

Stephen Coleman / Anna Przybylska /  
Yves Sintomer (eds.)

# Deliberation and Democracy: Innovative Processes and Institutions



Stephen Coleman, Anna Przybylska & Yves Sintomer

## Introduction

We inhabit democracies that are radically incomplete and very far from John Rawls' normative model of a "nearly just and nearly democratic society" (Rawls 1971)<sup>1</sup>. Beyond the head-counting rituals of elections, the vital buzz of public disputation that ought to provide a permanent soundtrack to democracy is conspicuously lacking. Forceful and ubiquitous critiques of contemporary politics converge around a common theme: the absence of either an impetus or a space for intelligent, intelligible and inclusive public debate. The mass media are criticised for telling a limited range of stories featuring a predictable cast of "out of touch" political characters. Political parties have turned themselves into marketing organizations, obsessed with clichéd values designed to appeal to "the median voter". Governments are increasingly managerial, speaking to people in a language of spin that constrains political choice and feeds distrust. Last but not least, the impact of the public sphere on real decision making is evanescent; the weight of citizenry in global governance is reduced; and the influence of strong non-democratic global players – principally, the world financial markets – seems to increase relentlessly. At the global level, our societies are becoming ever more unequal (Piketty 2013), a result that contrasts sharply with the normative ideal that all voices deserve recognition and that the force of the strongest arguments should prevail (Habermas 1996).

Largely missing from everyday politics is a culture of deliberation in which citizens are encouraged to share and contrast their preferences and values. Such intersubjective encounters open up a space for people to understand one another and, sometimes, change their original positions under the influence of convincing arguments and evidence. At its best, deliberation gives fluidity to democracy. It saves politics from derailment by disagreements that have escaped the need for convincing elaboration or intelligent public reflection and reduces the narrow meanness that is so often associated with the sordid politics of 'winners' and 'losers'. It opens up a space for the public to think about who it is, what it needs and wants, and how to act collectively in ways that take all actors into account. As John Stuart Mill (1855, 67) put it, deliberation enables the citizen "to feel for and with his fellow citizens, and become consciously a member of a great community".

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Deliberation also helps to clarify the political alternatives among which citizens have to choose in order to determine their own future. It has the potential of confronting the huge obstacles that power structures pose to the aim of realising a nearly just and nearly democratic society. Contrary to what some of the Founding Fathers of modern republics pretended, democratic deliberation has shown that it need not be restricted to the parliamentary arena of elitist circles and that it can thrive within a much wider public sphere. As Marx (1973, 190) put it:

If the parliamentary regime lives by discussion, how can it forbid discussion? In it all interests and social institutions are transformed into general ideas, and debated in that form. How can any interest or institution then assert itself to be above thought, and impose itself as an article of faith? [...] The deputies, by constantly appealing to the opinion of the people, give the people the right to express their real opinion. [...] When you play the fiddle at the summit of the State, what else is there to expect than that those down below should dance?

However, in passing from closed elite spheres to a wider public, democratic deliberation encounters huge challenges. Whether on a local, national or global scale, it can only take place if certain conditions are met. Firstly, it must be open to all to set the agenda, take part in discussion and determine the outcome, independently of unequal resources and interests. Secondly, there must be an opportunity for all views to be expressed openly, regardless of who happens to hold them or whether they meet with popular approval. Thirdly, there should be no veto on styles or terms of deliberative engagement, allowing for the equal inclusion of vernacular and affective modes of discourse. Fourthly, deliberators should be constrained by no rules but for those to which they have explicitly agreed, and there should be no pre-determined outcome to discussion. Last but not least, democratic deliberation should lead to (or, at the very least, influence) real decisions. It is needless to say that these conditions are not often present in the real world. However, this does not mean that democratic deliberation and deliberative democracy are normative ideals valid only for a society of angels. They inform actual experiments and political dynamics which do take place in our societies, facing strong obstacles, solving old problems, and raising new questions. They constitute “real utopias” – setting horizons that can never be reached, but towards which progress can be made in the present (Fung and Wright 2003).

Towards this end, deliberative mini-publics represent a kind of political laboratory in which the deliberative ideal can be tested and developed, its potential can be demonstrated, and challenges to democracy can be studied. When mini-publics are well-organized, ordinary citizens can be encouraged to approximate the conditions of ideal deliberation. In the course of deliberation, when the

depth of a public problem or the scale of support for policy solutions are to be measured, it makes sense that the group reflecting on the issues is representative of the population that will bear the consequences. To avoid the creation of “elites” based on certain socio-economic characteristics, random sampling – or, at least, stratified sampling followed by actions which target the inclusion of underrepresented constituencies – is a powerful tool (Nabatchi et al. 2012). For these reasons, mini-publics differ from other democratic experiments, such as participatory budgeting, that are more embedded in everyday social and political relations and in which the logic of democratic deliberation is compromised by the logic of inclusive participation (Avritzer 2002; Sintomer et al. 2013). These latter methods are more open to empowerment dynamics and therefore can challenge asymmetries of power-relations, but are also often influenced by pressure groups that do not necessarily defend the worst-off. In addition, they are based on self-selection and as such “are likely to attract only strong partisans” (Goodin and Dryzek 2006).

As our experience regarding the practice of deliberation grows, the position from which we evaluate it, and the criteria of this evaluation, change. For the clarity and conclusiveness of studies, our expectations regarding deliberative encounters need to be explicit (Grönlund, Bächtiger and Setälä 2014). Each question concerning the public good needs to reflect carefully on the method of information gathering, taking into account the well-being of the entire community concerned. It is a symptom of the maturity of the subject that in many current publications there is an explicit concern for rigorous empirical evaluation (Geissel and Newton 2012; Geissel and Joas 2013; Nabatchi et al. 2012). This is vital for the development of the theory and practice of deliberation.

Deliberation and participation may be presented as opposed models of democracy, but they do not have to be (Held 2006; Goodin 2008). However, trade-offs are inevitable, and there will always be those who prime the logic of unrestricted participation over deliberation, and vice versa. Most deliberative mini-publics rarely have much impact on the wider public sphere and in the worst cases, democratic deliberation could become an alternative to deliberative democracy (Chambers 2009). In such circumstances deliberative mini-publics could even be implicated in a different kind of elitism, which claims that involvement of lay citizens in politics can only ever take place within the managed arena of mini-publics, other forms of participation being suspect of bringing emotional and non-reasonable elements. This is why some researchers and practitioners explore a path in which their quasi-ideal democratic norms are articulated with a more inclusive and heterogeneous public discourse taking place within the wider public sphere, while

others discuss the issue of scaling-up deliberation (Elstub and McLaverty 2014; Grönlund, Bächtiger and Setälä 2014).

Mini-publics often do not meet the expectations of direct influence on policy, and they can be experimental rather than efficacious. Most of them are top-down instruments and because they are not legally institutionalized, they depend upon the good will of political authorities. This is perhaps why the vast majority of them have not produced substantial changes in the real world. However, they can have other kinds of impact (Goodin and Dryzek 2006; Nabatchi et al. 2012). They have been created as a response to the failures in public communication and the inability of the mass media to support a reflexive dialogue. In a number of cases they are grounded in the tradition of social intervention in social sciences and as such they are co-created with participants (Kennis and McTaggart). Although the prominent position of mini-publics in scientific inquiry has been noticed and even criticized (Chambers 2009), the issue of deliberation in elective institutions, in social movements and in referenda has still to be systematically explored (Gastil 2008; Kriesi 2012). Mini-publics do not replace the institutions of representative democracy, nor those of direct democracy; they coexist with other forms of participatory democracy. A next step in their development should be their institutionalization and inclusion in a global perspective (Sintomer 2011).

The present book aims to explore and encourage such articulations; to consider ways in which the high standards of experimental deliberation can be adjusted to the realities of what Coleman and Blumler (2009) have called “a more deliberative democracy”. Arising from a conference at the University of Warsaw in June 2012, the chapters in this volume focus upon innovative deliberative processes and institutions. The majority of them contain data collected by researchers in the process of trying to answer questions that are central to the elaboration and evaluation of deliberative practices. Research on deliberation has developed considerably in recent years, giving rise to detailed and robust results. This book presents a synthesis of some of them and contributes to a certain “provincialization” (Chakrabarty 2007) of the usual suspects by opening the panorama beyond West-European and North-American experiments. It comprises four sections. The first concerns contemporary challenges and new approaches to the public sphere. The second focuses upon a specific deliberative technique – the Deliberative Poll – and compares findings emanating from this practice in different political and cultural contexts. The third section addresses the formidable challenge of determining what constitutes deliberative quality. Finally, the fourth section problematizes democratic deliberation and deliberative democracy as they relate to the complex challenges of contemporary politics.

## Section I – Innovative Deliberative Devices and the Public Sphere

The public sphere, “in which the public organizes itself as the bearer or public opinion” (Habermas 1989), has always been socially more diverse and politically less argumentative than the somehow idealized and normative version proposed by Habermas. In addition, it is presently a much more complex political space than it was in the era of eighteenth-century coffee-house discussion or even twentieth-century newspaper-driven discourse. It is now mediated through many competing as well as converging channels of public communication. Publicness has changed. As Coleman and Ross (2010) argue,

As the idea of a singular, potentially univocal public is abandoned, a pluralistic conception of the public as a patchwork of co-existing and overlapping communities has emerged. This fractured public lacks the metaphysical integrity that once gave legitimacy to notions of sovereign nationhood and moral universalism.

Within this new discursive environment – which some are now conceptualising as a “deliberative system” (Parkinson and Mansbridge 2012) – novel techniques of engaging citizens in face-to-face discussions are proposed, experimented with, and sometimes institutionalized. While the mass media remain the primary source of information used by people in keeping up with the fast-changing world and framing their political decisions, digital media open up spaces for direct involvement in agenda-setting and the exchange of opinions. These and other dimensions of the changing public sphere are discussed in the chapters of the first section.

In the opening chapter **Katherine R. Knobloch, John Gastil and Tyrone Reitman** consider the institutionalization of deliberative mini-publics. Their discussion focuses on the exciting case study of the Oregon Citizens’ Initiative Review which brought together twenty-four randomly selected and demographically stratified citizens to deliberate on state-wide initiatives over the course of five days. A most interesting feature of this study is the integration of this deliberative innovation in the official electoral process. The Oregon Citizens’ Initiative Review managed to connect the reflections of a deliberative mini-public to the larger public sphere and, subsequently, had the power to impact upon electoral decisions. The authors base their analysis on interviews with organizers, direct observation and archival evidence.

Access to the results of empirical research regarding the use of internet media in democratic and non-democratic countries has substantially grown over the past two decades. It allows researchers to test hypotheses regarding the capacity of digital communication to open up deliberative space, regardless of the more

general openness or opacity of political systems. Informal online communication is developing very fast worldwide, and it has become a major dimension of Chinese society. Its impact on official political discourse is discussed by **Fan Yang** in chapter Two. First, the author familiarizes readers with the interrelation of political and judicial institutions. He then presents a case study that explains how the Chinese authorities respond to communication via social media. The empirical focus here is upon Weibo, which is considered in terms of its strengths and weaknesses as a deliberative space, as well as on its role in democratizing public communication in a deeply authoritarian state.

In chapter Three **Weiyu Zhang** addresses the problem of digital divide and its consequences for public participation in deliberative exercises. The fairly optimistic findings she presents suggest that when disenfranchised groups are invited to participate in e-deliberation, the level of their engagement is not much different from the average. There are no substantial differences in the amount of talk and the number of arguments. Contrary to the expectation that the disenfranchised would feel disadvantaged in experiencing e-deliberation, most disenfranchised groups, except for younger people, reported higher satisfaction after participating than their peers.

Mass media, and particularly public broadcasting in its role as a key source of civic information, are considered by **Kees Brants** in chapter Four. He explores the demise of the deliberative dream that seemed to be inherent to the mission statements of public service broadcasting. This chapter characterizes the logic of public broadcasting, its place in the changing media landscape and relationship to a more deliberative public sphere.

## Section II – Deliberative Poll: Recent Implementations

The second section of the book turns to empirical studies of Deliberative Polling. This method of public consultation was proposed by James Fishkin in 1988. Subsequently it was developed and implemented with Robert Luskin in a range of political and social contexts in relation to various issues. The Deliberative Poll has become one of the most discussed deliberative mini-publics next to Planning Cells invented in Germany (Dienel 1997), Citizens' Juries in the USA (Crosby 1975), and Consensus Conferences in Denmark (Joss and Durant 1995). Evidence from Hungary, Japan and Poland in Deliberative Polling implementations is considered in this section. As each of these deliberative exercises employed the same methodology, it is possible – at least to some extent – to compare data and draw some general conclusions about the relationship between a universal method of deliberation and the contextual specificity of its implementation. Apart from positive

effects of the method's use for the quality of talk of ordinary citizens on policy issues, the authors draw the readers' attention to some challenges that require further investigation, analysis and generalisation of results based on comparative data. First of all, there is a need for empirical evidence on whether, and under what conditions, the positive results of deliberation may go beyond short-time effects upon citizens who were directly involved, and upon the wider public. Other challenges under scrutiny are: the role of experts and the time distribution between them and participants for creating better informed opinions; the inclusion of a broader public in the discussion; and making politicians responsible for explaining the use of the results of public consultations.

In chapter Five **James Fishkin** sets out an argument in favor of Deliberative Polling and reflects on the trend of bringing power to the people through institutional attempts to create inclusive public debates. He responds to arguments of those who perceive an intrinsic conflict between the increased participation of citizens and the level of thoughtfulness with which they provide an input into the democratic process. He sets out to identify the conditions that allow for more inclusion and, at the same time, deep collective reflection. Random sampling and moderated debates are intended to engender evidence-based reflection on policy alternatives by citizens whose social characteristics are representative to a given community. The precise institutional design may well counter such defects of group behaviour as polarization of opinions.

In chapter Six **Anna Przybylska** and **Alice Siu** reflect on the main premises and impact of a Deliberative Poll on the functions and management of the stadium extended for UEFA EURO 2012 in Poznań. They refer to data collected during public consultations and an evaluation study. A particularly interesting feature of this analysis is the educational effect of the Deliberative Poll, at least in the short-term. The research findings presented here confirm the advantages that the careful preparation of public consultations and information materials can bring. Based on empirical evidence the authors consider the issue of time distribution between participants and experts that can best serve deliberation. The principal problem with this exercise does not concern the quality of the consultation process, but the inability or unwillingness of officials to communicate openly and clearly to the public about how its results are to be included in decisions.

In chapter Seven **György Lengyel**, **Borbála Göncz**, and **Éva Vépy-Schlemmer** write about the temporary and lasting effects of a Deliberative Poll organized in the Kaposvár Region of Hungary. The discussion focused on unemployment and its perceived relationship to EU integration. After the deliberative exercise took place participants appeared to be better informed and their opinions became more balanced. The majority were enthusiastic about the event and declared a continuing

interest in the topics discussed. However, a follow-up survey conducted a year after the Deliberative Poll showed that the majority of the opinion changes were short-term. The authors investigate the contrasting characteristics of those who changed their mind temporarily and lastingly.

The concern of **Tatsuro Sakano** in chapter Eight is the knowledge gap between members of recruited deliberative mini-publics and society at large. He considers a Japanese Deliberative Poll on energy and demonstrates that its outcomes were forgotten by the general public only six months after the debate. The author reflects on conditions under which the problem might possibly be solved and focuses on the inter-subjectivity which results from communication and mutual learning between the participants in the Deliberative Poll and the broader public. He argues that Deliberative Polls can lead to more representative and thoughtful public discussion than that generated by conventional public meetings.

### Section III – Deliberative Quality

The chapters that comprise the third section of the book provide an insight into the crucial question of how far deliberative exercises can be shown to enhance the quality of public expression, reflection and interaction. The meaning of deliberation has been subject to various and rather divergent definitions. While there can be no agreed objective criteria of deliberative quality, it is possible to set out a number of clearly defined and reflexively adopted assumptions about what might contribute to such quality and what would be absent from it, and use it as a tool in robust empirical investigations. The evaluative criteria of deliberative quality set out in these chapters make explicit the observations and judgments that can all too easily be left unstated and under-theorised.

In chapter Nine **André Bächtiger** and **Jürg Steiner** present their discourse quality index (DQI) as a very promising tool for measuring the quality of deliberation in various contexts. One of the most interesting dimensions of their study is that it articulates a theoretical definition of deliberation, largely derived from a critical interpretation of Habermas, and efficient quantitative methods that enable to operationalize the concept. The DQI had previously been applied in various institutional contexts, most notably parliamentary discussions. In this chapter, André Bächtiger and Jürg Steiner apply it to the transcripts of an Australian Citizens' Conference, offering fascinating insight into possible ways of coding for deliberative quality.

What is the relationship between deliberation and direct democracy, which implies a wide public sphere that is specific when compared to electoral debates? This is the question posed by **Marco R. Steenbergen, André Bächtiger, Seraina**

**Pedrini** and **Thomas Gautschi** in chapter Ten. The authors refer to empirical data from their study preceding a Swiss referendum on the expulsion of foreigners with a criminal record in 2010. They analyze the impact of access to information and deliberation on knowledge that has meaningful consequences for citizens' choices. In their experiment the authors divided participants into three groups, each exposed to different conditions. They found out that although it is difficult to generate meaningful deliberation within a national population, the organisation of well-planned deliberative initiatives can contribute more to the public acquisition of knowledge than mere access to information.

In chapter Eleven **Elżbieta Wesołowska** argues that although numerous authors have recognized the importance of group deliberation processes, their dynamics under real conditions remain understudied. She points to a few attempts to evaluate the quality of deliberation, e.g. through application of self-descriptive measurements filled in by the participants, but considers that limited methods fail to explain which different deliberative criteria are realised in such debates. The method proposed in this chapter is a standardized procedure based on the reconstruction of the theoretical model of deliberative debate set out by Gutmann and Thompson (1996).

In chapter Twelve **Marcin Zgiep** attempts to create an analytical framework inspired by the concept of distributed deliberation (Goodin 2008; Thompson 2008). A key characteristic of distributed deliberation is its emphasis upon a network-based account of a dynamic, pluralistic, multi-phase – rather than static, singular – image of the reason-giving process. He explains how particular discourses are linked to different types of institutions and how these perform diverse functions and contribute to the quality of a deliberative democratic system.

## **Section IV – Deliberative Democracy: Reflexive Perspectives**

In the final section we move from more specific theoretical, empirical and methodological questions, to a consideration of why any of this matters. This leads us to fundamental questions of democratic normativity: What should a healthy, vibrant democracy look like? What minimal features, beyond occasional rights to vote, should democratic citizens possess? What is and could be the meaning of deliberative democracy, and the extension of deliberation much beyond the deliberative mini-publics? In the concluding three chapters these questions are interrogated.

In chapter Thirteen **Stephen Coleman** and **Giles Moss** consider the ontological status of deliberation. The authors argue that the deliberative practice is best thought of as a normative construction, rather than something naturally occurring and given, and that deliberative researchers are complicit in its contemporary

enactment. Deliberation is conceived as a normative set of practices to support different conceptions of democracy. Deliberative researchers, claim these authors, privilege certain forms of talk and employ (or even design) particular architectures and technologies of deliberation. Focusing on online deliberation, the chapter concludes with an argument in favor of a politics of deliberation that is normatively explicit.

In chapter Fourteen, **Yves Sintomer** analyses the logic of randomly-selected deliberative mini-publics. He begins by exploring the role of sortation in Renaissance Florence, which implied a Republican logic of self-government, and contrasts it with contemporary mini-publics based on (more or less) representative samples. The author suggests that modern deliberative mechanisms with randomly select participants face a number of challenges. He concludes that there is a potential trade-off between deliberation in the English sense of the term (good discussion), when developed within mini-publics, and deliberation in the senses found in Romance languages (decision of a collective body). The solution to this trade-off must be a combination of deliberative and participatory initiatives in support of democracy.

In the final chapter Fifteen, **Claus Offe** considers the features of contemporary democratic failure and offers corresponding proposals for a reinvigorated democracy. He discusses how public will formation and expression might be improved. Paying particular attention to the effects of deliberation, he scrutinizes possible and desirable functions of deliberation as well as some institutions in which they could be performed.

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