both subject to

Either way, deliberative democracy requires greater discursive cooperation or "civility" than competitive democracy, for two basic reasons. The first is that competitive democracy predominantly favors free choice between alternatives, along with fair count of all preferences measured in votes, which makes it compatible with the formation of non-dialogical political views, private justification of elective preferences and the exercise of a wide range of persuasive resources. And the second reason is that political competition supports the optimization of the advantages and resources of each party, from factual interdependencies to power differentials legitimized by public opinion, which tends to encourage winning strategies rationally oriented to maximize assets and minimize the opponent's, when not focused on the calculation of profit and unilateral advantage. In summary, although competitive discourse introduces in public debate reasons responsive to objections to the contrary, spokesmen are able to defend their positions with the arguments in their favor, favoring only their own thesis and their own demands.

In contrast, deliberative principle requires each party to provide reasons leading to common understanding and seeking to obtain the rational acceptance of the other party. Each interlocutor demands from its counterpart a willingness to compare his arguments with their own and to review their own positions, exchanging convincing rather than persuasive reasons. This does not imply that deliberative practices cannot use an adversarial speech structure, benefiting from its differentiating function of the claims of the speakers. This structure provides, in effect, an articulate and insightful input of the content and scope of public controversy, and appeal to lower the cost of information on the alternatives at stake. However, deliberative logic requires a willingness to enter into a joint inquiry and to assume another's perspective in a way that the adversarial discussion does not, as deliberation requires all parties to submit to criticism or objections to the contrary, not to seek the primacy of a particular option because it is their own or because other options can go wrong in the discussion, but to select the best alternative, the most rational and reasonable, given the available arguments and circumstances.

Bear in mind also that the results of either model of democracy cannot be measured with the same evaluation standards, for political deliberation, as opposed to competitive politics, does not pretend to reflect a genuine order of preference or form a consistent majority aggregate of wills, but to build public preferences. These public preferences would be of first and second grade, as some might say, not only autonomous, but well informed, clarifying genuine dissent and reasonable disagreements, enhancing, ultimately, the public judgement of citizens. Ultimately, deliberative democracy does not favor a neutral method for counting and aggregation of individual preferences -as competitive democracy does-, because the objective is to ensure equal consideration of all arguments and evidence likely to clarify the contents of public divides and modify previous preferences. In this case, the principle of fairness applies to reasons and arguments rather than to elective preferences of citizens, as a deliberative political context is not (solely) about respecting the autonomy of citizens and their own decision (no doubt a constitutive and necessary good in establishing a genuine public choice) but to judge, based on all relevant considerations for that matter, the best reasons to make a legitimate use of power for common action.

the provision of speakers to abide by rules of comprehension, understanding or acceptance of their claims; otherwise the discussion would not make sense or would be irrelevant.

2.Procedural Deliberationism

According to the procedural vision of the deliberative ideal, strict compliance with the rules of equality and impartiality as applied to public treatment of the claims of each party and their ability to influence the discursive formation of political will, would ensure the correctness of their results and thus, voluntary compliance, regardless of the content of the decision or its impact on social life. In other words, the guarantee offered to all positions of equal access to public space and of fair treatment of all relevant reasons for the collective decision, and the compliance of norms of mutual understanding of intersubjective communication, would ensure the outcome of the deliberative process "a presumption of rationality" and widespread acceptance, beyond the actual content of the input discourse.

Now, among procedural approaches there is no agreement on what criteria should prevail in ensuring fair deliberation or in warranting the procedural correctness of the results. Thus, while some authors emphasize the internal requirements of the deliberative process, others stress the external conditions of social equality, capable of ensuring equal opportunities to influence the discussion and its outcome. Among the former, the emphasis is, among other things, in the obligations to respect universal, equal consideration to all parties and communicative reciprocity (Benhabib 2008), and among the latter, they tend to insist on equality of resources necessary to access the deliberative arenas or the skills required to make effective use of discursive opportunities, given the differences in power, wealth or education among citizens (Bohman 1998, Sen 1995).

Anyway, the point is that since the Stuart Mill of representative government, to the most recent theoretical developments of John Rawls (1993) and Jürgen Habermas (1998), there are many procedural defenses of deliberation and its internal attributes to promote rational and fair decision for all parties. Whether relying on the rules of pluralist representation of the views of citizens and institutional incentives to form general currents of opinion in macro-political areas of discussion, as in Mill, or prioritizing the common, removing ex ante social diversity under the construct of an "original position" and a "veil of ignorance", as in Rawls, or claiming, in short, an ideal speech situation, founded on principles of reciprocal communication in human language, as in Habermas, the truth is that deliberative politics has prestigious procedural defenses. Thus, according to these authors, deliberative reason, once established in fair terms of participation and citizen representation, purified of asymmetries and strategic calculations of fact and governed by rules of civility or communicative rationality, would ensure fair outcomes equitable to all parties⁹.

In the case of the theories of Rawls and Habermas, the principle of public justifiability is part of an ideal deliberative procedure, which is designed to ensure the moral correctness of the political reasoning, to avoid bottlenecks arising from the appeal to controversial metaphysical truths and to neutralize cooperative arrangements based on balances of power or negotiation. But the tendency of these authors to

⁹ In fact, Rawls's theory is half way between the procedural paradigm and the substantial one, given the link it establishes between constructivist conditions of basic policy decision ("original position", "veil of ignorance" and rules of moral reasoning), and the results of a distributive justice or, if we rely on the last Rawls, the articulation of the rules of a constitutional democracy and political issues properly solved in the field of public reason (Rawls 1993).

assimilate political deliberation to a discursive or contractualist morality, as well as their consensualist inspirations led them either to imagine cleansed areas of impartial reasoning, bound to neutralize the rationality of maximizing self-benefit and to decant proposals exempt from reasonable objections, as in Rawls, or to find communication norms remote to conventional politics, designed to shape opinion in civil society or in public areas divorced from governmental responsibilities, as in Habermas. But in both cases, it is a deliberation approach that is more interested in satisfying the moral demands of a decision or rational communication than in strengthening the collective power of a pluralist democracy. That approach is more concerned to raise deliberative reason to the level of moral dialogue, focused on the common or universal, than to enhance a robust dialogue animated by political dividing lines, constitutively linked to diversity of interests and civic values.

Well, apart from the relevant efforts of these authors to vindicate public or communicative reason against dogmatic doctrines and calculating political rationality, the truth is that the procedural requirements of political deliberation cannot fathom the economy of the particularities of its participants (as already perceived by Aristotle in his *Rhetoric*), nor can they establish rigid boundaries between public and private, nor ignore the substantive rationality of strong and long-lasting political divides without jeopardizing the democratic components of deliberation. They risk also clipping the range of issues under discussion, ignoring the semantic or substantive problems of political life, which are undoubtedly significant for speakers and for specific performance of public speech. Without neglecting, then, the pluralistic spirit of those theories, the fact remains that without the existence of a significant fractioning of the social whole, without the adversarial construction of a speech articulated by groups of principles and opinion firmly rooted in the life of citizens, it would be pointless to deliberate or deliberation might be threatened by an equally dismal choice between an endless unintelligible murmur of unfathomable voices and public reasoning straight-jacketed in an abstract citizenship status, devoid of the roots, commitments and identities that inform, in each particular context, moral and political language. In fact, processes supporting a particular scheme or course of action are activated from the initiative of a party or part of society, without this initial source of the decision being an original sin, but rather the disclosure of an agent and his public identity in a common area, constituted on a pluralistic base and subject to irreducible intersubjectivity rules (Arendt 1987).

If, instead of attempting to advance -with extreme difficulty- by way of a disembodied deliberative reason oriented to consensus by overlapping or by the pragmatic search of a generalizable interest, we look to the political philosophy of Aristotle, in it we will find some demo-republican ideas appropriate to judge the true procedural benefits of deliberation, more realistic, in any case, than those offered by the contractualist tradition or by discourse ethics (Aristotle 1978, 1986). In his *Rhetoric*, Aristotle says, in effect, that we only deliberate on what depends on us or on what can be different from what is, which precludes the ratification of the truths of theoretical, ontological or scientific reason in the practical realm of politics. But in good Aristotelian logic, we would not be able to recognize what depends on us, or what may be otherwise if we do not recognize ourselves as human creatures with differences and particularities (constituting, indeed, in different ways and possibilities of exercise the capabilities common to the human species), giving due regard to our legitimate expectations of justice and self-realization, in particular and different contexts. Hence,

in Aristotle's Republic or *politeia*, whether historical or ideal, participants in the assemblies and the magistrates come from different social classes or categories. The quality of their deliberations depends, in part, of the multiplier value of their quantity, since many are better than each one separately, and partly because of differences in abilities or political merits, for the ills of the lot or of particular interest are remedied, according to Aristotle, by virtue and excellence of the speakers, whose moral character would be a crucial input for the improvement of the quality of the discussions and collective decisions.

So, if we think about the deliberative procedure in an Aristotelian way, there is no need to force a costly eradication of differences between the parties. Instead, following a pluralist logic, use them, neutralizing their unilateral perspective, its positional calculations or their feelings of self-referred justice, without having to dissolve them in an "ordinary self," as Rousseau wanted, nor subject them to a "veil of ignorance" about their positions and specific expectations in the manner of Rawls. Deliberation itself would be responsible for providing more intelligence and understanding, forcing parties to overcome self-interested positions and bringing them closer -if you follow the Aristotelian thought- to the fair measure of common justice.

Because of its democratic quality, a discussion of the Aristotelian type would ensure equal freedom of discursive action, rescuing the voices likely to disclose relevant aspects for collective decision from obscurity or anonymity (or from want or dependency, to use the classical language), which would otherwise remain hidden or ignored. The republican morality of deliberation - that is, its preferential attention to the quality of speeches interested in public affairs or all, rather than the number of participants in the decision- would help recognize the differential of political virtue, privileging the voices most reliable or willing to give precedence to their arguments on issues of justice or mutual recognition, without the partners having to deny their differences or deny their interests. They would review some aspects of their positions, improving, with their respective contributions, the foundation of justification, - epistemic and normative-of the full exercise of governmental power of citizens¹⁰.

In any event, political differentiations admitted for deliberative politics cannot be equated to those accepted by competitive democracy. In the latter, in fact, opponents build their public identities in reference to other adversaries. They differentiate from each other by elaborating disputative discourses or of mutual avoidance, participating in a game of winners and losers contingent to be reversible or temporary. Then, political competition not only offers the ability to bring to the fore political disagreements with a

¹⁰ Let us briefly comment on the question of the subjects of the deliberation and deliberative improvements somewhat as a reaction to the cold treatment that they all receive from the perspective of "freedom of the moderns". Participatory maximization is not an intrinsic requirement of deliberation, although it is a requirement of democracy. Deliberative institutions favor equity in access to public speaking and the quality of argument rather than a rule of inclusion. Validity and viability of deliberation is not conditioned to the fact that all citizens deliberate or that everyone is equally motivated to deliberate politically, but depends on the proper packaging of deliberative scenarios in diverse fora and public spaces (in the conventional areas of professional politics, in parliament, political parties, in civil associations, in the public square, in the agora of the media, etc.) where citizens can move freely, with confidence and according to high standards of quality. Deliberative discourses –and not only disputes – can constitute diverse public audiences empowered to assess deliberative exchanges and infer valid conclusions, with or without binding effects, as it is the case of some European experiences (Font 2001).

view to resolving them peacefully under the rules of a contestable political market, but also encourages the exercise of a poorly regulated calculative freedom, since rational use of a winning strategy in a competitive game involves making a rational calculation of benefits for the actor's moves which is aimed at maximizing their resources and winning goals, while minimizing the opponent's'.¹¹

Thus, the competitive politician involved in the dispute over scarce public resources (public attention, favoritism in public opinion, organizational and financial support, control of symbolic or historical assets, etc.) must base his or her actions on rational calculation of risks and uncertainties associated with entry into the competitive game. If he or she does not want to be exposed to severe losses, he or she must take into account the rules of distribution of prizes, including the possibility of winning or the cost of losing. Therefore, although the competitive rules promote differentiation in valuable public spaces and reciprocal imputation, enhancing public accountability mechanisms, at the same time they encourage the calculation of personal profit, if not the ongoing evaluation of gains and losses in competitive games.

Political deliberation, even when not able to eradicate the calculations of political convenience, given the impossible absorption of uncertainty and discretionary motivation of the agents instituted by mutual cooperation, can eventually neutralize these tendencies by minimizing their practical or rational effectiveness (at least more so than competition policy). by proclaiming its principles of information transparency, reciprocity and dialogical openness to others. What is decisive in any case, is that deliberative institutions can foster trust and mutual security between political actors, ensuring that none of them -probably averagely-endowed with combinations of virtue and interest- prefer to evade the rules of communicative cooperation, making use of foreign resources to the power of belief and reason, opting more for strategic reasons than for reasonable moral or political grounds, or the construction of an adversarial *other*, to the detriment of a relational or dialogical "us".¹²

In short, while the competitive process reinforces a principle of free choice, by encouraging a dynamic of adversative discourse through which the contestants are discernible or differentiate by trying to outdo each other in an open and contestable

¹¹ Competitive politics tends to validate the hypothetical Kantian rationality, according to which the agent is one who chooses to do what best would enable him or her to an end. The rational choice which is then more likely to lead to the end desired by the agent and therefore maximizes its profits. It is reasonable to expect, then, that the agent takes the course most likely to succeed. In other words, the fact that the probability of success of an agent depends on a certain action, make this be a reason for that action, so the actual knowledge of that likelihood justifies the hypothetical imperative: do x if you want to have a successful y. But in that case, the reasonable agent is not the one who weighs and revises its goals considering all the circumstances and the legitimate perspectives of others, but the one who fits its expectations and actions to the probability of an outcome.

¹² Incidentally, the deliberative principles not only differ from the competitive ones, they also differ from those that govern trading practices. The latter legitimize, in fact, the search of arrangements or commitments designed to optimize the satisfaction of the interests of each party in the given context of the negotiations, according to rational calculation by each of them. In contrast, deliberative bodies introduce the participants in an argumentative exchange aimed at clarifying the mutual interests of each party and to seek comprehensive solutions, independent of self-interest, optimization of one's own interests or the Paretean benefits of the agreement; but rather taking into account what is just and convenient for all parties involved directly or indirectly with the decision, beyond their differences in resources or their factual interdependencies, their particular benefits or their ability to veto.

political market, the deliberative process is based on justificative speeches oriented to support mutual understanding, to the primacy of the better argument and a rational acceptability, demanding of its participants better dialogic provisions, that is, the attentive listening to all voices and relevant testimonies, regardless of their competitive appeal, their support in votes or their ability to enter or prevail in the political market. Thus, deliberation has an anti-elitist component, vindicated by the theorists of political competition, although less exposed to the asymmetries, negative externalities and the plebiscite rationality of aggregative strategies of competitive political entrepreneurs, who are encouraged, perhaps despite themselves and according to the rules of competitive policy, to move on the grounds of a calculation of success and trying not to be exempted, at least unilaterally, of a winning a rationality¹³.

3. Deliberation and substantive correction of its results

Undoubtedly, the procedural quality of deliberation works towards the correction of its substantive results, since it would guarantee a symmetrical right of speech to all parties and ensure that everyone affected by the decision can make their voices and objections heard. It also prohibits self-affirmative attitudes or disputes, contributing that resulting decisions are based upon general principles and appropriate contextual judgments. But both principles and context judgment, and this is crucial, could not jeopardize intrinsically valuable aspects and interests for the substance of the decision, as is the full exercise of citizens' freedoms and equalities or fair treatment to the interests of all parties involved, without endangering democracy itself and, in particular due process (Rawls 1993, Dahl 1991, Nino 2003).

Now, can we rely exclusively on the fairness of the democratic deliberative instances and in the compliance with the conditions of neutral or impartial deliberative processes? Is it enough to ensure that all parties have an equal right to influence discourse in the binding decisions, with independence of the normative and political judgment of the content of their reasons? Is respect for the rules of a relational intersubjective discussion a sufficient reason to recognize the substantive validity of its results and voluntarily comply with their prescriptions, regardless of the fundamentals supporting its contents? These questions relate, ultimately, to a classic dualism between a fair procedure intended to ensure fair treatment to the voices and considerations relevant to the decision, and a substantially valid, resolution which requires more, namely the critical and evaluative assessment of the quality of the reasons supporting the prevailing decision.

¹³ Extending these contrasts, you could also say, in the orbit theory of Hannah Arendt, that the procedural rules of deliberative policy containing an agonistic rather than competitive side, and an associative rather than contractual side. The agonistic side would ensure public disclosure of agents seeking to distinguish themselves and prevail through speech acts, exhorting and persuading argumentatively in favor of a common course of action without resorting to strategies of political competition, aggregative strategies or the employment of persuasive resources that violate the intersubjective foundations of a genuine public sphere, whose results are not directed, arbitrarily, in a pre-determined direction. The associative side of deliberation refers instead to the establishment, by the constant renewal of the political conversation of a shared power and a shared knowledge, a common public space. In other words, a space, where discursive freedom can manifest in its various forms and the majority can exercise their right of political initiative in a manner consistent with freedom of the opponents (Benhabib 2008).

In any case, on the side of procedural perspective, a contractual or associative commitment to the compliance with decisions is privileged, by virtue of its procedural legitimacy, to the point that the resolutions are true not because they are necessarily the most accurate or fair, or because all parties have approved its content, but because they come from legitimate authority, subject to previously established legal requirements. On the other hand, the substantialist approach emphasizes the validity of the reasons justifying the binding decision, elaborating in the objective or intersubjective quality of the arguments used, in the degree of correction to form genuine collective will and achieve the widest acceptance among all parties involved, making, in a word, the substantive content of the discussion the basis of compliance¹⁴.

Therefore, from the perspective of substantialist deliberation, good results should come based on the criteria and principles for distinguishing between good and bad reasons to use political power, followed by the award of a greater weight to the reasons that truly deserve a greater impact on the formation of public preferences or citizen's judgment. In this case, the defense of good political performances of the deliberation depends on, on one hand, the type of distinction established between the motivation of the reasons and other inadequate motivations, and on the other hand, the criterion adopted for judging deliberative proposals, which itself is adjusted to a communicative, intersubjective exchange, as a good reason to mobilize the power of joint action of the citizens¹⁵.

¹⁴ Note that this duality does not refer to theories that, in addressing the relationship between procedures and results, are based on criteria prior to the decision making process. These theories seek to claim a correspondence between the final results and a predetermined state, regardless of the motivations and opinions of the parties involved in the decision. In this theoretical saga we can find various perspectives, from Plato's search for solid ground for assessing the epistemic goodness of political decisions, immunized against the mundane inclinations for illusion or the appetite, to the scientific ways leading to a default state of affairs -socially valued or beneficial for all parties- regardless of what they can assert in political assemblies, and some contractualist defenses of pre-political rights, intangible to the sovereign will of citizen bodies. These approaches advocate independent standards of judgement to assess the correctness of political decisions, opposing philosophical or scientific reason, natural law or constitutional right to the polemics of the demos, citing claims of correction outside democratic political debates and encouraging a split between criteria of collective action and public discussions, if not subordinating the power of political meetings to the contractual ends of the political association. Note also that from other theoretical currents, such as anti-populist liberalism à la Arrow (1951), there has been a questioning of the internal or procedural validity of elective and majority rules, but by other means because, although these positions do not go to an external criterion for judging political action, they also question the rational consistency of public or majority elections, in particular, its potential to reflect a consistent order of preference or to relieve a welfare maximum. In short, for all these positions, or the deliberative process leading to a majority decision is superfluous, due to prior knowledge, theoretical or practical, of the correct result; or said process would not be able to reach rational decisions in line with a clear order of preferences or reach a state of affairs which satisfies everyone.

¹⁵ In fact, what distinguishes the procedural theorists from the substantialists is not that the former disdain results and the latter ignore procedures, but that the former tend to concentrate on the formal decision-making process, without commenting on its substance, trusting the quality of the decision to procedural guarantees thereof, and that the latter are more interested in the contents of the process and its substantive grounds. But both positions would be counter-intuitive or theoretically irrelevant if the ignored the constitutive relationship between procedure and substance in any social activity or practice, whether there are or not independent criteria of judgment, as appropriate, regarding the correctness of the decision that determine, if you will, a virtuous relationship between procedure and outcome (Rawls 1993). In fact, procedural rules that inform the performance of social institutions do not ensure good performance, unless you allow them to meet their specific purposes, leading to good results or beneficial consequences for their users or beneficiaries, ensuring yields controlled by "internal and external" high standards of quality. What I might say, but I am not going to argue the point in full here, is that the

At this point, we find two kinds of questions, both equally significant from the point of view of the substantive quality of the deliberative process and its results. The first relates to the question of the motivating power of reason in political life, which is connected with an old practical discussion about political self-sufficiency of reasons and their justifying status in the political arena. The second is related to the criteria for recognizing a good reason to act politically, in particular, its fair right to participate in the discursive formation of political will and prevail in public choice.¹⁶

Regarding the first question, let us recall that the ideal of reason and public justification behind the most exemplary normative claims of public deliberation give a strong vindication of the power of reason in political life. In fact, the internal connection between the principle of public justifiability and deliberative reason led many political philosophers to defend, in very different circumstances, a policy of reasons, based on assigning a key role among the casual components of the individual or collective action to the –necessary and sufficient– motivating power of reasons, conceived as considerations that count for or against an action or something that depends on the agent; in the words of Thomas Scanlon (2003), subject to judgment.¹⁷

proceduralist show an epistemic and normative reluctance to judge the substantive quality of political action, while substantialists show greater confidence in the determination of firm practical criteria that allow to distinguish between better and worse reasons to decide together. In any case, both perspectives are limited to discuss only the quality of procedures and the reasons justifying the decisions of authority, setting aside or dealing indirectly with two topics, of old Aristotelian lineage, that are relevant to the ethics of virtue, namely: i) the kind of people who take part in decision-making process or the malleability of their motivations, and ii) the formative role of institutions in the behaviors, beliefs and normative expectations of citizens.

¹⁶ As can be seen, here we ignore other matters of undoubted political significance, such as those linked to the pedigree of discourse of each particular political community, the historical settings of each public speech, their reserves and their practical performances. It appears that this issue is a case of theoretical indeterminacy or historical contingency, insoluble in any case, in theoretical terms, for two basic reasons: first, because discourse skills –Semantic and communicative– political agents cannot be replaced with the mandates of practical reason, as political speech includes, besides the moral discourse, other forms of speech and expressive propositional (public narratives, stories of identity, factual references, technical or scholarly knowledge, etc.), and second, because the quality of the arguments circulating in a particular *polis* depends on the issues discussed and the civic-moral collections of political subjects in their historical learning, depending on the binding nature of each "we" identity and the ability of speakers to question their most deficient or most unfair public practices. In short, the qualitative substance of the discursive practice of a political community does not depend on theoretical illumination, but on fortune and on the virtue of its political actors to overcome the obstacles to the permanent construction of a common authority and dignify its public divides.

¹⁷ Among the most salient properties of the policy of reasons we include the rejection, in the name of the rules of logic or dialogic ethics, of accusations or *ad hominem* arguments, meaning challenges addressed to the agent and not to ideas or arguments, and the corresponding call to a public discussion subject to moral constraints of mutual respect and dialogic reciprocity. But, like it or not, political debates are conducted by agents who usually employ the most varied rhetorical arts to defend their positions and attack their enemies, jealous of their freedom to judge the considerations worth as relevant reasons for the discussion, and willing to address personal matters whenever they deem it necessary or beneficial to their case or to the general discussion. Note also that in political life not only general ideas are questioned; performances and public responsibility are also judged, so the reliability of the speakers and their personal conduct is especially relevant. However, there is no obstacle for a policy of reasons supported by the appeals addressed to the agent, whenever a participant in the discussion tends to act in a manner prejudicial or with malice, distorting the conversation by disqualifications of his interlocutors, with the exception of the rules of reciprocal dialogue which would claim to himself any participant in an honest and rational argument or deliberative exchange.

Undoubtedly, the emphasis on reasons as a necessary and sufficient political justification, as well as the Kantian endeavor of converting the diverse motivational sources to the language of reasons tend to eradicate the burden of subjectivity and the expressive states of intentional action, seeking independence from the subject, trying to isolate the semantics justifications from contextual ones, to use the old terms of logical empiricism. However, the motivating power of reason in political life has not enjoyed a peaceful consensus among political theorists. Reasons, say some, cannot do everything, nor are sufficient, say others, to bring stability to actions and human behavior. More specifically, the cult of political reasons has its other adversary in currents, from Aristotle to the philosophy of action, through Hobbes and the social sciences of romantic inspiration, that rejected the self-sufficiency of reason and its independence from the wishes, or insisted on the –selective or originary- motivational force of emotions and feelings in human life, emphasizing the importance of character and personality of the individuals on their behaviors and judgments and in their decision to speak and argue in a certain direction. Thus, while on the side of Platonic thought and successive enlightened illuminists –it was sought to superimpose the image of the cold and right reason to the irrational part of the soul, the heirs of Aristotle, have insisted, rather, on the role of emotions and passions, the angry reaction and feelings of indignation that move people to judge and act with intelligence and determination in political affairs (Nussbaum 1995).

Even from the standpoint of Aristotelian ethics, moral and prudential reasons, understood as practical demands of morality and right view need not be separated from individual motivations driven by desires, nor moral obligations should secede from the purposes of self-actualizing individuals. Neither can moral preferences of the agent be isolated from nature or moral identity, although the emotional desires and motives are not sufficient by themselves to justify a moral claim or an act of political authority. They should pass through the screen, of self-deliberation or rational deliberation with others¹⁸.

Either way, for a political thought sensitive to the "afflictions of the soul" and the moral habits of individuals, democratic deliberation, if attentive to all the circumstances deserving of political correctness, would benefit, rather than be harmed by, with activation of the attributes of moral sensitivity and perceptiveness of citizens and their agents, with the full exercise of their powers to capture the emotional aspects of unjust and degrading circumstances. So the character and emotional sensitivity of individuals, far from affecting the deliberate action, would come to enrich their discursive exchanges, contributing a correct perception of the moral peculiarity of each circumstance, the ethical relevance in each case, in short, what can be assigned as suffering or injustice in a particular situation.

Of course, deliberation requires that speakers take distance from their egocentric preferences by addressing the emotional myopia affecting their self-reflection or judgment. But this is no obstacle for citizens and their agents to use their perceptual emotional and affective sensitivity, using these powers to correct certain generalizations insensitive to intolerable, costs or renunciations, reacting to unjust or morally degrading situations, or revealing the costs or sacrifices implicit in the adoption of certain

¹⁸ Thomas Nagel (2004), discusses sensibly the possibility that the reasons referred to the agents, responsive to their desires and feelings, may become impartial reasons, likely to draw attention to an important aspect and worth to be considered from the point of view of any human life lived with dignity.

principles and courses of action. As established by some neo-Aristotelian perspectives (Sherman 1998, Nussbaum 1995), the reasons for claiming a genuine deliberation need not belong to the transcendental domain of right reason, you may also find firm ground in the emotional level of individuals, in their character and moral personality, in their ability to act with integrity to changing or elective circumstances, facing moral and ideological biases of generic assumptions, conjugated as principles or rule-case judgments. It could even be said, turning to a sober evocation of the emotional background of political conduct without falling in a psychologist trap, scornful of intersubjective or argumentative rationality, that if any deliberation requires to discern the dangers, opportunities and consequences of opting for a particular course of action, the agent most sincerely willing to translate their own motivations to the language of other acceptable reasons, would not be able to carry out such an undertaking without considering their own experiential vicissitudes, without the use of their sensory powers, without connecting, ultimately, with his or her fears and deepest and most heartfelt affections.

Regarding the second question, related to the evaluation of the substantive quality of the justifying reasons in the political arena, the question goes back to a theoretical crossroads, so to speak, with strong philosophical rooting, regularly nurtured by different variants of the epistemologic tradition and its critics, from which emanate two basic options: either the discrimination of public statements in accordance with an epistemic foundationalism, based on methods or criteria charged with giving or withholding a truth status to public proposals, aimed at determining -formal or objectively, their errors and mistakes, or the registration of public justifications in a consensual context, dependent on concrete and diverse forms of public reasoning, refractory to any test of epistemic correction, any claim of factual truth or morality incompatible to pluralism or the contingency of human knowledge. This, although turning the tables of the discussion, merely fans the fires of a classic ground for discussion among practitioners of a universal epistemological legality and adepts at contextual relativism. A debate among the defenders, it could also be said, of a semantic truth-whether formal or objective, empirical or referential, and the critical approaches to the idea of a foundation endowed with epistemic or moral rationality assimilable for some of these approaches, to a will to power or truth (Ibáñez 2005).¹⁹

The theory of a democratic political deliberation, equally consubstantiated with the idea of pluralism and a robust notion of inescapable objectifying truth and normative correctness must overcome this dilemma, avoiding both alternatives, appealing to a substantive defense of the virtues of deliberation based on a weak epistemic basis, equating deliberation to a critical and evaluative analysis, dialogical and not monological (at least when it comes to the context of justification) of the validity of the facts, law and policy of the justifications accepted or disputed.

Recall, first, that political deliberation is not comparable in any case, to scientific and moral inquiry. Not because deliberation is not confronted with the problems of rationality, objectivity and generality facing the latter, but due to the decisional purpose and specific binding ties emanating from its results. In fact, the *telos* and *praxis* of political activity are fed by inputs from the scientific knowledge and moral knowledge

¹⁹ Both positions have the support of diverse authors, whose references are omitted here, due to the ideal-type treatment of the topic here which exonerates this paper of addressing the differences and nuances existing in that regard, which would lengthen too much the discussion of this point.

with a view to giving due consideration to a common reality on one hand, and on the other to strengthen their practical rationality. What is more, leaving aside the contingent relations between political action and expert knowledge, the principle of justifiability of policy proposals require that these come backed on the beliefs and convictions of common sense or expert knowledge about the reality of the social world, common facts and moral life.

Anyway, the point to underscore is that demo-political deliberation does not lead to a truth demonstrated by formal or scientific methods, or to a single moral perspective, whether they are transcendent of time and space or dependent on context or cultural and historical character. Rather, because it is an activity with gubernatorial or legislative purposes, its justificational bases (cognitive and normative issues worthy of consideration in a collective decision), are internal to this role, or at least should have an internal connection with a political purpose, with the collective treatment of a matter of justice of mutual recognition or general interest, even if those bases are not entirely independent of the values and rules in other fields of knowledge and human action. Hence, the policy actions cannot have a strong epistemological foundation but a weak, moderately realistic, one. This is so because, although speakers are communicating each other's claims to truth and normative correctness, contrasting them with their worlds of reference and common experience, assuming the value of those claims and contrasts in a rational discussion and decision, there is no external -ontological or methodological-criterion to establish the true or right, outside of the experiences and assessments of the participants in the discussion, nor is it possible to reach agreement on procedural conditions that ensure, a priori, rational acceptability of such claims (Taylor 1995)²⁰.

Secondly, the determination of truth or falsity, correctness or incorrectness of political propositions is problematic, among other reasons, because the assumptions that underlie them are usually generic or controversial. Even descriptive readings of events often express profound common ethical or political differences. Not forgetting as well that the most important rights and interests, zealously protected by the liberal-republican constitutions, regularly enter into conflict, at the request of evaluative or interpretive options, leading, one way or another, in a procedurally regulated decision in which tend to weigh, for better or for worse, the views of the majority. Therefore, the correctness of what we do politically depends not on tested or proven truth of public statements, as if we knew beforehand or ex-post the truth or falseness of our beliefs and those of others, we would not need to deliberate collectively, or to make public choices. Therefore, the political reason leads, ultimately, to choose between real or potential alternatives, agreeing to allow the winning alternative the right of initiative to regulate social situations and according to procedural rules that allow the opponents to continue struggling, in democratic terms, for their beliefs and aspirations.

²⁰ Political intention is not epistemological, is not going towards an independent object, it does not pursue to achieve a knowledge based on a well represented reality, and it does not seek an appropriate correspondence between statements and states of affairs. Also, the political intention is not governed by practical knowledge, aimed at defining the relational terms or due treatment between people, based on human reason. Which is not to say that responsibility and prudence should be given priority, as a substitute of the unsolvable nature of the issues of truth and morality. In any case, political intention is decisional and not theoretical, it certainly has pragmatic dimension, as the beliefs and knowledge of political actors are corroborated by solving problems, prone to produce learning and adjustments to correct errors and respond to objections. But the political purpose does not admit to be judged solely by its results, leaving aside questions concerning the intrinsic correctness of the actions and the way agents interact with the world (Lynch 2005).

Yet one must not exaggerate the pragmatic or contingent aspect of political reasons, since the governmental sphere puts at stake beliefs and values relevant to the lives of citizens, called to configure their common worlds and to inform their respective purposes. And while the knowledge and values of individuals are not entirely alien to their languages and ways of life, they are contrasted, one way or another, with realities involuntary or independent of their wishes and preferences. Moreover, although political minorities and majorities are unable to resolve epistemic and moral issues on the basis of an independent criterion, according to some objective measure of truth, and correctness rules, their positions do not have to stay in the domain of subjective, contingent or arbitrary, since in that case we would be matching on behalf of a cognitive skepticism or a normative undecidability, all beliefs and moral stakes, reducing the world of politics to mere power struggles and denying their participants the right to truth and the just struggle to prevail in terms of common beliefs and better founded public principles.

To summarize, the absence of a single criterion for the validation of beliefs and political assessments must not lead to a cancellation of epistemic and moral evaluations in the citizens' level of discussion, because the factual or evaluative statements can play a reasonable motivational part in political terms, providing better and worse justifications for mobilizing the power of joint action. Now, what accreditation does deliberative reason require as a good reason justifying a course of political action? For now let's say, in negative terms, that it does not depend on a consensual vocation or its moral impartiality or neutrality, even though these attributes can help build, to some degree, a genuine foundation of political action.

Two brief considerations are to be made in defense of these claims. First, if we look at things from a demo-republican rather than liberal-contractualist perspective. This is to say, from a point of view more sensitive to the autonomy of citizens' powers than to the independence of individuals, good deliberative reasons have no reason to be equated with the reasons to obtaining a rational agreement or the capture of generalizable interests, as a result of ideal deliberative procedure, transcendent of particular divides and calculative rationality, as in Rawls, whether from an ideal speech situation, constitutively oriented to understanding and cleansed of extra-dialogic distortions, as in Habermas. Rather, the good deliberative reasons owe their origin, in law and fact to a current and real public speech, being driven by the actors interested or by those who feel affected by a common norm, bringing to account considerations relevant to the collective decision and contributing to strengthening, from each particular perspective, the public bases for acceptance or objection of common rules.²¹

In addition, the decision resulting from democratic deliberation does not have to be based on reasons or solutions indisputable to all parties, or go through a contractual Procrustean bed of unanimous consent, too onerous or unfair a burden to the democratic approval of the initiatives or aspiring to guide the exercise of political power in a particular direction, in the framework of common law. At most, the reasons justifying the exercise of majority political power must be presented by a specific determination of

²¹ Needless to say that political legitimacy is not limited to questions of truth and validity, as true and correct shall also include, in the current policy, the veracity of the speakers, i.e. the relationship between their speech and beliefs. As in other social activities and practices, in political life not only the quality of the speeches is judged but also the reliability and sincerity of people.

principles and public values (freedom and equality, justice and mutual recognition, solidarity and reciprocity, general interest or common good, etc.) and by references and inferences publicly testable by all parties. The latter do not have to muster a widespread commitment, nor rely on the achievements of performative speech acts in the framework of intersubjective communication, which can lead to o ignore the real semantic problems or genuine public dissent²².

Secondly, the quality of demo-political deliberation does not depend on the rise of a rational interest of society to an impartial or neutral reason. It is not, in fact, a procedure intended to unmask a selfish agent or self-interested, to force him to take the perspective of the common good of transcendent or neutral reason,, as the supposedly selfish actor, allegedly the victim of an appetite or a particular interest may well be the spokesperson for a social category unfairly damaged in the distribution of social resources or arbitrarily excluded from public space, while its intervention may involve a legitimate claim for the reconfiguration of the citizenship's "us", whether by the introduction of something new to old precepts, either by creating new norms. Even the substantive goodness of political justification cannot be measured in the light of a principle of impartial justification (inevitably "internal", incidentally, to a political or cultural context), since the contents of morality and policy arrangements of political arrangements are not impartial in a strict sense, because although they must be compared to self-interest and calculation of profit or unilateral convenience, they are comprehensive articulations of rinciples and values aimed at enabling certain regimes or outcomes and not others.²³

Put it this way, the political credit of the valid reasons in a demo-political deliberation, rather than claiming to be understood in arguments of political morality and to estimate their disposition to follow rules of common reference or inference, does not require that such reasons be signed by all parties, achievement of dubious conduct in a political world in which the acceptability of things does not necessarily follow the most successful efforts of justification, not only by ideological mediations or the ascendancy of interest on the truth, but also of the "burden of judgment" (Rawls 1993), and transitional or transformational processes at the level of certainty and ratings genuinely challenged. The important thing in any case, is that considerations of principle and well-informed judgments outweigh the strategic calculations of convenience and mere correlations of forces, which have such an important reception in mediatic speeches, which tend to scrutinize skillful moves in the "political board." under the light of an agnostic hierarchization of teleological rationality, focusing on a means-end or cost-benefits calculation.

For a *modest* praise of deliberative politics, then, it is enough to require that the reasons tending to favorably dispose all partners favorably enclose no strategic calculus which obstructs the discussion, avoiding arguments involving a mere statement to the

²² The consideration of linguistic expression as an action should not ignore the semantic validity (epistemic and normative) of what is said in the different languages related to politics. Even intersubjectivity and communicative understanding are not the only evidence on the validity of political speech. The substantive quality of the reasons justifying a belief or a normative claim, is also important, regardless of the communicative interaction, to use Habermasian language.

²³ For a defense of the principle of impartiality in the context of a theory of deliberative democracy, see Nino (2003).

agents, or refer to intensity of preference²⁴. And while the deliberative ideal demands that the reasons are judged in themselves, for their intrinsic value, it does not require an abstract eradication of the speaker, not a Jacobin snub to his insider look on his or her own particular situation. Ultimately, the justification of the claim to become a legal standard or mandatory for all, requires the provision of grounds relating to views shared or represented from many different perspectives, real or hypothetical, that might reveal "intersubjectively" the costs and consequences - whether general or particular- of a certain common rule. Hence, the discussion cannot be alien to the perspective of the deliberating agents, or their respective identities and roots, where differences arise, the demands of justice and mutual recognition of a citizenship that is not split between the public and private uses of reason²⁵.

As can be seen in the background of these arguments stands out a strong interest in valuing pluralism and disagreements on fundamental moral issues, which, far from constituting an obstacle to overcome, form the fertile ground of an open discussion, which is morally demanding and well informed. More than being governed, then, by a common rationality or a disembodied rationality (which some have been considering, rightly or not, as a particular rationality or a contextually situated one), the public sphere must support the most diverse conversational challenges, which can target, as in "scientific revolutions", the canons of rationality or commonly accepted paradigm. This includes the possibility of a discourse question to the very foundations of social and political practices, that is, a common inquiry on the premises that are shared or not in a

²⁴ Indeed, the "us-them" division inherent in political life, includes a commitment to certain special links, of identity or associations, similar to some extent, to the demands of loyalty and subjective preference of a friendship. But politics also requires moral treatment to others, opponents or competitors, as is due to them as moral and politically independent agents, also credited as a source of legitimate claims. For example, if I defend my partners because they are mine and not for reasons others can reasonably accept, my attitude is arbitrary, and is set to generate distrust, among other things, because any of them could fall from grace at any time. And if I defend my partners at the expense of reason and truth that my opponents claim, I lack the moral stature, responsibility and courage to make a correct judgment. In other words,, friendship is a good reason to preserve the harmony and eradicate the problems of justice, as Aristotle thought, but it cannot replace the reasons that we owe to others, to their claims and demands as autonomous persons, reasons classified by Aristotle, by the way, under the heading of political rhetoric, which should not be viewed merely as an effective and persuasive speaking, but to be truly faithful to Aristotle, as a dialectic and argumentative practice. In any case, public deliberation can serve to strengthen the autonomy of political actors and their ability to evade loyalties impervious to independent criticism, as rules of dialogical trust avoid exposure of each partner to the risk of strategic manipulation of his or her acts of justice by their closest partners. Moreover, the political gains achieved at the expense of insulting opponents, hiding relevant information and arbitrarily shielding friends, cannot constitute at all real political events in a transparent and open public space, but partial and precarious successes.

²⁵ A reasoned choice, exercised democratically after a comprehensive and fair deliberation, not only requires that people know the consequences of their choice in terms of possible outcomes, but may also take into account all the circumstances, interests, values and commitments worth considering in the context of the decision, otherwise the election would not be properly justified, presenting severe correctness deliberative vices. In the words of Benhabib (2008): "In a discussion of moral justification as provided for by the ethics of communication, individuals do not need to see themselves as beings without attributes." Even democratic majorities and minorities may differ in reasonable terms or in just right, about the fundamentals supporting a collective decision, and share, however, its effects and practical consequences. At the end of the day, in all participatory activity aimed at a collective choice, the decision need not necessarily reflect a single ground of truth or common morality, coincident with an unanimous or majority position, but be justified on the basis of reasons and considerations relevant to the case, without it implying achieving the same perception of the situation or leading necessarily to a convergence of views.

political community, on the public securities arising from them and its political consequences. Thus, political deliberation can lead to reformulate the terms of the social and political cooperation, as is in the case of constitutional deliberations, or to purify the preference orders of the current policy.

In any case, once guaranteed the fairness of deliberation, according to principles of inclusiveness and equity of discourse, the *ex ante* or *ex post* assessment of its results, depends on the "proper cross-examination" of the foundations and consequences of the alternatives in the game, of the public beliefs and the content of justice that they involve, of the burdens and costs to all parties, of the rights and autonomy that they affect, of values and identities, in short, that one or other recognize and promote. It is, ultimately, speech built upon the foundation of free discursive challenge to the bias of the counterpart, open to public knowledge and to the contrast of all claims and consequences that citizens and their agents want and can see reasonably secured in their common life, expressing, as a political body, elective preferences, submitting them to a genuine democratic decision and a controlled civic-moral experimentation.

Therefore, three conclusions emerge from the discussion in the last paragraphs: i) political communities, as well as the scientific or legal communities are obliged to publicly justify their beliefs and actions; ii) although the former are not able to rely on, as the latter, with methodologically firm or procedurally quasi-pure judgment criteria, neither are called to follow a cognitive and moral relativism, or an arbitrary or irrational decisionism in matters of truth and value, and iii) the epistemic problem for political deliberation is not in its inability to aim for a conclusive justification, because probably no justification will be able to do that, but is how it deals with dominant and disputed public justifications, considering the general, binding and future-bound nature of its decisions. In a nutshell, the objectivity and validity issues that -unavoidably- confront the most important policy actions, acquire practical significance from its incorporation in a complex process of public elucidation of the best and worst reasons of joint action.

Ultimately, the absence of an undisputable authoritative source of knowledge and normative reasons so dear to the epistemological tradition and universal morality, political deliberation would operate as a critical and evaluative instance of analysis of the epistemic and moral quality of the political justifications largely accepted, in fact, in a political community. Deliberation would enable the most varied conversational challenges to the cognitive and value certainties of its citizens. Deliberative reason itself, daughter of dissent and of the imperative to decide as a whole, would erode the theoretical ambitions endowing political communities with a conclusive legality, independent from their discursive practices, cognitive resources and ways of life. But deliberation also has the potential to question, criticize and correct those consensuses merely pragmatic or contextual, more loyal to a culture or tradition than to truth or justice. So, among the options of a strong justificationism, and a weak or consensual one, political deliberation would come to occupy a middle ground, aiming to capture the most important considerations for making a collective decision, including information and evidence relevant to proceed, responsible inferences, not merely disputative distinctions between the alternatives at stake and its assimilative capacity of the objections to each other.

4. Conclusion

As any other form of deliberation, demo-political deliberation is based on a principle of public justification and an argument exchange devoid of coercive

distortions or arbitrary influences. The political aspect of deliberation refers to a justificative speech oriented to authorize the legitimate exercise of governmental power of citizens in a certain direction, hardly one neutral or impartial to the differences in beliefs and values of citizens. And because of its democratic aspect, deliberative decision must comply with a rule of majority consent, based on certain specific principles of fairness and reciprocity, of mutual interest and mutual recognition that should inform political action in contexts of social and ethical pluralism. At the end of the day, democracy, if you should need to remember, unlike what is required contractarian tradition, does not require unanimous agreement by all concerned with far-reaching policy measures, but a fair allocation of authority to the public claims that conquer the widest acceptance with good information in the framework of common law.

Having taken some distance, therefore, from a competitive model of democracy, which, even though it ensures a principle of free choice, along with an open contestability of predominant positions on the basis of a wider exercise of persuasive freedom, it tends to encourage strategic rationality, merely adversative rhetoric and little dialogical cooperation, but also in contrast with a deliberative theory affected by a disproportionate celebration of the common reason in the face ethical divides and political calculation, aimed at cutting the public agenda or to privilege areas for discussion above or below the party level, in this text we have tried a modest defense of political deliberation, sensitive to pluralism, public dissent and majority decision. This deliberative policy perspective, certainly more skeptical than the contractualist view regarding the passage of will to reason, based on the plural exercise of public and communicative reasonability, seeks to prevent various political ills, including the uncritical reconciliation of interests, the mere administration of contradictions, pragmatic accommodations to acceptability of the decisions, indiscriminate political aggregations and the most predatory strategies for success.

However, the main purpose of this text has been to draw attention, first of all, to the anti-anti-power or anti-domination nature of democratic deliberation, emphasizing its intrinsic requirement to justify arguments to those affected by the acts of authority, beyond competitive or bargaining power, and secondly, to the possible achievements of deliberative practices as critical instances of dissent and factual consensuses, and of their cognitive and normative bases, thanks to an adequate articulation of disruptive speech and more disciplined public discourse. From the epistemic point of view, in fact, demo-political deliberation would come to function as an evaluative analysis of the various discursive practices, not only because of deliberation's restrictive rules regarding self-affirmative and confrontational speech but also its potential role to measure the distances between public consensus and dissent from a particular political community and their available standards of truth and normative correctness, be they universal or context dependent.

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