Book Review

Parties, Partisanship and Democracy: A Discussion of the Book by Enrico Biale[1]

by Antonio Floridia

A resumption of studies and theoretical investigations on the issue of parties has taken place for some time. The parties' issue, being for a long time and still very often confined to a dimension dominated by mainstream political science, has often been dealt with in the light of a sort of (pseudo)-sociological determinism, which then influences the current political discourses and the journalistic vulgate in a thousand ways. Several diagnoses on the so-called "crisis of democracy" presuppose, more or less explicitly, that such crisis has its epicentre in the eclipse of parties, in the end of the role they played in the Twentieth Century. To be sure, occasionally, someone recalls the classic statement of the American political scientist Schattschneider, who back in 1942 peremptorily claimed: "modern democracy is unthinkable save in terms of the parties". However, another narrative scheme generally prevails, which goes roughly as follows: twentieth century parties are creatures born and developed in the age of mass democracy and Fordist capitalism, and lived a short season of flourish and success in those "glorious thirty years" marked by the "social democratic compromise", by that fruitful fusion of Post-war capitalist expansion, the building of Welfare, the strength of parties representing the working-class movement – indeed, it was like an interval, as shown by Piketty, a short season which reduced inequalities in the distribution of income and wealth.

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[1] The volume here reviewd by Antonio Floridia is *Interessi democratici e ragioni partigiane* [*Democratic Interests and Partisan Reasons*], Bologna, il Mulino, 2018, by Enrico Biale.

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Such a phase was interrupted by the conservative revolution in the eighties, and then, increasingly, because of the great economic, social and cultural transformations brought about by new production technologies and the new, pervasive presence of information and communication technologies. Therefore, parties today are "in crisis", or in any case they are radically far from the old models: parties with a by now strong leadership-centred character, progressively deprived of a diffused membership; parties putting their destinies at stake on the grounds of electoral marketing, or reduced to electoral machines, at the service of the conquest of public offices. And in Italy – it goes without saying – we have witnessed a peculiar degeneration of such a phenomenology: we have been the country where an unprecedented model of company-party, or of a "patrimonial" party, established itself and where personal micro- and macro-personalistic parties proliferate. Hence, in the best-case scenario, parties are seen as a "necessary evil", something one cannot do without but can hardly bet on, if one wants to imagine any future for democracy: in fact, many make the effort to imagine how democracy *without* or *beyond* parties can be conceived. Actually, as some recent studies have shown, such a linear narrative about parties appears unfounded: parties are there, they have lived and are living a peculiar crisis of legitimation but they do not seem to be replaceable with regard to their democratic functions.[2]

Precisely when the contributions of political science about parties abound, and prove to be quite unequal in quality, and the field of empirical studies about parties' nature and metamorphoses reveals itself as very wide and diverse, precisely for such reason the time for political philosophy to speak seems to have come. In other words, a rethink of a normative theory of parties is necessary: that is, an investigation on the reasons that make the role of parties (and of *partisanship*) crucial to democracy. An attempt must be made to answer certain fundamental questions: how can the role of parties be conceived within our conception of democracy? And how *should* we think about such a role? And how can we prevent a sterile juxtaposition between "ideal" and "real", between what one thinks parties should be and what one thinks they actually are or have turned into?

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[2] Among the studies in political science, see Scarrow (2015) and Ignazi (2017). For a valuable work on the history of the concept of "party", see Palano (2013).

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From this perspective, some recent contributions, which propose a normative approach to the parties' issue, are to be mentioned, which also hold together the analysis of transformations in contemporary politics and democracies and the principles justifying the role of parties in a democracy. The recent book by Enrico Biale (*Interessi democratici e ragioni partigiane*, 2018), but also other important works, such as those by Mauro Bonotti (2017) and Jonathan White and Lea Ypy (2016), can be traced back to such theoretical approach. It is also worth mentioning the book by Russell Muirhead (2014); while Muirhead (2010), Fabio Wolkenstein (2016) and an essay by Enrico Biale and Valeria Ottonelli (2019) address the relations between parties and deliberative democracy. And perhaps the first work marking the theoretical resumption of the theoretical interest in parties is that by a Princeton University scholar, Nancy L. Rosenblum, with a book (*On the side of Angels. An Appreciation of Parties and Partisanship*, 2008), which can be seen as a passionate restatement of the ethics of *partisanship,* obviously with particular attention paid to American history, during which hostility against parties, their identification as *factions*, has been a very present dimension in widespread political culture. These are all works highly recommended to those – and they are many in Italy – who shrug their shoulders with annoyance every time someone dares to *defend* the role and functions of parties. These are works that help us to get out of an embarrassing dilemma: to consider parties *as they are today*, or what they turned into, as the only and unavoidable horizon to adapt to; or, on the contrary, to retreat into a nostalgic and impotent remembrance of what parties used to be. The alternative – hard but perhaps the only practicable one – must be sought in the identification, within the real political processes of our time, of the normative bases on which to rely in order to affirm the possibility of other developments, and the real potentialities of a democracy that still keeps considering parties as one of its constitutive dimensions. In this sense, to get out of the narrowness of our domestic horizon is a healthy exercise: since, on closer inspection, throughout the world not only do parties still exist and work, with more or less efficacy or consensus, but also new ones are born, and with a degree of success: different parties, which can be disliked, but that are still and shall remain parties, and are placed throughout the whole political spectrum, from the xenophobic and nationalist new right wing to the left-wing groups rooted in countries like Spain and Greece.

These considerations can only apparently look extraneous to the ground on which Biale's work is based on: a rigorous reflection, such as the one pre-

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sented by Biale, moving fully within the scope of political philosophy, is not without implications also for the *public discourse* about parties, – a discourse that, too often, sees an unjustified shift from empirical to normative level. To say, as often happens, that "parties are what they are *by now*", neither means nor implies holding that parties can *only* be like we see them today, or that there are not alternatives, or that there is no other way to conceive parties (and make them work). Also because, by passively submitting to what a disappointing present offers us, we legitimate it and make it unavoidable. Here political philosophy can perform one of its fundamental functions of critique and reflection, that is, to analyse the conditions of thinkability and possibility of models different from what the present state of affairs offers us, but above all to grasp, within these processes, the signs and the potentialities of a different normative view. And these signs and potentialities can, with the proper mediations, become elements of a new "public political culture", as Rawls defined it.

This being said, Enrico Biale's work puts the theme of a definition and re-evaluation of the idea of *partisanship* at its core. But how exactly *should* the idea of *partisanship* be defined, and which connections can we pinpoint with the idea of democracy itself? Moreover: what idea of democracy do we assume at the very moment we think that it must, so to speak, incorporate a positive conception of *partisanship*?

In a time when the criticism of democracy, and of representative democracy, is raised in the name of resurgent holistic and organicistic views of society (the "people", as a homogeneous body, opposed *as such* to the various expressions of elites), holding that a "political conception of democracy" (as the subtitle of Biale's book states) implies a basic assumption: democracy can be defined as a set of procedures of collective choice *presupposing* an irreducible and adversarial pluralism of ideas, interests and values, which cross and divide the social "body", but aiming at the same time to guarantee freedom and equality to all citizens. Indeed, a system can be called "democratic" when it implies such a constitutive *partiality* of viewpoints, interests and values, confronting each other within society and conflicting (or cooperating) over the sense and the direction to give to their cohabitation and looking for a possible "common good". "Democracy" is a system enabling the management of this conflict and this cooperation, and presupposing also another requirement: as Biale writes, "a democracy is a set of procedures of choice

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which recognise citizens as free and equal by ascribing them the capacity of making collective decisions, that is, to exercise a political *agency*" (7). The issue of *agency* is crucial in Biale's work: to guarantee freedom and equality to citizens is not enough; it must be possible to exercise such freedom and equality in adequate forms. Citizens must be enabled to *act* politically in order to claim and support both their values and their interests. And the different way to conceive *agency* constitutes a sort of implicit normative premise in the different models of democracy confronting each other in the theoretical and philosophical debate, but then also in the more strictly political debate, especially when institutional policies are at stake. The question a conception of democracy must be able to answer is the following: which space, which role, do we conceive for political *agency* of citizens? And what do we demand, what do we expect, from such capacity and freedom to act politically that we want to guarantee to citizens? In the first part of his work, Biale proceeds on the basis of a rigorous argumentative logic: firstly he analyses and contrasts two "deeply alternative" models of democracy, those summarizable in the two images, the "market" and the "forum", as elaborated in the famous essays by Elster (1987). The first model – which Biale considers neither "satisfactory" nor "desirable" – is the one advancing a "non-political" view of democracy, as mere expression and aggregation of "preferences" that an individual thinks should be pursued. A reductive and "impolitic" conception of *agency*, therefore, leading to consider interactions among citizens only as "exchanges among self-interested individuals". Such approaches tend overall to rule out a genuinely *political* dimension of individual agency and provide a view of *common good* merely as summation and resultant of the *self-interest* action of individuals; yet, Biale gives these approaches credit for giving the correct significance to the *autonomy* of individual. Then Biale examines and distinguishes some variants within this model; on the one hand, "subjectivist" versions, deriving from *rational choice theory*; on the other hand, the polyarchal ones, developed by political science, and in particular by the "pluralist" approach and by an author like Robert Dahl.

The second model of democracy brings together all the kinds of approaches definable as "discursive", and here Biale does not hide his judgement: these are definitely more valuable, but not completely persuasive. A discursive approach assumes that democracy must be based on a public "discussion" among citizens, having as its object "what society they live in must do to promote common good", and presuppose that citizens themselves are pre-

pared to "revise their preferences" (which are not, hence, a datum exogenous and unmodifiable by the process of social choice anymore). What is valued by Biale in such models is that, in any case, they "account for the political dimension of democratic process and guarantee the possibility that the latter not only includes the perspectives of each one on the same footing but is also able to promote the common good"(7).

Here too, Biale identifies internal variants: on the one hand, there are discursive versions traceable to an idea of "participatory democracy" (e.g., in an author like Benjamin Barber, 1984), emphasizing the *direct* exercise of some power by citizens; on the other hand, the ones that appeal to an ideal of "deliberative democracy" instead. If the first family of theories ends up assuming a reductive view of political *agency*, on the contrary "discursive" approaches, in different ways, end up presenting an excessively "demanding" view (so also proving to be not very "realistic"): that is, a view of capacities and possibilities of choice and political action that "imposes excessive burdens" to citizens, expects "too much" from them and, therefore, proves to be not very inclusive, disadvantaging those citizens who are already the most "disadvantaged". While "participatory" approaches trust in a kind of constant public commitment of citizens (an adhesion to a nearly heroic conception of civic virtues of citizens, as it was idealised by classic republicanism, we might add), the genuinely deliberative approaches "are not able to account for those features of democratic process which are not strictly discursive and for how this cannot be characterised by such detachment typical of public deliberations, unless an approach excluding many citizens is adopted" (8).

Given the shortcomings that, for different reasons, both "subjectivist" and "discursive" approaches present, Biale proposes his own solution, a "political conception of democracy". But how should this expression be intended precisely? This question can be answered by recalling the recapitulatory formulation that Biale provides: on the basis of such "political" conception,

"a democratic system, which wants to recognise citizens as political actors and promote the common good, must fully take into consideration their particular interests and values and enable the members of demos to politicise them, that is, inscribe them in a conception of common good they can identify themselves in. In order to be able to achieve this task, I will argue that it is necessary that a partisan democratic *agency* be developed, according to which citizens can base their proposals on partial interpretations of the common good. Such a perspective will recognise the right space to particular interests

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and values without however reducing political issues to interested claims. On the other hand, it will emphasise how, in order to enable the members of demos to exercise their political *agency*, they must be enabled to be partial with regard to their own claims, while recognising values of the claims of others and trying to find the right mediation with those claims through fair negotiation processes" (8-9*)*.

Therefore, it seems to me that it can be said one means, by recalling this genuinely "political" dimension, the *public* and *collective* dimension of a democratic process and, at the same time, its intrinsically conflictual nature, that is, a process within which the *partisan reasons* of different actors show and confront. It is evident that a conception of democracy is "political" as it opposes to "impolitical" implications that are distinctive of other conceptions. Indeed, models based on mere aggregation of individual preferences define a democratic process (*if* and *insofar as* autonomy, freedom and equality are guaranteed to everybody) but produce as an outcome only a composite and often inconsistent summation of individual aims. In their turn, discursive-deliberative models aim at an unlikely and demanding "rationally motivated consensus" among all parties concerned and assume or require that citizens are enabled and capable of "elevating themselves" above their personal preferences and the interests they believe should be pursued. In both cases, to sum up, citizens are indeed "actors", but they are not genuinely "political actors". On the contrary, a genuinely political democratic process is such as it implies the assumption and consideration of values and interests of a whole *demos* and as it assumes the partiality of interests concerned and their full legitimacy. Biale emphasises the fact that the "political" dimension does not originate from a kind of "transcending" of "particular" interests and values of each citizen (or from the unacceptable demand that such interests and values are "bracketed"), but rather from their full "*politicization*". "Politicization" is a process of self-understanding of individuals' own values and interests, leading them to interpret such values and interests in the light of a wider and more comprehensive view, and considering them not only as "their own" but also as "common" to other individuals. A process that, starting from this awareness, can be expressed also in the forms of a *partisan agency*, that is, a political action coordinated with other individuals, in respect of whom a process of reciprocal recognition and the sense of a common belonging spring.

The approach suggested by Biale, therefore, aspires to define a conception of democracy that fully complies with the normative standards of freedom and

equality, but also ensures a full and, at the same time, realistic view of political *agency* of citizens: accordingly, democracy is assumed as a set of procedures of choice that fully assume and legitimate "partiality" of interests and values of each individuals and enable the search for satisfactory negotiation solutions as well. *Partisanship* – to be accurately distinguished from "faction spirit" – so becomes a crucial component of democracy, and from a twofold viewpoint: a) since it guarantees "a motivational dimension", essential "to enable citizens to exercise their political agency…" (124): that is, without the push derived from the awareness of one's own peculiar "interest" motivations to act are lacking, or are weak, (and the realism of this view lies in this: individuals so "altruistic" that they sacrifice what they see as one of their own "reasons" are not imaginable); and b) since, Biale writes, "constant challenge and contrast among different proposals […] allow members of the demos to exercise a reasoned control on the decisions made, even if it does not subject them to the same constraints of public justification of the deliberative model, demanding the detachment I emphasised as a very problematic requirement" (*ibidem*).

But the defence of partisanship proposed by Biale is not undifferentiated: in the last part of his work Biale introduces some "constraints", such as "intellectual honesty" and "loyal antagonism". Such constraints enable distinguishing between "fruitful partisanship" and "faction spirit", – a distinction bringing to mind the one proposed by Muirhead (2014), between *low partisanship* and *high partisanship*. Likewise, it seems important and subscribable the difference between "*civism*" and "*partisan spirit*" (132): civism aims to "control" political power, partisan spirit aims to exercise it, and from here a strong "motivational function" originates which supports political *agency* of citizens. A political *partisanship* is such, indeed, if it is not "blind", is able to appreciate factual data, is aware of its partiality, although surely not giving up defending its "reasons":

> If citizens want to behave as political actors they must recognise that the aim of democratic process is to make decisions in the interest of all and then acknowledge that they can exercise their partiality only with regard to aspects that are subjected to interpretation, being aware that their version might be wrong. This imposes constraints to the degree of partisanship in the definition of claims that can be held and in their defence. On the one hand, members of the demos will not be able to mystify reality and will have to be accountable, in case this happens; on the other hand, the comparison among partial interpretations will have to lead to a mediation between different pro-

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posals, albeit not necessarily a revision of their partisan values on which such claims are based. […] Intellectual honesty does not only guarantee that citizens are not blind to reality, but imposes them to be aware of the partiality of their claims and of the ideals they are based on, as well as of the value of the claims of others (144-145).

And here the issue that Biale tackles in the last part of his work comes into light, that is, the forms of *negotiations*, the forms that such *mediation*, which is an unavoidable step, can take, if one wants to move from partiality of interests to the construction of some kind of collective decision, accepted by and acceptable to all the parties concerned. "To decide is to negotiate", Biale writes (152), by proposing on the one hand a distinction between "fully cooperative negotiations" and "integrative negotiations" (that is, solutions "which have had the virtue of recognising the legitimacy of negotiation processes […] as collective decision-making procedures, without, however, being able to grasp all their features"); and, on the other hand, those that Biale defines as "democratic negotiations", defined as alternative both to mere bargaining and deliberation. While deliberative models

> tended to idealise political interactions and to impose too demanding burdens on citizens, democratic negotiations value the partiality and conflictual nature that are characteristic of political interactions. To confirm this, I would like to remind how, while traditional conceptions of deliberative democracy impose to the members of demos to assess with detachment the different proposals and rule out those forms of political calculation that I proved to be characteristic of the exercise of political action, democratic negotiation includes proposals based on partial values and strategic behaviours, provided they are politically justifiable (165).

In defining the specific traits of these forms of democratic negotiation, Biale suggests some criteria, which call to mind the Rawlsian definition of *overlapping consensus*. In particular, two elements are to be considered: "a certain degree of integrity concerning values [citizens] identify themselves in and hope to promote through this agreement and the importance of strengthening democratic institutions and reciprocal trust among their members" (162). "Integrity" means that a citizen can see a compromise as acceptable, if it incorporates and recognises her or his interests and value to some extent; at the same time, in assessing the outcome of a negotiation, a citizen must be able to consider (and here it might be an objection for Biale: is not this "constraint"

quite demanding?) the effects produced on the institutions and on the degree of trust among citizens themselves: "if a certain degree of agreement is so beneficial to some to end up being unstable and put the cooperation among citizens constantly under discussion, then it cannot be accepted" (162).

Hitherto, summarily, the design pursued by Biale in his work: a concise text, but very dense, presenting several aspects worthy of being discussed and developed in all their implications. Here we mention only some examples. The first concerns the notion of "common good" (or "interest of all"), which Biale assumes in his definition of democracy itself. Although in some cases the author adopts formulations presenting some ambiguities (for example, when he writes that "democratic systems aim to promote interventions that are in the interest of all" [43]: but is it really like this?), we believe that the sense of the most recurring formulation in the text ("a democratic system, which wants to recognise citizens as political actors and promote common good…") is to be interpreted in the light of the dynamic and conflictual view of the democratic process that the author holds. The "common good", as such, does not exist; it is a *political construction*, which originates from the individual and collective action of who moves from her or his own specific interests and values, but it is produced by the *conflict* with other partial conceptions of the common good: conceptions of what one *believes* to be a good for the whole community, but able to prevail only in virtue of the *consensus they obtain*, that is, by means their ability to *persuade* and *convince* other people.

A capacity that expresses itself also by means of the creation and the spreading of a belief: to succeed in "making someone believe" that a specific set of "one-sided" interests and values are the expression of "general" interests and values. The "common good", therefore, is not a given or something objectively definable as such, but the ongoing process of *construction of a collective choice originating interactions among citizens, their conflict and negotiations*: "a decisional negotiation process" that – in a *well-ordered* democracy, à la Rawls –, should be "fair and inclusive", as Biale reminds us in his conclusions (176).

The most problematic point in Biale's work is, in our opinion, in his definition of the "deliberative ideal", which Biale assumes as one of his major polemic targets, nearly a litmus to make the traits of his proposal of a "political" conception of democracy stand out.

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On these themes we have commented elsewhere[3]: however, here we can get back to and develop some aspects of this discussion. On the one hand, Biale seems to adopt a version of the "deliberative ideal" that appear a little reductive, that is, a version favouring a strongly idealising dimension, as it was proposed by some authors (in particular, Cohen 1989) and then divulged, also in somewhat "naive" forms by other theorists and, especially, by many deliberativist *practitioners*. It is a version of the deliberative ideal with regard to which some criticisms appear certainly plausible: its "unrealistic" character, its "intellectualistic" and "hyper-rationalistic" traits, and above all, the depoliticising ones. Biale discusses many objections that were addressed to this idea of deliberative democracy by those who emphasised that it is too "demanding" (the demand that citizens totally abstract from their "partial" viewpoint and display "detachment" from their own interests), or too "intellectualistic" (the demand to strictly conform to a purely argumentative rationality), ruling out other non-discursive forms of political *agency*; and the objections that highlight its not truly inclusive outcomes, which were indeed openly "selective" and discriminatory, for those who do not possess the deliberative capacities that the ideal would require. On the other hand, Biale seems to attribute *tout court*, as a characterising trait of deliberative democracy, that *epistemic* view that actually only some theorists subscribe and is not unanimously accepted. Biale writes (70): "since the deliberative model advocates the necessity of judging the claims of the parties, it implicitly recognises the presence of some standards to make such assessments and to consider some proposals as better than others". But the thesis that there is the necessity of standards "independent" of the deliberative procedure is held, in particular, by David Estlund (2008); but it does not seem correct to identify such position with the one usually attributable to the whole deliberative theoretical field. And it does not seem correct to hold that the deliberative model requires "judging" the positions at stake.[4]

The issue, here, can be summarised in a claim, simple but full of implications, that here we can only state: deliberative democracy does not propose

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[3] Floridia 2020, 172-176.

[4] For a critique of the epistemic conceptions of democracy, cf. Urbinati 2014. As Muirhead wrote, according to such "impolitical" conceptions of deliberative democracy, or according to those views which depict or enhance the image of an "independent" citizen, "ideally, citizens should be impartial, like judges, and objective, like scientists" (2014, 9).

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(only) an "ideal", (ultimately, a "regulative ideal" to try to approach in reality, yet being aware from the beginning that it cannot ever be fully realised), but it presents itself as a *critical-normative* paradigm, active in two directions: as a normative *reconstructive* criterion (in a Habermasian sense) and as a design criterion. That is: on the one hand, as a paradigm enabling interpretation and assessment of the forms, the quality and the legitimacy of *all* the democratic procedures (has a decision really been made by hearing and taking into consideration all the opinions and interests at stake? Has it been accompanied by a rich and inclusive public discussion?); on the other hand, as a paradigm enabling us to orient rules and procedures of the functioning of democratic institutions and to design specific institutions or devices of democratic participation, "deliberative arenas" constructed to promote and realise, as far as it is possible, a public and inclusive democratic deliberation, meeting the normative standards provided by the theory.

For reasons connected to the whole economy of his work, Biale could only marginally take into consideration all the complex developments of deliberative theory[5], where precisely the reflections on the nature of "interests" at stake in a deliberation (Mansbridge *et al.* 2010) and, especially, on the notion of "deliberative system" (Parkinson and Mansbridge 2012) have assumed great importance. A "deliberative system" can be defined as a *network of discourses* intertwined and combined within the public sphere and between the public sphere and institutions, concerning a political problem or a public issue: like the texture of *discursive interaction* by means of which citizens' opinions and political judgments form and are modified. It is a deliberative system insofar as, through such network of public discourses, information and knowledge are exchanged, processes of collective learning are triggered, interests, values and individual and collective goals self-clarify. And it is *a system* since it is a process, a sequence, produced and articulated in a multiplicity of places and times. It is a network producing "systemic deliberative effects", that is, the coagulation and the definition of cognitive and normative frames (orientations, beliefs, values, "preferences"), which enter a process of discursive formation

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[5] See the recent and very rich in content *Oxford Handbook of Deliberative Democracy* (Bächtiger, Dryzek, Mansbridge, Warren [eds] 2018), providing a vast and complete overview of the theoretical and empirical developments of deliberative democracy. For a genealogical reconstruction of the idea of deliberative democracy, see cf. Floridia 2017a and 2017b.

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of opinion and interact, more or less mediately, but always indirectly, with institutional procedures of political decision-making. Within a deliberative system, moreover, the *pure* deliberative quality of a single segment of the network, or of a single *arena*, is not crucial: not all the single moments can fully express all the possible functions of a deliberation (an *epistemic* function, an *ethical* function and a *democratic* function: Parkinson and Mansbridge 2012, 11-12): but what is important is the whole discursive quality *emerging* from the texture of interacions.

This notion is stimulating a remarkable discussion, within which the objections of some scholars must seriously be taken into consideration (*If Deliberation Is Everything, Maybe It's Nothing*, is the title of the contribution by Robert Goodin (2018), in the abovementioned *Oxford Handbook)*; it is however a notion making it possible to provide the discussion on deliberative democracy with a way out from a paralysing alternative between "idealism" and "realism".

The usefulness of such an approach can be seen by getting back to Biale's book, with reference to a concrete example he gives: the political story of the law concerning "civil union", approved by the Italian Parliament in 2016, following a lively discussion both in parliamentary chambers and in the wider public opinion. Biale holds, and with excellent reasons, that this law is a positive example of "democratic negotiation", since the outcome qualifies as an acceptable solution for many parties, and *on the basis of different reasons*: "a mediation which was politically justifiable and sensitive to the values and interests at stake, where everyone decided to lose something compared to what he or she believed to be entitled to get (167).

In this case, we might also say, a "deliberative system" sprang into action indeed: at first in the more or less formal fora where public opinion is formed and transformed, and then in institutional sites, where the deliberative negotiation took place, which succeeded in finding an area of agreement and "overlapping". During the deliberative sequence, developed in many fora and occasions, different theses were confronted, "good reasons" were presented supporting one or the other solution, "arguments" were offered to the public debate. In this a diffused "deliberative" dimension was, properly, in operation. However, evidently, if a decision has then been made, this has been possible also because, during the public discussion, some orientations proved to be provided with a peculiar resource: the "strength of the best argument". The well-known Habermasian category, often accused of being only an empty normative claim, here reveals

its critical and counterfactual nature, but also and especially its being concretely *operative*: in the public sphere the "communicative power" of discourses is expressed, which can then affect the formal powers of a democratic rule of law. If, in the case of "civil unions", a certain decision was made, this evidently happened because some positions, the most extreme, appeared "weak" or "untenable", their "partiality" proved to be "unilateral", and not very, if at all, able to interact with other theses, etc., while some "reasonable" positions (for example, those against the definition of a possible "civil union") could find a space for discussion with other "reasonable positions" (for example, those which were not very interested in a nominalistic dispute on the new institution but focused on the substance of the issue).

In other words, we believe that this example itself can be read as a case where the "deliberative ideal" should not be applied, but rather critical and evaluative paradigms of a deliberative theory of democracy, also taking fully into consideration the *conflictual* dimension characterising the democratic process.

That law on civil unions was a *success story*; but we can adopt such approach also for other situations, which did not have, and are not having, - to keep on about Italian politics – similar success. We are referring to the issue concerning immigration policies, to which Biale devotes a passage in his work.[6]

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[6] Biale introduces the topic with regard to the "intellectual honesty" requirement: "given the complexity of themes that are the object of a collective decision, and given how much they involve elements that are controversial and interpretable in different ways, the participants in the democratic process have a wide space where they can exercise their partiality but they obviously cannot falsify reality in order to defend their position. Who wants, for example, to hold that in our country more controls on migratory flows are necessary cannot claim that the presence of migrants represents an economic cost without any corresponding benefit. Since both these arguments are not supported by factual evidence, they do not belong to those elements they can exercise their partisanship on" (144). And Biale adds: "obviously, this does not mean that it is not possible to legitimately defend in a partisan way the limitation of migratory flows, *it means only that this cannot be done by denying reality*" (*ibidem*, italics mine). But what if this does not happen in the public debate? Biale considers the objection and claims that it is up to the public debate to "dismantle" opinions based on "incorrect factual elements" (~~ibid.,~~ 145). However, the problem persists: if such public debates are lacking in the public sphere, it is clear that opinions based on "incorrect" information risk being rampant and not meet with any resistance.

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Also in this case, we are in the presence of a "deliberative system", including the *everyday talk* of citizens, the debate on (all the) media, the action of organisations and associations of civil society, political parties' stances, debates in institutional sites, parliamentary and governmental decisions ("security decree" by the Minister Salvini included).

The outcome of such deliberative process-system – until today – proved that evidently a cognitive and normative *frame* prevailed and oriented policies in a certain direction. *Post factum*, we can observe how the competition between ideas, the views regarding the immigration issue, the proposals for a policy facing the problem, brought about a specific reading and interpretation of the migratory phenomenon – the one implicit in the "Salvini decree" – which ended up being and still seems to be – at least until now – more convincing than others. In Gramscian terms, this *frame* seems to have become *common sense* (to be sure, not in a "totalitarian" but probably in a prevalent way), with all the strength and viscosity of common sense and by virtue of the control over the language itself by which a social question or a political conflict is described. Clearly, what led to a these conclusions is not a *purely* deliberative system, many democratic and non-deliberative elements are in action and also non-democratic and non-deliberative elements[7]: however we can say that – in certain spaces and/or times in varying degrees -, it is a public discussion including a deliberative dimension as well, that is, it displays traits of an *argumentative exchange*, a "reason"-giving pro or contra a specific policy. It is well known how much this discussion is affected by fully irrational elements, which however appear as such to an external observer provided with a critical viewpoint, but do not appear as such to the participants (on the contrary!). A political conflict on the "immigration" issue developed, assuming also traits of a comparison between arguments, even though such arguments are often, so to speak, *embedded* within a set of interactions appealing to fears, insecurity, and racist and xenophobic impulses. They are "Toxic" elements, to recall the term Mansbridge *et al.* used with regard to the *Tea Party*'s contribution to the United States' political debate (Parkinson and Mansbridge 2012, 19). Heretofore, the "systemic approach" helps us to interpret the phenomena, but it runs the risk

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[7] For this distinction between a) democratic and deliberative procedures, b) democratic and non-deliberative procedures and c) non-democratic and non-deliberative procedures, cf. Mansbridge *et al.* (2012) and our analysis in Floridia (2013, 68-78).

of reconstructing and "rationalising" *ex post* what happened. The *systemic-deliberative approach* however provides us with an evaluative and normative perspective as well, which can be translated into political action, with its unavoidable strategic dimension. Also in a counterfactual key: what should and could those who hold positions that are, at the moment, weak and unsuccessful have done, and what can they do?

The proposal on *ius soli* is an example: *today*, the failure to adopt such measure when the balance of power in the Parliament would have allowed for it is seen as a mistake of the previous centre-left governments. When it was decided not to "force" this issue, the reasons were clear: it is a "hard" topic, they said, "it will make us lose votes". Obliviously, their motivations were not unfounded: it is probably true that, *at that moment*, there was not adequate support for this legislative measure in the public sphere. But precisely here *partisanship* and the role of parties, and the way their action is understood come into play: was, and is, it a matter of *adapting* to the dominant *frame* and to the given and pre-existent preferences? Actually, it should be clear by now that it is an illusion to chase the dominant *frame*, since the hegemony and the consensus orient themselves neatly and definitely and primarily toward those who are the most credible and original authors and interpreters of this *frame*. It is probably true that to insist on the *ius soli* would not have changed, immediately, the dominant direction in the public sphere. But – and this is the point – a political struggle on that issue would have introduced a new "viewpoint" in the "deliberative system": new arguments that could have contrasted the dominant ones and that proved indeed to have an easy life, legitimated also by other choices such as those concerning relations with Libya. Therefore, to pass the *ius soli* would have been a choice that perhaps would not have immediately changed the course of events but would make the public discussion on the immigration issue, so to speak, *more deliberative*, by enriching the framework of competing arguments and by facilitating the division of labour of the various agents and collective actors (for example, by putting under a different light the work of NGOs, whose action and presence has been – as it is well known – branded and stigmatised as a factor incentivising the migrants' arrivals).

And here the role of parties as political actors comes into play, which is or should be a crucial role: to act to form and transform opinions and judgements of citizens, – that is, to act on the premise of the formation and discursive revision of political judgements, which is the characterising trait of a "deliberative" view of democracy. "Spontaneity" of actors acting in the public

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sphere cannot be the exclusive factor able to change the hegemonic *frame*: organised political actors, collective subjects of *partisanship* are needed, which are able to *support* and *publicly justify* some positions and arguments, and commit themselves in what was once called the "battle of ideas".

Here we can also better see the role of "interests": only parties can "filter" and organise the perception formed in citizens' conscience of their "immediate" interests. It is (would be, could be) up to parties to aggregate and make a view of individual interests consistent. Therefore, interests that it is nonsense to demand to be "transcended" to become the expression of an improbable "common good", by invoking a likewise improbable "detachment" or an "independent" and neutral approach; but that can acquire a *greater degree of generality*, be recognised by the individual in their social and collective dimension. In a nutshell, interests that are recognised in their *politicity*. Only parties can articulate a programmatic framework including and giving a public and political "meaning" to individual interests. To go back to our example: many remember that "salience" acquired by the immigration issue is tied to a diffused sense of insecurity and fear. *Against* such feelings, good will, or even worse, a form of external preaching resembling paternalistic reassurance, is not enough: as always, a solid "hegemony" – as suggested by a classic move of rhetoric and oratory – is achieved when one is able to understand the "good reasons" of others, the "elements of truth" which are present in the positions of opponents. Thus, to rationally "dismantle", in a "deliberative" way, the irrational fear of immigrant, implies several things: to propose another idea of *security*, to defend a universalistic *welfare state*, an *idea of social security* which is not reduced to the one of "public order"; and then many other specific proposals at the level of individual policies, (reform of entry regulations, reception and integration policies; etc.). in other words, proposals that can "speak" to individual interests, enabling them to identify themselves as part of more general interests: *and proposals that can be publicly argued*. If a party does, or were to do, this, it intervenes on the quality of the "deliberative system", – at the limit, it creates a "deliberative" system, or an embryo of it, where perhaps only a network of public discussions exists, dominated by a low or inexistent level of "communicative rationality".

As can be noted, the discussion of the book by Enrico Biale led us far from its contents, but, we believe, not arbitrarily. This further proves, instead, the theoretical wealth of this contribution, and its being able to speak about the most complex challenges concerning our democracy today.

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