Democracy as Horizon

Conjectural Argumentation and Public Reason Beyond the State

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Abstract: Alessandro Ferrara's conception of *Democratic Horizon* provides an innovative normative framework to address the challenge of hyperpluralism for an updated political liberalism. This project however, takes the fact of hyperpluralism as a given, disconnected from the global political context that leads to the emergence of this phenomenon. In particular, (1) the paper asks if liberal democracies have a duty to enlarge their polities through new constituent assembles and supranational organizations, or if accession of new polities should be conceived as a matter of national interest among interested parties. Paradoxically, (2) the paper defends the thesis that resort to conjectural argumentation that helps accommodate internal cultural diversity cannot justify supranational integration in normative terms or a transnational fusion of horizons. As an alternative, (3) the paper explores the notion of "conjectural space" for fair bargaining formation among interested parties. Additionally, (4) it also argues that the "ethos of openness" that supports the Democratic Horizon is unnecessarily constrained by a statist model of global governance. This model is still unjustifiably tied to the representation of national interests irrespective of population size or competing transnational interests.

[**Keywords:** Conjectural Argumentation, Bargaining, Supranational Organization, Hyperpluralism, International Legitimacy]

Introduction

Ferrara's *Democratic Horizon* (henceforth *DH*) is a political conception that mirrors and adapts the approach to peaceful coexistence in the international society and projects it into democratic communities. These contemporary polities however, are characterized by a degree of deep pluralism that defies containment within the canonical limits of Rawls's political liberalism.[1] This *DH* addresses this emerging hyperpluralism but does not question its roots and causes. The paper examines the validity and limits of Ferrara's conjectural approach for the creation of hyperpluralist communities through accession, and deep integration in international organizations.

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[1] A. Ferrara, *The Democratic Horizon: Hyperpluralism and the Renewal of Political Liberalism*, Cambridge, Cambridge University Press, 2014.

In particular, the paper focuses on the practice of conjectural argumentation as an auxiliary tool in this transition for the incorporation of outsiders and internal dissenters. This argumentative approach represents an interesting alternative to regimes of "liberal domination," where the hegemonic conception of secular toleration is imposed on incorporated minorities. There are however, some important questions regarding the incorporation of conjectural argumentation in an expanded conception of a *DH*.

On the one hand, this bold reconceptualization of political liberalism is presented as a response to the new scenarios of hyperpluralism that exceed the traditional conception of the liberal democratic polity. On the other hand, this deep pluralism is taken for granted, as "homegrown dissent." Regular migrants using official channels are supposed to "vote with their feet," so it is their duty to develop the cultural accommodations within the overlapping consensus. Subnational groups are the subject of a very sophisticated and differentiated literature of minority rights and multicultural citizenship. Who is then the new subject of conjectural argumentation? In my view, Ferrara's conception of a *DH* would benefit from some social theory explaining the process behind the emergence of this new hyperpluralism. My conjecture, if I may, is that this is better explained through a stronger connection with chapter seven ("Beyond the Nation: Governance and Deliberative Democracy"). In its internal architecture, it seems as if this reflection on global and transnational governance institutions is disconnected from the main proposal on multivariate democracies. This seems to me a missed opportunity to give the ethos of democratic openness the proper horizon for our global times. Additionally, connecting hyperpluralism with global governance provides an explanatory account of the evolving supranational framework of our political world and its effects on the increasing pluralization of national democracies; and adds a normative account of the terms of the incorporation into a shared institutional order. For instance, we need to specify if there is a universal imperative of integration based on the ethos of openness, or a duty of assistance to incorporate new members into the society of well-ordered peoples, or a pragmatic political agreement to join a cooperative enterprise, or accession terms based on mutual benefit.

Conversely, these functional supranational institutions and normative regimes also frame the terms in which the other is incorporated in the realm of public reason, and

the constitutive rules that apply in each case: Is she owed recognition as refugee, as guest-worker, as cooperative partner, as fellow European citizen, as co-national?

Conjecturing convergence

The standard mode of political justification of public authority in contexts of reasonable doctrinal pluralism is a common pool of shared, constitutive principles. This overlapping consensus is a weak form of agreement because the shared set of principles is not supported by the same reasons, premises and arguments. This reasonable consensus is affirmed by the right reasons, that is, they all belong to the same type of reasons –that is, the moral subset. In contrast to other cognitivist models of strong consensus, political liberalism gives up with the hope of reaching a single chain of arguments that could be affirmed univocally by all reasonable citizens. A public conception of justice is affirmed from different belief-systems that share a common core of principles. This common core is supported by all reasonable doctrines but it does not depend on any singular one for its validation. Therefore, it is perceived as consistent with any particular reasonable perspective while it is seen as an independent and freestanding conception from a general point of view.

Conjecture on the other hand, differs from public reason in that it does not start from supported premises. Here one party approaches the other from an alternative reconstruction of the other's belief-system but this new articulation is not supported by this external agent. The structure of the process can be summarized the following way:

(1) You believe in X, I believe in Y and we agree that X is incompatible with Y. (2) I do not believe in X but I believe that Xb is a reasonable interpretation of X that is compatible with Y. (3) I believe that it is consistent with X to support Xb and to embrace Y, although I do not believe in X or Xb.

This stage of deliberation does not occur within the boundaries of shared public reasons. It operates only within the grounds of a not-fully-reasonable comprehensive doctrine. The other party is addressed through the subset of familiar interpretations within the conceptual space of her belief-system. Therefore, this process takes place entirely in a domain of non-public reasons. The point of the exchange is, however, the incorporation of the outsider into the realm of reasonability that makes possible reciprocal and public

justification of public authority. As Rawls says, it strengthens the ideal of public reason although it is important to have in mind that conjecture itself is not public reason. It is an important accessory tool for the inclusion of the other in an institutional setting where disputes are to be resolved and political authority justified by appeal to shared political values that have priority over non-political doctrines.

The arrival to this convergence is a historical process of constitutional agreement through which citizens learn to modify their comprehensive doctrines in a way that is compatible with the priority of the impartial view of the shared political conception, and incorporate this primacy in their own views. This process of political decentering is not fully explained by Rawls. It is presented as an aspiration and a particular experience of historical learning of a transition from a *modus vivendi* of coexistence to the discovery of the moral value of a political regime of liberal toleration. The case for the Democratic Peace can also be read as the product of historical learning. According to this thesis, democratic citizens are fully aware that military conflicts are against their individual interests and the commercial and collaborative practices established across borders. Therefore, once they have learnt about the value of peaceful coexistence, they promote any political means of conflict resolution and leave military action as a desperate last resort. As a consequence, they learn to value truly representative regimes, institutional transparency and accountability.

Engaging in conjecture

The expectation of impartiality in a conjectural approach leads to two main difficulties regarding its legitimacy in practice. First, Rawls stipulates that the motives of the incorporation must be made explicit in order to avoid any manipulation, and this precondition seems to exclude non-moral reasons to engage into conjectural approach. Second, a belief-system may contain different subsets of plausible interpretations compatible with the conception of public reason. Each one has different integration costs for both parties. Favoring one over the others may reflect a selection bias and conflict with the impartiality of public reason.

In the Rawlsian model of political integration through affirmation of the political conception of justice, we only need one comprehensive doctrine to be true to grant that

all the overlapping rest converge on a right political conception of justice. But the problem with the selection bias is not whether the favored version adulterates the content of the resulting overlapping consensus (in a contextual, empirical reading). The problem is whether the selection influences a self-interpretation of the doctrine in terms more convenient to the adhesion process without due respect for the integrity of the belief-system.

Therefore, we have two interrelated problems. On the one hand, we need to establish what counts as a valid motive to seek the accommodation of an outsider within a shared regime. On the other hand, we need to determine what are the moral limits to the re-interpretation of a belief-system and what acceptable trade-offs between expediency and the integrity of a culture.

In the first case, the motivation for accommodating accession can spring from a duty of justice, from pragmatic considerations or from exploitative interests. If we examine the topic under the Rawlsian framework we find that Rawls explicitly forbids manipulative or strategic considerations from the conjectural approach.[2] Explicitly, in *The Law of Peoples* Rawls condemns intrusive or pressing conditionalities from liberal peoples and international organizations to promote liberalizing changes in decent but non liberal societies.[3] That would violate the value of liberal toleration towards others in foreign policy. There is however a deeper degree of engagement in the cases of burdened societies. This implies a commitment to institutional change in order to create the social conditions for political autonomy and self-government, which, in Rawls's view, relies on the domestic political culture. The motivation, however, is intrinsically moral, based on a duty of justice, the duty of assistance, the promotion of the value of political independence, and the goal of expanding the number of bona-fide candidates to join the society of well-ordered societies. These are all intrinsic goods. It may very well be that the promotion of these goals through the international community clashes with the short term commercial interests of some liberal nations that may prefer benevolent absolutisms or other totalitarian regimes as commercial partners. Liberal democracies however, have

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[2] J. Rawls, *The Law of Peoples with "The Idea of Public Reason Revisited"*, Cambridge, MA, Harvard University Press, 1999, p. 155-156.

[3] *Ibid*. p. 122-123.

the duty to point to conjectural reinterpretations of the other's political culture that are conducive to greater representativeness and political independence.

Conjecture, accession and transnational integration

One may consider that, if Rawlsian liberal internationalism defends a duty to engage in conjectural argumentation to provide assistance to reform foreign institutions and political culture, and if the conception of the *DH* promotes an ethos of openness regarding internal hyperpluralism, then liberal citizens should develop a positive disposition to accept foreign proposals of transnational integration, and to engage in conjectural argumentation to facilitate convergence.

In contrast, if the EU is a club with a sovereign right of admission and no duty to incorporate neighboring countries, then there is no need to discuss conjectural strategies to facilitate the accession of Islamist regimes that may differ regarding the Copenhagen criteria of democratic governance, free markets and human rights observance. Members may think that theirs is a private club and that internal regulations are non-public reasons for outsiders. Members may think that their duty to facilitate integration is limited to their already internal minorities and that the duty to engage in conjectural interpretations is justified by imperatives of political stability, promoting the transition from a *modus vivendi* acceptance to a fully moral integration.

Between these two poles, we can consider intermediate cases where the EU may have pragmatic reasons to extend membership to their neighbors. In fact, the European project is an example of normative transition from a common market and economic community to a more ambitious – and admittedly problematic, political project. Let's imagine that the EU needs to access a promising Turkish market and to attract its young and highly skilled workforce. This time Turkey is reluctant to accept the invitation because some EU regulations would conflict with the prevailing Islamist conception. The EU expert committee may suggest some Islamist democratic reforms that would be in line with the EU public reason. Even if the real motivation of the EU is manifest and sincere in its pragmatic interest, we may hold doubts regarding the reasonability of the accession.

The Rawlsian paradigm is at crossroads here. One the one hand we have to admit that here conjecture goes hand in hand with conditionality, and that even if the changes are accepted, the Turkish population would accept the European policies as a commercial partner, with a larger degree of disaffection and a growing sense of self-alienation. That would still count as accession for non-public reasons. On the other hand, we have to admit that this is frequently the engine that moves realistic utopias in history, as the European example testifies. Therefore, rational pragmatic reasons could open the way to reasonable transformations in the long run. Rawls faces the internal problem in his theory that, in order to keep the doctrine independent from comprehensive commitments, the process of arrival to a political overlapping consensus cannot be developed as part of the theory. The commitment to the fact of pluralisms means that every reasonable doctrine has to walk its own path, back and forth to the consensus. There is no single argumentative way to be replicated in all heads with identical results. We are left with the hope that a Hegelian *cunning of reason* could keep hand in hand rational interests and reasonable accommodations.

An additional problem that Rawls faces in these scenarios is that his model assumes an explicit circularity. The Overlapping Consensus is freestanding because it can be affirmed simultaneously and independently by all reasonable doctrines, while the doctrines that compromise the support of the public conception of justice had already been considered unreasonable and excluded from the process. In the case of the EU, for instance, the EU members themselves define the content of the very vague and general Copenhagen criteria. Who counts as a sufficiently democratic people is defined by a club of mostly Christian and secular western societies. Rawls himself assumes that liberal democratic societies depend on and reflect particular elements from their background culture. With these premises in mind, it is difficult to imagine that the political consensus would not carry some of these ethical particularities and that the criteria for normalizing accession would not replicate some of these particular histories. If we analyze again the hypothetical dialogue over the admission of Turkey through conjecture we may find that the accommodation of "Islamic democracy" depends in part on the interpretation of secular and Christian democracy, although the terms of accession are presented in a formally freestanding way.

A Habermasian reading of the process demands stronger conditions for consensus on all parties, through arguments that are equally compelling to all sides. The resulting conception is impartial but not freestanding in the Rawlsian way. In fact, the final product presents a heavier doctrinal commitment. On the other side, and contrary to Rawls, the conception is more flexible and reflexive, and more equally demanding on all parties. There is no a priori exclusion of unreasonable doctrines because there is no pre-judgment of the competence of the parties prior to the deliberative procedure. Linguistic competence itself is a presupposition of communicative rationality. This same rationality and the expectative of consensus through the force of the strongest argument suffice for the reflective determination of the democratic credentials of all parties. This means that conjecture may work both ways, because EU member states may realize that their democracies are very partial realizations of an ideal, that are exposed to Turkish criticisms, and that they should also reflexively revise their credentials.

Conjectural space

Following a Habermasian framework, however, we should exclude strategic approaches to accession. If with Rawls we had to rely on the cunning of reason to reconcile the realistic and utopian poles of the project, with Habermas we seem to admit an implicit duty of integration towards any interested party. However, the Habermasian approach does not always provide enough resources to bridge the gap between interested parties that lack enough common ground in shared values. For instance, the stark distinction between strategic and communicative reason constitutes a severe limitation in the complex scenarios of real world hyperpluralism. This deep reluctance towards the language of interests and bargain leads Habermas to dismiss the logic of *fair compromise formation* as a second best alternative to the demanding normativity of communicative reason.[4]

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[4] See for instance Habermas's discussion of Jon Elster's work on Constituent Assemblies in *Between Facts and Norms. Contributions to a Discourse Theory of Law and Democracy*, Cambridge, MA, MIT Press, 1998, pp. 165-168, 337-339.

Joseph Heath develops a very interesting criticism to Habermas, raising and exploring this particular line of reasoning.[5] In particular, Heath argues that Habermas fails to identify the normative grounds in the original rational choice project. In this reconstruction, bargaining can be added as a possible way to overcome scenarios where there is less than enough common ground for agreement. Importantly, Heath still differentiates between bargaining and strategic action, banning manipulative approaches that subsume other agents into a means-end relation, but accepting bargaining as a method to identify points of equilibrium and of justified satisfaction of individual expectancies where communicative deliberation failed to bridge intractable gaps in value and interest interpretation. The original conception of rational choice bargaining the Heath rescues is a normative one, which rests on some axiomatic characterization of the actors and their rule abiding behavior.[6] It is therefore a description of rational players that is operate in a frame of reasonability but that provides some rational fall-back rules in case of strategic breach of agreements.[7] This approach is interesting because it makes explicit that discourse modes like conjecture cannot be thought just as deliberative alternatives to bargaining. The resort to conjecture from interested parties may carry forms of strategic reasoning if the intentionality motivating the agreement is not made explicit, or if the intentional approach is limited to a single option within a larger set of candidates. Andrew March, for instance, clarifies that his approach to conjectural accommodation does not aim to demonstrate the correct solution to a doctrinal accommodation problem. He explicitly declares that his reconstructive project is limited to show that there are "plausible" alternatives that could satisfy both parties' standards.[8]

We should add that in order to satisfy the condition of sincerity, the approaching party should also reveal the full set of alternative interpretations that she thinks are compatible with the other's doctrine, even if some of them lead even further from the

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[5] J. Heath, *Communicative Action and Rational Choice*, Cambridge, MA, MIT Press, 2001, pp. 219-253.

[6] *Ibid*., pp. 248-249.

[7] "Furthermore, agents who disagree over which specific norm should regulate their interactions may nevertheless agree on a default norm that should apply in case they fail. In this case, the disagreement point is normatively fixed, and so would be insensitive to changes in the relative strength of the parties" (*Ibid*., p. 250).

[8] A. March, *Islam and Liberal Citizenship: The Search for an Overlapping Consensus*, Oxford, Oxford University Press, 2009, pp. 71-73.

point of agreement. This reconstructive exercise is also more consistent with the declaration that the approaching party still does not share or support the set of alternative interpretations. For instance, Ferrara presents different exercises of conjecture that illustrate how the approach could be developed when applied to different religious and cultural traditions. They, of course, are not presented as the only valid reconstruction, which leaves us with the difficult task of elaborating criteria for ranking alternatives.

Heath's critique makes sense in this case because it points out that conjecture in practice could be closer to strategic reasoning than bargaining. If negotiations could be translated into bargaining terms where motivations and benefits for both parties are fully disclosed (sincerity rule) and agreements are being represented as points of multiple equilibria, then we could find a *modus vivendi* on a higher moral ground. Therefore, I think that to avoid illegitimate persuasive and rhetorical intentions we should avoid talking about "conjectural argumentation" and instead of "conjectural space". By conjectural space, I understand the conceptual space internal to a doctrine that allows alternative interpretations of its own value constellation, in different degrees of proximity to the ideal of public reason affirmed by the approaching party.

Conjecture and representation

The definition of a conjectural space for integration leads us to two related problems. First, we need to determine how to assess the degree of legitimacy and support of different value-constellations in a single conjectural space. Outsiders rarely have the epistemic authority to determine the degree of congruence and fidelity that divergent traditions have, or even if there is a factual divorce between orthodoxy and popular belief and practice.[9] This is the very question that Seyla Benhabib examines in her defense of a human right to democracy.[10] Benhabib discusses this question in relation to the proposals for minimalism about human rights and their translation into local membership rights.

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[9] M. Schwartzman, "The Ethics of Reasoning from Conjecture", *Journal of Moral Philosophy*, 9 (2012), 4, pp. 521-544. Notice that March analysis is focused in the case of the Islamic community and its concrete doctrinal and textualist traditions. The view that I defend assumes the individual right to re-appropriate the tradition and privileges and privileges the final view of the individual over other expert bodies in the discursive community. See A. March, *Islam and Liberal Citizenship*, cit., pp. 73-74.

[10] S. Benhabib, "Is there a Human Right to Democracy? Beyond Interventionism and Indifference", in his *Dignity in Adversity. Human Rights in Troubled Times*, Cambridge, Polity Press, 2011.

Objectors to a human right to democracy argue that this would be a maximalist standard that would violate the integrity of many cultural traditions that are decent enough to be protected from external disruptive demands. Minimalism about human rights defends that many normative traditions content meaningful cultural resources that express ideals of respect and recognition to basic demands from their members. Therefore, external pressure should be limited to promote the kind of "creative adaptations" necessary to secure that the basic interests of all individuals are taken into account, even if not all members are given equal consideration. The language of conjectural argumentation may overlap with this recourse to cultural "creative adaptations" when the ideal of public reason comprises human rights standards. But lacking any internal assessment and validation, we do not have any guarantee of the legitimacy of all the different adaptations of a basic list of human rights. The only way to validate that a range of creative adaptations is consistent with the ideal of basic respect to all members of the political community is through an entitlement to equal political participation in the contextual elaboration of the list. Therefore, understood as democratic iterations, the concept of human rights becomes a local realization of a moral principle.

Lacking proper democratic representation or legitimate consultation, we cannot estimate the legitimacy or support of the different alternatives within the conjectural space. Additionally, even when we have a reliable estimation of popular support we would also need a criterion to establish our preferences regarding the range of conjectural alternatives. At this point is where conjectural deliberation should prevent illegitimate selection bias. For instance, let's imagine that we are discussing the accession of a Confucian society, with a firm traditional adhesion to communal values and responsibilities and a paternalistic and meritocratic political system.

Jiang Qing's *Confucian Constitutionalism* promotes the rule of law against the unchecked and arbitrary abuses of a single party system.[11] This reform proposal combines three deliberative chambers that represent the *demos* (House of the People), the national peoples (House of the Nation), and a senate of Confucian and other recognized scholars (House of the Scholars). The system is designed to guarantee stability and continuity with

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[11] J. Qing, *A Confucian Constitutional Order. How China's Ancient Past Can Shape Its Political Future*, Princeton, Princeton University Press, 2013.

the ideal of a historical civilization through time. It emphasizes the value of harmony through a dialogue between popular demands, recognition of internal diversity, and unity through the reinterpretation of a traditional and comprehensive system of values. In certain way, this reform tracks the British system, with a Parliament elected by universal suffrage, an hereditary chamber rooted in the different cultural belongings, and a symbolic monarchy that in this case emerges from a senate of spiritual leaders and that embodies the Confucian spirit.

Joseph Chan reconstructs a conception of *Confucian Political Perfectionism* that presents Confucianism as a form of moderate perfectionism.[12] In this proposal the purpose of the political system is not to implement a comprehensive doctrine but to create the institutional environment in which the specific goods and values that constitute the Confucian view of the good life (Dao) can be facilitated and promoted so all citizens can incorporate them in their different comprehensive views. Confucian perfectionist judgments about the good life are presented as independent and multipurpose primary goods (arts, knowledge, family life, social relationships; and virtues like benevolence, courage and practical wisdom), and the liberal democratic system as the best instrumental regime in non-ideal conditions for the meritocratic selection of public authorities. Chan nevertheless supplements these liberal democratic institutions with a second chamber, a senate of non-elected exemplary civil servants that monitors the ethos of public service of elected politicians. He however admits that the language of human rights and claim-rights in general needs to be limited to some basic civil and political rights, more explicitly, those necessary to point to situations of insufficient public concern.

Sungmoon Kim, for instance, defends the compatibility of democracy and Confucian culture.[13] *Confucian Democracy* is deeply embedded in the background culture and this in turn generates a particular Confucian public reason, articulated in the arguments and values expressed by ordinary citizens when discussing political issues. This variety of public reason also motivates citizens to extend the affective familial moral

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[12] J. Chan, *Confucian Perfectionism: A Political Philosophy for Modern Times*, Princeton, Princeton University Press, 2013.

[13] S. Kim, *Confucian Democracy in East Asia. Theory and Practice*, Cambridge, Cambridge University Press, 2014.

sentimentalist of Confucian citizens to a receptive attitude towards the plight of minorities in an increasingly pluralistic society.

We have three candidates in the Confucian conjectural space. One possible transformation would emphasize the constitutionalization of the political system. A second alternative would adopt most of the institutions of the liberal democratic state as instrumental means for the provision of Confucian goods without an official comprehensive doctrine. A third alternative would strengthen the role of a vibrant Confucian background culture and an active civil society that would substantiate its values through a democratic state. The initiating party should make explicit not only its intention but also the reasons to favor one option over the others *as* bona-fide neighbor, cooperative party, etc. Some of the options may be more consistent with the political expression of their social and cultural creativity while other would facilitate an easier international integration.

When the terms of integration in the global order are conditioned on conjectural interpretations, only some degree of democratic ratification can protect the population from internal self-alienation.

A horizon of global governance

Ferrara's discussion of global governance focuses on justifying its legitimacy through the lenses of deliberative democracy. In contrast to democratic government, a regime of institutional governance does not rely on a legitimate account of coercive power. Governance institutions lack strong enforcing capabilities and therefore depend on reaching wider consensus through more persuasive reasons. Functional global and transnational institutions play an important role in providing the kinds of goods and services that no single actor could achieve on its own in comparable conditions. Their place in the global architecture is justified through expert knowledge and technical reasons that optimize common goals. It is therefore a common criticism to identify global governance institutions with the rise of technocratic structures that exhibit a democratic deficit and lack proper political legitimacy. It is experts who are the authors of the rules and not the citizens that are subjected to them. According to Ferrara, a conception of deliberative democracy helps us understand that this is a category mistake. When we

project the standards of authorial legitimacy to complex and partial coordinating institutions we are replicating the same argument that questions the legitimacy of modern representative democracies in comparison to Athenian direct participation. The transnational coordinating agency lacks any monopoly of coercive power, instead it only retains the monopoly of attribution of legitimacy to the actions of the coordinated actors, backed by the consensual agreement of the parties. In Ferrara's view, the perception of a deficit in legitimacy is produced by the projection of a statist standard that is inadequate for the nature of the political entity at hand. In contrast, a system of global non-coercive governance, supplemented with strengthened accountability and solid consensus about constitutional essentials, may produce richer democratic conditions at all levels.[14] In my view, this deliberative account of global governance is still unnecessarily conservative. We could say that it betrays the innovative ethos of openness of the *DH* because, at the end, it justifies the global regime in functional terms relative to domestic conditions. The standard of legitimacy is still a statist one, although merely supplemented by an institutional environment that provides better enabling conditions. As presented, global governance is a part of the constitutive framework of state government. One may argue that this account replicates the same category mistake that fails to capture the very distinctive nature of the emerging global order in its own terms.

What is problematic in the emerging order is that even if the growing constellation of functional transnational organizations embed human rights standards in their mandate or implement greater accountability, these are still very specific and partial areas of regulation. We still lack an overarching deliberative space in which the competing partial discourses can be reinterpreted and prioritized according to a view that is coextensive to the scope of the *demos* subjected to its regulatory power, and which exceeds the national terms of representation.

The conception of a state-based *DH* is a remarkable reformulation of the ideal of political liberalism before the challenge of a growing hyperplurality. Unfortunately, it does not adequately address the sources of this emerging problem in the current conditions of our global institutional order. A more realistic understanding of the *DH*

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[14] A. Ferrara, *The Democratic Horizon*, cit., ch. 7.

would connect the main sources of hyperpluralism in democratic communities with a foreign origin, through porous borders, supranational integration, accession, etc. This larger institutional horizon helps explain the conditions of wealth inequality, health inequity, migration flows, persistent poverty, religious persecution, child labor, environmental degradation, and human rights violation that drive the pluralization of modern democracies. Conversely, the deeply asymmetric terms in which different peoples are integrated in the institutions of global governance also determine the categories in which hyperplurality is recognized in our *DH*s.

Conclusion

The paper defends the need to connect the problem of hyperpluralism in multivariate democracies with the larger horizon of global governance. Conjectural argumentation emerges as a promising resource for the incorporation, integration and accession of different peoples into shared orders of public reason. The paper argues however, that the conjectural approach implies an asymmetrically situated intentional actor that operates against a larger background of conjectural alternatives. Therefore, proper respect to the agency and integrity of the approached party demands the articulation of guarantees that the selected cultural reinterpretation is sufficiently representative; and that the pragmatic balance of interest in play have been made explicit in the conjectural space. In the first case, we defend de compatibility of the conjectural approach with a defense of a human right to democracy that grants the participation of the affected parties in their collective self-understanding. In the second case, we defend the rehabilitation of normative bargaining as a more realistic approach to processes of integration among interested parties. This approach is especially relevant to make sense of the balance of cooperative reasons in our global system, where a party joins an order of public reason under some specific terms: as a cooperative partner, as the subject of human rights, as an equal citizen, etc. Therefore, the paper stresses the need to connect this external dimension of global governance within a more tightly unified and open conception of the *DH*.

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