THE POLITICAL MIND
(PROBLEMS OF DELIBERATIVE DEMOCRACY)

BAKALÁRSKA PRÁCA

BRATISLAVA, 2010   Martin Semrič

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DECLARATION OF ORIGIN

I, the undersigned, Martin Semrič, hereby declare that I have produced this thesis on my own, using sources listed in "References", under the guidance of my thesis advisor Ing. Egon Gál, CSc.

Martin Semrič *(signature):*

Date of Birth: ***13. February 1989***

Address: ***Partizánska 1281/13***

01841 Dubnica nad Váhom

In Bratislava, Date:

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ABSTRAKT

Name: **Martin Semrič, Bratislava International School of Liberal Arts**

Advisor: **Ing. Egon Gál, CSc.**

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V predloženej bakalárskej práci rozoberám hlavný problém, iracionalitu ľudského konania, v dimenzii spoločenskej kooperácie a participácii ľudí v politickom dianí. Sekundárne politické teórie deliberatívnej demokracie a libertariánskeho paternalizmu majú na hlavný problém rozdielny názor a cieľom mojej práce je nájsť spoločné črty oboch na prvý pohľad nezlučiteľných teórií, podrobiť kritike ich teoretický rámec a nájsť ich možné uplatnenie na príklade slovenskej politickej kultúry.

Zámerom mojej práce je vytvoriť východisko pre ďalšie skúmanie politickej kultúry cez výsledky kognitívnej vedy, využiť poznatky o štruktúre a fungovaní ľudského mozgu v rámci sociálnych vied a tak nájsť v stále sa rozrastajúcom poli sekundárnych politických teórií tie, ktoré najviac zodpovedajú skutočnému zloženiu spoločnosti a spoločenských vzťahov, ktoré ju formujú.

ABSTRACT

Name: **Martin Semrič, Bratislava International School of Liberal Arts**

Advisor: **Ing. Egon Gál, CSc.**

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The presented thesis discusses the key problem, irrational human activity, in the social dimension of cooperation and participation of people in politics. The secondary political theories of deliberative democracy and libertarian paternalism differ in their opinion about the key problem. The aim of this work is to identify the common features of both *prima facie* incompatible theories, subject their theoretical framework to criticism and to find their possible application within the context of the Slovak political culture.

This thesis seeks to establish a starting point for further exploration of political culture through the results of cognitive science, to utilize the knowledge of the structure and functioning of human brain in the social sciences and to find such political theories that best correspond to the actual composition of society and social relations which it formed in the ever-expanding pool of secondary political theories.

FOREWORD

My Bachelor Thesis is a product of long-lasting research which started years ago when I experienced the role of emotion in my personal and social life. In 1998 I was forced to attend a political meeting of Vladimír Mečiar's former party as a member of a children folklore ensemble. Even in my young age, I was wondering why people are behaving like fools, waiting in a queue for free lunch and beer.

For years after that, teachers at school tried to persuade me that humans are rational and that social life resembles the economic relationship and politicians are chosen after long calculations of the electorate. After I almost resigned from my opinion, I encountered Ing. Egon Gál, CSc., his course on social thought and the book by Dan Ariely *Predictably Irrational.* After reading this book I designed all my research to search for connections between our inner emotional life and our social life within a community of people, similar to us, behaving predictably irrational.

The title of my thesis is inspired by a book of Drew Westen: *The Political Brain*, where the author examines the connection between the architecture of our brain and the architecture of our political decisions.

TABLE OF CONTENTS

INTRODUCTION

In my Bachelor Thesis I am trying to find common patterns in the social and political action of people and the role of emotions and cognitive abilities and settings of a human brain which are affecting our lives and everyday decisions. I found this topic very interesting because of the lack of information in this field especially in the Slovak society. I consider my Bachelor Thesis to serve as a good first step towards my future research in the field of cognitive science within politics.

In the first chapter, I explain the theory of deliberative democracy and in the following chapters I am exploring the ability of humans to fairly deliberate. I describe the main rival of the deliberative democracy in the field of secondary political theories – the libertarian paternalism. In the last chapter, I put forth the example of Slovak political culture and the ability of both political theories to be fitted into the real life of post-communist democratic society.

As the main sources of information I have used the book of Amy Gutmann & Dennis Thompson: *Why Deliberative Democracy* and the book of Richard Thaler and Cass Sunstein: *Nudge*. Both of these books provide sufficient background of information for further research in my topic about the ir/rationality of human behavior.

I tend towards the use of the phrase *human being/s* over *people* to emphasize the "humanness" – the irrationality of human behavior – but at the same time, I want to avoid the bad connotation of being human – meaning behaving foolishly.

CHAPTER 1: <u>DELIBERATIVE DEMOCRACY</u>

Throughout time, the history of democracy has proved an ever-changing struggle and a difficult matter to define. However, taking into account all information, political scientists have resolved this matter.

From classical democrats to liberals, political engagement is prized because it generates a concern with collective problems, fosters a sense of political efficacy and forms a citizenry capable of pursuing the common good. As David Held in his *Models of Democracy* has stated: "democracy is the unfolding of civic virtue and the democratic polity is the means to self-fulfillment" (2007, p.231). Against this understanding, there are those who consider democracy as a means not an end. Democracy should protect the liberty of citizens and maintain the minimum public goods as the rule of law, security, social safety net, to provide framework for citizens self-chosen ends and objectives.

None of the typical models of democracy left much room for new and innovative thinking about democracy. According to D. Held (2007) they appear to cover the spectrum of possible political spaces along two dimensions. "The extension of political equality and citizenship to all adults, and the deepening of the scope of democracy to cover economic, social and cultural affairs" (p. 232).

Presently citizens are less interested in political affairs and participation in the elections is going down. Even if citizens are sufficiently informed about the politics a vast number of electorates are losing contact with representatives and instead of paying attention to the political affairs, citizens are more interested in the politicians and their personal life rather than what is important, causing apathy within the community. Taking into consideration these circumstances a new functioning model of democracy needs to be developed by representatives in order to evolve to the 21st century.

One such model which emerged in the past twenty years or so was "Deliberative Democracy". This term was introduced by in 1980 (Bessette, 1997). In order to fully understand the concept and the innovations which deliberation delivers we need to define the concept of it. Deliberative Democracy is based on the process of deliberation. "Deliberation is an approach to decision-making in which citizens consider relevant facts from multiple points of view, converse with one another to think critically about options before them and enlarge their perspectives, opinions, and understandings" (Torres, 2006).

"Deliberative democracy strengthens citizen voices in governance by including people of all races, classes, ages and geographies in deliberations that directly affect public decisions" (Torres, 2006). As a result of deliberation, citizens are involved directly in the policy making and can see the effects of their influence on decisions that impact directly on their daily lives and their future.

At the beginning of the 21st Century, it seems that the traditionally distant relationship between citizens and government is inadequate for solving public problems. Civil society is recognizing that the usual frames for decision-making often waste public resources and create conflicts which are barriers for the evolution of lively open society. Experts are in search for a method to help citizens and governments work together more effectively. It seems that Deliberative Democracy is a remedy for representative democracy; deliberation can be a new renewable source of legitimacy for politics. But is Deliberative Democracy just the new sight on representative democracy or is it with its plans of building new political infrastructure and institutions a completely new model of Democracy? Is Deliberative Democracy more defensible than other rivals on the market of Democracies? While describing the contemporary movements, theory and practice in the Deliberative Democracy I will be searching for the answers on the key question of modern political theorists; Is/(Will be) Deliberative democracy the right and only theory for the 21st century?

Characteristics

Fundamentally, deliberative democracy affirms the need to justify decisions made by citizens and their representatives. In practice, it means that leaders should give reasons for their decisions and then respond to the feedback that citizens give in return. The _reason giving_ then is the first and the most important characteristic of the Deliberative Democracy. "The reasons that deliberative democracy asks citizens and their representatives to give should appeal to principles that individuals who are trying to find fair terms of cooperation can not reject" (Gutmann & Thompson, 2004, p.5). The moral basis of this process is common to the conception of democracy in general; persons should be not treated as passive subjects to be ruled, but as autonomous individuals taking part in the governance directly or through their representatives. In the Deliberative Democracy the emphasis is put on the justification of laws under which they must live together. The reasons are meant both to produce a justifiable decision and to express the value of mutual respect. When a primary reason of government turns out to be false not only the governments justification is called into question, so also its respect for citizens.

The second characteristic of Deliberative Democracy is that the reasons given in the process of deliberation should be _accessible_ to all citizens they are addressed. "To justify imposing their will on you, your fellow citizens must give reasons that are comprehensible to you" (Gutmann & Thompson, 2004, p.7). If we then seek to impose our will on our fellow citizens, we owe them no less. This form of reciprocity needs two ways of "public" attributes of deliberation. It needs to take place in public, not in the privacy of individual's mind and the content of deliberation also needs to be public. The justification can not even start if those to whom is addressed can not understand its essential content. At some times government needs to rely on confidential data and citizens can not be able at that time to assess the validity of it, but it does not violate the requirement of accessibility if good reasons can be given for the secrecy and if the

opportunities for challenging the evidence later are provided[1] (Gutmann & Thompson, 2004).

The third characteristic of deliberative democracy is where the process aims to produce a decision which will be *binding* for some period of time. The deliberation is not only a debate for debate's sake, but it is looking for outcomes which will provide certain definitive decisions and how deliberation can influence the decisions the government make. Deliberation can cease at some point temporarily, and commences when an initial result can be found which looks for other justifications.

The flow of debate illustrates a fourth characteristic of deliberative democracy; that its process is *dynamic*. Even if deliberation is looking for justification, it does not presuppose that the decision will be justified or that the justification will be sufficient for the future. Deliberative democracy keeps open the possibility of continuing change, where citizens can criticize previous decisions and move ahead on the basis of criticism (Gutmann & Thompson, 2004). This characteristic is questionable and often neglected even by the proponents of deliberation, because even if we can not be sure that the decisions we make today will be correct tomorrow we can not question and deliberate about basic assumptions such as slavery, every generation. "But the justification for regarding such reasons as settled is that they have met the deliberative changes in the past, and there is no reason to believe that they could not do so today" (Gutmann & Thompson, 2004, p.11).

A significant conclusion which can be made from the characteristics of deliberative democracy is the principle of *the economy of moral disagreement*. "By giving reasons for their decisions, citizens and their representatives should try to find justifications that minimize their differences with their opponents" (Gutmann & Thompson, 2004, p.20). How people deal with disagreement is a question for a wide range of social sciences, not just the theory of democracy.

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[1] As example can be the preemptive attack of U.S. on Iraq for the search of the Weapons of mass destruction that actually were not found. Additional information in *Iraq and WMD (2002)*

Deliberative democracy works by appointing mutual respect as its core and the practice of the economy of moral disagreement promotes its value. This in turn does not mean that the proponents of deliberative democracy wish to achieve an agreement at all costs, rather that citizens are able to deliberate freely to find common ground and principles, on which they can build an agreement.

In combining the four characteristics, we can define deliberative democracy as a "form of government in which free and equal citizens (and their representatives) justify decisions in a process in which they give one another reasons that are mutually acceptable and generally accessible, with the aim of reaching conclusions that are binding in the present on all citizens but open to challenges in the future" (Gutmann & Thompson, 2004, p.24).

Objections

Deliberative democrats in themselves interpret the theory of deliberative democracy with contrasting views, some of which are status of principle, value and aim.

An area of conflict which has divided deliberative democracy concerns the status of the principles of the theory: I.e. should they be procedural or substantive? The proponents of proceduralism argue that the principles of deliberation should not prescribe the substance of the laws, only the procedures by which laws are made and the conditions for the procedures to work fairly. Democratic theory thus should not include principles such as individual liberty because they are not necessary to ensure a fair democratic process. On the other hand the "substantivist" point out that the procedures can produce unjust outcomes. E.g. majority law-discrimination against minorities. According to the deliberative democracy, procedural and substantive principles should both be systematically open to revision in an ongoing process of moral and political deliberation.

The provisional status of all principles thus constitutes a distinctive strength of deliberative theory and at the same time offers deliberative democrats an effective way of uniting various principles into a coherent theory. However one of the questions can not be solved as easily. Should deliberative democracy aim at achieving consensus through realizing the common good or through seeking the fairest terms of living with a incompliant pluralism?

The deliberative democrats who identify more with "communitarianism" [2]are seeking for a common good that goes beyond agreements on basic principles, because it fulfills the moral promise of deliberative democracy a form of cooperation that all citizens could accept despite their differences. The liberal ones, on the other hand, argue that it is desirable to try to live respectfully with moral disagreements.

For the consensus democrats a thin conception of the common good, acceptable by both groups(fair terms of cooperation among free and equal persons) produces passive citizens, who are only consumers of material commodities, rather than producers of public goods. Pluralists respond that a democracy which seeks a comprehensive good threatens to become tyrannical. Summing up that if moral differences are already so deeply imbedded they can be eliminated only by repression.

When a resolution can not be achieved, where there is a conflict between views, none of which can be reasonably rejected; citizens can not act rationally as deliberative democracy presupposes them to act like. The pluralist solution, which implores that a democracy can govern itself effectively and prosper morally if its citizens seek to clarify and narrow their deliberative disagreements, without giving up their core moral commitments, is a more realistic pursuit for the common good.

John Rawls, as the proponent of the Deliberative Democracy in its substantive way, considers it as a political conception. This term has a narrower range in comparison with comprehensive doctrines, either religious or secular. As John Rawls stated in the

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[2] More information about the various branches about the thick/thin common good can be found at
Stanford Encyclopedia of Philosophy under Communitarianism

interview for the Commonweal Magazine: "It just applies to the basic structure of a society, its institutions, constitutional essentials, matters of basic justice and property" (Prusak, 1998, p.13). Rawls further argues how the Deliberative Democracy perfectly fits into many different comprehensive doctrines. On the particular example of the physician-assisted suicide (euthanasia) argues that people have different ways of understanding suffering and that, in a constitutional democracy, no philosophical or religious authority should be able to say how a person should live his or her last days. The problem of physician-assisted suicide is surely based on moral cleavage and can seem to be insolvable while some can look at the basic constitutional rights people might agree that "one has the right to the physician-assisted suicide, even if they're not themselves going to exercise it" (Prusak, 1998, p.13).

A counterargument to that view can be purely deliberative. The Supreme Court should not, at this stage, take sides neither way of banning or allowing the physician-assisted suicide. "It should say it's being discussed, it may be tried in the states, different states can take different views, and we ought not to preempt the constitutional question when we don't have to." (Prusak, 1998, p.14)

The idea of public reason, reached by deliberation, has to do with how questions should be decided, but it doesn't tell you what the good reasons or correct decisions are. Both arguments are political, but the second one is based on the nature of courts: they're not good at philosophical arguments, they ought not try to get engaged in them, they ought to go by lower-level, less-broad decisions if possible. Otherwise, the Court opens itself to very great controversy (Prusak, 1998).

The argument of Rawls continued, what's important during deliberation is that people give the kinds of reasons that can be "understood and appraised apart" from their particular comprehensive doctrines: for example, that they argue against physician-assisted suicide not just by speculating about God's wrath or the afterlife, but by talking about what they see as assisted suicide's potential injustices. The idea of public reason isn't about the right answers to all these questions, but about the kinds of

reasons that they ought to be answered by (Prusak, 1998). Even though was Rawls confident about his view on euthanasia, he have seen the strength of the counterargument and realized it can not be solved fairly by acceptance of the conception of either of sides. By allowing the court to debate further and by providing sufficient information, and framework for deliberation to the public, it is possible to see how deliberative democracy can help to avoid an unfair judgement.

It seems that Deliberative Democracy even with its sophisticated methods of deliberation can not resolve the moral conflicts in society which brings to mind another question; how democratic deliberation is?

The roots of deliberative democracy can be found in the 5.century Athens. But the Athenian democracy was quite different from ours. Only a small portion of the residents counted as citizens and could be involved in the process of deliberation, whereas the others were slaves. "Aristotle saw the virtues of deliberation by the many, he preferred aristocracy, wherein the deliberators would be more competent and the deliberation more refined" (Gutmann & Thompson, 2004, p.27). The legacy of deliberation has included the bad connotation of elitism in itself. However, "deliberation is now happily married to democracy, the bond that holds the partners together is not pure proceduralism" (Gutmann & Thompson, 2004, p.27). What makes Deliberative Democracy democratic is an expansive definition of who is included in the process of deliberation, who has the power in his hands, who chooses deliberators an who deliberates at all.

However this can not be considered as a proof of democratic deliberation. It does not suffice to simply show that deliberative democracy has overcome its elitist origins. "Deliberative democracy is excluding some people not by legal or formal restrictions as early deliberative politics did, but by informal norms defining what counts as proper deliberation" (Gutmann & Thompson, 2004, p.28).

Purposes of Deliberative Democracy

The general aim of Deliberative Democracy is to "provide the most justifiable conception for dealing with moral disagreement in politics" (Torres, 2006). It serves four related purposes:

1. The first is to promote the *legitimacy of collective decisions* when there is a lack of public resources. This makes hard choices in politics more acceptable in public even to those who receive less than they deserve, if everyone's claims have been considered on the merits, rather than on the basis of party's power of bargain.

2. The second purpose is to encourage *altruism* in public issues. Citizens are often not interested in putting money into public policy and the deliberation responds to the limited generosity by providing a broader perspective in questions of common interest.

3. The third purpose of deliberation is to provide *mutual respect* in decision making. Another moral disagreement is the incompatible moral values background and even fully altruistic human beings would not be able "to reconcile some moral conflicts beyond a reasonable doubt." Deliberation can not make incompatible values compatible, but it can "help to find the moral merit in their opponents claims, when they have one." Deliberation can help to distinguish between disagreements which arise from incompatible values and from those ones which can be resolvable more than they first appear.

4. The fourth source of moral disagreement is *incomplete understanding* of the problem. Deliberative Democracy is trying to eliminate mistakes that occurred in the process of deliberation. Through the argumentation in a deliberative forum participants learn from each other, recognizing its individual and collective misapprehensions and through the critical thinking can "develop new, fixed, well-argued policies including both their self-understanding and their collective understanding of what will best serve their fellow citizens" (Gutmann & Thompson, 2004).

Some deliberative democrats want deliberation to expand more generally into all ranges of politics. They believe that a number of the institutions of civil society as well as those of government should be more deliberative and that deliberation should have "a more prominent role in international politics" (Gutmann & Thompson, 2004, p.30).

Taking into consideration that the majority of citizens live most of their lives outside the conventional politics, deliberative democrats are seeking for a new hierarchy of the civil society which can enable to equip citizens to deliberate in politics. "Because deliberative politics works best when citizens do not experience it as an alien activity, some substantial continuity between everyday and political life is desirable" (Gutmann & Thompson, 2004, p.35). The media teach consumerism more than deliberation, so to be successful, the deliberation needs to be promoted at schools.

The ethical argument for limiting deliberative democracy to particular national states may be correct for a wide range of domestic decisions (taxation, welfare, education) but it loses ground on policies on war, migration, trade, economic development, environmental policies. Although deliberation provides justification to the people bound by decisions, the citizens of foreign countries are no less affected by the consequences of such a decision.

According to the theorists of the Deliberative Democracy it is necessary not to think only about the contexts in which people form their views and test opinions, but also about the institutions and mechanisms that operate in democracies. The debate needs to shift from the macro-political institutions to an examination of the diverse contexts of civil society where deliberation is in progress.

The leaders who are launching these civic experiments are extremely diverse and largely disconnected from one another: they include mayors and city managers, school administrators, neighborhood activists, state and federal officials, and community organizers. They are focused mainly on involving citizens in a particular issue or decision. A field of practitioners and researchers has formed to encourage, examine,

and support deliberation. They include public engagement consultants, dialogue specialists, conflict resolution practitioners, and academics from a wide range of disciplines. Until recently, the civic researchers and practitioners were segregated by their professional backgrounds and their attachments to particular models for deliberation (Torres, 2006).

Overall, the people who are pioneering deliberative democracy are isolated from one another geographically and professionally, making it difficult for them to learn from each other or feel like they are part of a larger change. There is a growing inventory of methods to bring the public into decision-making processes at all levels around the world (Thompson, 1996).

"Working in groups as small as ten or twelve to larger groups of 3,000 or more, deliberative democracy simply requires that representative groups of ordinary citizens have access to balanced and accurate information, sufficient time to explore the intricacies of issues through discussion, and their conclusions are connected to the governing process" (Torres, 2006).

Most of the criticism against Deliberative Democracy applies against all of its versions and some of the critics challenge the fundamental aim "of justifying laws on the basis of principles that citizens who are trying to find fair terms of cooperation can reasonably accept" (Gutmann & Thompson, 2004, p.95).

Within the scope of my paper I will not address the objections against the fundamental principles of deliberative democracy, nor the principles of justice, fairness or political power and the roots of its legitimacy. Rather I will endevour to discuss the efficiency of deliberative democracy taking into account the process of deliberation and the deliberators themselves.

The conditions of actual democratic politics fall short of the standards of equal citizenship and under current setting of civil society the fair and effective deliberation

is nothing more than a wish of deliberative democrats. "When power is distributed unequally and when money substantially affects who has access to the deliberative forum, the results of deliberation in practice are likely to reflect these inequalities and therefore lead, in many cases, to unjust outcomes" (Gutmann & Thompson, 2004, p.48). Deliberative democracy has problems with marginalized groups, because their capacity for deliberation both as participants and as spectators is desperately low". Another problem with deliberation emerges when deliberative democracy opens all principles and practices to challenge on moral terms, it appears to undermine political stability" (Gutmann & Thompson, 2004, p.53). Hidden cleavages in the political culture can be invincible obstacle for deliberation itself.

Due to the Deliberative Democracy approach to leave open possibilities of moral values expressed by a wide range of theories and by considering human beings as always rationally acting is more harmful for the first order theories, which object against the unsolved moral conflicts (utilitarianism, liberal egalitarianism and communitarianism) The means of ongoing challenge to its own principles of Deliberative Democracy makes it unique in the field of political theories.

The following chapters will describe whether deliberative democracy is as efficient as it is open. This will be done by drawing attention to the second order theories, these of which refer to the first order principles without affirming or denying their ultimate validity while also describing deliberative democracy's most powerful opponent, libertarian paternalism.

How far and to what extent deliberative democracy is understood as a new innovative model of democracy, or a change to the way representative democracy is understood and can function, is a question for further debate (Held, 2007, p.255).

CHAPTER 2: <u>A PICTURE OF HUMAN FALLIBILITY</u>

Normally the human mind works remarkably well. We can recognize people we have not seen for years, run down the stairs without falling, understand the norms and other complexities of our native language. Some human beings can speak ten languages, improve the most complex computers, or create the theory of relativity. However, even Albert Einstein would probably be fooled by a kind of optical illusion (Sunstein & Thaler, 2009). This does not mean that something is wrong with us humans, or our eyesight. It only reveals how "the understanding of human behavior can be improved by appreciating how people systematically go wrong" (Sunstein & Thaler, 2009, p.21). Knowing some facts about our visual system enables us to draw something which will lead our minds astray and also enables others to discover hidden biases caused by the complexity of our cognitive system.

While realizing that people can be at one moment so smart and simultaneously so dumb we humans tend to look for ambiguity in the base of our cognitive system. Many psychologists have been on the search for a description of the brain's functioning that helps us make sense of these seeming contradictions. "The approach involves a distinction between two kinds of thinking, one that is intuitive and automatic, and another that is reflective and rational" (Chaiken & Trope, 1999, p.273).

The automatic system, in psychology referred to as System I., is instinctive, fast and it not requires what we usually associate with word "thinking". The automatic system is uncontrolled, rapid, effortless, associative, unconscious and skilled. If we get nervous when a plane hits turbulence, blink with eyes when scared, or smile while watching a baby, our brain is under control of the automatic system.

On the other hand, the reflective system (System II.) is more self-conscious. When writing the text of the paper, we use mostly the reflective system (while formatting text, certainly not) or while choosing which University to pick. System II is controlled,

slow, effortful, deductive, self-aware and rule-following scaffold for our thoughts (Sunstein & Thaler, 2009, p.22).

We are using the automatic system when speaking our native language and the reflective while struggling to speak in other language. People are truly bilingual only after being so familiar with the structure, rules and vocabulary that their brain switches to the automatic system. In another example, automatic system starts with no idea, how to play golf or violin but it can be trained by countless hours of practice and even the professional players are familiar with the trap of "thinking too much" and might well do better to "just do it". One reason why young people are such a risky drivers is fact that their automatic system have not had much practice and use of the reflective system is significantly slower. As Nobel Prize Laureate Daniel Kahneman stated: "Mind is a system of jumps to conclusions" (Kreisler, 2007). However, people often jump to wrong conclusions and make errors of intuitive thinking that have characteristic of illusions. Kahneman later added: "Probability does not matter as much … The more emotional the event, the less sensible people are" (Kreisler, 2007). One of the attributes that are constantly being evaluated by the Automatic system is the emotional significance of events. Voters are brilliant example of emotionally driven evaluation. Even in the highly reflective process of choosing leaders for the country, citizens rely primarily on their Automatic system. A candidate who makes a bad first impression, or who tries to win votes by complex arguments may run into trouble[3] (Sunstein & Thaler, 2009, p.22). The experiment described in (Westen, 2007) proved the hypothesis: "when data clash with desire, the political brain will somehow '*reason*' its way to the desired conclusions". They scanned brains of fifteen committed Democrats and fifteen confirmed Republicans and were looking for the head-to-head conflict between the constraints on belief imposed by reason and evidence (date showing that the candidate had done something inconsistent, pandering, dishonest, slimy, or simply bad) and the constraints imposed by emotion (strong feelings toward the parties and the candidates). The results showed that when partisans face

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[3] An example of this phenomenon is *Kennedy-Nixon Debate* in 1960 described in article by B. Morton, 2005.

threatening information, not only are likely to "reason" to emotionally biased conclusions, but the neurons that produce distress become active. When the brain registers the conflict between data and desire, begins to search way to turn off the unpleasant emotion. The result is that not only the brain uses a faulty reasoning, but it does very quickly and unpredictably, the network of neurons involved in positive emotions turns on. The crucial finding for psychology and political science is: "The political brain is an emotional brain". We can not change the structure of our political brain, which reflects millions of years of evolution. But we can change the way we appeal to it. (Westen, 2007, pp.x-xv)

Rules of Thumb and Biases of Mind

Automatic system tends to be a good choice for everyday survival of us, but I will show amount of examples where the overuse of the System I. causes us unconscious trouble. Libertarian paternalists are looking for a solution for how to let us rely on our automatic systems with the least interruption. For example *Nudges*, which should make our lives "easier, better and longer" (Thaler, 2003).

People simply do not have the time or the inclination to analyze every single decision throughout the day. We counteract this by turning to our *rules of thumb* (Webber, 2009).

Rules of thumb tend to be very useful, mostly while sharing with other people, however they can also lead to systematic bias. Recent study identified 3 main rules of thumb, from which others are associated; Anchoring, Availability and Representativeness.

1. The first is bias of <u>*Anchoring*</u>, based on the premises of anchoring and adjustment. Our brain starts with some anchor, number we know, and than adjusts the direction the automatic system thinks is appropriate. The bias occurs because the adjustments are typically insufficient. Our brain is than highly influenced by the

starting points of our thoughts processes. The evidence shows that within reasons, the more you ask for, the more you tend to get. When charity asks for donation, values are not picked at random. People will give more if the options are 100, 200, 500 Euro than if the options are 25, 50, 100, 200.

2. The second of the bias pillars is *Availability*. We assess the likelihood of risks by asking how readily examples come to mind. If people can easily think of relevant examples, they are far more likely to be frightened and concerned than if they can not. Homicides are more available than suicides, and so people tend to believe, wrongly, that more people die from homicide. Other aspects as Accessibility and Salience are closely related. People who survived floods are more likely to believe that floods are likely than if they read about it in newspaper. Thus vivid and easily imagined causes of death (plane accidents) often receive inflated estimates of probability and less-vivid causes (skin cancer) receive low estimates, even if they occur significantly more frequently. Biased assessments of risks can wrongly influence how we respond to crises, choices and the political process. According to this bias, populist governments are implementing policies fitted into inappropriate fears of citizens to achieve popularity.

3. *Representativeness* is the third main bias – forming of stereotypes. It is not logically possible for any two events to be more likely than one of them alone. This can cause serious misperceptions of patterns in everyday life. People can not detect the randomness of sequence. Even when tossing a coin, they detect patterns that they think have great meaning, but in fact are just due to a chance. Mostly, there is thankfully nothing to worry about, except for the fact that the representativeness bias can cause people to confuse random fluctuations with causal patterns (Sunstein & Thaler, 2009, p.34).

Among others, one of the interesting biases is the overconfidence and optimism. As an example can be used the survey, offered for students, how would they grade themselves. 90% of students puts themselves into the top 10% of the class. The above

average effect is pervasive (Sunstein & Thaler, 2009, p.38). Gays often underestimate the risks of getting AIDS even if they know about the HIV virus and the risks in general. Smokers believe they are less likely to be diagnosed with lung cancer. Lotteries are successful partly because of unrealistic optimism. If people are running risks because of unrealistic optimism, they may benefit from the nudge. If people are reminded of a bad event, they may not continue to be so optimistic; that eliminates the bias of availability.

Status quo bias is interconnected with the one based on gains and losses. People do not assign specific value to objects, until they are in their possession. Loss aversion helps to produce a strong desire to stick with your current holdings. It could wrongly affect changes, which could have been much in our interests. The status quo bias can be very dangerous, if misused. The combination of loss aversion with mindless choosing and lack of attention implies to make option as "default" to make it very attractive.

With the setting of defaults is narrowly connected the bias of _framing_. The idea is that choices depend, in part, on the way in which problems are stated. It works because human beings tend to be mindless, passive decision makers, whose reflective system is not required to reframe all the possibilities to produce a different answer. Our brains do not like the contradictions; we people tend to frame results of decisions according to previous decisions and are also more likely to accept political actions coherent with an internal "moral voice" without wide, rational retrospection, reframing and verification. The picture that emerges is one busy citizen who can not afford to think deeply about every choice, so he or she uses the rules of thumb, which can lead them to a wrong direction (Sunstein & Thaler, 2009).

On the other hand, rules of thumb show us, that people are kind of "nudge-able". Their choices can be influenced in a way, that would not be anticipated in a standard economic framework in any government. The emerging question is, how and when is it acceptable to nudge people in order to help us, humans?

Following the herd

We, people are frequently easily influenced by deeds and statements of others. If we see a movie scene where people are smiling, we are more likely to smile ourselves. Yawns are contagious too. Conventional wisdom has it that if two people live together for a turns out to be true. They grow to look alike partly because of nutrition – shared diets and eating habits – but much of the effect is simple imitation of facial expressions. In fact couples who end up looking alike also tend to be happier (Sunstein & Thaler, 2009, p.58). Most people learn from others and this process is crucial in the context of internal development of societies. However, many of our misconceptions also come from others. When social influences have caused people to have false or biased beliefs, some nudging may help, because the social influence seems to be the most effective way of nudging, for good or evil (Sunstein & Thaler, 2009, p.58).

In many cities, including our own, dog owners now carry paper bags when they walk with their dogs and walking through the park has become much more pleasant as a result. This has happened even though the risk of being fined for unclean dog walking is essentially zero. Choice architects need to know how to encourage other socially beneficial behavior, and also how to discourage and prevent strikes riots and other harmful social behavior.

Social influences come in two basic categories; information and peer pressure. If many people do or think something, their actions and thoughts convey information about what might be the best for one individual to do or think. The peer pressure is based on the premise, that individual cares what others think about him/her. The reason is based on our will to conform (Sunstein & Thaler, 2009).

Collective conservatism is one significant example of our tendency to conformity. Groups of humans tend to stick to established patterns even as new needs arise. Once a practice has become established, it is likely to be perpetuated even if there is no particular basis for it. A tradition can last for a long time and receive support from

large numbers of people even though it was originally the product of a small nudge from a few people or perhaps even one. A pluralistic ignorance about what others think can cause that we may follow a practice or a tradition not because we like it, or even think it is defensible, but merely because we think that most people like it (Kuran, 1998). Even a small demonstration can ruin political systems bind only on the unawareness of amounts of people against regime.

If choice architects want to shift behavior and to do so with a nudge, they might simply inform people about what other people are doing (Sunstein & Thaler, 2009, p.71). The most effective social nudges can be made according to *the spotlight effect*. The spotlight effect creates an illusion that others are watching. In fact, people are paying less attention to an individual than he/she expects. If you have a stain on your shirt, do not worry, they will probably not notice. But in part because people do think that everyone has their eyes fixed on them, they conform to what they think people expect (Kuran, 1998).

Closely related experiments show the power of priming. Priming refers to the working of the System I. of the brain. Research proved that subtle influences can increase the ease with which certain information comes to mind (Sunstein & Thaler, 2009, p.76). These cues can be, and very often are, irrelevant with topic. If an official wants to effectively encourage people to take steps to improve their own health, it only needs to measure people's intentions (Levav & Fitzsimons, 2006). If people are asked how often they expect to floss their teeth in the next week, they floss more. If campaign officials wants encourage supporters to vote can emphasize the stakes, or decrease the costs and burdens, by making it easier to get to the polls. It turns out that if you ask people, the day before the election, whether they in tend to vote, you can increase the probability of their voting by as much as 25% (Greenwald et al., 1987). We have seen that major social influences can be started by small actions enlisted by both private and public choice architects. Social influence can promote many good and bad causes. When the choice architecture and its effects can not be avoided, who should be the "Nudger" and when do we humans necessarily need the nudges which are most likely to help and least likely to harm? (Sunstein & Thaler, 2009, p.79)

CHAPTER 3: <u>LIBERTARIAN PATERNALISM</u>

The first chapter discussed, that the more we get into the theory of Deliberative Democracy, the less punchy it is. The facts revealed the crux, consisting of the fair, rational deliberation about political agenda, which seems to be a good foundation for democracy in the 21st century. Constructing a super-structure consisting of the theory of Deliberative Democracy is not an easy task.

Deliberative Democracy has proved that it can be a way of engaging more people in the process of policy making in turn making the world more democratic, however in doing so it fortified its uniqueness. Showing that it did not follow the secondary theories of political order, it left itself open for alternative theories to arise.

One of the most difficult opponents for Deliberative Democracy is Libertarian Paternalism. This term is for most people, at least, confusing. Both words are somewhat weighted down by stereotypes from popular culture and politics that make them unappealing to many. Even worse, the concepts seem to be contradictory (Thaler, 2003). However, if these terms are properly understood, both concepts reflect the common sense.

The libertarian aspect of this political concept lies in the insistence that, in general, people should be free to do what they like and to opt out of undesirable arrangements if they want to do so – be free to choose. Libertarian in the sense of Libertarian paternalism means liberty-preserving and libertarian paternalists want to make it easy for people to go their own way; they do not want to burden those who want to exercise their freedom (Thaler, 2003).

The paternalistic aspect lies in the insistence that it is legitimate for choice architects - the policymakers to try to influence behavior of the citizens in order to make their lives longer, healthier, and better (Sunstein & Thaler, 2009, p.5). In other words, liberal

paternalists argue for the efforts which are done by the government and institutions in the private sector to steer people's choices in directions that will improve their lives.

Explained further on will be that human beings do not always behave rationally, regardless of what may be influencing them at the time, and do make imperfect decisions, some of which can be avoided. Nevertheless, within a few steps they can be encouraged into behaving with full attention, complete self control, and unlimited cognitive abilities.

"Libertarian paternalism is a relatively weak, soft, nonintrusive type of paternalism because choices are not blocked, fenced off or significantly burdened" (Sunstein & Thaler, 2009, p.6). If people want to choose the unsuitable plans, nobody will force them otherwise, or make things hard for them. Still the approach is considered to be paternalistic, because choice architects are providing service to alter the behavior of people in predictable way even without changing their economic incentives and forbidding any options (Thaler, 2003). These interventions are called Nudges. Nudges need to be easy and cheap to avoid. "Nudges are not mandates. Putting the fruit at eye level counts as a nudge, banning junk food does not" (Sunstein & Thaler, 2009).

Libertarian Paternalism seems to be the most controversial theory of politics because it opposes the mainstream ideas of rational, economically thinking citizens, which are making everyday decisions unfailingly well, from the textbooks offered by economists.

But the people we know are not like that. They have trouble with long division, sometimes forget their grandmother's birthday and have hangover after the finals of Olympic hockey finals. Also with respect to diet, smoking and drinking, which produce thousands of premature deaths each year, can not be reasonably claimed to be the best means of promoting the well being (Ariely, 2008). By properly deploying both set of incentives and nudges can Liberal paternalism improve the ability of improving citizen's lives and help to solve many of the major problems of society.

Opponents, who favor the freedom of choice, reject any kind of paternalism; they want to let government choose citizens for themselves. They want to maximize the choices and then let people choose with as little governmental intervention as possible, which at all leads to the opposite effect, people are even more confused and are doing even more irrational decisions, which I will describe later.

A misconception of this counterargument is whether it is possible to avoid influencing people's choices. In many everyday situations organizations, politicians must make choices which in turn affect people's behavior. "There is no way of avoiding nudging in some direction, and whether intended or not, these nudges will affect what people choose" (Thaler, 2003).

Another misconception is that paternalism involves coercion influencing our decisions. Libertarian paternalism leaves the doors open and through the nudges uses no coercion. "Would anyone object to putting the fruit and salad before the desserts at an elementary school cafeteria if the results were to induce kids to eat more apples and fewer candies?" (Sunstein & Thaler, 2009, p.12) This aspect is not fundamentally different even when the customers (electorate) are adults. By insisting that choices remain unrestricted seems to be the risk of corrupted designs reduced. Freedom of choice, the most attacked point of libertarian paternalism, seems to be "the best safeguard against bad choice architecture" (Sunstein & Thaler, 2009).

Even if the use of libertarian paternalism is most suitable for companies and private nudges are the most frequent ones, the most important applications of libertarian paternalism are for government and public policy and law. "The hope is that nudges, incentives and recommendations can appeal to both sides of political divide. A central reason is that many of those policies cost little or nothing, they impose no burden on taxpayers at all" (Thaler, 2003).

Libertarian paternalism aspires to be a promising foundation for multi-partisanship. In many domains, including environmental protection, family, schooling system better

governance requires less governmental coercion and constraint. "If incentives and nudges replace requirements and bans, government will be both smaller and more modest" (Sunstein & Thaler, 2009, p.15).

Libertarian paternalism, although being hounded for its insufficient amount of liberty and "over-paternalism", can survive the struggle against mainstream models of democracy. It provides a rare compromise for the whole political spectra; meaning it is neither left nor right.

As aforementioned, an explanation of how we "*as people*" make decisions and why we should not deliberate prior to understanding the inner cognitive systems of our minds is necessary in order to further comprehend how our decisions are made.

When to nudge ?

It seems that people need nudges for decisions that are difficult and rare, for which they do not get prompt feedback and when they have trouble translating aspects of the situation into terms they can easily understand (Sunstein & Thaler, 2009, p.79). The best way how to solve the problem of deciding when to start influencing the behavior of people to the possible right outcomes is to try the role of choice architect. For example, suppose that a group of people have to make a choice, being choice architect a choice environment and subtle nudges will be designed. Knowing that people make similar decisions, they will then draw upon their own life experience and choose accordingly.

Throughout our life we stand on the verge of various difficult decisions. In many of these problems there are no available technologies to help. The more difficult problems, the less frequent they are. We need more help to pick the right mortgage than choosing the right watermelon; even though we could have knocked on the right mortgage. No sound will help us even there where choices and consequences are separated in time. One option is, where the benefits are delayed (exercise, dieting,

money investment) and the other, where people suffer consequences later (smoking, alcohol, chocolate doughnuts) (Ariely, 2008). The long term processes rarely provide sufficient feedback. We usually get feedback only on the options we select, not the ones we reject. If you take a long route home every night, you may never learn there is a shorter one. Someone can eat a high-fat diet for years without having any warning signs until the "unexpected" heart attack. When feedback does not work, we may benefit from a nudge (Sunstein & Thaler, 2009).

The general point is here. If humans have a less than fully rational beliefs and are acting according them, firms and also politicians have "more incentive to cater to that belief than to eradicate it" (Thaler, 2003). When many people are still afraid of flying, it is common to see airline flight insurance being sold in airports at exorbitant prices. There are no booths in airports selling people advice not to buy such insurance (Ariely, 2008). Government can outlaw some activities, as cigarette advertisements, but libertarian paternalists prefer nudging instead of banning, because of the crucial fact: governments are made of the people, by the people, for the people and shall not perish from the earth.[4] Therefore the crux of libertarian paternalism as one of the possible future models for the democratic regimes lies on the role of the choice architects and the merit of governmental steps which is acceptable for the nations and also highly depends on the political culture. The following chapter will discuss one very specific example of Slovak political culture by using our biggest choice architect, Vladimír Mečiar. Hoping to find a possible future for democracy in the 21st century so that we, humans, can prosper.

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[4] I used words of Abraham Lincoln, but with different connotation, to refer on irrationality of people. Original text of the famous Gettysburg speech is listed in additional reading.

CHAPTER 4: <u>CHOICE ARCHITECTURE AND THE UNCOVERED WORLD OF DEMOCRACY</u>

Each active individual human being is socially and therefore politically involved in society and in its particular way also in the process of choice architecture. Whether organizing a ski-trip for his high-school classmates, mounting handles at public toilettes; during the process of team-building at workplace or formation of the law about social benefits system on the governmental level, individuals need to form an architecture for the indirect process of decision making of other people.

A good choice architecture should contain the golden stimulus – response principle, which means the signals we receive had to be consistent with the desired action (Sunstein & Thaler, 2009, p.90). Otherwise, people can get confused and the choice architecture misses the main point – to provide good decisions.

As described earlier, the automatic cognitive system always wins over the reflective cognitive system during everyday tasks. A way to test this reaction is to get someone to write names of colors with various colored crayons, where the text differs from the color being used Then naming colors while ignoring the color of the text is easy, but to say the color that the words are written as fast as possible while ignoring names of the colors is much more difficult. Automatic system reads the name of the color faster than the Reflective system recognizes the "true color" of the written text (Ariely, 2008).

Choice architecture accommodates basic principles from the human psychology. Flat plates say "push me" and big handles "pull me". We can not expect people to push big handles. Mounting of these at frequent place and monitoring it would have shown us how big percentage of people has made wrong move, even though the sign "push me" would have been included. In our surrounding world there is plenty of the failures of the choice architecture such as these big handles.

Another famous example is the sticker of housefly put into the Amsterdam airport urinals. Putting the fake fly in the urinals reduced the spillage by 80% which was an extraordinary nudging success. This simple and cheap product can keep restrooms cleaner. Less cleaning means less harmful cleaners being used and it does not hurt that it makes people laugh. The sign "Too pissed to drive? Take a taxi instead" followed by the number of taxi service can save human lives, motivating intoxicated people to take a taxi home rather than drive themselves (Ariely, 2008).

The lesson of successful and unsuccessful choice architectures is the point which architects often oversee that the users are humans that are confronted with a lot of everyday choices and they do not have time to use the Reflective system all the time. Choice architects need to keep in mind the principles of the functioning of the Automatic cognitive system and construct the scaffold of decision making according to the rules of it. As we will see, confusion of the Automatic system can cause a bigger problem than hitting a door with face at the public restrooms while thinking of buying another drink.

Humans make mistakes and good choice architects know it. A well-designed choice architecture expects its users to misjudge and is forgiving as much as possible. Besides this fact provides a good choice architecture sufficient feedback for its users. Feedback is crucial especially for the work of political choice architects, where results can influence big changes in the social, political and economic systems. Also that the choice architects decision can have a ripple effect outreaching for years after the choice has been made. Another attribute of a good choice architecture is the ability to translate options from numbers to the language of the rules of thumb. A good system of mapping makes the information about various options more comprehensible (Sunstein & Thaler, 2009, p.101). Just putting the number of calories from one burger will not provide sufficient information, but the percentage of fat for a typical daily use will give more accurate information about the actual harm from one burger.

Human beings adopt different strategies for making choices depending on the size and the complexity of the available options. When we are faced with a small number of well-understood alternatives, we tend to examine all the attributes of all the alternatives and then make trade-offs when necessary (Sunstein & Thaler, 2009). This process of internal verification[5] is presumed by the Deliberative Democrats and they assume this system is functioning always, even when trying to solve using the *fraught choices*. Practical experiments have found that people both do not have the time or the inclination to process information to find the right choice, and when the choice gets too large people use alternate strategies, which can cause problems.

The compensatory strategy is based upon the principle that a high value for the one attribute can compensate for a low value for another. This strategy can help people to pick an apartment. One can be so amazed by the sight that he can even forget about loud neighbors.

Another strategy to use is what Tversky (1972) called the *elimination by aspects*. Anyone using this strategy for choosing at first decides what aspect is the most important and establishes a cutoff level eliminating all the alternatives which do not suffice to the set standard. The process is repeated until it reaches to a compensatory evaluation (by heart) of the finalists. A choice of the political parties is often based on this strategy. It can be very dangerous, because even after a rational deliberative process of elimination citizen reaches the point where he/she tend to be affected by irrational aspects and can often pick the populist candidate instead of the "good" deliberate one.

Social science research has proved that as the choices become more numerous and/or vary on more dimensions, people are more likely to adopt simplifying strategies (Sunstein & Thaler, 2009). As alternatives become more numerous and more complex, the better work by the choice architects has to be done. The more difficult choice, the

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[5] I meant verification with an "internal voice" neuroscientist indicate this phenomenon as *Introspection* (Dialogue with mind). Additional information can be found under Introspection in Stanford Encyclopedia of Philosophy.

more is influenced by the choice architecture; for better or for worse. As choices become more numerous, though, good choice architecture will provide structure, and structure will affect the outcomes. With an eye on the Nudges I explained, choice architects can improve the outcomes for us, the Human users.

Objections and the "Evil" nudgers

In offering supposedly helpful nudges, choice architects may have been affected by their own agendas (Sunstein & Thaler, 2009, p.238). Those who favor one special politics over another set of default rules may do so because their own economic interests are at stake. One question is whether we should be more worried about the private choice architects or public choice architects. The public architects tend to be more dangerous than the private ones. "After all, managers in the public sector have to answer to voters, and managers in the private sector have as their mandate the job of maximizing profits and share prices, not consumer welfare" (Sunstein & Thaler, 2009, p.238). Practical experience has proved that government officials are often captured by private-sector interests whose representatives are seeking to nudge people in a way that will promote their selfish goals. As the editor of *The Economist* stated: "From the point of view of liberty, there is a serious danger of overreach, and therefore grounds for caution. Politicians, after all, are hardly strangers to the art of framing the public's choices and rigging its decisions for partisan ends. And what is to stop lobbyists, axe-grinders and busybodies of all kinds hijacking the whole effort?" (Editorial: The Economist 2006, April 8)

This sort of paternalistic deadlock can be avoided if a fare set of ground rules is created that promote fair and healthy competition and reduces abuses, the rules which will restrict the interest-group power and that will create stimuli to make it more likely that the architects will serve the public interest (Sunstein & Thaler, 2009). The only way to reach this point is to make politics more transparent and more opened for the public deliberation. A way in which to do this is to enforce that governments put all their votes and contributions from lobbyists on their Web sites. By pushing for that sort of

public check on bad plans, libertarian paternalists hope to create a safeguard against ill-considered or ill-motivated plans (Sunstein & Thaler, 2009, p.240).

An example of bad nudging was the lack of public deliberation and the misuse of emotion-laden networks of association, that occurred outside of the awareness of people in the era of Vladimír Mečiar in the Slovak Republic after the split of Czechoslovakia in 1993.

The "Super-Slovak"

Vladimír Mečiar, the son of the Velvet Revolution in Czechoslovakia, was the greatest threat and the worst enemy of the democratic Slovak Republic. Even now, Slovakia is suffering from the changes which were made to political culture during his administration of the Slovak nation. Now, after 12 years the final obstacles of the Mečiar administration have been overcome. It is now time to look at political culture and motivate people to create positive change within society by renouncing all aspects of the former authoritative government.

According to Machiavellian standards[6] was Vladimír Mečiar brilliant Prince. As the only Slovak politician was able to overcome formal checks of the government after the fall of communism, successfully, legitimately eliminated opposition, rendering federative institutions useless with extraordinary power politics. In doing this Mečiar created ground for the split of Czechoslovakia was finally reached. By the populist mobilization of the millions of voters the notion of "Politics" was created in the minds of regular Slovak citizens.

As Slovak journalist Karol Wolf (1998) said: "Mečiar was the all-knowing *polyhistor*, the master of chatter, an expert of recipes for everything, the man with the behavior of the rural peasant, rude, blunt, often acting aggressively with a likely tendency to the melancholy paranoia" (p.62). Most of the journalists had similar tone while describing

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[6] The Book of Niccólo Machiavelli: Prince is the mandatory reading for people who want to understand the basics of „power-politics"; described the characteristics of ideal political leader.

Mečiar politics. How the Mečiar electorate became immune to the media will now be discussed.

When examining Mečiar politics, the man behind the politics must also be examined. By delving into the private life of Mečiar, patterns to his success and downfall as choice architect for Slovak society can be found. As Wolf also stated: "Politics is a kind of weird but 100% human activity" (Wolf, 1998, p.68). During one's life experiences, educational and family background play an inevitable role in the actions where the Automatic cognitive system is involved. In the case of politics it can be found that lots of decisions where politicians act "by heart" and even Mečiar was only irrational human being.

Vladimír Mečiar was born in a poor family in the countryside and shared a room with his three brothers. He become the member of communist party in young age and later on studied in Moscow. After being dismissed from the party, Mečiar worked as a lawyer and in 1990 entered top politics, where he brought unscrupulous behavior.

Now we are 100% sure that after he entered politics as the Ministry of Interior affaires he started to collect information about other politicians which could damage their reputation. The script of the members of the communist state security where should his name be is ripped. It is obvious that Mečiar wiped out his personal history.

Mečiar is neither leftist, centrist, nor a right-wing politician. The only word which could properly characterize his style of politics was/is power. Depicting himself as the best possible politician even though being aggressive and rude, also trying to legitimize the physical violence to eliminate opposition. Mečiar wiped off any kind of ethics within political actions, accepted no deliberation about political affairs, made Slovak political culture parochial and skeptical about politics, depicted civil society and intellectuals as enemies of the nation in turn bringing Slovak Republic with his actions to the verge of expulsion from the European community.

"As a politician he will not leave anything behind" (Khelemendik, 1998, p.4) and the Mečiar party HZDS will collapse after his administration or his death leaving no legacy. The governmental system which was built eventually did collapse, as aforementioned, but not without managing to steal copious amount of money which caused inhibition of economical development for 8 years.

Irreversible damage was made to political culture during the Mečiar administration, because masses of people were convinced of the skills of Mečiar however "the son of strict father lost his historical role and did not make anything good for this country" (Wolf, 1998, p.129). Even though Mečiar is convinced about the opposite and is forced to look for additional support for his previous political actions. Making his efforts futile, he can not build a new relationship with media and persuade the masses as before, as the historical facts are known, likewise authoritarian "power-obsessed" demagogue can not become a democrat.

Vladimír Mečiar, through his everyday lies, emotional influence and poor, misusing choice architecture nudged Slovak society to the verge of complete collapse. Nowadays politicians need to earn the trust of cynical Slovak citizens and find a ways to bring liberalism into Slovak society, helping to make politics polite, to say the least.

"Change we need!"…to avoid

The worst precedent of Mečiar era is fact that throughout the years of his illiberal governing no one could beat him. Plain and trivial chatter who got the vast majority of irrational voters and no checks and balances could stop his immoral power-centered politics. And there will never be a bridle and responsibility for his sins, our "Father of the nation" will be a well off pensioner.

This is the basic problem of Slovak society, the sustaining lack of deliberation and short memory makes Slovaks too vulnerable to bad choice architects and populist politicians.

Much of our political behavior reflects the emotional networks and the harmful changes can happen almost unconsciously.

Even though Slovaks have now entered the Western world and sniffed liberalism in our lungs of the political culture, the process of liberalization of democracy is harsh and slow. There is a hope that the libertarian paternalism with the right choice architects in the public political sphere can change the view of politics. Making life easier and bringing fairness to the people can persuade them that politics does not need to be the evil and the status quo is not always the good option. By designing policies that will help the least sophisticated people in society while imposing the smallest possible costs on the most sophisticated is the way how to do social politics without polarizing the society.

But deciding where to stop, and when to call a nudge a shove - much less a prison, is tricky. Where mandates are involved and opt-outs are unavailable there is a serious threat of a slippery-slope arguments can have merit, especially when the regulators are "heavy-minded" (Sunstein & Thaler, 2009, p.251). Choice architects can preserve the freedom of choice while also nudging people in direction that will improve their lives, but the deliberative system of checks and balances must be included in the civil society, to avoid populism and move from the soft paternalism to a much stronger authoritarian paternalism "of the iron rule".

CONCLUSION

The range of potential applications of libertarian paternalism is much broader than the topics discussed within the scope of this paper. With respect to government, libertarian paternalism may be the future "ideology" of liberal democracy, being needed to play the role of a middleman in the unnecessarily polarized society (Sunstein & Thaler, 2009, p.253). I am sure that libertarian paternalism is capable of survival in the field of political theories and by using the body of the theory of deliberative democracy, it can play the role of a "third way" in the debates about contemporary democracies.

RESUMÉ

V predloženej bakalárskej práci som analyzoval široké spektrum problémov z oblasti najnovších teórií v rámci politickej vedy. V úvodnej kapitole som opísal základné charakteristiky teórie deliberatívnej demokracie, ktoré spočívajú v obohatení reprezentatívnej demokracie o prvky priamej demokracie, ktoré majú svoje korene už v období starovekého Grécka a Aténskej demokracie. Uvažovanie, premýšľanie, rokovanie, či priam „zjednávanie" sú prvky, ktoré majú osviežiť vieru občanov v demokratické štátne zriadenie a byť tak ďalšími zdrojmi legitimity demokracie v globalizovanom 21. storočí. V praxi sú však tieto techniky v rámci súčasných politických štruktúr aplikovateľné len v mizivej miere, a preto teória deliberatívnej demokracie považuje za nevyhnutné zmeniť súčasné inštitúcie politického diania, pre priame zapojenie väčšieho množstva ľudí. Veľkým problémom deliberatívnej demokracie naďalej ostáva politická kultúra väčšiny štátov, kde občania nepociťujú potrebu, či chuť byť informovaní a tobôž zapájať sa do tvorby politiky.

Teória deliberatívnej demokracie taktiež predpokladá racionalitu každého ľudského konania, nielen politického. Cez sústavu racionálnych rozhodnutí jednotlivcov by sa spoločnosť mala dopracovať k sume racionálnych politík, ktoré by boli všeobecne prospešné, najlepšie pre danú situáciu v spoločnosti, ale zároveň otvorené pre ďalšie zmeny v budúcnosti.

Každodenné skúsenosti však dokazujú pravý opak, ľudia sa správajú iracionálne takmer celý svoj život a rôzne vedecké experimenty dokázali, že nielen pri každodenných banálnych problémoch fungujeme „na autopilota" a emócie vo veľkej miere ovplyvňujú naše správanie, aj keď si to často nechceme priznať. Sme predsa ľudia a nie stroje, máme na chyby nárok.

Práve tieto chyby sa snaží predpovedať a prekonať teória libertariánskeho paternalizmu, ktorá sa snaží vytvoriť také prostredie v spoločnosti, ktoré by nám bez veľkého úsilia dokázalo si naše chyby uvedomiť a prekonať ich. Cez nepatrné

„šťuchnutia" môžeme spraviť náš život ľahším, zdravším a lepším. Štruktúra našich ľudských rozhodnutí záleží od mnohých faktorov, ktoré tvoria bežní ľudia a často ich vytvoria zle. Ak by tieto faktory ako v spoločenskom, tak aj v politickom živote robili fundovaní odborníci tzv. „architekti voľby", predišlo by sa rôznym problémom každodenného života, ako aj tým, ktoré ovplyvňujú politické dianie.

Netreba však zabúdať na fakt, že aj títo odborníci sú tiež len ľudia a môžu sa mýliť, majú vlastné presvedčenia, resp. môžu mať tendencie zasahovať do rozhodnutí viac, ako je potrebné, alebo vytvárať štruktúry vyhovujúce korporáciám a istým politickým elitám. Preto treba neustále dohliadať na mieru paternalizmu v spoločnosti, aby sa predišlo manipulácii ľudí za účelom „všeobecného dobra" a pošliapaniu demokracie a ľudských práv.

Vladimír Mečiar bol jedným z „architektov voľby", ktorý precenil svoju historickú úlohu a vzal do svojich rúk osud národa v tej najhoršej chvíli, ktorú mohol dostať. Svojou emocionálne ladenou, nátlakovou politikou a brilantnou manipuláciou takmer priviedol Slovensko na prah medzinárodného zatratenia. Jeho politika, režim, volebné preferencie z obdobia 1992-1998 (no aj tie aktuálne) a dôsledky jeho vládnutia sú mementom pred politikou libertariánskeho paternalizmu.

Aj keď sú myšlienky libertariánskeho paternalizmu veľmi lákavé, spoločnosť by sa vzhľadom na snahu o zachovanie demokratického režimu mala vyvarovať silnejúcim paternalistickým snahám a namiesto toho u bežných občanov podporovať atribúty potrebné na úspešnú spoločenskú deliberáciu, z ktorej môže vzniknúť silný spoločenský kapitál a politická kultúra, so silnými demokratickými koreňmi v spoločnosti (aj slovenskej).

Tento proces je však zdĺhavý a zrejme potrvá roky, kým (slovenská, resp. ktorákoľvek) spoločnosť bude schopná aplikovať princípy deliberatívnej demokracie, ako aj si osvojiť užitočné rady a metódy libertariánskeho paternalizmu a vytvorí tak silnú pôdu pre demokraciu v globalizovanom 21. storočí.

Moja koncepcia je síce len jedna z mnohých ciest, no som presvedčený, že sa môže stať tou najschodnejšou pre udržanie a rozvoj demokracie 21. storočia, najmä v našej, slovenskej spoločnosti.

References

Ariely, D. (2008). *Predictably Irrational: The Hidden Forces That Shape Our Decisions*. New York: HarperCollins.

Bessette, J. M. (1997). *The Mild Voice of Reason: Deliberative Democracy and American National Government*. Chicago: The University Of Chicago Press. (Original work published 1994)

Chaiken, S., & Trope, Y. (1999). *Dual-Process Theories in Social Psychology* (1 ed.). New York: The Guilford Press.

Economist, The. (April, 8. 2006). *Editorial: "The State Is Looking After You"*

Greenwald, A. G., Carnot, C. G., Beach, R., & Young, B. (1987). Increasing Voting Behavior by Asking People if They Expect to Vote. *Journal of Applied Psychology*, *72*(2), 315-18.

Gutmann, A., & Thompson, D. (2004). *Why Deliberative Democracy?*. Princeton: Princeton University Press.

Held, D. (2007). *Models of Democracy* (3 ed.). London: Polity Press.

Khelemendik, S. (1998). *Superslovák II, alebo, Neblbnite, chlapi! (Edícia Dobré čítanie)*. Bratislava: Slovanský Dom.

Kreisler, H. (2007). Conversation with Daniel Kahneman: Intuitive Thinking. *Institute of International Studies*. Retrieved April 19, 2010, from http://globetrotter.berkeley.edu/people7/Kahneman/kahneman-con4.html

Kuran, T. (1998). *Private Truths, Public Lies: The Social Consequences of Preference Falsification* (1st Edition. ed.). Cambridge: Harvard University Press.

Levav, J., & Fitzsimons, G. J. (2006). When questions change behavior. *Psychological Science*, *17*(3), 207-13.

Prusak, B. G. (1998, September 25). Politics, religion & the public good: an interview with philosopher John Rawls. *Commonweal*, *125 (16)*, 13-15.

Sunstein, C. R., & Thaler, R. H. (2009). *Nudge: Improving Decisions About Health, Wealth, and Happiness* (1 ed.). Boston: Penguin (Non-Classics).

Thaler, R. (2003). Libertarian Paternalism. *The American Economic Review*, *93*(2), 175-179.

Thompson, J. B. (1996). *The Media and Modernity: A Social Theory of the Media*. Stanford : Stanford University Press.

Torres, L. H. (2006, October 9). Deliberative Democracy FAQ. *The Deliberative Democracy Consortium*. Retrieved April 8, 2010, from http://www.deliberative-democracy.net/index.php?option=com_content&view=article&id=19&Itemid=57

Tversky, A. (1972). Elimination by aspects: A theory of Choice. *Psychological Review*, *79*, 281-99.

Webber, A. M. (2009). *Rules of Thumb: 52 Truths for Winning at Business Without Losing Your Self*. New York: Harper Business.

Westen, D. (2007). *The Political Brain: The Role of Emotion in Deciding the Fate of the Nation*. New York: Public Affairs.

Wolf, K. (1998). *Podruhé a naposled, aneb, Mírové dělení Československa (Czech Edition)* (1. vyd. ed.). Praha: G Plus G.

Additional Reading

Ariely, D. (2010). *Living Irrationally: How We Work, Date, and Cheat*. New York: Harper.

Communitarianism . (2001, October 4). *Stanford Encyclopedia of Philosophy*. Retrieved
April 8, 2010, from http://plato.stanford.edu/entries/communitarianism/

Introspection. (2010, February 2). *Stanford Encyclopedia of Philosophy*. Retrieved April
8, 2010, from http://plato.stanford.edu/entries/introspection/

Iraq and Weapons of Mass Destruction. (2002, December 20). *The George Washington
University*. Retrieved April 8, 2010, from
http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB80/

Jones, B. D. (2001). *Politics and the Architecture of Choice: Bounded Rationality and
Governance* (New Ed. ed.). Chicago: University Of Chicago Press.

Kováč, L. (2007). *Prírodopis Komunizmu: Anatómia jednej utópie*. Bratislava: Kalligram.

Leško, M. (1996). *Mečiar a mečiarizmus: Politik bez škrupúľ, politika bez zábran*.
Bratislava: Vydavateľstvo Michala Vaška.

Machiavelli, N. (2009). *The Prince*. London, UK: Createspace.

Montague, R. (2007). *Your Brain Is (Almost) Perfect: How We Make Decisions*. New
York: Plume. (Original work published 2005)

Morton, B. (2005, September 26). Kennedy-Nixon debate changed politics for good .
CNN.com International. Retrieved April 9, 2010, from
http://edition.cnn.com/2005/POLITICS/09/26/kennedy.nixon/index.html

The Gettysburg Address by Abraham Lincoln. (n.d.). *Abraham Lincoln Online*. Retrieved
April 8, 2010, from
http://showcase.netins.net/web/creative/lincoln/speeches/gettysburg.html

Ullmann-Margalit, E. (2007). Difficult Choices: To agonize or not to agonize. *Social
Research*, *74*(1), 51-78.

Wilkinson, W. (2008, April 20). Choice Architecture and Paternalism. *Will Wilkinson*.
Retrieved April 8, 2010, from
http://www.willwilkinson.net/flybottle/2008/04/20/choice-architecture-and-
paternalism/