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Introduction: Common Voices

My grandfathers had six years of schooling between them, and that includes one of them going through the sixth grade. Despite never learning to read or write in either his native Italian or his adopted English, my father's father voted dutifully and discussed political issues with relatives, friends, neighbors, and co-workers. Even without any formal schooling, he thought that he had things to say about politics that others should hear, and in turn, that he needed to hear what they had to say.

My first memory of being included (such as it was) in an adult conversation about politics took place at the tavern my father frequented with his fellow Teamsters. They were debating the merits of President Carter's deregulation of the trucking industry, whether it constituted a betrayal, and warranted the union endorsing Governor Reagan for president.[1] I knew that important things were at stake in their discussion, and the experience sparked a life-long engagement with such conversations, first as a participant, and eventually as a student of them.

The transition from the citizen's perspective to the scholar's, however, proved to be jarring for my childhood vision of citizen deliberation. I soon learned that the prevailing opinion among social scientists was that most citizens did not – and did not *want* – to deliberate much about politics and that modern democracies had grown too large for what little deliberation there was among the masses to be effectual. Moreover, I learned that

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[1] If the depiction here of my family's political discussions seems notably gendered, that is because those discussions *were* notably gendered. My grandmothers, both more educated than their husbands, nevertheless deferred to them on political matters. I do not intend to valorize everyday political talk uncritically, and return to this theme later on in this book.

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the academic perspective was that this was probably a good thing since people's deliberations proceeded on the basis of appalling ignorance and a questionable commitment to constitutional principles. It is not hard, then, to guess how those scholars would have regarded the political ramblings of a handful of half-drunk truck drivers who knew nothing of microeconomics – never mind those of an illiterate immigrant from authoritarian Italy.

From this scientific perspective, what had seemed like ordinary, sensible, even essential activities appeared strangely unintelligible – epiphenomenal and self-deluding at least, and perhaps dangerous if they could be harnessed by a populist demagogue. The evidence for these factual propositions seemed – indeed, in one sense *is* – overwhelming. Any theory of democracy that does not face it squarely is utopian in the pejorative sense, not worth taking seriously for guiding political practice.

The response, in many circles, has been to make the normative standards of democracy less ambitious so as to narrow the gap between our aspirations and our achievements. Such "realist" theories of democracy, I will show, are unwarranted on good intellectual grounds, not merely out of a sentimental commitment to civics textbook portraits of democracy. We present such portraits in our children's textbooks because they reflect our deepest normative aspirations. We should be slow to set such aspirations aside, even as we frankly engage the daunting gauntlet of challenges that threaten normatively ambitious accounts of democracy.

Deliberative democrats seek to ease the tension between our ideals and the exigencies of modern mass democracy. Deliberative democracy is a form of government that tries to make good political decisions by systematically connecting them to the reasons that equal citizens give each other for and against those decisions. Sober political thinkers from Plato to the present, however, have argued that if we want to make good decisions, we cannot entrust them to the deliberations of common citizens. So I will have to explain why modern mass democracy's empirical record does not preclude having it both ways.

The ambiguity of my title, *Common Voices*, reflects this dual aspiration for popular inclusion in political deliberation and sound political decision making. The account of deliberative democracy that I develop does not concede that the scale and complexity of modern democracy necessarily rule out a meaningful role for the deliberations – the voices – of common citizens. Elites will have important specialized deliberative roles; but common citizens will have a real voice, rather

than being consigned to speaking only in the desiccated, if still essential, language of checks on a ballot.

The second sense of "common voices" captures the notion that at least one purpose of such deliberation is to help us, insofar as possible and appropriate, to reach agreements and understandings – colloquially, to "speak with a common voice." This second sense requires a bit more explanation because it is controversial, even as an aspiration, and even among proponents of deliberative democracy. For now I will only note that I deliberately use the plural, "voices," and that commonality admits of degrees. Thus, there is no metaphysically dubious and morally leveling collective will here; just the mundane reality that our understandings and intentions can be more or less aligned, and that there are consequences that typically follow on the "more" and the "less." My defense of deliberative democracy links the two meanings of "common" internally: The deliberations of ordinary citizens provide the raw materials for and help outline our common choices and the reasons behind them; and to the extent that average citizens take those up as their own, they can recognize themselves in that common endeavor. Thus, against the realists, governance can be both genuinely democratic and robustly deliberative.

why deliberative democracy?

Given the apparently grim empirical record, one may wonder why it is worth trying to reconstruct a defensible notion of deliberative democracy. One of the great attractions even of realist democracy is that it gives citizens a reason to abide by decisions by distributing decision-making power equally, at least in a formal sense. If I had an equal chance to influence a decision, then I have at least one reason to regard it as legitimate – that is, there is nothing unfair about it from the standpoint of formal equality. Put this starkly, such a thin notion of equality may seem like a modest claim to legitimacy. But this is to take the short view. Taking the long view of political history, an equal chance to have one's vote "count" appears as no small accomplishment.

Yet most deliberative democrats want to push for a stronger account of legitimacy. They seek to further rationalize the exercise of power by adding a concern for the *quality* of the reasons underwriting democratic decisions. The claim is that doing so will typically produce "better" decisions, and that it promotes our freedom by deepening the sense in which we can consider ourselves people who have to abide by only those laws that we have given to ourselves. Rather than simply having everyone cut their

best deal and letting the chips fall where they may, deliberative democrats want to make us accountable to each other in a way that typically goes beyond justifying my choices merely by saying "that is what I want."

Again, put this starkly, the deliberative criterion might seem painfully obvious. But, again, a glance at political history casts a different light. Resistance to democratic reforms was typically justified by appealing to the superior wisdom of some person or group smaller than all adult members of society, whether it was a king, propertied white men, or graduates of Cambridge and Oxford. So, critics have objected that deliberative democrats unwittingly side with elitists and reactionaries by handing them a convenient lever for effectively restoring unequal power. If this accusation turns out to be true, that would indeed be ironic since deliberative democracy was developed in part to expose the ways that merely formal conceptions of democratic equality leave average citizens substantively unequal and unfree.

The full response to this concern will unfold over the course of the book, but it is worth noting that, taken literally, such critics evince more skepticism about the capacities of average citizens than they might intend or coherently invoke. If asking for good reasons is asking too much, then that would seem to grant that the elitists might have a point in worrying about equal power in decision making.[2]

In one sense, requiring a deliberative account from decision makers is anti-elitist and anti-paternalistic on its face. The point of realist theories is that when elites say, in effect, "this is for your own good – you wouldn't understand," they are just acknowledging the prudential limits of mass politics. The point of deliberative theories is to say that citizens are within their rights to reply "try me." Years after the conversation in the tavern about deregulation, while I was in college studying economics, I revisited the topic with my father. I explained how economists could prove that deregulation would create efficiencies that could more than compensate the losers. He understood the argument just fine, and replied flatly, "Then why weren't we ever compensated?" The social critic's reasonable concern over inequalities in the skills of argument too easily devolves into a well-intentioned elitism of its own.

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[2] One might believe that equality is generally more important than the substantive quality of decisions, but it is far from obvious that the former should completely trump the latter. Alternatively, the critic might be arguing that the criteria for what counts as "good reasons" are arbitrarily restrictive in a way that favors the powerful. I will discuss this line of argument in detail below.

Once we appreciate the logic of asking elites for the reasons behind their decisions, it is easy to see why it is typically reasonable to do the same for our fellow citizens. If deliberative democrats want to create a stronger link between the deliberations of average citizens (common voices) and political outcomes, then those average citizens are effectively moving closer to being decision makers vis-à-vis each other. So a similar rationale would apply. If you are going to use your power to affect my vital interests, then you owe me an explanation that goes beyond a mere assertion of your will. Otherwise, we may subject each other to arbitrary power, which is to say that we could tyrannize each other.

If putting the point this way seems a bit overheated, perhaps it is because in most democracies, majority power is subject to constitutional constraints that check some of the worst ways that we might exercise arbitrary power over each other. However, routine legislation, regulation, and other forms of mundane state power can nevertheless profoundly affect important parts of our lives. So, it may not be hyperbole to say that a democratic political system risks becoming tyrannical if it pays little regard to how a slow drip of arbitrary power can quietly accumulate.[3]

Thus, deliberation done right should help us to avoid tyranny. Moreover, to the extent that we can move beyond merely *recognizing* each other's reasons to actually aligning them (i.e., to *persuade* each other), the more we can recognize political decisions as our own. By helping us to speak in more or less common voices, deliberation affects the extent to which we can realize a kind of freedom.[4] Stated this way, the deliberative account may begin to sound a bit like high theory. However, in another sense, this account merely makes explicit the rationale behind intuitive ideas and practices already embedded in our political culture. Deliberative theory makes sense of folk notions like getting to "have our say" and "calling each other to account." The ordinary, sensible political

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[3] For similar reasons, deliberative democrats are keen to reflect periodically on the accreted consequences of our previous decisions – that is, the structures and institutions within which we exercise power over each other in the present. If our seemingly free and considered preferences are adapted to the limits of a quietly unjust system, then rationales and choices within that system will only relieve the burden of arbitrary power in a local sense. Thus, deliberative democrats want to promote reflective practices and habits that also promote autonomy in this larger structural sense.

[4] None of this is to say that advocating for your own interests is the same as merely asserting your will. The point is that in advocating my interests, I should put them in terms that appeal beyond me. For example: "Here is why I think that I have not been getting my fair share of the gains to cooperation in society lately...." For an excellent discussion, see Mansbridge et al. (2010).

exchanges among average citizens that became unintelligible in light of the realist critique once again appear ordinary and sensible.

Thus, deliberative democratic procedures open up a way of thinking about how political processes could contribute to freedom or autonomy. Such freedom would be otiose, however, if deliberative procedures were to lead consistently to bad decisions by thwarting our intentions and inefficiently realizing our goals. So deliberative democrats must also show that their procedures can lead to "better" decisions, and for many of the same reasons and mechanisms by which it promotes our autonomy.

One obvious reason why we might be able to make better decisions with robust citizen deliberation is that bringing more people into the process brings more and more kinds of information to the table. (We should understand information very broadly here to include factual information, reasons for and against proposals, perspectives, relevant life experiences, etc.) Moreover, by asking each other to justify our information as relevant and our reasons as compelling, we make it more likely that "good" information and "good" reasons will gain more traction. In subsequent chapters, I will consider many ways that such a process might go wrong, but there is certainly enough surface plausibility to these claims to warrant investigating when and how it is possible to make such deliberation effective.

Scholars have proposed many other desirable consequences that are thought to flow from deliberation. For example, there is evidence that deliberation might make for "better citizens" by increasing a host of desiderata: citizens' political sophistication; their interest and participation in politics; their sense of political efficacy; their trust in their fellow citizens, political officials, and the political system more generally; their awareness of and respect for other points of view; their empathy for others; and their willingness to take on others' interests as their own.[5]

In my view, such goods are generally best regarded as instrumental to promoting deliberative democracy's particular conceptions of freedom and good decisions. For example, trust in political officials is only good if they actually deserve such trust and thereby facilitate making good decisions that, in turn, facilitate the citizenry recognizing that their trust was well placed in the first place. But these instrumental goods bear mentioning because research on them suggests that the prospects for effective democratic deliberation may be positively self-reinforcing over

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[5] Mansbridge (1999), Gastil et al. (2002), Luskin and Fishkin (2002), Searing et al. (2007), Esterling et al. (2011a, 2011c).

time. That is, if practicing deliberation makes one more interested in politics, more knowledgeable, more empathic, more other-regarding, more trusting, and so forth, then we have another reason for thinking that modest deliberative reforms might change the way that we evaluate the challenges to a workable deliberative democracy over time. Nevertheless, those challenges remain formidable.

CHALLENGES TO DELIBERATIVE DEMOCRACY

Soon after deliberative theory rose to prominence among philosophers and political theorists, it began to attract attention from social scientists as well. One might accurately describe the modal response among social scientists as incredulity. If research suggests that citizens cannot show up to vote every few years and reliably get it right (if they bother to show up), then it seems laughable to think that their voices should be given a more prominent place in democracy. Laughable, perhaps, were it not so dangerous. For, in the critics' view, deliberative theory gets it backward. Rather than trying to find ways to empower common voices, social scientists argue that we need to develop a theory that can accommodate the severe and inexorable limits of democracy's encounter with modern mass politics, while salvaging whichever normative remnants survive the clash.

These critics pressed their attack on multiple fronts, arguing that deliberative democracy is (1) *incoherent*, because peoples' varying reasons for and against policies will never add up to anything consistent; (2) *naïve*, because power and self-interest will always trump idealistic calls for public spiritedness; (3) *paternalistic*, because despite deliberativists' entreaties, most people simply and reasonably do not want to spend more time talking about politics; and (4) *inefficient*, because widespread ignorance among citizens will actually make their decisions worse than those of competent elites.[6] All of these criticisms depend crucially on empirical claims, so the critics brought mountains of social scientific evidence with them.

Faced with these empirical challenges, normative theorists found themselves engaging on relatively unfamiliar and unfavorable terrain. They tended to choose one of two patterns of retreat: Either they pulled back

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[6] Critics often cite the problem of "scale" as another cardinal challenge to the workability of deliberative democracy. I agree that it is a major challenge but argue that it manifests itself in several forms that are better disaggregated and discussed under the preceding headings.

to the normative high ground, dismissing the social scientists as uninformed and their evidence as largely irrelevant to a normative theory, thereby leaving the theory merely aspirational; or they withdrew into narrow, controlled environments (e.g., deliberative opinion polls, discussed in greater detail in subsequent chapters) fortified against the empirical critique. By largely abandoning the broader political system, however, what started out as a theory of deliberative democracy – a kind of political regime – evolved into a much more modest theory of democratic deliberation – a very particular practice within a much larger system. Moreover, the tactical retreat of normative theorists has done little to appease the critics, most of whom scoff at the idea that "a few days of democracy camp" could overcome the fundamental problems facing any deliberative theory.[7] From this point of view, the recent surge in real-world deliberative reforms (e.g., the British Columbia Citizens Assembly) is little more than academic fashion made recklessly real.

TRANSFORMING THE DEBATE

The key to cutting across this impasse involves distinguishing among the means, ends, and structure of a deliberative democratic system. The main goal of such a system is to secure authentic deliberative buy-in for good political decisions. Deliberative buy-in means that citizens can look at the policies, laws, and rationales produced by the political process and recognize them as reasonable and, better yet, embrace them as their own.[8] From this perspective, all manner of institutions and practices that do not seem deliberative on their face (e.g., elections) may nevertheless serve deliberative ends. And conversely, superficially deliberative practices

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[7] The quip about "democracy camp" is from Bartels (2003: 15). Chambers (2009) develops the distinction between deliberative democracy and democratic deliberation as I intend it here. Mansbridge (2007) uses the distinction differently, meaning to praise the latter, in a limited way, as a more modest, neo-pluralist theory. Habermas pursues a third line of response to the social scientific critics, by arguing that they ignore "what political power owes specifically to its formal constitution in legal terms" (1996: 330) – that is, the way that democratic presuppositions are not merely regulative ideals, offering an external standard of criticism, but rather partially constitute the legal exercise of political power. I discuss this regulative and constitutive distinction in more detail in Chapter 2.

[8] Buy-in should be understood as operating over time, so remaining satisfied with those policies and rationales after living with them is part of the setup and thus incorporates a notion of "good" decisions as well. "Authentic" as a normative modifier is meant to capture the distinction between the mere fact of buy-in and deserving it. In Chapter 2, I develop criteria for warranting such dessert via measures of deliberative quality.

may fail to embody or promote deliberative goals.[9] Deliberative "quality" is thus properly thought of as a property of the broader political system, rather than of discrete moments of deliberation. Together, these two moves – first, conceptualizing deliberation as a set of normative criteria rather than a set of specific talk-based political innovations, and second, applying those criteria at the system level – completely transform deliberative theory's relationship to empirical social science.

Understood this way, deliberative theory is dramatically more flexible and thus can engage the social sciences not as an adversary but as an ally in the search for better ways to realize democratic goals. The key question is no longer whether some institution or practice looks deliberative on its face, but rather whether it contributes to deliberative legitimacy at the level of the larger political system. If so, then one risks making a category mistake by applying standard deliberative criteria like equality or reasonableness directly to every site in the political system.

For example, it is no secret that much naturally occurring political talk among non-elites proceeds on a thin factual basis and in relatively cloistered social situations. However, the main function of such casual political talk is akin to "brainstorming" – simply generating large numbers of ideas, reactions, considerations, feelings, arguments, fragments of arguments, and so forth. The main goal of such talk is to get the contents of people's political thoughts, concerns, and experiences onto the table, without worrying much, for the time being, about their quality, priority, or practicality. Indeed, for brainstorming to work right, ideas must *not* be subjected immediately to substantial criticism and filtering. Thus, what might be a vice at another point in the system – for example, political talk in relatively homogeneous circles or among people with little technical knowledge – can actually serve important purposes, such as giving legitimate minority perspectives time to develop without being assimilated by dominant perspectives, or clarifying key values and interests before subjecting them to technical criticism.

Rather than asking whether deliberative democracy is "realistic," this approach allows us to shift to more interesting and productive questions about how best to realize deliberative ideals. We are not concerned primarily with the absolute distance between reality and the ideal, but rather with whether we can adjust our institutions and practices to help average citizens recognize their contributions and interests in the results

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[9] My discussion here draws on and develops elements from Habermas (1996), Bohman (1996), Goodin (2003), and Warren (2007).

of an improved policy process. Criticizing the deliberative ideal on the basis of its supposed remoteness is simply beside the point, akin to arguing that measuring a basketball player's shooting percentage is inappropriate because perfection on that scale is "unrealistic." Should we therefore switch to a measure that only requires that the ball gets near the basket, since it would be more realistic in the sense of narrowing the gap between the ideal and the actual? Doing so would not be sensible because the new standard does a poorer job of validly tracking how we value a player's contribution to a team. Those who perseverate on what they take to be the normative over-ambition of deliberative democracy make a similar mistake.

Thus, one of the major goals of this book is to develop the outlines of this transformed relationship between deliberative theory and empirical social science, and to show how doing so opens the door to a vastly more constructive interaction between the two. First, we can respond to the challenges regarding deliberation's workability on their own terms rather than evading them. That is, we can explain why we need not set aside the aspirations from our children's civics textbooks even as we struggle honestly with the messy realities of modern mass governance. But the value of the new relationship goes beyond mere apologetics for deliberative theory. Many findings from social science that had appeared as threats to a brittle conception of deliberation will now appear as valuable guides to improving deliberative practices. Moreover, clarifying the proper relationship between theory, research, and practice allows us to plan further research in a cooperative mode that identifies key gaps in our knowledge, creating opportunities to simultaneously improve normative theory, social scientific inquiry, and democratic practice.

PLAN FOR THE BOOK

In this spirit, then, Chapter 2 develops an account of the components of the deliberative system, and how they interact to secure deliberative goals. From the most local, internal to each individual's mind, to the macro-structures of the state, I describe each site of deliberation as it functions in this system. Only such a unified account will allow us to trace the relevant standards of deliberation through the entire system. In the second half of the chapter, I develop these standards theoretically, introducing a so-called *inferentialist* account of political justification and linking it to more operationally proximate criteria of deliberative quality.