

***Democratic Speech in Divided Times*** (Oxford University Press, 2021)

by Maxime Lepoutre

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Deliberative democracy has fallen on hard times. Empiricists document the ignorance and tribal dogmatism of ordinary citizens, exacerbated by social media, which seem to imperil the prospect of reasoned communication about public affairs. Meanwhile, theorists seem increasingly disenchanted with the lofty aspirations of deliberative theory, turning their attention to more minimalist and less discursive models of politics. Maxime Lepoutre's book arrests this pessimistic trend by vindicating a realistic ideal of public democratic speech, contending that it retains enormous power to help citizens solve pressing social problems.

The first half of the book develops and defends a set of norms for democratic discourse. On Lepoutre's view, we should insist on the strictures of public reason—whereby citizens appeal to shared considerations—in formal arenas of coercive decision-making (Chapter 1). Yet we should simultaneously welcome a far wider set of contributions across informal social discourse. These include angry contributions to public debate, which have far greater epistemic value than the familiar charges of counterproductivity suggest (Chapter 2). Welcoming anger risks inviting hateful speech into the public square; but we can and should mitigate the harms of hate speech through robust counter-speech supported by the state, rather than through censorship (Chapter 3). Likewise, citizens and officials must also marshal counter-speech to challenge varieties of political misinformation (Chapter 4).

Having specified an ideal of democratic discourse, the second half of the book interrogates whether problems of political distrust, ignorance, and fragmentation render it unattainable. Lepoutre argues that these challenges, while real, are less vexing than initially apparent. While distrustful citizens lack the goodwill conducive to direct engagement, they can nevertheless learn from each other's perspectives through intermediaries, as well as tap overlooked trust-building potential of angry, hypocritical, and even hateful encounters (Chapter 5). While citizens are often ignorant, relying instead on signals from the group of which they are a member, such "group cognition" is, in fact, often epistemically valuable (Chapter 6). And while partisan segregation is cause for concern, integrative remedies are not as demanding as commonly suggested (Chapter 7). Accordingly, we should recommit to the project of democratic discourse, rather than acquiesce to theories that unconvincingly minimize the role of discourse and democratic participation in public life (Chapter 8).

On each of the topics I have mentioned in this brief overview, Lepoutre offers a raft of detailed and nuanced normative arguments—too many to discuss in this cursory review. The book is very well written, thoroughly researched, and compellingly argued. It offers precisely what normative democratic theory has needed: a spirited but realistic vindication of the role of civic discourse in improving our societies, tailor-made to the challenges of the current moment. Central to the book's payoff is its insistence on doing political theory in a manner that is engaged with a wide range of other literatures, across philosophy, the social sciences, and beyond. For example, Lepoutre's defense of anger engages extensively with the philosophy of emotion, whereas his analysis of political ignorance and group cognition relies heavily on work in empirical social science and

epistemology. (It is also worth commending his detailed discussions of historical examples—from Frederick Douglas to Malcolm X—which thoroughly enrich the prose.) While Lepoutre does not dwell on this methodological point, preferring instead to show the proof in the pudding, to my mind it is the book's signal virtue.

In an especially innovative move, Lepoutre connects the political-philosophical literature on public reason to work in social epistemology. This exposes a fraught dilemma for public reason theorists, who insist that citizens deliberate by appealing to reasons they share. Yet as social epistemologists like Miranda Fricker have argued, people often do not understand or appreciate a wide range of existing injustices; accordingly, the reasoning that explains and illuminates these injustices will often not be shared (even on the least restrictive variant of the constraint). The shared reasons constraint, then, shuts out a huge range of vital discourse, especially from marginalized groups. Lepoutre resolves the dilemma through an artful compromise: we should continue to insist on the constraint in the most formal sites of deliberation, where coercive decisions are made, while allowing non-shared consideration in more informal settings throughout civil society. (Some may find it unpalatable that marginalized groups must suppress their non-shared concerns in the most official settings—perhaps even seeing this as a *reductio* of the shared reasons constraint itself.)

Another example of effective cross-disciplinary analysis arises in Lepoutre's exemplary treatment of hate speech and misinformation. Drawing on the philosophy of language, the book explains that explicit repudiations of hateful propositions risk raising the salience of those propositions—counter-productively “maintaining or even exacerbating the dignitarian harm of hate speech” (p. 99). Similarly, cognitive science has shown that misinformation is resistant to correction; explicit repudiations of misinformation can *strengthen* its salience (pp. 115ff). Responding to these findings, Lepoutre fruitfully distinguishes negative counter-speech, which explicitly negates harmful propositions, and positive counter-speech, which advances a positive vision of what is just or true (and thereby counters harmful messages without explicitly engaging and thus reinforcing them). Lepoutre also specifies a novel diachronic approach to counter-speech, where counter-speakers do not simply react *ex post* to discrete instances of harmful speech, but rather participate in broader, ongoing efforts to promote reasonable normative and empirical views. In my view, these distinctions substantially advance the normative theory of counter-speech, helping to set the agenda for future work on this topic.

A striking theme of the book is the *systemic* nature of public discourse. Lepoutre astutely observes a misplaced tendency in normative democracy theory to see public discourse as “one immense conversation” (p. 202). Yet public discourse occurs in varied spheres, which together constitute a large and complex system; and “what we ultimately care about are the properties of the system as a whole”, such that it is “epistemically effective and accountable to the concerns of the people” (p. 76). True enough. But it scarcely follows that questions of individual ethics therefore disappear. When evaluating the counterproductivity of angry speech, Lepoutre tells us “we should not ask whether isolated expressions of angry speech have better consequences than isolated expressions of non-angry speech. Instead, the relevant question is whether a system that give a key role to angry speech (among other kinds of speech) is more productive than a system that does not” (p. 82). I agree that is the relevant question for someone assigning system-level social norms (as political theorists love to imagine

ourselves doing). My point is simply that the individual-level question remains. Even granting that there should be some spaces in which angry rhetoric is welcome, it doesn't follow that all speech in those spaces should be angry. The responsible citizen will still need to weigh the likely epistemic benefits against the potential political costs, in her particular case. Likewise, Lepoutre suggests that we shouldn't be too hasty in condemning all dogmatic groupthink, given the epistemic value of a system in which "dogmatic exploration circulates widely between different groups" (p. 184). Yet even if we grant this conjecture, an individual may still reasonably wonder on any given occasion whether she is being unhelpfully dogmatic—e.g., granting excessive epistemic weight to certain insights gleaned by her group. "Trust the system" will be cold comfort in such circumstances, not normative guidance.

*Democratic Speech in Divided Times* is a terrific book. In tailoring the ideal of democratic deliberation for human beings as they are—rather than as political philosophers might wish them to be—it showcases democratic theory at its very best: philosophically sophisticated, empirically engaged, and driven by a conviction to improve our world.