The myth of the best argument
Power, deliberation and reason[1]

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1. Deliberative democracy and knowledge

The idea of deliberative democracy has attracted increasing interest in recent years as an alternative to the predominant 'strategic' forms of democracy based on the aggregation of preferences or negotiation among conflicting interests. The idea is also distinct from 'elitist' notions of democracy, where the discussion of public issues is deemed to be the exclusive province of small groups. From a philosophical viewpoint, the deliberative ideal represents an alternative version of the Linguistic Turn (Bohman 1996a) which responds to the post-structuralist assertion that cultural memberships erect insuperable barriers to mutual understanding.

The debate on deliberative democracy has been undoubtedly stimulated by the inadequacy of strategic or elitist approaches to an increasing number of problems characterized by extreme complexity and the enormous repercussions of every decision. Recent years have seen a flourishing of dialogical experiences like 'consensus conferences'.[2]

[1] I am grateful to the editors and anonymous referees for their helpful suggestions. The comments of one referee were particularly useful, inducing me to rethink and clarify some passages of the work.

[2] Introduced in various European countries, the consensus conference model provides that a group of citizens is formed and given detailed information on a scientific or technological issue. They discuss extensively with experts and finally suggest ways in which certain aspects of the problem could be handled (Fixdal 1997).

Definitions of deliberative democracy are anything but unequivocal (Elster 1998). However, the basic principle is that the decision-making process must involve discussion of all the viewpoints, with none of them excluded *a priori*. According to the strategic perspective each party appraises the arguments of the others in terms of exchange, and relates them to personal advantage. According to the deliberative perspective the arguments of each party are compared, in consideration of the interests of everyone.

The arguments in support of the dialogical approach are numerous, but the cognitive argument is of central importance. According to its proponents, public deliberation permits the dissection of a problem and the devising of better solutions than those reached by negotiation or the aggregation of preferences, or through a discussion confined to a handful of initiates. This is the matter explored in what follows. Habermas – the most authoritative theoretician of deliberative democracy – assumes that an optimal solution, even if provisional, can be found for every controversy. This is the backbone of communicative reason. It enables understanding to replace success as the goal of communication. Others maintain that this requirement is not indispensable. But if it is unnecessary (or, as we shall see, impossible) to agree on the best argument, what is there to prevent the discussion from becoming entangled in the web of strategy? What is the relationship between the idea of the best argument and power?

2. Two types of power

The relationship between power and communication has been approached in many ways. Yet power reveals itself in the admission or exclusion of a person from communication, or in the acknowledgement or disregard of his/her contribution to dialogue.

We must distinguish two types of power. The first is *external power*, which in its turn can be distinguished between power exercised *over* communication and power exercised *in* communication. In the

former case, the power to include in or exclude from dialogue is applied to the circumstances and conditions of communication. A person is excluded because his/her right to participate in the dialogue is not acknowledged. The reason is often an alleged lack of competence, an inability to sustain a discussion, or uninterest in a particular issue. Frequently, access is conditional on formal requirements, like citizenship or membership of a particular group.

Power signifies establishing not only who may speak but also how they may speak; not only the legitimacy of the interlocutors but also the language and arguments that they may use. It is this that constitutes power *in* communication. When it is impossible or difficult to exclude someone from dialogue, I may refuse to acknowledge what s/he says, or the way in which s/he says it. This is not always intentional. Sometimes, the obstacle to dialogue is that what the Other has to say is meaningless to me (Lyotard 1983). Experts, for example, are often incapable of understanding layman insights into a problem: the languages and knowledge styles are too different (Clark and Murdoch 1997, Pellizzoni 1999). A by now classic British case is the conflict between scientists and Cumbrian sheep farmers on the measurement and handling of soil contamination following the Chernobyl accident (Wynne 1996).

The justifications used to exclude an interlocutor or a statement may be normative or descriptive, and frequently display a hybrid between the two. Definition of the competence necessary to take part in discussion is often tied to professional qualification – that is, to a hierarchization of the cognitive systems based on a largely implicit chain of criteria. Procedural restrictions are often grounded on assumptions about the qualities of different organizational models (market exchange, bureaucratic hierarchy, peer group, etc.), the nature of a problem or interest (economic, legal, political, ethical, etc.), the identity of a category of actors (truck drivers, university students, etc.). Similarly, what I say may be rejected because I am talking about 'irrelevant' things, or because I am talking 'incorrectly', adducing 'inadmissible' arguments, employing non-standard expressive tones and registers, or mixing them inappropriately. The two aspects are at times difficult to distinguish – consider the value attributed to the 'elegance' of an argument.

Manifestations of power over and in communication are therefore closely connected. Denying someone's legitimation to take part in a discussion means denying the relevance of what s/he has to say. Vice versa, belittling a certain type of argument means delegitimating the interlocutor, denying his/her identity, and therefore excluding him/her. The connection is clear if we refer to Speech Acts theory (Austin 1962) and its distinction between illocutionary acts (what one does when saying something) and perlocutionary acts (what one achieves by having said something). The illocutionary effects of a statement depend on its being understood and accepted by the speakers. Its perlocutionary effects are obtained via the illocutionary ones. At the illocutionary level the speakers agree on something in the world. At the perlocutionary level effects are produced on the state of the world. The illocutionary purpose in this case is instrumental to the perlocutionary purpose of exercising power on the world external to the communication (Habermas 1981). Some may be prevented from entering the dialogue; others may be expelled from dialogue by 'demonstrating' that what they are saying is trivial or wrong.

Distinct from the forms of power just discussed is *internal power*. This consists in the ability of an argument to assert itself by virtue of its greater forcefulness. It is the power of the best argument, the force of the most persuasive idea – the one that analyses a problem most thoroughly and indicates the optimal solution in terms of technical excellence and moral rightness. It is, in short, the power to override other arguments merely by the force of what one says. Power internal to communication resides entirely in its illocutionary effects. There are no perlocutionary effects. The consequences on the world are produced because the hearer understands and accepts the speaker's utterance, not because the latter induces the former to do something by means of it. Persuasion often entails deception. Internal power is the only form of persuasion that respects the freedom of the interlocutor.

Put in these terms, things seem simple. External power is ‘bad’, something to reduce or eliminate. Internal power is ‘good’, something to be encouraged. However, the situation is more complex than this. Impeding communication may sometimes be salutary. For instance, sanctions against racist or discriminatory speech are becoming widespread on university campuses (Altman 1993). And during classroom discussion it makes sense for the teacher to interrupt a student who is wandering off the point. By contrast, internal power is not always viewed favourably, either because its relevance is contested or because its existence is denied – internal power, it is claimed, is nothing but an insidious form of external power.

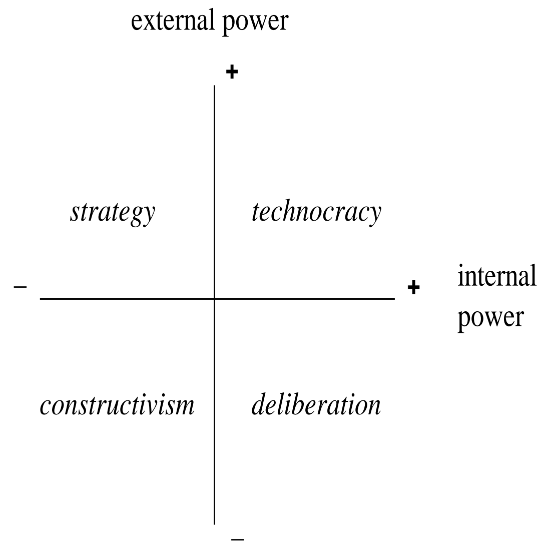

Figure I: Power in communication and democracy

3. The force of the best argument

Power in communication may be regarded as a functional equivalent of power over communication. But while the latter may employ a variety of means, including physical coercion, the former operates within discourse and uses linguistic devices – as does internal power. At a communicative level, therefore, we may combine the positive or negative value attributable to external and internal power to obtain four ideal-typical positions (Figure I). These can be used to shed clearer light on what distinguishes deliberative democracy – particularly in its Habermasian version – from other perspectives.

Strategy. The strategic view sets value on the aggregation of preferences and bargaining between opposing positions. The purpose of democracy is to produce collective choices which respect individual preferences. There are different opinions in society on what should be done, on what should be done first, and on how it should be done. There are diverse interests and beliefs. If all people are free and equal, the problem is how to mediate among individual preferences. Whatever the solution adopted, the goal is to achieve a fair and efficient compromise among conflicting goals.

The strategic approach is based more or less explicitly on the market model (Elster 1986). The aim is not to eliminate power external to communication but to circumscribe it: in other words, to define the legitimate perlocutionary purposes. The intention is to reduce the weight of undesired forms of power, so that the confrontation of interests can come about ‘correctly’. In the market model, political or social differences exert no influence on exchanges, but differences in economic resources obviously do. Likewise, in politics, the incumbents of certain public offices may be prevented from standing for Parliament, because they may apply ‘undue’ pressure on the voters by virtue of their position, and the slandering of political adversaries is punished. But other forms of strategic persuasion are allowed.

Thus, there are perlocutionary ends that do not distort the terms of the contest. Strategic democracy places its trust in the collectively advantageous outcomes of individual instrumental reason. Within this framework, finding the best argument – the solution to a dispute which is ‘optimal’ in that it is the most advantageous for everybody – is not the main objective. The most convincing argument is the one that each of the parties finds most convenient. This argument, each party will say, suits me because it matches my interests, not because I believe it to be the most valid or cogent one. The discussion is a process wherein each party seeks to persuade the others to agree to something that is in fact to his or her own advantage. This is the correct handling of a conflict. If one believes in the ‘invisible hand’, or similar mechanisms, this will produce the optimal solution as well, but as a secondary outcome, not as the one that has been deliberately pursued and debated. The correct solution will only coincidentally be the best one; it will be an outcome beyond the consciousness and intentions of the participants.

Technocracy. Political aristocracies have ancient origins, but modernity has seen the assertion of administrative and scientific elites. Expertise grows increasingly crucial (Giddens 1990). The European Union’s huge technical-bureaucratic apparatus, for instance, is able to determine the fates of entire economic sectors or geographical areas. Some commentators believe that this is as it should be. The ‘ecological modernization’ approach (Gouldson and Murphy 1997) contends that the only response to complex problems like pollution, overpopulation, the depletion of energy resources, or unemployment, is adequate technological development, and this entails an even greater role for specialists. Others, like Dahl (1985) or Beck (1992), point to the anti-democratic and dysfunctional consequences of ever-increasing reliance on technocrats and bureaucrats, and they call for changes be made to the political institutions and the democratization of science.

Technocratic elites wield a specific type of external power which hinges on the creation of boundaries, the distinction between expert and layman, professional and amateur, member or non-member of a specific community. Those most directly affected by a problem are often excluded from debate because they are ‘unable’ to define the terms of the question correctly, because they are emotionally involved, and so on. The barrier between experts and laymen consists first of all in specialized languages and conceptual apparatuses. Restricting the information to be circulated externally to an organization or a community of peers is another powerful exclusion device, the usual justification being that the information may be misinterpreted or misused.

A positive function is thus ascribed to this external power. It serves to ensure that the elite is suitably ‘protected’ against the rest of society and is able to perform its tasks efficiently. But it is for this same reason that, within the boundaries established, communication must be free from constraints and restrictions. Every member of the community has an equal right to state his/her case, to be listened to by the others, and to be assessed solely on the basis of what s/he says. Maximum importance is assigned to the power internal to communication, to the force of the argument that shows the most efficient application of a technique or proposes the most elegant solution to a theoretical problem.

The more the communication among the members of the elite is constrained by the structures within which they operate, the more the internal force of the argument yields to the power dynamics of organizations (Crozier and Friedberg 1977). The non-hierarchical model of peer review is also internally constrained. By establishing the boundaries with the outside, and by structuring the inner space of the debate on the basis of specific conceptual frames, it circumscribes the area within which the best argument can be sought. This makes innovation difficult, since the search for the best argument is restricted in its cognitive potential. Kuhn has described the traumatic changes of paradigm that periodically occur in science. And organizations must sometimes be radically restructured if they are to overcome a crisis. Innovation is not infrequently brought about by ‘peripheral’ individuals and groups. They are less subject to constraints, more at liberty to strike off in new directions (Mulkay 1972).

Constructivism. Constructivism does not contest the importance of a power internal to communication like strategy does. Rather, it questions its very possibility. It denies that exclusively illocutionary effects can be achieved, or asserts that such effects can be achieved only within specific communicative domains. This seems akin to the elitist account, but the domains are defined differently: with reference to cultures or worldviews rather than to specialist competence.

Constructivism conducts a critique of modern universalism – the idea that it is possible to build a common and transparent language, to share (or at least make comparable) values, goals, definitions of reality. Constructivist social studies maintain that conflicts manifest not only contrasting interests, but also radically different worldviews, assumptions and values. True dialogue is impossible among conflicting discourses. The only possibility is a strategic contest, a struggle for dominance in the public sphere (e.g. Brulle 1996, Hajer 1996). As we have seen, it is through the control of discourses that scientists endeavour to safeguard their public authority (Shackley and Wynne 1996).

The spread of constructivism in political theory (Mackenzie 1998) has attenuated the differences between communitarians and liberals. There is now broad agreement that cultural integration is neither possible nor desirable. This includes the most recent version of Rawls's theory of justice, whose concept of 'overlapping consensus' (Rawls 1993a) expresses the idea that political justice may be grounded on distinct moral and philosophical doctrines.

Constructivism therefore maintains that there can be no power internal to communication among different groups, cultures or expressive domains because it is impossible to establish rules of validity, correctness and relevance which cover all the types of discourse. There is no universal reason, only a plurality of reasons which speak different languages. What sometimes appears to be internal power, the force of the best argument, conceals an external power exercised to ensure that certain values or goals prevail even though they do not possess any actual superiority. It is therefore necessary to prevent or to unmask the perlocutionary outcomes pursued by pretending to show the superiority of one particular argument – that is, by pretending to operate on an exclusively illocutionary level. The hierarchies of languages and thought systems must be delegitimated. This gives rise to processes that are only apparently contrasting. The active pursuit of a policy of separation (linguistic, thematic, etc.) may be necessary, when this appears to be the only way to prevent the predominance by one discursive framework over the others. Or it may be necessary to eliminate the distinctions among discourses, between 'high' and 'low' genres, between relevant and irrelevant arguments, between competences and incompetences, in favour of 'contaminations'. Raising or lowering barriers are different means to achieve the same result: the elimination of power external to communication by preventing it from disguising itself as internal power. In both cases, however, the result is ambiguous. Power is reduced in its extension, but it may grow stronger within its boundaries – no one from outside is entitled to criticize the internal rules and constraints of debate.

Deliberation. The deliberative approach admits that political preferences conflict, and that modern society is pluralist and cannot be viewed as a community with shared goals and principles. However, it also affirms that conflict can be resolved by means of unconstrained discussion intended to achieve the common good. Deliberation seeks to hinder perlocutionary effects, and it endeavours to ensure that the illocutionary effects of dialogue are deployed through the discursive domains.

The strengths of the deliberative model can be summed up in three virtues.

1. *Civic virtue*. Discussion produces 'better' citizens: individuals who are more informed, active, responsible, open to the arguments of others, co-operative, fair, able to deal with problems, ready to alter their opinions (Cohen 1989, Warren 1992, Bohman 1996b). Deliberation curbs the propensity to strategic behaviour.

2. *Governance virtue*. A decision taken following open discussion has greater legitimacy. It is more likely to be respected because it has been freely endorsed (Dryzek 1990). Moreover, preferences must be justified in non-selfish terms, private interests must be transformed into publicly defendable principles. Subsequent non-compliant behaviour would be punished by sanctions, such as exclusion from further deliberations or *tit-for-tat* reprisals. Dialogue, therefore, discourages strategic behaviour. The obligation to 'launder' one's preferences (Goodin 1986) may then produce a sincere orientation towards the common good.

3. *Cognitive virtue*. Orientation to success restricts the terms of the discussion and conditions its outcomes. Orientation to understanding may enhance the quality of decisions. If opinions and preferences are not fixed, open dialogue may give rise to new or more articulated points of view (Miller 1992, Bohman 1996b, Fearon 1998). And since it is impossible to say *a priori* which are the most valid arguments, there are no grounds for restricting participation to a minority. Nobody in normal circumstances possesses all the information required to take a collectively advantageous decision (Benhabib 1996). Deliberation is able to produce that information. Moreover, the search for convincing reasons may encourage a dispute to shift to a conceptual meta-level where the terms of the conflict are recast (Pearce and Littlejohn 1997). Thus eliminated are numerous apparent controversies, and substantive ones are clarified (Gutmann and Thompson 1996), although realization of the severity of the dissent may sometimes exacerbate the conflict.

These three virtues are closely intertwined. As we have seen, governance virtue stimulates civic virtue, but also entails it. The willingness of citizens to address issues co-operatively may be a consequence of deliberation – which is what Elster (1998: 2) calls the 'civilizing force of hypocrisy'. But a tradition in which values like freedom and equality are sufficiently consolidated provides the historical conditions for the flourishing of civic virtue (Habermas 1992). It offers the motivational ground for the legitimation of dialogical procedures, which in its turn reinforces civic virtue. Moreover, dialogue does not serve simply to clarify positions or to induce a change of preferences.[3] Its purpose is to deepen knowledge about a problem. This may promote reciprocal appreciation and may enhance the quality of decisions, which in their turn stimulate citizens to adopt a co-operative attitude. Cognitive virtue, therefore, seemingly conditions the flourishing of the other virtues, even though it is linked to them.

For Habermas, if public dialogue is historically and culturally situated, the only valid arguments are universalistic and can be criticized as such. Cognitive virtue coincides with the capacity to single out the best argument. Reasoned comparison among positions must be able to yield a solution, and there must be general agreement on why this solution is preferable. Habermas anchors this idea of a 'strong' cognitive virtue in the structure of communication. Hence the principles of deliberation are transcultural, even though they are elaborated through a historical process which specifies the conditions for implementation of the deliberative ideal, and which may thus give them partly different contents (Cohen 1996, Benhabib 1996). A non self-contradictory argumentative process must be open to equal participation and all available arguments and information. The only constraint on agreement, therefore, is the force of the best argument, no matter who propounds it. Of course, the discursive control of a claim to validity should be the constant rebuttal of objections and the revision of arguments, as knowledge increases and principles are clarified. But the discussion ends when the participants provisionally agree on the reasons in favour of one solution to a problem.

According to Habermas (1983), agreement on the best argument is possible because a moral statement can be proved valid in the same way as a statement of fact. This happens ('universalization principle') when the consequences and secondary effects presumably deriving from its universal observance to satisfy the interests of everyone can be freely accepted by all those concerned, and preferred to other forms of

[3] From the strategic perspective, the change, sometimes deceptively induced, is from one set of selfish preferences to another. From the deliberative perspective the new preferences are endogenously formed and include the points of view of the others.

regulation. It is thus possible to achieve general rational consensus on a given normative order. There is only one basic constraint on the reasons that can be adduced in discussion: unacceptable are those that clash with the linguistic presuppositions of the dialogue by denying equal status to each participant's position and interests.

Habermas (1992, 1996a) distinguishes between problems of means and problems of ends and values. The former are the subject matter of pragmatic discourses and are easier to deal with. Decisions concern the best way to act according to fixed goals and values. At stake in the latter is the reasonable formation of will. Here three situations may be distinguished, and corresponding to each of them is a different form of argumentation. Some issues are moral in so far as they concern justice, the defence of generalizable interests. In these cases, the reasons adduced by the parties are subjected to the universalization test in order to select the best argument. Other issues are ethical because they concern, not what is right in general but what is good for 'us'. In these cases, discussion endeavours to clarify the principles underlying a shared form of life. It seeks a shared value that will serve to settle the controversy. Finally, if a generalizable interest or a shared value is impossible to find, there remains the search for a practical compromise.

In the first two cases, consensus is based on identical reasons: there is one argument that persuades all those concerned in the same way. In the third case, the parties reach consensus for different reasons. However, only in the first case does the force of the best argument fully emerge. In order to demonstrate which is the correct decision, evidence must be provided of its capacity to produce the most advantageous consequences for everyone. Rational acceptance has a properly cognitive sense. Lacking in the second and third case is the cognitive improvement distinctive of the deliberative virtue. Rather than furnishing reasons able to modify the actors' beliefs and preferences, here the concern is to give better definition to a shared principle, or to mediate among conflicting interests.

How can an issue be allocated to one or other category? It depends on the participants' view. The attribution is not definitive, however. A problem may be transferred from one level to another if the participants realize that they can thoroughly address it only by moving it to a different discourse level. It is possible to shift from compromise to ethical discussion when it is realized that shared reference values must be identified if the dispute is to be settled. And in a conflict over values, it is possible to move to the moral level, reaching agreement on rules that protect the interests of everybody.

There exists, therefore, a plurality of discourses and argumentative forms which, for Habermas, are not semantically closed, contrary to the claims of the constructivists. A hierarchy of types of controversy exists, but no philosophical or scientific discourse capable of comprising all of them. The inner logic of the questions raised by the discussants within a particular framework may render the grounds of the debate uncertain and require a change of perspective. As a consequence, moral reasons prevail over ethical ones, and ethical reasons over pragmatic ones. The shift is determined by the inner evolution of discourses.

To sum up, the aim of deliberative democracy is to remedy the 'inadequacies' of the other perspectives. It shows that the rational pursuit of the common good is possible, that barriers to dialogue may worsen the quality of decisions, that resistance to external power is provided by the quest for mutual understanding. Strategy dismisses the force of the best argument as irrelevant; technocracy binds it about with suffocating constraints; tonstructivism denies its existence. The Habermasian approach places a 'strong' cognitive virtue at the centre of public deliberation: but does it represent a truly solid basis?

4. The myth of the best argument

At least three objections can be raised against Habermas's theory. A frequently brought criticism is that the ideal conditions for dialogue are very distant from any concrete situation. This is a weak objection, which can be countered by pointing out that the theory represents a regulatory

ideal, a benchmark against which the existing institutions or the reformist projects can be measured.

Another objection concerns the distinction between moral and ethical issues. Moral questions can be viewed as particular cases of ethical ones. The problem of what is good for 'us' may be examined from the point of view of the broadest possible collective identity, namely humanity (Ferrara 1994). It is significant that when Habermas assigns particular issues to either the ethical or moral field, he lapses into contradiction or arbitrariness.[4] However, the possibility of discordant views on the nature of a problem – whether it is ethical or moral or whether it is simply a matter of means – configures what Habermas calls a 'collision of discourses'.[5] Moreover, it is the irreconcilable character of controversies over issues like abortion that induces the discussion to shift to the moral level. The conflict of values remains, but a fair solution, one acceptable for the same reasons, may be found at this level (Habermas 1996a).

The third objection centres on the idea that non-strategic agreement only occurs when the parties reach consensus on the reasons for a choice. To what extent is a strategic compromise the only possible outcome of a discussion in which the parties are unable to define a common reason? The question is a crucial one, because in profoundly controversial settings this seems to be the rule rather than the exception.

We must distinguish 'intractable controversies' from the simple 'disagreements' of routine political debate (Schoen and Rein 1994). The latter can be resolved by appealing to the 'facts' – that is, by using shareable kinds of rational argument referred to scientific research, witnesses, past experience, and so on. The former cannot. In this case, the parties in dispute tend to emphasize different facts, or give them different interpretations, so that each party seeks to confute the empirical evidence adduced by the others. There is no consensus either on the relevant knowledge or on the principles at stake. Facts and values overlap. A controversy is intractable when it prevents the application of the usual strategies of conflict management based on controlling the information, the participants and the topics to be discussed (Hisschemoeller and Hoppe 1996).

Likewise, for Funtowicz and Ravetz (1993), in the current 'post-normal' phase of science the traditional experimental verification of hypotheses proves extremely difficult, if not impossible. Issues of extreme gravity must be addressed. Problems dominated by 'epistemological' uncertainty or indeterminacy – the relevant information is dispersed in an inextricable mass of data, the causal chains are open, etc. – or by actual ignorance – we don't know what we don't know (Wynne 1992). Typical examples are problems like AIDS, abortion, euthanasia, the disposal of nuclear waste, or gene technologies. Lacking in all these cases is a single description and connection of the facts, a shared vision of the meanings of concepts and principles.[6] The parties are unable to agree on an adequate language with which to handle the issue. Some of them may even deny that a problem exists or that something is actually happening, as in the case of climatic change (Schneider 1989).

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[4] For example, he first (Habermas 1991) considers abortion to be an ethical issue and then (1992) a moral one. And is it correct to say, as he does (1991, 1992), that ecology poses ethical problems, when environmental policies regularly raise issues of intra- and inter-generational justice?

[5] For Habermas (1996a), since there is no meta-discourse with which to settle this kind of issue, the legitimacy of pressing decisions must be based on legality alone. Discussion is obviously free to continue in the public sphere.

[6] Let us take the controversy over agricultural gene technologies. The environmentalist says: 'People are involved in an experiment whose results will be known in twenty years' time. Gene modification increases insect resistance to pesticides. Farmers will increasingly come to depend on the seed multinationals. World hunger is a problem of distribution, not of production. Patenting genetic sequences, as if they were industrial products, is unacceptable. The citizens should have the last word on the whole issue'. The scientist replies: 'Experiments offer excellent guarantees of safety. The use of pesticides is often radically reduced. Competition among producers is beneficial to farmers. Increased productivity slows down deforestation in order to create farmland. Patents are necessary to finance research. A changeable, emotional public opinion cannot constrain a promising field of scientific and economic development'. For the environmentalist viewpoint see e.g. Westra (1997); for an analysis of scientists' discourse on gene technologies, Kerr et al. (1997).

We must distinguish among three types of controversy. There may be conflicting descriptions of the facts but shared principles. The description of the facts may be similar but based on different principles. There may be different principles and different descriptions of the facts. The first case does not usually give rise to intractable controversies, or if it does they are short-lived. These are normal situations of uncertainty due to a temporary lack of information, or to the margins of interpretation allowed by a shared language. Shifting to a different level of discourse in search of a solution is easier in the second case than in the third. If there is agreement on the facts, a shared solution may be found even if an underlying conflict on principles remains unresolved; but conflict over the facts creates far greater obstacles against finding a solution viewed by everyone as fair. The parties insist on the relevance of different conceptual frames. They may be using the same terms, but they speak different languages.

A dispute like the one over abortion seems to belong to the third category of conflicts. The issue is not merely whether or not the foetus is a person. It also concerns 'plain' facts, such as the moment at which pregnancy actually begins. This partly explains the heated nature of the controversy (Davis 1993) and the difficulty of finding solutions which, as Habermas proposes, assume legitimacy in the form of pure legality. One is left unconvinced by the idea that, when no generalizable interest or shared value can be found, or when there is conflict over the nature itself of the controversy, it is still possible to devise the correct procedure for a fair compromise. Because the parties are involved in a profound conflict they will often be unable to agree on any procedure at all. Legality loses legitimacy. Even 'purely procedural' solutions, like dividing a resource at random or in equal parts, have substantial aspects and cannot be applied mechanically. The parties must agree on their consequences, and on the reasons for preferring them (Giddens 1985).

Habermas's core idea is that in principle there is only one 'right' response to a problem, and that the parties are able to communicate in order to reach agreement upon it. This implies that there exists a single, universal structure of language which can be gradually reconstructed and made explicit. For Habermas, this structure is evidenced by the fact that concepts like truth, rationality, foundation, consensus, perform the same grammatical roles in all language communities so that there is semantic identity between words and propositions. The linguistic presuppositions of discourse permit the passage, in a controversy, from the pragmatic to the ethical level, and from the latter to the moral one. The incommensurability of the terms of a conflict can be overcome if those concerned shift from the values relative to the good life to those of justice. At the moral level, reason can be brought to unity.

But is this 'deep' level truly important? Even if we accept the regulatory idea of the linguistic presuppositions of discourse, how can these presuppositions be translated into clear and indisputable instructions for the management of controversies? Above all, what is to be done in cases where it is impossible to foresee which course of action will produce outcomes in everybody's interest? In intractable conflicts, the endeavour to avoid 'performative contradictions' seems in fact to be irrelevant. For Habermas, when I speak to someone I implicitly acknowledge our equal standing., I thus avoid contradicting myself only if I justify my solution by showing that it respects my interlocutor's interests. But what happens when it is impossible to assess the effects of a choice? Deciding what the results will be, with what probability, and who will be affected by them, depends on axiological orientations whose validity, Habermas argues, this assessment should serve to ascertain. It is not possible to reach agreement on a choice desired by all subjects because it is impossible to establish – with mutually acceptable approximation – what the outcomes of its implementation will be. Moreover, it is often difficult to define who is 'involved'. It is not easy, for example, to establish responsibilities towards future generations (Parfit 1984). For Habermas, a solution whose effects are uncertain may be accepted if it is reversible. But in intractable controversies, any action has often irreversible consequences. A solution may perhaps be deemed temporarily valid and legitimate if the debate has produced new knowledge (Hisschemoeller and Hoppe 1996). But conflict may break

out on this point as well. Consequently, the universalization test is also invalid as a benchmark for discussion.

The presence of irreconcilable alternatives is a crucial problem for deliberative democracy (Miller 1992). The idea of the best argument entails that it must be possible to compare among different solutions to a problem. This imposes a cardinal or ordinal measure. There must be a common property or a comparative term (O'Neill 1993). These are lacking in intractable questions. Power internal to communication comes up against limits imposed by the incommensurability of the options (Seung and Bonevac 1992). Incommensurability is different from incompatibility (Bernstein 1983). Two statements are incompatible when they contradict each other. In order to say that they contradict each other, there must be a shared language or frame of reference. The same conditions apply when determining that one argument is better than the others. Incommensurability means that a shared language or framework is lacking. Is any form of comparison impossible in this case, as constructivists claim?

Intractable problems cast doubt on the solidity of the cognitive basis of deliberation. The force of the best argument seemingly dwindles as the dialogue becomes more problematic, as the conflict grows fiercer. Reason seemingly shatters into fragments impossible to reassemble, and communication seems entangled in the web of strategy, technocracy or rhetoric. In these situations the force of the best argument is only a myth. A dangerous myth, the constructivists contend. As a regulatory ideal, it may legitimate what are nothing but expressions of external power, thereby enabling the strongest party to impose its reasons as 'objectively' the best. Strategy wins again. Or is it possible to rescue the deliberative ideal, releasing it from the constraint of the unity of reason?

5. Deliberation and the plurality of reason

I shall attempt to answer this question by briefly exploring three lines of thought.

(a) For Habermas, as we have seen, the possibility of imposing the force of the best argument is conditional on the unity of reason and on the invariant structure of language. This opens a possibility of understanding among communicants. Vice versa, according to Habermas (1992, 1996a), Rawls's overlapping consensus is nothing more than the definition of points of contact among systems of thought – 'reasonable comprehensive doctrines' – present in a pluralist society. It does not possess the dynamic dimension given to moral discourse by cognition – the broadening of the horizon made possible by adopting a point of view (presumed to be) shared by everyone.

At first sight, however, Rawls's approach seems promising. He is apparently willing to abandon the myth of the best argument and the idea of the unity of reason. He acknowledges that, even in optimal conditions for dialogue, it is sometimes difficult to reach agreement on the reasons for a choice. When there is dissent on the empirical evidence, on the importance given to it, or on the definition of related concepts, a 'reasonable disagreement' (Rawls 1993b: 248) arises. In these cases, by referring to different comprehensive doctrines the actors find different reasons for accepting one solution. Are these strategic compromises, therefore? Rawls says that they are not. Overlapping consensus differs from the simple reconciliation of interests because it involves a moral conception asserted for moral reasons, one drawn from the actors' respective visions of the world.

The heart of the matter resides in Rawls's idea of 'reasonable pluralism'. Overlapping consensus is based on the possibility that reasonable claims can be distinguished from unreasonable ones. A vision of the world is reasonable when it is organized coherently and its adherents assert it through critical reflection and the acquisition of new knowledge (Cohen 1993). If each individual recognizes the reasonableness of the others' positions, though believing them to be wrong, then s/he realizes that merely appealing to his/her own truth amounts, for the others, to an attempt to impose what they consider to be mistaken beliefs. Thus, all those concerned will endeavour to find

solutions justifiable according to the viewpoints of each of them. Conversely, the religious fundamentalist, if s/he is 'rationalist', asserts that reason should be able to recognize the only truth; and if s/he is 'non-rationalist' s/he admits the limitations of reason but argues that even though truth is a question of faith, it is still truth (Cohen 1993). S/he seeks to impose his/her beliefs without justifying them rationally to the others, without using the modes, instruments and principles of a 'common human reason' (Rawls 1993b: 247).

However, it is not necessary to deny reasonable pluralism to be a fundamentalist. A fundamentalist finds no difficulty in admitting that others have false but reasonable beliefs, in the sense that they are coherent and grounded on reflection and the acquisition of knowledge. Misbelievers may have been deceived by false prophets. More simply, it may be that the exercise of reason has not yet led them to the truth. However, the fundamentalist does not conclude that it is necessary to search for agreement; rather, that the truth, if it is not understood, must be imposed. Contrary to the prevalent opinion (e.g. Krasnoff 1998), overlapping consensus does not necessarily ensue from reasonable pluralism. If the dispute is to develop in this direction, the competing parties must share the principle – typical of Western, modern, 'post-conventional' (Habermas 1983) morality – that I cannot impose my opinion by force even when I believe that the others are wrong.

Thus, the claim that overlapping consensus is neutral proves to be untenable. In the Rawlsian perspective, beliefs are reasonable if they appear incontrovertible to everyone, or if they are part of the different worldviews of the participants in the discussion. In the latter case, however, overlapping consensus is indistinguishable from a compromise based on fortunate coincidence. In the former case, it is based on values which human reason cannot gainsay because they are self-evident or proven beyond doubt. But what is the indisputable evidence, what are the 'fundamental intuitive ideas' (Rawls 1993b: 250) of a democratic society able to withstand a radical constructivist critique? Even principles like freedom and equality cannot be univocally interpreted, unless any position opposed to their Western description [7] is branded as unreasonable. There can be no 'political' liberalism, in the sense of ethically neutral (Hampton 1993).

If overlapping consensus is not a strategic compromise, it can only be achieved within a particular vision of the world. The discussion is then guided by principles which it may help to clarify but does not put in doubt. By means of his idea of reasonableness, Rawls accepts a meta-narrative (partially tied to the Linguistic Turn) which describes human beings as actors influenced by the historical-cultural context in which they operate. Although he is unwilling to question this idea, its higher degree of veracity is demonstrable only if one refers to non-contextual criteria of rationality. This entails the unity of reason. Moreover, let us grant that Rawls is right and that every reasonable discussion must be conducted within the framework that he describes. It then seems improbable that the grounds for consensus can be effectively different. Lines of argument, expressions and conceptual referents may differ to varying extents, but it is difficult to imagine that, when the cardinal principles are shared, the reasons adduced to justify a choice will be fundamentally dissimilar.

Either the strategic compromise, therefore, or the unity of reason. The idea of overlapping consensus does not provide an answer to the problem addressed here. And Habermas's theory of the invariant structures of language seems more solid than the purported superior rationality of a particular value-perspective.

(b) For Habermas, public reason is anchored in a principle of neutrality, in the capacity of the participants in a discussion to transcend their own interests and points of view. There may be many private reasons, but there is only one public reason. Feminist political theory herein discerns the danger that the topics of discussion may be arbitrarily restricted to those functional to particular conceptions of impartiality and

[7] For example, Neo-Confucianism has developed an innovative ethical framework which mixes modern instrumental rationality and traditional communitarian values, individualism and hierarchy, personal fulfilment and group membership (Lee 1997).

universality. Public reason cannot be totally detached from group membership, from the variety of experiences tied to biological, cultural and social features (Young 1989). The impartial standpoint is a myth. There is no single public sphere, therefore, nor a single public identity of citizens; instead, there is a plurality of public spheres, competing to define the topics worthy of discussion (Fraser 1992). Only the participants are able to decide what is public and what is private: the nature of issues cannot be defined beforehand (Benhabib 1992).

One notes an ambiguity here. The plurality of public spheres and the untranslatability of experiences seemingly imply that there can be only strategic compromises (or assimilation) among competing groups. What various feminist scholars suggest, however, is more consistent with Habermas's recent remarks on the matter than with radical constructionism: thematic restrictions on discourses should be proscribed, but not procedural restrictions (Habermas 1992). One can talk about anything at all; what matters is the inclusion of everyone's viewpoint. There must therefore exist a public sphere in which different identities are merged into a political community, where the issues arising in each particular sphere are discussed and compared, and where all are acknowledged to be equals, regardless of differences (Fraser 1992). This may come about for two reasons: either because there is general agreement on certain basic values (Phillips 1993), a sphere of citizenship enabling mutual recognition (Benhabib 1996), or because there are minimal and universal criteria of rationality (Young 1989). History, or common human reason, allows contrasting reasons and discourses to settle their differences.

For the feminist critique, in short, each public sphere has its own reason, and yet these spheres are not entirely unable to communicate with each other. Already noted difficulties arise at this point. If the convergence between biological, social and cultural lines of differentiation is empirical, non-strategic agreement is a matter of chance, perhaps helped by the multiplicity of belongings typical of late-modern societies (Fraser 1992). It is not a rationally justified decision. If the reference is to the hypothetical universal grounds of rationality (or to the rules of discourse), these are seemingly situated at too low a level for them to furnish bearings in the conflict over facts and interpretations. On the contrary, it may easily happen that, by appealing to them, external power will once again take control of communication.

(c) For Dryzek (1990), the complexity of problems and the existence of irreducible differences require – even in ideal dialogic conditions – recourse to agreements based on different reasons, but this should not induce a fall-back on strategic solutions. Consensus on what is desirable can be reached even in the absence of agreement on the reasons why it is desirable. Discussion is productive in these cases because it facilitates the use of cautious, contextual reasoning and allows development of an arena of discussion which previously did not exist. Expressed here is the idea of a 'weak' cognitive virtue, founded on the plurality of reason.

The same idea has been incisively developed by Bohman (1996b), for whom public deliberation is essentially a way to resolve problematic situations. More than a form of discourse or argumentation, it is a co-operative activity. Public deliberation begins when a crisis arises in the co-ordination of actions, and it is successful when co-operation resumes. It is distinct from specialist debate. In the latter, as noted, the arguments to be introduced into the discussion are rigorously controlled. By contrast, in ordinary dialogue it is not possible to foresee what type of reasons will be used. Deliberation is, therefore, reflection on reasons that are publicly defendable but not restricted *a priori*, either formally or substantively. Dialogue should produce a result acceptable to everyone, though for different reasons, so that co-operation is not interrupted. This happens when the participants are aware that they have contributed to the choices made even if they disagree with them. As Dewey (1984) observed, the significance of a vote cast on conclusion of open discussion is different from the simple aggregation of preferences. Similarly, Knight and Johnson (1994: 285) maintain that the purpose of deliberation is not to converge on homogeneous preferences but to

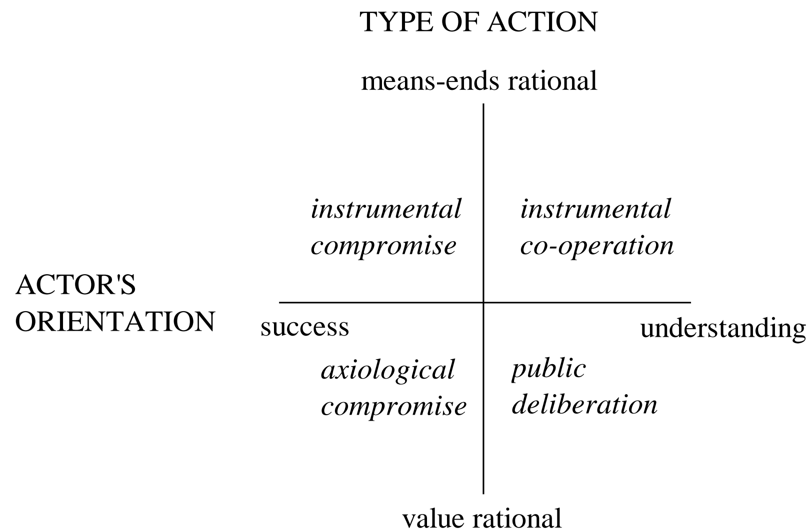

Figure II: Forms of joint activity

achieve 'the relatively more modest goal of establishing agreement over the dimensions of conflict'.[8]

This raises two questions. The first concerns the conditions necessary for the participants in discussion to adopt a non-strategic orientation. The second concerns the possibility of understanding among subjects whose cognitive and axiological frames are radically dissimilar.

Renouncing the search for the best argument exposes deliberation to high risks of manipulation. A public commitment to the quest for a common reason serves in fact to reduce, if not the propensity to strategic action, at least its foreseeable benefits. It reinforces what I have called governance virtue. In the absence of this commitment, civic virtue acquires extreme importance. A diagram (Figure II) may help clarify the point.

The forms of rationally-based joint activity by individuals or groups may be distinguished, following Weber and Habermas, along two dimensions: type of action (means-ends rational or value-rational) and type of Actor's orientation to the Other (success or understanding). In *instrumental compromise*, a subject acts in co-ordination with others in pursuit of goals which remain individual and distinct. For example, I wish to sell some land. You own land bordering on mine. Someone who wishes to construct a building wants to buy both plots of land. Sold together, they are worth more. It is therefore in the interest of both of us to agree on a proposal for a joint sale. However, since the purchaser is unwilling to pay more than a certain sum, the lower the price asked by you, the higher the price that I can ask. Each of us will be tempted to reach separate agreement with the purchaser. The latter might for example – to his/her and my advantage – tell you that s/he is willing to pay a price lower than the actual one, or that s/he is less interested in your land. The joint action of the vendors is therefore unstable, and liable to default which can only be averted by the imposition of legal restraints.

In *instrumental co-operation*, each party is interested in the goals of the others, in the sense that for some reason s/he is committed to meshing his/her own plans with the others'. I and you wish to improve the appearance of the street in which we live. Our motives for doing so are reciprocally irrelevant and may be very different. I want to sell my house, so that it is in my interest for the street to appear neat and tidy to potential buyers. You simply do not want to live in a street that is dirty and unkempt. We seek partially to mesh our plans by acting jointly. I clean the pavements; you trim the hedges. The joint action is not a matter of pure calculation, as in the case of instrumental compromise, but of actual commitment. However, our reasons for being committed to co-operation remain private.

[8] For Knight and Johnson (1994), this entails the absence of the change of preferences affirmed by many deliberative theorists. But looking for a shared description of a conflict means that everyone thinks over his/her own point of view. It is unlikely that preferences will not thereby be modified, although this does not *necessarily* occur.

In *axiological compromise*, an individual acts for non-instrumental ends and co-ordinates with others independently of their ends. The motives of the others are irrelevant. What matters is that the joint action should be efficacious and compatible with my principles. This agreement is perfectly suited to an ethic of responsibility.[9] For example, a religious group wants the shops to close on Sundays because it finds the non-observance of the Lord's Day unacceptable. Some cinema owners want the same thing, but in their case because, if the shops are closed on Sundays, their custom will increase. The religious group and the businessmen agree to mount a campaign against Sunday shopping, even though they know that, if it is successful, they will be adversaries in the future. At present, it is in their mutual interest to join forces. Of course, during the campaign the businessmen will not criticize the 'killjoys' and the religious group will set aside the problem of 'youth-corrupting cinema'.

In *public deliberation*, the participants are interested not only in each one's goals but also in the grounds that justify them. The inhabitants of a neighbourhood meet to decide what to do with an area of waste ground. Some of them want a park; others want a sports field; yet others want a kindergarten. Therefore, each resident must explain why s/he prefers a particular solution, why s/he suggests a particular distribution of the expenses, and so on, by providing publicly defendable reasons.

The simple expression of willingness to co-operate is not enough to distinguish among these situations. Moreover, in the fourth case, the public commitment to identifying a common reason (sometimes thwarted by 'deep' uncertainties, as we have seen) may be replaced by a simple commitment to comparing among motives. This makes much more difficult for the participants to discern what their interlocutors' actual attitudes are – whether they are oriented to understanding or to strategy.

A willingness to act jointly does not signify a willingness to co-operate 'dialogically', a readiness to consider the reasons of the others and to change one's own convictions. It is not necessary for the participants' viewpoints to coincide for co-operation to come about: all that is required is that their individual goals dovetail together. This may be the result of strategy. The difference between strategic compromise and co-operation springs, therefore, from the presence or absence of a commitment to finding at least a partial meshing among individual plans (Bratman 1992). This commitment may induce comparison among the reasons of each participant. This is necessary when definition of goals reveals a conflict of factual descriptions or principles. However, if there is no public commitment to converging on the best argument, each participant's trust in the 'deliberative' orientation of his/her interlocutors is essential. Thus, in the absence of widespread and consolidated civic virtue, the settlement of conflicts seems bound to resolve into strategic forms, or else be performed in elitist arenas.

The predominant opinion is that a non-strategic orientation is stimulated by public deliberation itself. For Bohman, the point of departure is recognition of a shared problem to be addressed. The fact that everyone's reasons are listened to and appraised establishes a climate of trust which encourages non-strategic co-operation. This is also because the results of discussion of this kind are unpredictable and not amenable to strategic calculation. Deliberation does not rest on the inner force of the argumentation. It does not entail the unity of reason. But it does require political unity – the sharing of a core set of values which permits open and equal discussion in the public sphere to begin.

Proponents of the unity and the plurality of reason share the idea that the political virtues can be cultivated in a sphere somehow unconstrained by the rest of society, and unconstrained in particular by economic and cultural differences. Involved here is the conviction that political and cultural integration can be kept distinct. The conviction that political culture can be separated from culture *tout court*, that consensus

[9] For Habermas (1996a), a morally fair solution to a controversy sometimes entails that I tolerate what in my opinion is ethically reprehensible behaviour by the other party. This seems to be a kind of axiologial compromise. The idea of deliberation proposed here is different. It centres on an action in which everyone collaborates. None of the parties can undertake this action if it is against his/her principles, but each of them can accept it without requiring the others to share his/her principles.

on procedures can be distinguished from consensus on the values which underpin those procedures – values which are bound up with the ethical-political self-understanding of a particular community (Habermas 1996b). On this view, if economic and cultural differences hamper participation, the solution is to reduce the political effects of those differences by facilitating people's access to the public sphere and by increasing opportunities for debate and self-determination (Bohman 1996b). The solution is to ensure that, internally to a state, one particular form of life does not receive priority over others, to foster a 'constitutional patriotism' (Habermas 1996b). Required therefore is not cultural assimilation, but assimilation to the specific ways in which the autonomy of the citizen has been historically institutionalized.

However, matters are not so straightforward. In the Western democracies, an increase in opportunities is often followed, not so much by effective participation, as by the growth of bureaucracy and the dominance of small groups.[10] Therefore, it is difficult to separate the development of political resources from the reduction of non-political inequalities, just as it is difficult to separate political integration from cultural integration. Testifying to this is the fact that the core of conflicts on such issues as the wearing of the chador or separate school gymnasiums and swimming pools for males and females is precisely the nature of the controversy – private or public, cultural or political. Moreover, in the European and North-American countries, conflicts over abortion or gene technologies are not mitigated by the fact that the majority of the adversaries share the same political culture.

It is likely, therefore, that the possibility of non-strategic agreement is determined by the pre-political bases of political co-operation. Dewey (1984) describes the political level as the one at which people define and experimentally resolve problems which extend beyond the participants in a single interaction. Political discussion is not a process of ethical self-clarification; rather, it is an attempt to solve problems described as common. 'A "public" consists of the circle of citizens who, on the basis of a jointly experienced concern, share the conviction that they have to turn to the rest of society for the purposes of administratively controlling the relevant interaction' (Honneth 1998: 774). The basis of co-operation does not lie in the public sphere, but rather in the joint deployment of individual resources in response to problems. The experience of co-operation arises before and externally to politics. The individual quest for the common good is realized to the extent that each person sees his or her activity as a socially recognized contribution to a co-operative process. The propensity to joint action, the value set on co-operation and on the individual's contribution to a collective enterprise, have social rather than political origins. Civic virtue flourishes less as the result of internal pressure than it does through the development of co-operation in the division of labour.

Even in the presence of strong motivation for non-strategic agreement, however, the problem still remains of the lack of a power internal to communication. If plural reason means that languages are entirely unable to communicate, the only alternatives seem to be strategic negotiation, delegation to particular elites, or separation. How can a common ground be established, if views of the world are wholly incommensurable?

In my opinion, it can be established. But the way is opposite to that followed by most deliberative theorists, for which non-strategic agreement is facilitated by the abstractive process of transfer to a conceptual meta-level (Rawls's overlapping consensus, Habermas's moral understanding). The unsatisfactory results of the scientific handling of the controversies on abortion or gene technologies exemplify how, when intractable questions are at issue, a purported objective approach may exacerbate descriptive and axiological disputes rather than attenuate them. If instead the myth of the best argument is discarded, and with it the idea of the unity of reason and the commensurability of points of view, the dialogue is set free to shift to a sub-level covering restricted terrain but sufficient for action to be agreed upon. The aim of

[10] For example, technocratic elitism is increasingly evident in environmentalism, for reasons ranging from competition among organizations to their growing presence in government institutions, from activists' professionalization to the globalization of problems (see e.g. Eder 1996; Yearley 1996).

deliberation thus becomes, not to find a common reason, but to reach agreement on a practice; not to define principles, concepts and broad goals but to devise concrete solutions for concrete and circumscribed problems.

One can imagine three ways in which the opposition between two contrasting views of reality (Schoen and Rein 1994) can be resolved. Appeal can be made to some independent and consensual criterion in order to assess these views of reality and choose between them. Or the conflicting interpretations can be translated into a framework in which they become mutually comprehensible. Or one can rely on portions of reality described in similar ways, although within different frameworks.

The first solution is adopted by Habermas and Rawls. It relies on the power internal to communication. The validity of an argument is ascertained discursively through comparison against an objective criterion – the universalization or reasonableness rule. The problem is that the incommensurability of the positions prevents consensus from being reached on these criteria. What is reasonable or in everyone's interest? The second solution has been proposed *inter alia* by Kuhn. But translation presupposes commensurability – being able to say the same thing in different ways. If this is impossible, then agreement is impossible. All that remains is separation or conversion, assimilation. The conflict ceases when one frame is abandoned and the two parties begin to reason in the same terms.

Which brings us to the third solution. For Scheler (1960), the objectivity of the real consists in the resistance raised by the world against our interpretations of it. Not every interpretation of the facts is equally valid. Just as the best argument is a myth, so is the equivalence of all arguments. The fact that there are true statements in different conceptual frameworks does not signify that there are no false statements. This thesis has been argued, for example, by Hilary Putnam (1981). The definition of the facts depends on the problems that we wish to solve, and on the types of questions that we ask in their regard. If these differ, the world and problems present themselves in different ways. But not in any way whatever. It is the failure of our interpretations of reality, when a desired goal is not achieved, that reveals the falsity of our opinions. Moreover, in order to say that two statements conflict, we must try to compare them, and the idea itself of comparison implies the presence of shared features.

In a dialogue in which the argumentation is cautious and non-categorical, and which looks for similarities and isomorphisms between events and practices, it is not true that the argumentation is devoid of any force outside the individual vision of the world. Those who argue as much, paradoxically agree with the proponents of the unity of reason. Thinking of reason, they look at the highest level, the level of principles. But reason can operate at a lower level, that of the comparison of contextual knowledge, the search for concrete solutions to situations described in different ways but recognized as problematic. Moreover, the conflict among positions often emerges – as happened with the idea of sustainable development (Owens 1997) – precisely at the moment when a principle must be translated into concrete action.

In short, there is no total incommensurability. But commensurability is not obtained by appealing to some universal criterion. It consists in the similarity, discernible in the context of the discussion, among portions of experience. A similarity which depends on the fact that reality cannot be manipulated at will, even though it is known on the basis of necessarily situated viewpoints. This permits a non-strategic interaction which seeks a practical solution by starting from something described as a 'common problem'. An approximate description: not, as Bohman seems to think, a precise one. This is, rather, a possible result of deliberation. If there were immediate consensus on the definition of the problem, the conflict would already be less intractable, and reason already in some way unitary.

The difference between 'absolute' and 'empirical' commensurability is similar to the difference proposed by Walzer (1990) between 'covering-law universalism' and 'reiterative universalism'. In the former case, principles and valid knowledge are unique and the same for everyone. They are set in opposition to false assumptions. There are false assumptions in the latter case as well, but also distinct principles and bodies of knowledge, each endowed with its own validity. The

shared features that can be singled out configure a particular type of reality. They are learnt with experience, through comparison, and they are characterized by their persisting differences, by the distinct forms that they assume. They express the capacity to grasp aspects which differ but are equally relevant to the situation. There is an empirical level at which the incommensurability of cognitive frames and value systems is not total, where cautious, open and imaginative dialogue may highlight an overlapping of worldviews. If incommensurability does not entail the total non-comparability of options (Bernstein 1983), comparability should be searched for on this terrain. It is here that opportunities for non-strategic agreements arise.

6. Beyond the myth of the best argument

Intractable problems demonstrate that the political level of deliberation merges with the level of pre-political co-operation, which might be the focus of a reformist policy. The social dimension of civic virtue is flanked by the plural dimension of cognitive virtue. Granted the empirical commensurability of visions of the world, the purpose of deliberation is not to reach agreement on the reasons for a choice, but to reach non-strategic agreement on practices.

The power internal to communication can be freed in this way from the myth of the best argument, if the former is understood as common ground, as similarity in diversity, as the ‘fitting together’ of different positions which emerges in dialogue. It is also possible to retrieve the myth, should one so wish, by considering it not as the goal of every deliberative process but rather, in Peirce’s sense, as the ‘ultimate agreement’, the moment at which the plurality of the real finally reveals its identity. A goal located in a future which can be named but not described, the time and place in which the truth is wholly disclosed; a goal which serves in the present to remind us of the difficulty, but also the necessity, of getting to grips with otherness and uncertainty.

What I have described is nothing more than one line of inquiry. Great interest has been aroused by initiatives such as consensus conferences and the ‘Local Agenda 21’ community participation programmes [11] (Lafferty and Eckerberg 1998). The merits and shortcomings of these initiatives demonstrate the importance and the scant availability of the social resources required for solidly-founded co-operation. In particular, the effects of differences among forms of knowledge cannot be overcome, as Bohman seems to think, by sitting experts and laymen around a table and instructing the former to justify their actions. Persuading non-experts is not the issue, nor is turning them into experts, as Dahl (1985) suggests. Understanding depends on the construction of mutual recognition which, by means of the joint management of problems, redefines the division of epistemic work, the connection among competences – with respect to these problems and not in abstract.

The myth of the best argument probably does a disservice to deliberative democracy, because it reinforces elitist solutions, the dominance of which is testified to by the proliferation of expert committees. The idea of a power internal to communication – as long as it is not understood, in the ‘weak’ manner proposed here, as power manifest in cautious argumentation or communication on practices – only reiterates the principle of epistemic authority. Strategy, technocracy and constructivism leave the task of settling the contest among competing discourses to this or to other forms of external power. It is on such issues as gene technologies, where the collision among discourses is today extremely violent, that we should concentrate our attention, in an endeavour to understand whether and how social co-operation can spring from the plurality of reason.

[1111] Agenda 21 is an action plan subscribed to by many countries at the 1992 Earth Summit of Rio de Janeiro. It seeks to address environment-and-development issues also through new forms of involvement and co-operation. A major role is assigned to local authorities and communities in implementing and adapting the most relevant aspects of the plan.

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