Citizenship and National Identity
For Don Fowler
whose warmth and friendship I shall miss so much
and also for Peta
Citizenship and National Identity

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Introduction

The essays collected in this book were all written during the last ten years, and together represent my attempt to throw some light on two central issues: what citizenship can mean in today’s world, and whether nationality remains a defensible principle around which to organize our politics. I regard these issues as closely connected, in the sense that the form of citizenship that I advocate, which I call republican, is feasible only where it can call upon the ethical resources of a national community. So the defence of republican citizenship and the defence of nationality are closely linked, and I therefore believe that the essays included here, although composed for separate occasions, set out a coherent political theory.

Politically speaking, the position from which they are written is broadly social democratic. A concern for social justice, and the conditions under which it can be achieved, is never far below the surface, and indeed during the period in question I have been working in parallel on a restatement of my views on that topic, which has now appeared in book form as Principles of Social Justice (Cambridge, Mass., Harvard University Press, 1999). But the 1990s have been a difficult decade for those who share my general stance (the spate of electoral victories by social-democratic parties in Europe and elsewhere notwithstanding). Three developments in particular have appeared to threaten the idea of social justice pursued by democratic means within national boundaries, which I believe stands at the heart of social democracy as a political project.

The first of these is economic and cultural globalization – the set of processes which, it is argued, entail that the state is losing the capacity to control economic activity within its borders, and also the capacity to
determine the cultural make-up of its citizens. Free international movement of both capital and labour means that all states are forced to pursue essentially similar economic policies internally if they are not to scare away investors or lose skilled labour to other states, while flows of information of all kinds across borders mean that citizens everywhere are increasingly exposed to the same barrage of cultural messages – they watch the same television shows, listen to the same news programmes, see the same advertisements, buy the same commodities and so on. As a result of all this, the argument goes, the power of the state is ebbing away, and it matters less to individual citizens what character their state has, or where its boundaries are drawn. So the effect of globalization is on the one hand to make social justice as it is usually understood harder to pursue, and on the other to make traditional concerns about citizenship and nationality increasingly marginal to the lives of ordinary people.

The second tendency runs in a sense directly counter to the first, but it too has disturbing implications for the nation-state in its traditional form. This is the emergence, in many parts of the globe, of sub-state nationalisms that challenge the legitimacy of existing states. Whether the challenge is violent or peaceful, the claim made is that established states are unable to satisfy the interests and the cultural demands of smaller, more local communities. Unfortunately, however, these claims may be very difficult to meet, not least because of territorial disputes between different national groups of the kind we have witnessed in former Yugoslavia, Sri Lanka, Israel and many other places. So the problem here is not that people are becoming economically or culturally cosmopolitan, but that they are engaging in forms of politics (and political violence) that bring to mind Isaiah Berlin’s image of nationalism as a bent twig that when released lashes back uncontrollably at those who are seen as the oppressors and tormentors of the minority nations.

The third tendency has something in common with each of the first two. This is the appearance, within liberal democracies, of new forms of identity politics, whereby groups formed on the basis of shared ethnicity, religion, gender or sexuality enter political arenas in search of recognition and a remoulding of citizenship so that it comes to reflect these more fractionalized forms of personal identity. The message appears to be that political identity does indeed matter in politics, but that the identities that count are not the old identities stemming from nationhood and common citizenship, but new, more fragmented identities that are often shared with others outside the boundaries of the state. So identity politics appears in part to reflect the transmission of different cultures across national borders, and in part to reflect the desire for stronger, more direct forms of political identity that sub-state nationalisms also embody.
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That these three tendencies are proceeding apace has been more or less the received wisdom of the last decade, and as with received wisdom generally, we ought to look carefully and critically at how far these claims are borne out by the facts. But even if they turn out to be exaggerated, it remains true that in many quarters the ideas of nationhood and common citizenship are under attack – whether on the grounds that they were flawed from the very start or on the grounds that they may once have been valuable, but have now been sidelined by historical change. So I have tried to bring out some of their virtues, and also some of the ways in which they can be adapted to respond to the trends outlined above. I accept, in other words, that the claims made about globalization, sub-state nationalism and identity politics are at least partly true; they reflect changes in the political landscape that are real enough, even if the arguments made about them are overstated. But how we should respond, normatively, to these changes, is another question. The argument here is that we should reassert the underlying values of republican citizenship as a form of politics and nationhood as a form of political identity, while simultaneously thinking creatively about how best to implement these values in the contemporary world.

I explain what I mean by republican citizenship in chapter 3, where I contrast the republican conception of the citizen as someone who is actively involved in shaping the future direction of his or her society with two other views: the liberal view, which understands citizenship as a set of rights and obligations enjoyed equally by everyone who is a full member of the political community in question, and the libertarian view, which represents the citizen as someone who chooses between different bundles of (public) goods and services, in the same way as the consumer chooses between different sets of commodities in the market. At first sight it might appear that these two latter ideas are better adapted to the circumstances of culturally plural societies than the republican idea, which in its traditional form emerged from the experience of relatively small and homogeneous city-states, such as Athens and Florence. I argue, however, that republican citizenship is actually better able to respond to cultural diversity than these other versions, by virtue of its ability to draw groups who initially have very different priorities into public debate, and to find compromise solutions to political issues that members of each group can accept.

This argument relies upon a model of democratic decision-making that has come to be called ‘deliberative democracy’. A democratic system is deliberative to the extent that the decisions it reaches reflect open discussion among the participants, with people ready to listen to the views and consider the interests of others, and modify their own opinions accordingly. The contrast here is with forms of democracy in which people
simply pursue their own interests or preferences when deciding how to vote. In a deliberative democracy, the final decision taken may not be wholly consensual, but it should represent a fair balance between the different views expressed in the course of the discussion, and to the extent that it does, even those who would prefer some other outcome can recognize the decision as legitimate. If republican citizenship is to function successfully among people with very different styles of life and cultural values, it is essential that decision-making bodies, at whatever level they operate, should come as close as possible to this deliberative ideal.

I describe deliberative democracy in greater detail in chapter 1, whose main aim is to defend the model against problems thrown up by social choice theory. Social choice theorists such as William Riker have argued that democratic procedures are always liable to produce arbitrary results, essentially because where there are several options to choose between, and people’s preferences differ significantly, it may be impossible to identify one of these options as the unique democratic choice. I respond to this argument by suggesting that deliberation itself may in a variety of ways alter the political preferences of those who engage in it, so that the final decision reached does genuinely represent the majority will, at least, of the participants.

In chapter 4 I consider another challenge to republican citizenship and deliberative democracy, that represented by new forms of identity politics, or what is sometimes called ‘the politics of recognition’. Advocates of politics in this mode argue that a primary aim of democratic politics should be to endorse and promote, both symbolically and materially, the group identities of historically disadvantaged groups, such as women and ethnic minorities. In order for this to occur, republican forms of citizenship, as traditionally understood, must be replaced by a new style of politics in which group identities are given formal recognition, for instance by reserving places on political bodies for group members, or giving them rights of veto over policies that affect them directly.

I believe that this perspective both misconceives the nature of group identities in contemporary societies and is potentially damaging to the interests of the groups it is meant to serve. I present evidence that these identities are very much more open and fluid than defenders of identity politics recognize, and maintain that because of this instability proposals to give them formal recognition in political arenas will simply have the effect of fixing and privileging some identities at the expense of others. I also argue that by turning their backs on forms of identity, particularly national identities, that can bond citizens together in a single community, advocates of identity politics would destroy the conditions under which
disparate groups in a culturally plural society can work together to achieve social justice for all groups. Minority groups are likely to have little bargaining power, so they must rely on appeals to the majority's sense of justice and fairness, and these will be effective only to the extent that majority and minorities sympathize and identify with each other.

I develop this argument further in chapter 9, which returns to deliberative democracy and considers the charge, brought by some recent advocates of identity politics, that deliberative procedures are not neutral, but biased in favour of white, middle-class males and against women and disadvantaged minorities. These critics claim that the interests of these groups are best served not by deliberation as normally understood, but by new forms of political communication – greeting, rhetoric and storytelling – that are better able to convey their distinct perspectives and distinct interests. I argue in reply that this critique of deliberation rests on an unnecessarily restrictive view of the kind of reasoning that is required in deliberative settings, while the proposed alternatives have serious defects of their own. A political system governed by the ideal of deliberative democracy still seems to offer the best prospect of combating the injustices suffered by disadvantaged groups.

The question whether republican citizenship requires citizens to share a common identity is taken up again in chapter 5, which takes the form of a critique of cosmopolitan theories of citizenship: that is, theories advocating forms of citizenship that transcend conventional political boundaries, particularly boundaries between nation-states. To assess these theories, I look more closely at the virtues required by republican citizens, and argue that these virtues are likely to be cultivated only within national borders. If this argument is correct, transnational forms of citizenship must be either parasitic on national forms or else not genuine forms of citizenship at all. This I try to show by looking briefly first at European citizenship, and second at what is sometimes called ‘global civil society’, or the idea that people can act as citizens through participating in international political movements of various kinds.

The defence of republican citizenship I have offered in these essays might in a broad sense be called communitarian. However, I regard this label as potentially very misleading if it is left unqualified, and in chapter 6 I draw some distinctions that I hope clarify the position that I want to defend. Specifically, I contrast right, liberal and left versions of communitarianism, and align myself with the third. In doing so, I reject the idea that ‘liberalism’ and ‘communitarianism’ stand as two opposed political philosophies, as is so often assumed. I also criticize communitarianism as a political movement for its unwillingness to choose between the different versions, leaving itself open to the charge that it tries to be all things to all people, and ends up lacking any distinctive political programme.
All of the arguments so far outlined rely on the premise that nationality is a primary source of identity for citizens in contemporary democratic states, and the remaining essays in the book focus more directly on this issue. Chapter 2 presents a concise statement of the arguments in favour of nationality that were later spelt out at greater length in my book On Nationality (Oxford, Clarendon Press, 1995). The principle of nationality as I understand it comprises three interlinked propositions: that a national identity is a defensible source of personal identity, that nations are ethical communities that impose reciprocal obligations on members which are not owing to outsiders, and that nations have a good claim to be politically self-determining. The essay explains what distinguishes national identities from identities of other kinds, and attempts to rebut a number of criticisms that are frequently levelled at the principle of nationality just outlined.

In chapter 7 I focus on a particular issue that is often thought to raise insurmountable problems for the principle of nationality, namely demands by national minorities within existing states that they should be permitted to secede and form independent states of their own. The spectre that appears here is of a host of conflicting secessionist claims which are impossible to satisfy simultaneously, and whose political expression is liable to take a violent form. I argue in this chapter that the nationality principle dictates a discriminating response to such demands, one that balances the claims of would-be secessionists against the equally strong claims of minority groups whose interests and identities would be less adequately protected if a secession were to occur. So although secession is sometimes justified, in many other cases the demands of minority groups are better met by dispersing political authority through federalism, regional devolution and other such means.

The following chapter examines the particular case of states whose members have dual-level national identities, thinking of themselves as belonging both to a smaller nation and to a larger, more inclusive one (Belgium, Canada, Spain, Switzerland and the United Kingdom are the examples I have particularly in mind). These I describe as states with ‘nested nationalities’ and I contrast them both with ethnically plural states and with states composed of rival nations. Using the Anglo-Scottish relationship as my main example, I explore the processes through which such nested identities have arisen, and I argue that in such cases constitutionally protected devolution, rather than independence, is the appropriate way to respect the national identities of the smaller nations.

Taking these three chapters together, what I hope to have shown is that the principle of nationality is not only philosophically defensible, but also politically viable, in the sense that it can guide us towards solutions to the problems created by the existence of sub-state nationalisms and other
movements that challenge the nation-state in its traditional form. My argument is that we cannot in general hope to preserve or create simple, culturally homogeneous nation-states, given the multi-layered array of national identities that we encounter in today's world, but that the nation-state model can be creatively adapted to deal with this complexity.

The final chapter in the book examines the claim that national self-determination must always yield to the demands of global justice: national communities are never justified in pursuing projects and goals that fail to give equal weight to the needs and interests of human beings world-wide, so the scope of self-determination must be construed quite narrowly. My view is that such claims misunderstand the demands of global justice. In particular, they overlook the fact that notions of social justice vary from one community to the next, so that justice at the global level must be interpreted in a way that respects these differences. I suggest that it imposes three core requirements on political communities: an obligation to respect and safeguard basic human rights everywhere, an obligation not to exploit other communities and individuals, and an obligation to help create the conditions under which all nations have the chance to achieve their own regimes of justice internally. Understood in this way, global justice sets certain limits on what nation-states can decide to do, but still leaves them with a wide range of options.

All of the essays assembled here, and especially perhaps the last, raise as many questions as they answer, and there is a great deal more to be said about each of the main topics of the book — nationality, republican citizenship, identity politics, democracy, global justice and so forth. My hope is that the perspective developed in the book is sufficiently clear and coherent that those who disagree with me on one topic will see that their disagreement must extend to other areas too. I have learnt a great deal from friendly critics — I have recorded individual debts of gratitude in the notes to each chapter — and I look forward to further lively exchanges now that the full extent of my heresies is revealed.
1

Deliberative Democracy and Social Choice

If we are in the business of thinking about liberal democracy and possible alternatives to it, we must begin by drawing a distinction between institutions and their regulative ideals. Liberal democracy may be taken to refer to the set of institutions – free elections, competing parties, freedom of speech – that make up the political system with which we are familiar in the West; or it may refer to the conception of democracy that underlies and justifies that system. The relationship between institutions and regulative ideals is not necessarily simple or one-to-one. The same institution may be justified from different points of view, although characteristically those who favour contrasting regulative ideals will aim to shape the institution in different ways. Thus, to take a familiar case, the practice of electing representatives to a legislative assembly may be seen as a way of subjecting legislators to popular control; alternatively, it may be seen simply as a means of removing visibly corrupt legislators from office. Which of these views you take will affect your preferences as to the form of the practice. (How frequent should elections be? Should the voting system be first-past-the-post or something else? And so forth.)

The argument that follows has mainly to do with competing regulative ideals of democracy. In comparing liberal democracy with what I shall call deliberative democracy, my aim is to contrast two basic ways of understanding the democratic process. In favouring deliberative democracy, therefore, I am not recommending wholesale abolition of the present institutions of liberal democracy, but rather a reshaping of those institutions in the light of a different regulative ideal from that which I take to be prevalent now. I shall only address the institutional questions briefly. My main aim is to bring out what is at stake between liberal and
Deliberative democracy, particularly in the light of social choice theory, which appears to challenge the cogency of anything beyond the most minimal of democratic ideals.

**Liberal democracy and deliberative democracy**

Let me now sketch the contrast between liberal and deliberative democracy as regulative ideals. In the liberal view, the aim of democracy is to aggregate individual preferences into a collective choice in as fair and efficient a way as possible. In a democracy there will be many different views as to what should be done politically, reflecting the many different interests and beliefs present in society. Each person’s preferences should be accorded equal weight. Moreover, preferences are sacrosanct because they reflect the individuality of each member of the political community (an exception to this arises only in the case of preferences that violate the canons of liberal democracy itself, such as racist beliefs that deny the equal rights of all citizens). The problem then is to find the institutional structure that best meets the requirements of equality and efficiency. Thus liberal democrats may divide on the question of whether majoritarian decision-making is to be preferred, or whether the ideal is a pluralist system which gives various groups in society different amounts of influence over decisions in proportion to their interest in those decisions. This, however, is a family quarrel in which both sides are guided by the same underlying ideal, namely how to reach a fair and efficient compromise given the many conflicting preferences expressed in the political community.

The deliberative ideal also starts from the premise that political preferences will conflict and that the purpose of democratic institutions must be to resolve this conflict. But it envisages this occurring through an open and uncoerced discussion of the issue at stake with the aim of arriving at an agreed judgement. The process of reaching a decision will also be a process whereby initial preferences are transformed to take account of the views of others. That is, the need to reach an agreement forces each participant to put forward proposals under the rubric of general principles or policy considerations that others could accept. Thus even if initially my aim is to support the claims of a particular group to which I belong or which I represent, I cannot in a general discussion simply say ‘I claim that group A – farmers, say, or policemen – should get more money’. I have to give reasons for the claim. These might be that the group in question has special needs, or that it is in the common interest to improve the living standards of the group. By giving these reasons, however, I am committing myself to a general principle, which by implication
applies to any other similarly placed group. Thus I am forced to take a wider view, and either defend the claim I am making when applied not only to my group but to groups B, C and D which are like A in the relevant respects or else to back down and moderate the claim to something I am prepared to accept in these other cases too. Although finally when a decision has to be reached there may still need to be a vote taken between two or more options, what participants are doing at that point is something like rendering a judgment or a verdict on the basis of what they have heard. They are expressing an opinion about which policy best meets the various claims that have been advanced, or represents the fairest compromise between the competing points of view that have been expressed.

The deliberative view clearly rests on a different conception of ‘human nature in politics’ from the liberal view. Whereas the latter stresses the importance of giving due weight to each individual’s distinct preferences, the former relies upon a person’s capacity to be swayed by rational arguments and to lay aside particular interests and opinions in deference to overall fairness and the common interest of the collectivity. It supposes people to be to some degree communally-oriented in their outlook. It also seems to be more vulnerable to exploitation, in the sense that the practice of deliberative democracy can be abused by people who pay lip-service to the ideal of open discussion but actually attempt to manipulate their colleagues to reach decisions that serve private interests. We shall shortly see, however, that liberal-democratic procedures are themselves vulnerable to political manipulation. At this stage, therefore, we must take it as an open question which of the two democratic ideals is more likely to be subverted by manipulative individuals or groups.

In presenting my account of deliberative democracy, I mean to distinguish it not only from liberal democracy but from what has been called ‘epistemic’ democracy. The epistemic conception of democracy sees the aim of democratic procedures as being to arrive at a correct answer to some question facing the political community. It is assumed here, in other words, that there is some objectively right or valid answer to the question that has been posed, but because there is uncertainty as to what the answer is, a decision-procedure is needed, and democracy, in the form of majority voting, is the procedure most likely to produce the right answer. This was, for instance, the view of Condorcet, and it has also been attributed to Rousseau, although my own belief is that Rousseau’s view is ambiguous as between deliberative and epistemic conceptions of democracy.

I believe the epistemic conception sets an unrealistically high standard for political decision-making. Although occasionally a political community may have to decide on some question to which it is plausible to
suppose a correct answer exists (say some scientific question in circumstances where there is complete consensus on the ends which the decision should serve), it is much more likely that the issue will concern competing claims which cannot all be met simultaneously in circumstances where no resolution of the competition can be deemed objectively right. In the deliberative conception, the aim is to reach agreement, which might be achieved in different ways. One way is for the participants to agree on a substantive norm, which all concur in thinking is the appropriate norm for the case in hand. Another way is to agree on a procedure, which abstracts from the merits of the arguments advanced by particular claimants. (Thus suppose the question is how an available resource such as a tract of land should be allocated as between several groups that lay claim to it. One possibility would be to agree on a principle such as that the resource should go to the group which needs it most or which could use it most productively, and then on the basis of the arguments advanced decide which group that was. Alternatively the deliberating body might feel that it was not competent to make such a judgement, and opt instead for a procedural solution, such as sharing the resource out equally between the groups, rotating it between them, or deciding by lot.) In either case, the outcome is a decision which all the parties involved may feel to be reasonable, but this does not entail that it reflects any transcendent standard of justice or rightness. The emphasis in the deliberative conception is on the way in which a process of open discussion in which all points of view can be heard may legitimate the outcome when this is seen to reflect the discussion that has preceded it, not on deliberation as a discovery procedure in search of a correct answer.8

Social choice theory and the democratic models

My aim in this chapter is to see whether deliberative democracy may be less vulnerable than liberal democracy to the problems posed by social choice theory for democracy in general. In arguing in this way, I am apparently reversing a common opinion which is that social choice obliges us to abandon ‘populist’ models of democracy in which democratic decisions are represented as expressions of ‘the people’s choice’ or the ‘popular will’ in favour of ‘liberal’ models in which democratic elections are construed merely as a safeguard against the emergence of tyrannical rulers. Democracy on this view is a matter of the voters having the right, at periodic intervals, to remove from office governments which they have come to dislike. Any notion that the voters should in some more positive way determine public policy is misguided. This argument plays some role in the classical defences of liberal democracy by Schumpeter
and Dahl and has recently been developed at length and with great intellectual force by William Riker.

From my perspective, however, both liberalism and populism as understood by Riker count as variants on the liberal ideal of democracy. For populism is the view that individuals’ preferences should be amalgamated, by voting, to yield a general will which then guides policy. Liberalism in Riker’s sense is less ambitious in that it sees the purpose of elections in negative terms as involving the removal of unpopular leaders. Both views see democracy as a matter of aggregating voters’ preferences: they differ over the question whether policy can be chosen in this way, or only the personnel of government. The idea that democratic decisions are not a matter of aggregating preferences at all but of reaching agreed judgements is foreign to both.

Let me now remind readers of the challenge which social choice theory poses for these liberal views of democracy. Suppose a voting public has to decide between a number of policy options – suppose, to take a concrete case, that the issue is how Britain should generate its electricity, and the public has to choose between coal-fired, oil-fired, gas-fired and nuclear power stations. The message of social choice theory, and in particular its most celebrated constituent, Arrow’s general possibility theorem, is that one cannot devise a mechanism for making such decisions which simultaneously meets a number of quite weak and reasonable-sounding conditions that we might want to impose, such as monotonicity or the requirement that if a voter raises the position of one option in his own personal ranking, this cannot have the effect of lowering it in the social ranking.

This, one might say, is the problem posed by social choice for democracy – that is, in general there is no fair and rational way of amalgamating voters’ preferences to reach a social decision – but it entails two more specific problems. The first is the arbitrariness of decision rules and the second is the near-unavoidability of strategic voting, or more strictly of opportunities for strategic voting. Decision rules fall broadly speaking into two classes, which following Riker we may call majoritarian and positional methods of selecting a preferred outcome. Majoritarian rules proceed by offering voters a series of binary choices and, depending on which option wins which encounters, identify an overall winner. So, in our example, voters would be asked to choose between coal and oil for generating electricity, between coal and gas, and so forth. There would be a series of majorities on the questions asked, and then some rule for discovering the overall choice. Positional rules ask voters to rank the available options and then compute a winner using all or part of this fuller information. Thus voters might be asked to rank order the energy options from 1 to 4 on their ballot papers and then a winner might be
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found by some rule such as giving an option two points each time it is someone’s first choice and one point each time it comes second.

The problem of arbitrariness arises because it is not clear which of the many possible rules best matches our intuitive sense of ‘finding the option which the voters most prefer’ or to put the point another way, for any given rule it is possible to give examples where using that rule produces an outcome that seems repugnant to our sense of what a democratic decision should be. Among majoritarian rules, a strong contender is the Condorcet rule that any option which beats all the others in a series of binary choices should be the social choice. But there is no guarantee in any particular case that such a Condorcet winner can be found, so the rule is incomplete. Thus gas might beat coal and oil but lose to nuclear power, which in turn was beaten by one of the other options. If the rule is to be complete it has then to be extended to cope with this possibility, but there is no extension that is obviously the right one. Among positional rules, the one most often favoured is the Borda count, which scores each option according to the place it holds in each voter’s ranking, so that my top option gets \( n \) points, my second option \( n - 1 \) points and so on right the way down. One problem with this is that it may make the decision among quite popular options depend upon the way some voters rank way-out or eccentric options if these are on the ballot paper. Finally, it is an embarrassment that the Condorcet and Borda rules do not necessarily converge; that is, a Condorcet winner may exist, but a different option may be selected by use of the Borda count. This might occur where the Condorcet winner – nuclear power, let’s say – was the first choice of a fair number of people but tended to be ranked very low by those who were against it, whereas another option – gas, let’s say – was the first preference of just a few, but ranked second by quite a lot. Here it is not at all clear which way we should jump. There is a case for the option with most first preferences, and a case for the compromise proposal which comes reasonably high in most people’s rankings.

The second problem is strategic voting, which means misrepresenting your true preferences when you vote with the aim of increasing the chances of your favoured option. Obviously the success of this depends on your having some knowledge of the preferences of other voters. It can be shown that there is virtually no decision rule that is not vulnerable to strategic manipulation if some voters choose to act in this way. Again a couple of examples may help to bring this out. Suppose we are using a majoritarian decision rule. It is possible by strategic voting to block the emergence of a Condorcet winner. Thus suppose in our example nuclear power is the Condorcet winner if everyone votes sincerely. I am not particularly averse to nuclear power, but I am very strongly committed to coal-fired stations. I cannot prevent nuclear power defeating coal in a
run-off between these options, but if others think like me we can stop the nuclear power bandwagon by voting insincerely for gas when the choice between gas and nuclear power is posed, thus preventing the emergence of nuclear power as a Condorcet winner and triggering whatever subsidiary rule is being employed in the hope that coal will win. Equally, if a Borda count is being used and I know that gas, say, is the likely winner, then I can boost the chances of coal by insincerely pushing gas down into fourth place. There is of course no guarantee that my strategy will work, since my opponents may behave strategically too. But this only serves to underline the arbitrariness of the eventual decision which in these circumstances would have very little claim to be called anything like a popular will.

So the challenge posed by social choice to democratic theory can be reduced to two basic claims: that there is no rule for aggregating individual preferences that is obviously fair and rational and thus superior to other possible rules; and that virtually every rule is subject to strategic manipulation, so that even if it would produce a plausible outcome for a given set of preferences if everyone voted sincerely, the actual outcome is liable to be distorted by strategic voting.

Working from within the liberal view of democracy, pessimists such as Riker respond to this challenge by reducing the significance of the electoral process to that of providing a safeguard against what Riker calls ‘tyranny’. But even this safeguard is quite weak, since if the outcome of elections is to some degree arbitrary (as the social choice analysis shows), it is not apparent why they should pick out for removal unpopular or ‘tyrannical’ leaders. Coleman and Ferejohn put this point well:

Nonreasoned removal from office is precisely what follows if Riker is correct in interpreting the instability results of social choice theory as demonstrating the meaninglessness of voting. If outcomes are arbitrarily connected to the preferences of the electorate, we cannot infer from his removal from office that an officeholder’s conduct was in fact disapproved of by the voters. This is hardly the ideal of officeholders being put at risk by elections that we associate with liberalism.14

Social choice theory seems to undermine the liberal view of democracy in a systematic way, regardless of the precise function that is assigned to the act of voting in elections.

**Deliberative processes and social choice**

Can the problems of social choice be avoided altogether by switching to the deliberative ideal of democracy? Social choice theory postulates
voters with given preferences over outcomes, and it is sometimes suggested that, once we allow that voters' preferences may alter in the course of decision-making, its results no longer apply. But this response is too simple-minded. So long as there is a problem of amalgamating the voters' wishes at the point of decision – so long, to be more precise, as three or more policy outcomes are still in play and there is no unanimous preference for one of these outcomes – the social choice results apply. A decision rule must be found, and this is potentially vulnerable to the problems of arbitrariness and strategic manipulation. In my account of deliberative democracy, I indicated that, although full consensus was the ideal guiding discussion, it would be quite unrealistic to suppose that every instance of deliberation would culminate in unanimous agreement. Votes will still have to be taken, and where voting occurs so, potentially, will social choice problems.

Rather than sweeping away social choice theory at a stroke, my aim is the more limited one of showing that deliberative democracy has the resources to attenuate the social choice problems faced by the political community. The case I shall make has two main aspects. The first concerns the way in which deliberation may limit the range of preferences that have to be amalgamated in the final judgement. The second concerns the way in which knowledge of the structure of opinion in the deliberating body may influence the choice of decision rule.

The first part of the argument addresses one of the axioms of Arrow's original theorem, namely the requirement that the social choice procedure should be able to accommodate any possible set of individual rank orderings of outcomes. This axiom may indeed seem self-evident; it appears to pick up the liberal idea that each person is entitled to express whatever preferences he chooses, so that any limits on individual rank orderings would be discriminatory [as Riker puts the point, 'any rule or command that prohibits a person from choosing some preference order is morally unacceptable (or at least unfair) from the point of view of democracy']. But rather than some external prohibition of possible ways of ranking alternatives, the possibility I wish to contemplate is that some initial sets of preferences might spontaneously be transformed through the process of deliberation, so that the final set of rankings from which a decision had to be reached was much smaller than the original set. If this were so, we could drop Arrow's unrestricted condition in favour of the weaker requirement that the social decision procedure should be able to cope with all possible sets of post-deliberation rankings.

I shall shortly suggest how this might help to resolve the social choice problems we have identified. But first we need to consider why some initial preferences might be eliminated in this way. The most straightforward case is that of preference orders that are irrational because they are