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The Debating Society by Peter Berkowitz

A review of Democracy and Disagreement: Why Moral Conflict Cannot Be Avoided In Politics, and What Should Be Done About It by Amy Gutmann and Dennis Thompson. Harvard University Press. 422 pp. $27.95.

The meaning of democracy is both obvious and elusive. It is plain that the great variety of regimes that deserve to be called democratic are, in accordance with the original meaning of the Greek word, regimes in which the people rule; and yet democracies come in all shapes and sizes, since peoples differ, and even the same people can rule themselves in a wide variety of ways. Since the people, like kings and aristocrats, are capable of ruling in foolish and vicious ways, the democratic principle of rule by the people must be supported in practice by opinions about morality, or what is fair and just and good. And since the people, like other rulers, cannot be on the spot everywhere and all at once to formulate policy, to implement legislation and to resolve controversies, democracies are in need of fixed procedures and settled institutions. They also need capable public officials and statesmen to tend to the ordinary tasks of maintaining political society and to the extraordinary events that cannot be specified in advance but can always be counted on to arise suddenly and require immediate action.

Democracy, then, has need of ideas that cannot be derived simply from the idea of democracy itself, ideas that supplement and direct the irreducible element or fundamental principle that marks it off from other kinds of regimes, ideas about morality and the organization of political institutions and offices. The philosophical supplement to democracy in America has been largely provided by liberalism, or a certain variety of liberalism. The fundamental premise of this liberalism is the natural freedom and equality of all human beings. This fundamental premise is discernible in the great debates and authoritative documents that helped found America in the eighteenth century; it was eloquently defended by Abraham Lincoln in the nineteenth century; and amid tremendous growth and dramatic upheavals in economic, social and political life, the logic of liberalism's fundamental premise has been worked out in the twentieth century in the assumption by government of responsibility in underwriting certain of the social and economic bases of equality, and also in the steady extension of civil rights to individuals without regard to race, sex or ethnicity.

It is an error, to which many American thinkers are prone, to conflate liberal democracy with the very idea of democracy itself. What is at issue, however, is not merely the clarity of concepts. There are real disadvantages to democracy that spring from the disposition to

disregard or to disguise the opinions about morality and the structure of political institutions that make democracies work. Chief among these disadvantages is the encouragement of a conceit that the democratic spirit is only too ready to embrace: that democracy needs no outside guidance or external support, because all good things come from or are consistent with it. This conceit turns democrats into dogmatists and weakens capacities crucial to democracy's defense. In particular, democratic dogmatism induces a rigidity of imagination, obscures the natural instabilities in democracy and causes democrats to neglect the principles and the practices that can serve as a counterpoise to the extremes to which democracies tend.

No law says the people can rule themselves only in liberal ways. Athens in the fourth century B.C. was a democracy, but it was definitely not liberal. The people ruled, but they did not protect individual liberty or respect human equality. And this was not a failure on the part of the Athenians to live up to their own highest principle in the sense, say, in which Lincoln criticized the institution of slavery in America as a violation of the fundamental belief out of which he argued the nation was conceived. In defending himself before the public assembly against the charges of corrupting the young and disbelieving in the gods of the city, Plato's Socrates protested his innocence, but he did not appear to find it odd or unjust that a democracy should condemn one of its citizens to death for heterodox religious belief. And in his polychromatic portrait of democracy in the Republic, Socrates makes vivid the slavishness of soul that can be fostered by the unqualified democratic freedom to do as one pleases, but he does not even bother to mention, much less to condemn, legal slavery, an institution that was an important feature of Athenian democracy and supported citizens' active participation in political life.

To condemn legal slavery as evil, and to justify the extension of citizenship to all individuals, requires a moral principle. Liberalism has supplied this moral principle in this century for democracy in America. But agreement about natural freedom and equality by no means puts an end to conflict in democracy. Many of the controversial issues that democratic citizens face will be primarily technical: how to generate revenues, and distribute goods and services, and defend against external threats. While such questions can produce sharp divisions among citizens, they are not the most difficult or divisive that democracies face. Even in a liberal democracy, the people will encounter perplexing and unruly moral questions, questions about which particular freedoms to protect; what kinds of inequality to eradicate; when to go to war and when to come home from war; which goods and activities to tax and which to protect or encourage by exempting them from taxation; which acts to count as crimes and how to determine and mete out appropriate punishments. Not all democracies must be liberal, but all democracies must devise ways to deliberate about the issues that come before the people, especially the difficult and divisive issues that raise questions about what is fair and just and good.

In political theory these days, no question seems more pressing or more pervasive than the question of how democracy in America can be made more deliberative. Only yesterday it seemed that students of American politics were all "civic republicans," and it appeared that our overriding common concern was how to bolster voluntary associations and to revivify civil society. But today we are all "deliberative democrats." Even communitarian champions of democracy, who blame our present discontents on the liberal dimensions of the American political tradition, call their conception "deliberative" and place at the center of politics the public discussion of fundamental moral principles. At the same time, postmodern political theorists who condemn liberalism as a rigid, repressive and enervating political doctrine that uses the language of rights to curtail freedom and to protect inequality, declare that the public sphere must be opened wide and transformed into a deliberative forum for the testing and contesting of basic beliefs and new experiments in living.

Deliberative democracy is associated above all with the thought of Jurgen Habermas. He believes that the laws under which men and women live should be an expression of open and rational public discussion. This seems to be a decisively democratic model. In practice, though, there is an awkward gap between what is required by "a public use of reason jointly exercised by autonomous citizens" and what actual citizens say in actual public discussion about the actual things that they favor. Since real people seem to disregard or to defy his conception of rationality, Habermas's "discourse theory of democracy" appears sometimes to prefer the rule of rationality to the rule of real people.

Moreover, Habermas's conception of deliberative democracy appears to advance an emphatically formal or procedural ideal: legitimacy springs from how the law is formed and not from the substance of what the law proclaims. But the appearance is misleading. For Habermas holds that it is one of the tasks of government, in particular the task of the courts (the branch most distant from the people), to defend certain kinds of laws, in particular laws that protect the social and political preconditions of deliberation. And substance is entangled with procedure in an additional way in Habermas's account, since deliberative democracy prizes and promotes a particular form of life, one which gives pride of place to principled reasoning in the public sphere. Deliberative democracy a la Habermas, then, represents a particular moral interpretation of democracy; but the grounds of the principles that, in his view, legitimate democracy by making it moral are not at all obvious.

One of the virtues of the conception of deliberative democracy put forward by Amy Gutmann and Dennis Thompson is that it brings into better focus the liberal roots of the aspiration to make democracy in America more deliberative, while clarifying the limits that liberalism imposes on what can be accomplished in a democracy through public discussion of moral issues. Gutmann and Thompson point to the liberal cast of their thought by stating at the outset that "deliberation does not have priority over liberty and opportunity"; but their extended argument on behalf of deliberative democracy does not fully acknowledge the role that liberal principles play for them in defining democracy's agenda and dictating the outcome of democratic deliberation.

In a tone that is moderate, with a commitment to fairness, and driven by a passion for dispassion, Gutmann and Thompson work their way through a variety of vexing public policy issues, such as abortion, health care, surrogacy, welfare reform, affirmative action and preferential hiring. In each case they explore contending moral claims and, bringing empirical evidence to bear on both sides of the argument, articulate practical reforms or prescriptions consistent with the principles of deliberative democracy. For all the attention to concrete cases, it is the principles on which deliberative democracy are based --- principles which do not seem to originate in public deliberation and do not appear to depend for their legitimacy on what democratic majorities happen to think about them --- that are the key to the entire enterprise. These principles set limits on what kinds of laws democracies may legitimately enact and impose obligations telling democratic citizens and public officials what sorts of public policies they ought to establish.

The idea of deliberation, in other words, is a vehicle by which Gutmann and Thompson subject democracy to regulation by a certain interpretation of morality. For Gutmann and Thompson, what morality is --- as opposed to what it may require in this situation or that --- is not very mysterious, not much open to doubt or disagreement. Morality, as they understand it, readily yields six interrelated principles for the government of disagreement in democracy: reciprocity, or the justification of public policy through reasons that can be accepted by those who are bound by it; publicity, or the open and public justification of their actions by officials and citizens; universal accountability, or the accountability of each to all who are bound or may be affected by public decisions; basic liberty, or government's obligation to protect the physical and mental integrity of persons; basic opportunity, or government's obligation to help each citizen secure the bases of a decent life; and fair opportunity, or government's obligation to ensure that all citizens have fair access to highly valued goods such as higher education and desirable jobs.

It is easy to see that these moral principles, which Gutmann and Thompson refer to as "the constitution of deliberative democracy," presuppose the idea of natural freedom and equality, define a particular strain of liberalism and provide moral support for the American welfare state. It takes more work to notice that these principles offer a way of saying that all persons must be respected without ever explaining what makes all persons worthy of respect. And what is downright difficult to understand is the relation between "the constitution of deliberative democracy," by which Gutmann and Thompson place democracy under the rule of morality and which seems to derive its authority from reason, and the Constitution of the United States (about which Gutmann and Thompson say next to nothing), which places democracy under the rule of law and a carefully designed system of political institutions and derives its authority from the people.

The conflicts that exercise Gutmann and Thompson concern, for the most part, differences about what the principles of morality require in concrete moral and political circumstances. The authors do not mean to encourage public dispute about the foundations or the general validity of the principles of morality themselves. Democratic deliberation, as they understand

it, does not pertain to the ground of morality or the clash of conflicting worldviews, but to the application to practice of certain moral principles such as "basic liberty," a principle, for example, which they present as virtually self-evident, unassailably reasonable and belonging to the class of "ultimate values." It is difficult to see, though, how a political program that aims to foster public debate about the scope and the implications of moral principles will not provoke daunting and controversial questions about first principles and the greatest good. By proceeding as if the fundamental moral principles that govern deliberative democracy were too obvious to be in need of a reasoned defense, Gutmann and Thompson come awkwardly close to implying that people who disagree with them about the basics, or raise embarrassing questions about the fundamental principles of morality, are crazy or incomprehensible.

Even if agreement about the fundamentally liberal moral vision that they defend were attained, disagreement about its implications would persist, owing to certain features of human life. Gutmann and Thompson recognize this. They argue that the natural scarcity of resources produces disputes about distribution, or who gets what and how much. The limited generosity of human nature permits individuals to pursue what they find pleasant or useful instead of doing what reason proclaims is right. The fact that individuals have incompatible values causes clashes about priorities in private life and public life. And inevitably the incomplete understanding of the complexities of society gives rise to constant misunderstandings, and continually generates reasonable differences of opinion, especially when moral disagreements turn upon complicated empirical questions.

Although they rightly take their egalitarian colleagues to task for blithely supposing that elimination of economic and social inequality among citizens would do away with moral disagreement in political life, Gutmann and Thompson seriously understate those causes of moral disagreement that inhere in human nature. They are too generous in mentioning only the common lack of generosity in human beings. For even the plainest claims of reason are easily rendered inaudible by the pride to stand apart and above, the envy of another's good fortune or good character, the lust for another's love, the desire for dominion over others, the propensity for cruelty and the predilection to take pleasure in the sufferings of others. It is only reasonable to take into account the roaring push and pull of passion --- and this goes also for the passion for equality --- in determining what portion of political life can be made subject to reason. But the causes in human nature that drown out reason's quiet voice do not much affect the analysis Gutmann and Thompson undertake. This is because they wish to lead their citizen- readers to the conclusions that they ought to reach on the basis of the moral principles that, in their view, underlie legitimate democratic government.

Like many works in the rapidly growing field of deliberative democracy, Democracy and Disagreement is for the most part an exercise in moral reasoning. What sets Gutmann and Thompson apart from their fellow deliberative democrats is the methodical manner in which they bring their principles to bear on and illuminate actual controversies; and what distinguishes them from so many of their fellow liberals is that in each case they grasp that reasonable men and women can differ on the difficult and divisive issues of the day.

Gutmann and Thompson start from opinions or fragments of opinions actually held by citizens and public officials involved in the controversies under consideration. They proceed to isolate the principles that underlie the conflicting views, search for a common ground or a place where the contending principles overlap or intersect, and then try to articulate conclusions that are "mutually acceptable" to all parties to the controversy, while specifying what questions, owing to the indeterminacy of principles or the ambiguity and incompleteness of evidence, remain to be settled through public discussion.

And yet Gutmann and Thompson do not doubt that moral reasoning issues in substantive conclusions about public policy, and contentious questions of law. Quite the contrary. They see that the question of abortion presents a conflict between the life of the fetus and the liberty of women, but they conclude in effect that abortion should be kept legal, while being made safe for all women and increasingly rare. They see that the debate over welfare reform consists in a struggle between the justified fear that welfare undermines freedom by making citizens dependent on government and government's obligation to provide basic opportunity for all citizens, but they argue in favor of "fair workfare," the view that welfare payments to able-bodied men and women ought to be contingent on work but only so long as government guarantees child support, makes work available and insures a decent wage. They discern in the debate over affirmative action a clash between the principle that positions should go to the most qualified and government's obligation to equalize opportunities for rightly prized goods such as higher education and desirable jobs, but they defend the practice of hiring or promoting less-qualified minorities and women (and in some instances men) as a temporary measure whose purpose is to combat discrimination and to create a society in which it is not practiced.

One could quarrel with the range of opinions that Gutmann and Thompson find "morally respectable" and therefore worthy of serious engagement. For example, it is unworthy of them to imply, by declaring that "a moderate pro-life position on abortion" is "worthy of moral respect," that a principled opposition to abortion is disreputable. What kind of guidance for the negotiation of disagreement in democracy, one could wonder, can be derived from a conception that by fiat proclaims unreasonable and places beyond the pale of public discussion the considered and strongly held beliefs of many Catholics, Protestants and Jews, to say nothing of the views of the loyal Democrats who have been made to feel like pariahs in their own party for their principled pro-life positions?

Still, in this day when diversity is on everyone's tongue and toleration is in so few hearts, no thoughtful reader can fail to be impressed by the spectrum of views that Gutmann and Thompson entertain sympathetically and examine critically. What remains curious, though, is just how much of their own deliberation --- the refinement of commonly held opinions, the intricate reasoning from distilled moral principles, the sifting and weighing of the latest social science research --- takes place without the actual involvement of fellow citizens, in the comfort of the study and the congenial climate of the seminar room; and to what an extent the legitimacy of the substantive conclusions Gutmann and Thompson reach is, from the

perspective of their own principles, independent of whether their fellow citizens can be persuaded to endorse them. This is not necessarily a bad thing: moral reasoning can be difficult and moral principles do not seem to owe their validity to changing majority opinion. Yet the extended and vital work done by rigorous abstract moral reasoning in Gutmann's and Thompson's conception of deliberative democracy does raise two very interesting questions: In what sense is their conception deliberative? And in what sense is it democratic?

Gutmann and Thompson argue that democracy is made more deliberative and more democratic by giving moral argument a greater prominence in the political process. But the precision with which they demonstrate the demanding kind of moral reasoning that they believe ought to govern our disputes exposes an aristocratic dimension to their thinking. Hobbes shrewdly criticized democracy as, in effect, an aristocracy of orators. He meant that the public assemblies in which the people or their representatives gather to make decisions will inevitably come to be dominated by the most eloquent and persuasive speakers, those capable of inflaming the people's passions and deflecting attention from what reason requires. Gutmann and Thompson want a democracy in which the people's reason, and not the people's passion, rules. But since reason rarely presents its rulings at first glance and sometimes not even at second thought, reason will rule only where there are rulers who reason well. The problem for democracies, where the people rule, is that not everyone reasons equally well, especially when it comes to detailed and technical matters of law and public policy.

It would be absurd to suppose that in virtually all other activities, from basketball to investment banking, from making friends to influencing people, from playing the violin to fixing automobiles, human beings display varying aptitudes and achieve different levels of excellence, but in the rational deliberation on morality and politics they are all capable of participating with equal force and effect. To make the practice of deliberation the centerpiece of one's conception of democracy is to call attention to the political significance of certain differences among individuals, in particular the qualities of mind and character that enable one to excel at moral reasoning and prevail in public discussions. Of course Gutmann and Thompson desire more participation by the people in the formulation of public policy and the fashioning of decisions that affect their lives. But since their intention is to show how political theory illuminates practice, it is only right that they attend to the practical consequences of placing the accent in democracy on deliberation.

Since it shifts power from the people to the best deliberators among them, deliberative democracy as Gutmann and Thompson conceive it is, in effect, an aristocracy of intellectuals. In practice, power is likely to flow to the deans and the directors, the professors and the pundits, and all those who, by virtue of advanced education, quickness of thought and fluency of speech, can persuade others of their prowess in high deliberative arts. In principle open to all, deliberation, along with its attendant constellation of rights and obligations, functions not only as a means to keep the people from exercising their sovereignty in foolish and vicious ways --- say, by making abortion illegal, or by making work a requirement for

welfare without providing government guarantees of child care and decent jobs, or by mandating color-blind policies in hiring and admissions in societies still marred by discrimination --- but also as an instrument to constrain them to rule in fair and just ways.

But then isn't it moral reason and its most accomplished interpreters, rather than the people, who really rule in deliberative democracy? On this question Gutmann and Thompson equivocate. To highlight the ultimate sovereignty of the people, they posit the provisional and revisable quality of morality: "We do not begin with a common morality, a substantial set of the principles or values that we assume we share, and then apply it to decisions and policies.... Rather, the principles and values with which we live are provisional, formed and continually revised in the process of making and responding to moral claims in public life." Yet just a few lines later they affirm democracy's dependence on the ultimate sovereignty of a fixed and unchanging moral principle: "Democracy seems a natural and reasonable way to live with moral disagreement since it is a conception of government that accords equal respect to the moral claims of each citizen, and is therefore morally justifiable from the perspective of each citizen." In other words, Gutmann and Thompson wish to claim that the principles of morality are fashioned by the give and take of democratic political life and that the give and take of democratic political life must conform to a moral principle that is not fashioned by citizens but binds by nature and in accordance with reason.

A related equivocation can be seen in their discussion of the principle of accountability. By emphasizing that "representatives are first of all accountable to voters," Gutmann and Thompson suggest that public officials must answer to the citizens who elected them, and that therefore in democratic politics the people are the ultimate authority. But by going on to insist that representatives justify their actions from "the moral point of view," that is, by understanding what they call "democratic accountability" in terms of "universal accountability" or accountability to all who in principle might be affected by a law --- including foreigners, disadvantaged groups and future generations --- they indicate that democratic representatives are accountable in the sense that their actions must meet the test of moral principle. And this implies that logos, not demos, is sovereign.

A third equivocation marks their view that the principle of reciprocity requires that moral disagreements in democracy should be resolved in ways that are "mutually acceptable," that is, "based on reasons that are shared or could come to be shared by our fellow citizens." It would be very useful to know precisely that which is obscured by Gutmann's and Thompson's "are shared or could come to be shared," because dangers to liberty lurk in both alternatives. If what they have in mind is what is "mutually acceptable" in actual fact, then they open the door to small- and large-scale acquiescence to degrading renunciations of liberty and responsibility. If what they envisage is what is "mutually acceptable" in theory, then they commit what Isaiah Berlin in his great essay on liberty called the "monstrous impersonation" by which it is asserted that coercion by a law which is for my good is not coercion but

freedom, "for I have willed it, whether I know this or not, and am free (or truly' free) even while my poor earthly body and foolish mind bitterly reject it, and struggle against those who seek however benevolently to impose it, with the greatest desperation."

On some occasions Gutmann and Thompson seem to use "mutually acceptable" to refer to those compromises and agreements that parties to a dispute actually do accept. At other times "mutually acceptable" appears to denote those settlements and resolutions which it would be reasonable for rivals to respect, and which they would accept if only they paused from partisan wrangling and self-interested squabbling to consider matters carefully, thoroughly and reasonably. By silently sliding between these two understandings of "mutually acceptable," Gutmann and Thompson can appear to make individual choice the final arbiter of law and public policy, while excluding views upon which individuals agree but which seem to conflict with reason; and they can justify as democratic a variety of opinions that majorities oppose but which reason demands them to adopt.

These three equivocations over whether the people or the dictates of moral reason rule in a deliberative democracy stem from a fundamental equivocation in the heart of the term that Gutmann and Thompson have chosen as defining the morality of democracy. The term "deliberation" comes from a Latin word whose root meaning is to balance or to weigh. In English, "deliberation" can be used in at least two related but distinct senses. It can suggest careful consideration and reflection. In this sense, I can deliberate, in the calm and quiet of solitude, about the candidate for whom I will vote, the career that is right for me, the sacrifices I shall make for love. But deliberation also implies formal consultation or discussion. In this sense, it can only take place with the participation of others who recognize certain procedures or proprieties for the exchange of opinions and the formulation of decisions. Gutmann and Thompson move dizzyingly back and forth between these meanings. By exploiting the ambiguity inhering in the word "deliberation," they can, through the methods of moral reasoning, vindicate countermajoritarian positions as epitomizing democratic self-government, and can sound populist and participatory while preserving the political authority of morality and its expert expounders.

What underlies these equivocations is not so much an embarrassment to acknowledge that democracy depends on a certain degree of virtue and wisdom, but a failure to consider sufficiently that the virtue and wisdom on which democracy depends do not derive from, and may indeed be endangered by, the dogma of the sovereignty of the people. And so the unfortunate effect is to reinforce democracy's dogmatism. This, however, is not an inevitable consequence of the effort to make democracy more deliberative. It is a consequence of the determination to show that making democracy more deliberative also makes it more democratic.

Gutmann and Thompson themselves argue that deliberative democracy depends upon what they variously refer to as the principles or virtues of "civic integrity" and "civic magnanimity." Civic integrity involves consistent affirmation of one's moral principles, honoring them in

practice and embracing all their implications, the uncongenial ones included. Civic magnanimity calls for the readiness to recognize the moral principle underlying one's opponent's argument and the disposition to consider a rival's view with an open mind. But Gutmann and Thompson neither consider how rare these virtues are (even in the universities, the institution in our society especially dedicated to rational argument) nor the implications of their rarity for the organization of democratic politics.

They do acknowledge that the deliberative virtues of civic integrity and civic magnanimity do not arise in citizens naturally, and must be cultivated. For this task, they believe, "the single most important institution outside government is the educational system." Schools must prepare their students for citizenship by going beyond the basics to develop their students' capacities to understand different perspectives, communicate their understandings to other people, and engage in the give-and- take of moral argument with a view to making mutually acceptable decisions. These goals, which entail cultivating moral character and intellectual skills at the same time, are likely to require some significant changes in traditional civics education, which has neglected to teach this kind of moral reasoning about politics.

Significant changes, indeed. Put aside for the moment that the system of public schools is as much an extension of the state as it is "outside government." And leave for another time the wisdom, given the questionable condition of our nation's schools, of assigning to them the formidable task of cultivating moral character. The fundamental question is whether schools, even in the best of circumstances, are "the single most important institution outside government" for the cultivation of the moral virtues on which democracy depends.

The liberal tradition itself gives reasons to believe that they are not. In Some Thoughts Concerning Education, John Locke argued that the welfare and the prosperity of the nation depended on parents discharging their duty to educate their children. Education, for Locke, meant primarily education in virtue. And he held that such education was primarily the task of parents not because he had no acquaintance with schools, but because of his understanding of virtue. Virtue, in his view, involves pursuing only those desires that are authorized by reason; it is learned through example, acquired by habit and rooted in a discipline that must begin when a child is very young and continue to the age of maturity.

A similar appreciation of the discipline that underlies the virtues that support self-government led John Stuart Mill to argue that in modern democracies "the real school of the virtues of freedom" must be the family --- a family, to be sure, that was "justly constituted," based on the legal equality of men and women. Public life, according to Mill, was an important element of moral education, but in a modern democracy it is not enough: "Citizenship, in free countries, is partly a school of society in equality, but citizenship fills only a small place in modern life, and does not come near the daily habits or inmost sentiments." Neither Locke nor Mill would be much surprised by the recent report, based on

a study of 20,000 high-school students in California and Wisconsin, that shows that performance of students in the classroom depends crucially on the involvement of parents with children at home.

Moreover, Gutmann and Thompson pay little attention to the vices that a democracy that dwells upon deliberation is likely to engender. Like all virtues, the virtues that support deliberative democracy have shadow vices, extremes toward which they are constantly pulled by the very practice of deliberation itself. To get one's point across in the public forum requires the art of rhetoric; but assemblies have a habit of rewarding smooth talkers, and the common desire for recognition in public life routinely induces a preference for victory through clever speech that overwhelms the cooperative search for mutual accommodation and the principled search for truth. To achieve a sympathetic understanding of another's view requires the patience to hear another out, a vigorous imagination and a supple sense of proportion; but the obligation to appreciate another's perspective easily induces a patronizing insistence on shared values, and self-serving claims about the transparency of experience, and a false show of compassion. To hit upon compromises in deliberation, and to honor them afterward, requires self- restraint, toleration and the capacity for long-term thinking; but the devotion to finding a common ground, a middle way, can promote indifference to principle while sheltering the cowardice of those who refuse to stand up for what they believe and the pusillanimity of those who shun worthy ends because of their stern demands.

To go beyond Gutmann and Thompson by taking account of the full range of the virtues of freedom, the variety of sources that sustain them and the vices that deliberation in a democracy engenders, will require the discipline of imagination. As Mill taught, imagination is vital to the liberal spirit. By revealing the heights and the depths of the human heart, the imagination makes possible the knowledge of human nature which, as Mill stressed in his famous tribute to Bentham, is the indispensable beginning and fundamental element of moral and political theory.

In 1950, Lionel Trilling restated Mill's view that the imagination could be a great ally to the liberal spirit, and identified for the imagination a special role in the defense of liberal principles: "It has for some time seemed to me that a criticism which has at heart the interests of liberalism might find its most useful work not in confirming liberalism in its general sense of rightness but rather in putting under some degree of pressure the liberal ideas and assumptions of the present time." This is precisely what Gutmann and Thompson do not do. By sheltering liberal ideas behind the rhetoric of democracy, Gutmann and Thompson deprive them of enlivening exposure to critical examination. At the same time, by proceeding as if the relation between liberalism and democracy were a mutually supportive " marriage of true minds" and not a sometime stormy "marriage of convenience," Gutmann and Thompson aggravate democracy's dogmatism.

Gutmann and Thompson praise their theory as both more idealistic and more realistic than its rivals: "Deliberative democracy is more idealistic than other conceptions because it demands more than democratic politics normally delivers. It is more realistic because it expects less than moral agreement would promise." With respect to its rivals in the field of academic liberalism, their praise is just. For this reason, Democracy and Disagreement is an instructive and welcome contribution. Yet Gutmann's and Thompson's conception of deliberative democracy is not nearly idealistic enough, at least for the purpose of understanding liberal democracy in America, since it collapses the virtues of freedom into the virtues of the classroom. In the process it scants too many qualities that are central to democracy's preservation: the ordinary virtues that govern everyday life, the courage to stand alone and apart when one's arguments fall on deaf ears, the resolve to persist in an unpopular but just cause, the self-sacrifice exercised far from the bright lights of the public forum but which is often crucial to sustaining family, friends and fellow citizens in dire straits. And their conception of deliberative democracy is not realistic enough, either. It does not reckon with the forces in a free society that both stir and stupefy the passions of democratic citizens. It is not true that all good things flow from, or are compatible with, the people's rule. The liberal imagination can come to democracy's defense by reminding democrats of what rests below and what rises above the art of moral reasoning and the practice of public deliberation.

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