Deliberation, and What Else?

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The recent outpouring of books and articles on deliberative democracy is very impressive, and many of the arguments are persuasive. But there has been so little disagreement about deliberation—and no effort at all to consider its contexts and complements—that the idea is in danger of becoming commonplace and sterile. So I intend to indulge a contrarian impulse and try to make a list of all the nondeliberative activities that democratic politics legitimately, and perhaps even necessarily, involves. I doubt that the list is exhaustive, though I have not knowingly left anything out. As will quickly become obvious, I have not made deliberation synonymous with thinking; mine is not a list of thoughtless activities. Deliberation here describes a particular way of thinking: quiet, reflective, open to a wide range of evidence, respectful of different views. It is a rational process of weighing the available data, considering alternative possibilities, arguing about relevance and worthiness, and then choosing the best policy or person. Now, what else do we do? What is going on in the political world besides deliberation?

The point of these questions is not to deny the importance of deliberation or to criticize theoretical accounts of what it requires, like that provided by Amy Gutmann and Dennis Thompson in Democracy and Disagreement. Nor do I mean to suggest that those two, or any other theorists of deliberation, would deny the importance of the activities that I shall list in my answer—though they might describe them somewhat differently than I do. For I do mean to offer, in almost all the cases, a strongly sympathetic description. But my main purpose here is to figure out how deliberation fits into a democratic political process that is, as my list makes clear, pervasively nondeliberative. So let’s assume, but for the moment set aside, the value of “reasoning together” as Gutmann and Thompson describe it, where reason is qualified by reci-

1. Political education. People have to learn how to be political. Some of what they learn they are taught in school: a rough outline of the history of democratic politics, the crucial events and actors; basic information about the federal system, the three branches of government, the structure and timing of elections; perhaps also an account of the leading ideologies, at least in caricature; and so on. But parties, movements, unions, and interest groups are also schools of a sort, teaching their members the ideas that the groups are organized to advance. What the old communist parties called “agitprop” is a form of political education. Theorists committed to deliberation will say that this is a bad form of education, really indoctrination; and it is literally true that parties and movements seek to indoctrinate their members, that is, to bring them to accept a doctrine—and, whenever possible, to represent it, to repeat its central tenets (even when it is unpopular to do that), so that each indoctrinated member becomes an agent of doctrinal transmission. Whether this sort of thing is good or bad, it is enormously important in political life, because the political identity of most people, or, better, of most of the people who are engaged by politics, is shaped in this way. This is how they become agents with opinions. Of course, political identities are also shaped by familial life: Agents with opinions marry agents with similar opinions and raise children to whom they try, most often successfully, to pass on those opinions. Socialization in the family, the earliest form of political education, is just agitprop with love. But the opinions that are transmitted reflect doctrines developed outside the family and inculcated in public settings through a great variety of public media.

2. Organization. One of the aims of political education, or, at least, of agitprop and indoctrination, is to induce people to identify with and work for particular organizations. But organizing itself is a highly specific activity, which involves getting people to actually sign up, carry a card, accept a discipline, pay their dues, and learn to act in accordance with a script that they don’t write themselves. “The union makes us strong” is a democratic maxim, even
if it is also true in nondemocratic settings; it reflects democracy’s majoritarianism, which puts a premium on association and combination. But unions, like armies, are not strong if their members stop to deliberate about every action that the leadership commands. The leaders deliberate on behalf of everyone else, and this process is more or less public, so that the members can speculate about what the deliberations of the leaders will come to. But organizers try to persuade people to act in unison, rather than as speculating or deliberating individuals.

3. Mobilization. Large-scale political action requires more than organization. Individual men and women have to be stimulated, provoked, energized, excited, called to arms. The military metaphor is appropriate: An army can be an inert organization, held in reserve, the soldiers sitting in camps, cleaning their weapons, occasionally exercising. If they are to fight a war, they have to be mobilized. Something similar is true in political life. Ordinary members must be turned into militants, at least for the duration of a particular activity. An especially intense sort of agitation is necessary here, to capture their interest, focus their energies, draw them tightly together—so that they actually read the party’s manifesto, say, and argue on its behalf, and march, carry banners, and shout slogans in the party’s parades. I know that the image of masses of people shouting slogans will suggest to deliberative democrats an antidemocratic politics. But the character of the politics depends on the slogans, and these have often been prodemocratic. Indeed, what might be called the struggle for deliberative democracy—that is, for political equality, a free press, the right of association, civil rights for minorities, and so on—has required a lot of slogan shouting. It is not easy to imagine a democratic politics to which popular mobilization has become superfluous. (Whether that should be our ideal is a question I will come to only at the end of my list.)

4. Demonstration. The point of a democratic mobilization is not to storm government offices and literally seize state power but rather to demonstrate personal intensity, numerical strength, and doctrinal conviction—all of which are critical to popular power. Hence the march or parade, the party rally, the placards and banners, the shouting of the participants, the oratory of the leaders, and the fierce applause it is meant to elicit. There is no room here for quiet deliberation, for that would not show to the world the force of these people’s concern, their passionate commitment and solidarity, their determination to achieve a particular political object. Once again, the aim is demonstrative: to deliver a message—sometimes more generally to one’s fellow citizens, sometimes more narrowly to an entrenched elite. The message goes like this: Here we stand; this is what we believe must be done; and we don’t believe it casually, it isn’t an “opinion” of the sort that might be captured by an opinion poll, it’s not what we think today and might or might not think tomorrow; we will keep coming back until we have won; and if you want to get on with the ordinary business of politics, you had better accommodate us on this point (or on this series of seventeen points). Of course, all this can be said in a fanatical way, reflecting ideological or religious absolutism rather than political determination. But demonstrating intensity and conviction now doesn’t necessarily preclude negotiating later on, and this combination can be used, and has been, in defense of democratic rights—to vote, or strike, or associate freely—as well as in defense of substantive but contested reforms like prohibition, or gun control, or the minimum wage.

5. Statement. “Making a statement” is the aim of the demonstration, but it can also take a more literal form. I have already mentioned the party manifesto, which the militants endorse and repeat. Sometimes it is politically useful to reduce the manifesto to a credo or declaration, affirming this or that ideological conviction (something like the profession of faith of a religious community), or staking out a position on some more immediate issue, and then ask people to sign on. The publication of the credo, with names attached, signals to the world the commitment of these people, their readiness to take a stand in a public way. The authors of the credo may have deliberated about what to say, more likely about how to say it; the people asked to sign presumably deliberate about whether to sign or not. But the credo itself has the form of an assertion, which is not likely to be modified as a result of counterarguments. At moments of intense political conflict, newspapers and magazines will be filled with statements of this sort—declarations for and against this or that policy, say; but all of them taken together do not constitute a democratic deliberation, since the different sets of authors and signatories don’t always make arguments, and when they do, they rarely read each other’s arguments.

6. Debate. Statement and counternarrative make for something like a debate, though we usually expect debaters to speak directly to one another, arguing back and forth in a quicker, more spontaneous, more heated way than is possible in the formal exchange of credos and declarations. Debaters do have to listen to one another, but listening in this case does not produce anything like a deliberative process: Their object is not to reach an agreement among themselves but to win the debate, that is, to persuade the audience that this position, rather than any of the alternatives, is the best one. (Some members of the audience may then deliberate among themselves or within themselves—going over the different positions in their own minds.) A debate is a contest between verbal athletes, and the aim is victory. The means are the exercise of rhetorical skill, the mustering of favorable evidence (and the suppression of unfavorable evidence), the discrediting of the other debaters, the appeal to authority or celebrity, and so on. All these are plain to see in party debates in parliaments and assemblies and in debates between or among candidates at election time. But they are also standard on the lecture circuit and in newspapers and magazines, whenever representatives of different positions are chal-
lenged to engage each other's arguments. The others are rivals, not fellow participants; they are already committed, not persuadable; the objects of the exercise, again, are the people in the audience—though many of them have come just to cheer for their own side, which can also be a useful political activity.

7. Bargaining. Sometimes the positions defended in this or that demonstration or manifesto or debate have been deliberated on, but very often they are the products of long and complicated negotiations among interested as well as opinionated individuals. That means that they don't represent anyone's idea of the best position; they are compromises with which no one is entirely satisfied they reflect the balance of forces, not the weight of arguments. Commonly, bargaining doesn't begin until the relative strength of the different parties has been tested; sometimes its purpose is to avoid further costly or bloody tests. So the parties agree to split the differences between them, the precise split depending on the previous tests of strength. "Balanced tickets" are worked out in the same way. And government policy in a democracy is more often the result of a negotiating process of this sort than of any deliberative process. The best policy is the one that accommodates the largest number of interests or, better, that accommodates precisely those interests that are able to assert themselves politically (hence the importance of organization and mobilization). I can imagine people arguing about how to serve the common good, above and beyond all the particular interests, given the constraint that the particular interests must also be served. But that is a pretty severe constraint, and the result is surely closer to give-and-take than to deliberation. Gutmann and Thompson argue for a distinction between "self-interested" bargaining and mutual accommodation—the latter representing a properly deliberative process.8 But I suspect that mutuality in political life is always qualified by interest and tested by conflict. What marks off deliberation is better seen if we consider the example of the jury. We don't want the jurors in a criminal case bargaining with one another or even accommodating one another: "I'll vote your way on the first count if you vote my way on the second and third counts." We want them to weigh the evidence as best they can and come up with a verdict, that is, a true statement about guilt or innocence. But politicians can legitimately act in exactly the way jurors are barred from acting; indeed, a bargain is often the better part of political wisdom.

8. Lobbying. The cultivation of public officials by private parties is pervasive in politics, in both democratic and nondemocratic settings. It may well be the case that in democracies the private parties are more likely to argue with the officials (rather than bargain with them), or at least to provide them with arguments, since democratically responsible officials will have to defend their positions in one or another open forum. Still, lobbying at its most effective involves the forging of close personal relations; it depends on social networks and individual friendships. A good lobbyist makes up in charm, access, and insider knowledge whatever he lacks in arguments. And the arguments he makes will probably have less to do with the issue at hand than with the political future of the official he is lobbying.

9. Campaigning. Sometimes this military metaphor is used to refer to any coordinated program of organizing, mobilizing, demonstrating, and so on, for a particular cause. But I mean here to describe only electoral campaigns, the democratic search for voter support. This obviously involves most of the activities that I have listed so far, but it also has its own specific character—in part because it is focused, even when political parties are strong, on specific characters, on leaders with names and faces and life histories as well as programs. It is these leaders who bear the brunt of the campaigning, actively soliciting the votes of their fellow citizens, making promises, trying to look trustworthy, and trying to suggest the untrustworthiness of their opponents. We can imagine them working within a set of limits, legal or moral rules, say, defining "fair campaign practices"—though in fact virtually no effective limits exist today except those enforced by public opinion. What would the rules of a fair campaign be like? They would certainly bear little resemblance to the rules about what can and can't be said in a courtroom, and the reason for that, again, is that we don't believe that voters, any more than politicians, are like jurors.

10. Voting. What should citizens do when they vote? Clearly, they should attend to the arguments being made by the different candidates and to the platforms of the parties. They should think about the consequences of this or that candidate's victory, not only for themselves but for the various groups to which they belong, and for the country as a whole. Nonetheless, the body of citizens is not a search committee, deliberating on the most qualified candidate for the Senate, say, or the presidency. The members of a search committee are like jurors in that they are assumed (sometimes wrongly) to have a common understanding of the relevant qualifications and to deliberate impartially among the candidates. But neither of those assumptions is justified in the case of citizens. Some of them may believe that it is toughness and commitment on this or that issue that qualifies someone for the presidency, while others believe that the capacity to produce compromises on all the issues is the best qualification. Some of them may identify with candidate X because she has defended their interests or their values in the past or with candidate Y because he is a member of their ethnic or religious community, or of their union or interest group, or because he has a political history similar to their own. Certainly, again, we want voters to consider the available evidence carefully and to reflect long and hard on the arguments of the contending candidates and parties. But they don't have to disqualify themselves if, because of their current interests or previous commitments, they can't or won't pay equal attention to
each of the contenders. Nor are they barred from choosing the issues on which they focus their considerations and reflections for nondeliberative reasons. Indeed, voters have a right to choose issues and candidates alike with reference to their interests, or their passions, or their ideological commitments, and most of them do just that. Perhaps it is a general truth that the issues on which citizens deliberate (or do not) arise through a political process that is largely nondeliberative. It is through the mobilization of passions and interests that we are forced to address what is (only now) the “question” of poverty, or corruption, or exploitation.

11. Fund-raising. Not much can be done in politics without money. Even before the age of television, money had to be raised to pay for salaries and offices; leaflets, newsletters, advertisements, and mass mailings; travel, meeting halls, and party conferences. Nothing is more common in political life than the varied activities that come under the rubric of fund-raising. Historically, in the United States, these activities have probably provided the best examples of participatory democracy—precisely because they don’t involve studying the issues, arguing in public, making speeches, or sitting on deliberative committees. Of course, asking rich individuals for their money isn’t the work of the demos, but fund-raising on a smaller scale—raffles, rummage sales, bake sales, dinners and dances, “passing the hat”—is in fact a mass activity, one that involves thousands of men and women. And there can’t be any doubt that money raised in this way is a bond: People who have given it, and people who have helped to get it, are more loyal to the cause, or loyal longer, than those who merely have reason to think that the cause is just.

12. Corruption. This powerful censorious term describes a set of activities, outright bribery and extortion the most obvious and probably the most common, that ought to be excluded from democratic politics. These activities, taken together, constitute my only negative example, and what I am interested in is the argument for their exclusion. Bribery is a nondeliberative activity like many others (though its protagonists might well reason together about whom to bribe and how much to offer); more important, it is an activity that interferes with deliberation. That’s why it is barred from some social and governmental settings, but not why it is barred from the primary political setting, the arena of electoral politics. Bribery judges and jurors is wrong precisely because it produces a result that doesn’t reflect an impartial deliberative process. Bribery government officials who dispense licenses and grants is wrong because it produces a result that doesn’t reflect an honest search for qualified people and worthy projects. But bribing voters is wrong only because it interferes with the democratic representation of the voters themselves, not with any activity required of them: we don’t get an accurate picture of their interests, concerns, or opinions. The result lacks democratic legitimacy, but it isn’t illegitimate because impartial reason and reflection have played no part in its production. A candidate who promises to reduce unemployment is appealing, let’s say, to the unreflective interests of the unemployed (and all their friends and relatives), yet her appeal doesn’t corrupt the political process. In fact, it is an important and entirely legitimate result of her appeal that we find out how many people share those particular interests and give them high priority. But she can’t hire the unemployed to vote for her.

13. Scut work. A lot of what passes for political participation, a lot of the activity that is critical to the success of organizations and campaigns, is simply boring and repetitive work that has no intrinsically political character at all—like stuffing envelopes, setting up chairs, preparing placards, handing out leaflets, making phone calls (to ask for signatures or money, or to get people to go to meetings or to vote on election day), knocking on doors (for the same purposes), sitting at the literature table at party conferences, and so on. None of this requires much thought, though it often takes a lot of thought, and even some ingenuity, to motivate oneself to do it. Since scut work is necessary—“someone has to do it”—it’s worth dwelling for a moment on how it gets done. Obviously, commitment plays a major part, but I think it is important that this commitment exists within a competitive system. The excitement of the competition, the sense of possible victory, the fear of defeat—all these things press people to take on tasks they would otherwise be reluctant to perform. Even when politics begins to get dangerous, there isn’t much difficulty recruiting people to do scut work: Danger has its own excitations. Properly deliberative men and women, of course, might be reluctant to stuff envelopes even if no one was threatening to beat up all the envelope stuffers. They might be too busy reading position papers; they might be unmoved by competitive emotions. That scut work regularly gets done may well be the clearest example of the appeal of nondeliberative political activity.

14. Ruling. If scut work is the low end of politics, ruling is the high end. Aristotle defined citizenship in a democracy as “ruling and being ruled in turn.” But it is the first of these that is commonly valued; the acceptance of “being ruled” is an accommodation to democratic doctrine. If everyone is to have the experience of ruling, we have to take turns. In practice, of course, some people rule for long periods of time; others are ruled all the time. What distinguishes democratic ruling from undemocratic domination is the legitimation of the former through consent. But whatever its legitimacy (and there is domination even in democracies), ruling is for most rulers a pleasurable activity. Aristotle probably believed that some part of the pleasure derived from the exercise of reason on a large scale, over the whole agenda, so to speak, of public issues. In this sense, ruling is a deliberative activity. But the pleasures of command are by no means wholly rational, else people would not seek to
rule with such passion. And we sometimes want rulers who are not likely to deliberate too much—whose “native hue of resolution” is not, like Hamlet’s, “sicklied o’er with the pale cast of thought.”

That is my list, and it is a hard question whether, if I had not started by asking *What else*, deliberation would have a place on it. Does deliberation belong in the same series that includes “organization,” “mobilization,” “demonstration,” and so on? If we take what jurors do as the model of a deliberative process, it probably doesn’t. Of course, courts are political institutions insofar as they exist within constitutional structures and sometimes find themselves in conflict with officials exercising legislative and executive authority. But political considerations are supposed to be ruled out when a civil or criminal trial is in progress. The reason for ruling them out is our standard assumption that there is a single just outcome of the trial, which the jury is or should be united in pursuing. No such assumption is possible in political life, which is not merely adversarial but inherently and permanently conflictual. Very few political decisions are “verdicts” in the literal sense of that term. I don’t mean that we can’t, sometimes, insist that it is morally right and perhaps imperative to do X; but even the people who agree on what X is and on the necessity of doing it are likely to disagree about how to do it, or how soon, or at whose expense.

It isn’t necessary to adopt Carl Schmidt’s view of politics to recognize that different interests and ideological commitments are often irreconcilable. Of course, parties in conflict negotiate, and settle, and then reconcile themselves to the settlement, but they are likely to feel that something has been lost in the negotiating process and to reserve the right to reopen the discussion whenever conditions seem more propitious. We protect criminals against second prosecutions for the same crime, but we don’t protect politicians against repeated challenges on the same issue. Permanent settlements are rare in political life precisely because we have no way of reaching anything like a verdict on contested issues. Passions fade; men and women disengage from particular commitments; interest groups form new alignments; the world turns. But certain deep disagreements, like those between Left and Right, are remarkably persistent, and local forms of religious or ethnic conflict are often so embedded in a political culture as to seem natural to the participants. So politics is the endless return to of these disagreements and conflicts, the struggle to manage and contain them, and, at the same time, to win whatever temporary victories are available. The democratic way to win is to educate, organize, mobilize... more people than the other side has. “More” is what makes the victory legitimate, and while legitimacy is strengthened if good arguments can be made about the substantive issues at stake, the victory is rarely won by making good arguments.

But it isn’t only the permanence of conflict that accounts for the omission of deliberation from my list but also, more particularly, the prevalence of inequality. Political history, when it doesn’t take an ideological form, is mostly the story of the slow creation or consolidation of hierarchies of wealth and power. People fight their way to the top of these hierarchies and then contrive as best they can to maintain their position. The “ruling class” may be much less coherent than Marxist theory suggests; nonetheless, something like it exists, with more or less self-awareness, and aims to sustain itself. Popular organizations and mobilizations are the only ways to oppose this aim. Their effect is not—at least it never has been—to level the hierarchies, but only to shake them up, bring new people in, and perhaps set limits to the differentiations they define and entrench. So democratic politics makes possible an amended version of political history: Now it is the story of the establishment and partial disestablishment of inequality. I don’t see any way to avoid the endless repetition of this story, any way to replace the struggles it involves with a deliberative process. Who would deliberate? On what issues? With reference to what facts and theories? And why would dissatisfied citizens accept the outcome of the deliberations? Couldn’t they always claim that the best thinking of the best thinkers, deliberating under the best conditions, reflects nothing more than the interests of the powers-that-be? Of course, one can design a deliberative process that excludes those interests altogether—by requiring the participants to deliberate behind a veil of ignorance, say, and strictly controlling the facts and theories to which they have access. But that is a utopian design, not realizable in any extant political world.

Should we aim at realizing it? Is this our utopia, the dream of committed democrats—a world where political conflict, class struggle, and ethnic and religious differences are all replaced by pure deliberation? As Joseph Schwartz has recently argued, left-wing political theorists have often written as if this were their ultimate goal. But theories of this sort, as Schwartz correctly claims, reflect an antipolitical bias, and they are unlikely to be realized except by the repression of conflict. No doubt, repression would be undertaken only in defense of policies that the theorists and their friends had thought about long and hard, in imperfect but not implausible deliberative settings, like academic seminars, or communities of exiled intellectuals, or the committees of vanguard parties far from political power. Still, committed democrats can hardly endorse the repression.

Deliberation does have a place, in fact an important place, in democratic politics, but I don’t think it has an independent place—a place, so to speak, of its own. There is no setting in the political world quite like the jury room, in which we don’t want people to do anything except deliberate. Similarly, though politics is often said to involve more committee work than anything else, there are no political committees quite like a search committee looking
to appoint a professor or a prize committee trying to identify the best novel of the year. The work of searching out candidates and awarding prizes is often politicized, of course, but when it is, the results are likely to be called into question. By contrast, one expects political considerations to prevail in the committees of a party or movement and even in legislative and administrative committees—at least, such considerations are legitimately invoked; something would be wrong with the democratic process if they had no role at all. Imagine a group of bureaucrats deliberating with great seriousness for many hours, and then doing what they have concluded is the right thing to do—without taking into account the recorded preferences of a majority of the people or the interests of whatever coalition of groups currently constitutes the majority (which is exactly what juries are supposed to do). The chosen policy of the deliberating bureaucrats might well be the “best” one, but it would not be the right policy for a democratic government.

Deliberation’s proper place is dependent on other activities that it doesn’t constitute or control. We make room for it, and should do that, in the larger space that we provide for more properly political activities. We try to introduce a certain measure of calm reflection and reasoned argument into, say, the work of political education. Even agitprop can be better or worse, and it is clearly better if its arguments are honestly informed and addressed to the hardest questions, the most difficult challenges that the party or movement confronts. Similarly, we can imagine the party platform drawn up by a group of people who are not only good negotiators but reflective men and women aiming at proposals that are morally justified and economically realistic as well as politically appealing. We can imagine a negotiating process in which people try to understand and accommodate the interests of the other side (while still defending their own) rather than just driving the hardest possible bargain. We can imagine parliamentary debates where the rival speakers listen to one another and are prepared to modify their positions. And finally, we can imagine citizens who actually think about the common good when they evaluate candidates or party programs, the deals their representatives strike or the arguments they make.

It is an interesting question, one that has been addressed most inventively by James Fishkin, what practical arrangements might help citizens think about the common good. But I don’t believe that these arrangements, whatever they are, can or should replace the settings and activities that I have listed. Fishkin’s argument for citizens’ juries, where scientific sampling substitutes for electoral politics, suggests the central problem of deliberative democracy: Deliberation is not an activity for the demos. I don’t mean that ordinary men and women don’t have the capacity to reason, only that 100 million of them, or even 1 million or 100,000 can’t plausibly “reason together.” And it would be a great mistake to turn them away from the things they can do together. For then there would be no effective, organized opposition to the powers-that-be. The political outcome of such a move is readily predictable: The citizens who turned away would lose the fights they probably wanted, and may well have needed, to win.

Notes

1. The continental analogue and possible source of the American arguments, Habermas’s communication theory, has been the subject of a vast critical literature, most of it focused on the technical philosophical aspects of the theory. American writers, who mostly avoid technical argument, have escaped the criticism. But see Lynn Sanders, “Against Deliberation,” Political Theory (June 1997), and my own “Critique of Philosophical Conversation” (aimed only in part at Habermas), Philosophical Forum (Fall–Winter 1989–90).


3. Ibid., 352–53.


6. James Fishkin, Democracy and Deliberation: New Directions for Democratic Reform (New Haven: Yale University Press, 1991). If the purpose of the juries is simply to add their own conclusions to the mix of ideas and proposals that are already being debated in the political arena, then they are useful in the same way that think tanks and presidential commissions are useful. If any sort of democratic authority is claimed for them, if the sample displaces the sampled, they are dangerous.