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In the United States, the negotiations over various nominations to the federal bench have generally been contained within the Senate's sphere of argumentation, which means they have been subjected to a super-majority requirement. In contrast to the super-major requirements in such countries as Germany, Italy, Portugal and Spain, the U.S. Senate's filibuster rule is non-constitutional and requires that 60 percent of the Senate must approve of voting on the president's nomination before it can be brought to the floor. This article is an inductive examination of how some nominations and the filibuster itself became part of the larger public sphere. The study reveals that argumentation contained in the Senate sphere tends to involve questions of constitutional interpretation, judicial qualifications, and/or legal and ethical improprieties. However, argumentation that is addressed to the public sphere tends to be mediated and to focus on social issues such as abortion and gun control. It can also center on the gender, race, religion, party affiliation, or social agenda of the nominee. In the modern era, the sporadic shifts to the public sphere began with the appearance of impropriety surrounding the nomination of Abe Fortas as Chief Justice of the Supreme Court in 1968 and continues with the resolution of the Democratic filibuster against certain federal nominees of President George W. Bush in 2005. This study demonstrates the

growing role of public relations operations in the White House and among interest groups in terms of their public arguments. While other developed countries have kept the judicial appointment process out of the public sphere, that could eventually change, as it did in the United States. Therefore, this study is relevant to public spheres in other nations that might be forced to engage the public with regard to judicial nominations.

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## **Navigating Dangerous Deliberative Waters: Shallow Argument Pools, Group Polarization and Public Debate Pedagogy in Southeast Europe**

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*Гордон Р. Митчелл, Дэмиен Пфистер, Георгета Брадатан, Дежан Колев, Цветелина Манолова, Глигор Митковски, Ива Несторо, Милена Ристик, Гентиана Шеши* 69

Can student-driven public debate depolarize fragmented societies by cultivating democratic ethos and promoting political accountability? Post-communist transitions in Southeast Europe are rich sites to study the political impact of student-driven public deliberation. Public debate pedagogy conducted under the auspices of the Southeast European Youth Leadership Institute (SEELYI) presents a useful case study to explore this issue. From 2001-2005, SEELYI taught hundreds of young people about debate and civil society. SEELYI participants, in conjunction with local social movements, then fueled public debate projects as vehicles of political transformation in Albania, Bulgaria, Kosovo, Macedonia, Montenegro, Serbia and Romania. By recounting these unique deployments of public debate in broader spheres of public deliberation, this essay considers the possibilities and limits of applied public debate praxis as a driver of democratic change and response to the social phenomenon of “balkanization.”

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This research note examines Debate Across the Curriculum (DAC) as a mediating tool to help transform the culture of teaching and learning, and ultimately to improve student performance. Specific educational beliefs and practices addressed are adaptive change, collaboration, dialogue, and performance-based learning. The author uses Franklyn (pseudonym) High School in Providence, Rhode Island, as the context for analyzing how a tool-centered activity like DAC can transform educational practice, transform student performance, and transform the culture of learning.

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### **Forum:**

**Are Argumentation and Civic Engagement in the University Curriculum Pathways to Democracy?**

### **Форум:**

**Способствует ли становлению демократии изучение в университете таких предметов как «Аргументация» и «Гражданское участие»?**

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## BOOK REVIEW / Обзор литературы

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**Deliverance: The Inside Story of East Timor's Fight for Freedom.** By Don Greenlees & Robert Garran. Crows Nest, NSW: Allen and Unwin, 2002; pp.375. paper Aus\$ 35.00.

*Reviewed by John T. Jackson*

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**Освобождение: Взгляд изнутри на историю борьбы за независимость Восточного Тимора.** Авторы: Дон Гринлиз и Роберт Гэрран. Crows Nest, NSW: Allen and Unwin, 2002; 375 с., переплет, 35,00 австрал.долларов

*Обзор Джона Т. Джэксона*

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