

Public Deliberation, Democratic Politics, and the Feeling of Impartiality¹

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How do we distinguish, as citizens, between laws that are worthy of our allegiance and those we should reject or resist? Democratic procedural criteria are important here, but ostensibly democratic procedures sometimes go wrong, generating laws that endanger civil liberties or obstruct social justice. And while the principle of judicial review gives the courts a role in evaluating particular legislative outcomes, citizens in liberal democracies also have a responsibility in this regard. As citizens, our relationship to the laws should not be one of blind obedience, after all; it should reflect critical engagement and sound judgment. In fact, we have a political obligation as liberal-democratic citizens to evaluate the laws and to resist (or try to reform) laws that violate civil liberties or obstruct social justice. How do we carry out this evaluation? What faculties of mind and heart do we use? Americans today are in the process of publicly deliberating about the justice of gay marriage, for instance. In deliberating about an issue such as this one – which brings together questions of politics, morality, and law – what capacities do we employ? In particular, what is the right combination of thinking and feeling, of reason and passion, of cognition and affect, within such deliberation?

The common response to this question is to insist that there is *no* right combination of reason and passion, at least when it comes to deliberation about important political questions and matters of basic justice. The only way to achieve good deliberation, in other words, is to excise passions, emotions, and desires from the deliberative process entirely. The worry is that these affective modes of consciousness will cloud our reason and therefore impede the impartiality that is needed for sound moral judgment, equitable adjudication, and fair political deliberation. This is the dominant view (although certainly not the only one) in the history of political thought in the West. It is also the dominant view in political theory today. This paper challenges that view. The practical deliberation that citizens use to assess laws and public policies inevitably incorporates sentiments and desires – *and* these passions can contribute in a positive fashion to establishing the impartial standpoint that makes public decisions legitimate. To be sure, passions also can impede impartiality, and when they do so they cause problems for the legitimacy of democratic decision-making and the justice of its outcomes. The ideal of impartiality is crucial to legitimate deliberation and to justice, and it should never be abandoned. Yet the real possibility of conflict between passion and impartial deliberation does not tell the whole story of their very complex relationship.

In the last fifteen years a revolutionary new literature has emerged in neuroscience and neuropsychology that calls into question the human ability to conduct practical deliberation in the absence of sentiments and desires.² These studies, which involve patients who have impairments to regions of the

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² See, for example, Antonio R. Damasio, *Descartes' Error: Emotion, Reason, and the Human Brain* (New York: Harper Collins, 2000); Joseph LeDoux, *The Emotional Brain* (New York: Simon & Schuster, 1996); and V.S. Ramachandran, *Phantoms in the Brain: Probing the Mysteries of the Human Mind* (New York: William Marrow, 1998).

brain associated with feeling, demonstrate that decision-making depends on the affective experience of concern, specifically attachments, aversions, and desires. Patients with affective impairments may be perfectly capable of logical analysis; often they can reason effectively about the costs and benefits of various courses of action. What they cannot do is *decide* on a course of action. The implication of these findings is that practical reasoning – deliberation that results in decisions about what to do – necessarily incorporates sentiments. Affect has a role in motivating decisions as well as actions, and therefore the rationalist effort to excise sentiments threatens to undermine the very process of deliberation itself. This new literature thus poses a fundamental challenge to the dominant models of political judgment and public deliberation in political theory today.

Political scientists have just begun to explore the implications of these findings for political behavior, including (for instance) party identification, negative campaigning, the formation of social movements, and conflict mediation in the international domain.³ The point they press is that our analytical perspectives on political behavior should reflect the fact that sentiments are as essential to decision-making as reason is. Sentiments are a part of practical rationality itself. Among other things, they set the basis for future decisions by providing a sense of what matters, based on prior learning and experience. Sentiments constitute the horizons of concern within which practical judgment and deliberation transpire. What the empirical literature shows, then, is that we cannot deliberate about practical ends (in politics or anything else) without sentiments. The implication is that sentiments must play a more important role in political judgment and democratic deliberation than the dominant models in political theory acknowledge. What the empirical literature does not provide, however, is a normative account of how sentiments *should* figure in deliberation if its conclusions are to be just, and specifically how sentiments might serve the important democratic ideal of impartiality.

This paper pursues those questions. It defends a model of deliberation that incorporates affect within an ideal of impartiality and provides principled criteria for the proper inclusion of affect but without subjugating it to the rule of reason. I focus on the ideal of reciprocity, which obligates citizens to justify public decisions in terms that all can endorse, and I argue for an alternative, sentiment-based understanding of this ideal. Reciprocity rightly conceived involves the communication of appropriate sentiments and an attachment to the common, affective concerns that are constitutive of the political order.⁴ Reason has a role in reciprocity but its function is not to transcend the influence of sentiment. On

³ See, for example, George E. Marcus, W. Russell Neuman, and Michael MacKuen, *Affective Intelligence and Political Judgment* (Chicago: University of Chicago Press, 2000); Marcus, *The Sentimental Citizen: Emotion in Democratic Politics* (University Park: Pennsylvania State University Press, 2002); Rose McDermott, “The Feeling of Rationality: The Meaning of Neuroscientific Advances for Political Science,” *Perspectives on Politics* 2 (4) (Dec 2004): 691-706; Ted Brader, *Campaigning for Hearts and Minds: How Emotional Appeals in Political Ads Work* (Chicago: University of Chicago Press, 2006); Jeff Goodwin, James M. Jasper, and Francesca Polletta, eds., *Passionate Politics: Emotions and Social Movements* (Chicago: University of Chicago Press, 2001); and Neta Crawford, “The Passion of World Politics: Propositions on Emotion and Emotional Relationships,” *International Security* 24 (4) (Spring 2000): 116-156.

Another recent effort to bring Damasio’s findings to bear on the study of politics is William E. Connolly, *Neuropolitics: Thinking, Culture, Speed* (Minneapolis: University of Minnesota Press, 2002). Drawing on Damasio and others, the book offers an account of thinking that shows the “feedback loops that connect bodies, brains, and culture” and demonstrates the relationship within thinking between affective and cognitive modes of consciousness. Important as it is, however, *Neuropolitics* says virtually nothing about affect within the specific process of evaluative judgment. Still less does it illuminate the practices of political judgment and democratic deliberation. Connolly suggests that the dominant models of democratic deliberation should be modified in light of his findings but he never specifies how they should be modified what would constitute good affective deliberation. For further discussion, see Sharon R. Krause, “Brains, Citizens, and Democracy’s New Nobility,” *theory & event* 9 (1) (2006).

⁴ I borrow the language of “concern” from Simon Blackburn, who uses it to mark out the “things that we care about, aspects of the situation that present themselves as reasons for or against action” (Blackburn, *Ruling Passions: A Theory of Practical Reasoning* [Oxford: Oxford University Press, 1998], 123). Like desires, concerns

this interpretation, impartial deliberation will be guided by reflective concern rather than by reason alone, and it will depend upon the cultivation of an inclusive form of moral sentiment. This account of reciprocity also makes it possible to distinguish between sentiments that rightly have a place in the deliberative context and those that should be excluded. It demonstrates that affect and impartiality need not be mutually exclusive; indeed, real impartiality in public deliberation depends on the proper incorporation of sentiment. Part one lays out the relationship between reason and passion within the dominant models of democratic deliberation; part two introduces the sentiment-based account of reciprocity; part three shows how impartial deliberation depends upon a political context of liberal rights and a contestatory public debate, and it examines some institutional supports for the cultivation of impartiality in citizens.

Reasons and passions in deliberative democracy

The heart of deliberative democracy is the idea that political decisions, if they are to be legitimate, must reflect the deliberation of citizens and public officials, where deliberation is defined as “communication that induces reflection on preferences [and, we could add, values] in a non-coercive fashion.”⁵ Moreover, to yield legitimate decisions, the procedures of deliberation must themselves be democratic in the sense that they instantiate respect for persons as free and equal. The deliberative dimension of democratic politics is indeed a crucial one, and for all the reasons that deliberative democrats identify. Above all, while interests rightly have a place in political decision-making, questions of law and public policy that involve justice should not be left to interest-group competition or the play of power. Such matters demand deliberation that is informed by a moral standpoint, for we could never endorse (from within a moral standpoint) the practice of deciding questions of justice on the basis of prevailing relations of power alone. And while acts of pure altruism are relatively rare, most of us regularly vote on the basis of our convictions about what is *right*, and not only as an expression of self-interested preferences for particular candidates or policies. This is often true even when the issue at hand is one of distribution, but it is virtually always the case when the issue involves a conflict of values. Moreover, public deliberation in the domain of opinion-formation usefully extends the individual moral imagination and thereby enhances the impartiality of our moral judgments. So for both political and moral reasons democratic deliberation is important. We should support procedural mechanisms in political institutions and in the wider practices of civil society that facilitate a deliberative approach to public decision-making, at least so far as this is consistent with protections for constitutional rights and basic civil liberties.

are affectively engaged and practically motivating. They may be “backward-looking, forward-looking, self-centred, not self-centred, moral, non-moral” but they always refer to things we *care* about and they entail dispositions for action rather than an orientation of disengaged understanding (123). In contrast to common usages of “desire,” however, which are often synonymous with impulse or appetite, concerns may be reflective and incorporate beliefs. Concerns combine affective and cognitive modes of consciousness, and they will include interests and reflective desires as well as attachments, personal convictions, and the things (whether persons or principles) to which we are emotionally committed. The term “concern: thus parallels Cheryl Hall’s use of the word “passion,” which on her definition involves a cognitive perception of the object of passion as valuable. Yet this perception has an affective valence as well as a cognitive one. As she puts it, “to value one thing over another *is* to care about it, not just to impassively think that it is better. Put the other way around, passion *is* the affective manifestation of value.” Cheryl Hall “Recognizing the Passion in Deliberation: Toward a More Democratic Theory of Deliberative Democracy.” Panel paper presented to the *American Political Science Association Annual Meeting*, September 2006, 16.

⁵ John S. Dryzek, *Deliberative Democracy and Beyond: Liberals, Critics, Contestations* (Oxford: Oxford University Press, 2000), 76; see also Susan C. Stokes, “Pathologies of Deliberation” in Jon Elster, ed., *Deliberative Democracy* (Cambridge: Cambridge University Press, 1998), 123; and Adam Przeworski, “Deliberation and Ideological Domination” in *Deliberative Democracy*, 140.

Yet we should be more skeptical than are most deliberative democrats about the power of reason to motivate and legitimate public decisions. It may seem strange to champion the importance of deliberation while challenging the power of reason. After all, deliberation is almost universally regarded as an exercise of reason. The more deliberative a decision process is, the more strictly it will be determined by reason as against the influence of affective attachments and desires – or so the common view has it. Thus the procedural criteria for legitimate decision-making that figure so importantly in theories of deliberative democracy are typically intended to ensure that decisions answer to reason rather than sentiment. This is especially true of the reciprocity requirement, which demands that deliberation be conducted in terms that all have reason to accept, and which is meant to establish the impartiality of deliberative processes. The reasonableness of decisions makes them impartial and gives them legitimacy because (in theory) it protects decisions from the influence of passions and desires.⁶ Legitimate public deliberation therefore “will engage the mind rather than ignite the passions.”⁷ Political discussion “unsullied by irrationality” is the ideal.⁸ In fact, if “the force motivating decisions is passion rather than reason” then the decisions are not to be counted as deliberative at all.⁹ Discussion will be rational and hence impartial and deliberative only if participants justify their claims in terms of reasons rather than in terms of sentiments and desires, reasons that may conflict with such concerns. Impartial deliberation exists only where the force of the better argument – and that alone – prevails.¹⁰ This account clearly contains a significant measure of truth, as no one would say that decisions brought about by threats and coercion are deliberative. And everyone knows that passions can obstruct sound judgment. Yet the idea that giving reasons to one another renders decisions subject only to the force of reason, conceived as a mental faculty that transcends the passions, is a mistake.

References to the reasons that are supposed to move participants in impartial public deliberation, as required by reciprocity, are marked by a certain ambiguity. This ambiguity derives from the different but related meanings assigned to *reasons* as justifications for action and *reason* as a cognitive faculty of the mind associated with thought and understanding.¹¹ One cannot give a reason for something without

⁶ Seyla Benhabib, “Toward a Deliberative Model of Democratic Legitimacy” in Benhabib, ed., *Democracy and Difference*, Benhabib, Seyla, ed., *Democracy and Difference* (Princeton: Princeton University Press, 1996), 72.

⁷ Iris Marion Young, “Communication and the Other: Beyond Deliberative Democracy” in *Democracy and Difference*, 130, characterizing the view of Thomas Spragens in *Reason and Democracy* (Durham: Duke University Press, 1990), 128.

⁸ Ronald Dworkin, *Sovereign Virtue* (Cambridge: Harvard University Press, 2000), 365.

⁹ Jon Elster, “Deliberation and Constitution Making” in *Deliberative Democracy*, 109. Note that this requirement is at odds with Elster’s own much-cited notion of “the civilizing force of hypocrisy,” which he presents as an important support for democratic deliberation. This notion holds that “a desirable effect of publicity” is to force participants in deliberation to frame their arguments in “the language of reason” rather than narrow self-interest so that they appear to be more public-spirited than they actually are. Publicity elevates (or rationalizes) the terms of debate even though it does not normally change the real motives of participants. As Elster puts it, “publicity does not eliminate base motives, but forces or induces speakers to hide them,” 111. Yet so long as the motives of participants are “passionate ones” they will undercut the integrity of deliberation as Elster defines it, for his definition requires that the motivating force of decisions be reason *as against* passion. In light of this inconsistency, James Johnson has argued that Elster’s civilizing force of hypocrisy “hardly affords the robust moral resources to which advocates of deliberation aspire. It does not so much generate a ‘reasoned agreement’ as induce a conformity that is at once rather shallow and normatively suspect.” Johnson, “Arguing for Deliberation” in *Deliberative Democracy*, 172.

¹⁰ Joshua Cohen, “Procedure and Substance” in *Democracy and Difference*, 100; and see Cohen, “Deliberation and Democratic Legitimacy” in James Bohman and William Rehg, eds., *Deliberative Democracy: Essays on Reason and Politics* (Cambridge: MIT Press, 1997), 74.

¹¹ As Cheryl Hall notes, there is “little discussion in the literature of any difference between ‘using reason’ and ‘giving reasons.’” She argues, along lines similar to those developed here, that “giving reasons requires making

having thought about it, and consequently we tend to regard reasons as issuing from the faculty of reason. For deliberative democrats, reasons carry normative weight in a way that mere interests and preferences do not, and this normativity seems to come from their association with the faculty of reason, which (following Kant) is often considered to be the very source of normativity.¹² In other words, our reasons present themselves as particular embodiments of the general capacity for reason, and this status sets them apart from mere sentiments and desires, which are less than fully rational and sometimes not reasoned at all. Because of the special normativity-conferring function of reason, our reasons have the power to turn assertions into arguments that *justify* claims rather than simply express them. By the same token, in the context of public deliberation the act of justification based on reasons seems to make the cognitive faculty of reason the basis for decisions and hence the determining ground of the collective will. And because sentiments and desires are still commonly seen as forms of passivity while reason is thought to be active, the reasonableness of deliberation – its detachment from affective concerns by means of reason-giving – is thought to make it free. This explains why deliberative democrats insist that decisions must be reasonable in order to be legitimate, for political legitimacy on the democratic view requires that decisions reflect the free choices of those bound by them. Decisions that are justified with reference to reasons are free because reason itself, which generates reasons, is free and is the source of human freedom.

But what are reasons really? According to Joshua Cohen, reasons in the general sense are “considerations.”¹³ Cohen does not define considerations, but we may infer that they include anything that can be a determining ground of the will. At first glance, this notion of considerations seems to capture yet another meaning of reasons, namely the explanatory (i.e., non-normative) sense of reasons as the causes or motives of actions. If you ask me why I oppose the war, for instance, I might tell you that my brother is a soldier and I fear for his life. My love for my brother is the consideration that motivates my position, or the reason for it. Reasons as causes will include all sorts of interests and preferences, and more generally all kinds of unreasoned sentiments and desires. Cohen rejects the explanatory notion of reasons, however, or at least he insists that reasons of this sort have no role in public deliberation. Deliberative democracy presupposes rather that “the notion of a reason is essentially normative – a term of justification and criticism – and that a reason is not a kind of motivation. Practical reasoning, then, is a matter of reflecting on what one is to do, not what one is motivated to do.”¹⁴ Reasons that are normative in public deliberation are still considerations – what else could they be? – but they are not mere causes. Reasons do not explain our claims in light of the affective attachments and desires that constitute our personal motives for action. To count as a reason, a consideration must instead justify our actions or choices in terms of “considerations that others have reason to accept.”¹⁵

The phrase “have reason to accept” introduces more ambiguity. On the one hand, it might refer to the cognitive faculty of reason so as to convey the idea that this faculty authorizes certain considerations as rationally acceptable, or reasonable. This would imply that reason bestows normativity upon these considerations and thereby turns them into “reasons.” Cohen’s use of “reason” as opposed to “reasons” here points in this direction, as it suggests that reasons are considerations that others will accept *if they have reason*, meaning if they are exercising the faculty of reason. It fits together with his insistence that public deliberation is a matter of reflecting on “what one is to do” (as in, what one is rationally required to do) rather than on what one happens to be motivated to do. On the other hand, his

use of passion as well as reason.” Hall, “Recognizing the Passion in Deliberation,” 2; and see her *The Trouble with Passion: Political Theory Beyond the Reign of Reason* (New York: Routledge, 2005).

¹² See Christine Korsgaard, *The Sources of Normativity* (Cambridge: Cambridge University Press, 1996).

¹³ Cohen, “Procedure and Substance in Deliberative Democracy” in *Democracy and Difference*, 100.

¹⁴ Cohen, “Democracy and Liberty” in *Deliberative Democracy*, 201.

¹⁵ Cohen, “Procedure and Substance in Deliberative Democracy,” 100.

phrasing also points back to the idea of reasons as considerations. It suggests that reasons are considerations that others can accept if they have reasons for doing so, meaning if they are committed to considerations that recommend in this direction. To count as reasons, however, the considerations that recommend in this direction must also be ones that others can accept. In other words, reasons are considerations that others can accept in view of considerations they hold that others can also accept, in view of considerations *they* hold that others can also accept ... As a practical matter, what this infinite regress means is that reasons are considerations that others can accept given the considerations they hold. If this is the case, then it is not clear what role reason as a cognitive faculty is playing in the generation of reasons as normative, since considerations in themselves may be non-rational, as we have seen. It is true that the cognitive faculty of reason allows us to ascertain whether the considerations that others hold permit them to accept the considerations we are putting forward.¹⁶ Yet what allows them to accept these considerations is not reason itself but the considerations they hold. From this perspective, it is the fact that the considerations are shared – not the faculty of reason – that establishes the status of certain considerations as “reasons” and so constitutes the source of their normativity. On this interpretation, Cohen’s invocation of “reason” in the definition of normative “reasons” is something of a red herring since reason as a cognitive faculty is not actually conferring normative value. Yet the association he suggests between reasons and reason lends an air of dignity to the considerations that count as reasons, the dignity traditionally associated with reason as a cognitive faculty and its putative role in generating normativity.

Reason exercises its normative authority, on Cohen’s account, by establishing “reasons” that justify decisions independently of the affective concerns that agents actually have. In the background of this account lies the assumption that reason can yield decisions about action in the absence of any connection between the desires of the agent and the action.¹⁷ One way to see the limits of this view is to consider some examples. A recent theorist of deliberative democracy has offered the following illustration of how reason supposedly directs decisions within individual moral deliberation:

I once heard two men discussing whether it was right to use “she” and “her” instead of “he” or “his” when referring to generic persons. A was for, B was against. B did not feel that arguments concerning equality or fairness had any force. Having exhausted all other (and better) justifications, A said that, if nothing else, B should use feminine pronouns because B was “a gentleman!” B was cornered and found it hard to disagree. What does this exchange accomplish? First, it appeals to an image of the self that may be generally agreeable to the obstinate B. It further points out an inconsistency in preferences by forcing into the discussion the notion that if B wants to stick with his male-gendered vocabulary, he must argue against a shared male norm: “be kind to women.” ... Deliberation channels old norms to new cases: it restates an unassailable principle and then shows that the opponent’s argument violates that principle; thus, out of consistency ... the recalcitrant party is induced to revise his preferences or else recant the principle.¹⁸

The contribution of reason within B’s deliberation, on this account, is to point out the supposed inconsistency involved in simultaneously wishing to be a gentleman and rejecting the generic use of the feminine pronoun. (For present purposes, we leave aside the question of whether these two positions are truly inconsistent.) Yet no conclusion is possible on the basis of the recognition of inconsistency alone. On the basis of this recognition, one is free to conclude in favor of either alternative, or to live with the

¹⁶ Reason enables us to identify logical inconsistencies, relations of identity, and the like.

¹⁷ Or, as Korsgaard says, practical reason can generate conclusions in a way that does “not involve discerning relations between passions (or any pre-existing sources of motivation) and those actions.” Christine Korsgaard, “Skepticism about Practical Reason” in Elijah Millgram, ed., *Varieties of Practical Reasoning* (Cambridge: MIT Press, 2001), 106.

¹⁸ Diego Gambetta, “Claro!: An Essay on Discursive Machismo” in *Deliberative Democracy*, 23.

inconsistency. Think of Whitman's famous lines: "Do I contradict myself? Very well then, I contradict myself, I am large, I contain multitudes."¹⁹ B is brought to support the generic use of feminine pronouns only because he *cares* about being a gentleman and about acting in ways that are consistent with his professed principles.

The affective dimension of deliberation here is easy to miss because it is dressed up in the ostensibly rational garb of "norms" and "principle" – the rejection of feminine pronouns is said to violate the (to B) "unassailable principle" of gentlemanliness – but it should not be difficult to see through this rationalist language to the affective core beneath it. To be sure, B may have strong grounds for considering the ideal of gentlemanliness to be unassailable, but these grounds will not rest on reason alone. As the empirical research on practical reasoning mentioned above suggests, unless this principle connects up with things B cares about, it will not have the power to conclude his deliberation or determine his action. Because affective concerns such as the desire to be consistent are often widely held and because they may enter consciousness without the fiery blaze of some other desires, it may be easy to forget that they *are* actually desires. In fact, such desires are often mistaken for reason itself, generating the erroneous belief that (in this case) the mere cognition of logical inconsistency leads to the revision of one's views.

Consider another example. Suppose you are angry at your friend John, a feeling you cannot understand for John has done nothing to warrant it. Yet because of your anger you repeatedly act in ways that generate conflict with John. You discuss it with another friend, or perhaps your therapist, who points out that John resembles your father in many ways, toward whom you have a longstanding (and perhaps warranted) anger. Suddenly you *understand* that you have no *reason* to be angry at John, your feeling of anger dissipates (perhaps even disappears) and you resolve to begin treating John more justly. This seems to be a case of reason directing deliberation and determining its outcome. Yet letting go of misplaced emotions such as these typically requires more than cognitive insight. It also involves the desire not to be dominated in one's present by negative experiences from the past, as well as the desires to treat others justly, to avoid unwarranted conflict, and so on. Without these affective concerns, the cognitive insight would have little traction in changing one's outlook or concluding one's deliberation. The affective contributions to this decision process should not be thought to undercut its status as deliberative, however. Think again about B's decision process. The force of the better argument may indeed have been the determining ground of B's decision, but the reasons that made this argument appear to him to be the better one built in affective concerns (B's desires to be a gentleman and to be consistent) and hence they were not independent of his sentiments.

Cohen's "epistemic" conception of deliberation is explicitly cognitive, however, for it treats public decision-making as "rational processes of the formation of common judgments" about "what the correct policies are according to an independent standard" – a standard that departs not only from private desires but from the whole mode of *desiring*.²⁰ Deliberation on this view is an effort to understand or to ascertain independent standards of right, which must be detached, on pain of irrationality, from modes of desiring and the expression of concerns. Recall Cohen's forceful distinction between what one ought to

¹⁹ Walt Whitman, "Song of Myself," in *Leaves of Grass and Selected Prose*, ed. John Kouwenhoven (Modern: New York, 1950), 74. Cited in Seyla Benhabib, "Judgment and the Moral Foundations of Politics" in *Judgment, Imagination, and Politics*, 198. Benhabib cites Whitman to illustrate her point that "Arendt was too quick in assuming that out of the self's desire for unity and consistency a principled moral standpoint could emerge." My point is somewhat different in that it refers to the limits of reason rather than the limits of a particular concept of the self. Jennifer Nedelsky's argument is closer to my own when she insists that the mere recognition of logical inconsistency between different positions that one holds would not be enough to generate new deliberative conclusions. As she says, "it takes affect to change affect." Nedelsky, "Embodied Diversity and the Challenges to Law" in Ronald Beiner and Jennifer Nedelsky, eds., *Judgment, Imagination, and Politics* (Lanham: Rowman & Littlefield, 2001), 251.

²⁰ Cohen, "An Epistemic Conception of Democracy," *Ethics* 97 (1) (October 1986), 34.

do and what one is motivated to do. The radical disjuncture between norms and motives is intended to establish and protect the rationality of public deliberation. In fact, for deliberation to be rational it is necessary that our motives (or preferences, as he puts it) be “sensitive to reason” in the sense that “merely believing that I have ... a reason may suffice to refashion preferences.”²¹ To illustrate, Cohen invokes the example of a person who sees no reason to help others and has no desire to do so but who does believe that she has reason to avoid harming them. If reflection leads her to see that the explanation for why she has reason to not harm others logically implies that she has reason to help them, then she has reason to help and this reason is totally independent of her desires, which (by stipulation) do not include the desire to help.²² What Cohen concludes from this example is that the faculty of reason generates reasons for action independently of affective concerns or the passions that motivate action, although he adds that reasons so conceived can motivate.²³ Reason on its own can motivate decisions, and it can also change affective concerns. He emphasizes that such changes

are not simply changes of *induced* preference that result from the acquisition of new information through discussion ... [T]he kind of preference changes I am contemplating reflect a sensitivity of motivations – understood as behavioral dispositions – to reasons, understood as standards of criticism and guidance, and not simply a sensitivity of some preferences to information about how most effectively to satisfy other preferences.²⁴

In other words, reason yields decisions about action that do not rest on relations between affective concerns (or any previously existing motives) and the action. And only when reason determines decisions in this way are the decisions impartial. So Cohen treats the normative reasons that guarantee impartiality in deliberation as grounded in a faculty of reason that abstracts from affective attachments and desires.

Yet elsewhere Cohen gives us grounds to doubt that motives could be as sensitive to reason as he sometimes suggests, or sensitive in the way he suggests. For in remarking that practical reasoning “may proceed along deliberative paths with *only the most attenuated connections* to the agent’s current aims,”²⁵ Cohen in effect acknowledges that practical reason cannot abstract *entirely* from the agent’s actual aims (read: motives or preferences), however “attenuated” the connection between them may be. Human motives are sensitive to reason but only insofar as reason makes contact with existing affective concerns. This caveat means that it is not reason per se to which our motives are sensitive; instead, our motives are sensitive to our existing concerns. Reason allows us to see that our existing concerns make us sensitive to certain new considerations. Yet the only power that reason itself has in changing occurrent motives is given by the normative force that our concerns hold for us, and if reason did not connect up with some of these concerns it could not change occurrent motives – as Cohen himself is forced to acknowledge in the passage quoted above, albeit without saying so directly.

Most deliberative democrats, including Cohen, acknowledge the fact that “background constrains what can count as an acceptable reason within a process of deliberation.”²⁶ Yet few elaborate the consequence of this fact, which is to shift the source of normative authority within deliberation away from reason. Reasons are constituted by the things we care about, and public reasons are constituted by the things we *all* care about – not by things that reason itself tells us we *should* care about. How do we arrive at the values that make up the background after all? The moral judgments and evaluations that form the background for public deliberation are not the progeny of reason alone. They are not cognitive

²¹ Cohen, “Democracy and Liberty,” 200.

²² *Ibid.*, 199.

²³ *Ibid.*, 201.

²⁴ *Ibid.*, 200.

²⁵ *Ibid.*, 199; emphasis added.

²⁶ Cohen, “Procedure and Substance in Deliberative Democracy,” 101.

representations (or intuitions) of moral facts that inhere in the world. Rather they are expressions of what we care about, the considerations that matter to us. All this suggests a philosophical explanation for Damasio's neuropsychological findings. His affectless subjects cannot reach determinate conclusions about what to do because deliberation is not an exclusively cognitive activity. Reason itself is not normative in the sense that it cannot on its own tell us what we ought to do or justify our decisions. Only in collaboration with affective attachments and desires (properly arrived at) can reason determine our decisions and generate obligations. The fact that psychological dispositions have a role here need not imply that anything goes, of course. It need not subjugate deliberation to the passing fancies of untutored individual passion. But it should encourage us to look beyond reason for the sources of impartiality. If practical reason is dependent on affect, then any viable model of impartial deliberation will need to make a place for it.

Reconceiving reciprocity

So far we have seen that affective concerns inevitably figure in the reason-giving practices of justification that constitute democratic deliberation. We still lack an adequate account of how such concerns *should* figure in deliberation, however, or how they might serve deliberation that is sufficiently impartial to generate legitimate, publicly enforceable decisions. Public practices of dialogue and debate among citizens do not always issue in laws and policies that are coercively enforced by the state, of course. Deliberation that produces state action, or will-formation, differs from deliberation leading only to opinion-formation.²⁷ Deliberation as opinion-formation will be discussed in the next section. For now, we focus on deliberation as will-formation. We need a normative account of the right place of affect within this type of deliberation, an account that can specify the difference between right feeling and wrong in the deliberative context and that supports the ideal of impartiality.

Most deliberative democrats see reciprocity as the key to impartiality, and the present account accepts this association. The reciprocity requirement ensures that public deliberation yields decisions that can be endorsed by those subject to them. It is meant to protect decision-making from the prejudice and partiality that privilege some citizens at the expense of others. By making deliberation impartial, reciprocity makes decisions legitimate. The principle of reciprocity is therefore crucial to democratic deliberation conceived as will-formation. Yet it incorporates more affect than the standard accounts suggest. Reciprocity properly conceived involves two practices in particular that bring sentiments into deliberation in a way that supports impartiality. The first is the practice of framing arguments in terms of the common concerns that underlie the political order and that often, though misleadingly, go by the name of "public reason." The second is the practice of perspective-taking, which incorporates the (endorsable) sentiments of affected parties into decision-making. Affect thus figures in two distinct ways. It involves devotion to public principles and the desire to see them realized, and it involves empathetic (but critically informed) identification with the desires and aversions of relevant others.

Public reason as a horizon of concern. This account suggests that to understand reciprocity rightly, we need to reconceive the nature of public reason so as to acknowledge the importance of sentiments within it. Like other uses of the term "reason" within theories of deliberative democracy, the notion of public reason trades on the normative authority commonly associated with the cognitive faculty of reason. Yet to engage the faculty of public reason in deliberation is essentially to frame one's arguments and make one's evaluations in terms of principles and evaluative standards that are constitutive of the polity and are therefore sources of common commitment, things that citizens *care* about. Public reasons reflect the shared horizons of concern that are implicit in the political culture of a particular community. The relevant horizon of concern for deliberation in the American context, for example,

²⁷ Nancy Fraser, "Rethinking the Public Sphere," in Craig Calhoun, ed., *Habermas and the Public Sphere* (Cambridge: MIT Press, 1993), 132-136. See also Habermas, *Between Facts and Norms*, transl. William Rehg (Cambridge: MIT Press, 1996), 307f, 314; and Benhabib, "Toward a Deliberative Model," 84.

includes commitments to the principles and ideals enshrined in the Constitution and Bill of Rights as well as the Declaration of Independence. Such commitments are by no means devoid of reason. To care about the principles of liberty and equality for all requires sophisticated cognitive capacities. And if asked why we value the principles of liberty and equality, we may have a very reasonable answer. Yet affective attachment or desire is fundamental to our orientation to these principles. The principles are not simply ideas that give meaning and order to our experience.²⁸ They also mark out forms of interaction that we wish to see instantiated in the world. As democratic citizens, we desire them in the sense that we want the world to embody them. Public reasons are forms of reflective desire, and they must have this affective character if they are to be capable of motivating decisions and action.

So public reasons are considerations that incorporate common concerns, and the practice of public reasoning involves a combination of caring and reflection. When public deliberation is conducted in terms that answer to public reason, so conceived, it achieves a significant measure of impartiality. It helps ensure that deliberative outcomes will in principle be endorsable by those who are bound by them because the outcomes are justified in terms of concerns that all citizens, as citizens, can be expected to share. Such deliberation is impartial in the sense that it does not privilege the special concerns of certain individuals or groups over others. Remember that we are talking about decisions that will be coercively enforced on all citizens, about the formal process of collective will-formation rather than the more informal discussions that are associated with opinion-formation. Although we should be quite permissive about the kinds of claims and arguments that figure in the opinion-formation aspect of public deliberation, *will-formation* should be more constrained. Deliberative democrats (and contemporary liberal theorists too) are right to say that such decisions should be justified in terms of common values. And even in a pluralistic polity some common political values are available; no polity could exist without them. True, the interpretation in particular cases of common values can open up fissures in the ostensibly shared convictions of citizens. As such conflicts arise, however, they will be argued out in terms of other elements in the public's horizon of concern, elements that are, for the moment, subject to agreement. Should the balance of public reason in any polity come to be contested all at once, real instability would ensue. Indeed, it is difficult to see how any political order could survive under such circumstances. Yet this extreme scenario does not describe the normal public deliberation in relatively stable, albeit pluralistic, liberal democracies with which we are concerned here. This deliberation regularly proceeds on the basis of public principles that reflect common concerns.

The existence of common concerns thus supports the practice of reciprocity and helps sustain impartial deliberation. To be sure, impartiality in deliberation is not the same thing as universalism. Deliberation that answers to public reason will be impartial with respect to the treatment of citizens but it will be partial to the concerns contained in public reason, and it will treat these concerns with special deference. The kind of impartiality that public reason makes possible may not be sufficient to generate truly universal norms but it does address the demands of democratic legitimacy. And when properly conceived, it does so without abandoning the affective mode of consciousness in favor of a mythical ideal of reason. The practice of reciprocity rightly understood is both impartial and affectively engaged. Still, it must be acknowledged that the constitutive concerns that sustain reciprocity will not always be shared – or shared in the same way – by every last member of the polity. The class of things that are commonly felt or commonly believed with respect to a given issue often leaves someone out. Difference is part of the human condition, and hence it is common for some of us to be uncommon on any particular measure. The fact of human diversity recommends in favor of political institutions that protect individual liberty as well as the democratic practices of contestation that give voice to the marginalized among us. Therefore it is crucial that prevailing understandings of the common concerns that constitute public reason be open to dispute. The inclusive approach to public deliberation as opinion-formation, discussed below, answers to this need. The contestability of ostensibly common concerns also points to the need for perspective-

²⁸ See Stephen K. White, *Weak Ontologies: Sustaining Affirmation* (Princeton: Princeton University Press, 2000), 47.

taking. There is no better way to ascertain which concerns are common than to consult the sentiments of those affected. In addition, perspective-taking provides a mechanism for reflecting critically on the existing concerns of persons and groups, and even for reforming them, as we shall see.

Perspective-taking as the communication of sentiments. The perspective-taking dimension of reciprocity is thus an important key to impartial public deliberation. It means that deliberating citizens must be prepared to consider things from the standpoint of all those affected by the law or policy in question. As presented in existing models of democratic deliberation, however, what the generalized standpoint of reciprocity involves is not always clear. Are we imaginatively to inhabit the identities of others as well as their situations? Or should we instead imagine what we ourselves, retaining our own identities, would think and feel under similar conditions? The first option is patently impossible because we can never sufficiently abandon ourselves or know enough about others to really *become* who they are in the relevant psychological sense. But if we cannot fully become who they are, perspective-taking so conceived will fail, and judgment inevitably will be partial rather than impartial. The second formulation is more feasible but less optimal. Its deficiency is that it does not push us to go beyond the limits of our private convictions and personal prejudices. Consider the case of abortion, for example. If I am a staunch anti-abortion advocate, to place myself imaginatively (with all my own beliefs and values) in the shoes of an unwed pregnant teen may bring home to me the ways in which my views are at odds with her interests, but cognitive awareness of this conflict is not likely to bring about any meaningful shift in my view.²⁹ Instead of concluding that her situation gives me reason to reevaluate abortion rights, I may simply decide that there are good reasons to avoid getting into her situation. This example suggests that there is nothing in perspective-taking construed as a cognitive act that effectively moves us to deliberate beyond the limits of our personal convictions. Yet laws and policies that will be coercively enforced on all citizens could never be justified in terms of anyone's personal convictions alone.

A better way to understand perspective-taking is as an exercise of what David Hume called moral sentiment. Moral sentiments are feelings of approval and disapproval that arise from a suitably structured generalized standpoint, which incorporate the pleasures and pains, desires and aversions, of all affected. The standpoint of moral sentiment is impartial in that it abstracts from private interest and personal prejudice so as to judge in light of common concerns, but it remains affectively engaged because it rests on sentiments and desires. And the moral sentiment approach specifies criteria for properly incorporating affect within impartial judgment. For not every passion is relevant on this view; not all sentiments and desires are legitimately included. First, in evaluating some phenomenon, I am to consult not my personal responses but the pleasures and pains of those affected. It is only when something "is considered in general, without reference to our particular interest, that it causes such a feeling or sentiment, as denominates it morally good or evil."³⁰ Through empathy and the exercise of imagination we experience the pleasure or pain that the object under consideration generates for those affected by it.³¹ Empathy

²⁹ Young's example is as follows: "When asked to put themselves in the position of a person in a wheelchair, they do not imagine the point of view of others; rather, they project on to those others their own fears and fantasies about themselves." Young, "Asymmetrical Reciprocity: On Moral Respect, Wonder, and Enlarged Thought" in *Judgment, Imagination, and Politics*, 209.

³⁰ David Hume, *A Treatise of Human Nature*, ed. L.A. Selby-Bigge (Oxford: Clarendon Press, 1986), 472.

³¹ It is important to see that empathy, or what Hume called "sympathy," is not a disposition or a virtue but rather a faculty of the mind with an informational function, much like imagination or memory. Like them, it operates automatically within consciousness rather than as the result of individual will or character. It should therefore be distinguished from benevolence or pity, passions that move us to act out of concern for another. Empathy is not a passion at all, and it entails no desire, hence it is not itself a source of action. And it need not involve a care for the well-being of the person whose sentiments it conveys. As Hume says, "my empathy with another may give me the sentiment of pain and disapprobation, when any object is presented, that has a tendency to give him uneasiness; tho' I may not be willing to sacrifice any thing of my own interest, or cross any of my passions

communicates the sentiments of others to us so that we feel their pleasures and pains, and our judgments are built upon this communication. Empathetic communication is facilitated by the fact that the same range of passions affects us all, although the objects of the passions may differ. Nothing that one person can feel will be totally unfamiliar to another, as Hume says, for no one can “be actuated by any affection, of which all others are not, in some degree susceptible.”³² In cases where those affected cannot communicate their pleasures and pains to me directly, I must rely on indirect evidence of their sentiments or make inferences from like cases and from general rules, conceived as commonly accessible patterns of human concern. The key point is that normative judgments demand a generalized perspective rather than an idiosyncratic one, and empathy gives us access to this perspective. The social fabric of moral sentiment means that our judgments always reflect more than merely private responses to the world. The impartial feelings of approval and disapproval, which emerge through the generalized perspective, constitute an intersubjective response not a personal passion.

The second criterion for the proper incorporation of affect is that we must approach the sentiments that figure in the generalized perspective of moral sentiment with a critical eye. Hume himself had little patience with sentiments that were colored by prejudice, ignorance, or superstition. Prejudice, he says, “is destructive of sound judgment” and generates sentiments “which may be pronounced erroneous.”³³ Hence “the taste of all individuals is not upon an equal footing” in moral matters as much as in aesthetic ones.³⁴ So the normative force accorded to particular feelings within the generalized perspective depends in some measure on the character that stands behind them, specifically on whether this character is itself endorsable from within a generalized perspective. It also depends on whether the sentiments in question are attentive to the relevant facts or based on erroneous empirical judgments. A delirious man “has no manner of authority with us” in epistemic matters.³⁵ Likewise, the sentiments of a man who is mistaken about the causes, character, or consequences of a law or public policy should carry no weight in our assessment of it. Whether the relevant sentiments are endorsable is subject to dispute, of course. Although not infinitely malleable, moral sentiment is fluid rather than fixed, subject to revision based on new, empirical information and the incorporation of new (or previously overlooked) sentiments. In this respect, moral sentiment itself depends on the practices of democratic deliberation as opinion-formation, which generate discussion and contestation about its proper scope and content.

When empathy is well cultivated and broadly extended, the generalized perspective of moral sentiment takes us out of ourselves in the right way. It does not demand the wholesale abandonment of our identities or an unattainable level of knowledge about the lives of others. Yet it does make our judgments more than self-referential. It causes us to register directly in our own minds and hearts the expressed (and sometimes inferred) sentiments of those affected. Understanding perspective-taking in

for his satisfaction” (*Treatise*, 586). In this sense, the account of judgment Hume offers, although grounded in empathy, by no means assumes or entails that persons will behave benevolently.

For discussion of the importance of empathy within perspective-taking, see Susan Okin, “Reason and Feeling in Thinking about Justice,” *Ethics* 99 (2) (January 1989): 229-249. For examination of empathy in judicial deliberation, see Lynne N. Henderson, “Legality and Empathy,” *Michigan Law Review* 85 (June 1987): 1574-1653; and Susan Bandes, “Empathy, Narrative, and Victim Impact Statements,” *University of Chicago Law Review* 63 (2) (Spring): 361-412.

³² Hume, *Treatise*, 575f.

³³ Hume, “Of the Standard of Taste,” *Essays: Moral, Political and Literary* (Indianapolis: Liberty Fund, 1987), 240-241.

³⁴ *Ibid.*, 242.

³⁵ Hume, *Enquiry Concerning Human Understanding* in P.H. Nidditch, ed., *David Hume: Enquiries Concerning Human Understanding and Concerning the Principles of Morals* (Oxford: Clarendon Press, 1998), section X, part I, paragraph 5, page 112.

terms of moral sentiment brings to the fore what is really at stake in perspective-taking and what true impartiality actually requires. If reciprocity is effectively to serve practical deliberation, it must involve more than merely *understanding* the concerns of others; it must also include appreciating or being moved by these concerns. What one commentator calls “uptake and engagement” are needed.³⁶ Only if the concerns of others are taken up as a matter of affective engagement can they function as premises in the practical deliberations of citizens. For practical reasoning to be action-guiding, as we have seen, its premises must incorporate affective concerns. If I am to deliberate in a way that takes your sentiments into account, it is not enough for me to know cognitively what they are; they must also be (or become) objects of concern for me. Affective uptake is the only way that arguments about practical ends can become convincing to us. It is also the only way that decisions can become the objects of personal commitment. And it is only under these conditions – that citizens are convinced by the arguments and committed to the outcome – that deliberation and its results can achieve democratic legitimacy.

The uptake and engagement of others’ concerns typically proceeds by way of association with our own existing concerns. In this respect, perspective-taking often goes hand in hand with appeals to public reason, conceived as common concerns. Consider Martin Luther King’s use of rhetoric. King and other activists publicized the sentiments of African Americans living under segregation and made them available for perspective-taking by the wider public. His rhetoric then connected these sentiments to concerns shared by many people within the white majority. King’s arguments for racial equality became convincing to white Americans not because of their logical structure alone or even because they led to greater understanding of African American sentiments. Instead, they were convincing because they appealed (in a logical fashion) to things most Americans really cared about: opportunity and security, not to mention the aspirations found in the Declaration and the promises made by the Constitution. In this way, and in so many others, King made the connection between the affective concerns of the white majority and those of African Americans. He could not have been convincing (and deliberation on this issue could not have produced conclusive and legitimate results) in the absence of this connection. In effect, King facilitated the uptake and engagement of African American sentiments by whites, and thereby nurtured the deliberative practice of reciprocity as perspective-taking. Political activists are midwives for the communication of sentiment. They help us to feel with others, and in this way they can be crucial to the practice of reciprocity and the development of impartial deliberation.

The notion that we must *feel* with others to arrive at legitimate decisions in democratic politics will strike some as excessively demanding or naïve. If empirical experience suggests that empathy regularly communicates sentiments between persons, history clearly shows that empathy often fails in this regard. Modern liberalism, with its emphasis on the motive of self-interest and the mechanisms of representative government, checks and balances, and ambition that counteracts ambition, was intended in part to compensate for this kind of failing. It was meant to make decent government possible in the absence of sympathetic identification among persons – possible even, as Kant said, for a nation of devils. It is true that plenty of the questions that arise in political life can properly be decided on the basis of a competition of interests without recourse to a highly cultivated capacity for moral sentiment. And public decision-making always should transpire in the context of institutions that constrain political power in principled and predictable ways. When it comes to questions of justice and basic liberties, however, citizens owe it to one another (and themselves) to decide on the basis of something other than who has more power. So liberal democracies will always have need of impartial deliberation, and consequently we cannot turn away from the challenges that impartiality poses. The psychological demands are indeed high. To meet them citizens must cultivate a broad and sensitive faculty of empathy. Yet when compared to the standard accounts of impartial deliberation in theories of deliberative democracy, the moral

³⁶ Robert E. Goodin, “Democratic Deliberation Within,” in James Fishkin and Peter Laslett, eds., *Debating Deliberative Democracy* (Malden: Blackwell, 2003), 60.

sentiment view is no more demanding – and it is far more realistic. For the demands it makes take account of the irrepressible place of affective attachments and desires within practical deliberation and at the foundations of practical norms. Because it does not rest on a mistaken conception of the capacities of reason and the sources of normativity, affective impartiality is a challenge that we can, with effort, meet.

One might still wonder about the wisdom of placing so much stock in people's sentiments. Sentiments can be full of prejudice and marked by ignorance, after all. Reciprocity asks us to consider the sentiments of all affected by the law or policy in question, but what if these sentiments reflect bigotry, or personal animosity, or mistakes of fact? When it comes to formal procedures of decision-making, whether in the voting booth or on the floor of Congress, the perspective-taking dimension of reciprocity needs the constraints of a critical standard. We need to be able to distinguish right feeling from wrong in the process of making public judgments. The common concerns that constitute principles of political right within public reason provide support here because they suggest a standard for the legitimate incorporation of sentiments. Sentiments of relevant parties that would violate these principles or thwart the common concerns that underlie them are properly excluded from the perspective-taking required by reciprocity. On these grounds, for instance, we should discount the pain the racist feels in the face of anti-discrimination laws. Racism flies in the face of equal liberty, a constitutive concern of public reason in constitutional liberal democracies such as the U.S. The sentiments it generates have no place in public deliberation. Likewise, we should exclude sentiments that rest on mistakes of fact. The aversion for immigrants among some citizens, which grows out of the erroneous belief that immigrants are taking good jobs away from Americans or that immigrants are likely to be terrorists, should carry little weight with us. Decisions governed by such sentiments could not be legitimate. Insofar as they thwart the common concerns that comprise public reason or are based in error, they could not themselves be endorsed by all those they affect.

Whether or not a given sentiment is politically legitimate in the sense of being consistent with public reason may be contestable. In one sense, the sentiments of Southern segregationists in the 1950s clearly violated the American principles of liberty and equality for all. Yet their invocation of states' rights rested on a principle of liberty well established in the American Constitution, and their appeal to the doctrine of "separate but equal" had a basis in existing law (at least until 1954). Under these circumstances, one solution is to consider the centrality of the various public concerns in play. Sentiments that are consistent with some elements in public reason while violating its core values should be limited in their influence on decision-making. There is nothing automatic about such determinations; they will require sensitivity and careful consideration. Our public horizons of concern offer general standards for judgments, not an automated decision mechanism.

It is also important to leave room for sentiments that offer principled challenges to the status quo and hence contest certain parts of the public's horizon of concern, challenging the interpretation or the content of public reason. It is a condition of democratic legitimacy that decisions which are to be coercively enforced on all citizens be consistent with the principles of public reason. Yet these principles – or the prevailing interpretations of them – can sometimes go wrong. Democratic legitimacy is not synonymous with justice or moral right. Public decisions that can pass the test of political legitimacy may nevertheless violate what individual moral sentiment (unfettered by the political constraint of public reason) can affirm. This danger provides additional grounds for the inclusive approach to public opinion-formation discussed below. It is crucial that regular channels be available for contesting public reason and that those marginalized by public reason be given plenty of opportunity to voice their sentiments and make their arguments. Without this, social and political reform would be impossible, and we could have no hope of moral progress in politics.

Still, if we should not rest satisfied with *mere* legitimacy, neither should we turn our backs on it. Liberal-democratic decision-making needs political legitimacy, and this means that it needs public reason, properly conceived. We can acknowledge the moral fallibility of public reason (and we should encourage social and political practices that support critical reflection on it) while still affirming its importance in the domain of public decision-making, at least when it comes to decisions that will be coercively enforced by

the state. Moreover, it makes good sense to ask those who wish to reform particular elements of public reason to frame their arguments in terms of concerns that are shared among those who are subject to public reason. Without some common points of reference, no collective evaluation can take place. Insofar as we always deliberate in light of things that matter to us, to deliberate together we need some shared concerns. These shared concerns may take the form of other (not currently contested) principles within public reason, or they may reach instead to desires and aversions that, as Hume said, human nature makes common to us. If those contesting particular aspects of public reason are also seeking specific legal or political reforms (in addition to advocating for new moral insight), their claims will need to connect up with at least some of the concerns that constitute public reason. Gay rights advocates criticize common values and established laws surrounding marriage, for instance, and in doing so they dispute key elements of the prevailing interpretation of public reason. Yet they do so in the name of core American values, such as equal protection under the law, as well as common human concerns, such as the desires for committed intimate partnerships and for respect. What all this suggests is that it is possible to constrain perspective-taking by means of common concerns without closing the door to social and political reform.

One might also worry that insincere expressions of sentiment, engaged through perspective-taking, will distort public deliberation and lead to unjust outcomes. Yet while the dangers of insincerity on the part of participants are real, they are not unique to the affective account of reciprocity. Reciprocity on any model will depend upon the sincerity of participants as they bring their concerns to the common table. More unsettling is the specter of sentiments that are sincerely felt but based on self-conceptions that have been distorted by systemic inequalities of power – what once went by the name “false consciousness.” Prior to the 1960’s many American women seemed to be satisfied with social norms and public policies that relegated them to the domestic sphere and precluded them from pursuing the range of life experiences that were open to men. As the barriers came down, the large numbers of women who did pursue opportunities outside the home testified to the fact that many of them had not been as satisfied with the old arrangements as they themselves had thought. Should we accept the sincere (and endorsable) sentiments of others at face value in public perspective-taking, even though they may be based on false consciousness? The obvious danger in doing so is that deliberation may legitimate and reinforce patterns of social and political organization that systematically disadvantage certain groups. Yet there are also dangers involved in rejecting sentiments on the basis of their putative false consciousness. We risk an indefensible paternalism if we discount other people’s sentiments for failing to express our own ideas of their “true” interests. The better way to deal with the danger of sentiments based on false consciousness is to attack false consciousness at its source, to challenge the laws and policies that systematically disadvantage certain groups and the social norms that make these disadvantages seem acceptable. Inclusiveness in deliberation as opinion-formation stimulates critical reflection. And the problem of false consciousness is surely not unique to the sentiment-based approach. Ideas are no less prone to this problem than are sentiments.

Another issue associated with perspective-taking in public deliberation concerns how the various sentiments represented are to be integrated into a coherent viewpoint. As one recent writer points out, “perspective-taking by itself contributes little to successful deliberation if participants are not able to coordinate all the various perspectives into one in a dialectical process of constant enrichment and new articulations.”³⁷ It must be acknowledged that in most cases, at least in a complex, pluralistic society such as the U.S., the perfect integration of all perspectives into a single one is unlikely. Residual disagreement is an ineradicable feature of democratic deliberation.³⁸ Public reason as a shared horizon of concern can

³⁷ James Bohman, *Public Deliberation: Pluralism, Complexity, and Democracy* (Cambridge: MIT Press, 1996), 64f.

64f.

³⁸ This point is pressed forcefully by Gutmann and Thompson in *Democracy and Disagreement* (Cambridge: Harvard University Press, 1996), esp. 73-79.

help. As the sentiments of those affected by a law or policy are brought to bear in deliberation, reciprocity requires that they be articulated in ways that connect up with core public values. Perspective-taking does not happen in a vacuum. As we have seen, sentiments that themselves violate the principles of public reason are politically illegitimate and properly excluded. So too are sentiments based on factual errors and ignorance of empirical realities. The diversity of persons and the plurality of human purposes worth pursuing means that moral judgment is always imbued with a measure of indeterminacy,³⁹ and the same is true for public deliberation. Gutmann and Thompson regard the public controversy over legalized abortion as an example of this type of indeterminacy, since “both pro-life and pro-choice advocates argue from fundamentally different but plausible premises to conflicting public policies.”⁴⁰ The claims on both sides, they maintain, “fall within the range of what reciprocity respects.”⁴¹ Such indeterminacy reflects a real and ineradicable feature of moral and political life, which is that human goods are irreducibly plural. The things that matter to us do not always (or perhaps ever) fit together into a single harmonious whole. Therefore the soundest judgment sometimes is a mixed one.

In cases where deliberation fails to yield one and only one legitimate conclusion and yet a publicly enforceable decision must nevertheless be made, the best course is to seek compromise and accommodation.⁴² Sometimes guidance will come from other features of the decision situation itself. The demands of reciprocity will need to be balanced with different kinds of obligations in different institutional contexts, and these obligations will constrain outcomes. Legislators must balance reciprocity with their duty to represent the interests of their constituents. Executives must balance reciprocity with the obligation to provide for the common security. Judges must balance it with their commitment to the principle of *stare decisis*. More generally, if the deliberative process has been sound and the contemplated alternatives can be publicly justified in view of the two dimensions of reciprocity, then to select one of these alternatives on the basis of democratic practices such as compromise, or majority vote, or even bargaining is not so bad. It may well be the best we can do. This assumes, of course, that the deliberative process remains open and that decisions can be revised over time in light of new information or further consideration.

So reciprocity rightly understood rests on sentiment, or on sentiment in conjunction with reason. Too often the reciprocity requirement is treated as being simply synonymous with the requirements of “reason itself” that are thought to rationalize public deliberation. Reason does have a role here. It reveals relations of cause and effect (and hence helps us understand consequences); it alerts us to relations of identity and logical consistency (and so allows us to see how particular dilemmas connect up with our general principles); it points out matters of fact; and it shows us the most effective means to our ends. Yet reciprocity properly conceived is not a matter of subjecting deliberation to the normative authority of reason, public or otherwise. Instead it shows us how we are to bring our common concerns and the sentiments of one another to bear in deliberation about matters of basic law and public policy. The main points for present purposes are: (1) that we can specify criteria for the proper incorporation of affect within public deliberation; and (2) that the proper incorporation of affect serves rather than thwarts impartiality. We distinguish between legitimate and illegitimate sentiments – and we achieve impartial deliberation – through right feeling, or reflective caring, rather than through the transcendence of feeling. But how do we get there? How does affective impartiality arise?⁴³

³⁹ See the interesting discussion by Bonnie Honig of moral dilemmas in the work of Bernard Williams. Honig, “Difference, Dilemmas, and the Politics of Home” in *Democracy and Difference*, 257-277.

⁴⁰ Gutmann and Thompson, *Democracy and Disagreement*, 74.

⁴¹ *Ibid.*

⁴² *Ibid.*, 80.

⁴³ Kathryn Abrams has called for exploration of how the modes of affect (emotions, desires, etc.) that support democratic practices and legal institutions are cultivated. The next section offers some answers. Abrams, “The Progress of Passion,” *Michigan Law Review* 100 (May 2002): 1602-1620.

Cultivating impartiality

The social character of moral sentiment makes impartial judgment a political phenomenon. If our feelings of approval and disapproval arise partly in response to the reactions of others, the nature of our social relations will have a significant impact on these feelings. For instance, imbalances of power that are a function of the political order exaggerate the perceived distance and differences between persons and may disrupt the operation of empathy. In this sense, the political order inevitably inscribes moral sentiment and the judgments to which it gives rise with the prevailing relations of power. Moreover, because empathy can extend only as far as does our awareness of others' sentiments, the sentiments of marginalized persons – those whose identity or status sets them outside the majority's frame of reference – may tend not to register within the generalized standpoint. Empirical studies confirm this, showing that those with more power tend to be relatively ignorant about the life experiences and sentiments of the less powerful.⁴⁴ These considerations suggest that for judgment to be fully impartial, given its ineradicable affective content, an egalitarian political order will be called for. Indeed, the fullest realization of affective impartiality requires a political context structured by vigorous public debate, equal rights, and active political contestation.

The informal practices of public deliberation as opinion-formation are crucial here. We can imagine the sentiments of others much better if they are able to tell us about them. Regular contestation and debate bring into view the sentiments of marginalized groups, which extends the reach of the imagination and influences the contents of our judgments accordingly.⁴⁵ Individual rights to freedom of speech and association as well as a free press provide institutional supports for this exchange. The incentive structure that follows from equal rights to political participation also supports the extension of sympathetic imagination, both in citizens themselves and in their elected representatives and other officials. Participatory political rights can pressure us to extend the generalized perspective of judgment, to consider the sentiments of those who have the power to obstruct our purposes or vote us out of office. They can therefore enlarge moral sentiment and support impartiality in judgment and deliberation.

The public exchange of sentiments also depends on the dialogic contributions of individuals and groups. These contributions sometimes take the form of carefully articulated arguments that draw on the principles of public reason. Such arguments provide necessary justificatory grounds for formal decisions on the part of the state, decisions that issue in coercively enforced laws and public policies. Yet not all public dialogue that facilitates the communication of sentiments issues in formal state decisions. More informal types of communication are also important, as persons find myriad ways to publicly voice their sentiments on the issues that affect them and the things that matter to them. Inclusive practices of dialogue and deliberation in the public sphere help to mitigate the natural limits of empathy. They can help to extend the sympathetic imagination that makes impartial judgment among individuals possible. The demands of impartiality therefore recommend in favor of a capacious conception of public deliberation as opinion-formation, one that includes a greater diversity of expressive forms than most contemporary accounts of deliberation allow. Many expressions that could not pass the test of Rawlsian public reason or Habermas's principle of universalizability can enlarge the scope and enhance the sensitivity of moral sentiment. They should be admitted as part of the deliberative process rather than being gagged or "bracketed out."

In this respect, the moral sentiment approach makes common cause with theorists who have argued for the importance within public deliberation of forms of expression that for one reason or another do not meet the criteria for rational argument on the basis of public reason. Nancy Fraser, for instance,

⁴⁴ James Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven: Yale University Press, 1990); Judith Rollins, *Between Women: Domesticity and Their Employers* (Philadelphia: Temple University Press, 1985).

⁴⁵ On this point, see Jacqueline Taylor, "Humean Ethics and the Politics of Sentiment," *Topoi* 21 (2002), 184.

has insisted upon the deliberative importance of “subaltern counterpublics” in which members of subordinated social groups “invent and circulate counterdiscourses to formulate oppositional interpretations of their identities, interests, and needs.”⁴⁶ These discourses include forms of expression that are not directly argumentative, and they frequently contest the shared norms that ground public reason. The American feminist subaltern counterpublic includes a “variegated array of journals, bookstores, publishing companies, film and video distribution networks, lecture series, research centers, academic programs, conferences, conventions, festivals, and local meeting places.”⁴⁷ In this context, feminists have been successful in reformulating the experience, history, and conditions of women’s subordination in terms that challenge the perspectives and concerns of the dominant public. In recasting the needs and identities of women, they have brought new sentiments onto the public stage, sentiments that today figure in the evaluative judgments of individuals as never before.

Along these lines, Young emphasizes the important role that activists play in bringing previously excluded sentiments to bear in dialogue on public issues, despite the fact that they often make their contributions through non-discursive means:

Pictures, songs, poetic imagery, expressions of mockery and longing performed in rowdy and even playful ways aimed not at commanding assent but disturbing complacency. One of the activist’s goals is to make us *wonder* about what we are doing, to rupture a stream of thought, rather than to weave an argument.⁴⁸

Expressions of sentiment can contribute in valuable ways to public deliberation even when they do not take an explicitly argumentative form. Plenty of deliberative democrats are willing to acknowledge that such forms of expression can support good deliberation by stimulating discussion on issues that might otherwise receive little attention, and by bringing marginalized interests to the table. Yet most insist on preserving a bold line between expressions that merely support or lead to deliberation and those that constitute deliberation itself. What is at stake in pressing this distinction is the effort to protect rational decision making from the ostensibly unruly and distorting effects of the passions. To be sure, it is important to distinguish between deliberative and nondeliberative forms of expression. Not every expression is deliberative, and we risk losing the clarifying power of analysis if we define the category too broadly. Yet the presence or absence of rational argumentation that is devoid of passions and desires is not the best basis for the distinction.

In light of the role that sentiment always plays in practical deliberation, it makes more sense to define deliberative expressions as those that voice and engage sentiments to make claims – whether through the logical presentation of reasons or in some other fashion – about justice or the common good, or that are tied to an agent’s effort to advance such claims. The public display of mock coffins by members of ACT UP in the early 1990’s was meant to convey not only the grief of those affected by AIDS but anger at the injustice of a public that had refused, because of prejudice against homosexuals, to allocate resources commensurate with the scale of the public health crisis that AIDS presented. Something similar holds true for animal rights demonstrations that strategically spill red paint to represent the spilled blood of animals used in testing or the food industry. The aesthetic expression is not an end in itself but makes a moral claim: Causing the suffering or extinction of other species for human convenience or commercial profit is wrong. We can distinguish such acts from mere expressivism because they represent (a) efforts to change the minds and hearts of the public, (b) on some matter of law or policy, and (c) with a view to justice. Thurgood Marshall adopted this strategy in arguing *Brown v. Board of Education*, using “compelling biographical narratives” to show “the specific effects of

⁴⁶ Fraser, “Rethinking the Public Sphere,” 123.

⁴⁷ *Ibid.*

⁴⁸ Iris Marion Young, “Activist Challenges to Deliberative Democracy” in *Debating Deliberative Democracy*, 118.

segregation on the life history of African-American children.”⁴⁹ He meant to engage the sentiments of the Court and to extend the range of sentiments included within the moral judgments of Americans. And as James Bohman notes, this forceful presentation of sentiments was connected to a general claim about “fairness” and to bringing “school segregation under the norm of equal protection.”⁵⁰ The symbolic expressions and testimonials of activists do more than merely *lead to* deliberation, then. They are themselves deliberative if they press (however implicitly) justice claims or claims about the common good and thereby contribute to individual and public reflection on matters of law and policy. Inclusive forums for public deliberation as opinion-formation provide a supportive political context for cultivating an enlarged faculty of moral sentiment among citizens, and so help sustain impartiality.

The cultivation of impartiality also will require practices of socialization and education. The education of moral sentiment and the development of empathy among children will need to go beyond the common accounts of the virtues required for liberal-democratic citizenship. Socializing persons to recognize the rational ideals of mutual respect and toleration, which is the focus of many civic liberal accounts, is important but it cannot replace the education of moral feeling. We need to cultivate the capacity to feel with the widest range of others, not merely familiarize ourselves with their cultural practices. As we understand better the affective dimensions of judgment, our schools, youth organizations, and families can be more effective in developing the appropriate capacities in children, in fostering the affective as well as rational faculties that sustain impartial judgment. In civics classes, for instance, we should be teaching students about the institutions of American government and the principles that underlie them, but we should also be educating the imaginative capacities that figure so importantly in moral sentiment. Biographies and movies can be effective tools in this regard insofar as they represent in affectively engaging ways the sentiments of persons whose life experiences may be unfamiliar but whose concerns must be included if judgment and deliberation are to be impartial. More generally, school reading lists should strive to balance classic works of literature with works that consciously reflect the experiences of marginalized groups. Note that the moral sentiment justification for this practice differs from more familiar ones, which emphasize the self-esteem of members of marginalized groups. From the standpoint of affective judgment, the purpose of including such literature in educational curricula is not so much to enhance the self-esteem of those in the minority as to educate the moral sentiments of the majority. And history should never be neglected, for it helps educate us to the common human concerns that cross time and culture as well as alert us to the ways in which our own public horizons of concern may be partial. Finally, a renewed commitment to strong and integrated public schools is called for. More than any other public institution, this one has the potential to facilitate the communication of sentiments across social divides. In conjunction with this we should consider establishing incentives for private primary and secondary schools to encourage a greater measure of socio-economic, cultural, and racial diversity in their student bodies. Empathy needs exposure to difference if it to serve impartiality.

The right public policies can also have a positive impact upon the deliberative capacities of adult citizens. Legal and institutional mechanisms that increase access to public deliberation and that give voice to the sentiments of persons who might otherwise remain outside the majority’s frame of reference are key. The citizen advisory boards championed by Amy Gutmann and Dennis Thompson, for instance, could be effective in bringing more sentiments to bear on public decision making.⁵¹ Likewise, affirmative action policies as well as greater sensitivity to the representation of minority voices in legislative districting may help expand the imagination of both legislators and citizens more generally. The more that minority voices are formally represented in electoral bodies, the more likely it is that minority sentiments will find their way onto the public stage, whether it is on the floor of Congress or in the pages

⁴⁹ Bohman, *Public Deliberation*, 67.

⁵⁰ Bohman, *Public Deliberation*, 67.

⁵¹ Gutmann and Thompson, *Why Deliberative Democracy?* (Princeton: Princeton University Press, 2004).

of the local newspaper. The media responds when elected officials speak out publicly on an issue. Consequently, Congressional representatives can put an issue on the public agenda and stimulate debate among the citizenry at large even when they do not succeed in passing a particular piece of legislation on that issue. To the extent that elected officials can be especially effective in introducing marginalized sentiments into the public consciousness, greater diversity among them may serve to educate the moral sentiments of members of the polity as a whole.⁵² So there is reason to think that greater diversity in Congress could have a salutary effect on moral sentiment in general, even when it does not directly affect legislative outcomes. And in advancing the cause of a more cultivated moral sentiment, diversity in this form has the potential to promote greater impartiality in the political deliberations of citizens. Here the requirements of sound judgment add new considerations to the usual justification for policies such as racially sensitive legislative districting, which typically center on fairness.⁵³ The moral sentiment model of judgment suggests that these policies are important not only as matters of fairness but also because they may support the successful development of impartial deliberation among average persons. We may need such policies if we are to fulfill the obligations of democratic citizenship.

Another place where institutional mechanisms can help facilitate the development of moral sentiment is in jury deliberation. Tocqueville treated the jury as a key site for the education of civic virtue in democratic societies.⁵⁴ More recently, Jeffrey Abramson has remarked on the fact that deliberating jurors cross “all kinds of racial and ethnic lines to define a shared sense of justice,” and for this reason he insists that the jury “is more crucial than ever in a multiethnic society struggling to articulate a justice common to U.S. citizens.”⁵⁵ To be successful in this regard certain conditions need apply. First, the cross-sectional approach to jury selection needs to be combined with limits on peremptory challenges. The heavy use of peremptories too often results in juries that represent an insufficiently broad range of personal experience and sentiment. It permits attorneys on both sides to select juries according to their perceived favorability instead of the capacity for broad empathy.⁵⁶ In addition, we need to abandon the idea that impartiality is best secured through ignorance.⁵⁷ Knowledge about matters relating to the case at hand ought not in itself constitute general grounds for dismissal, unless it can be determined that a particular juror is indeed biased as the result of this knowledge. Juries need information – sometimes

⁵² Note that this effect is independent of any one representative’s ability to change the mind of another on the floor of Congress.

⁵³ Lani Guinier, *The Tyranny of the Majority* (Cambridge: Harvard University Press, 1994).

⁵⁴ Alexis de Tocqueville, *Democracy in America*, transl. Harvey C. Mansfield and Delba Winthrop (Chicago: University of Chicago Press, 2000), vol. I, part II, chapter 8, 262.

⁵⁵ Jeffrey Abramson, *We the Jury: The Jury System and the Ideal of Democracy* (Cambridge: Harvard University Press, 2000), 5.

⁵⁶ There are also good reasons to preserve the peremptory challenge in some form, above all the fact that their abolition would result in a much increased power on the part of trial judges to “mold the jury” (Ralph N. Jonakait, *The American Jury System* [New Haven: Yale University Press, 2003], 169). Without peremptory challenges, the only removal mechanism for potential jurors would be challenges for cause, and judges “have great control over whether for-cause challenges are granted” (*Ibid.*). It is all too easy for potential jurors to simply deny an existing bias during voir dire; and a judge whose own biases prevent him from looking critically at such denials will compound the difficulty. A central purpose of jury trial is to protect the defendant against the partial application of justice by officials of the state, and in view of this purpose it seems prudent to preserve some peremptories as a check on the power of judges to control trial outcomes.

⁵⁷ In this view, as Abramson writes, “the primary qualification of good jurors is that they themselves know nothing beforehand about the case they are about to judge. Precisely because they bring no personal knowledge or opinions to the case, they can judge it with the distance and dispassion that marks impartial justice” (Abramson, *We the Jury*, 17). Changes of venue and the voir dire process more generally allow judges to screen out persons who have been exposed to pre-trial publicity, or who have experience or knowledge of matters pertaining to the case. Abramson makes a convincing case against ignorance as the main criterion of impartiality in *We the Jury*.

extralegal information – to reach sound verdicts, and studies show that the personal knowledge jurors bring to deliberation can be crucial.⁵⁸ This is especially true in cases where a just verdict depends on the jury’s grasp of the sentiments of the defendant. Ignorance of the perspectives of others undercuts impartial judgment because it prevents empathy from operating effectively. This is also true in cases where community sentiment is called upon, for jurors cannot hope to embody the conscience of the community on some matter if they are in the dark about (or indifferent to) the range of feelings that constitute it. For these reasons, in cases where empirical evidence demonstrates the existence of a systematic negative empathy index for members of a particular group, it may be important to ensure that several persons from the same group are included on the jury.⁵⁹ More generally, the importance of cultivating an extended empathy suggests that we should prefer twelve-member juries to the smaller ones that have arisen in many jurisdictions in the last generation since larger groups are likely to contain a wider range of diverse sentiments.⁶⁰ Moreover, the principle of unanimity should replace majority-rule juries where the latter have taken hold. For there is a good deal of strong evidence that demonstrates unanimous-rule juries are more deliberative.⁶¹ In particular, unanimity imposes an incentive on jurors to engage the widest range of relevant sentiments. And to the extent that juries educate the moral faculties of citizens, the institutional mechanisms that extend empathy and foster moral sentiment in jurors may also support greater impartiality in the moral and political deliberations of persons more generally.

A vibrant civil society with strong civic associations and legal protections for cultural, religious, and other identity groups is likewise crucial. Such associations are often vehicles for the effective communication of sentiments among citizens. This consideration suggests that the state should adopt positions in law and public policy that allow for the flourishing of the greatest measure of diversity in this regard that is compatible with basic civil liberties and social justice. Public arts programs represent another opportunity to support the development of moral sentiment within the venue of civil society. Robert Goodin has emphasized that art and literature are important means for communicating the sentiments of others and thereby extending citizens’ imaginations in ways that expand the moral standpoint and generate greater impartiality. Beyond well-stocked public libraries and public funding for the arts, he encourages us to press for real diversity in the projects we fund and display. This means accepting the fact that some of these projects are bound to be controversial, or “sad or depressing or down right obnoxious.”⁶² Too often public funding is regarded as legitimately reserved for works of art that do not offend prevailing sensibilities. Why should citizens have to pay for paintings that defile their deeply held religious beliefs, for example? But this is exactly the wrong approach. Art and literature are tremendously powerful educators of the deliberative faculties because of their effectiveness in conveying to us the sentiments of others; and often the sentiments that offend existing sensibilities are the ones about which we most need to be educated if we are to deliberate impartially. The right purpose of public programs that fund the arts (as well as public television and public radio) is to probe and explore the status quo, and not infrequently to challenge it in ways that expand the moral sentiments and enhance our deliberative capacities.

⁵⁸ Valerie P. Hans and Neil Vidmar, *Judging the Jury* (Cambridge: Perseus Publishing, 1986), 107f.

⁵⁹ Johnson argues that all defendants should be entitled to racially similar juries. Sherri Lynn Johnson, “Black Innocence and the White Jury,” *Michigan Law Review* 83 (7) (June 1985), 1677f, 1686.

⁶⁰ James J. Gobert, “In Search of the Impartial Jury,” *Journal of Criminal Law and Criminology* 79 (2) (Summer 1988), 297f; Hans and Vidmar, *Judging the Jury*, 167; Jonakait, *The American Jury System*, 90-93.

⁶¹ Hans and Vidmar, *Judging the Jury*, 174f; Cited in Reid Hastie, Steven D. Penrod, and Nancy Pennington, *Inside the Jury* (Cambridge: Harvard University Press, 1983), 82, 92, 112, 115, 165, 228f; Jonakait, *The American Jury System*, 95-104.

⁶² Goodin, “Democratic Deliberation Within,” 70.

Conclusions

We need to think differently about the meaning of impartiality and the nature of impartial public deliberation. Impartiality is crucial to democratic decision-making, but it cannot come through the cultivation of reason alone. The importance of sentiment in this regard reflects the fact that practical reason necessarily incorporates affective concerns in reaching conclusions about what we ought to do. Norms are intrinsically, not contingently, connected to human motivations, and moral sentiment embodies this connection. Hence the sentiment-based account of democratic deliberation helps to clarify how the conclusions of public deliberation can be both normative for us and motivationally compelling. Rightly conceived, reciprocity shows how affect properly figures in public deliberation and how it serves the ideal of impartiality. It requires that we engage the (politically legitimate) sentiments of those affected and answer to common concerns contained in public reason, where the latter is understood as a form of reflective concern.

By the same token, the practices of deliberative democracy so conceived help to expand moral sentiment. The relationship between moral sentiment and democratic deliberation is a reciprocal one. By establishing the political conditions of equality that incentivize concern for the sentiments of others, and by facilitating a wide-ranging deliberative system that brings the greatest diversity of sentiments onto the public stage, deliberative democracy has the potential to expand the imagination and educate moral sentiment. So while the path to impartial public deliberation proceeds through moral sentiment, the quality of our moral sentiments depends upon the presence of diversity and democratic contestation in the wider society. Ultimately, what public deliberation needs is not more reason so much as a broader, more refined faculty of concern. This, in turn, calls for citizens who have a highly cultivated capacity for the sentiment of reciprocity – and are skilled in the feeling of impartiality.