

UDC: 321.7:141.7

DOI: <https://doi.org/10.22182/spm.7442021.2>

Review article

Serbian Political Thought

No. 4/2021, Year XXVIII,

Vol. 74

pp. 33-58

Marko Novaković**Institute of International Politics and Economics, Belgrade****Bojan Perović******University of Hamburg, Germany*

UNDERSTANDING DELIBERATIVE DEMOCRACY AND ITS CONSTRUCTIVE CRITICISM***

Abstract

With all its flaws, a deliberative democracy presents a very important democratic concept – a concept that needs to be improved, but also a concept that needs to be understood. This article aims to present basic concepts of both deliberative democracy and its critiques, providing an updated basic for further discussion, development, and evolution of the concept. Reviewing all relevant concepts, streams, and critics is a demanding and time-consuming task, but hopefully, this article will be able to help researchers as a starting point for the research of this impressive concept – a concept that certainly is not flawless but its importance is beyond doubt.

Keywords: Deliberative democracy, equality, inclusion, mutual respect, criticism, Habermas, Rawls.

* marko@diplomacy.bg.ac.rs

** perovicbojan1@gmail.com

*** The paper presents findings of a study developed as a part of the research project “Serbia and Challenges in International Relations in 2021”, financed by the Ministry of Education, Science, and Technological Development of the Republic of Serbia, and conducted by the Institute of International Politics and Economics, Belgrade.

INTRODUCTION AND BACKGROUND

Deliberative democracy has often been described as a promising alternative solution to representative democratic models. If implemented successfully, deliberative democracy is believed to have the potential to create a new platform. What kind of platform? That platform implies a forum in which citizens discuss ideas in a respectful manner based on shared information. The deliberative process as a channel of open and unbiased deliberation could produce decisions, which are based only on arguments, while at the same time excluding manipulative forces such as the media or populist movements. Moreover, the advantages of deliberative democracy should contain the inclusion of civilian knowledge, better communication between citizens and decision-makers, and effective mediation of disputes.

Although deliberative democracy is a relatively recent development in democratic theory, core ideas and philosophic origins can be traced much earlier. Naturally, the principles of deliberation and categorization are rooted in ancient Athenian democracy. It is often depicted as a picture where Athenians are debating both inside and outside of the Assembly, for example in a famous Raphael's "The School of Athens". The philosophic origins of deliberative democracy emerged in particular through the idea of *general will* promoted by Jean-Jacques Rousseau as an ideal of citizens rising above their differences when addressing public issues. The general will as an idea served as an inspiration for some of the leading theorists of deliberative democracy such as Joshua Cohen and John Rawls. Although Kant's work certainly cannot be characterized as trusting in ordinary citizens' competencies, his work encompasses some of the central ideas surrounding deliberative democracy such as the public use of reason, and dilemmas on freedom and coercion. Some of the most influential deliberative democrats are unequivocal about the influence of John Stuart Mill as a source of deliberative democracy pointing to his commitment to the maximum amount of freedom to talk, criticize, and argue in the public sphere, while for example Elster, points that deliberative democracy has its actual revival (Elster 1998, 1-5).

DELIBERATIVE DEMOCRATIC THEORY

Deliberative democratic theory is a normative theory that over the last few decades became the most dominant concept in current democratic theory. Other than the literature on distributive justice, there may be no recent literature in political philosophy larger than the one on deliberative democracy (Hardin 1999, 112).

The deliberative democratic theory emerged from two main traditions, often associated with the Rawlsian liberal tradition and the Habermasian critical theory tradition. Although there is a general consensus that Rawls's and Habermas's legacies in the field of deliberative democracy are decisive, many argue that it would be a mistake to think that the entire theoretical field was derived solely from the work of these two thinkers. The distinction between "Rawlsian" or "Habermasian" approach is indeed important due to the differences between the two, shown in particular by the direct confrontation between them in the *Journal of Philosophy* (Habermas 1995; Rawls 1995). However, it would be misleading to consider their influence over other thinkers in the narrow terms of "schools" that passively reproduce the teachers' lessons. Many authors worked within the theoretical framework offered by Rawls (Gutmann and Thompson) and Habermas (e.g. Benhabib, Chambers, Steiner), but emerged with original ideas (Florida 2018, 15). According to Rostbøll, the main difference between Habermasian critical theory and Rawlsian political liberalism is their different understandings of freedom (Rostbøll 2008, 8-9). Yet, Elster highlights that although distinctive, arguments by both sides have a common core: political choice, to be legitimate, must be the outcome of *deliberation about ends among free, equal, and rational agents* (Elster 1998, 5). In any case, both Jürgen Habermas and John Rawls, liberal theorists and critical theorists of the late twentieth century published their major works (though from very different perspectives) identifying themselves as deliberative democrats and granting prestige to the theory of deliberative democracy. Furthermore, their works (*Faktizität und Geltung* and *Political Liberalism*), directly contributed to establishing the theoretical foundation of this idea of democracy.

The theory of deliberative democracy proposes actions in which democracy can be strengthened and criticize institutions that do not live up to the normative standard. The departure from its predecessors like aggregative or realist models of democracy may be best observed in the replacement of voting-centric to talk-centric theory (Chambers 2003, 308).

The famous term “deliberative turn” in democratic theory used by Dryzek marked that “democratic legitimacy came to be seen in terms of the ability or opportunity to participate in effective deliberation on the part of those subject to collective decisions (Dryzek 2000, 5) and the focus of democracy shifted to “a way of thinking about politics which emphasizes the give and take of public reasoning between citizens, rather than counting the votes or authority of representatives” (Parkinson 2006, 1). The theory of deliberative democracy suggests that the essence of democratic politics does not lie in voting and representation but in deliberation that should be a cause of collective decision-making. This theory turns focus to the debate among citizens in order to make reasoned decisions, regardless if debates are between groups of ordinary citizens, in the legislature, or the wider public sphere.

Moreover, the deliberative democratic theory has a reflective aspect as well and stresses the importance of the process itself, whereby “individuals are amenable to changing their judgments, preferences, and views during the course of their interactions, which involve persuasion rather than coercion, manipulation or deception” (Dryzek 2000, 1). That means that deliberative democracy also aims at making citizens more aware of the preferences, perspectives, and interests of others when they form their opinions.

Deliberative democracy started as a theory of democratic legitimacy and legitimacy is one of those eternal issues in thinking about democracy that never satisfies those who worry about it. The theory of deliberative democracy gains its legitimacy through equal and non-coercive deliberation between affected individuals, law, and public policy. Dryzek portrayed it perfectly “deliberative democracy is, after all, the best example of what Gallie (1956) calls an ‘essentially contested concept’” (Dryzek 2012, 21). And our analysis concurs and will demonstrate this.

In a myriad of theories of deliberative democracy, we single out one example taking the nexus of democracy and freedom as a determining factor. According to Rostbøll, “as a theory, deliberative democracy is a regulative ideal that in terms of dimensions of freedom suggests what we should aspire to and in light of which we can see the deficiencies of present conditions and institutions. But it is only in the actual practice of public deliberation, which attempts to mirror the ideal, that we fully develop and understand the different dimensions of freedom. Deliberative democratic practices do not merely aim at protecting existing freedoms but also at interpreting and justifying the freedom that should be protected. In addition, they aim at doing so in a way that itself is not coercive but that respects the freedom of each and everyone not merely in a negative manner but also positively as participants in a common enterprise”(Rostbøll 2008, 4). In an attempt of classifying deliberative models within the theory of deliberative democracy, one encounters rich theoretical history. Thus, only provisional distinctions may be drawn and those categories are oversimplified and they exclude a large number of important theorists of deliberative democracy. The first-generation of deliberative democrats include Habermas, Rawls, and Cohen. Those authors had different focuses but referred to ideal conditions often resulting in a consensus (Elstub 2010, 293).

The second generation of deliberative democrats attempted to differ from the first generation theories by recognizing features of complexity. They took into account private preferences, deep disagreement, other forms of communication which resulted in the relaxation of the strict consensus requirement. Elstub points out “by offering new and distinct interpretations of reason-giving, preference change, consensus and compromise, and applicable forms of communication, they, therefore, made the theory of deliberative democracy more plausible and practically attainable, enabling a more pronounced focus on institutionalization” (Elstub 2010, 298). Dryzek, Bohman, Young, Goodin, Gutmann, and Thompson among others (such as Baber, Bartlett, O’Flynn, and Parkinson) belong to the second generation although it needs to be stressed that their common share is a departure from the ideals of the first generation while they had developed different models (Bächtiger et al. 2010, 44).

Finally, third-generation deliberative democrats are motivated by their desire to find how these second-generation models might be institutionalized in modern and complex societies. Ackerman, Fishkin, Hendriks, Mansbridge, Goodin, Parkinson with their differences may be categorized in this group. Disagreements in the theory of deliberative democracy are obvious even in the formulations used to describe the deliberative model – depending on which one is favored. Hence, the following phrasing is used: communicative democracy (Iris Marion Young); politics of presence (Anne Philips); dialogical democracy (Robert B. Talisse); discursive democracy (John Dryzek); an epistemic conception of deliberative democracy (Jose Luis Marti); proceduralist-deliberative democracy (Jürgen Habermas and Seyla Benhabib); substantial deliberative democracy (Joshua Cohen) and so on.

However, at this point of our analysis, our focus is to continue tackling the essence of deliberative democracy theories, their common denominator, rather than focusing and elaborating on distinctive differences among theorists and theoretical approaches. Chambers emphasizes that theorists of deliberative democracy seek to provide answers to the question such as how does or might deliberation shape preferences, moderate self-interest, empower the marginalized, mediate difference, further integration, and solidarity, enhance recognition, produce reasonable opinion and policy, and possibly lead to consensus? (Chambers 2003, 308).

Furthermore, deliberative democratic theory critically explores standards, quality, the core essence, and the rationality of the arguments and reasons brought to defend policy and law. The deliberative democratic theory incorporates a profound reading of fundamental matters regarding rights, popular sovereignty, and constitutionalism. This last is most visible when deliberative democratic theory meets law and constitutionalism (Chambers 2003, 309). Finally, although the theory of deliberative democracy is now the most vital field of political theory, it gained distinguished function in other areas like law, international relations, comparative politics, public administration, psychology, ethics, clinical medicine, planning, policy analysis, ecological economics, sociology (especially social movement studies), environmental governance, communication studies, etc (Kuyper 2018, 2).

In the following chapter, we will focus on the above-mentioned common denominator – the elements of deliberative democracy that have common ground, although this is a hard task given the number of different approaches. A group of the most prominent deliberative democrats, including Andre Bächtiger, John S. Dryzek, Jane Mansbridge, Mark Warren, and others, have recently published *The Oxford Handbook of Deliberative Democracy*, the most comprehensive treatment of deliberative democracy to date with the hope that this piece will provide a landmark statement. The authors agreed to define deliberative democracy *as any practice of democracy that gives deliberation a central place*. In the same fashion, they define deliberation itself minimally to mean *mutual communication that involves weighing and reflecting on preferences, values, and interests regarding matters of common concern*. (Bächtiger et al. 2018, 2).

FOUNDATIONAL ELEMENTS OF DELIBERATIVE DEMOCRATIC THEORY

Mutual respect

All theories of deliberative democracy endorse mutual respect as a central component. Although the search for its meaning has caused differences, there exists a general consensus that mutual respect is a core element of deliberative democracy. Addressing the exchange between Habermas and Rawls, Larmore laments that in order to respect another person it is necessary that coercive or political principles are as justifiable to that person as they are to us (Larmore 1999, 608). The justifiability of the component is tested in deliberation.

For Gutmann and Thompson, mutual respect can achieve its goal only if it can be incorporated into practices that guide actual political life. They stress the need for strategies that would promote mutual respect in the long term. For them, “mutual respect is a political virtue that supports reciprocity, and as such, it is shaped by the political institutions in which it is practiced (Gutmann and Thompson 1998). Building upon the work of Gutmann and Thompson, Dryzek holds that understanding mutual respect

may have an impact in deliberating deep moral conflicts on issues such as abortion (Dryzek 2000, 17). Smith considers that mutual understanding grounds democratic legitimacy and requires citizens to be open to others' perspectives and for the transformation of their own preferences (Smith 2003, 59-60).

For Christiano, mutual respect is essential. Public deliberation, according to him, may have inherent value to the extent that the presence of public deliberation is an expression of a kind of mutual respect among citizens in the society (Christiano 1997, 251). In discussing European diversity, post-national identity, and deliberative justification, Eriksen thinks that citizens should be seen as bound to each other by subscription to democratic procedures and human rights. This type of identity is founded on mutual respect which is a constitution that holds people together (Eriksen 2009, 40).

Fishkin stresses the importance of an atmosphere of mutual understanding for fruitful dialogue, especially for divided societies, in assessing the quality of deliberations (Fishkin 2011, 161). O'Flynn came to the same conclusion in exploring deliberative democracy potential in divided societies (for example, the experience of the South African Truth and Reconciliation Commission) (O'Flynn 2006, 136). Valadez also opined that deliberative democracy is particularly appropriate for multicultural societies as public deliberations based on this principle will enhance civic health by building social trust and even more so if there is a history of oppression and discrimination in that particular society (Valadez 2001, 36). In practice, mutual respect in deliberation shall be seen as active listening and the best effort to understand the meaning of a speaker's statements. This is more important than viewing statements as objects to dismiss, destroy, or which are manipulative. Practical application may not be easy especially in interactions between members of dominant groups with members of historically subordinated groups. However, mutual respect aims in understanding the expressions, narratives, problems, and positions of subordinate groups. André Bächtiger et al. highlights that "respect in interaction is, in short, an unchallenged standard of good deliberation" (Bächtiger et al. 2018, 5).

Absence of coercive power

Another ideal in deliberative democracy that achieved the core element status is the ideal of the absence of coercive power in deliberation. It gained importance in the early work of Habermas but later became even more central. The coercive power understood as the threat of sanction or the use of force, shall not play a role in deliberation (Habermas 1962, 202).

At the heart of theories of deliberative democracy is the idea that “deliberation promotes a kind of collective communicative power which neutralizes coercive forms of power such as domination and strategic manipulation” (Hendriks 2009, 174). A deliberative discussion is uncoerced if none of the deliberators face either implicit or explicit threats from others. In deliberative theory, non-coercion plays an important normative role. Presenting the arguments, preferences, judgments, and political opinions freely is the only way for the deliberative process to be truly deliberative. As deliberation is grounded on reason-giving, listening, and learning about each other’s arguments and beliefs this process will be hampered if deliberators are not able to present their judgments free in public. The same applies to minorities in deliberative forums.

Chappell stresses that lack of coercion is such a fundamental ideal of democratic politics that it is often taken for granted and thus it is important to ensure that institutional arrangements minimize coercion as much as possible. Secret ballots were introduced exactly for this reason. In deliberative democracy, such secrecy is impossible as the nature of discussion in politics ensures that individuals’ publicly offered judgments will be known to all participants. Publicity plays a crucial role in deliberative democracy, as it is the basis on which deliberators are required to justify their judgments. But in the case of deliberation, publicity plays a meaningful role only if it is set against a background of non-coercion (Chappell 2008, 98-100). Curato et al. notes that the rejection of coercive power is so fundamental for the theory of deliberative democracy as deliberative democracy was built on this rejection (Curato et al. 2019, 28).

Naturally, deliberative democrats are aware of the fact that there is the impossibility of removing coercive power from any

deliberative situation but that aspiration remains central to the deliberative enterprise. Mansbridge et al. conclude that the “regulative ideal of absent power in deliberative interactions prescribes reducing to a practical minimum the threat of sanction and the use of force against another’s interests”(Mansbridge et al. 2010, 82).

Therefore, Bächtiger et al. consider that particular deliberative institutions may be judged by how closely they approach this ideal (Bächtiger et al. 2018, 6). We have already noted that this consensus of the absence of coercive power is a consensus claimed by prominent deliberative democrats although they have their own differences. The amount of criticism towards this element is massive, coming not only from opponents but also from two intellectual traditions: the tradition of *realpolitik* and another from feminist and cultural critique.

Equality

The principle of equality has been modified over time although it still skirts the principle of mutual understanding, inclusion, and equality of communicative freedom. Earlier formulations such as “equal voice” or “equal influence” were critically examined and revisioned. There is no consensus within deliberative democrats on how equality in deliberation should be formulated.

Because earlier formulations suggested the equality of outcomes means that each participant has an equal effect on the deliberative outcome, Knight and Johnson opinionated that deliberative democracy requires a particular, relatively complex sort of equality- an *equal opportunity of access to political influence* (equal opportunity of political influence). An ideal of equal influence would give the same weight to both good and bad arguments, but in good deliberation, one should change one’s mind under the influence of a good argument. The authors point out that in practice, a fully achieved ideal of equal opportunity to influence would require “equality of resources,” including “material wealth and educational treatment in order to “ensure that an individual’s assent to arguments advanced by others is indeed uncoerced”(Knight and Johnson 1997, 281).

For Bohman, the ideal in deliberative democracy is the so-called *equality of effective social freedom*, understood as an equal capability for public functioning (Bohman and Rehg 1997).

Inclusion

Inclusion is one of the most fundamental values analyzed in deliberative literature. As deliberative democracy expects citizens to interact with each other in public deliberations, this interaction creates tension between inclusion and influence in a sense that inclusion would want citizens to be included on an equal footing while on the other hand, it is impossible to expect them to have the same influence in public deliberations. Not only that the theory of deliberative democracy requires citizens to be included (to participate and have an opportunity to present their arguments), one of the primary goals of the theory of deliberative democracy is to include minorities (Barber 2003).

In deliberative democracy, inclusion is crucial when the deliberative group is created and another aspect is inclusion during deliberation itself. In her book *Inclusion and Democracy*, Iris Marion Young distinguishes external (“the most obvious forms of exclusion are those that keep some individuals or groups out of the fora of debate or processes of decision-making, or which allow some individuals or groups dominative control over what happens in them”) and internal (“less noticed are those forms of exclusion that sometimes occur even when individuals and groups are nominally included in the discussion and decision-making process”) inclusion (Young 2002, 52-53).

For deliberative democracy to be truly inclusive, there are two components to be fulfilled: firstly, the process of selecting deliberators must be inclusive, and secondly, all citizens have to have the practical ability to take part in the deliberative process. Achieving inclusion is certainly one of the most attractive features of the theory of deliberative democracy.

Reason-giving

The ideal of reason-giving has also come under scrutiny especially in the work of early theorists such as Jürgen Habermas (although Habermas himself later argued that feelings have a strong function) and Joshua Cohen, for being too focused on the kind of rational argumentation one might find in an academic seminar. Joshua Cohen defined the relevant ideal as requiring that deliberative outcomes should be settled only by reference to the “reasons” participants offer. Modern interpretations of his work claim that “he meant to include in that concept a set of fuller considerations” (Bächtiger et al. 2018, 5).

The emotions are hard to be excluded in deliberation and legal philosopher Nussbaum positively regards the role of emotions in deliberation and particularly points out compassion (Nussbaum 2003, 412). At the same time, empathy was also regarded as playing an important role within deliberation.

Others such as Young proposed that deliberative democrats need to include many important kinds of human communication other than reason-giving, including “testimony” (stating one’s own perspective and experience in one’s own words) “greetings” (explicit mutual recognition and conciliatory caring) “rhetoric” (persuasive speaking that can involve humor or arresting figures of speech), and “storytelling” (which can back prescriptions or communicate understandings based on personal experience rather than the abstract argument). However, caution needs to be present. Young recognizes notable examples of manipulative uses of each of these modes of communication which are certainly not hard to find. For example, it is possible to exchange formal greetings with someone at the beginning of a meeting and then ignore that person afterward (Young 2002). These additions may be of particular significance to members of relatively marginalized groups and contemporary deliberative theorists have accepted these criticisms “by expanding the deliberative ideal of eliciting and presenting “reasons” to an ideal of eliciting and presenting “relevant considerations,” which may have a more emotional than the purely rational base”(Bächtiger et al. 2018, 6).

Consensus and common good

The consensus ideal went through great revision. Among deliberative democrats, an emphasis on consensus is in connection mainly with Habermas and Cohen. Jürgen Habermas was the most important theorist to stress consensus as to the goal of deliberation. Joshua Cohen early on wrote that “ideal deliberation aims to arrive at a rationally motivated consensus”(Cohen 1989, 19).

Later, theorists argued for workable agreement (Sunstein) or as Dryzek puts it, a regulative ideal, an aspiring one that could actually never be achieved. Dryzek moreover stresses that consensus is not essential nor it is central to the theory of deliberative democracy. As long as different participants accept a course of action for different reasons (these reasons have sustained deliberative scrutiny) they could easily be transcribed to the theory of deliberative democracy (Dryzek 2000, 48). In his later work, Dryzek discusses free and reasoned meta-consensus which a deliberative system can generate. In short, meta-consensus is an “agreement on the acceptable range of contested discourses” (Dryzek 2010, 108).

It could be argued that contemporary theorists rarely endorsed consensus as a requirement and in different forms accepted that relaxing consensus is the way to go. They have seen deliberation as plural and that voting, negotiations, working agreements are all part of the decision-making process in deliberative democracy.

Similarly, earlier works (Habermas but also Sunstein, Cohen, Elster) favored common good in public deliberations as central in their discussions. This idea somehow contradicts modern complex societies. Young finds that the idea of the common good or common interests will often serve as a means of exclusion as the ideal of the common good will likely express the interests of the dominant groups while ignoring the interest of minorities. Common good, in the traditional view, also has the potential to limit deliberation and thus silence different perspectives (Young 2002, 43).

Other contemporary deliberative democrats, including Mansbridge, Bohman, Chambers, Lafont, Manin, and others recognize the place of self-interest in deliberative democracy giving an example that judges must refrain from self-interest when they decide for

others while in deliberation it needs to be noted that deliberators participate not only for others but for themselves. Although deliberative democracy, according to those authors, shall genuinely seek for common good, including self-interest in the theory of deliberative democracy not only embraces diversity but decreases the chances of exploitation (Mansbridge et al. 2010, 72-73).

Other elements

Elements of publicity, accountability, sincerity is also part of the traditional ideal of deliberative democracy. These elements as well were challenged and suggestions for revision are made. For example, many theorists (Warren, Mansbridge, Bächtiger, Thompson, and others) challenged the views of Kant and Habermas concerning publicity as a deliberative ideal, claiming that publicity is not appropriate for all deliberations, particularly those that occur within highly strategic contexts like legislatures (Warren et al. 2016).

Similarly, traditional views of good deliberation have emphasized the importance of sincerity among deliberators, but more recent theorists have pointed out that some insincerity is tolerable and even preferable if aims at generating mutual respect necessary for deliberation (greeting, compliments) (Warren 2006, 176). Deliberative democrats, like Markovits, argue that deliberative democracy would do itself a favor to relax the “sincerity norm” (the current trend “oversimplifies human psychology, ignoring the possibility of multiple and complexly related intentions and denigrates “rhetorical” forms of speech”) (Markovits 2006, 250). Thompson also holds that “the appeal beyond self-interest does not have to be sincere if it is plausible on the merits- actual arguments are what counts, not motives”(Thompson 2008, 504). Bächtiger, Niemeyer, Steenbergen, Steiner, and Neblo share the view that the full sincerity of all participants is an unachievable and untraceable ideal, and also that in the end it what counts are outcomes of deliberation. Certainly, a high degree of trust is needed, thus the stress on full sincerity is only relaxed, not abandoned (Bächtiger et al. 2010, 33-34).

CRITICISM

Deliberative democrats like to defend their positions by pulling out an argument that if a measure of the success of a political theory is the number of critics it attracts, then the theory of deliberative democracy is quite successful. Indeed, we need to acknowledge that the number of critics towards deliberative democracy from literature and practice is massive and we will situate critics along the following lines: that deliberative democracy is idealistic in a sense that ignores power and politics; erroneously aims at consensus; misunderstands human motivations and the limits to the cognitive capacities of ordinary citizens; too rational, excluding the informal social and speaking styles typical of many marginalized groups.

-Deliberative democracy ignores reality, power, and interests (too idealistic)

Influential scholars, Christopher Achen and Larry Bartels, in their *Democracy for Realists*, have recently rejected deliberative democracy (stating that this model has received a great deal of attention) as irrelevant when it comes to “understanding democratic politics on a national scale”(Achen and Bartels 2017, 2).

Professor Ian Shapiro published his famous piece “Enough of deliberation: Politics is about interests and power”(Shapiro 1999), and in discussing how effective Amy Gutmann and Dennis Thompson’s deliberative model would be, he emphasized that deliberative democracy ignores conflicting interests and powerful players in politics which makes deliberative democracy too idealistic and not sensitive enough to the reality. Powerful players are not willing to participate in a deliberative process, they will rather find a strategy in order to achieve their interests (Shapiro 1999, 34). Shapiro thinks that hopes in deliberative democracy in bridging the differences “proved naive” (Shapiro 1999, 31-32).

Pincione and Teson dissent deliberative democracy and their book offer a comprehensive critique of theories of deliberative democracy. Authors claim that deliberative democracy is attractive because it appears as “the only alternative to various undesirable things” as it excludes elitist conceptions of politics and rejects political irrationalism by placing faith in rational argument and

thus gives the illusion that everyone's opinion counts and that deliberative democracy have potential to enhance our beliefs, decisions based on them and in that sense furthers our understanding of society. They argue that no argument in deliberative practices of liberal democracy (let alone illiberal or non-democratic states), "can overcome citizen's propensity to believe and say things at odds with the most reliable propositions of social science". They diagnose what they call a "discourse failure" theory which consequently leads them to the conclusion that contemporary deliberative democracy can be seen as an "unsuccessful attempt to vindicate on symbolic or moral grounds, the forms that discourse failure takes on in public political deliberations" while on the other hand, they hold that deliberative practices "cannot be saved even on non-epistemic grounds, such as social peace, impartiality, participation, and equality"(Pincione and Tesón 2006).

Prominent American political theorist Michael Walzer thinks that deliberation should have an important place in politics but not an independent one as there are no settings in the political arena like the jury room, "in which we don't want people to do anything except deliberate". The author further claims that most political debates generally do not produce anything like a deliberative exchange and in the case of deliberation the goal is not to reach an agreement as "debate is a contest between verbal athletes and the aim is a victory. Walzer concludes "Deliberation is not an activity for the demos. I don't mean that ordinary men and women don't have the capacity to reason, only that 100 million of them, or even 1 million or 100,000 can't plausibly "reason together." And it would be a great mistake to turn them away from the things they can do together. For then there would be no effective, organized opposition to the powers-that-be. The political outcome of such a move is readily predictable: The citizens who turned away would lose the fights they probably wanted, and may well have needed, to win. "(Walzer 1999).

Consensus criticism

Another line of criticism is focused on consensus. Chantal Mouffe builds on the Wittgensteinian critique of deliberative democracy regarding the creation of consensus and is of an opin-

ion that dismantling the very ground of the deliberative model is possible not only by following Wittgenstein but also by exposing the inadequacy of the Habermasian approach, by problematizing the very possibility of the notion of the “ideal speech situation” - where the participants arrive at consensus using rational argumentation. Mouffe highlights that this critique is not only empirical, or epistemological but ontological. In fact, “the impediments to the free and unconstrained public deliberation of all matters of common concern is a conceptual impossibility because, without those so-called impediments, no communication, no deliberation could ever take place. We, therefore, have to conclude that the very conditions of possibility of deliberation constitute at the same time the conditions impossibility of the ideal speech situation. justification for attributing a special privilege so-called “moral point of view” governed where an impartial assessment of what could be reached”. She continues that deliberative democracy rejects the central role in politics of the conflictual dimension and its crucial role in the formation of collective identities (Mouffe 1999).

Shapiro also criticizes consensus in deliberation and being rather ironic he notes “People have theorized about democracy for millennia, yet it is only in the past few decades that the idea has gained currency that democracy depends on, or at any rate, can be substantially enhanced by deliberation. It is hard, if not impossible, to create institutions that will foster deliberation in politics, and institutions designed to do so are all-too-easily hijacked for other purposes. But deliberation is, in any case, the wrong goal.”(Shapiro 2017, 82).

Deliberative democracy proponents claim that consensus critics are misleading even among first-generation deliberative democrats and that Habermas was often the target of such criticism. They stress that in recent years we witnessed a proliferation of the consensus concept reformulations that seek to acknowledge political struggle and conflict. For example, Eriksen modified the criterion of consensus with a less demanding one, that of a *working agreement*. He still relies on Habermas but such a conclusion “rests on different, but reasonable and mutually acceptable grounds”(Eriksen 2009, 51).

A critic of misinterpretation of human motivations

Another common critic emphasizes that the demand for deliberative democracy is outvalued. Hibbing and Theiss-Morse argue that US citizens do not want to be forced into deliberating “the ever more detailed and technocratic policy matters that frequent the political arena today”. Citizens want their elites to govern and deliberate provided that those elites are trustworthy while on the other hand, they like to know that they can be influential if they want to. The authors developed the concept of stealth democracy (Hibbing and Theiss-Morse 2002, 238) which highlight that on most issues citizens do not want an active role in shaping public policy (as long as they are aware of the fact that their participation would be welcomed) and those deliberative democrats often miss to make a distinction and in fact they equated the desire “to be heard when they want to be heard” with the desire “to be heard.” (Hibbing and Theiss-Morse 2002) Following this line of argument, they claim that while theorists believe people to be highly capable of fulfilling they refuse to listen to what the people say. The people would rather not be more involved in politics, but the advocates think people should be more involved, and that is all that matters to them.

The elitist bias is shared by others. Lynn Sanders suggests that opposing deliberation seems irrational but also raises the question of the near consensus on deliberation among democratic theorists. Sanders criticizes democratic theorists that they have articulated, in formal terms, the prerequisites of deliberation such as mutual respect (which she sees as assumed and not researched) but they tend to overlook what ordinary citizens would themselves recommend, “since some citizens are better than others at articulating their arguments in rational, reasonable terms”(Sanders 1997, 348). These authors share the view of John Mueller that democratic theorists dismiss those concerns and act in an elitist manner themselves: “democratic theorists and idealists may be intensely interested in government . . . but it verges on the arrogant, even the self-righteous, to suggest that other people are somehow inadequate or derelict unless they share the same curious passion.”(Mueller 2001, 184-185).

In his critique, strongly endorsed by Hibbing and Theiss-Morse, Russell Hardin concludes on the matter: “It is hard to avoid the suspicion that deliberative democracy is the democracy of elite intellectuals... It is virtually impossible to avoid the suspicion that deliberation will work, if at all, only in parlor room discourse or in the small salons of academic conferences. Far too much of real politics is about winning and losing... Deliberative democracy clearly has the problem that Oscar Wilde saw in socialism. It would require too many evenings”(Hardin 1999, 112).

Misinterpretation of ordinary citizens’ capacities

A number of scholars have raised concerns about individuals’ capacity to deliberate properly. Rosenberg stresses that democratic deliberation requires citizens who have the capacity to deliberate appropriately. However, this simple but crucial point is regarded as an assumption and minimal specification in theories of deliberative democracy. But in Rosenberg’s view, the situation is far from simple as individuals are assumed to have the capacities to be logical, rational, and communicative in the ways that deliberation requires. For this reason, he holds that it is crucial to understand what deliberation requires of its participants as deliberations often consider problems with social, economic, and political elements (Rosenberg 2014). Rosenberg’s position (based on research in social, developmental, and political psychology) is that people do not have the capacities that deliberative democratic theory requires of them. This is a very important notion that has to be explored and addressed in more detail and in more researches. He also points out that some deliberative theorists acknowledge that citizen deliberators may not have the competence that deliberation requires. However, contrary to psychological research, they suggest the problem is not one of capacity, but of skill that can be developed during deliberations. Rosenberg states that research shows that citizens might become more knowledgeable but the issue is not whether citizens have information, but rather how they are able to work with. The critical concern here is not the amount of knowledge, but the quality of their reasoning. Another problem is that the empirical research indicates that most participants who attend a deliberation do not in fact engage in the give and take of

the discussion. (Rosenberg notes this on, among others, examples of the annual outdoor assemblies of all citizens in the small Swiss cantons of Glarus and Appenzell Inner-Rhodes and the town hall meetings in New England) (Rosenberg 2014).

Other scholars hold similar views that citizens lack the cognitive capabilities for deliberative democracy such as Achen and Bartles who find “partisan loyalties strongly color citizens’ views about candidates, issues, and even “objective” facts. Citizens’ political preferences and beliefs are constructed from emotional or cognitive commitments whose real bases lie elsewhere” (Achen and Bartels 2017, 269). Some political scientists mastered the cognitive psychology literature and employed it in studies of public opinion and voting, arriving at a skeptical view of human cognitive capacities in politics. Studies of Taber and Lodge show the average citizen would appear to be both cognitively and motivationally incapable of fulfilling the requirements of rational behavior in a democracy and that the individual capability for weighing arguments in an unbiased way would seem quite limited (Taber and Lodge 2006, 767).

To sum up, as Diana Mutz has put it:” As an empirical theory, a deliberative theory has been widely criticized for making assumptions that seem to fly in the face of what scholars already know about human behavior” (Mutz 2008, 533).

In an extensive survey on empirical research on democratic deliberation, Tali Mendelberg notes that the “empirical evidence for the benefits that deliberative theorists expect” is “thin or non-existent” although there is a tendency among deliberative democrats to even forcefully argue for more deliberation even in situation of entrenched conflict (Mendelberg 2002). Mendelberg concludes her review: “When groups engage in discussion, we cannot count on them to generate empathy and diminish narrow self-interest, to afford equal opportunities for participation and influence even to the powerless, to approach the discussion with a mind open to change, and to be influenced not by social pressures, unthinking commitments to social identities, or power, but by the exchange of relevant and sound reasons.”(Mendelberg 2002). Mendelberg’s view on the empirical literature is not alone as other reviews including in favor of deliberative democracy, legal theorist Cass Sunstein,

finds similar results through his “Law of Group Polarization” and he notes “Deliberation tends to move people toward more extreme versions of their ideologies rather than toward more moderate versions”(Sunstein 2002, 176).

In his book *The Problem of Political Authority*, Michael Huemer examines the ideal democratic deliberation model developed by one of the most prominent deliberative democrats, Joshua Cohen (Huemer 2013). Huemer stresses that so-described deliberative democracy is an illusion and asks the question: “If there is one thing that stands out when one reads philosophical descriptions of deliberative democracy, it is how far these descriptions fall from reality. Of the four features of deliberative democracy that Cohen identifies, how many are satisfied by any actual society?”. In Huemer’s opinion, the answer is none (Huemer 2013, 61).

CONCLUSION

We can conclude this paper with the insightful criticism of Jason Brennan in his *Against Democracy*. It seems appropriate since constructive critic is an important tool for improvement and deliberative democracy as a concept definitely needs improvement. Large amounts of claims of deliberative democrats that democratic deliberation would educate and ennoble citizens lead Brennan to perform a lengthy analysis on empirical works that, according to him, show discouraging results that undermined deliberative democracy and education arguments. Brennan concludes that available evidence shows that democratic deliberation tends to stultify and corrupt us and “On its face, the empirical evidence seems to show us both that people are *too hooliganish* to deliberate properly and that deliberation makes them *more hooliganish*”(Brennan 2016, 187).

Deliberative democrats claim that skepticism is based on the fact that many experiments and empirical studies were not designed with deliberation in mind and there is a need for empirical psychology that takes into account the context-specific realizations of deliberative ideals, including institutional designs that compensate for well-known cognitive and emotional biases.

BIBLIOGRAPHY

- Achen, Christopher H. and Larry Bartels M. 2017. *Democracy for realists: Why elections do not produce responsive government*. Vol. 4. Princeton: Princeton University Press.
- Bächtiger, A., John S. Dryzek, Jane Mansbridge and Mark Warren, eds. 2018. *The Oxford handbook of deliberative democracy*. Oxford: Oxford University Press.
- Bächtiger, André, Simon Niemeyer, Michael Neblo, Marco Steenbergen R., Jürg Steiner. 2010. "Disentangling diversity in deliberative democracy: Competing theories, their blind spots and complementarities." *The Journal of Political Philosophy* 18 (1): 32–63.
- Barber, Benjamin R. 2003. *Strong Democracy: Participatory Politics for a New Age*. Berkeley, CA: University of California Press.
- Bohman, James, and William Rehg, eds. 1997. *Deliberative democracy: Essays on reason and politics*. Cambridge, MA: MIT Press.
- Brennan, Jason. 2016. *Against democracy*, Princeton University Press.
- Chambers, Simone. 2003. "Deliberative democratic theory." *Annual Review of Political Science* 6.1: 307-326.
- Chambers, Simone. 2004. "Behind closed doors: Publicity, secrecy, and the quality of deliberation." *Journal of Political Philosophy* 12.4: 389-410.
- Chappell, Zsuzsanna. 2008. *Deliberation disputed: A critique of deliberative democracy*. United Kingdom: Diss. London School of Economics and Political Science.
- Christiano, Thomas. 1997. "The significance of public deliberation." In *Deliberative democracy: Essays on reason and politics*, eds. James Bohman and William Rehg, 243-279. Cambridge, MA: MIT Press.

- Joshua Cohen. 1989. "Deliberation and Democratic Legitimacy." In *The Good Polity: Normative Analysis of the State*, eds. Alan Hamlin and Philip Pettit, 17–34. Oxford: Blackwell.
- Curato, Nicole, Martin Hammond, and John B. Min. 2019. *Power in Deliberative Democracy: Norms, Forums, Systems*. London: Palgrave Macmillan.
- Dryzek, John S. 2000. *Deliberative democracy and beyond: Liberals, critics, contestations*. Oxford: Oxford University Press.
- Dryzek, John S. 2010. *Foundations and frontiers of deliberative governance*. Oxford: Oxford University Press.
- Elster, John. 1998. *Deliberative Democracy*, Cambridge: Cambridge University Press.
- Elstub, Stephen. 2010. "The third generation of deliberative democracy." *Political Studies Review* 8.3: 291-307.
- Eriksen, Erik O. 2009. *The unfinished democratization of Europe*. Oxford University Press.
- Fish, Stanley. 1999. "Mutual Respect as a Device of Exclusion." In *Deliberative Politics: Essays on Democracy and Disagreement*, ed. Stephen Macedo, 88-102. Oxford: Oxford University Press.
- Fishkin, James S. 2011. *When the people speak: Deliberative democracy and public consultation*. Oxford: Oxford University Press.
- Florida, Antonio. 2018. *The Origins of the Deliberative Turn in Bächtiger, André, et al., eds. The Oxford handbook of deliberative democracy*. Oxford: Oxford University Press.
- Gutmann, Amy, and Dennis F. Thompson. 1998. *Democracy and disagreement*. Harvard University Press,
- Habermas, J. [orig. German edn 1962]. *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. Burger, T. and Lawrence, F. 1989. Cambridge, MA: MIT Press.

- Habermas, J. [orig. German edn 1981]. *The Theory of Communicative Action, vol. I: Reason and the Rationalization of Society*, trans. McCarthy, T. 1984. Boston, MA: Beacon Press.
- Habermas, J. [orig. German edn 1981]. *The Theory of Communicative Action, vol. II: Lifeworld and System: A Critique of Functionalist Reason*, trans. McCarthy, T. Boston, MA: Beacon Press.
- Hardin, Russell. 1999. "Deliberation: method, not theory." In *Deliberative Politics: Essays on Democracy and Disagreement*, ed. Stephen Macedo, 103-19. Oxford: Oxford University Press.
- Hendriks, Carolyn M. 2009. "Deliberative governance in the context of power." *Policy and Society* 28.3: 173-184.
- Hibbing, John R., and Elizabeth Theiss-Morse. 2002. *Stealth democracy: Americans' beliefs about how government should work*. Cambridge: Cambridge University Press.
- Huemer, Michael. 2013. *The problem of political authority: An Examination of the Right to Coerce and the Duty to Obey*. London: Palgrave MacMillan.
- Knight, Jack, and James Johnson. 1997. "What Sort of Political Equality does Democratic Deliberation Require?" *Deliberative Democracy: Essays on Reason and Politics*, eds. James Bohman and William Rehg, 279-319. Cambridge, MA: MIT Press.
- Kuyper, Jonathan William. 2018. "The instrumental value of deliberative democracy-or, do we have good reasons to be deliberative democrats?" *Journal of Public Deliberation* 14.1: 1-35.
- Larmore, Charles. 1999. "The moral basis of political liberalism." *The Journal of Philosophy* 96.12: 599-625.
- Mansbridge, Jane *et al.* 2010. "The Place of Self-Interest and the Role of Power in Deliberative Democracy." *Journal of Political Philosophy* 18.1: 64-100.
- Markovits, Elizabeth. 2006. "The trouble with being earnest: deliberative democracy and the sincerity norm." *The Journal of Political Philosophy* 14 (3): 249-269.

- Mendelberg, Tali. 2002. "The Deliberative Citizen: Theory and Evidence." In *Research in Micropolitics 6: Political Decision Making, Deliberation, and Participation*, ed. Delli Carpini, Michael X., Huddy, Leonie, and Shapiro, Robert Y, 151–193. Amsterdam: Elsevier.
- Mouffe, Chantal. 1999. "Deliberative democracy or agonistic pluralism?" *Social research*: 745-758.
- Mueller, John. *Capitalism, Democracy and Ralph's Pretty Good Grocery*. Princeton: Princeton University Press.
- Mutz, Diana. 2008. "Is Deliberative Democracy a Falsifiable Theory?" *Annual Review of Political Science* 11: 521–538.
- Nussbaum, Martha C. 2003. *Upheavals of thought: The intelligence of emotions*. Cambridge University Press.
- O'Flynn, Ian. 2006. *Deliberative democracy and divided societies*. Edinburgh: Edinburgh University Press.
- Parkinson, John. 2006. *Deliberating in the real world: Problems of legitimacy in deliberative democracy*. Oxford: Oxford University Press.
- Pincione, Guido and Fernando Tesón R. 2006. *Rational choice and democratic deliberation: A theory of discourse failure*. Cambridge: Cambridge University Press.
- Rosenberg, Shawn W. 2014. "Citizen competence and the psychology of deliberation." In *Deliberative democracy: Issues and cases*, eds. Stephen Estlund and Peter McLaverty. Edinburgh: Edinburgh University Press.
- Rostbøll, Christian. 2008. *Deliberative freedom: Deliberative democracy as critical theory*. Albany: SUNY Press.
- Sanders, Lynn M. 1997. "Against deliberation." *Political theory* 25.3: 347-376.
- Shapiro, Ian. 1999. "Enough of deliberation: Politics is about interests and power." *Deliberative Politics: Essays on Democracy and Disagreement*. in ed. Stephen Macedo, Oxford: Oxford University Press.

- Shapiro, Ian. 2017. "Collusion in restraint of democracy: Against political deliberation." *Daedalus* 146.3: 77-84.
- Smith, Graham. 2003. *Deliberative democracy and the environment*. London: Routledge.
- Sunstein, Cass R. 2002. "The Law of Group Polarization." *Journal of Political Philosophy* 10:175–95.
- Taber, Charles S., and Milton Lodge. 2006. "Motivated skepticism in the evaluation of political beliefs." *American Journal of Political Science* 50.3: 755-769.
- Thompson, Dennis F. 2008. "Deliberative democratic theory and empirical political science." *Annual Review of Political Science* 11, 497–520.
- Valadez, Jorge. 2001. *Deliberative democracy, political legitimacy, and self-determination in multi-cultural societies*. Colorado: Westview Press.
- Walzer, Michael. 1999. "Deliberation, and What Else." in Stephen Macedo, eds. *Deliberative Politics*. Oxford: Oxford University Press. 58-70.
- Warren, Mark E. 2006. "What should and should not be said: Deliberating sensitive issues." *Journal of Social Philosophy* 37.2: 163-181.
- Warren, Mark, Jane Mansbridge, André Bächtiger, Maxwell A. Cameron, Simone Chambers, John Ferejohn, Alan Jacobs, Jack Knight, Daniel Naurin, Melissa Schwartzberg, Yael Tamir, Dennis Thompson, Melissa Williams 2016. "Deliberative negotiation." *Political Negotiation: A Handbook*. Washington D.C.: Brookings Institution Press.
- Young, Iris Marion. 2002. *Inclusion and democracy*. Oxford: Oxford University Press.*

* Manuscript was received on October 14, 2021 and the paper was accepted for publishing on November 4, 2021.