University of Windsor
Scholarship at UWindsor

Jun 6th, 9:00 AM - Jun 9th, 5:00 PM

Deliberation: A Paradigm in the Arena of Public Argument

Luis Vega
U. N.E.D. (Spanish Open University)

Paula Olmos
U. N.E.D. (Spanish Open University)

Follow this and additional works at: http://scholar.uwindsor.ca/ossaarchive

Part of the Philosophy Commons

Deliberation: A Paradigm in the Arena of Public Argument

LUIS VEGA and PAULA OLMOS

Department of Logic, History and Philosophy of Science
Faculty of Philosophy
U. N.E.D. (Spanish Open University)
C/ Senda del Rey, 7. 28040 Madrid
Spain
lvega@fsof.uned.es
polmos@bec.uned.es

ABSTRACT: Leaving aside the usual approach to deliberation as a private or simulated weighing, based on the traditional model for practical reasoning, normative logic and argumentation schemes, we aim to characterize deliberation as a particular instance of discursive interaction in the public arena in which information, options and preferences are evaluated and handled in order to achieve a decision or a practical resolution in a responsible and reasoned way; a crossroads between epistemic-discursive conditions and ethical-political programs.

KEYWORDS: deliberation, deliberative democracy, discursive interaction, negotiation, political argumentation, political fallacies, public argumentation, public discourse, practical reason.

1. INTRODUCTION

The *deliberation* has so far been a discursive figure with a seemingly long but somewhat episodic history. In spite of its Classical lineage, as a rhetorical genre (*Rh.* 1358b7 ff.) or as a practice related to prudential virtue (*EN.* 1140a25-27), it has never played a leading role in argumentation studies. Not even today: although some attention has been paid to it from fields such as discourse ethics, from the attempts of political philosophy to meet democratic ideals and even from the analysis of strategies and procedures in collective decision making, it has continued to be treated according to the traditional pattern of the practical reasoning, by means of models belonging to a normative logic or argumentation schemes. It is our aim in this paper to acknowledge the importance it should acquire in current research as a characteristic form of discursive interaction in the public arena. From this point of view, deliberation can be characterized as an argumentative interaction in which information, options and preferences are weighed and handled in order to take a practical decision or resolution, in a responsible and reflective way. It belongs to the social frame of discussion over topics of public interest, which should be elucidated by means of public reasons, i.e. communicable, shareable reasons that go beyond individual or professional domains of argumentation, in such a way that its 'reasonability' could not be reduced to a mere social projection of an individual or 'monologic' rationality as that represented by the 'practical syllogism'. As some well known results in the theory of social election show —we refer to Arrow's theorem or the (erroneously) so-called 'discursive dilemma'[1]— we should acknowledge this social field of public discourse its

---

[1] Cf. for example, Pettit, 2001; List, 2006; Bovens & Rabinowicz, 2006.

own and specific character and realm: it is a field occupied by the old-trodden and many times renovated paths and crossroads related to the practical reasoning but also opened to the new lines of thought associated to public discourse in the space of a 'deliberative democracy', leading to new perspectives in argumentation studies.

As a symptom of such a specificity we can consider a case similar to the ones currently analyzed by those working on theory of collective action and social election. Let us suppose that a committee or a jury should decide over an issue according to the following rule: from premises P and Q, a conclusion C follows, that is: from a group of proofs, reasons or considerations P and Q, we should obtain a resolution or verdict C. Let us suppose that such a committee or jury has three members [X, Y, Z] and that each of them infers according to the rule in the following manner, a 'yes' means conformity with the issue as stated, and 'no', of course, rejection:

Jury or committee member	P	Q	C
X	yes	no	no
Y	no	yes	no
Z	yes	yes	yes

If these represent the individual judgments or inferences, what should be, according to them, the collective decision? If we are trying to achieve a decision based on a majority we will find different results according to the kind of majority taken into consideration. A majority related to judgments about premises, P and Q, would yield a positive decision (4 yes' vs. 2 no's); but if we just look at the conclusions, the resolution would be a negative one (1 yes vs. 2 no's). We would like to mention three interesting points here:

a)   There is no linear transmission of the choice in the inference achieved by means of the rule: from a majority choice over the premises it does not follow that a majority choice in the same sense would follow over the conclusion.

b)   There is neither a linear projection from an individual coherence to that of the group as the latter can be preserved by means of a double strategy (either based on the premises or on the conclusion) that is not available for the isolated individual members of the decision group.

c)   Moreover, there are obvious differences between both strategies, between, for example, an open debate over the premises and the closure represented by a mere vote over the conclusion. These strategies do represent very different options —with very different degrees of participation and satisfaction among the member of the decision group— and also present very different possibilities of manipulation of the final result —on the part, for example, of a committee's president.

But beyond the methodological discussions and empirical research work that this 'dilemma' could yield within a theory of decision or social election, our interest in such cases rests on their illustration of the distance between the abstract or individual characterization of an inference, leading in a linear way to a conclusion, as represented by the traditional model of the practical reasoning, and the social space of public discourse, in which what is sought is a collective resolution.

2. THE POINT OF VIEW OF A 'LOGIC OF PUBLIC DISCOURSE'

Let us consider, be it in a tentative and provisional manner, a 'logic of public discourse' as the study of the concepts, problems and proceedings related to the analysis and evaluation of our public discursive practices and the usual managing of issues of common interest that ask for some practical resolution. This kind of investigation is currently beginning to advance in a rather resolute way. It represents a domain in which diverse proposals, debates and developments related both to a renewed interest in practical reason and an increasing concern about public reasoning and its quality in our more or less (or not at all) democratic societies meet. In the case of the first mentioned interest (in practical reason) such a domain represents a response to philosophical, ethical and legal concerns and comprises the branch of research currently conducted in A.I. about architectural models —B(eliefs)-D(esires)-I(ntentions) models—, or models of decision management in multi-agent systems. In relation to the second point of concern we can mention the debates about the ideals and practical programs of 'deliberative democracy' from the 80´s (Rawls, Habermas, Elster, etc.) and the controversies over different socio-political models —e.g. deliberative vs. aggregative. Within this intellectual context we can define in a somewhat more precise way our 'logic of public discourse' as a group of analytical, reflective and critical studies centered on the discursive practices developed in a public space according to the following characterization:

(i)   We look for a kind of informal logic within the context of argumentation studies which would take special care of the pragmatical and conversational infrastructure of discourse and of its dialectical and rhetorical aspects.

(ii)   Its aim would be the identification and evaluation of types of argumentation leading to the adoption of beliefs, dispositions and decisions related to action (practical).

Now, practical discourse can be a linear, monologic, more or less private issue (e.g. an agent's deliberation over means and ends, regardless the real or simulated character of such agent), or present an interactive, dialectical, basically public character (e.g. a deliberation over a resolution aiming at a collective decision by majority) in which latter case we find the distinctive features of the kind of argumentation which would be the object of study and analysis for a 'logic of public discourse':

(iii)   That is, argumentations dealing with options and usually developed within controversial frames, supported by plausible and defeasible allegations and aiming at the administration and resolution of practical problems of common interest and collective involvement.

(iv)   These can made use of material or substantive allegations of various kinds (e.g. ethical, legal, political, social, cultural etc.), with an argumentative aim toward persuasion (suasory or dissuasory).

(v)   The study and evaluation of such argumentations could reveal rather heterogeneous conditions and criteria: from ethical-political or epistemic-discursive criteria in democratic-deliberative frames, to merely convenient

procedures as those employed by professional 'group (cheer-)leaders' or 'facilitators'.

We will find, within this same field, argumentations of very different kinds. For example: (a) cases of genuine individual *practical reasoning*; (b) cases of *enthymemes*, a form of implicit interaction; and (c) cases of *negotiation* and *deliberation*, which are forms of explicit interaction. Here we will center on 'deliberation' as a genre, a type of argumentation which is not only the typical scheme within this domain but also a very relevant issue because of its complex and delicate internal rationality.

3. ON DELIBERATION

We should begin by recalling the two main modalities under which deliberation is currently addressed as a form of argumentation:

[A]   The traditional analysis issuing from Aristotelian considerations, which mainly makes use of a model of practical reasoning, as encompassed either within a formal and normative logic (Belzer, 1987), or within the informal approach of argumentative schemes (Walton, 2004). This kind of analysis tends to rest on the consideration of monologic argumentation, either as a final, textual product or as a mental process.

[B]   The new perspectives on public discourse opened by the debates over the ideals and programs of deliberative democracy and the diverse demands issuing from various social, educational and professional frames concerned with collective options and decision procedures. This approach centers specially on the processes and procedures of argumentative deliberation seen as a dialogical process for the interchange of reasons aiming at the solution of problematic situations which cannot be solved without interpersonal cooperation and coordination.

We already know that there are good reasons not to treat the argumentation frames described by [B] as mere projections or conservative extensions of the practical and prudential reasoning represented by an approach such as [A]. In the same way as a theory of social rationality would not be a mere application of, or appendix to, an abstract theory of individual rationality. There are specific characteristics of deliberation according to the new perspective of the public arena which should be taken into account. Therefore, let us distinguish between deliberation$_A$ —private reasoning or abstract pattern of practical inference—, studied under perspective [A], and deliberation$_B$ —discursive and cognitive confrontation, of a public character and purpose, and realized by a plural agent—, as concerns perspective [B]. From now on, we will just deal with the second option and therefore, we can drop sub-indexes.

4. DELIBERATION ACCORDING TO THE 'LOGIC OF PUBLIC DISCOURSE'.

As we have mentioned at the beginning of our paper, and under the perspective just described, the deliberation consists of an argumentative interaction in which information, options and preferences are weighed and handled, in order to take a practical decision or

resolution adequate for a given situation, in a responsible and reflective way —'responsible' here relates to the capacity and disposition to account and give reasons for one's (or assumed as one's) proposals. It belongs to the social context of discussion over topics of public interest, which should be elucidated by means of public reasons, i.e. communicable, shareable reasons that go beyond individual or professional domains of argumentation. Among such topics we count well know major and general issues as the atmospheric pollution, sustainability or the Third World debt, but also minor or local matters as those debated by a faculty council or a neighborhood meeting. The discursive development of such discussions involves not only a dialectical interaction between several alternatives, but also an interpersonal confrontation of the different participants whose real bodily presence might well result in both power and pressure strategies and, on the other extreme, cautious attitudes which prevent fallacious manipulations under the threat of shame. The good progress and resolution of such an interaction would depend, among other things, on the good disposition to mutual understanding, on coordination —not necessarily consensus— and on the fluidity of communication —that is, on the experienced conviction that sharing information helps to overcome the limitations of individual knowledge. Moreover, a successful deliberation might lead to an optimal and satisfactory result for the collectivity that is clearly sub-optimal or less than satisfactory for each of the participants —a result that would never be obtained if each participant would follow her own personal practical reason. Thus, once more, we see how such a 'reasonableness' cannot be reduced to a mere projection of the monologic and private rationality characteristic of the traditional practical syllogism. Within this context of public discourse or discussion in public we can find several types of likewise plausible and defeasible argumentation, based on pragmatical and conversational means of understanding that follow well known procedure and development patterns: for example such a pattern as (1) definition of the issue and opening; (2) sharing information; (3) making proposals and counter-proposals; (4) qualifications and revisions; (5) adoption of a resolution; (6) confirming the agreement over the resolution and closing (Hitchcock-McBurney-Parsons, 2001).

But the deliberation, as a particular form of discourse in the public arena, can also be characterized by the predominance of certain features:

(i*)   The process takes place from the moment a certain issue of public interest is identified as pendent of resolution, including conflicts or alternatives between two options or more, between two sides of the issue or more.

(ii*)   Discussion involves not only propositions but also proposals.

For *proposal* we understand a speech act aiming at showing: "that it is appropriate [suitable, convenient, due, necessary] to do [or not do] X in the present case". A proposal refers to an action and expresses an attitude towards that action so that it rests on normative and practical considerations —unlike constatative or assertive propositions which can be characterized as being true or false[2]. Within the traditional scheme for

---

[2] Proposals can be considered as directive or commissive acts –when they compromise the proponent. Among their success conditions we should mention: (*i*) the appropriate expression of its propositional contents: a future action [to do / not to do X] + a disposition or *pro*-attitude of the proponent; (*ii*) a condition of sincerity: the proponent assumes her proposal and wishes the interlocutor to assume it, unless

practical reasoning, a proposal would be the conclusion of a practical inference as long as the proponent should be prepared not only to assume the corresponding proposition but also to justify and even defend her proposal. Such justification or defense could adopt the following scheme: teleological premise (intention, desire, aim, purpose) + instrumental premise (available, appropriate means) → consistent proposal.

(iii*)   Proposals involve estimations and preferences usually resting on contrasting considerations of different level and weigh, which can result in non linear but indeed multi-dimensional inferences —as long as they refer to the surely diverse dimensions and domains affected by the given issue—, even though the different sides of the confrontation might agree on a common aim or objective.

(iv*)   Advanced proposals, allegations and reasons try to induce the consensual achievement of a resolution of general interest.

Let us make a brief comment on these features. On one hand, (i*)-(ii*) confirm the link between deliberation and the field of practical reason. On the other, (i*)-(iii*) seem to prove that the given issue, the conflict, would not be solved according to an algorithm, an effective resolution routine, but instead it should follow a delicate process of interaction and a search for agreement and balance: what we need is not an exact logic but a subtle logic. Moreover, the evaluation and decision over alternatives and opposing argumentations have recourse, according to (iii*), to considerations of plausibility, criteria for differential weighing, practical congruity, and not so much to other kinds of criteria as the traditional formal or material validity of an inference or argumentative scheme. Finally, from (iv*) we can derive the orientation of such type of argumentation toward a common goal. A goal which is not always achieved because the success of a deliberative process depends not only on the discursive strategies put into use (competitive or cooperative, as they might be), but also on other conditions and circumstances related to the particular conformation of the social and communicative frame as represented by the diverse agents and forums involved.

All these considerations show the necessarily complex analysis and evaluation of a process and a final situation which involve not just particular criteria to judge the quality and success of a certain deliberation —or at least, regulative lines that might preside over the expectations of such a judgment— but also the identification of certain indicators of the effectiveness or efficiency of an expected result. Among the regulative lines which would allegedly make possible the flux of information and effective participation, and also neutralize distortion factors or even fallacious strategies, we can mention the following requirements: (a) publicity —not just transparency, as opposed to opacity, of the source of information, but also availability and intelligibility of the reasons involved—; (b) equal opportunity for all the participants to take part in the debate; (c) autonomy of the process —not just negative autonomy as the absence of coercion or external interference, but also positive autonomy in the sense of the effectively open possibility for any participant to contribute to (and feel represented by) the process or resolution. One possible indicator of the deliberation's success could, precisely, be given

---

it is just a mere tactical, provisional or exploratory proposal; (*iii*) a condition about feasibility: the proponent considers those addressed by her proposal as capable of assuming and effectively putting it into practice, not being a necessary or forced course of action.

by the answer to the question about up to what point those who have taken part in it feel that they have influenced or contributed to both its development and result, so that they can feel represented by it even if they might disagree either with the course of the debate or with the final resolution. In any case, at the beginning of a deliberation there should not be any fixed immovable position: what is looked for is an agreement, that could possibly not be achieved, over a final resolution that ought to be the outcome of what is said during the discussion —including the resolution of delaying the final resolution until the tension cools. Moreover, although what is presented during a deliberation could be personal opinions and criteria, what is evaluated through it, as a convenient proposal, should not be related to particular interest but to common benefit. This is one of the differences between deliberation and negotiation and it is one that makes sense of cooperative strategies as the widest possible distribution of available information or the generalization of equal opportunity to deliberate.

We understand *negotiation* as a discursive interaction between two parties or more, with opposing or conflicting interests that aims at obtaining, through diverse strategic or tactical means —some of them illegitimate in other interactive contexts— a better situation from that of the starting point, either as a result of some of the parties' decisive action or by common agreement. Any negotiation starts from a conflict of interest which demands a resolution or compromise between the opposing parties; it aims at achieving the best possible result for one's interests and, if complete conciliation is not possible, at obtaining at least a reasonable or satisfactory agreement, a 'good deal'. Not every negotiation that results in a conciliatory agreement or good deal should be considered a good negotiation, though; but any negotiation that does not reach such end can be considered a failure. On the other hand, a negotiation allows the use of intimidating tactics and sly or uncooperative strategies (e.g. concealing some information to the opposing party). The quality of a negotiation could be finally related to an external criterion: the limit of the minimum value represented by a defined alternative to the agreement obtained; this should exceed that value in order to consider the negotiation as a successful one.

5. SOME PECULIAR PROBLEMS

In addition to all this, there are other significant signs of the relevance of deliberation from the perspective of a logic of public discourse. These signs consist of rather peculiar problems. One of the most conspicuous problems peculiar to the deliberation is the tension between the competitive and cooperative views of it from diverse theoretical positions[3]. But there are others that we consider more important.

One is definitely the articulation between the ethical-political ideals and guidelines and the epistemic-discursive conditions that, allegedly, rule the appropriate use of deliberation in a deliberative-democratic frame. Among the first, ethical, social and political guidelines or regulative conditions we find the three already mentioned:

---

[3] Competitive strategies seem to have enjoyed more attention in our Western culture from Antiquity —vid. *Argumentation & Advocacy*, 41 (Fall 2004), special issue: "Challenging Greco-Roman argumentation trajectories: argument norms and cultural traditions"—, up to the present —e.g. the vindication of controversies by Marcelo Dascal and the International Association for the Study of Controversies (IASC, read 'I ask')—. A weaker line along the cooperative ideal in Bakau and Marty, 2001.

publicity and transparency, equality and reciprocity of the interaction —that implies not only a formal equality but an equal distribution of the opportunity to listen and be heard—, and freedom and autonomy of judgment, besides some substantive preconditions as the discussion of issues of public interest and common concern, guided by general values and ends. Among the latter, the epistemic-discursive conditions —which are not regulative as the first mentioned but constitutive of the argumentative practice as such—, we must mention the disposition of the discursive agents to (1) assume the rules of the game of giving and asking for reasons about the proposals, (2) settle, in advance, some way of discriminating between better/worse reasons —even though there might not be a very definite consensus— and (3) recognize the weigh, the force of reason belonging to the best argumentations. Considerations of both levels determine the relative quality of the argumentative procedures that conform a deliberation and therefore both should be used to evaluate the process in itself. The question is how are these both perspectives, the ethical-political and the epistemic-discursive, related and articulated. Because in spite of their logical independence, they are clearly interrelated and define a sort of joint binding.

In any case, apart from all these analytical theoretical or conceptual questions, it is the empirical implementation and verification of models based on both perspectives, the ethical-political and the epistemic-discursive, that have become relevant nowadays. Today, we find studies and reports that go beyond theoretical interests centering on practical issues about political and social action in different contexts belonging to the civil life, and educational programs that foster deliberative attitudes and habits —e.g. the National Issues Forums, the 'deliberative polls' or the foundation America*Speaks*. From these experiences new problems come out as the articulation between the normative and critical aspects which we have been discussing with the usual criteria put into practice by the 'group cheer-leaders' and 'facilitators' of the real processes. These are usually related to two principles which correspond to two basic aims of the group that deliberates: (1) maintain a positive environment within the group which corresponds to (1´) a feeling of satisfaction within those taking part as members of the group; and (2) make progress in the task assumed by the group, which corresponds to (2´) the wish for operativeness or productivity, and which can be measured in terms of efficacy, e.g. of a better decision and a greater involvement, or in terms of efficiency, e.g. of a lower cost. These two objectives, satisfaction and operativeness, are surely the most commonly find in any decision group and, moreover, they are interrelated: a feeling of satisfaction results in good operativeness —at least in involvement—, and the observation of progress brings about satisfaction and integration among the members of the group[4].

---

[4] The theory of deliberative democracy has had three developmental phases. The first one, between the 60´s and the 80's (Habermas, Rawls, Elster, Cohen), is the initial phase of theorizing characterized by the study of conditions and criteria for democratic legitimacy. The second one, around the 90's, includes the critique of the collateral effects and perverse sequels of such theoretical principles (as the insistence on the common interest, the rational discursive disposition or the formal autonomy...), that can result in the exclusion of individuals or groups which do not comply with the requirements to dominate the rules of such a practice and could, therefore, be discriminated. The third, current, one is characterized by a reaction to such critiques and also by the incorporation of other perspectives and contributions, e.g. empirical studies and tests, experiences with professional 'facilitators'. To sum up, the theory of deliberative democracy has known a primary state of programmatic formulation, a second phase of working hypothesis and a third phase of testing. Cf. Mansbridge, Hartz-Karp, Amengual, and Gastil, 2006.

6. CHALLENGES

We will finish with some remaining challenges which are probably more frightening and at least as delicate as the issues already mentioned, namely: how to confront strategies that tend to 'dissolve' argumentation within public discourse and fallacious strategies in this same context. There are many sophisticated and annoying fallacies, but these will never be as dangerous as those strategies which are not only fallacious but also 'dissolving'.

The most notorious fallacies in this context were already mentioned and condemned by Jeremy Bentham in his *The Book of Fallacies* (1824). Bentham reminds us that a discourse is *fallacious* that causes some erroneous opinion, or lead us to incur or persevere in a pernicious line of action. Political fallacies occur during the adoption or rejection of some government policy, either in legislation or administration. Bentham mentions among them the *fallacies of danger*, in which some danger is foretold in order to avoid, under such spell, the discussion of a proposal; the *fallacies of delay*, aiming at delaying and even preventing discussion and *fallacies of confusion*, which are employed when discussion can no longer be avoided and which bring *vague generalities* into it in order to perplex the audience and prevent it from forming a reasonable opinion about the issue. Nowadays we could add some other types as the *fallacies of malicious imputation*, which induce merely preventive suspicion and fear about the discussed policy or measure and which tend to pass the burden of proof onto the other party.

The first cause of political fallacies is, according to Bentham, the *sinister interest*, i.e. an interest that rests not on a right or a private interest but on a partial or group interest, against the fundamental principle of good government, that is, the greatest happiness for the greatest number. The sovereign must act in the common interest of his subjects. The common interest is the sum of the interests of the members of the society, therefore what is opposed to the public interest is not the individual but the particular, partial or group interest, which is prepared to open or follow a devious path in order to obtain illegitimate and unjustified privileges. These are, therefore, *sinister interests* that should be opposed and neutralized. In our new global context of difficult relations between majorities and minorities, with the alternatives of multiculturalism, integrationism and integrism, surely these issues have become more complicated.

Now, those strategies that are not only fallacious but also tend to 'dissolve' public discourse are even worse. There are some apparently innocent but really poisonous cases, as that weak form of cynicism which has been called 'whateverism'[5], according to which there is no objective and common truth/falsehood reference but a variety of points of view which are equally respectable, so that anybody could support any opinion against any other. But there are other more interesting cases. A good example is what could be called 'preventive Machiavelism'. An attitude suggested by a sharp and disillusioned philosopher, Schopenhauer, in order to confront, with success, the wicked arts of our antagonists in any discussion. As it is not realistic to expect loyalty and good faith from the others —thought Schopenhauer—, one should not practice them, because one would never obtain any reward, but would feel disappointed and confused. That is what happens in controversies. If we agree that the opponent is right when she is right, it is not very likely that she would do the same thing with us. She would probably use illicit strategies.

---

[5] Vid. Makau and Marty, 2001: 75-77.

So, we should do the same[6]. It is an insidious challenge for more than one reason. Since, can we really say that such a principle as 'think wrong and you will be right', could justify the use of wicked strategies and fallacious means? This preventive policy of having recourse to fraud and deception, could even become not just an occasional but a systematic and general strategy in our argumentative interactions? What would happen to business if such a policy was general in any transaction? What would happen to communication and public discourse if we would adopt Schopenhauer's discursive policy? Is it not really an inconsistent policy? If everybody lies and we all know that we all lie, who is cheated? Better, how could there be lies if there is no truth?

Schopenhauer's ideas had an ironic counterpart in the political field. Long before Schopenhauer, satirical writers Jonathan Swift and John Arbuthnot, had already declared, in their political pamphlet *The Art of Political Lying* [1712], that "the properest Contradiciton to a Lye is another Lye"[7]. But this same pamphlet does also indicate the peculiar character of the fallacious strategies present in public discourse, defining the *political lying* as «*the Art of convincing the People of Salutary Falshoods, for some good End*» (l.c., p. 30). A most important question in this context could be the theme proposed for an award essay by Berlin's Royal Academy of Sciences in 1778: "Is it useful to deceive the people, either introducing new errors or keeping the existing ones?"[8]. It is evident that such issues could not be solved with the conceptual methods and normative criteria present in the traditional logical, dialectical and rhetorical theories about fallacies.

To sum up, the idea of deliberation that we have been developing here has its own peculiar place within the current studies on argumentation. It is in fact one of this field's most interesting crossroads, between practical reason and public discourse, and one of its most promising interdisciplinary limits: where logic, dialectic and rhetoric meet, on one side, the ethical, legal and political ideals and programs of democratic theory and, on the other, the empirical conditions and professional requirements of deliberative practices under guidance. We think that the ideas here developed can have some employ in terms so much analytical —e.g., in relation to strategies of dissent and distension in argumentative interactions, or the articulation of dialectical and rhetorical issues in this context—, as critical —e.g., in relation to some crucial aspects related to the ideals of a deliberative democracy as stability, legitimacy and communicative power, or the concern about the quality and productivity of deliberative processes—. Thus, our proposals would like to be not only ideal guidelines but also touchstones for our real practices of deliberative democracy —beyond the skepticism and disillusion that is current today among those interested in the rationality of our practices of public discourse.

---

[6] Vid. Schopenhauer [*Eristik*, posthumous edit. 1864], 1962: 165-196.
[7] Swift, 2006.
[8] We follow the Spanish edition of some of the contributions in de Lucas (ed.) (1991). The contest was organized by the Prussian sovereign Friedrich the Second, counseled by D'Alembert, with whom he had already discussed the issue. There were two winners: the mathematician Castillon, with an essay supporting an affirmative answer —Friedrich's view—, and the lawyer Becker, with an essay supporting a negative answer — D'Alembert's view.

REFERENCES

Argumentation & Advocacy, 41 (Fall 2004), special issue: Challenging Greco-Roman argumentation trajectories: argument norms and cultural traditions.

Bakau, J.M. & Marty, D.L. (2001). *Cooperative Argumentation. A Model for Deliberative Community*. Prospect Heights, IL: Waveland Press.

Belzer, M. (1987). A logic of deliberation. In *Proceedings of the 5th National Conference on Artificial Intelligence*, AAAI'86 [Philadelphia] (vol. I, pp. 38-43).Merlo Park, CA: AAAI Press.

Bentham, J. (1952). *Handbook of Political Fallacies*, [*The Book of Fallacies*, 1824]. H.A. Larrabee (Ed.). Baltimore: The John Hopkins Press.

Bohman, J. (1996). *Public Deliberation. Pluralism, Complexity, and Democracy*. Cambridge, MA: The MIT Press.

Bovens, L. & Rabinowicz, W. (2006) Democratic answers to complex questions – an epistemic perspective. *Synthese*, 150, 131-153.

Hitchcock, D., McBurney, P. & Parsons, S. (2001). A framework for deliberation dialogues. In: H.V. Hansen, C.W. Tindale, J.A. Blair & R.H. Johnson (Eds.), *Argumentation and its Applications. Proceedings of the Fourth Biennial Conference of the Ontario Society for the Study of Argumentation (OSSA 2001)*, CD-ROM. Windsor, ON: OSSA. <www.humanities.mcmaster.ca/~hitchckd.htm>

List, C. (2006). The discursive dilemma and public reason. *Ethics*, 16, 362-402.

de Lucas, J. (Ed.). (1991). *Castillon-Becker-Condorcet, ¿Es conveniente engañar al pueblo?* Madrid: Centro de Estudios Constitucionales.

Mansbridge, J., Hartz-Karp, J. Amengual, M. & Gastil, J. (2006). Norms of deliberation: An inductive study. *Journal of Public Deliberation*, 2/1, article 7, 47 pp. [The Berkeley Electronic Press].

Pettit, P (2001) Deliberative democracy and the discursive dilemma. *Philosophical Issues* (supp. *Nous*), 11, 36 pp.

Schopenhauer, A. (1962) *The Art of Controversy* [*Eristik*, posthumous edit. 1864]. In T. Bailey (Ed.), *The Essential Schopenhauer* (pp. 165-196). London: Unwin Books.

Swift, J. (2006) *The Art of Political Lying* [1712]. *El arte de la mentira política*. (biling. edit.). Madrid: Sequitur.

Walton, D. (2004) Criteria of rationality for evaluating democratic public rhetoric. In B. Fontona, C.J. Nederman & G. Remer (Eds.), *Talking Democracy. Historical Perspectives on Rhetoric and Democracy* (pp. 295-330). University Park, PA: The Pennsylvania State University Press.