Deliberative Democracy as Political Theory

Deliberative Democracy has become an important school of democratic thought and theory. James Fishkin’s When the People Speak: Deliberative Democracy & Public Consultation is a classic in this subfield of democracy scholarship. The article below is the reflection from
A Crisis of Democracy

The Republican Party has brought American Democracy to the precipice of a crisis as they continue to flirt with avenues designed to overturn the Presidential election. The political divide has expanded beyond elections to the nature of elections themselves. Indeed, both sides claim to defend the constitution and the integrity of elections. Still, it is dangerous to allow for false equivalencies in this debate. The reality is the Republican Party has taken an authoritarian turn. It is unlikely they will change the outcome of the Presidential election, but there is a real danger that down ballot elections may become subject to similar tactics. Indeed, Republicans will likely encourage election officials to abuse their power and rig elections in the future.

Of course, some theorists have long claimed elections were not democratic. Indeed, it is now clear elections possess a democratic ambivalence. But some scholars have gone further to consider them an aristocratic institution designed to insulate the people from political power. Advocates for sortition may even find their claims have greater salience as elections transform from a political institution into an institution for the political.

Challenges for Reform

Nonetheless, it is naive to believe the problem is entirely the
product of institutions. Political science, of course, is largely about the design and reform of institutions. As Lee Drutman puts it, “At its core, my argument can be distilled into two words: institutions matter.” It is a common disagreement between the importance between strategy and tactics. Leaders in business, sports and warfare have placed great importance in strategies, but rarely can a strategy overcome poor execution. A common aphorism in business is “a poor strategy well executed always overcomes a brilliant strategy poorly executed.” The lesson for politics is institutional design depends a lot on its execution. The American constitution receives its share of criticism but has offered a framework for over two hundred years. Its success lies in a commitment to its execution among both political elites and ordinary citizens.

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Still the United States has not been devoid of key constitutional reforms throughout its history, nor has it altogether avoided crises. Indeed, the current political crisis challenges many of the assumptions that scholars have held about its institutional design. As scary as it sounds, authoritarian government in the United States may find it can work under the current constitution. Indeed, Augustus Caesar left the constitutional structure in Rome largely intact after he seized control as princeps. He did not dissolve the
Senate. Romans continued to elect their consuls. Nonetheless, Augustus transformed the nature of political power in Rome through permanent shifts in the locus of power.

**Deliberative Democracy and Direct Democracy**

Deliberative Democracy is a broad political theory with different points of emphasis and even disagreement within it. Nonetheless, there are some general assumption which set it apart from other conceptions of democracy. James Fishkin believes the key components in deliberative democratic theory are political equality and deliberation. Deliberative democracy is similar to direct democracy in its emphasis on the empowerment of ordinary citizens, but it departs in some key respects. It is self-evident that deliberative democracy emphasizes deliberation. Direct democracy, on the other hand, is viewed as undermining deliberation in favor of greater participation.

Direct Democracy gives every person a voice regardless of the time they have devoted to reflection on the issue or policy at hand. In contrast, deliberative democracy strives to design institutions that encourage reflection and consideration before decisions are made. So, while direct democracy gives opportunity for ordinary people to offer their opinions, there is no guarantee they have taken the time to reflect upon those ideas beyond an initial reaction or stereotype. Meanwhile, deliberative democracy has shown how opinions can change through deliberative discussion among a representative group of common citizens.
Deliberative Democracy as an Epistemic Democracy

Deliberative democracy has an epistemic quality in its method and its ideals. Epistemic democracy argues better decisions are made in an open society. Authoritarianism shuts down debate, so ideas have little opportunity to percolate and gain traction. Nonetheless, the wisdom of crowds relies not on individual isolated opinions, but the active interchange of those ideas through discussion and debate. Without active deliberation among the crowd, there is little wisdom to be found.

So, while direct democracy offers widespread participation, it does not guarantee deliberation. The opportunities for missteps increase when referendums become polls of isolated opinions rather than the result of an active exchange throughout the community. Nonetheless, theories of direct and deliberative democracy can converge in communities where referendums and plebiscites encourage active deliberation and discussion across the community. Unfortunately, this is difficult to achieve outside of small communities. It is difficult to maintain this convergence as scale and diversity expands within a group.

Nonetheless, direct democracy offers a real challenge for advocates of deliberation because it highlights the difficulty in reconciling deliberation and mass participation. James Fishkin recognizes a trilemma for advocates of democratic reform. He recognizes tradeoffs between political equality, mass participation, and deliberation. It is difficult to incorporate all three. Mass democracy has traditionally incorporated political equality and participation at
the expense of deliberation. The alternatives require a trade-off of either political equality or mass participation to incorporate deliberation. The problem is deliberation functions best in small group settings. Even mobilized deliberation becomes subject to self-selection bias as those most engaged are drawn to deliberative discussion. And self-selective bodies are notorious for their unrepresentative nature. They are likely to be those impacted or drawn to the topic. The views of the rest of the community are not reflected.

**Deliberative Democracy and Representative Democracy**

The crisis of participatory democracy is not new. It has emerged in various incarnations as political institutions have democratized over time. Of all people it was Carl Schmitt who recognized how participatory democracy had removed deliberation from institutions designed to facilitate it. In his monograph, *The Crisis of Parliamentary Democracy*, Schmitt argued parliaments were designed as deliberative institutions where elites discussed political issues before they found solutions. Democracy reinterpreted members of parliaments as representatives of constituencies rather than independent agents. Deliberation became impossible because representatives are constrained by the interests they represent. Parliaments became institutions designed to negotiate between societal interests and factions rather than institutions designed to facilitate deliberation.

Schmitt’s critique has taken on greater salience as democracy has
continued to evolve. Members of Congress give impassioned speeches to empty chambers designed to attract the attention of television cameras rather than to influence their fellow members. Political debate has dispersed to new channels where discussions and debates incorporate a broader audience. Some channels are informal in places as diverse as bars, parties, and barbershops. But the media has acted as an important gatekeeper that has controlled the quality of information and legitimized some voices while it has delegitimized others. Social media has begun to break down these walls, but it has also allowed for the construction of information silos and echo chambers. Moreover, it has no way to control for misinformation, so the proliferation of fake news has become a significant problem around the world.

**Deliberative Polling**

Deliberative democracy offers many solutions to incorporate meaningful deliberation back into the political process. Some offer an alternative to elections, while others showcase subtle actions of everyday citizens. It is a mistake to pigeonhole deliberative democracy to create a strawman meant to tear down. Nonetheless, it helps to examine specific solutions as meaningful democratic reforms and as thought experiments to better understand democracy. James Fishkin has developed a tool he has called deliberative polling. He shows how it has been used for candidate selection in Greece and to determine public projects in China. It selects ordinary citizens from the community who represent diverse perspectives.
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Deliberative polling solves a common problem of polls. They are fickle. People change their minds as they learn new information. Few people focus on the details of specific proposals, so opinions change as public discourse emphasizes different perspectives. Deliberative polling does not change the minds of those left out of the deliberative process, but it does lend credibility to the process. But it also brings to light the arguments and perspectives most salient as the population gains new information. For example, Fishkin offers an example where the Zeguo township in China utilized deliberative polling to determine public projects for the community. Opinions changed through the process of deliberation as the participants shifted from support for a new town square to the construction of new sewage treatment plants and the construction of a single main road.

Possibilities for Deliberative Polling

Public opinion polls and referendums provide initial reactions from the community. In contrast, a deliberative poll gives insights into how public opinion will evolve through proper consideration. The deliberative process brought to light the most salient arguments the community was likely to accept as they had time to reflect. But it
also offered a divide between the decision-making process and the execution of the projects. The public officials were able to increase their credibility in their support for the projects because of their distance from the decision. The process conferred a greater degree of legitimacy through a redefinition of their roles from proponents into advocates.

Deliberative democracy may have greater potential in nondemocratic states because there are no democratic legacies. It offers a path for greater legitimacy in governance that may more closely resemble nonwestern traditions. Hélène Landemore contemplates in her recent book *Open Democracy* about the possibilities for China to democratize through more radical reforms without the presence of elections. The challenge is the Chinese Communist Party has long held their form of government is democratic. They call it democratic centralism and democratic dictatorship. Of course, these are euphemisms which imply the system has little to no democracy at all. The challenge in these environments is to establish new forms of democracy without falling prey to terminology that legitimizes institutions that are democratic in name but never in practice.

**Is Deliberative Democracy Transformative?**

Regular deliberation has the potential to transform how citizens approach politics. Social media has encouraged people to gravitate toward messages they find comfortable. In contrast, the design of deliberative democratic reforms takes people outside their comfort
zones. It forces people to consider multiple points of view. Participants regularly find their opinions change not just about issues but also about others in their community. Regular participation in deliberative institutions may transform how people approach politics outside these institutions. Citizens may look for alternative perspectives or even reject the most polarizing perspectives.

Nonetheless, deliberative solutions have drawbacks. There is a limit to the size of a deliberative assembly before it is no longer deliberative. Perhaps as political culture adapts, deliberative assemblies could expand, but it is difficult to have meaningful deliberation when the group is too large. Moreover, some perspectives will remain neglected. For example, the transgender population is around a half of a percent. A deliberative body of 100 may leave this perspective out entirely.

Indeed, the literature on intersectionality demonstrates how the views of minorities within minorities already struggle to gain a voice. Of course, some underrepresented communities may find their representation increases through the inclusion of ordinary citizens. Even if they are left out at times, their occasional inclusion may offer greater representation than the status quo. But more would need to be done. Hélène Landemore believes crowd sourcing offers a supplement to institutions selected by sortition or lottery.

**Social Media and Deliberation**

Deliberative democracy places emphasis on the medium for deliberation. A lot of discussion occurs on social media, but it is not
the type of deliberation democratic reformers want to encourage. Too often social media reinforces ideas because few people look to supplement their opinions through alternative ideas. Small groups humanize conversations. People approach deliberation differently through face-to-face encounters. It is easier to attack ideas or demean persons through the anonymity of the written word. Social media exacerbates this tendency because it allows people to hide their identity behind a profile that may not identify their real name at all.

The deliberative medium emphasizes small groups and verbal communication. However, the medium has its own challenges. Fishkin explains how a political party in Greece selected political candidates through deliberative polling. The process had unexpected outcomes because the selected candidates lacked name recognition. Fishkin emphasizes it was unlikely this slate of candidates would have been selected through an American primary or a party convention. And yet, deliberative polling may have its own biases. It is likely personalities who operate well in small group settings are likely to become candidates. This is beneficial when their role requires this skill, but it is problematic if the candidate needs certain skills and characteristics to operate in an environment of mass media.

**Beyond Elections**

Ultimately deliberative democracy offers an alternative beyond elections. It is important to recognize it is not necessary to replace representative democracy wholesale to deliver benefits. Indeed,
many governments have already begun to incorporate citizen assemblies into the democratic process. Still the possibilities for deliberative solutions are largely untapped. There is likely more to gain through deliberation. Nonetheless, none of these reforms will matter if people desire greater polarization. Deliberation depends on the commitment of ordinary citizens to engage in the deliberative process. A very real danger remains where politics simply adapts to more deliberative bodies and polarizes its process. **Hope for Democracy** will ultimately rest on the commitment of its citizens.

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