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The Meaning and Measure of Deliberative Systems

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The Meaning and Measure of Deliberative Systems

by

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A thesis submitted in partial fulfillment of the
requirements for the degree of

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in
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Abstract

Deliberative democratic theory emphasizes deliberation as central to the health of democracy. It has grown to be one of the most active and popular strands of political theory. In response to criticisms that deliberative democracy was unworkable at the large scale, the field made a systemic turn and now conceives of political communities as potential deliberative systems. While advancements have been made in measuring the quality of deliberation that occurs in deliberative forums, the practice of measuring the quality of deliberative systems is in its infancy. Authors have proposed various theoretical paths to assessing deliberative systems but no standardized method capable of producing replicable results exists. In this thesis, I offer two contributions to the ongoing discussion of the measure of deliberative systems. The first contribution is a proposal and outline of a process-based method for assessing and aggregating the components of deliberative systems into a single score. The second contribution is an argument that we can use a measure of meta-consensus among the members of a polity to indirectly measure the quality of a deliberative system.

To my mother, Nancy,
my father, John,
wife, Edith,
and our cat, Violence.

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Chapter 1 Defining Deliberation

1.1 - Why Deliberation Matters

Governments of all types benefit from stability that comes with legitimacy. This is especially true in democracies, where people are relatively free to dissent. For theorists of deliberative democracy, deliberation is the primary source of democracy's legitimacy. The survival of a democracy depends in large part on the quality of its intersubjective, political deliberation, i.e. of its deliberative democracy. High quality deliberation is crucial for stable democracies.

Assessing the deliberativeness of democratic states enables us to estimate the health of a democracy. A measurement of deliberative democracy will help us differentiate superficially stable democracies from healthy democracies capable of enduring adversity. Assuming that the measurement is valid and accurate, it will also help us learn what works for fostering high quality deliberative democracy.

An understanding of deliberative democracy is increasingly important at the present moment. Across the globe, and especially in the United States, democratic institutions are experiencing a crisis of legitimacy. In addition, information warfare assaults on democracies are increasingly common. Good deliberation can help protect democracy from these assaults and from more typical backsliding. Such is the motivation behind this thesis, and behind the field of deliberative democracy more generally.

1.2 - Extant Definitions of Deliberation

There is no agreed upon definition of *deliberation*. Some definitions keep deliberation pure and inherently desirable while other definitions reduce and broaden deliberation to discussion of almost any kind. Uncertainty about deliberative ends invites criticisms of something that is not actually deliberation. Confusion about the definition of deliberation results in a multitude of criticisms, many of which do not apply to deliberation in a normative sense. (Niemeyer and Dryzek 2007) For instance, Iris Marion Young conceives of deliberation as being synonymous with formal argument, then criticizes deliberation for excluding alternative communication styles such as greeting, rhetoric, and storytelling. (Young 2001) But other theorists welcome the inclusion of those communication styles that Young excludes. (Gambetta 1998; Mansbridge 2007)

A crucial distinction between definitions of deliberation is whether deliberation includes *reason*. A *weak definition* is one that lacks a reference to *reason* and conceives of deliberation as any communication aimed at changing preferences. By such a definition, deliberation is not intrinsically desirable as communication aimed at changing preferences can be either good or bad. On the other hand, a *strong definition* requires that deliberation be rational, and may have additional requirements such as inclusion and equality. Habermas may be the closest to such a conception of deliberation as he describes deliberation as a process in which the force of the better argument prevails and

is the only force employed. He argues that deliberation should contain nothing but “the forceless force of the better argument.” (Mansbridge et al. 2012, 17) By strong definitions, deliberation is intrinsically desirable, although perhaps impossible as perfect rationality is unattainable and unknowable. Even though actual discussion falls short of ideal deliberation, the standard of ideal deliberation still has a steering effect on discussion.

James D. Fearon offers a choice between definitions of deliberation depending on whether one or more individuals are involved. For multiple individuals, deliberation is a particular sort of discussion that involves reason. For a lone individual, deliberation is an internal process of weighing reasons. (Fearon 1998) While Fearon’s definitions both reference reason, they stop short of requiring rationality. I consider these to be *moderate definitions*, i.e. neither strong nor weak. Joshua Cohen also has a moderate definition in which reason is referenced but not required. “[U]nless the reasonableness is aimed at by participants in the process, we do not have deliberation.” (Cohen 2007, 221) “Participation, even discursive participation, is not the same as deliberation.” (Cohen 2007, 223) According to Cohen, rational collective decision making must be attempted by the participants in order to qualify as deliberation. As mentioned earlier, it is up for debate whether individuals ever actually cease pursuing solely their own self-interest.

Adam Przeworski seems slightly confused on the definition of deliberation. Despite explicitly offering a definition with no mention of reason, Przeworski alludes to deliberation with the phrase “free, equal, and reasoned public discussion.” (Przeworski

1998, 141) This minor contradiction suggests that that reason may be an assumed component of deliberation.

While I intend to offer a moderate definition in the next section, one could utilize a strong or weak definition and still arrive at agreement on a measure of quality of deliberation. Regardless of whether deliberation includes most discussions, or only perfectly rational discussions that never actually occur in the real world, a shared measure of the quality of deliberation could be how closely actual discussion approximates the ideal of rational, egalitarian discourse. A moderate definition welcomes less-than-rational discussion into the category of deliberation while still distinguishing between good and bad deliberation.

There are two common reference points from which to define deliberation. One of these is to define it in terms of its form or appearance. These definitions often describe deliberation as a process. James Fishkin defines deliberation as “the process by which individuals sincerely weigh the merits of competing arguments in discussion together.” (Fishkin 2014, 31) Cohen offers a similar definition but adds a reference to making a decision: “Deliberation, generically understood, is about weighing the reasons relevant to a decision with a view to making a decision on the basis of that weighing.” (Cohen 2007, 219) Diego Gambetta defines deliberation such that it precedes but is distinct from a decision. Deliberation is “a conversation whereby individuals speak and listen sequentially before making a collective decision.” (Gambetta 1998, 19) Archon Fung also defines deliberation as a process, but adds an additional egalitarian criteria on the type of

reasons that are permissible. He writes, deliberation is “a process of public discussion in which participants offer proposals and justifications to support collective decisions. These proposals are backed by justifications that appeal to other participants and by reasons that others can accept.” (Fung 2007, 163) We can see a similar egalitarian concern combined with a reference to reason and the epistemic possibility of better and worse decisions in the work of Mendelberg and Karpowitz who define deliberation as follows:

“a public discussion that is ‘reflective, open to a wide range of evidence, respectful of different views. It is a rational process of weighing the available data, considering alternative possibilities, arguing about relevance and worthiness, and then choosing the best policy or person’ (Walzer, 1997: 1-2). Deliberation, ideally, is a process of communication in which people must address needs and perspectives quite different from their own. Those needs and perspectives are conveyed through reasoned arguments that are universal and generalizable, drawing on basic understandings with which other participants can agree (Chambers, 1996; Gutmann and Thompson, 1996).” (Mendelberg and Karpowitz 2007, 102)

Jon Elster offers a process based definition of deliberation that stands apart from others for its novel position of deliberation relative to other forms of communication. Elster argues that, excluding violence, there are three ways in which a group can make a decision: arguing, bargaining, and voting. Arguing and bargaining are at opposite ends of a spectrum while voting is an aggregation mechanism apart from the spectrum. Elster claims that deliberation is essentially a form of arguing. In addition, the place of

deliberation in group decision making is secured by the fact that "arguing is logically prior to all other modes of collective decision making." (Elster 1998b, 10) A group can only agree to decide by voting after an argument has been made to use voting.

The other common way to define deliberation is by reference to its purpose, i.e. what it is intended to accomplish. Of course, many of these definitions also make reference to the process as well. One alleged purpose of deliberation is to produce superior decisions compared to those made without preceding deliberation. This is the view of James Bohman who defines public deliberation as "a dialogical process of exchanging reasons for the purpose of resolving problematic situations that cannot be settled without interpersonal coordination and cooperation." (Bohman 1996, 27) Bohman's comment here is rather broad and compatible with many other definitions. For instance, Joshua Cohen argues that the goal of deliberation is to produce consensus. "[D]eliberation aims to arrive at a rationally motivated consensus - to find reasons that are persuasive to all." (Cohen, as quoted by Przeworski 1998, 141) Simone Chambers differs from Cohen in this regard. She writes,

"deliberation is debate and discussion aimed at producing reasonable, well-informed opinions in which participants are willing to revise preferences in light of discussion, new information, and claims made by fellow participants. Although consensus need not be the ultimate aim of deliberation, and participants are expected to pursue their interests an overarching interest in the legitimacy of outcomes (understood as justification to all affected) ideally characterizes deliberation. (2003: 309)" (Simone Chambers, as quoted in Warren 2007, 277)

She clearly disagrees that consensus is the primary goal of deliberation and appears to place legitimacy beside the production of reasonable, well-informed opinions as a primary aim. Przeworski defines deliberation as if its purpose is to change opinions, but not necessarily towards consensus or rationality. Deliberation is "a form of discussion intended to change the preferences on the bases of which people decide how to act." (Przeworski 1998, 140) Jon Elster argues that the primary aim of argument in a decision making process is the transformation of derived preferences. Fundamental preferences may be unamenable to reason, but derived preferences tend to be factual matters on which a person can change their mind, and on which a group may approach consensus. (Elster 1998b) Finally, John Dryzek lists roughly nine different goals which theorists desire from deliberation. In addition to those mentioned above, his list includes increased political equality, a more competent citizenry, and an easier time solving public problems. (Dryzek 2007)

A third, and less common way to define deliberation is in reference, not to what it intends to produce, but what it does produce, either ideally or in actuality. Susan Stokes defines deliberation as "endogenous change of preferences resulting from communication." (Stokes 1998, 123) An oversimplification of a scientific worldview might argue that deliberation produces knowledge. For Habermas, ideal deliberation would produce a complete and rational consensus. (Habermas 1984) Elster agrees, writing that "a rational discussion would tend to produce unanimous preferences" (Elster,

as quoted in Niemeyer and Dryzek 2007, 499). Goold et al. offer a conception of deliberation as a process that produces changes in opinions as well as increasing satisfaction and confidence with outputs. (Goold et al. 2012) Some theorists argue that deliberation produces stable outputs, free from manipulation, that are epistemically superior by virtue of being closer to the objectively correct answer. (Cohen 1997; Estlund 1997)

In the next section I offer my definition of deliberation and clarify my stance/assumptions on many of the disputes within deliberative democratic theory. Then I shift from small scale deliberation up to the scale of the country where deliberative democracy is the operative concept. I review definitions of deliberative democracy and offer my own.

1.3 - Deliberation Defined

I offer a moderate definition of deliberation, one which includes reference to the use of reason but does not require actual objective rationality. Under my definition, deliberation aims at, but never achieves perfect rationality. It is sufficient that the participants make a genuine effort to employ the use of reason. My definition is as follows:

Deliberation is the use of the human capacity to reason in the consideration of possibilities in order to inform a decision by identifying better and worse options.

Note the four components of this definition. The first that deliberation includes reason, but not perfect reason, only a level of reason of which humans are capable. Deliberation is more than discussion by virtue of its aiming at rationality, but deliberation does not require ideal rationality. This is what makes the definition moderate. The second component is *the consideration of possibilities*. I mean this in the broadest sense. *Possibilities* includes possible choices but also possible factual states of affairs, causal connections, and any other matters worth consideration for purposes of the decision.

The third component is the point that deliberation *informs a decision*. More specifically, deliberation informs a decision making process about reasons and their respective validity. A decision may regard various courses of action, but often the decision is simply what one is to believe about a matter. When multiple people are involved, deliberation often fails to produce a decision and so is not a decision making method. When it results in consensus, then it makes sense to say that the decision was made by deliberation. But in the vast majority of cases, deliberation merely precedes a decision making method. The fact that deliberation is not a decision making method changes little about deliberation's relation to decisions. Theorists are still interested in the effect that deliberation can have on decision making processes and the two remain closely linked.

The fourth component is the identification of better and worse options. This is to stress the epistemic nature of deliberation. Probabilistically, deliberation is more likely than not to produce objectively superior outcomes compared to other methods of informing a decision. It has a tendency to be more correct than other methods. One of the ways that it does this is by connecting particular claims to general principles.

There are some consequences of the offered definition of *deliberation*. The most explicit is that deliberation is epistemic in nature. Second is that deliberation, by this definition, actually occurs in the real world. Third, deliberation does not require multiple people. “An individual can make decisions deliberatively” (Cohen 2007, 219). And because a lone individual can deliberate, and is very likely to arrive at consensus, deliberation can be considered a decision making process when only one person is involved.

1.4 - Deliberative Democracy Defined

The definition of deliberation given above requires only a single person, but deliberative democratic theory is primarily concerned with deliberation between multiple people, i.e. *intersubjective deliberation*. It is a type of discussion constrained by norms that include honesty and equality. Intersubjective deliberation aims at a common good, at least of the participants. This is not to say that individuals do not attempt to exploit the deliberation process for self-interest, but that such behavior is not openly permissible.

Intersubjective deliberation does not guarantee consensus in the same way that a lone deliberator does and thus deliberation cannot be a method of decision making as it regularly fails to produce decisions. Even though deliberation is technically not a decision making method, it is still possible to evaluate the decisions that are produced by processes that include deliberation. We can still assess the outputs of decision processes that follow after deliberation. Questions about decisions made by deliberation can be rephrased as questions about decisions preceded by deliberation with little significant difference. The central concern remains deliberation's effect on decision making processes, outputs, and outcomes.

In order to be objective and rational, intersubjective deliberation ought to be inclusive, egalitarian, reciprocal, and noncoercive. Of course these are ideals to be aimed at and their perfect realization is impossible. (Niemeyer and Dryzek 2007) To the extent that deliberation approximates these ideals, it should be capable of selecting against misinformation, with this tendency increasing as the quality of deliberation increases. Intersubjective deliberation has the potential to increase consensus, though these results are not guaranteed. It seems likely that deliberation is probabilistically more likely to increase consensus, and especially meta-consensus, than not. This tendency is likely to be stronger when the quality of deliberation is higher.

Intersubjective deliberation may be thought of as an attempt at collective consciousness. For an individual faced with a novel problem, the best solution tool is

consciousness. For a collective, the tool is collective consciousness made manifest via the exchanging and rational comparison of ideas and lessons on possible solutions.

Another type of deliberation, one that can be done by an individual or intersubjectively, is political deliberation. Here, I draw from Przeworski who writes that, "[d]eliberation is 'political' when it leads to a decision binding on a community." (Przeworski 1998, 140) Thus, political deliberation is deliberation that results in a binding decision on a community. Note that the decision is not necessarily aimed at a common good, though it could be. Also worth pointing out is that there is nothing necessarily democratic about political deliberation. "Deliberation is not an intrinsically democratic matter." (Cohen 2007, 219) Oligarchs and dictators can deliberate.

I offer that *deliberative democracy* is essentially a combination of intersubjective and political deliberation that is aimed at the common good. It seems that the criteria of aiming at a common good could be intrinsic to intersubjective deliberation or included due to the addition of democracy depending on how one conceives of them. I will mention a few definitions from others before offering my own. Przeworski offers a bare bones definition wherein "'democratic political deliberation' occurs when discussion leads to a decision by voting." (Przeworski 1998, 140) This definition may be sufficient but more nuance is possible.

Rosenberg defines *citizen deliberation*, not quite the same as *democratic deliberation*, as "a joint, cooperative process of clarifying, elaborating, and revising common conceptions and values, in the course of defining specific problems and

determining how they should be addressed." (Rosenberg 2007a, 8) Rosenberg does not explicitly mention values such as equality and inclusivity, but they are implied as they are crucial to the process described.

Jon Elster defines deliberative democracy as the combination of democracy and deliberation, both of which he also defines. Democracy is "collective decision making with the participation of all who will be affected by the decision or their representatives" (Elster 1998b, 8). Deliberation is "decision making by means of arguments offered *by* and *to* participants who are committed to the values of rationality and impartiality" (Elster 1998b, 8). Thus, deliberative democracy is "decision making by discussion among free and equal citizens," (Elster 1998b, 1) Elster is explicit about the requirement that citizens be free (uncoerced) and equal. Inclusivity of all citizens is implied.

Similar to Elster, Amy Gutmann and Dennis Thompson "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 challenge in the future." (Gutmann and Thompson 2004, 3) This definition has most of the traits I have been discussing. There is a moderate use of reason, an implication of inclusivity and equality in the type of reasons that are acceptable, and mention that the decision is at least temporarily binding on citizens.

Joshua Cohen offers a brief definition of *deliberative democracy* in which much hangs on the meaning of *deliberation*. According to Cohen, a deliberative democracy is “an association whose affairs are governed by the public deliberation of its members.” (Cohen 1997, 67) In addition, Cohen provides a complementary and lucid description of the traits of deliberative democracy that warrants quoting him at length. He essentially conceives of deliberative democracy as the combination of the use of reason and equality.

“Democracy is a way of making binding, collective decisions that connects those decisions to the interests and judgements of those whose conduct is regulated by the decisions. The essential idea is that those subject to the decisions are treated as equals by the process of making the decisions, including agenda-setting and preferences formation, as well as collective decision-making. Democracy is also a kind of society - a society of equals.... [T]he point of deliberative democracy is to subject the exercise of collective power to reason’s discipline, to what Habermas famously described as ‘the force of the better argument,’ not the advantage of the better situated. ...And not just the process of reasoning, but the content of the reasons themselves must have a connection to the democratic concept of people as equals. In short, the ideal of deliberative democracy is to discipline collective power through the common reason of a democratic public: democracy’s public reason. Deliberative democracy... is a distinctive interpretation of democracy: democracy, no matter how fair and no matter how participatory, is not deliberative unless actual reasoning is central to the process of collective decision-making.” (Cohen 2007, 219–20)

It can be seen here that Cohen’s brief definition of democratic deliberation intends to imply the traits I have been mentioning more explicitly, such as equality, inclusion, reason, and noncoercion. If my definition of *deliberation*, offered above, is utilized, then

Joshua Cohen's definition of deliberative democracy may be eloquent and complete, containing or implying all of the traits that I argue are necessary components of deliberative democracy.

Even so, I will make a slight adjustment to Cohen's definition. His definition does not require that the group deliberating be made up of citizens and that the deliberation is in some way taking place at a country-wide scale. However this appears to be what most deliberative democracy theorists have in mind when writing. Thus, I will reserve the term *deliberative democracy* for associations that are coextensive with the citizenry of a nation-state. I suggest that the concept Cohen so well described be instead associated with the term *democratic deliberation*.

The definition of deliberative democracy that will be operative in this thesis is as follows:

Deliberative Democracy is the use of the human capacity to reason, applied by a free and equal citizenry, in consideration of the merits of various possibilities, so as to inform a decision, aimed at a common good, and binding upon citizens of that nation-state.

This definition includes the three core components from the definition of deliberation but also the criteria that the association be a nation-state, that all the citizenry be included and equally empowered, and that the deliberation aims at a common good. Democratic deliberation emphasizes a societal perspective, rather than an individual perspective.

Proposals that are acceptable to free and equal individuals are necessarily phrased in terms of a common good. It is assumed that the nation-state must be a democracy as the preconditions of a free and equal citizenry can only be found in democracies. Mark E. Warren corroborates this point, arguing that theories of deliberative democracy aim to foster communicative influence via deliberation as the dominant form of conflict resolution. But deliberation is likely too fragile to occur outside of strong states that grant rights. Perhaps ironically, deliberation is dependent upon non-deliberative institutions that it cannot replace and must be woven into. (Warren 2007)

A number of theorists think of deliberative democracy more as a goal than a study. John Dryzek acknowledges that deliberative democratic theory is not a falsifiable hypothesis, but a project with a goal. (Dryzek 2007, 250) As deliberative democratic theory develops, deliberation more closely approaches the ideal of democracy than perhaps any other form of citizen participation. (Weatherford and McDonnell 2007) Again, Cohen is especially informative. He argues that deliberative democracy is about tying the exercise of power to conditions of public reasoning. The goal is to establish conditions under which a public will can be discursively formed and foster the communicative power that results in the institutionalized impact of such a public will on political power. (Cohen 1998)

But deliberative democracy might suffer from idealism. Deliberative democracy idealizes “political autonomy based on practical reasoning of citizens.” (Bohman and Rehg 1997a, ix) Indeed, the goal of deliberative democracy, according to James Bohman,

is quite a high bar: "to resolve the increasingly common conflicts without surrendering the political equality of citizens, the non-tyranny of outcomes, and the publicity of dialogue." (Bohman 1996, 69)

My task in this thesis is not to decide whether deliberative democratic theory is overly idealistic, but rather to suggest a method by which to measure the extent to which a nation-state approximates the ideal of deliberative democracy. For obvious reasons, deliberative democracy is unlikely to occur in non-democratic regimes. The work contained in this thesis is only intended to apply to democratic states. Even though the conceptual model of deliberative systems that I will put forward is potentially capable of being applied to any system, one of the measurement methods is really only useful in democratic states. This is because only in democracies can you find a sufficiently free press, free and fair elections, and a polity with the political and civil liberties required for deliberation.

In the next section I will discuss the differences between good and bad deliberation. Then in the following section I will discuss the consequences of a systemic understanding of deliberative democracy for distinguishing between good and bad deliberation.

1.5 - Disputes regarding Deliberation

There are many disputes between deliberative democracy theorists. The chosen definitions have consequences for these issues of disagreement. Bear in mind that the function or role of deliberation in a democracy is a crucial component of its definition. How do theorists conceive of deliberation's role? What are the diverse ways that deliberation is understood by those who advocate for it? How does deliberative democratic theory conceive of deliberation? On what points do deliberative democrats agree and on what points are they in disagreement? Particular resolutions of these disputes have relevance for selecting an appropriate measurement of deliberation.

The first important dispute is whether or not deliberation is a recent addition to democracy. Jon Elster argues that deliberation is implied in democratic foundations. As evidence of his claim, Elster offers the following quotation of Pericles, as quoted by Thucydides, eulogizing Athens in the 5th century B.C.:

"Our public men have, besides politics their private affairs to attend to, and our ordinary citizens, though occupied with the pursuits of industry, are still fair judges of public matters; for, unlike any other nation, we regard the citizen who takes no part in these duties not as unambitious but as useless, and we are able to judge proposals even if we cannot originate them; instead of looking on discussion as a stumbling-block in the way of action, we think it an indispensable preliminary to any wise action at all. (Thucydides II.40)" (Elster 1998b, 1)

The notion that a citizen who does not discuss politics is “useless” is a far cry from the modern self-adulation heard in claims of those who proudly take no part in politics. The quotation demonstrates that deliberation was important for the ancient Greeks.

Jon Elster also notes that one of the more famous quotations in deliberative democratic theory predates the formation of the first modern democratic state. In 1774, Edmund Burke, while speaking in opposition to binding mandates which would require elected officials to adhere to promises made while campaigning or to demands of the citizenry at the time of election, offered an argument based on the importance of deliberation.

"Your representative owes you, not his industry only, but his judgment; and he betrays instead of serving you, if he sacrifices it to your opinion. . . . Parliament is not a congress of ambassadors from different and hostile interests; which interests each must maintain, as an agent and advocate, against other agents and advocates, but parliament is a deliberative assembly of one nation, with one interest, that of the whole; where, not local purposes, not local prejudices ought to guide, but the general good, resulting from the general reason of the whole." (Edmund Burke, as quote in Elster 1998b, 3)

According to Burke, representatives are expected to deliberate and deliberation is required for the strongest advocacy.

Another traditional defense of deliberation comes from the work of John Stuart Mill's opposition to prior restraint and defense of freedom of speech. For Mill, one reason that a democracy ought to guarantee freedom of speech is so that the government does

not stray far from what informed citizens believe to be reasonable. Indeed, it is a sign that the people are the genuine authors of laws if they refrain from revolt even while free and informed. This is not to say that citizens reason well, just that they do at least reason about their own interests and will not tolerate large deviations from apparently reasonable policy. For Mill, a more informed populace grants more legitimacy to a democracy. Discussion is a safeguard against both tyranny and human fallibility. (Elster 1998b; Mill 1859)

Other defenders of the notion that democracy implies deliberation include Roberto Gargarella and Gerry Mackie. Gargarella argues that deliberation was one of two components in a model of democracy held by the US founding fathers and their British counterparts, the other component being full representation. Though their concern was not with impartiality but with balancing ambition against ambition, the combination of full representation and deliberation is also a catalyst to impartial decisions. (Gargarella 1998) Mackie utilizes the claim that democracy inherently includes both voting and deliberation to protect democracy from criticisms of voting as inaccurate and manipulable. Because democracy includes both voting and deliberation, arguments that detract from voting's virtues do not equally impune democracy. (Mackie 1998)

On the other hand, perhaps deliberation is indeed a new direction for democratic theory. The field of deliberative democracy did not emerge until the 1980's. In some regard, the development of deliberative democratic theory certainly seems to be a response to various shortcomings of democratic theory. Lynn M. Sanders goes so far as to

argue that deliberation is at odds with democracy and that deliberative democracy is incompatible with aspects of liberalism. This is due to liberalism's adamant that it has identified universalizable principles such as human rights that are beyond consideration in deliberation. Liberalism allegedly attempts to remove them from the valid topics of deliberation. Another potential incompatibility stems from deliberation's emphasis on the use of dispassionate, impartial, rational discourse which may foreclose certain positions and arguments, thus resulting in inequality in the deliberative arena. (Sanders 1997) If deliberation is not inherent in democracy, then that would help explain how deliberative theory could arrive at undemocratic conclusions. It would not be an extension of democracy, but a patchwork of corrections with unintended consequences.

I am persuaded that deliberation has always been relevant to democracy, but that the growth in interest in deliberative democracy over the past few decades is an attempt to address a growing tension between power and equality. According to Rosenberg, aggregative conceptions of democracy include a potential conflict between individual preferences and a public good. Deliberative democracy is a response to this conflict. "Deliberative democracy subjects power to the discipline of talk and to the reasoning of equal persons." (Rosenberg 2007a, 20) Power can be distributed more evenly while maintaining social unity and stability if consensus is increased. Deliberation is appealing for its potential to generate consensus and meta-consensus, which in turn will allow a more egalitarian distribution of political power and a more authentic democracy. Again, it is appealing to think about deliberation as aiming at collective consciousness. Habermas

appears to concur, writings that “[t]he sole substantial aim of the project [of constitutional democracy] is the gradual improvement of institutionalized procedures of rational collective will-formation,” (Habermas 1997, 61)

A second important dispute is whether or not deliberation is a method of decision making. Theorists of deliberative democracy commonly assume that deliberation is a decision making method. They end up comparing deliberation to aggregative methods such as voting. However, James Johnson argues that a majority of deliberative democratic theory fails to honestly treat deliberation as a method of decision making. In doing so, theorists avoid a fair comparison to aggregation as a method. (Johnson 1998) And Robert E. Goodin argues that deliberation is not itself a decision making method as, unless participants arrive at complete consensus, a decision method must follow after deliberation. (Goodin 2000) Deliberation is not a method of decision making, but it certainly has an effect on the decisions reached.

A third ongoing dispute is whether deliberation can occur within an individual or if it requires multiple people. Both answers are capable of being internally consistent. While a definition of deliberation that includes processes internal to a single mind is broader and lends more complexity to discussions of deliberation generally, it does not in any way preclude exploration of the benefits of deliberation between individuals. It seems common for deliberative democracy theorists to assume that deliberation requires multiple people, Goodin opposes that assumption and argues that some crucial aspects of deliberation, even when occurring between individuals, takes place within the mind of

individuals. (Goodin 2000) By emphasizing the reciprocity that must occur in the mind of a faithful deliberator, Goodin demonstrates the importance of processes internal to individuals for the deliberation.

A fourth, and quite lively dispute, regards the standard of reasonable pluralism that deliberation is capable of. In other words, what can deliberation legitimately exclude? Are there some topics which are not up for consideration in deliberation? Some decisions that may not be reviewed? Some behaviors that are impermissible in deliberation? Are there some worldviews that are not permissible in a deliberative arena? Are differences in fundamental worldviews amenable to reason, and if not, are worldviews not a useful topic of deliberation? Does deliberation inherently disallow religious convictions not founded on evidence and arguments available to all persons? In general, theorists supportive of deliberative democracy argue that deliberation is pluralist in nature, that it welcomes a large diversity of topics and positions. Those who acknowledge the limitations imposed by deliberation attempt to justify the exclusions.

Mansbridge's points mentioned above are significant here. Because deliberation is concerned with evaluating *reasons*, it is inherently open to the idea that there can be multiple valid and conflicting arguments. (Mansbridge 2007) Another reason to think that deliberation is pluralist in nature depends on the assumption (that will be discussed more later) that deliberation aims at meta-consensus, which is a kind of agreement on the set of relevant factors to consider in making a particular decision. When participants respect each other and engage in reciprocity, they will admit the relevance and legitimacy of each

other's arguments even while those arguments conflict. (Niemeyer and Dryzek 2007)

This is akin to the Rawlsian idea of public reason. Various factors combine to produce standards of reason that one ought to adhere to when discussing matters of public concern, in public space. Especially important is that the reasons given be ones acceptable to others. (Rawls 1997)

In the face of criticisms that deliberation would disregard religious convictions as illegitimate, Cohen offers an argument that because religious people genuinely regard their religious beliefs as fundamental, unchangeable values their fellow deliberators must, in the interest of equality, treat those beliefs as fundamental convictions, not as choices previously made. Without reasons to reject religious convictions that are convincing to the religious, deliberation must respect religious liberty as an instance of reasonable pluralism. The priority of inclusivity necessitates the acceptance of different fundamental world views. Reasonable people can disagree on worldviews. This does not imply moral relativism. Rather, there can be a moral truth that is beyond human capacities of reason. While differences in fundamental worldviews persist, people may still come to political agreement. For instance, people arrive at the notion of equality through different routes, some religious, some secular. (Cohen 1998)

Just because deliberation welcomes incompatible worldviews does not mean that they are beyond challenge. James Johnson argues that deliberation necessarily includes challenges, not just to values, interests, and preferences, but also to fundamental worldviews. And even though worldviews may be challenged, there is no guarantee that

disputes over them will be amenable to reason. Fundamental worldviews may be inherently unamenable to reason or they may merely be beyond human reasoning capacities. Either possibility is sufficient to render some worldview differences incapable of resolution through deliberation. Some amount of disagreement is endemic to political discussion and not all differences are theoretically resolvable. (Johnson 1998). Joshua Cohen agrees and points out that deliberation need not be capable of resolving fundamental moral differences in order to increase political consensus as people can arrive at a similar policy preference from different fundamental assumptions. (Cohen 1998)

Deliberative democrats do defend some restrictions on permissible arguments during deliberation, namely those that are either unreasonable or explicitly opposed to deliberation. Cass R. Sunstein argues that excluding certain unreasonable arguments from deliberation is both acceptable and coherent. Though doing so requires a pre-deliberation conception of reasonable arguments, this does not require a preconceived notion of the correct answer, which would be quite a problematic feature of a deliberative theory. As Sunstein argues, it is possible to know which views count as reasonable without knowing the right decision. Deliberation has no commitment to allowing every view a platform. Rather deliberation ought to facilitate critical evaluation of reasonable, competing arguments. (Sunstein 1999) Included in the category of unreasonable arguments are those that explicitly oppose deliberation. All worldviews must be welcomed except stances against deliberation which are irrelevant as they cannot be held in deliberation. (Cohen

1998) It would seem then that on topics like the permissibility of slavery, deliberation ought to permit discussion of the possibility but it would emerge that permitting slavery violates the preconditions for deliberation, and thus could be labeled an unreasonable position.

Another question regarding reasonable pluralism is whether deliberation is free from alternative communication styles that include greeting, rhetoric, storytelling, and displays of passion and emotion. Many theorists reject these limitations and argue that deliberation permits emotion, though some measures of deliberation do give lower scores for certain displays of passion. (Mansbridge 2007) Though clear reasoning is often dispassionate, passion has many potential benefits, such as fostering endurance of a deliberative process. Extreme dispassion can raise suspicion and engender distrust. (Gambetta 1998) In general, critics of deliberative democratic theories are generally not opposed to deliberation per se, but are opposed to narrowly cognitivist or rationalist understanding of communicative influence. (Warren 2007; Young 2001) Johnson notes that such a restriction would equally forbid displays of anger and joy from a deliberative arena. Restricting displays of passion and emotion from deliberative arenas is a form of “conceptual gerrymandering” that benefits those practiced in dispassionate articulation. Civil disobedience is capable of contributing to a deliberative process when the disobedient group is not yet allowed to fully participate or is restricted from offering impassioned appeals. (Johnson 1998, 166)

Dispassionate argument may be the ideal among participants with ideal deliberative capacities. However, in the real world, capacities for purely objective deliberation vary widely. Equality and inclusiveness, two preconditions for deliberation, are best served by allowing displays of passion, humor, rhetoric, and storytelling. The goal of ensuring that all participants are heard and understood dictates that deliberation must allow utterances that are not perfectly rational arguments stated from a position of objectivity.

This review of some defenses of deliberation's pluralist nature should not be taken to imply that there are no criticisms of these arguments, only that they come from outside of deliberative democratic theory. There are indeed critics who contend the opposite, that deliberative democracy entails unjustifiable exclusions and is overly idealistic in its aspirations to settle disputes between fundamental viewpoints. I make no claim to have fully investigated this topic and as such my stance on it is a mere assumption based on my limited knowledge of the debate and my own intuition. On the question of reasonable pluralism, it will be assumed that deliberation can legitimately reject arguments that are not plausibly reasonable as well as reject stances that are anti-deliberation. Arguments for or against a proposition should be those that others can accept as valid reasons, even if they do not arrive at the same conclusion. (Cohen 2007) However, the process of deliberation always remains up for debate and evaluation as long as that evaluation is consistent with deliberative ideals. I assume that deliberation welcomes rather than

restricts emotion and passion, though this is not to say that emotion and passion always contribute positively to a deliberation.

A fifth dispute is about whether authentic deliberation ever actually occurs. Put differently, the question is whether political behavior in a deliberative arena is fundamentally different from the behavior of a rational actor in a market setting. Deliberative theorists generally agree that the political process ought to be more than self-interested competition, but whether deliberation can induce such political behavior is debatable. (Bohman and Rehg 1997b) If not, then deliberation may merely be a cover for other forms of influence. Indeed, a common criticism of deliberative democracy is that authentic deliberation never actually occurs. Discussion occurs, but it is dominated by self-interest and coercion, not mutual understanding and a common goal. (Przeworski 1998; Shapiro 1999) And critics of deliberation frequently blur the boundary between deliberation and discussion, and then argue that mere discussion is as likely to coerce as it is to welcome egalitarian reasoning. One such critic is Adam Przeworski who does not agree that deliberation can induce legitimacy. Przeworski argues that "deliberation may lead people to hold beliefs that are not in their best interest." (Przeworski 1998, 141) He makes a compelling argument about people's voting behavior being influenced by equilibrium beliefs, i.e. beliefs about the beliefs of others, which are easy to manipulate and impossible to test for truth. Due to processes that affect opinion, e.g. issue framing, equilibrium beliefs are endogenous to politics. By affecting equilibrium beliefs,

"[d]eliberation coordinates beliefs and locks individuals into equilibria." (Przeworski 1998, 155)

Ian Shapiro argues that authentic deliberation does not occur as people remain self-interested and as special interests are easily able to derail public discussion of moral issues. (Shapiro 1999) Rousseau had a similar conception of democracy in which public discussion would be detrimental as it would use rhetoric and sophistry to distract people from their true interests.

In general, theorists of deliberative democracy acknowledge the possible truth of these criticisms but argue that deliberation which includes restrictions such that legitimate arguments must aim at a common good and be potentially reasonable to all participants is still valuable even if participants remain solely self-interested. Jon Elster makes a variety of interesting points on this topic. While justice is a goal of political systems, unfettered pursuit of self-interest is unlikely to produce justice. A deliberative forum is an attempted correction and this demonstrates, at least in theory, that the principles of the market differ from those of the forum. (Elster 1997) Simply framing an interaction as deliberation can affect the results. In a deliberative setting, self-interest must be both disguised and modified. (Elster 1998b) The "civilizing force of hypocrisy" forces even self-interested speakers to argue in terms of the public interest. (Fearon, as quoted by Elster 1998b, 12) Elster admits that it is possible to co-opt the process and use it as a cover for self-interest or for group-interests of the powerful. An emphasis on logical and articulate speaking can allow sophistry to dominate and perpetuate the interests of the powerful despite an

ostensibly impartial process. Speakers in ancient Athens would sometimes "stress their own artlessness and the slickness of their opponents." (Elster 1998b, 2) Behavior of that sort gives an advantage to simple arguments over complex ones and is a manifestation of the deliberative principles of inclusion and equality that arguments are directed to the understanding of the listeners. (Elster 1997)

Jane Mansbridge argues that exploration of self-interest and bargaining are legitimate actions in authentic deliberation. Bargaining is legitimate because it helps reveal and clarify individual interests. Exploration of self-interest is justified because participants are expected to default to favoring their own interests when they can neither act towards a common good or vote for the outcome of fair bargaining. Self-interest is the third tier of a citizen's duty. (Mansbridge 2007) This conflicts with many theorists who think of bargaining as distinct from deliberation, notably Jon Elster who argues that the two are opposite ends of a spectrum. (Elster 1998b)

Related to the question of the occurrence of authentic deliberation is a question of capacity for deliberation. Assuming that authentic deliberation is both possible and distinct from self-interested, market-style behavior raises the question of whether people have an innate capacity for deliberation or if the skills of deliberation must be learned. The continental European tradition exemplified by Habermas holds that while reason is the same for all cultures, capacities for deliberation vary between cultures and over time. The capacity to reason is historically and culturally relative. Autonomy and self-reflection are not universal capacities but specific sociocultural achievements. The

surrounding communication structures shape individual cognitive capacities. For all these reasons, deliberation requires more than the absence of power and outside influence, it requires the active fostering of deliberative capacities. (Rosenberg 2007a)

This thesis is not going to resolve the dispute over whether authentic deliberation ever occurs. Herein it will be assumed that some form of deliberation approximating Habermas's concept of "communicative action", in which participants aim at a mutual understanding and reciprocity, is at times possible between individuals. (Habermas 1984) While Przeworski's concerns are valid, i.e. discussion may indeed induce people to hold preferences for worse outputs, this occurs more frequently where the quality of deliberation is poor. Przeworski's concerns speak to the importance of being able to distinguish between good deliberation, that probabilistically tends to facilitate successful action towards a common good, and bad deliberation, that contributes to worse outputs and outcomes, often as Przeworski suggests due to manipulation. Given the assumption that better and worse forms of deliberation are possible, identifying and fostering good deliberation is our strongest safeguard against discussions that produce worse outputs and outcomes.

A sixth ongoing dispute is whether deliberation is epistemic in nature. That is, does deliberation result in knowledge? There are two types of knowledge that deliberation might provide: knowledge of correct/best/better policies and knowledge of the public will. A subquestion, related to the first way in which deliberation may be

epistemic, is whether objectively best or correct outputs exist prior to deliberation. Theorists disagree on these points.

Many theorists defend deliberation's epistemic potential for optimal outputs and outcomes. Mark E. Warren writes, "The key claim of deliberative theories of democracy is simple and compelling: deliberative approaches to collective decisions under conditions of conflict produce better decisions than those resulting from alternative means of conducting politics: coercion, traditional deference, or markets." (Warren 2007, 272) Bohman agrees, writing that "the best defense of public deliberation is that it is more likely to improve the epistemic quality of justifications for political decisions." (Bohman and Rehg 1997b, 27) David Estlund argues for a middle ground between epistemic based and fairness based defenses of deliberation. He terms this middle ground *epistemic proceduralism*. He argues that deliberation probabilistically tends to produce epistemically superior outputs. Once the exercise of reason is included in a process, then the outcomes must be more reasonable by a standard independent of the deliberative process. Thus, they have epistemic weight, not mere procedural weight. However, there is no certainty that an output of deliberation is superior, and thus while citizens ought to obey a decision produced by deliberation, they are not required to agree with the decision and believe that their own personal judgment is mistaken. (Estlund 1997)

Cass R. Sunstein raises considerable objections to the epistemic nature of deliberation. He demonstrates that when discussion occurs within a relatively homogeneous group, the result is an increase in extremism and polarization of the

members relative to non-members. This raises serious questions about whether deliberation can actually produce better, more correct, outcomes than other methods. (Sunstein 1999)

The second sense in which deliberation may be epistemic is that it provides knowledge of a public will. Niemeyer and Dryzek reject the claim that deliberation produces right decisions by an objective standard. There is no correct decision independent of the particular participants. However, it does produce superior, rational outcomes when it abides by the meta-consensus of which factors to consider. In doing so, "deliberation should produce outcomes that reflect the will of its participants." (Niemeyer and Dryzek 2007, 506) A related effect of deliberation is the production of intersubjective rationality, i.e. consistency of alignment of beliefs with preferences across individuals. In other words, those who agree on a course of action also agree on the relevant reasons while those who disagree on a course of action also disagree on the relevant reasons. "Deliberation should, then, improve the standardization of what should be done in light of any particular individual subjective standpoint." (Niemeyer and Dryzek 2007, 507) Deliberation facilitates a rational link between values and beliefs on the one hand and preferences on the other.

Christian List makes the case that deliberation improves the epistemic quality of majoritarian voting methods. Deliberation fosters meta-agreement through a process of structuration in which preferences come to be aligned along a single dimension in a single-peaked fashion. A meta-agreement on the relevant factors and that has a

single-peaked distribution of preferences increases the probability of deriving meaningful measures of the public will from majoritarian voting methods. (List 2007)

On the question of deliberation's epistemic nature, again I am not qualified to adjudicate. It will be assumed that deliberation is probabilistically likely to produce objectively superior outputs and outcomes compared to decision making absent deliberation. However, those superior outputs were not objectively determined in advance. Rather they are at least partially determined by the deliberative process. That is, deliberation helps both to discover and shape epistemically superior outputs. This is because there is an information feedback mechanism wherein the process of deliberation reveals, articulates, and transforms preferences. The resulting superior outputs were not objectively knowable prior to deliberation. Deliberation engages a process of simultaneous discovery and creation of superior outputs and outcomes.

A seventh important question in deliberative democratic theory is how to justify deliberation's central position in democracy. A strong and frequently offered justification of deliberation is its capacity to produce epistemically superior decisions and outcomes. Other possible benefits are frequently noted, but few theorists argue that deliberation could be justified without epistemological benefits.

Jon Elster argues that political institutions, such as a practice of deliberation, are justified only when market behavior, pursuit of self-interest, would result in worse outcomes for everyone. (Elster 1997) A justification to engage principles of a forum, as opposed to those of the market, can only be justified based on the outcomes. For Elster, it

is incoherent that the primary benefit of a decision making process would be, not the decision, but the side effects of the process. It is equally incoherent to judge a painting by the lessons the painter learned while painting it. Positive by-products are welcome, and worthy of discussion, but cannot be the primary justification of deliberation. (Elster 1997) Niemeyer argues in a similar vein that the primary goal of a deliberative system must be to produce the best outcomes and that if this is not achieved no amount of second-order goals can justify deliberation. (Niemeyer 2014)

Many theorists note both the epistemic benefits as well as other benefits without taking a firm stance that only epistemic benefits can justify deliberation. For Habermas, legitimacy of deliberative democratic decisions is tied to the outcomes but also the fact that the outcomes deliberation does produce are theoretically endorsable by everyone and practically closer to consensus than other methods. (Fabienne 2017) Niemeyer and Dryzek argue that deliberation produces legitimacy by increasing meta-consensus and intersubjective rationality. (Niemeyer and Dryzek 2007) As more people come to agree on a shared overton-window of plausibly reasonable positions and enacted policy falls within that window, it is likely that more people will view that policy as potentially legitimate. James D. Fearon notes a short list of potential benefits discussion may have on political decisions. He includes various benefits to the outputs and outcomes of deliberation, the production of legitimacy as well as perceived legitimacy, and its beneficial effects on the intellectual and moral capacities of the participants. (Fearon 1998)

Joshua Cohen defends even imperfect, real world deliberation, arguing that it is still valuable for producing legitimacy, superior outcomes, and byproducts. Two especially important byproducts are the transformation of preferences and the improvement of the capacities of the participants. (Cohen 1997) Diego Gambetta argues that deliberation may foster creativity and courage in the face of situations without obvious solutions. This can have benefits on the outcomes as well as on the participants. Gambetta also argues that deliberation may transfer principles of behavior from the deliberative arena into public life, principles such as equality and inclusion and which will tend to improve distributive justice, i.e. pareto-superior distributions. (Gambetta 1998)

Interestingly, Alexis de Tocqueville argued that democracy, despite often producing worse outcomes than aristocracy, is justified for the beneficial way in which it invigorates the populace. (Elster 1997) Another relatively unique position is held by Maeve Cooke. She rejects defenses of deliberative democracy based on the epistemic quality of its outcomes as well as defenses based on the beneficial effects on the citizenry. The one argument that she accepts as valid is that deliberative democracy aligns with who we are. (Cooke 2000)

An eighth dispute, and one that is especially important for this thesis, regards the effects that deliberation is capable of having on preferences. At the heart of deliberative democracy is the theory and hope that preferences can be changed, not just aggregated. (Elster, as cited in List 2007) John Dryzek says so explicitly when he writes, the

“defining feature of deliberative democracy is that individuals participating in democratic processes are amenable to changing their minds and their preferences as a result of the reflection induced by deliberation.” (Dryzek, as quoted in Cohen 2007, 221) Indeed, if individuals' opinions and preferences are not capable of changing as a result of reflection then deliberative democracy is impossible. (Cohen 2007) Without the possibility of preference transformation, deliberation is meaningless as it would merely be a cover for censorship and paternalism. (Elster 1997)

Some argue that deliberation is capable of revealing one's own underlying preferences to oneself. Joshua Cohen pushes back against this idea. Cohen discards the notion that underlying preferences exist, or can be identified if they do exist. Rather, preferences are always shaped by conditions. The relevant preferences and arguments are those that can be expressed in free, open deliberation, not in advance of it. Thus, deliberation allows the formation of identifiable preferences. (Cohen 1997)

Deliberation may also change opinions that are already formed. Frequent presentation of arguments and opinions in terms of a common good may result in shifts of opinion to align with the common good. Jon Elster writes, “the conceptual impossibility of expressing selfish arguments in a debate about the public good, and the psychological difficulty of expressing other-regarding preferences without ultimately coming to acquire them, jointly bring it about that public discussion tends to promote the common good.” (Elster 1997, 12)

While theorists of deliberative democracy agree that deliberation is capable of shaping preference, there is much more debate about whether deliberation fosters consensus. To be sure, the ideal of perfect consensus is a bridge too far. And it is likely that there are some differences that cannot be resolved via deliberation such as differences in fundamental preferences, if there are such things. Gambetta is one theorist who believes in deliberation's potential to increase consensus. (Gambetta 1998) Mendelberg and Karpowitz make a more specific claim, that deliberation should tend to increase willingness to transfer income from the wealthy to the poor such that every person can live with decency according to the standards of the time and place. (Mendelberg and Karpowitz 2007)

When consensus on a specific decision cannot be achieved there is still potential for a meta-consensus or meta-agreement. A meta-consensus would occur when all participants recognized the same set of factors as relevant for making an optimal decision even though they disagree on precisely how to weigh and combine those factors. This implies that all participants would view each other's concerns as valid and arguments related to them at least potentially reasonable. Niemeyer and Dryzek argue that ideal deliberation should produce meta-consensus, i.e. agreement about the nature of the issue at hand and the relevant factors for consideration. (Niemeyer and Dryzek 2007)

Christian List distinguishes between substantive agreements and meta-agreement. His definition of meta-agreement allows for testing and falsification. Meta agreement is when all individual preferences can be rationalized as single peaked preferences on a

single dimension. I.e. their preferences can all be mapped on the same axis and all have a single peak. "Two or more individuals are in meta agreement to the extent that they agree on a common issue dimension in terms of which a given decision problem is to be conceptualized -and in terms of which preferences are to be rationalized." (List 2007, 68) Notably, when this type of meta-agreement occurs, the indeterminacy problem of aggregative voting disappears. (List 2007)

On the other hand, deliberation has potential to discourage or reduce consensus. For instance, James D. Fearon offers the example of a deliberation in which an initially widespread but shallow agreement is replaced by a wide diversity of nuanced opinions. (Fearon 1998)

Cass R. Sunstein provides evidence that deliberation's consensus producing tendency can result in polarization of a society at large when the deliberation occurs primarily between relatively like minded individuals. He argues that intragroup deliberation increases extremism. Deliberation by a relatively homogeneous group increases the extremity or zealotry of their positions. Like-minded individuals who discuss among themselves will shift their opinions farther to the extreme. Meanwhile another group with different opinions from the first group, but all similar to each other, will move towards extreme opinions in the opposite direction of the first group. This is group polarization. Like-minded individuals tend to extremism when they discuss only among themselves. Sunstein describes a process of social cascades due to reputational consequences of taking certain positions. (Sunstein 1999)

But Sunstein also makes a point in favor of deliberation's potential to foster widespread consensus. "Depolarization, rather than polarization, will also be found when the relevant group consists of individuals drawn equally from two extremes" (Sunstein 1999, 16) Further, "it is reasonable to speculate that polarization is most likely to occur, and to be most extreme, under circumstances in which group membership is made salient and people have a high degree of anonymity." (Sunstein 1999, 17) Sunstein notes that group polarization is entirely rational for the individuals but is problematic from a larger perspective because it may result in factual, moral, or legal mistakes. (Sunstein 1999)

As far as whether deliberation tends towards consensus and/or meta-consensus, Niemeyer and Dryzek attempt to establish empirically that this does at least sometimes occur. (Niemeyer and Dryzek 2007) It will be assumed herein that deliberation is potentially transformative of preferences, even underlying preferences. It will also be assumed that deliberation is more likely than not to increase consensus and meta-consensus, and that this likelihood increases with the quality of deliberation, though these outcomes are by no means guaranteed.

1.6 - Good Deliberation

Now that we have a definition of deliberation we can begin to distinguish between high quality, authentic, genuine, deliberation and low quality deliberation. There are a number of generalized values which ought to be present in good deliberation. All else

being equal, a great degree of adherence to one of these values indicates a higher quality deliberative process.

Good deliberation requires an orientation towards identifying, pursuing, and generating consensus around a common good (Cohen 1997; Fishkin 2014; Fung 2007; Rosenberg 2007a). The more that it aims at these goals, the higher the quality of the deliberation. This is not to say that an objective common good exists. Rather, in good deliberation the participants exhibit a reciprocal concern for each other's interests, and perhaps even for the interests of non-participants. Deliberation's quest for a common good is really a quest for consensus constrained by conditions of reciprocity.

But the emphasis on a common good comes with at least one important caveat. Although deliberators may justly hope to identify a common good, Mansbridge points out that identifying a common good ought not be the primary focus of deliberation. She writes,

“a singular focus on the common good makes it harder to recognize that deliberation may legitimately conclude correctly that the interests of the participants are fundamentally in conflict... The conscious or unconscious pressure to frame one's argument in terms of the common good can seriously distort participants' understandings of the issue, making it far harder to resolve it through legitimate bargaining (e.g., taking turns or equalizing outcomes with sidepayments). ... A legitimate deliberation should therefore meet the criterion of helping citizens understand their interests better, whether or not these interests can be forged into a larger common good.” (Mansbridge 1999, 226)

While aiming at a common good is a laudable practice and stems from the value of reciprocity, we ought not forget that identifying such a common good is not the primary function of deliberation, which ought to be to accurately clarify conflict and potential resolutions.

Rosenberg offers some clarity on quality of deliberation with a hierarchical typology of discourse based on the subject matter being discussed. He divides discourse into four types or levels. The higher quality forms of discourse are more frequently employed when lower levels have been unsuccessful. Rosenberg's lowest tier of discourse is *proto discourse*, which is not deliberative at all. Proto discourse includes everyday conversations that are not oriented towards a discussion of a common good or consensus. It includes greetings, small talk, and perhaps threats and bargaining. Rosenberg's second tier of discourse, *conventional discourse*, is potentially deliberative. Conventional discourse focuses on deciding what to do in a given situation. It is aimed at making a decision but does not necessarily exhibit other principles of deliberation. Discourse at this level includes bargaining, which is not deliberative, but can also include deliberation among individuals who already share a conception of the problem to be addressed, the decision to be made, and the legitimate methods of discussion that may be employed. For instance, a family deciding where to go to dinner might engage in conventional discourse. When participants do not share an understanding of a problem, or they recognize that their shared understanding is faulty, then they are likely to engage in the next tier of discourse: *cooperative discourse*. In cooperative discourse, participants

aim to arrive at an accurate and shared understanding of a problem. A simple example of this type of discourse is a discussion between car mechanics as to the cause of an anomaly in a car's functioning. A more complex example might be a discussion between a fiscal conservative and a fiscal progressive as to the cause of poverty. They are unlikely to come to an agreement on a solution while they conceive of the problem differently. Rosenberg's highest tier of discourse is *collaborative discourse*. In collaborative discourse, attention is paid to the quality of the discourse itself as well as to social arrangements that might otherwise be assumed to be immutable. This tier includes meta discussion of the discourse itself. Allegations of bias in the very method of discussion are an example of collaborative discourse. Also included is discussion of the health of the deliberative community and questioning of long-standing social relations. Collaborative discourse has the potential to transform or reconstruct social relations and meanings. Collaborative discourse is, in a word, meta-discourse. It is concerned with factors that might influence and bias the discourse itself. (Rosenberg 2007b)

Rosenberg's typology of discourse is quite useful. It seems accurate that Rosenberg's higher tiers of discourse are less common but of higher quality as they are open to more perspectives. However, I believe a caveat should be made that discourse on a higher tier is not always desirable. It does not necessarily indicate poor quality deliberation if discourse remains at a lower tier. If discourse need not escalate up the tiers because there is already general agreement, then it is not a shortcoming to remain in the lower tiers of discourse. However, if discourse lacks general agreement on the nature of a

problem or the social relations that structure discourse, yet does not escalate up through Rosenberg's tiers, presumably because such discussion is foreclosed by power relations, then that is indeed a shortcoming of that deliberative process. Thus, groups that do achieve collaborative discourse demonstrate an advanced deliberative capacity, but groups that do not escalate up the tiers of discourse are not necessarily lacking in such capacity.

Many other markers of quality of deliberation come from visible aspects of the process, as opposed to the tier of subject matter. Rosenberg was writing about *discourse*, which is similar, but not identical, to deliberation. Discourse may rise to the tier of collaborative discourse but still remain constrained, haphazard, heated, and self-interested. Deliberation, however, is not mere discussion. High quality deliberation is characterized by an attitude of open-mindedness, conscientiousness, and sincerity. Participants refrain from overtly self-interested conduct. (Estlund 1997; Fishkin 2014; Rosenberg 2007a; Weatherford and McDonnell 2007) This is not to say that acting out of self-interest is not warranted. Merely that deliberation assumes a level of reciprocity which forecloses a disregard for the interests of others.

Another crucial deliberative value is freedom. Participants should be autonomous individuals, free from coercion, able to speak and disagree without fear of severe consequences. (Cohen 1997; Elster 1998a; Rosenberg 2007a) Again, we have an interesting caveat as a result of a deliberative value. Although deliberation aims at consensus, and there may be good reason to interpret an increase in consensus as a

positive effect of deliberation, we must be wary of false consensus that appears due to coercion and power. Jon Elster thus points out that falling short of consensus may actually indicate a healthier deliberative process than one that results in consensus. After all, perfect consensus is quite unlikely in important, complex matters. A society in which many citizens disagree with the status quo or the majority opinion is one in which those individuals have the freedom and autonomy to do so. (Elster 1997) Not only is it invalid to assume a direct correlation between consensus and quality of deliberation, the level of disagreement is potentially indicative of a healthy deliberative process in which participants are willing to openly disagree.

Closely tied to the idea of free individuals is the value of equality. With regard to the relations between participants, high quality deliberation is egalitarian, respectful, and reciprocal. (Cohen 1997; Fishkin 2014; Fung 2007; Rosenberg 2007a; Weatherford and McDonnell 2007) One consequence of applying these values is that arguments are considered without regard to their source. It ought to make no difference which person introduced a proposition when evaluating that proposition. But equality in deliberation does not imply treating all interests as equally valid or as warranting equal weight in a final decision. Joshua Cohen points out that equality in deliberation is achieved by treating all arguments, not interests, equally. Equality requires that justifications be presented in the form of arguments which could, at least theoretically, be accepted by all as valid reasons. (Cohen 1998)

Equality is not achieved when some are excluded. Thus the values of inclusivity and diversity are also beneficial for deliberation. (Cohen 1997; Estlund 1997; Fishkin 2014; Fung 2007; Weatherford and McDonnell 2007) Ideal deliberation is broadly accepting of almost all people and perspectives, with the only exception being worldviews that contradict the preconditions and values of deliberation. Arguments that participants should be excluded or coerced are unacceptable in high quality deliberation.

High quality deliberation is also both rational and reasonable. It is rational for participants to engage as it benefits both their interests and group interests. And deliberation is reasonable in the sense that it attempts to apply *reason* to assessment of decision options. Among other things, this implies that responses during deliberation are related to proposals via reason. That is, the points that participants make are not non sequiturs. In addition, the use of reason implies a point mentioned earlier, that proposals ought to be evaluated without regard to their source. (Cohen 1997; Estlund 1997; Fishkin 2014; Fung 2007; Rosenberg 2007a)

A few other traits of good deliberation are worth mentioning. Good deliberation generates legitimacy in the eyes of the participants. Participants agree that a solution arrived at via deliberation deserves compliance. (Cohen 1997; Rosenberg 2007a) Also, information is of crucial importance for deliberation. Participants need access to relevant, accurate information as well as knowledge of the views of the other participants. (Estlund 1997; Fishkin 2014) A couple fairly obvious prerequisites for deliberation are the health and safety of the participants. Open, rational deliberation is far more difficult or

impossible when participants are stressed by their desires for short term survival. (Estlund 1997) Finally, deliberation requires time. There must be a suspension of decision and action such that deliberation has the potential to inform a decision. (Rosenberg 2007a)

Compared to the relatively uncontested, aforementioned generalized values and traits of high quality deliberation, it is far more difficult to specify the relationship between efficiency and good deliberation. This begs the question of whether a measure of the timeliness of a deliberative process can be incorporated into a measure of its quality. I argue herein that good deliberation is inherently inefficient, and thus that efficiency ought not be used as a measure of the quality of deliberation. Generally speaking, and all else being equal, a shorter process is superior. However, it is unlikely that deliberation that takes less time can be equal to deliberation that takes longer. Deliberation is a methodical process that ought not be rushed. While a shorter decision making process is often desirable, especially when possible outcomes decline rapidly over time (Gambetta 1998), this does not mean that brief deliberation is superior. Rather, in such situations, good deliberation is not likely to produce better outcomes because good deliberation takes time. Mark E. Warren acknowledges this and argues that, in such situations, we ought to balance our use of deliberation against other activities in order to achieve superior outcomes. As decision making mechanisms, markets handle complexity well, but they lack agency to respond to normative ideals. Rule-based authority is great for timely decisions but lacks legitimacy. Deliberation can bestow normative direction, clarify

positions, and improve capacities of citizens, but is time consuming. (Warren 2007) It is not the task of a deliberative process to engage in time management. If a worse outcome were to result due to spending too much time deliberating, that is not the fault of deliberation but the fault of poor time management. Good deliberation takes time. If a worse outcome results due to the deterioration of options during the time spent deliberating, this is not the fault of deliberation. The worse outcome is not the product of the deliberation.

One of the consequences of this stance on the relationship between deliberation and efficiency is that deliberation is not an unfettered good. The quality of deliberation ought to be measured independently of the timeliness of deliberation. People must make decisions about how much to utilize deliberation as it comes at a cost. A state or group that scores higher on a measure of deliberation will not necessarily produce superior outputs. This makes it especially problematic to attempt to measure deliberation via the quality of outputs.

The benefit of conceptually distinguishing deliberation from efficiency is that it keeps the concept of deliberation relatively pure, preventing the need to determine ideal efficiency in distinct situations. Although I believe this move is justified, I also recognize the potentially problematic nature of this separation. The discussion of the validity of separating the two concepts could itself take up a master's thesis. I welcome other researchers to take up this challenge. However, for the purposes of this thesis, I will

assume that the quality of deliberation is distinct from the amount of time spent deliberating, and thus from a measure of efficiency.

A related point regards the pace of deliberation. When efficiency is not a concern, a slow pace becomes indicative of a more thorough deliberative process, and thus of superior deliberation. A slow pace benefits many of our other deliberative values such as equality and inclusion. Good deliberation will explore unknown information in a methodical manner. It will invite everyone to speak and ensure that they have been understood by probing and facilitating their expression. It will ensure that no perspective has been overlooked. Participants may help each other articulate their points. This is especially important in light of the differences in language and rational debate capacities between people, which should be irrelevant for the evaluation of arguments. Basically, good deliberation will proceed slowly as it leans towards exploration, inclusion, and politeness, at the cost of efficiency.

There are some noteworthy disagreements as to the conditions which foster high quality deliberation. Questions remain about the optimal amount of heterogeneity within deliberative groups. Cass R. Sunstein argues, and finds evidence, that participants in deliberation within relatively homogenous groups are likely to shift their opinions towards an extreme position in a process he calls a *social cascade*. On the other hand, deliberation within relatively heterogeneous groups are likely to have a moderating effect on the opinions of participants. (Sunstein 1999) James D. Fearon points out that the reverse is possible. Deliberation within homogeneous groups reduces the incentive to

misrepresent one's opinions and has potential to improve the quality of deliberation by fostering sincerity and honesty. On the other hand, drastically heterogeneous groups struggle to find sufficient common ground to deliberation and thus tend towards strategic bargaining rather than reasoned, reciprocal argument. (Fearon 1998) Both authors are likely onto something and empirical research may be required to resolve the relative strength of the effects.

Another unresolved question is how publicity and privacy relate to high quality deliberation. There are both costs and benefits to both private and public deliberation. Theorists generally agree that at least some publicity is required for good deliberation. (Bohman 1996; Elster 1998a; Rosenberg 2007a; Weatherford and McDonnell 2007) Publicity of the process by which the agenda and time constraints are set is especially important since these determine the ground rules for deliberation. However, the benefits of private discussion, namely the freedom from reputational concerns and coercion that it accords to individuals, are large. Deliberative processes may be of higher quality if they include privacy in some capacity. Privacy is especially desirable when external circumstances and pressures are strong, such as when writing a constitution. (Elster 1998a)

I turn now to the outputs and outcomes of good deliberation. While it may not be possible to measure the rationality of decisions made following deliberation, as I stated above in the definitions section, it will be assumed that deliberation produces outputs that are more rational. This is a result of the use of the human capacity for reason. In addition,

due to the intersubjective nature of deliberation, I assumed that the outputs of deliberation will tend to be more just than outcomes that do not follow deliberation. The higher quality a deliberative process, the more rational, mutually justifiable, and just the outcomes are likely to be.

Apart from the decision outputs of deliberation, which are the direct goal of the deliberation, there are other outcomes or byproducts of deliberation. These outcomes are useful to consider for their possible application in measuring quality of deliberation via process tracing. Many authors argue that deliberation has the capacity to improve the citizenry and Joshua Cohen is especially clear on this point. Ideal deliberative democracy contributes to the self-respect, political competence, and sense of justice of its citizens. It contributes to the self-actualization of citizens and shapes their identities and interests. (Cohen 1997) A high quality deliberative democracy may foster certain traits among its citizens.

Jame Bohman argues that a line can be drawn between successful and unsuccessful deliberation on the basis of whether or not cooperation follows the deliberation. He argues that deliberation begins when a problem causes coordination to break down. Deliberation is successful when actors once again cooperate. Success does not imply that all agree with the outcomes, but rather that the decision reached is acceptable and that the reasons behind are sufficient to motivate future cooperation. In order for reasons to motivate even those who dissent from them, they must have been produced and tested in free, rational deliberation between equal citizens. Under such

conditions, a dissenter is more likely to cooperate and view the decision as legitimate. (Bohman 1996)

Deliberation also has an effect on information, with the effect of good deliberation being distinguishable from bad. I argue that deliberation should have a selection effect in favor of truth and against misinformation, with good deliberation demonstrating this effect more than bad deliberation. Diego Gambetta appears to agree, arguing that the primary benefit of deliberation is the increase in distribution of information. (Gambetta 1998) I am taking this a step further by claiming that good deliberation selects for high quality information. Thomas Christiano offers some support for this idea with a description of how competition and sanctions between experts can filter out low quality information even in the absence of a centralized decision. (Christiano 2012)

Finally, deliberation's effect on consensus must be addressed. I argue, and assume, that deliberation fosters consensus and meta-consensus (an agreement on the relevant factors and plausible considerations regardless of agreement on a final decision), and that high quality deliberation is more likely to do so than low quality. Theorists support this position, though not unanimously. Niemeyer and Dryzek argue, and have empirical evidence to support the claim, that authentic deliberation ought to produce both meta-consensus and intersubjective rationality. They identify multiple types of meta-consensus depending on the relevant component of deliberation, either preferences (opinions about the best choice of what is actually to be done), values, or beliefs (about factual states of affairs such as cause and effect relationships). "Normative consensus is

agreement on values. Epistemic consensus is agreement on how actions affect values in cause and effect terms. Preference consensus is agreement on what should be done. " Each of these types of consensus has a meta version that good deliberation ought to produce. (Niemeyer and Dryzek 2007, 502) Unfortunately, as mentioned prior, coercion is also capable of increasing consensus, so a measurement of deliberation based on consensus would have to disentangle the two effects.

1.7 - Deliberation Grants Legitimacy

Deliberation is the central concept of the popular and active field of deliberative democratic theory. At the most general level, deliberative democrats share a belief that deliberation does play, and should play, a central role in democracy. Deliberative democrats are unsatisfied with aggregative conceptions of democracy. These conceptions assume that individual preferences are fixed and so the task of democracy is to fairly aggregate those preferences in order to determine a most popular course of action. Aggregative conceptions of democracy do not allow for the transformation of individual preferences. Deliberative democrats, on the other hand, emphasize the potential for deliberation to reveal unarticulated latent preferences, to increase the detail and specificity of held preferences, and to result in a change of preferences upon consideration.

The one thing that theorists of deliberative democracy agree on is that deliberation, in one way or another, grants legitimacy to decisions. “Broadly defined, *deliberative democracy* refers to the idea that legitimate lawmaking issues from the public deliberation of citizens.” (Bohman and Rehg 1997a, ix) Rawls and Habermas are generally in distinct camps of deliberative democracy, but both agree that in order for a political choice to be legitimate it must be the product of deliberation about ends among free, equal, and rational agents. (Elster 1998b) According to Bernard Manin and James Bohman as well, deliberative democracy considers legitimacy to be derived from a fair process of public deliberation. (Fabienne 2017) Diego Gambetta concurs and likens deliberation to scientific thought in that they both acquire legitimacy from public inquiry and justification. (Gambetta 1998) Gutmann and Thompson argue that deliberation facilitates legitimacy of collective decisions, and does so better than interest group bargaining. (Gutmann and Thompson 2004) Jane Mansbridge notes that citizens are more likely to trust experts on topics about which the citizen cannot judge for themselves when those experts at least appear to be accountable to deliberation at some point than when the experts are not accountable to deliberation. (Mansbridge et al. 2012)

A crucial and related question is whether deliberation is the only route to legitimacy. One answer can be found in the work of Jane Mansbridge, who divides deliberative democratic theory into two general traditions, “deliberative democracy” and “democratic deliberation”. The “deliberative democracy” tradition holds that deliberative democracy is the only legitimate form of democracy as reasoned deliberation on the

common good is the only source of legitimacy. Self-interest is not a legitimate aim. Theorists in this tradition desire that power have no effect on decisions as political decisions ought to be made entirely on the basis of reason aimed at the common good. They also desire consensus. This tradition is generally popular among European thinkers and is exemplified by Jurgen Habermas. His conception of “communicative action” is aimed at understanding and distinct from strategic action which is aimed at winning. (Mansbridge 2007)

Bernard Manin and Joshua Cohen are also within the “deliberative democracy” tradition. According to James D. Fearon, Bernard Manin argues that discussion is the only way to produce politically legitimate decisions. For Manin, it is engagement with the human capacity for reason that determines political legitimacy. The more engagement with this capacity, the more legitimacy. (Fearon 1998) For Cohen, only deliberation aimed at “rational consensus” can confer legitimacy to its outcomes. He writes, “outcomes are democratically legitimate if and only if they could be the object of a free and reasoned agreement among equals.” (Cohen 1997, 73)

The other major tradition, that of “democratic deliberation”, holds that democracies have multiple mixed sources of legitimacy, making this a pluralist conception of democratic legitimacy. Mansbridge also refers to this tradition as “neo-pluralist”. According to this tradition, deliberation contributes to legitimacy of laws, but so too does fair aggregation of competing interests and factors such as adherence to reason, inclusiveness, reciprocity, and equality. Thinkers in this tradition recognize that it

is impossible to extricate power from public questions and that consensus on a decision pertaining to the common good is an unachievable goal. However, they do hold out the possibility that deliberation can foster agreement on common concerns even if no specific policy has consensus support. The “democratic deliberation” tradition is generally popular among American political scientists. (Mansbridge 2007)

Mansbridge defends the neo-pluralist tradition of democratic deliberation. She argues that deliberation inherently admits of pluralism. While invocation of the concept of *reason* can imply that there is a single correct decision, the phrase “giving reasons” implies an acceptance of plurality and a multiplicity of perspectives. While reason is important, deliberation is both an emotional and cognitive process. Emotions are inextricably linked with cognition, and thus with reason in deliberation. We ought to consider the role of emotion in deliberation and doing so reveals the shortcoming of deliberation as the sole purveyor of legitimacy. (Mansbridge 2007)

Another scholar in the neo-pluralist tradition is Robert E. Goodin who reminds us that unless deliberation produces a perfect consensus then a decision must be made by other means. Therefore, if a decision is to have legitimacy then deliberation cannot be the sole source of legitimacy. (Goodin 2000) In a similar vein, Stephen Weatherford and Loraine M. McDonnell address the tension between deliberation and traditional sources of democratic legitimacy. They argue that when deliberation is done well, its outputs have a legitimate claim to authority, but that so too do the winners of elections and appointments. (Weatherford and McDonnell 2007)

If deliberation is to be the sole source of democratic legitimacy then it must be capable of producing decisions. However, as we saw above, deliberation does not produce decisions, and thus cannot be the only route to legitimacy. The simple fact that deliberation is regularly incapable of making decisions necessitates that legitimacy must be attainable from other sources, for instance, perhaps from the fairness of a procedure.

In the next chapter, I will address the conception of good deliberation at the macro level, i.e. at the scale of a nation-state. Many of the aforementioned generalized values and outcomes will be the same, but some may not be applicable, or may be applicable in a different manner in macro deliberation. The next section will review the system perspective of macro level deliberative democracy wherein a democratic state is viewed as a kind of organ performing a distributed deliberation process. The systemic perspective forms the basis for my recommendations for an operationalization of deliberation at the macro level.

Chapter 2 Deliberative Systems and their Assessment

2.1 - The Systemic Turn

The field of deliberative democracy has taken a systemic turn. The field was previously focused on micro-level deliberation such as that that occurs in small forums. But there was no clear route to scale up deliberation to the level of the nation-state. This left both the normative and descriptive goals of deliberative democracy in question. Was deliberation, as theorists had claimed, actually inherent in democracy if it cannot function at a large scale? Is large scale deliberation even possible? Or desirable?

One interesting and early attempt to resolve this problem was made by Robert E. Goodin. He argued to shift the locus of deliberation to within, rather than between, individuals. "Deliberation, on this account, is less a matter of making people 'conversationally present' and more a matter of making them 'imaginatively present' in the minds of deliberators." (Goodin 2000) The problem of bringing all citizens into conversation together can be avoided if citizens carry in their minds relatively accurate representations of each other.

Ultimately however, it has been the systemic perspective that has garnered the most attention and appears to have the most capacity to harmonize deliberative democratic theory with the large-scale reality of nation-states. This branch of deliberative

democracy is now sometimes referred to as *deliberative democratic systems theory* (DDST). DDST is an attempt to protect the field of deliberative democracy from challenges to its applicability. More specifically, the systemic perspective helps protect the field from the perils of a requirement that citizen deliberation is required for quality deliberation and legitimacy. Public deliberation in the sense of ordinary citizens deliberating on the same topics and level of detail as experts and representatives is impossible. Deliberative democracy is an attempt to maintain the ideal of citizens who, in some sense, author their own laws. The systemic perspective does this without centering citizen deliberation. One consequence of a systemic perspective is that deliberative democracy is compatible with elitist theory that not everyone is fit to govern. A deliberative system does not require deliberation from each citizen in order to produce well-reasoned results. There is a division of deliberative and informational labor.

The development of DDST has not been based on novel findings, but on a desire to overcome counter arguments to deliberative democracy. John Parkinson explicitly acknowledges this teleological origin of DDST, writing, "The deliberative systems approach is based on a loosening of what counts as 'reasoning together'." (Parkinson 2012, 167) And in the first chapter of the same book, all of the contributing authors combine to produce this statement regarding their motivations:

"In what sense can we say that whole societies, demoi, peoples, or even different communities deliberate together? A systemic approach allows us to think productively and creatively about this question. It expands the

scale of analysis beyond the individual site and allows us to think about deliberations that develop among and between the sites over time." (Mansbridge et al. 2012, 2)

In some sense, Mansbridge et al. are arguing for a different definition of deliberation when thinking on a larger scale.

As William Smith points out, the systemic conception of deliberation does not require a body of citizens with generally strong deliberative capacities; individual capacities for deliberation need not be ubiquitous. Rather there may be room for a diversity of skill sets and capacities of citizens. Smith's argument is essentially an attempt to replace the idea of a "good citizen" with the idea of a "good citizenry". (Smith 2019)

Deliberative democratic systems theory abandons the ideal of mass deliberation and the goal of consensus. The hope of DDST is to have democracies that exhibit the ideals of deliberation.

"[T]he hope is that configurations of governing practices and institutions enable informed and sustained consideration of relevant reasons (Mansbridge et al's epistemic function), promote and safeguard mutual respect among citizens (their ethical function), and elicit a plurality of voices and claims (their democratic function)." (Boswell and Corbett 2017, 804)

Not to put too much emphasis on a single word, but it is indeed "hope" that drives DDST. Though, to be certain the claim as it is phrased in the above quote does seem imminently

feasible. It is certainly possible that some national practices and institutional designs will be more conducive than others to the “sustained consideration of relevant reasons”.

There is no agreed upon definition of a deliberative system. Different theorists handle the concept in a variety of manners, breaking down the system into various conceptual components. Mansbridge et al. have done perhaps the most influential work in launching DDST. They offer this explanation of their use of the term *system*:

"A system here means a set of distinguishable, differentiated, but to some degree interdependent parts, often with distributed functions and a division of labour, connected in such a way as to form a complex whole. It requires both differentiation and integration among the parts. It requires some functional division of labour , so that some parts do work that others cannot do as well. And it requires some relational interdependence , so that a change in one component will bring about changes in some others."
(Mansbridge et al. 2012, 4)

A deliberative system will have differentiated parts, exhibiting relational interdependence, and a division of labor between the parts. There are possible functions in a deliberative system for protests, partisan media, scientific research, expertise, and many more non-deliberative practices. Arguments made in one site may be tested and evaluated in another. Decision making and deliberation labor may be decentralized and widely distributed. In a deliberative system, legitimacy is derived from multiple sites.
(Mansbridge et al. 2012)

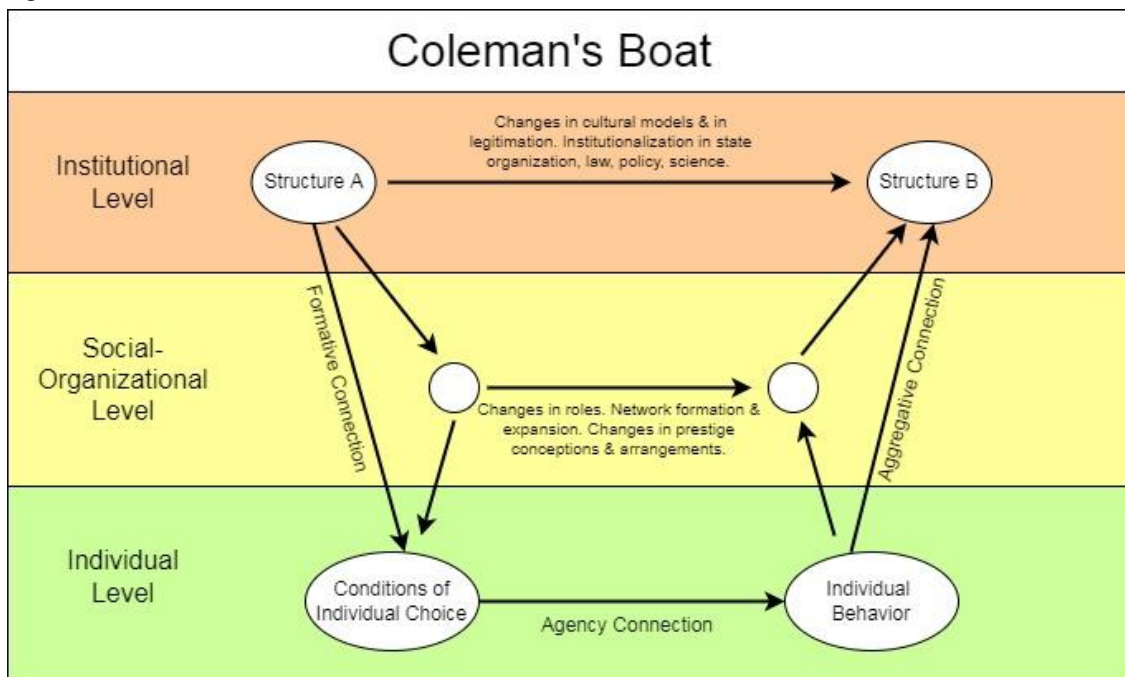
2.2 - Connecting the Micro and Macro Levels.

Deliberative systems are a macro level phenomenon. This is to say that their structure is distinct from micro-level deliberation such as deliberative forums. Neither are deliberative systems merely comprised of instances of micro-level deliberation. Deliberative systems are non-supervening; what is true of the whole is not necessarily true of the parts. Deliberative systems are not reducible to the sum of their parts because the parts combine to produce a function that no single part individually performs at a smaller scale. This is all to say that the micro-level components of a deliberative system do not cleanly aggregate to the macro-level.

To conceptualize macro level phenomenon, and their relation to the micro level of the behaviors of individuals, I draw on the work of James Coleman. He provides a framework for exploring the relationship between macro and micro levels of explanation. This framework often goes by the name “Coleman’s Boat” since his diagram loosely resembles the shape of a boat’s hull. (See the accompanying diagram) He argues that in order to comprehend how macro level social phenomena affect each other we should not simply seek out a relationship between the macro phenomena. Rather, we ought to move from the macro-level down to the level of the individual, the micro-level, and then back up again. In other words, we must understand the simultaneous interdependence of individual behavior and macro-level social phenomena. While there has been a measure of success in explaining how macro-level social phenomena, e.g. the Protestant religious

doctrine, influence the values of individuals, and while there has also been a modicum of success at explaining how individual values result in patterns of individual behavior, there has been a dearth of both theoretical and empirical work on how the behavior of individuals shapes macro-level social phenomena.(Coleman 1986)

Figure 1. Coleman's Boat



A crucial point from Coleman's work is that we ought not to think of the macro environment as a constant when exploring the impacts of an individual's behavior on outcomes for that individual. Rather we must recognize the interdependence of the two levels. Changes in the behavior of individuals themselves drive changes in the context within which those individuals act, and thus feeds back to influence individual behavior. (Coleman 1986) A simple example of this is that a person may own a house valued at a

certain amount. However, if that person desires to sell their house, they are influencing the supply of housing and the value of all other nearby houses for sale. By attempting to sell their house, the owner actually reduces the value of the house.

Coleman describes a number of ways in which individual interests and behavior can be configured, but also notes that his list is not exhaustive. These configurations are ways that individual behavior can be “aggregated” up to the macro level. A market institution is one type of configuration, and the type that corresponds to the example of an individual selling a house in the preceding paragraph. Another configuration is an authority system, such as a typical company. These systems combine both market forces and hierarchy. And another configuration is in an institution of social norms that sometimes arises from the common interests of independent actors. Other configurations may involve relationships of trust or the impeding of the flow of information. Coleman is making a plea, and providing direction, for research into the processes that give rise to macro-level social phenomena such as the institutions and configurations mentioned above. (Coleman 1986)

In conceiving of a democratic nation-state as a macro-level deliberative system, deliberative democratic systems theorists are building on the work of Coleman, often without realizing it. We are hopeful that nation-states may function in a deliberative manner and are attempting to explain how smaller institutions, individual behavior, and a variety of social structures may aggregate to form a macro structure that makes more or less reasonable decisions. If we are to assess the overall quality of a deliberative system,

we may wish to identify the component parts of the system and assess their contribution to the overall outcome.

One consequence of this understanding of deliberative systems as macro level phenomena is that the quality of a deliberative system is not synonymous with the quality of public deliberation that obtains between citizens in the public realm. Public deliberation is certainly a component of a state-scale deliberative system. But it is not synonymous with it.

A second consequence of the complex nature of the aggregative, micro-macro, relationship is that the quality of macro-level deliberation is not always improved by increasing the deliberativeness of a particular micro-level site. Mansbridge et al. explicitly state that a non-deliberative site can positively affect a deliberative system, for instance if protests (which are not deliberative) bring an issue to the attention of sites in the deliberative system that then include that issue in their consideration of relevant reasons. "Sometimes associations that are internally non-deliberative and homogeneous will, for that very reason, be able to assert a coherent public position and sharpen a public debate." (Mansbridge et al. 2012, 6) Mark E. Warren corroborates this point, arguing that the deliberativeness of a country is not the same as the quality or deliberativeness of its institutions. "If angry demonstration is necessary to persuade others that they should notice unpleasant facts, that is a contribution to deliberation - although the initial intentions may not be 'deliberative.'" (Warren 2007, 278)

Deliberative systems are not tied to the scale of the nation-state. Rather, they can exist at many different scales and with any number of persons. As a concept, they can apply to the scale of a nation-state, but can also be applied to smaller scales such as local governments and small private organizations, as well as applied to the global scale. Indeed, as Dryzek notes, any system can be assessed for its deliberativeness. For instance, one may ask about the deliberative quality of the global intellectual property rights system. The system need not “be already deliberative - or meet some minimum threshold of deliberativeness to be analyzed in this terms.” (Dryzek 2016, 211) While these possibilities are interesting, this thesis is concerned with the scale of the nation-state, while acknowledging the dramatic differences in scale that exist between nation-states.

2.3 - Complex or Merely Complicated

The jury is still out on whether deliberative systems are complex or merely complicated. Complex systems are highly interrelated to the point that predicting the outcomes based on changes to a part is feasibly impossible. Complex systems cannot be mapped. Complicated systems, on the other hand, can be mapped and have limited interdependence of parts. Complicated systems have interrelations between components but the contribution of each component to the outputs is traceable. Mansbridge et al. use the term “complex” in a quotation given above, but it is unlikely that they had the

question of complex vs complicated systems in mind when they wrote that. Later in the chapter, they imply that deliberative systems are merely complicated by advocating for assessment of its components and their contribution to the overall function. "In the systemic approach, we assess institutions according to how well they perform the functions necessary to promote the goals of the system." (Mansbridge et al. 2012, 10) This line of research implies that the whole can be understood by examining the parts, whereas a truly complex system could only be evaluated on the basis of its outputs and outcomes.

In addition, most DDST theorists, though not formally stating such is the case, imply that the object of their study is a complicated but not complex system. Many of them attempt to conceptually map a hypothetical deliberative system. For instance, Magnus E. Jonsson produces a diagram of the Estonian Citizens' Assembly Process that occurred from 2012-14. His diagram is divided based on the conceptual site of participation (public sphere, representative realm, or democratic innovation) and indicates which parties (citizens, president, parliament, NGOs) were involved in each event. (Jonsson 2020) The literature does not offer an explicit answer to this question. It will be assumed herein that deliberative systems are merely complicated.

One may conceive of a state as a deliberative system regardless of the form of government. However, deliberative systems have a special relationship with democracy. Democratic governance is the most conducive to deliberation and deliberation is of special importance in democracy. Deliberative systems are an answer to the question of

what deliberative democracy will look like. “ ‘[D]eliberative democracy’ will really mean a *deliberative system* within which multiple kinds, modes, and levels of deliberation are distributed throughout other institutions and systems (Mansbridge, 1999; Walsh, this volume).” (Warren 2007, 287) I would add to this description that non-deliberative functions may also be distributed throughout the system, potentially in ways that contribute to the overall goal of deliberation.

2.4 - Conceptualizing Deliberative Systems

It is difficult to move from conceptual descriptions to real world descriptions of deliberative systems. Jon Dryzek points out that the institutional design of deliberative systems is likely to differ from place to place. For that reason, it is necessary to define deliberative systems with reference to abstract components as opposed to particular institutions. He offers five abstract components of all deliberative systems which appear to be based on their function: public space, empowered space transmission, accountability, and decisiveness. (Dryzek 2009) Another conceptual description of the components is offered by Mansbridge et al., though their breakdown depends upon who it is that is speaking/acting and what it is that they are speaking about. Their components of deliberative systems are (1) binding decisions of the state, (2) activities related to preparing for those binding decisions, (3) informal talk related to those binding decisions, and (4) talk related to issues of common concern but about which the state issues no

binding decisions. (Mansbridge et al. 2012) A consistent measurement of the quality of deliberative systems, if it is to be based on measurement of the components, will require a standardized conceptualization of those components. At present, there is no agreed upon conceptualization of the components of a deliberative system.

The work being done to describe and assess deliberative systems is in some ways similar to the work of Wolfgang Merkel and his concept of “embedded democracy”. Both lines of work attempt to distinguish stable democracies from fragile ones. And both take democracy to be far more than the presence of ostensibly democratic elections. Merkel’s concept of embedded democracy is akin to descriptions of deliberative systems. He argues that stable, embedded democracies are made up of five integrated regimes. In the language of deliberative systems, we would call these components. Merkel’s five regimes are elections, political participation, civil rights, horizontal accountability, and the power to govern.(Merkel 2004) Note the similarities to Dryzek’s components of a deliberative system. Elections are an accountability component. Civil rights protect the possibility of political participation, which itself includes activities like deliberation. Additionally, the power to govern is equivalent to the decisiveness component of a deliberative system. Perhaps more work could be done synchronizing deliberative democratic systems theory and the concept of embedded democracy as both are concerned with the necessary conditions for optimal democratic governance.

There is a bit more agreement on the functions of a deliberative system, though still short of consensus. Perhaps the most widely accepted functions are those described

by Mansbridge et al. The first is an epistemic function. A deliberative system ought to seek truth, improve knowledge, and increase reason. Second, deliberative systems have an ethical function. They ought to foster reciprocity and promote mutual respect. Third, deliberative systems perform democratic functions of promoting inclusion and egalitarianism. (Mansbridge et al. 2012) This triple function, three desirable outcomes from deliberative systems, parallel a similar debate over the functions of deliberation in forums. The most convincing position is that the epistemic function supersedes the others, which should be thought of as mere beneficial byproducts.

Simon Niemeyer conceives of deliberative systems function in terms generating legitimacy by connecting citizens via reasons to decisions about what should be done. He frames his discussion in terms of information, itself divided into supply and demand side effects. Trusted institutions providing accurate information are supply side. Citizens both desiring of and skilled at the use of reason to select between arguments is demand side. A deliberative system should promote deliberation among the public by incentivizing citizens to act as truth seekers and reducing information costs by fostering reliable, trustworthy, accurate sources of information. (Niemeyer 2014) One consequence of this function of deliberative systems would be that they select for true information and against false information. In general, a deliberative system ought to select against propagation of false information, with the prevalence of false information decreasing as you move towards the center or top of the system if there is such a place. If there is no center, then at the very least the system should select for true information over time.

Another possible function of a deliberative system is to foster consensus and/or meta-consensus. There is much debate over the potential of deliberation to produce consensus and/or meta-consensus. I reviewed some of this literature in the previous chapter. To the extent that a deliberative system engages with citizens, rather than merely extracts input from them, and if one is convinced by Niemeyer and Dryzek's findings on the generation of meta-consensus via deliberation, then it seems reasonable to assume that a deliberative system would also function to foster meta-consensus. (Niemeyer and Dryzek 2007) Indeed, that assumption is made in this thesis.

2.5 - Good Deliberative Systems

Given the above loose description of deliberative systems and their functions, we can consider what distinguishes deliberative systems of high quality from those of low quality. In general, the answer is how well the system performs the functions discussed above. "On the most abstract level, we argue simply that high quality deliberation promotes these functions effectively; low quality deliberation fails to do so as effectively." (Mansbridge et al. 2012, 13) There are a few additional features that can be specified which are conducive to accomplishing the goals of deliberative systems.

High quality deliberative systems will have many, many connections between deliberative sites. There will be a multitude of lines of communication and information transmission between sites of the system. John Parkinson writes, "[A] good deliberative

system will feature a range of sites, a range of perspectives, and a range of communicative modes along with some public decision-making mechanism." (Parkinson 2012, 169) Parkinson describes what he calls "stepped pluralism" in which the default mode of communication is respectful and in which parties elevate to more aggressive forms of communication and action only when one's concerns are not heard or respected. James Bohman adds that "a deliberative system ought to be structured so as to promote political interaction across various levels and types of institutions so as to achieve the possibility for self rule." (Bohman 2012, 75) Mansbridge et al. concur, arguing that a good deliberative system is likely to have redundancies such that a failure of one site in the system is compensated for by another. (Mansbridge et al. 2012) All of this points to high quality deliberative systems having many overlapping lines of communication.

Another trait of good deliberative systems can be found in their division of deliberative labor. This applies in multiple senses. Many authors divide the functions of deliberative systems between sites in the system. For instance, voting, protests, and crowdsourcing comments on policy can all be seen as aimed at making the system inclusive, i.e. serving a democratic function, but do little in themselves to foster rational discussion. On the other hand, citizen assemblies, minipublics, and other experiments in citizen deliberation perform an epistemic function via the weighing of relevant arguments on the basis of reason. Despite the acceptance of this division of labor to some degree, no theorists appear ready to completely divorce citizens from the role of reasonable deliberation. Simon Chambers rejects the possibility that a healthy deliberative system

would relegate the public to performing the mass participation function while elites perform the epistemic function. Rather, a healthy deliberative system will engage deliberatively with the general public at least somewhat. (Chambers 2012)

Thomas Christiano argues that a division of labor is compatible with deliberation among citizens and is necessary due to the enormous complexity of governance. His basic picture is one in which the citizens choose society's aims, the experts decide on the means, and representatives synthesize the two. However, individuals are not necessarily relegated to a single role. He describes a kind of communication between all three groups on the basis of overlapping understandings of some topics. Citizens are expected to look into the adherence of representatives to public will and scientific truth. In this light, he makes the argument that a high quality deliberative system, by fostering credibility in various institutions, will aid citizens in deciding how to allocate their time and whether particular issues of representation warrant their investigation. A good deliberative system helps individuals determine how to allocate their personal political labor. (Christiano 2012)

MacKenzie & Warren add to Christiano's description of deliberative democracy by specifying another way in which labor can be efficiently allocated. Minipublics can function as trusted institutions for citizens who make educated decisions about how to allocate their time in assessing policy options. In addition, politicians can use minipublics to research how the public might react in the future to policies that must be written now

but regard issues which have little or no public salience at the moment. (Mackenzie and Warren 2012)

As mentioned above, I argue based on the work of Simon Niemeyer that a good deliberative system will select against false information and select for true information. A similar statement holds for reasonable and unreasonable arguments. The better the system, the better it ought to perform this function. Jane Mansbridge explicitly defends this position in her article *Everyday Talk in the Deliberative System* but also notes that judgements of deliberative systems depend on preconceived notions of “good” and “bad”. One result is that “such judgements will always be heavily contested.” (Mansbridge 1999, 212)

John Dryzek introduces the concept of *deliberative capacity* as the measure of the quality of a deliberative system. "Deliberative capacity may be defined as the extent to which a political system possesses structures to host deliberation that is authentic, inclusive, and consequential." (Dryzek 2009, 1382) Better deliberative systems have more *deliberative capacity* than worse systems. Dryzek allows that deliberative capacity extends beyond western liberal democracies and can theoretically be measured in all regime types. He writes, “Political systems (including states) can be arrayed on a continuum according to the extent of their deliberative capacity. At the negative end lie not just autocracies but also routinized administrative systems and those dominated by strategic machination or armed conflict.” (Dryzek 2009, 1380) This fits with our

understanding of deliberative systems in which all social systems can be conceived of as more or less deliberative.

Dryzek argues another point reminiscent of Rosenberg's four tiers of discourse in which discourse which is capable of reflecting upon itself is of the highest quality. "One aspect of deliberative capacity involves a distributed ability to reflect critically on preferences, including those about the structure of the political system itself. Thus, deliberative capacity ought to promote the ability of a system to identify its shortcomings and reform itself." (Dryzek 2009, 1393) That this *meta-discussion*, as I will call it, is possible in a deliberative system is a signal of its quality. However, such high levels of deliberation are not expected to be widespread or common in all but a few sites of a deliberative system because they are generally unnecessary.

One expectation that follows is that, in a good deliberative system, representatives and other concerned parties will discuss public opinion, not so that they can mimic it, but so that they can understand it and factor it into their actions. Simone Chambers makes this point that good representation in a deliberative system involves considering public opinion in a deliberative fashion. This means asking questions about *why* public opinion is what it is, its epistemic value, and whether obeying public opinion is best for the public. Public opinion itself becomes an object of reflection. (Chambers 2012) We might call this meta-deliberation as the public opinion is already thought to be the product of deliberation among the people. John Parkinson makes a similar point arguing that a

system is democratic to the extent that it is responsive, not obedient, to everything that is said in the public sphere. (Parkinson 2012)

Almond and Verba's concept of civic culture is potentially useful for deliberative democratic theory. A civic culture involves a balance between political participation and acceptance of political outcomes, i.e. a balance between advocating for one's political preferences while acknowledging the validity of the preferences of others. (Almond and Verba 1963) I assume that a strong civic culture fosters high quality deliberation in the public sphere. While some theories stress the importance of civic culture for the overall quality of democracy, the concept of a deliberative system opens up the possibility that a society with a weakly civic culture could still be relatively deliberative. This depends on the system's ability to harness the participatory/inclusiveness function of the polity and channel it into high quality deliberation in various sites. Even so, a high quality of deliberation in the polity is still related and contributes to the deliberative capacity of the other spheres. We are in agreement that a strong civic culture will contribute positively to the overall health of the democracy.

Finally, before digging into the actual efforts towards measuring the quality of macro-level deliberation, one should be aware of the five potential pathologies of deliberation identified by Mansbridge et al. (1) *Tight coupling*: institutions or sites in the system are too tightly connected to allow for outside influence. (2) *Decoupling*: good reasons arising in one site fail to penetrate and influence other sites. (3) *Institutional domination*: a single site dominates all other sites. E.g. authoritarianism. (4) *Social*

domination: a particular social interest or class exerts excessive control over sites in the deliberative system. (5) *Entrenched partisanship*: the citizens are so divided as to frequently be unwilling to listen to those with whom they disagree. (Mansbridge et al. 2012) It is important to keep these pathologies in mind when observing a deliberative system and assessing the value of the connections therein.

2.6 - Assessing Deliberativeness of Systems

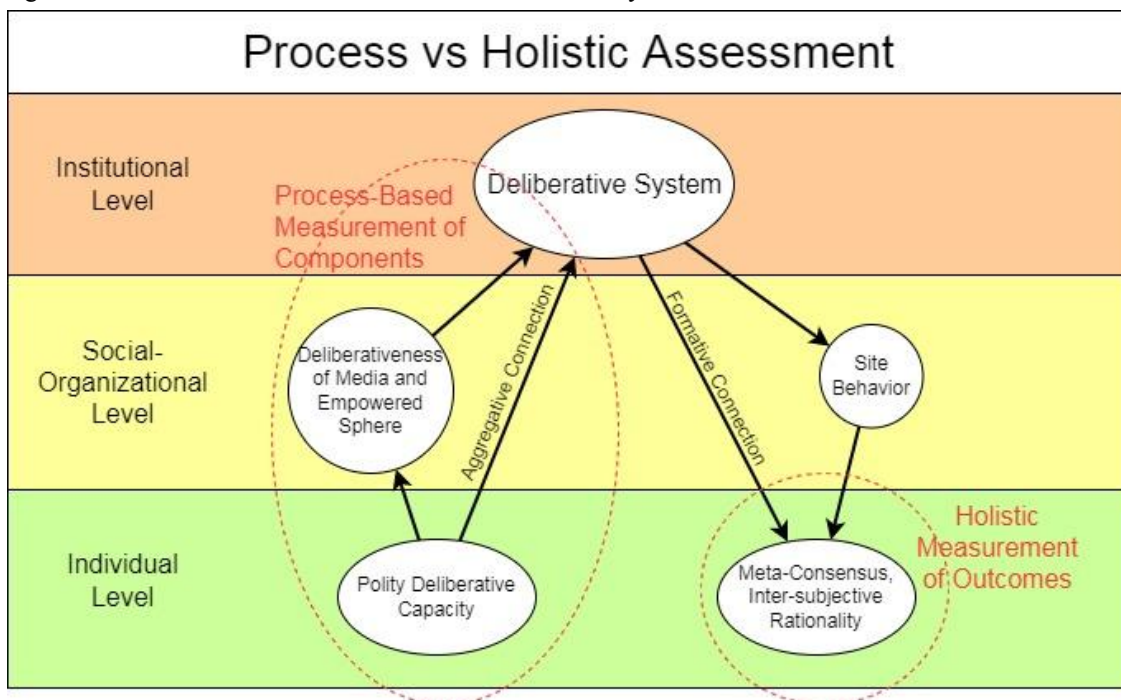
There are two general strategies of assessing deliberative systems. One strategy uses direct measures and focuses on the parts of the system and the components of the process, while the other uses indirect measures and attempts to take a holistic perspective of the deliberative system. (See accompanying diagram.)

"Studies using direct measures focus on the actual process of deliberation, while studies using indirect measures assess deliberation based on either antecedents (for instance, by measuring the extent to which conditions necessary for deliberation are met) or outcomes of the discussion (for example, by measuring post-deliberation changes in participants' preferences)." (Bachtiger et al. n.d., 2)

The holistic strategy disregards the inner workings of the deliberative system in favor of one or more metrics that claim to capture the quality of the system as a whole. Such a holistic approach avoids the pitfalls of accounting for the ways in which non-deliberative

sites and processes can positively contribute to the quality of a deliberative system. James Bohman argues along these lines that a deliberative system should be tested as a whole according to the degree to which it performs democratic functions such as representation. (Bohman 2012) Unfortunately, he makes this argument as a side point while on the way to another discussion, and thus offers little guidance on how to do this.

Figure 2. Process vs Holistic Assessment of Deliberative Systems



Another possible holistic perspective is to argue that mass political conversation and political discussion by citizens in everyday life is a cumulative measure of the quality of a deliberative system. Simone Chambers rejects a complete division of labor in which one site of the deliberative system performs an epistemic function via rational discourse while another site performs a democratic function of mass participation. She argues that

mass deliberation by the general public is necessary in a healthy deliberative system and that we can assess the quality of such deliberation as a test of the system as a whole. We would need to know many factors about citizen conversations, such as the degree of freedom and openness, the quality of reasons exchanged, the sources and quality of information, the role of the media, etc. but would not have to address other sites in the system as the public is taken to be the center of the system. Additionally, in a healthy deliberative system, citizens are likely to discuss more than their preferences and reasons. They will also incorporate information about public opinion in their discussions and to reflect on the significance of such information. (Chambers 2012)

In the other general strategy, researchers work towards directly measuring the components of a deliberative system and their respective contributions to a set of criteria of high quality deliberation. Authors who work in this style essentially create two lists, one of the components or sites of the system, and a second of the criteria for good deliberation. They then attempt to match the sites to the criteria and to specify the constructive relationships between the sites. Unfortunately, while many authors set out in this direction, few provide a clear, comprehensive, and replicable analysis of a single deliberative system.

Jane Mansbridge might be a middle ground between the two styles, as she simultaneously argues for the centrality of everyday talk in a deliberative system while also specifying how to assess the various sites of the system. She rejects a relevant distinction between arenas that produce binding decisions and those that do not.

Mansbridge argues that we can use the same criteria, though in different degrees, to judge all arenas in a deliberative system. She envisions a spectrum of venues for deliberation that ranges from the formal to informal. She does not find the distinction between arenas that produce binding decisions and those that do not to be relevant. Good deliberation is the same in all arenas, but our standards are higher in formal venues. (Mansbridge 1999) She uses this understanding to make modifications to the standards of deliberation offered by other authors. For instance, Mansbridge accepts Gutmann and Thompson's criteria of reciprocity, publicity, and accountability, but modifies them to be more leniently applied to everyday talk. The less formal arenas ought to have a mixture of publicity and privacy, accountability and independence, reciprocity and agonism. However, the more formal sites in the deliberative system ought to be held to high standards of publicity, accountability, and reciprocity.(Mansbridge 1999)

Mansbridge also generally agrees with Joshua Cohen's criteria of good deliberation, but also disagrees with Cohen that deliberation ought to solely aim at rationally motivated consensus. According to Mansbridge, consensus is not a goal of legitimate deliberation. Deliberation should aim at clarifying conflict, even sharpening it if necessary.

"Formal deliberation, everyday talk, and other forms of democratic participation should enable citizens to see conflict more clearly when that conflict has previously been masked (e.g., by elite "nondecisions" and by hegemonic definitions of the common good;) ... legitimate deliberation should therefore meet the criterion of helping citizens understand their

interests better, whether or not these interests can be forged into a larger common good." (Mansbridge 1999, 226)

In order to identify gaps in a system's deliberative quality, we must know the goal of the system. (Mansbridge et al. 2012) As each site ought to be judged for its contribution to that goal, though with more leeway for informal sites, we can assess the quality of a deliberative system by the prevalence and quality of sites that work to clarify, but not necessarily resolve, conflict.

Mansbridge et al. divide deliberative systems into four main arenas. The most formal arenas are those that produce binding decisions of the state. These arenas include parliaments and legislatures, as well as executives and bureaucrats when they produce binding decisions. The next most formal arenas are those in which people perform activities related to preparing for binding decisions by the state, but that do not actually produce those binding decisions. These arenas include the offices of legislators, bureaucrats, and lobbying organizations. Continuing on the spectrum from formal to informal, the third arena of a deliberative system includes everywhere that binding decisions of the state are discussed informally and without a direct connection to those binding decisions. This third arena includes political discussion that occurs at a family gathering such as over a Thanksgiving dinner table. The fourth and most informal arena includes informal talk related to common concerns but about which no binding decisions are made. This arena might include discussions of art, home decor, or debates about whether Pluto is a planet. (Mansbridge et al. 2012)

John Dryzek provides another schemata of deliberative systems, one with only two arenas but three additional components, some of which specify necessary relationships between the arena. Rather than a spectrum of four arenas ranging from formal to informal, Dryzek divides the deliberative system into two arenas. These are public space and empowered space. Empowered space is where binding decisions of the state are made, and potentially activities closely related to those decisions, while public space includes everywhere else. As for the three additional components, the first of which is transmission. There must be an exchange of information between the empowered and public realms. The second additional component is accountability. There must be some measure of accountability of the empowered arena to the public arena. These points are nothing new for democratic theory. Finally, the deliberative system as a whole must be decisive. It must produce binding decisions. (Dryzek 2009)

Dryzek argues that the first four components (public space, empowered space, transmission, and accountability) can be evaluated for their deliberativeness. One way to do this is to apply the Discourse Quality Index (DQI) developed by Steenbergen, Steiner, Bachtiger, and Spornli. Both spaces ought to be assessed for their inclusiveness, and the system as a whole must be decisive. "A system with high deliberative capacity will feature authentic deliberation in the first four elements (public space, empowered space, transmission, accountability); it will be inclusive in the first two; and it will be decisive." (Dryzek 2009, 1382)

The work of Boswell, Hendriks, and Ercan give some guidance for accessing the transmission of information in a deliberative system. They advise assessing the quality of formal processes by which concerned citizens may provide input that has potential to reach to the empowered arena. Additionally, the use of minipublics and minidemoi to advise empowered institutions is indicative of successful transmission between the arena. (Boswell, Hendriks, and Ercan 2016) In a similar vein, Thamy Pogrebinschi suggests evaluating deliberative systems, in part, based on the prevalence of such deliberative institutions. She also advises considering the stated goals of those institutions, the topics they address, and their position relative to other means of participation. (Pogrebinschi 2016) Returning to Boswell et al., their final recommendation is to assess the interaction between popular narratives across realms. A high quality deliberative system ought to see such narratives actively engage each other and evolve in response to that engagement. We can also observe whether popular narratives flow both bottom up as well as top down, and are thus capable of shaping the behavior of empowered actors. (Boswell, Hendriks, and Ercan 2016)

Returning to Dryzek, he also discusses factors which tend to contribute to or detract from the deliberative capacity of a system. He makes no claim to produce a comprehensive list of such factors, but should such a comprehensive list ever be created it would enable predictions of a system's deliberativeness based, not on direct measurement, but rather based on features of institutional design and demographic traits. Dryzek argues that literacy and education rates have a positive relationship with the

deliberative capacity of a system. As does the existence of a shared language and dialect. A culture of political engagement also ought to positively contribute to the system. As for the design of formal institutions, Dryzek suggests that preferential voting systems contribute positively to the capacity of the system. This is because such voting systems encourage politicians to compete for second and third choice votes from persons outside their party. This in turn fosters communication in terms acceptable to political opponents, a kind of meta-consensus. As far as state structures, Dryzek remains agnostic as the interactions are complex and it is unclear which are better or worse. (Dryzek 2009)

Dryzek also mentions factors which obstruct deliberative capacity. He argues that religious fundamentalism impairs deliberative systems as the fundamentalists see no need to communicate in terms acceptable to non-believers. Ideological conformity is another concern. He gives the example of how, after 9-11, critics of presidential initiatives were labeled unpatriotic. "If the state has an official ideological doctrine that is not readily challenged, then deliberative capacity is impaired." (Dryzek 2009, 1397) Finally, Dryzek mentions that segmental autonomy, in which different regions or groups of people are autonomous, is detrimental to a deliberative system as those groups or regions have little reason to talk with each other. He argues that any benefits for deliberation at the elite level are more than paid for at the level of widespread deliberative capacity. All three of these factors repress variation of viewpoints, a crucial component of high quality deliberation. (Dryzek 2009)

Another schemata of a deliberative system is proposed by Thomas Christiano and fits quite nicely with some previous, non-deliberative, conceptual models of democratic theory. He is explicitly addressing the division of labor in a deliberative system and attempting to describe that division. I envision Christiano's model in the shape of an upward pointing triangle, with each corner representing a different group of actors. At the top corner are the politicians and their empowered arena that produces binding decisions of the state. One of the lower corners represents experts with expertise related to a policy area in which binding decisions are made while the other corner represents ordinary non-expert citizens. In theory, the ordinary citizens send policy goals to the politicians and the experts send information on the optimal means to achieving those goals to the politicians. (Christiano 2012)

But this division of labor comes with two problems, as Christiano recognizes and addresses. One problem is an instance of the principal-agent problem with citizens as the principals and politicians as the agents. The question is how to ensure that the agents fulfill the wishes of the principals, that the policy goals of the citizens are faithfully pursued by the politicians. The second problem applies to the link between experts and politicians. The question is how to ensure the sensitivity of the politicians to the knowledge of the experts. Christiano terms this a truth-sensitivity problem. It is worth noting that not the bottom corners of the triangle, citizens and experts, are also in connection. Ideally citizens send research objectives to the experts while experts send information necessary for the citizens to assess the faithfulness of the representatives.

Christiano argues that there are four mechanisms that can contribute to solving the principal-agent problem between citizens and representatives and by solving the truth sensitivity problem between experts and both representatives as well as citizens. These mechanisms are solidarity, overlapping understanding, competition, and sanctions. Solidarity between groups increases faithfulness. Overlapping understanding allows for dissemination of expert knowledge in terms accessible to non-experts for purposes of assessing the faithfulness of representatives. Competition and sanctions both foster knowledgeable experts and faithful representatives. (Christiano 2012)

MacKenzie and Warren offer a description of the role of minipublics and other deliberative innovations that combine both expert knowledge and citizen input into a general picture of a deliberative system. Minipublics can foster trust connections, akin to trusted experts from the perspective of both citizens and politicians. Citizens may trust the results of minipublics on complicated topics. Citizens may trust a minipublic as a source of reliable information, and potentially as the source of a more well-reasoned opinion than an unaided citizen can produce. In such cases, the citizen essentially delegates some sensemaking work to the minipublic and is free to spend more time elsewhere. Politicians, on the other hand, appreciate minipublics for their capacity to offer insights on issues of temporal complexity, about which it is difficult to predict the future opinion of citizens. Representatives may trust the predictive power of minipublics regarding what people will care about under possible future circumstances. This is especially true on topics about which the public has yet to form an opinion. Politicians

often must make decisions today about policy that will affect yet to emerge technology. Once such tech becomes commonplace, the public will form various opinions of its use, but politicians must decide policy in advance of public awareness and can pay high costs if they predict poorly what the public will desire. In this case, politicians can look to minipublics as a source of information on what a considered public opinion on the topic may well look like. (Mackenzie and Warren 2012) If we add this visually into the triangular diagram mentioned above, minipublic might be a point within the triangle, connected to all three corners (citizens, experts, politicians).

In 2018, we get perhaps the most explicit plan for measuring macro level deliberation from Fleuß, Helbig, Schaal. However, even this plan leaves much open to future researchers and leaves us a long way off from a standardized measure of macro deliberation. It is really a checklist of four steps for future researchers who do make a plan to study macro deliberation. First, select a theory of democracy. Second, choose a concept of deliberation. The authors acknowledge that results will not be comparable across different theories of democracy and conceptions of deliberation. Third, select the loci that the researcher wishes to evaluate. The authors break down loci into three categories based on their level of formality. They recommend using different measurement standards for each level of formality. Unfortunately, they do not offer a standard method by which to select the loci for measurement. (Fleuß, Helbig, and Schaal 2018)

2.7 - An Aggregation Rule

The fourth of Fleuß et al.'s parameters for a macro deliberation measurement scheme is the selection of an aggregation rule. This is easily the most complex parameter and their work here is their strongest contribution towards a standardized measurement based on combining components. Two issues must be resolved by the aggregation rule: weighting of loci and how to combine their scores. Fleuß et al. argue that the loci ought to be weighted according to their level of transmission. Transmission can be measured by tracking topics as they move through the deliberative system, by tracking actors and their connections between loci, or by observing loci directly with regard to their information import and export. This third method is the one that the authors recommend. As far as combining scores from multiple loci, there are two options: addition and multiplication. The authors argue that addition is appropriate when loci are complementary, i.e. when one can be substituted for another, such as between news media organizations. In these cases, the impact or contribution of one loci has no bearing on the impact of contribution of the other. However, when loci are non-complementary, i.e. when there is no adequate substitute for a loci, as is the case with a legislature, then the scores ought to be multiplied. This makes sense as a score of 0 in a legislature could render other highly deliberative loci impotent. (Fleuß, Helbig, and Schaal 2018)

Fleuß and Helbig give some additional clarification on the aggregation rule in a 2020 paper. They provide three criteria. (1) The weight of the loci must correspond to

their relative importance for the overall deliberativeness of the system. (2) Claims and topics must flow from the public space to the empowered space in order to receive a positive score. (3) Deliberative quality in different sites is able, at least to some extent, to compensate for a lack of deliberative quality in other sites. (Fleuß and Helbig 2020)

The work of Fleuß et al. brings us close to the point where enterprising researchers who wish to measure deliberation in a procedural fashion can put forward candidate methodologies to standardize the measure of macro deliberation, at least within a given theory of democracy and conception of deliberation. What is required of such researchers is that they put forward a standardized procedure for selecting loci and aggregating their scores.

2.8 - The Polity as the Unit of Analysis

While work continues on component methods of measuring deliberativeness, others are reaffirming the polity as the appropriate unit of analysis. Writing in 2017, John Dryzek argues for assessing the quality of a deliberative system by its effects on the *integrative norms* of the polity. "We can judge the deliberative ill-health of a system through reference to the conditions of normative integration and discursive engagement in the polity as a whole." (Dryzek 2017, 627) Norms of respectful, peaceful, effective deliberation ought to be held broadly in the polity of a healthy deliberative system. Furthermore, there ought to be a connection between the range of acceptable discourse at

the level of the polity and in empowered forums of decision making. An effect is good or bad for the deliberative system depending on its impact on integrative norms. Dryzek divides integrative norms into two types: substantive and procedural. Integrative norms are substantive when the norms result in rough agreement on the relevant discourse. This is a kind of meta-consensus on the legitimacy of disputed values and the range of acceptable opinions. Integrative norms are procedural when they concern how actors ought to relate to each other, e.g. peacefully/violently, cooperatively/adversarially, bargaining/argument. Dryzek writes that deliberative systems

“can be judged in terms of the degree to which they facilitate or obstruct competent, critical, inclusive, and egalitarian communicative action in the development of integrative norms. Integrative norms pervade a polity whether deliberation is present or absent; it is deliberation that can expose these norms to critical scrutiny.” (Dryzek 2017, 630)

The final sentence of that quotation speaks to a kind of self-reinforcing power of deliberation to foster the integrative norms conducive to itself and helps justify the measurement of deliberative systems in terms of these norms. (Dryzek 2017)

Dryzek makes these arguments while attempting to reconcile opposing sides of deliberative democratic theory which have been talking past each other due to being operative at different scales but without acknowledging that fact. He argues that forums only make sense within a deliberative system, and that a deliberative system can only exist within a polity. Each plays a crucial role. Forums are the best way of ensuring

healthy deliberative systems. An understanding of deliberative systems is crucial in order to apply deliberative ideals at a large scale. But the contributions of forums and systems must be assessed in terms of the polity. Dryzek provides an illuminating discussion of how a polity ought to have a reflexive attitude towards integrative norms such that they do not detract from the quality of the deliberative system. In brief, a high quality deliberative system will avoid the pitfalls of *false balance*, in which unreasonable positions are given credence ostensibly for reasons of balancing viewpoints, and *false closure*, in which an issue is prematurely closed when debate ought to continue. This is necessary so that concepts such as right to disrupt and balance are not exploited to detract from the deliberative quality of a system. (Dryzek 2017)

Other authors also argue for centering the polity as the unit of analysis. Niemeyer, Curato, and Bächtiger argue for the polity as the unit of analysis. More specifically, they "propose to shift the focus of assessment to the virtues and empirical manifestations of deliberative action." (Niemeyer, Curato, and Bachtiger 2016) Deliberative outputs are a demonstration of deliberative capacity. While centering the polity, they also recognize the possibility that the polity will affect and be affected by people and events outside of its borders. Factors beyond a state's borders can therefore impact the deliberative capacity of a polity. As for measuring the components within the deliberative system, they recommend using tools like the DQI, the gold standard in measuring deliberation in forums, to assess empowered spaces like parliaments. Public space can be assessed using media studies and content analysis of newspapers, television, and social media. They

claim this is justified because, “it is only through media that the public can forge meaningful connection to discourses and views they would otherwise not encounter in their daily lives.” (13) Finally, the deliberative capacity of citizens can be assessed using survey data. (Niemeyer, Curato, and Bachtiger 2016)

2.9 - Alternative Approaches to Assessing Deliberative Systems

Some approaches do not fit neatly into either holistic or components based approaches. For instance, Boswell and Corbett argue that deliberative systems ought to be assessed via comparison. They advocate looking for *family resemblances* between systems, as well as making post hoc comparisons of their affinities, rather than stressing the identification of identical institutional formations and governmental practices. Researchers ought to engage with in-depth case research in order to find “eclectic affinities”. (Boswell and Corbett 2017) While this approach may be useful, it does provide a route to standardized measures of deliberativeness across polities. It may also be more useful advice for researchers who have been overly focused on the identification of sites of deliberation, rather than concerned with necessary realms and components of a deliberative system.

Work by Markus Holdo also falls outside the standard approaches but seems like a bridge too far for producing a standardized measurement of deliberative system. He advocates a relational analysis of deliberative systems that is conscious of the mutually

influential relationship between individual behavior and a deliberative system. This approach is especially useful for identifying shortcomings in particular deliberative systems. (Holdo 2020) However, his work leaves us no closer to a solution for standardized macro level measurement of deliberativeness.

In summary, authors have generally advocated for one of two different approaches to measuring the deliberativeness of a system: either a holistic and functional approach or a process based approach involving direct measure of the sites and transmission of the system.

Simone Chambers' holistic approach advocates for measuring citizen deliberative capacity across a variety of measures as citizens are the center, and most important part, of the deliberative system. However, in order to defend this method, she rejects the possibility that non-deliberative behavior in one realm of the system could positively contribute to the overall deliberative capacity of the system. As far as I am aware, there is no proposed holistic method of measuring the deliberativeness of the system that retains the assumption that non-deliberative practices in one realm can positively contribute to the overall deliberativeness of the system.

As for process based systemic approaches, they require specification of sites of deliberation and their respective relationships. No author has presented a comprehensive picture of the sites in a deliberative system and their relationships. There are a variety of competing models of deliberative systems and no author has presented a standardized method of selecting sites of a deliberative system that ought to be measured. Anyone who

wishes to use a process based measurement approach must present a standardized method for selecting loci to be measured, as well as an aggregation rule. This would at least allow their work to be replicated even if academic dispute continues on the quality of the method.

2.10 - Extant Measures of Nation-State Deliberativeness

Regarding cross-national comparison of the quality of deliberative systems, there is no extant direct or indirect measure in use. While there are various projects that assess the quality of democracy cross-nationally, there is only one that attempts to assess the quality of deliberativeness, or deliberative democracy, across states: Varieties of Democracy (V-Dem). Unfortunately V-Dem's methodology involves neither direct measure of the process and components of deliberation, nor indirect measure of deliberativeness based on outputs or outcomes. Rather, their data on this topic are derived entirely from the opinions of experts and analysts. To be fair, I am not arguing that the V-Dem deliberativeness scores are meaningless. V-Dem uses various strategies, including bridge and lateral coding, to standardize the opinions of their experts and analysts. Through these measures, they hope to mitigate the inherently subjective nature of their measure. (V Dem Varieties of Democracy Codebook 2021) But there are further problems with V-Dem's methodology.

It is likely that V-Dem's scores represent a reasonable estimate of the qualities of deliberation about which the experts are queried. However, as Fleuß and Helbig point out, V-Dem does not ask about deliberation at all levels of society, and this despite ostensibly adhering to an understanding of deliberative democracy as dependent on deliberative quality at all levels. V-Dem does not specify the various levels that ought to be considered. Many of the questions asked of their experts apply only to deliberation by political elites. Additionally, there is no avenue by which everyday political talk could enter into the results. (Fleuß and Helbig 2020) Finally, by claiming that nation-state deliberativeness depends on respectful dialogue at all levels, V-Dem may be violating a common assumption in DDST, and one maintained in this thesis, that anti-deliberative actions in one location of the system can produce positive results in overall quality of the deliberative system. While V-Dem's deliberative component index is potentially useful, it does not satisfy DDST's desire for a standardized, objective, and replicable measure of nation-state scale deliberativeness.

There are other projects that aim to measure the level of democracy across states but that pay little attention to deliberation. For example, Democracy Barometer makes no mention of deliberation in the codebook for their measurement instrument. (Democracy Barometer: Codebook: Version 7 2020) Freedom House is similar, with no mention of deliberation in their codebook. (Freedom in the World 2021 Methodology 2021) However, these projects and others like the World Values Survey, may yet be of some use if they contain raw data that can be used to derive an indirect measure of deliberation.

Chapter 3 Advancing the Measure of Deliberative Systems

As we have seen, theorists have a variety of conceptual models of deliberative systems, made up of different components. In broad strokes, the method of assessing a deliberative system is to, first, choose a conceptual model of a deliberative system. Next, select sites representative of or crucial to the functioning of the system. Then, while keeping an eye out for pathologies of deliberation, assess the relationships between the sites and make a qualitative judgment about the systemic performance. The researchers discussed in the previous chapters have brought us closer to a standardized measurement instrument that produces replicable data, but we are still a long way off from such a measure. No theorist has yet proposed such a measurement instrument, and even if a theorist did, we ought to expect a great deal of debate before any instrument becomes a widely used standard tool.

In the following two sections, I offer contributions to the growing debate on the measurement of deliberative systems. The first section advances direct, process-based methods of measurement. I begin with a clarification of terminology. I then offer a conceptual model of a deliberative system and its components, clarifying when and where non-deliberative behavior can contribute positively to the overall deliberativeness of the system. In addition, I discuss various methods of assessing the spheres and

components of a deliberative system, including an example of a possible site selection methodology.

In the second section of this chapter, I argue for a holistic, outcome-based measure of the deliberativeness of nation-states. The measure is based on the level of meta-consensus within a polity, but is also tempered by the levels of freedom in the country. I argue that meta-consensus indicates either deliberation or coercion. Thus, controlling for the level of freedom of expression in a state ought to improve the validity of meta-consensus as a measure of deliberative system quality.

3.1 - Process-Based Measure of Deliberative Systems

First, a clarification of terminology used to describe deliberative systems is in order. Beginning with the broadest undefined term in use by theorists, the *components* of deliberative systems are conceptual pieces of the system. Components are universal to all deliberative systems. That is not to say that a particular system has all the components, but that any system being assessed for its deliberativeness must be assessed for all of the components. Components can be either regions of the system, which are referred to as *spheres* or *spaces*, or traits of the system. Recall Dryzek's components of a deliberative system: public space, empowered space, transmission, accountability, decisiveness. Some of these components are regions while others are traits. Perhaps the defining feature of

components is that each one requires its own measure and that every component is included in an aggregation rule.

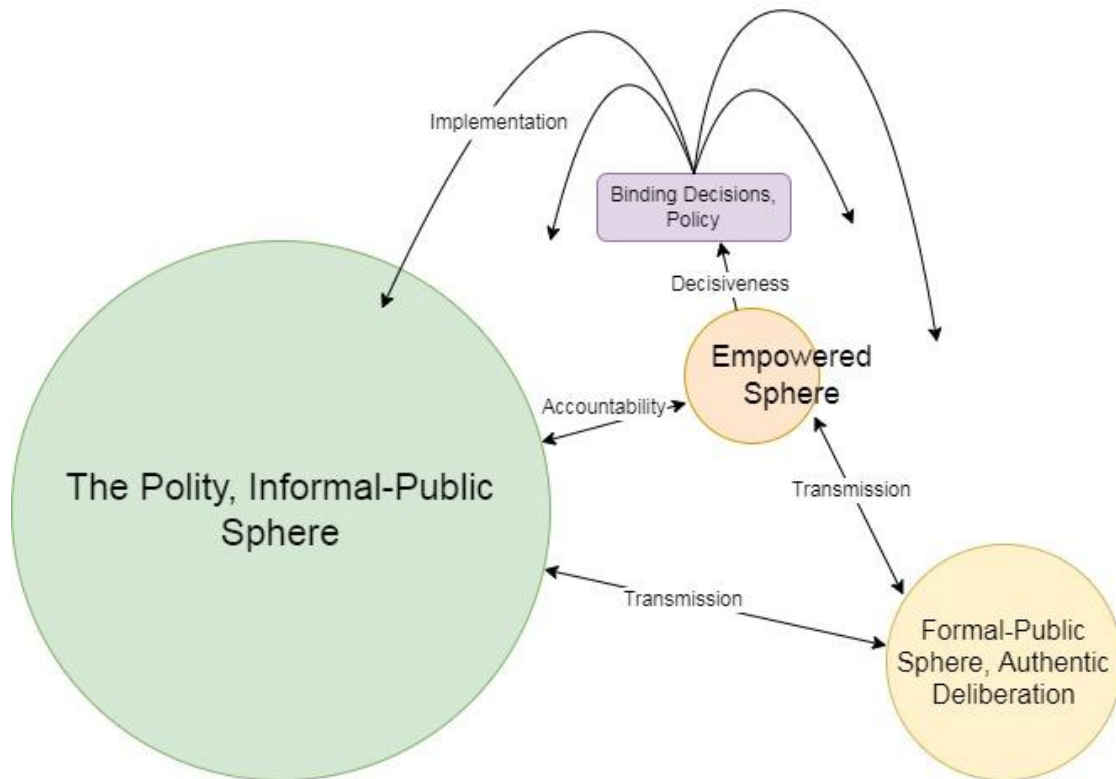
Spheres, the regional components of deliberative systems, are comprised of *sites*, also known as *loci*. Most importantly, sites are unique, rather than universal. A site is a specific organization or group of individuals. Examples of sites include, a news media outlet, a protest rally, a business, a court circuit, and an individual courtroom. Sites are defined by their boundaries in time and space, as well as by their members if they include more than one individual.

My conceptual model of a deliberative system (see Figure 3) has six components. These are (1) decisiveness, (2) an empowered sphere, (3) a formal-public sphere, (4) an informal-public sphere, (5) transmission, and (6) accountability. These components are the same as those proposed by Dryzek except that I have divided the public sphere into two parts, formal and informal. This division is inspired by Mansbridge's work which distinguishes between formal and informal communication. This division also appears to align with Habermas' differentiation between the political center, periphery, and civil society. (Fleuß and Helbig 2020) The purpose of the formal vs informal division of the public sphere is to isolate the regions in which non-deliberative behavior can benefit macro level deliberativeness from the regions in which there is a negligible benefit to non-deliberative behavior. That is to say that non-deliberative behaviors in the informal-public sphere can positively contribute to the overall deliberativeness of the system by raising awareness and demanding inclusion. However, institutions that attempt

to formally discuss public issues are expected to adhere to standards of fair discourse and authentic deliberation. In the formal-public sphere, just as in an authentic deliberative forum, there is no benefit to the system from disruptive, non-deliberative behaviors. There is some overlap between the spheres, in that a single individual can participate in multiple spheres at different times. A person may have a day job at an interest group but spend their evenings trolling people on the internet.

Figure 3. Conceptual Model of a Deliberative System

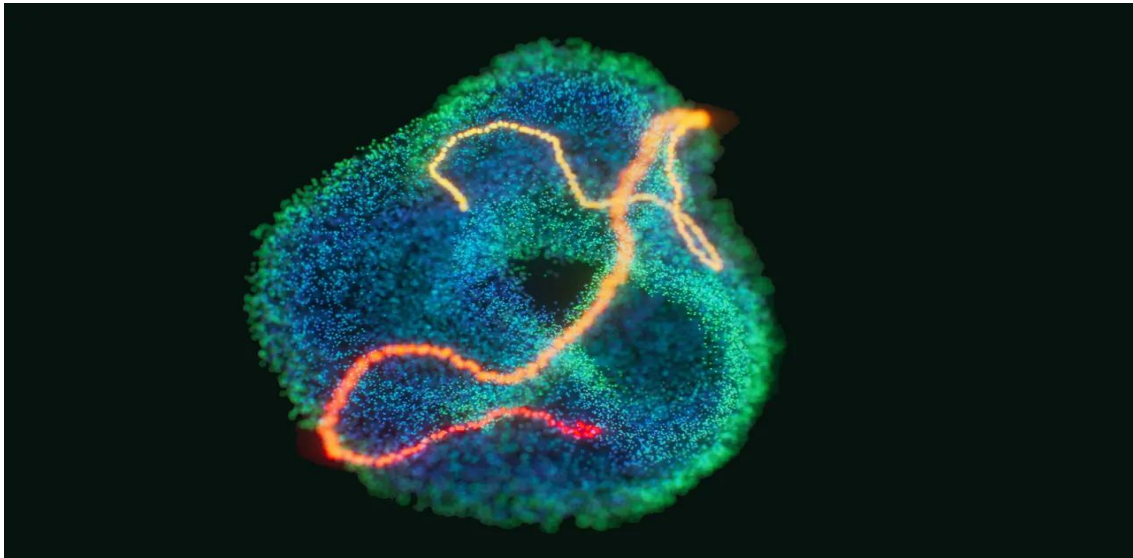
Conceptual Model of a Deliberative System



To visualize sites within the polity, one may picture a neural network in the shape of a torus (a donut) with nodes throughout the volume of the torus, not merely on the

surface. Each node represents an individual person. A business, a site made up of many individuals, can be visualized by highlighting the nodes that correspond to the employees and owners of the business. Figure 4 may help in visualizing a site within a deliberative system.

Figure 4. Torus (The Brain's Inner Map Is Shaped Like a Donut 2022)



I chose the torus shape because it has no center and no edge, but still has varying degrees of proximity between nodes. This selection respects the strong emphasis that DDST theorists place on the polity as the most important site in a deliberative system. One might imagine the empowered sphere as the nodes along the inner ring of the torus. From there, decisions feed back into the network, generating new discourse. As empowered decisions are implemented and distributed throughout the system, individuals may function like capillaries in the human circulatory system. In this way, mass deliberation in public space is understood as a crucial component of the system.

Each component requires its own measure. The component of *decisiveness* might be more difficult to measure in deliberative systems without a monopoly on violence to enforce their decisions, such as in a home owner association. However, in a modern state, decisiveness is total and this component can either be expressed as “1” in an aggregation rule, thus having no impact on a final score when included, or simply omitted entirely.

Measuring the regional components for their deliberativeness is more complicated. The empowered sphere is the easiest to manage as the relevant sites are easy to identify and can be assessed with Steenbergen et al.’s DQI. The relevant sites include the legislature, the office of the president or chief executive, the high court, and agencies empowered with decision making authority. Dryzek argues that spheres ought to be assessed for their inclusiveness and accountability (Dryzek 2009), but I question whether it might be better to measure those components separately and aggregate them at a later point. For instance, inclusiveness may be another measure of transmission, which could then end up being counted twice in a total score. Even so, if we wish to measure the inclusiveness of the sphere, one possibility is to assess the political opportunity structure of systems, a method first introduced by Eisinger in 1973. (Kriesi et al. 1992) On the other hand, it may be possible to distinguish inclusiveness from transmission, in which case each realm ought to be measured for its inclusiveness while transmission is assessed separately and aggregated later in the process. I have no firm resolution to this question, though later I propose a method of measuring overall transmission that does not take into account inclusiveness. Another potential variable to measure in assessing the

deliberativeness of the empowered sphere is the level of party discipline, specifically the frequency with which legislators deviate from their party line in order to support legislation. Including a measure of party discipline is potentially problematic but worth considering.

One difficulty with a systemic process & component based assessments of macro deliberation is that they require measures of far more than deliberation at the level of the polity, which in my model is essentially the informal-public sphere. Process based assessments also require a measure of how those factors are translated into quality deliberation in the formal-public sphere and empowered sphere. A good deliberative system can benefit from non-deliberative actions in the informal-public sphere and thus some measure of those non-deliberative activities is necessary.

The informal-public sphere can be assessed for its deliberativeness using surveys of individuals and experiments to measure individual deliberative capacity. There are at least two types of data that we might wish to capture with these surveys and experiments. The first is the actual deliberative capacity of individuals. This could be done by querying them with open-ended questions on the rationale for both their political positions and the positions of their political opponents. Those responses would then be subjected to assessment using the DQI. We might also use indicators of tolerance and respect for difference, such as a survey question about how they would feel if their child were to marry a person holding different political opinions. The goal here is to see whether they

merely endure their political opponents or if they actually respect their opponents as holding potentially valid positions.

The second type of data that we might want to use are the citizen perspectives on the deliberativeness of the polity. Though this is an indirect measure, and potentially biased by many factors, it also may capture aspects of the polity's deliberative capacity that are otherwise overlooked by survey questions written by outsiders. These questions might include asking participants how open ordinary people are to political discussion of opposing viewpoints, or whether they think people are generally capable of responding rationally to reason-based arguments. I leave it to future projects to determine the exact questions and their aggregation.

Additional surveys could be conducted in order to produce data that can be used to measure the degree to which issues important to the respondents penetrate both other spheres. These would essentially be questionnaires about the issues of great importance to the polity, followed by assessment of the formal-public sphere for discussion of those issues. This will provide a measure of inclusiveness for those spheres, or alternatively, the data can be used to contribute to a measure of the transmission within the deliberative system.

It is difficult to specify how to include data on the deliberative capacity of individuals. While a high deliberative capacity in the polity is almost assured to benefit the overall system, the primary function of the informal-public sphere for the overall system is to produce a wide diversity of ideas and arguments for uptake by the other

spheres. The measure of the deliberativeness of the informal-public sphere should not be weighted as highly as the importance of deliberativeness in the other spheres. After all, the purpose of this distinction between the formal and informal public sphere is to isolate the region in which non-deliberative behavior can contribute positively to the overall deliberativeness of the system.

The difficulties of measuring the formal-public sphere are far greater than those for the other spheres. In this sphere, countless varied private organizations are involved in discussion and advocacy regarding public affairs. In the informal-public sphere we could fairly sample the individuals since every individual is a member of that sphere. Simple averaging could result in a standardized and replicable deliberative value for the sphere. The empowered sphere could not be sampled, but all relevant sites can be identified for measure. Again, though more nuanced aggregation ought to be used for the sites in the empowered sphere, simple averaging would produce replicable results. However, to assess the formal-public sphere, we cannot randomly sample from all individuals in the polity since not all individuals participate in the formal-public sphere. Nor can we easily identify all relevant institutions, as is possible in the empowered sphere. Hence, we need a different method of generating standardized and replicable results. Once sites in the formal-public sphere are identified for measure, various types of content analysis can be done on their media to assess its deliberativeness. As all of the communications by institutions in this category are part of an ongoing deliberation process, the DQI can be

used to measure the deliberative quality of their media. This can be used as a proxy for the deliberativeness of the site.

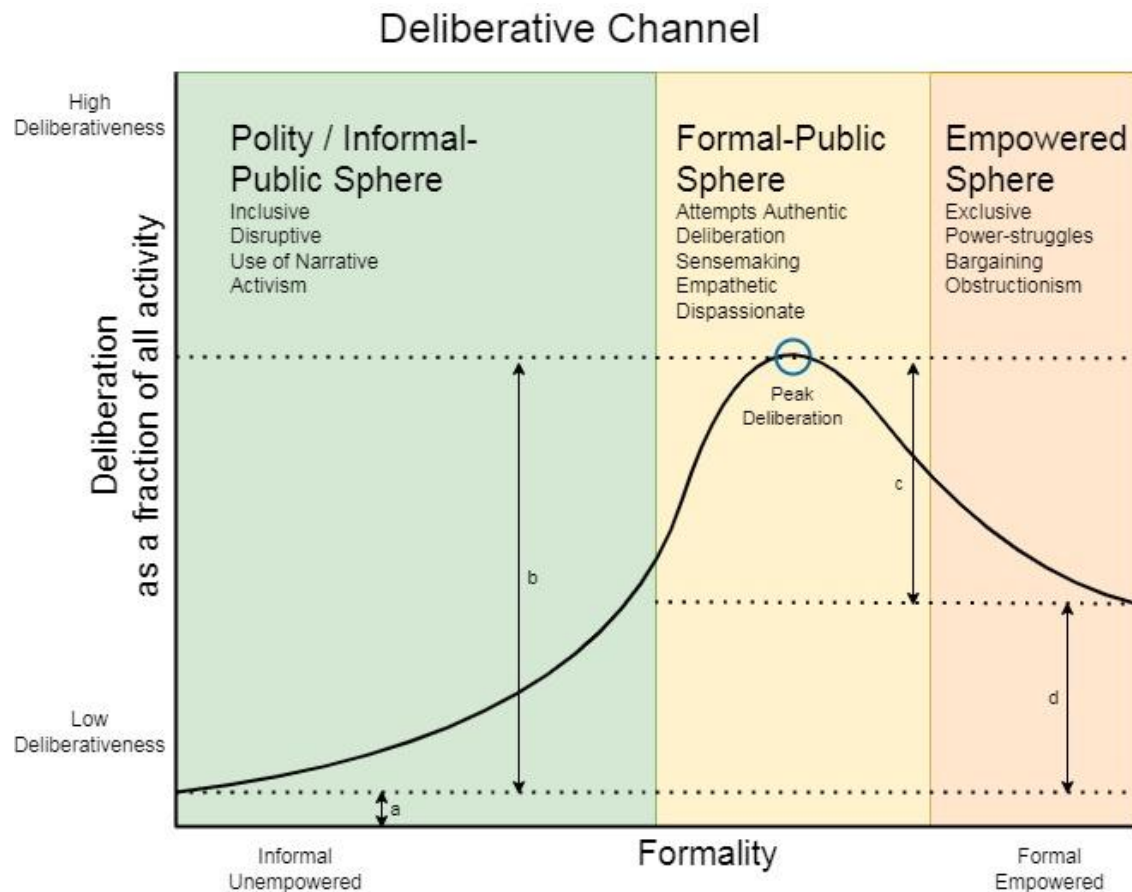
Perhaps the most significant remaining challenge in the measure of deliberativeness in the formal-public sphere is the selection of sites for measure. I argue that in assessing the formal-public sphere we ought to select the sites with the greatest deliberative quality and highest levels of interaction with the other spheres. In other words, we ought to look for the most deliberative, inclusive, and transmissive sites. This site selection bias is justified for two main reasons. First, it is feasible. There are countless sites in the sphere, but the ones with the greatest reach, i.e. highest transmission, are also the easiest to find. Due to their great reach, they are also the most influential. Second, the formal-public sphere is where I predict we will find the highest levels of deliberativeness, though this is somewhat by design due to my deliberative system model. Identifying the sites with the highest quality of deliberation will serve to map a boundary of the deliberative system.

In general, I predict that the average deliberative quality of all sites in a sphere will be greatest in the formal-public sphere while being lowest in the informal-public sphere. Low deliberative quality in the informal-public sphere is not necessarily a problem for the system. It is more important that this sphere be inclusive than deliberative, even at the cost of being disruptive. The informal-public sphere includes activism and narrative. It primarily serves the function of transmitting issues and perspectives to the formal-public sphere. None of this is to say that citizen deliberative

capacity is unimportant to the deliberative system. It is extremely important as it is tied to the capacity for the other spheres to engage deliberatively with citizens.

The formal-public sphere is where we ought to find the most authentic deliberation, sensemaking, rationality, and dispassionate empathy. I use the term, *deliberative channel* to refer to the sites in the formal-public sphere where the majority of authentic deliberation occurs. In this intermediary sphere, media engages with arguments and information coming from both the formal and informal spheres. Alternatively, these sites could be referred to as the *deliberative bottleneck* to the extent that they weed out bad arguments and non-deliberative forms of communication coming from both other spheres. Either way, as can be seen in Figure 5, a theoretical graph of deliberativeness in each sphere depicts the peak of deliberative quality in the formal-public sphere. Peak deliberative quality will likely be found in news media. This is in line with the importance placed on a free press and the moniker or the *fourth estate* sometimes ascribed to the media. Indeed, I agree with Joshua Cohen that the media plays a crucial and largely overlooked role in enabling citizen deliberation and transforming results of deliberative bodies into effective policy. (Cohen 2007)

Figure 5. The Deliberative Channel



Recall that my division into these spheres is intended to capture the benefit of non-deliberative behavior on the deliberativeness of the overall system. By isolating potentially beneficial non-deliberative behavior to a single sphere, it is possible to simplify the task of incorporating non-deliberative behavior into a standardized measurement instrument. This move relies on an assumption that there is no benefit, or a negligible benefit, from non-deliberative behavior that occurs in empowered sites or in formal institutions held to a standard of authentic deliberative discourse. While an organization may pull off a great hoax that raises awareness of an issue, such a site would

be located in the informal-public sphere because its utility is in the inclusion it can generate, as well as because the organization is not held to a standard of authentic deliberation. The lower deliberative quality in the informal-public sphere is easily explainable by the design of the spheres in my model, as well as if one believes that the polity as a whole will be less deliberative than news media and legislators. The reason that the empowered sphere is predicted to have lower deliberative quality than the formal-public sphere is because the incentives for authentic deliberative style communication are highest among organizations whose primary concern is credibility. The empowered sphere is hampered in its deliberativeness by the gravity of its proximity to binding decisions. It suffers from exclusivity, agonistic competition, bargaining, obstructionism, and other tactics that interfere with authentic deliberation. As Mark E. Warren points out, we should not expect deliberation in legislatures to be of as high a quality as deliberation that occurs in bodies specifically convened for the purpose of deliberation. Legislatures are fulfilling other functions besides deliberation. (Warren 2007)

In measuring the importance of the most deliberative sites in the formal-public sphere, they must be measured for more than their deliberativeness. As mentioned earlier, one option for including a measure of the transmission component is to weave it into the measure of each sphere. In order to do this, the most deliberative sites in the sphere should be measured, not just for their deliberativeness, but also for their transmission and inclusiveness, which are opposite sides of the same coin. Peak sites ought to also be

assessed for the diversity of perspectives with which they engage, even if merely to dismiss them. Additionally, they could be assessed for rates of agenda setting, with lower being superior for deliberativeness.

The overall goal in assessing the formal-public sphere is to assess the breadth of coverage and audience reach of the most deliberative sites. I propose that we collect measures of the following variables for sites in the formal-public sphere. First, we ought to measure the deliberative quality of sites with tools like the DQI. Second, we ought to measure the audience reach of sites in such a way that we can speak to what percentage of the polity engages with media of a certain quality of deliberativeness. Third, we ought to collect data on the percentage of issues important to the polity with which the site engages. Notice that both the second and third measure require survey data from the informal-public sphere, making this a complicated process. The final measure of the formal-public sphere, once standardized, will be something like *the average deliberative quality of the fewest number of sites that together include >X% of important public issues and have a transmission reach of >Y%*. Such data can result in graphs like the following examples that may be useful for categorizing deliberative systems.

Figure 6. Transmission of Formal-Public Sphere Deliberation

Percentage of Population Reached by Formal-Public Sphere Media as a Function of its Deliberative Quality

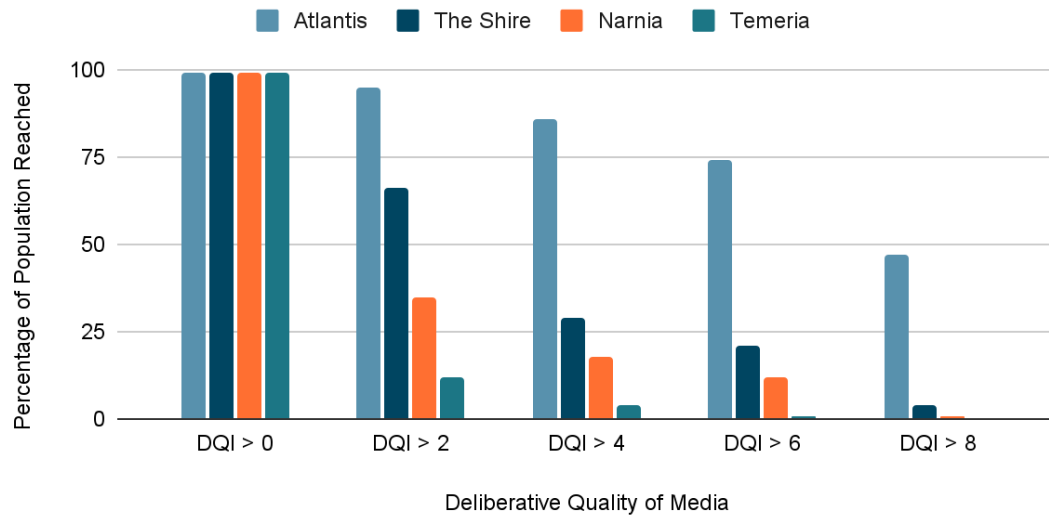
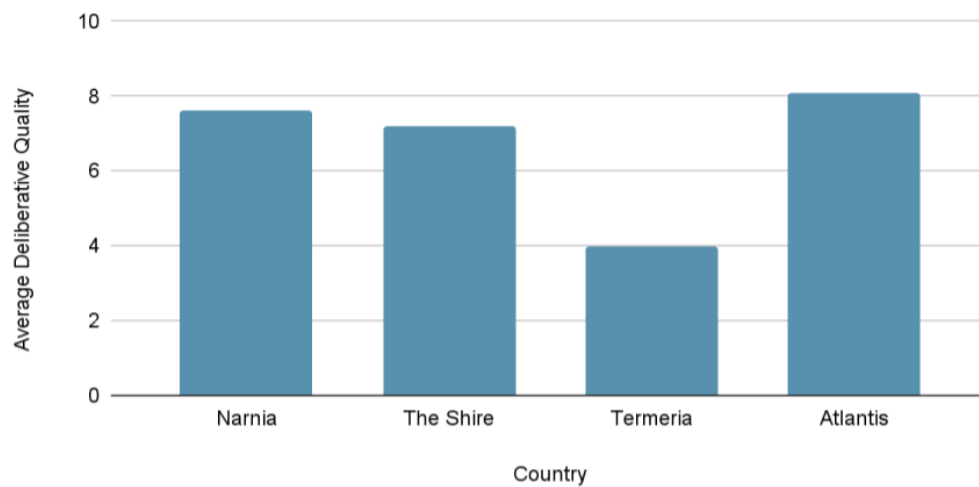


Figure 7. Deliberative Quality of High-Transmission Sites

Average Deliberative Quality of the Minimal Set of Sites required for Transmission >60% and Inclusivity >60%.



Note that the values of >60% Transmission and Inclusivity are just hypothetical suggestions at this point. In addition, there is no reason that the required amount of inclusivity should be the same as transmission. Determining appropriate break points for values of transmission and inclusivity will require assessment of deliberative systems for patterns. We cannot know in advance whether the breakpoints are appropriate rather than arbitrary divisions.

The concept of “critical citizens”, introduced by Pippa Norris, may be of some use in an assessment of the polity and/or the formal-public sphere.(Norris 1999, 3) *Critical citizens* favor democracy generally but are dissatisfied with the present state of democratic governance. As Norris notes, in order to understand the democratic legitimacy crisis, we ought to distinguish between objectives of political trust. Critical citizens may be highly dissatisfied with the present state of democracy while still holding underlying democratic values. This tension between ideals and reality is considered by some to be healthy for democracy. As such, an increase in critical citizenry may be preferable. These critical citizens will not only contribute to the overall deliberative capacity of the polity, but they are also the citizens likely to seek positions at highly deliberative organizations in the formal-public sphere. Such citizens may be an invaluable asset to a deliberative system and we may wish to foster their emergence, perhaps by emphasizing critical thinking in education curricula. Measures of “critical citizens” could be a useful variable in more complex assessments of the deliberative quality of the polity and perhaps the formal-public sphere.

The fifth component in my model of deliberative systems is *transmission*. However, in my model, transmission between the empowered sphere and the polity is predominantly the function of the formal-public sphere. As such, in the measure of that sphere, I have included a measure of transmission. No separate measure of transmission is necessary. The formal-public sphere and transmission are inextricably intertwined, especially due to the fact that my division between the formal and informal public sphere is intended to divide attempts at authentic deliberation from more agonistic modes of politics. Other theorists argued for assessing the transmission of each sphere and weighting the spheres according to their transmission. I have essentially done this, but only for the “middle” sphere. By using survey data on the issues of importance to members of the polity and their representation in the formal-public sphere, I am accounting for the transmission of ideas from the polity to other spheres, but the resulting measure impacts only the value of the formal-public sphere. Basically, rather than measure the ability of the informal-public sphere to transmit ideas to the formal-public sphere, I advocate measuring the uptake of ideas in the informal-public sphere by the formal-public sphere. There is also an issue of tracking the uptake of developments in the empowered sphere by the formal-public sphere. I argue that this goes hand in hand with the giving of attention to issues of importance to the polity, and thus no separate measure of uptake from the empowered sphere is necessary. If others argue against this stance, then a relatively simple fix would be to assess the fraction of legislation implemented that is discussed by the selected sites of the formal-public sphere.

The sixth and final component of my model is *accountability*. While I feel that I have offered a potential contribution to the discussion of measuring transmission, I have little to add regarding accountability. A significant problem in assessing accountability is that accountability does not always positively contribute to deliberation. Constant accountability can detract from deliberativeness. (Mansbridge 1999) For instance, a magazine that is too accountable to its readers may not creatively explore topics that its readers fear. Some accountability is beneficial, but it is not clear that more accountability at all times and in all places is all desirable. As Warren points out, accountability is a double edged sword. For instance, if politicians are highly accountable to their constituents, to the point that there is low party discipline, then there may very well be a higher quality of deliberation in the legislature than there would be if the politicians were not so accountable. However, high party discipline tends to increase clarity of messaging, which may actually enable the public to deliberate with more clarity regarding how best to use their vote to hold parties accountable. (Warren 2007)

Another problem is that accountability may technically not be necessary for deliberation. Rather, accountability is only necessary for purposes of representation. In addition, participants to deliberation often attempt to represent the interests of those who are not included, as when citizens of one country discuss local policy in light of potential impacts on those living in other countries. Given that all modern democracies are representative, perhaps a measure of accountability ought to be included. This could be as simple as a measure of the freedom and fairness of elections, a measure that could be

derived from the data of other projects. Alternatively, perhaps by limiting ourselves to modern democracies, the level of accountability is not significantly different between them. In this case, *accountability* could be represented by a dummy variable of “1”, or excluded entirely.

Alternatively, a measure of accountability is not necessary if it is incidentally included in the measure of the empowered sphere. Accountability may help determine the minimum acceptable level of deliberativeness in the empowered sphere, though this also depends on the successful transmission function of the formal-public sphere. When it performs this transmission function well, the formal-public sphere creates incentives for authentic deliberation in the empowered sphere. It also captures non-deliberative behaviors and utterances for use in deliberation. When functioning well, the deliberative system channels strategic intentions into talk such that the only method of victory is through persuasion. (Warren 2007) The impact of the formal-public sphere, combined with mechanisms of accountability, function to raise the quality of deliberation in the empowered sphere. Note that deliberation in the empowered sphere does not depend on the intentions of the participants, but rather on the incentives that accompany institutional norms, rules, and constraints. In general, it is journalism that adheres to standards of authentic deliberation and mechanisms of accountability that provide these incentives.

If it is the case that the deliberativeness of the empowered sphere is a function of the accountability of that sphere to the polity, then a measure of deliberativeness in the empowered sphere already includes a measure of accountability. We might attribute the

effect of accountability to the distance “d” in Figure 5. Unless accountability performs another function in the system apart from improving the deliberative quality in the empowered sphere, there is no need for a separate measure of accountability. Just as the measure of the formal-public sphere includes a measure of transmission, the measure of deliberativeness in the empowered sphere may contain all of the necessary measures of accountability.

While there are still many questions to be resolved, I can now give an example of a potential aggregation rule for the values of these components. As mentioned, decisiveness can be excluded since all modern democracies have a monopoly on legitimate violence within their borders. The transmission component is subsumed in the deliberativeness score for the formal-public sphere. The accountability component can either be excluded or assumed to be subsumed in the deliberativeness score of the empowered sphere. This leaves only the measures of the three spheres to be aggregated. Because the functions of the formal and informal-public spheres are cumulative, i.e. they can to some degree be substituted for one another, those scores can be combined additively. Additionally, deliberativeness is expected to be extremely low in the polity or the informal-public sphere, but this ought not detract from the overall system’s deliberativeness as that is the sphere in which non-deliberative behavior can have a positive systemic effect. For that reason, we should not multiply the score for the informal-public realm in our aggregation formula. The opposite is true of the empowered sphere, in which a complete lack of deliberativeness would render the entire deliberative

system impotent. Thus the score for the empowered sphere ought to be integrated via multiplication.

We arrive at an aggregation formula that will provide a cumulative score for the quality of a deliberative system. In this formula, “A” represents accountability, “T” transmission, “Pol” the deliberative quality in the polity/informal-public sphere, “News” the measure of deliberative quality in the formal-public sphere, which in this case is the deliberative quality of the minimal set of formal-public sphere sites that meet the transmission criteria, and “Emp” the deliberative quality in the empowered sphere.

$$\textit{Deliberative System Score} = (\textit{Pol} + \textit{News}) \times \textit{Emp}$$

$$\textit{News} = f(T)$$

$$\textit{Emp} = f(A)$$

$$\textit{Deliberative System Score} = [\textit{Pol} + f(T)] \times f(A)$$

The above formula is the big picture of how I suggest measuring the deliberativeness of a democratic nation-state. I am not claiming that this is the final, perfectly defined formula. It is likely that we will want to scale or weight the scores that are multiplied in the final step, prior to that multiplication. Also, I glossed over the details of measuring each of the three spheres, allowing simple averaging of scores once sites are selected. I have no doubt that there are arguments for different methods of determining aggregate scores for the spheres. In addition, I have not offered specifics of the survey

data and methodology, rather I only go so far as to say that surveys will be the appropriate way to collect the desired information about the polity. Similarly, with the empowered sphere, I do not specify a standard methodology for applying the DQI to those sites. Obviously, much work remains to be done. However, I do believe I have offered one of the first conceptual descriptions of a standardized method by which researchers could produce replicable measures of a country's approximation of deliberative democracy. In all humility, this is unlikely to be the model that wins widespread acceptance, but perhaps it will contribute meaningfully to the ongoing deliberations on this topic.

3.2 - Holistic Measurement of Deliberative Systems

Rather than breaking a deliberative system down into its components, measuring each, and aggregating the scores into a total, one may attempt a holistic measurement of deliberative systems. A holistic approach avoids the current disputes over the appropriate conceptual model and components of a deliberative system. Rather, a kind of process tracing can be applied to observe whether the outcomes and effects expected of a deliberative system can be found in the state. These indirect measures require us to draw data from the micro and/or meso levels of social structure. In terms of Coleman's Boat, we are following the formative connection down to the level of individuals, where we

will observe their characteristics for evidence that a deliberative system is functioning at the macro level.

An example of a holistic measure that we ought not to use is the level of equality in a society. We cannot use equality as a measure of the outcome of deliberative systems without making an unproven assumption that deliberation will result in greater economic equality. There is a common and unwarranted assumption among deliberative democrats that a more deliberative democracy would be more equitable. This includes an assumption that current levels of inequality are rooted in interests and power, and crucially that a rational defense of such inequality is impossible. A deliberative body that decides to reduce the income floor or welfare provisions is certainly conceivable, but we need more data to know whether deliberation will tend towards economic equality. (Cohen 2007)

I argue that we can indirectly assess the quality of a deliberative system by measuring the levels of meta-consensus and intersubjective rationality that are present in the polity. Meta-consensus is essentially agreement on the relevant reasons and preferences to be considered while intersubjectivity is a measure of consistency of preferences between individuals with similar underlying values and beliefs. These are two closely related variables, and it is possible that meta-consensus alone could be sufficient to derive meaningful results. While deliberation serves multiple functions, none is as important as its epistemic function. Indeed, as mentioned in a previous section, all of its other outcomes are merely beneficial byproducts. Meta-consensus and intersubjective

rationality are epistemic goods. The highest epistemic good would be knowledge of, and consensus on, the optimal course of action. But this is an impossibly high bar, and deliberation does not necessarily produce consensus. "[T]he aim of deliberation is to arrive at rational consensus or at least some form of meta-consensus." (Seitz and Votta 2018, 5) The primary goal of deliberation is to clarify, not necessarily resolve, conflict. Meta-consensus is the clarification of conflict into a shared understanding of legitimate reasons, even while differing in the weighting of the values underlying those reasons. I concur with Dryzek that the polity is central to a democratic deliberative system and that it is there that we ought to look for its impacts. He writes, "functioning democracies feature substantial normative meta-consensus on the legitimacy of disputed values." (Dryzek 2009) I assume that a deliberative system will foster meta-consensus among individuals in the polity and that the probability of gains in meta-consensus increases as quality of deliberation increases.

The level of meta-consensus in a community might be considered a type of social capital, a concept popularized by Robert Putnam. Alternatively, meta-consensus may be thought of as a contributing factor to the social capital of a community. Social capital is often divided into bonding and bridging capital. (Larsen et al. 2004) Meta-consensus might be thought of as bonding capital as it builds trust and a feeling of similarity between people based on their shared understanding of the range of acceptable political positions. Alternatively, meta-consensus may be conceived of as a form of bridging capital in that it crosses boundaries between political dissimilar groups. Or, if we keep the

concepts distinct, one might argue that meta-consensus fosters bridging capital, or that bridging capital fosters meta-consensus. Either way, there is a connection to be made between these literatures and more work could be done clarifying these conceptual relationships.

My idea of using meta-consensus and intersubjective rationality in the polity to assess the functioning of a deliberative system is largely derived from a 2007 article by Niemeyer and Dryzek. Therein, they demonstrate that it is possible to empirically measure meta-consensus and intersubjective rationality. In addition, their case study shows a remarkable increase in intersubjective rationality following participation in a deliberative forum. Niemeyer and Dryzek argue that ideal deliberation should produce meta-consensus, defined roughly as agreement about the nature of the issue at hand. Meta-consensus ought to occur if individuals behave with reciprocity and transcend private concerns. In fact, they argue that it is by fostering meta-consensus and intersubjective rationality that deliberation grants legitimacy. (Niemeyer and Dryzek 2007)

Niemeyer and Dryzek offer a conceptual model of a deliberating individual wherein the self contains preferences derived from both normative and cognitive content, values and beliefs respectively. Values are normative, while *beliefs* refers to understanding of possibilities and achievability, i.e. facts about the world and causal relations. Preferences regarding courses of action are a function of both values and beliefs. These values and beliefs are not cleanly separable. Rather, they are

interdependent. A person's beliefs shape their values and their values shape their beliefs. They consider the deliberating individual as a subjective whole, with both beliefs and values rolled into a single concept of an *understanding*. Deliberation can contribute to meta-consensus by changing a person's reasons/understanding, i.e. their values and beliefs. (Niemeyer and Dryzek 2007)

Their model has three subjective components (preference, values, beliefs), each with its own corresponding form of consensus. "Normative consensus is agreement on values. Epistemic consensus is agreement on how actions affect values in cause and effect terms. Preference consensus is agreement on what should be done." (Niemeyer and Dryzek 2007, 502) Additionally, each type of consensus has a meta-version that ideal deliberation normatively ought to produce. "Normative meta-consensus can be defined as shared recognition of the legitimacy of a set of values, while not requiring agreement on the ranking of these values. . . . Epistemic meta-consensus refers to agreement on the credibility of beliefs and their relevance to the question under deliberation. . . . Preference meta-consensus refers to the character of choices across options, and most straightforwardly connotes agreement on the range of acceptable alternatives. . . . Preference meta-consensus can also refer to the way choices among alternatives are structured." (Niemeyer and Dryzek 2007, 504–5) Measuring all three types of meta-consensus has potential value, but preference meta-consensus is the single most comprehensive metric. It alone may be sufficient for useful cross-national results.

Intersubjective rationality is the connection from normative and epistemic meta-consensus to preference meta-consensus. It describes a coherence between the values and beliefs of individuals who agree on a preferred course of action. "Inter-subjective rationality requires that the level of agreement among any pair of individuals in terms of preferences should be proportional to the level of agreement in terms of reasons (subjective agreement)." (Niemeyer and Dryzek 2007, 516) The flip side is that, when intersubjective rationality is present, individuals who disagree on preferred the course of action will also disagree on the relevant reasons regarding that issue. If rational individuals agree on the relevant factors, then they ought to agree on the optimal decision. "Deliberation [by fostering intersubjective rationality] should, then, improve the standardization of what should be done in light of any particular individual subjective standpoint." (Niemeyer and Dryzek 2007, 507) Deliberation contributes to intersubjective agreement (rational consistency) by fostering a meta-consensus on valid reasons, which itself then fosters consistent connections between particular subjective positions and corresponding preferences. Deliberation facilitates intersubjective rationality, a rational link between values and beliefs on the one hand and preferences on the other. If authentic deliberation has occurred, then the deliberative body will be able to identify all relevant perspectives as determined by a meta-consensus. An outcome is good if it integrates all of the concerns present in meta-consensus. The better integrated, the better the outcome. One caveat is that intersubjective rationality is not the same as a *modus vivendi* (a

working agreement), which is often the product of less-than-authentic deliberation. (Niemeyer and Dryzek 2007)

In order to measure these concepts, Niemeyer and Dryzek employ Q methodology, “one of the few empirical methods available for the systematic study of intersubjectivity that ‘has been informed by discursive and domination-free notions of opinion formation’.” (Niemeyer and Dryzek 2007, 508, quoting Blaug (1997)) Q methodology is useful for studying subjectivity. It asks participants to rank variables relative to each other, rather than on an abstract scale. This method is beneficial as humans tend to think in terms of comparisons. Then, rather than comparing the variables to each other to find correlations, the participants are assessed for correlations across multiple variables. In Niemeyer and Dryzek’s case study regarding whether to upgrade, maintain, or close a road through an environmentally sensitive area, participants performed “Q sorts” of statements on a 9-point scale ranging from “most agree” to “most disagree”. Participants performed one Q sort before and one after deliberation. Inverse factor analysis was performed of the participants’ Q sorts. This allowed for identification of archetypal positions on the topic at hand. A factor analysis was performed of the weight of various factors. Additionally, content analysis of the deliberation was performed in a similar but less rigorous manner to the DQI, and participant interviews were conducted to hear from the participants about their perspective of what occurred during the deliberative process. (Niemeyer and Dryzek 2007)

Niemeyer and Dryzek find evidence of significant changes in epistemic meta-consensus and preference meta-consensus, with minor changes in normative meta-consensus. This fits with general sociological research suggesting that normative meta-consensus is widespread. Most people appear to agree on the legitimacy of values, but differ in the relative priority that they place on those values. (Niemeyer and Dryzek 2007 citing Rokeach 1979) There was an increase in the number of participants with single-peaked preference distributions along at least a single variable. In effect, the number of options for resolving the issue fell. Niemeyer and Dryzek argue that intersubjective consistency is responsible for allowing a change in meta-consensus on subjective factors to result in an increase in meta-consensus at the preference level. They graph a scatter plot of the correlations between pairs of individuals subjective agreement and preference agreement, before and after deliberation. Under conditions of intersubjective consistency, “the level of agreement among any pair of individuals in terms of preferences should be proportional to the level of agreement in terms of reasons (subjective agreement).” (Niemeyer and Dryzek 2007, 516) With the X-axis for correlation between their subjective positions based on Q sorts, and the Y-axis for correlation between their preference positions, then the regression coefficient indicates the intersubjective Consistency (IC). They found that, “After deliberation, 56% (R²) of variation in preferences can be explained by variation in subjectivity, up from 1%.” (Niemeyer and Dryzek 2007, 516) Subjective consensus increased only marginally, while

consensus among preferences increased dramatically, suggesting that preference meta-consensus is the best measure of the existence of a deliberative process.

Niemeyer and Dryzek address a potential criticism of their work, that participants initially had unsophisticated and inconsistent opinions on the issue of concern prior to deliberation. Thus the gains in meta-consensus were the result of increases in sophistication of the participants' opinions rather than a product of deliberation. However, the evidence indicates that there was a high level of internal consistency prior to deliberation, thus calling into question that idea that participants had relatively unsophisticated opinions prior to deliberation. The authors speculate that the distorting effect of symbolic politics was responsible for the lack of meta-consensus, and that "the deliberative process removed this distorting effect and produced a single meta-consensus, resulting in a high IC among all participants." (Niemeyer and Dryzek 2007, 522)

Niemeyer and Dryzek "posited that inter-subjective rationality provides the lynch pin between subjective and preference meta-consensus". (Niemeyer and Dryzek 2007, 518) Their results suggest that deliberation produces meta-consensus by fostering intersubjective rationality.

Unfortunately, deliberation is not the only process that might produce meta-consensus. It seems plausible that meta-consensus could also arise through propagandistic coercion. Therefore, we ought not assume that high levels of meta-consensus in a polity is necessarily indicative of a high quality deliberative system. In order to isolate the effect of the deliberative system, it is necessary to control for levels

of propagandistic coercion. To that end, I argue for including a measure of freedom of expression in the total score for a state's deliberative system quality. A rough conceptual formula would be as follows:

$$\textit{Deliberative System Score} = (\textit{meta-consensus}) \times (\textit{freedom of expression})$$

However, controlling for freedom of expression may not be necessary if one is researching only modern democracies, all of which have high levels of freedom of expression. If it is assumed that freedom of expression is roughly equivalent across modern democracies, and that differences in levels of freedom of expression are negligible, then meta-consensus alone is sufficient to compare the quality of democratic deliberative systems.

So how ought we measure meta-consensus and freedom of expression across a polity? Niemeyer and Dryzek's work illustrates a method for measuring meta-consensus on a single topic. But overall meta-consensus in a polity is about countless topics. And even if we only wanted to measure meta-consensus on a single topic, Niemeyer and Dryzek admit that they are not offering a definitive method for the empirical assessment of meta-consensus. (Niemeyer and Dryzek 2007) They are merely demonstrating the possibility of examining such concepts empirically. Another important difference between their work and the project of measuring macro deliberativeness is that Niemeyer and Dryzek did not have to address the problem of propagandistic coercion. Since they

have both pre-deliberation and post-deliberation scores, they can be relatively certain that it was deliberation that caused the changes in meta-consensus.

One possibility for measuring polity meta-consensus is to stick with Q methodology as utilized by Niemeyer and Dryzek, but to conduct surveys on a wide variety of topics. Preference meta-consensus would be the most important type to focus on. One way to measure preference meta-consensus is based on the prevalence of preference distributions that are single-peak on at least a single variable. Additionally, a measure of intersubjective consistency could be made on each topic, as was done by Niemeyer and Dryzek. Unfortunately, the scale and complexity of such a methodology may render it unfeasible.

Another possibility is to select a single topic for assessment, but this calls into question whether deliberation on that topic is representative of the quality of the deliberative system more generally. Researchers could select an especially important topic which is the subject of much discussion, but I want to suggest another possibility of using what I call a focusing event to justify the selection of a single topic for measure. Outside of small experiments in deliberative forums, it is difficult to collect both pre-deliberation and post-deliberation measurements. Most politically important topics have been the subject of ongoing debate for quite some time, so it would be a mistake to attribute a recent change in preferences to the effects of deliberation. Accordingly, the methods proposed so far would take a snapshot of the state of meta-consensus in the polity at a particular time.

An alternative is to identify a topic of great public concern, on which there has been little discussion, but which is expected to have much attention in the near future. Basically, identify a novel public concern. If such a topic is identified early enough in the process of its uptake by a deliberative system, then researchers would be able to survey the polity both before and after a significant amount of deliberation. Then, comparisons can be made between the change in meta-consensus over time in various states. This is the one method that allows for a comparison of the rapidity with which a deliberative system functions, although this introduces questions of efficiency which this thesis has tried to keep distinct from a measure of quality of deliberation. And, this method of using a focusing event must still control for propagandistic coercion in order to justify the assumption that a change in meta-consensus was the outcome of a deliberative system. Another possible benefit to this method is that it would capture a measure of deliberative system performance capacity even if that system rarely performs up to that standard. Joshua Cohen raised concerns that high quality deliberation is a fragile, precarious state, prone to degeneration. If this image is correct, then high quality deliberation may only emerge in periodic bursts, between which political communities devolve to a less deliberative status quo. It is possible that only highly visible and impactful issues may bring out the deliberative potential of a system. If this is true, then focusing events might be the only means by which to capture a measure of a deliberative system's quality.

As for measuring freedom of expression, there are countless possibilities, but for the sake of simplicity and feasibility, one could use values from an organization like

Freedom House which calculates an overall freedom score for each state. In a similar research project to that of this thesis, Sietz and Votta use a measure of Freedom of Discussion found in the Varieties of Democracy Project to control for regime support based on coercion. (Seitz and Votta 2018)

Finally, perhaps the most feasible, though not the most accurate, method of estimating the quality of a national deliberative system is to draw from existing survey data, such as the World Values Survey, rather than designing and conducting novel survey research. As extant surveys do not measure meta-consensus, we would use their survey results as an indirect measure of meta-consensus, which is itself an indirect measure of the quality of a deliberative system. The type of survey questions that we are looking for are those that indicate the perceived legitimacy of the positions of political opponents. A question about the ease with which one is able to discuss politics with members of another party could be a decent indicator, as could the classic question about how one would feel if their child married a member of a different political party.

Ideally, all of these methods should produce similar results. Additionally, the result may align with the estimates of experts at the Varieties of Democracy Project mentioned in a previous chapter. If it is the case that these independent and quite distinct methods of measuring macro deliberativeness produce similar scores for countries, then we can increase our confidence that these are valid measures of the concept of systemic deliberativeness.

3.3 - Policy Implications

The impetus for this project, and for other efforts at measuring deliberative quality, is that we may have democracies that are stable, reasonable, and just. As such, much of the policy implications of these efforts will be determined by the results, assuming the measures are born out as valid. Without such results I can do little more than specify some of the policy questions that I hope will be answered by continuing research into deliberative systems.

Firstly, measurements of macro deliberativeness will enable us to assess its relationship with state longevity. That is, we may be able to confirm the suspicion of deliberative democratic theorists that deliberative quality is predictive of democratic longevity. If confirmed, we are led to a plethora of questions about how to engineer and foster high quality deliberative systems. We may find different methods work in different spheres of the system. For instance, perhaps increasing participation in civic organizations is low-hanging fruit for improving the deliberative capacity of the polity. There may be valuable lessons about the appropriate balance between state funding and market-based media that contributes to the optimal level of deliberation in the formal-public sphere. If my model of deliberative systems is valid, then it is crucial that we learn to foster highly deliberative media ecosystems. However, we are dependent on the measurement results to offer more specific policy recommendations.

Additionally, results may indicate a relationship between deliberative experiments such as citizen assemblies and deliberative polling and the quality of deliberation in one or more spheres. These data may help us design better deliberative forums and balance between the hot deliberation of empowered forums and the cold deliberation of disconnected forums. Both have their benefits and drawbacks.

Answers to these questions about fostering high quality deliberation are increasing in importance as our information ecosystem continues to rapidly change. Digital media, social media, private ownership of de facto public squares, fake news, and the soon to be commonplace deep fakes all stress the urgent need for an understanding of the quality of our deliberations. A deeper understanding of deliberative systems may enable us to better spot and address potentially deleterious effects of developing technologies.

Finally, the lessons drawn from data on deliberative systems may be applicable for fostering transitions to democracy around the globe. If Merkel's idea of embedded democracy is correct, and if the normative intuitions of deliberative democracy theorists are correct, then preparing the underlying conditions of deliberation and democracy may be more important than setting up ostensibly democratic elections. The policy implications for interventionist efforts at state-building, such as the 2003 U.S. invasion of Iraq, are potentially massive. Plans for democratizations could be rewritten to focus first and foremost on building bridging social capital and meta-consensus.

3.4 - Conclusion

I have proposed two conceptual methods, consistent with the theoretical foundations of deliberative democratic systems theory, for measuring the quality of a macro level deliberative system. The first is a process based method that identifies and assesses the essential components of a deliberative system for their functional contribution to the deliberativeness of the outcomes. The second is a holistic method of indirectly measuring the quality of a deliberative system based on the level of meta-consensus in the polity. Each proposal is conceptually complete but lacks specific details on operationalization. These ideas certainly warrant critique and I do not expect them to be the final word in the theory of deliberative systems. If anything in this work survives refutation, or contributes to advancing the ideas of another scholar, then, at least in deliberative terms, this thesis will not have been in vain.

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