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Deliberation, against all odds?

The critical prospects of mini-publics

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Abstract

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In recent decades, the theory of deliberative democracy has encountered multiple challenges. In this thesis, I explore the prospects of a particular type of deliberative democratic institution – deliberative mini-publics – in three essays. In the first essay, I discuss the challenge of combining mini-publics with institutions for preference aggregation, such as elections. I address the concern that citizens of a society dominated by aggregative institutions could be discouraged from the collective and cooperative form of participation required by mini-publics. Studying the effect of the right to vote on citizenship norms, I find no support for this concern. On the contrary, I show that elections boost support for non-electoral forms of political participation. In the second essay, I focus on the concept of descriptive representation in mini-publics to investigate previous studies' tendency to introduce aggregative elements to deliberative institutions. I find that current conceptualizations of descriptive representation in the mini-publics literature tend to primarily address concerns about the democratic legitimacy of a political institution consisting of unelected representatives. I argue that mini-publics can be considered legitimate if the notion of legitimacy is detached from elections. After showing that mini-publics do not necessarily suffer from a lack of legitimacy, I suggest an argument for descriptive representation that better serves the mini-publics' aim of facilitating high-quality deliberation. The third essay is motivated by a call from theorists to treat social differences as a resource that can enhance deliberative processes, rather than an obstacle. I test whether emphasizing social differences in mini-publics makes humble communication and reflexivity – elements that constitute normative conditions of deliberation – less likely. Analysing the effect of increased social group salience on expectations of deliberation, I find that emphasizing group differences raises expectations of observing and acknowledging differences without lowering the prospects of humble communication and reflexivity.

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you is not only about your actions towards me. Your way of life gives me hope, and has taught me some of the most important things I know. For example, to *not read a book in which no wind blows*,¹ and that *no fisherman shall ever find a pearl in a small brook that empties into a pool*.²

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I dedicate this publication to the memory of Ebrahim Zalzadeh, from whom I bought my very first books. Knowledge is collective, as is love, and *the dead of this year were the most loving of the living*.³

Dalston, December 2018

¹Sohrab Sepehri. *Water's Footsteps*. Translated from the Persian by Karim Emami.

²Forough Farrokhzad. *Another Birth*. Translated from the Persian by Karim Emami.

³Ahmad Shamlou. *Collective Love*. Translated from the Persian by Niloufar Talebi.

List of papers

This thesis is based on the following papers, which are referred to in the text by their Roman numerals.

- I What citizens learn from elections: The normative consequences of the right to vote
- II Interpretative interactions: An argument for descriptive representation in deliberative mini-publics
- III Social difference and the common good: An experiment on the effect of group salience on citizen deliberation

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Introduction: The continuing importance of deliberative democracy and the critical prospects of mini-publics

Assuming that there are structural patterns of domination and oppression, and that we want to strive for emancipation,⁴ we must ask ourselves how we can achieve an emancipatory society. It is this question that underlies Jürgen Habermas's theories of communicative action, discourse ethics and deliberative democracy (Habermas, 1996). His work focuses on avoiding instrumental and strategic action that is oriented towards success, and instead advocates public reasoning and action oriented towards mutual understanding. His theory of deliberative democracy thus shifts focus from the aggregation of existing interests to the formation of public opinion through an inclusive, equal and sincere communicative process in which the participants thematize and rationally test controversial validity claims. Habermas believes this process can expose structural injustices, and ensure citizens' emancipation and self-determination.

Certain aspects of Habermas's theory have been strongly criticized from different directions. Agonistic democrats have argued that his quest for public reasoning and mutual understanding limits, rather than expands, freedom (Connolly, 2002; Mouffe, 2000). Difference democrats have claimed that it excludes and disempowers marginalized groups (Williams, 2000; Young, 2002). As a consequence, Habermas's original project has undergone both internal revisions (e.g. Benhabib, 1992) and more thorough reformulations (e.g. Fraser, 2003). Nevertheless, an increasing number of scholars seem sceptical about deliberative democracy, and critical theory⁵ as a whole (Kompridis, 2005).

So, does deliberative democratic theory offer something that is worth holding onto? Why keep doing research on it? In this introduction, I will explain what I believe deliberative democracy has to offer despite the above-mentioned criticism, which I think is valid. I will then briefly describe the

⁴The concept of emancipation has its roots in Marxist theory. It is a central concept among critical theorists, who use the term to describe an ongoing process that begins with a critique of the status quo and seeks to liberate human beings "from the circumstances that enslave them" (Horkheimer, 1982, p. 244). Women's emancipation from patriarchal power structures is one example.

⁵Critical theory, which includes Habermas's work, is oriented towards critiquing and changing society for the purpose of human emancipation. By contrast, traditional theory focuses on increasing the productivity and functioning of the world as it currently exists (Horkheimer, 1982).

institutional turn that the study of deliberative democracy has recently taken, and discuss how this and some related developments in the field link to what I perceive to be the unique advantage of deliberative theory. This discussion will demonstrate why I have chosen to study the prospects of deliberative mini-publics, and how the three essays in this thesis are connected.

1 The call for justifiable critique

I believe the most attractive feature of deliberative democratic theory is its effort to bridge social constructionism and justifiable critique. Habermas is critical of the positivist standpoint that knowledge passively mirrors independently existing natural facts. From his perspective, understanding is intertwined with interpretation, and knowledge is socially constructed (Habermas, 1987a, Appendix). At the same time, he believes that universal criteria must be created to detect and validate structural oppression in order to achieve emancipation; the alternative is to abandon the goal of emancipation and adopt a relativistic perspective (Habermas, 1979, chap. 4; Habermas, 1987b, chap. 11). This is because if there are no extra-contextual criteria, there are no grounds for moral justification, no fulcrum for critique, and no way to identify and counteract societal pathologies. He formulates these thoughts into a concept of *context-bound communicative rationality*.

Habermas develops his concept of communicative rationality as the foundation of his theory of deliberative democracy. While the aim of instrumental and strategic rationality is to achieve one's own ends through, for example, bargaining, manipulation or coercion, communicative rationality seeks mutual understanding on the basis of a dialogue that is free from power and coercion, and in which participants are only influenced by the force of the better argument (Habermas, 1984, p. 25, 285-288). In this concept of rationality, Habermas tries to save reason without grounding it in an intelligible and non-temporal realm. Thus, he seeks to reconcile the idea of socially constructed knowledge with the notion of justifiable critique and emancipation (Habermas, 1984, 1990, 1996).

Critics have argued that Habermas's communicative rationality, contrary to its purpose, limits the disclosure of dominance and subordination. One of his most influential critics is Chantal Mouffe. In her articulation of an agonistic democracy, Mouffe argues that deliberative democracy and its communicative rationality oppresses different opinions and worldviews. This conclusion is based on the idea that rules and processes that are believed to affect or help assess society from a distance are in fact always constrained by, and supportive of, particular power structures:

Society is not to be seen as the unfolding of a logic exterior to itself, whatever the source of this logic could be....Every order is the temporary and precarious articulation of contingent practices. The frontier between the social and

political is essentially unstable and requires constant displacements and renegotiations between social agents. Things could always be otherwise and therefore every order is predicated on the exclusion of other possibilities. It is in that sense it could be called “political” since it is the expression of a particular structure of power relations (Mouffe, 2005, p. 18).

As this quote shows, the idea that every social order relies on particular power relations for its existence means that all social orders exclude other power relations and other social orders. Thus, according to Mouffe, no social order can be “natural” or rational in the sense of being fully inclusive and free from the influence of power relations. From this analysis it follows that democracy’s main tasks are to enable conflict and to highlight the choices between different alternatives, rather than to maintain a certain societal logic or rationality. Indeed, Mouffe claims that conflict and pluralism indicate that democracy is alive (Mouffe, 2000, p. 32-34).

Mouffe’s critique has shed light on the fact that the focus on mutual understanding in deliberative democracy, and the idea of communication that is unconstrained by power relations, risk establishing an order that does not allow those who are disempowered by it to contest it. This is a serious critique of deliberative democracy, and an important contribution to democratic theory. However, the attempt to incorporate differences and dissent into the concept of democracy appears to have cast a shadow over the project of emancipation. Mouffe is concerned with the possibility of renegotiating power. But she does not tell us how to decide whether power relations are oppressive. Likewise, she shows us that we need a democracy that supports differences, but does not tell us how we can navigate among these differences—i.e., how we can evaluate their emancipatory potential. For example, how can we support feminist political alternatives, but condemn racist and religious fundamentalist options that might also be based on a critique of the current social order? How do we do that given our social and cultural differences?⁶ These questions highlight the importance of Habermas’s project—particularly his concern for the loss of justifiable critique, and his care for reasoned judgment. They give us reason to keep exploring potential applications of deliberative democratic theory.

Theorists have, of course, sought to balance the idea of emancipatory critique with the notion of pluralism. Some have reassessed the concept of reason (rationality). For example, Nikolas Kompridis (2006) has tried to reground critical theory using the Heideggerian concept of world disclosure. Kompridis advocates a shift in critical theory from Habermas’s concern about com-

⁶I acknowledge that these questions are not relevant to all theoretical traditions. However, as Clive Barnett (2017, p. 43) has recently pointed out, the challenge of theorizing democratically about political change does concern theorists such as Chantal Mouffe, Ernesto Laclau, Jacques Rancière and Judith Butler. And as Andrew Knops (2007, p. 117) has noted, “an insistence on the need to distinguish and combat relations of subordination is necessary for any theory to have critical bite. What does and what does not amount to oppression, and what should or should not be condemned, must then be gauged by reference to some sort of standard”.

municative reason to a focus on reason as a “possibility-disclosing” practice (Kompridis, 2006, p. 223-241). Rather than focusing on reason as a way to justify claims, Kompridis emphasizes its potential to redescribe social reality. Like Mouffe, Kompridis calls for the disclosure of alternative possibilities of thought and action. However, he does not thoroughly discuss the normative aspect of the disclosed possibilities. There seems to be no comprehensive suggestion for how alternative thoughts and actions can be justified, and therefore no clear route from disclosure to emancipation.⁷

Another suggestion has been to move from reason to recognition. According to Axel Honneth (2007, p. 129-142), an individual needs recognition in the form of love, rights and solidarity in order to develop a positive relationship with herself. Honneth considers the expectation of such recognition to be a “quasi-transcendental interest” of the human race. He argues that injustice can be identified in the absence of recognition (in disrespect), which is expressed as feelings of shame, anger and indignation. Thus, Honneth replaces Habermas’s normativity through undistorted communication with a normativity achieved through undistorted self-realization. But as with Kompridis’s approach, the ability to judge claims of injustice suffers. Honneth acknowledges that all feelings of disrespect are not morally valuable. But his emphasis on subjectivity sits uncomfortably with the adjudication of different claims. As Nancy Fraser has put it:

To stress the victim’s subjective feelings of injury is to endanger the possibility of a democratic adjudication of justice claims. The latter requires public deliberation aimed at determining the validity of the claims in question, a matter which in turn requires that claimants press their case via public reasons, not subjective feelings (Fraser, 2003, p. 234).

As an alternative, Fraser supplements recognition with redistribution. She advocates a theory of justice with a core principle of *parity of participation*. According to this principle, social arrangements should be made so that all adult members of a society can interact with each other as peers (Fraser, 2003, p. 36). Fraser argues that this principle’s moral substance supplies standards for adjudicating claims without appealing to a single shared value horizon in two ways. First, the principle urges the removal of economic obstacles. This implies that only claims that diminish economic disparities are warranted. Second, the principle recommends the dismantling of institutionalized cultural obstacles, which means that only claims that promote status equality are justified (Fraser, 2003, p. 229-230).

⁷Kompridis states that one can distinguish between good and bad discoveries by distinguishing between disclosures that fully create conditions for reflective disclosure and those that create conditions that obscure their own status as disclosures (Kompridis, 2006, p.35, 220). But how can we tell whether a disclosure is preventing other possibilities of disclosure, and does this serve as sufficient reason to criticize and change society for the purpose of emancipation?

For Fraser, justification according to participation parity should be made dialogically and discursively, through the democratic processes of public deliberation. Participants in public debates should discuss whether institutionalized patterns impede participation parity, and whether proposed alternatives would foster it (Fraser, 2003, p. 43, 230). Fraser does not specify how conflicts between first-order claims about redistribution and recognition should be settled. She instead emphasizes deliberation as an opportunity to make meta-level claims (having debates about the debates), which she argues enables radical critique and fairer deliberation (Fraser, 2003, p. 44). However, more relevant for the question we are seeking to answer here—Why should we hold on to deliberation?—is that Fraser seeks to maintain ethical pluralism and the ability to justify critique without reducing the adjudication of justice claims to subjects’ feelings of misrecognition, or deferring to philosophical experts. Interestingly, this effort results in a demand for public deliberation. While clearly diverging from Habermas’s proceduralist view of democracy, she does not abandon his call for democratic deliberation. She rather rethinks some of its traditional assumptions and prerequisites.⁸

2 Recent conceptions of public reason

The effort to balance justifiable critique and ethical pluralism has continued in the last decade. For example, Alessandro Ferrara has suggested that *examples* have the force to generate normativity beyond the context in which they emerge (Ferrara, 2008). According to Ferrara, examples that transcend their context are those that generate a shared feeling that life is flourishing or being fulfilled (Kant’s “Beförderung des Lebens”). Rainer Forst proposed the concept of “the right to justification” in an attempt to combine the possibility to justify critique and ethical pluralism. According to this concept, moral claims are justifiable if no one makes a normative claim she denies to others, if no one claims to speak in the “true” interests of others beyond mutual justification, and if reasons are shareable by all affected persons (Forst, 2012).

Albena Azmanova has dealt more directly with critique and pluralism in relation to the broader aim of emancipation. Her book, *The Scandal of Reason*, starts by stating that theories of justice are haunted by a paradox:

The more we weaken the stringency of our normative criteria, the more we enhance the political relevance of the theory at the expense of its critical potential; on the other hand, the higher we set our normative standards, the more we lose our grip on political reality (Azmanova, 2012, p. 4).

The source of this paradox is the above-explained assumption that the processes of political practice and judgment cannot be immunized from domina-

⁸In an earlier essay Fraser actually states that “Habermas’s idea of the public sphere is indispensable to critical social theory and to democratic political practice” (Fraser, 1990, p. 57).

tion and power asymmetries. Based on this assumption, Azmanova notes that a focus on normative criteria for judgment risks steering attention away from the processes that should be the object of social criticism. At the same time, she argues that refusing to articulate normative standards of validity means giving up a critique altogether (Azmanova, 2012, p. 7). She therefore chooses not to abandon the idea of communicative justification. She instead asks how public deliberation can do the work of ideological critique, i.e. highlight the structural sources of injustice.

Azmanova's solution is to rely on a process she calls "rendering account", in which participants reveal their reasons for having reasons by referring to their experiences of injustice. This is contrasted with Habermas's model of giving an account, in which participants present normative arguments in defence of their views in order to reach an impartial perspective (Azmanova, 2012, p. 197, 236). According to Azmanova, the reasons for having reasons disclose how the first-order reasons in a discussion are related to the participants' social positions (they reveal the link between what Pierre Bourdieu has called "prise-de-position" and "position") (Azmanova, 2012, p. 217-219). This insight enables the participants to understand what is at stake beyond their conflicting positions. It makes them realize that their social positions are at the root of their disagreement, which in turn allows antagonistic positions to be transformed to agonistic relations, and helps participants reach a shared awareness of how they are subjected to forms of systemic domination (Azmanova, 2012, p. 220-226).⁹

The insightful revisions of the communicative turn presented by Azmanova and Fraser are, of course, subject to debate.¹⁰ Here, I will not discuss what I or others perceive to be their weaknesses or ambiguities. Instead I hope that the brief description of the theories highlights the continued relevance of public reason for those who try to bridge ethical pluralism and emancipatory critique. The revisions signal that we have indeed entered a post-Habermasian phase. Fraser and Azmanova reject the idea that public deliberation can overcome biases that favour the preservation of status-quo social practices. But by considering deliberation to be a venue for critical judgment and emancipatory outcomes, they maintain Habermas's communicative turn in critical theory.

Although it may seem that these scholars blindly follow a particular school of thought, their continued reliance on critical theory is far from mechanical. It is motivated by analyses of historical experiences of ideological domination, such as the "separate but equal" doctrine that was used to justify racial segregation in the US. It is also triggered by topical observations of dominance, such as sexism in the valuation of women's work, classism in policies related

⁹See also Linda Zerilli (2016) for the idea of judgment as a mode of agonistic sociability.

¹⁰There are many other noteworthy revisions. For example, Seyla Benhabib has developed Habermas's idea of an interactive rationality by situating it more decisively in contexts of gender and community, while insisting on the ability of individuals to discursively challenge such situatedness in the name of universalistic principles and future identities (Benhabib, 1992).

to labour market flexibility, and racism in counter-terrorism policing and anti-immigration policies. Critical democrats ask how such claims can be voiced, validated and updated. The fact that public deliberation continues to be an important part of the answer demonstrates that it makes sense to keep conducting research on it.

3 Deliberative institutions

Although there are reasons to advocate deliberative democracy, its conditions are far from favourable. Politics is increasingly organized around market principles (Della Porta, 2013); governance is becoming a spectator sport of winners, losers and fans (Urbinati, 2014); and the *demos* (the people as a political unit) is being undone by a neoliberal rationality that remakes the human being as human capital seeking to enhance its portfolio value in all domains of life rather than being concerned with public things and the common good (Brown, 2015). Nevertheless, and partly because of this trend (Offe, 2011), there is a great scholarly interest in how deliberative democracy can be institutionalized.

Until about a decade ago, considerable attention was paid to the quality of deliberation in individual institutions (Geissel, 2012; Smith, 2009; Steenbergen et al., 2003). More recently, the study of deliberative democracy has taken a systemic turn. In an essay that has been very influential in shaping this turn, Jane Mansbridge and seven other deliberation scholars argue that single forums for deliberation should not bear the entire burden of realizing deliberative standards. Instead, they should be evaluated as part of a deliberative system, defined as follows:

A system here means a set of distinguishable, differentiated, but to some degree interdependent parts, often with distributed functions and a division of labor, 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 labor, so that some parts do work that others cannot do so well. And it requires some relational interdependence, so that a change in one component will bring about change in some others (Mansbridge et al., 2012, p. 4).

A remarkable aspect of this approach is the emphasis on a functional division of labour within the system, i.e. the idea that parts of the system that have a low or negative deliberative quality may improve the overall deliberative system. Highly partisan rhetoric could, for example, be beneficial to the system. In describing this approach, the authors express an awareness that the functional value of non-deliberative practices risks categorizing everything as a contribution to the deliberative system. However, they offer little guidance on how to avoid such a situation. As David Owen and Graham Smith have argued, there are therefore “good reasons to be cautious concerning the merits

of this systemic turn and skeptical in respect of its credentials as an expression of deliberative democracy as a political ideal” (Owen and Smith, 2015, p. 213).

Although the more permissible and all-embracing view on how to realize deliberative ideals has implied a new turn in the study of deliberative democracy, it did not appear from out of nowhere. I see the systemic turn as a step in the gradual divergence from the classic concept of deliberation as opposed to strategic action. For example, a few years before the above-mentioned deliberative system essay was published, Mansbridge and others argued for the inclusion of self-interest and negotiation as deliberative ideals, and suggested “a complementary rather than antagonistic relation of deliberation to many democratic mechanisms that are not themselves deliberative” (Mansbridge et al., 2010, p. 64).

The divergence from the definition of deliberation as opposed to strategic action appears to be the result of three separate discussions. First, it represents a willingness to consider the critique put forward by difference and agonistic democrats. For example, scholars have tried to address Iris Marion Young’s argument that the traditional deliberative model’s idea of rationality is insufficiently egalitarian (Young, 1996). Second, the divergence has followed discussions on the fact that formal deliberative institutions exist within a wider institutional setting. This has led scholars to develop a concept of deliberation that is applicable to a wide range of institutions. For example, Mansbridge has stressed the need to pay attention to the quality of deliberation in interest groups, media and everyday talk, which requires revising the older criteria for judging deliberation (Mansbridge, 1999, p. 212). Third, the divergence from deliberation as non-strategic action has emerged in response to concerns about the feasibility of deliberative ideals. For example, in a frequently cited survey article James Bohman expresses sympathy for pragmatic arguments for voting and representation in deliberation; he claims that “too little realism denies that feasibility is required of any adequate theory of deliberative democracy” (Bohman, 1998, p. 416).

Parallel to these discussions, there has been a long-standing tendency to sidestep the idea of deliberative democracy as a critical theory. Or rather, there are versions of the deliberative democratic theory that are quite uncritical of liberal democracy. These theories seem to suggest that political circumstances and interests should first be identified as they currently appear, and then deliberated if needed. Thus, rather than primarily seeing deliberation as a process through which structural injustices can be detected, and through which democracy achieves its highest potential, it is regarded as one of many equivalent democratic options that are fit for particular contexts. Mansbridge offered such an approach as early as 1980 in her theorizing about a “unitary” (reason-based) and “adversary” (electoral) model of democracy:

The main argument of this book is that both the unitary and the adversary forms of democracy embody worthy democratic ideals, although each is appropriate in different contexts....When interests conflict, a democratic polity needs adversary institutions. When interests do not conflict, unitary institutions are more appropriate (Mansbridge, 1980, p. 4).

A similar approach prevails in Mark Warren's recent call for a "problem-based approach" to democratic theory (Warren, 2017). Warren suggests that we stop thinking about *models* of democracy, such as electoral democracy, deliberative democracy or agonistic democracy, and instead ask ourselves what kinds of *problems* a political system needs to solve in order to *function* democratically. He asserts that empowered inclusion, collective will formation and collective decision-making are three necessary functions that political systems must fulfil in order to be considered democratic, and that deliberation is one of multiple ways to achieve these functions.

Although he opposes the model-based approach to democratic theory, Warren acknowledges that thinking about democratic models has clarified normative presuppositions, and thereby enabled debate about better and worse forms of democracy. But he asserts that this way of thinking about democracy is no longer productive. He seems to believe that the weaknesses that deliberative scholars ascribe to electoral democracy, or that agonistic scholars ascribe to deliberative democracy, can be addressed if the practices these theorists suggest are treated as a combined approach to determining what the people want. From a practical perspective, a mix of different institutions could indeed be required. However, by suggesting institutional pluralism as a way to reconcile democratic theories, Warren overlooks the fact that advocates of different models of democracy disagree about what the *function of democracy* ought to be, and how that function can be successfully fulfilled. In other words, he does not acknowledge that when a deliberative democrat highlights the weaknesses of electoral democracy, she does not only change *the focus* from individual preferences to collective will formation. She is also saying that deliberation is *normatively superior* to elections since it better serves individual self-determination. She is making the point that deliberation is *more democratic* than elections since it allows us to detect and overcome oppressive power structures, i.e. to gain control over our lives. Similarly, an agonistic democrat does not merely shift the focus from deliberation to pluralism and expansive inclusion. As previously described, agonistic democrats challenge the democratic quality of deliberation by questioning the emancipatory potential of any concept of rationality. If this critique is worrisome, deliberative democrats need to reassess and alter their normative and institutional ideals. As I have demonstrated above, this is exactly what they have been busy doing.

It seems to me that the reason why Warren does not discuss the varying ontological assumptions that nurture a model-based approach to democracy is that he places the democratic models within a liberal democratic framework,

in which the main task of deliberation is the reconciliation of interests. Even though the idea of transforming individual interests into a collective agenda is assumed as part of the liberal democratic framework, this process is described as being about advocacy, argumentation, persuasion, negotiation, and bargaining. Thus, the deliberation is not perceived as a way of reconstructing social reality and detecting structural patterns of oppression. Inspired by Habermas's (later) concerns about how communication in civil society should influence the state's legislative and policy processes (Habermas, 1996), Warren describes deliberative democracy as a theory that focuses on mediating conflict rather than a critical theory that seeks emancipation:¹¹

A model of deliberative democracy, insofar as it is centered on deliberation, is not a theory of power, nor of distribution of power, nor of inequality, nor of political decision making. It is a primarily a theory of communicative responses to disagreement, preference formation, and collective will formation, focused on mediating conflict through the give and take of reasons (Warren, 2017, p. 40).

Those who want to keep discussions about democracy alive, and to decouple democracy from the West, have also criticized the model-based approach to democracy. For instance, Michael Saward argues that deliberative theorists take "too much time suggesting that there is something called the deliberative model of democracy which is opposed to something called the aggregative model of democracy" (Saward, 2003, p. 175). For Saward, the justifications of these models are too decisive. He therefore prefers to think about "devices" such as parliaments and mini-publics that "enact democratic principles" such as inclusion and political equality, and that can be combined differently in different times and places. According to him, this approach makes democracy open ended and sensitive to context. I agree with Saward that it is important to constantly rethink and test democracy. However, I disagree with his rejection of theorists' attempts to suggest a reasonable interpretation of democratic principles for two reasons. First, this rejection does not take into account that new "devices" for collective decision-making, such as mini-publics, are the result of attempts to better define democratic principles. Second and more important, the rejection of specific interpretations of democratic principles implies an (intentional) elimination of the distance from reality that is needed in order to argue that a certain political system is more democratic than others. This perspective not only has no choice but to be indifferent to the emancipatory intent of deliberative democracy; it also makes it difficult to argue that democratic alternatives are better than non-democratic ones.¹²

¹¹See also Archon Fung (2012), who in a call for a pragmatic conception of democracy equates the deliberative ideal of democracy with the concept of negotiation and consensus building in the literature on dispute resolution.

¹²In fact, Saward states that Iran "is substantially a democratic polity in terms of equal and fair votes, openness of debate and an inclusive suffrage" (Saward, 2003, p. 174).

4 My motivation

The three essays in this thesis are motivated by the model-based approach to democracy, and the belief that thinking in terms of democratic models illuminates the normative ground on which democratic theories inevitably stand. Without opposing the re-evaluation of concepts such as rationality, or dismissing empirical conditions that, for example, imply that deliberation can only supplement aggregation, I have been guided by an understanding of deliberative democracy as a critical theory in the sense that it seeks to enable critique of ideology, and the concept of emancipation. Thus the theory, as I interpret it, wants to do more than provide a forum where citizens can voice their concerns, reflect on different arguments, and solve conflicts. It wants to stimulate reflection on norms, institutions and policies that are uncritically accepted by most people. It regards liberal democracy and liberal constitutionalism as insufficient and in some ways obstructive when it comes to this endeavour. Therefore, it cannot completely assimilate itself to liberal institutions and practices (Dryzek, 2000; Rostbøll, 2008).

Since I consider deliberative democracy to be a critical theory, the ideals of which liberal institutions cannot fully accommodate, I believe it is important to study institutions designed to enable deliberation—deliberative “mini-publics”. Mini-publics are institutions that invite ordinary citizens to deliberate on a specific issue. They select participants using random sampling techniques, are led by facilitators, and usually last for two to five days. Participants are given the opportunity to listen to and cross-examine experts, and to deliberate among themselves in small groups and plenary sessions.¹³ These features, especially the combination of random sampling and deliberation, have made the practice of convening mini-publics attractive among deliberative democrats (Smith, 2012). To improve our understanding of these institutions, I have pondered on their critical prospects in light of the above-mentioned developments in the study of deliberative democracy—developments that both theoretically and practically challenge the traditional ideals of this type of democracy. Thus, the underlying question of this thesis, to which my essays only offer initial and partial answers, is:

What are the critical prospects of mini-publics, given the practical and theoretical challenges faced by deliberative democracy?

¹³This is the “intermediate” definition of mini-publics (Ryan and Smith, 2014), which is broadly used in the literature and includes institutions such as deliberative polls, British Columbia citizens’ assemblies, planning cells, citizens’ juries, consensus conferences and 21st century town meetings. It excludes institutions that are more influenced by participatory democracy, such as participatory budgeting.

5 The critical prospects of mini-publics

A pessimistic prediction of the critical prospects of mini-publics is that they cannot enable critique since they are initiated and led by government authorities. According to this prediction, institutional engineering from the centre of political power is motivated to *preserve and improve*—rather than *challenge*—existing institutions. Thus, formal institutions for citizen participation have inherent control mechanisms that tame radical energy (Blaug, 2002). Or put a bit more optimistically, mini-publics have an authority-supporting tendency since they give government authorities control over political processes and discourses (Böker, 2017).

The authority-sensitive tendency of mini-publics is troublesome. However, it is not out of control. On the contrary, this tendency can be counteracted and weakened for the benefit of a critical potential, which is unique in the sense that formal institutions for citizen participation have a more fixed access to power than parties, social movement organizations, and interest groups (Fung and Wright, 2003, p. 23). Agenda-setting procedures and rules for impact can help guarantee the independence of this power (Böker and Elstub, 2015; Setälä, 2017). An example of the former is to allow a certain number of citizens to initiate mini-publics (Setälä, 2017), while an example of the latter is to give mini-publics the power to suspend (MacKenzie, 2016) or veto (Leib, 2010) legislation.

Assuming that mini-publics are capable of facilitating critical discussions, I study one practical and two theoretical challenges that could affect their ability to do so. The **first essay** of this thesis is motivated by the fact that mini-publics must coexist with aggregative institutions, which of course house political discussions. But looking at deliberative democracy as a democratic model that criticizes the individualist and economic logic of aggregative institutions (Chambers, 2003; Habermas, 1994), I have wondered whether citizens living in a society dominated by such institutions would be attracted to the collective and cooperative form of participation that deliberative theory requires. In the first essay I therefore study how voter eligibility affects citizens' understanding of good citizenship. I define voter eligibility as voter-related experiences that range from the insight that one has the right to vote to the act of voting. Due to data limitations, I am not able to explore citizens' attitudes to the kind of participation that is unique to deliberative democracy, i.e. discussions in which participants are willing to learn, reason, change their mind, etc. I instead study whether the *right to vote* affects attitudes to broader collective action.

A positive attitude to collective action in a broader sense is a necessary, but not sufficient, condition for deliberative democracy.¹⁴ According to the critical version of deliberative theory, deliberation provides an opportunity to re-

¹⁴Some forms of collective action, such as activism, complicate a deliberative political culture (Mutz, 2006).

evaluate current perceptions of reality and discover fairer ways of structuring society (Rostbøll, 2008). This cannot be done through individual observation and internal reflection alone. It is achieved collectively, through communication between all those affected (Habermas, 1990). Scholars sometimes assume that elections and other vote-centric institutions counteract this associative and constitutive aspect of democracy by not requiring citizens to get together with others to discuss political issues (Fung and Wright, 2003; Goodin, 2008). Applying a regression discontinuity design that uses the voting-age restriction as the threshold, my first essay contradicts this assumption by showing that voter eligibility increases support for the idea that a good citizen engages in political discussions and participates in activities to benefit the community. Relating this result to the overarching question on the critical prospects of mini-publics, I note that although elections do not require political interaction, they are helpful in the sense that they strengthen support for political communication and acts of communality. Thus, when it comes to citizens' understanding of good citizenship, the deliberative ideal of collective action is not jeopardized by the fact that elections and mini-publics must coexist.

The **second essay** addresses the tendency to reformulate deliberative ideals by placing deliberation within a liberal framework, where it is seen as a procedure for advocacy, persuasion, negotiation and bargaining rather than one that enables the reconstruction of social reality and emancipation. The essay is motivated by the concern that scholars push this tendency in their expectations and evaluations of mini-publics. To investigate this matter further, I focus on the concept of descriptive representation, which is an important element of successful deliberation in mini-publics (Brown, 2006; Geissel, 2012; Smith, 2009).

I start by identifying three approaches to descriptive representation in the mini-publics literature. I find that these approaches mostly seek to compensate for the absence of elections and lack of opportunity for mass participation—which I argue causes them to lose sight of the fact that deliberative theory seeks to enable deep understanding and new discoveries. I assert that framing descriptive representation as a way to ensure bonds between participants and non-participants overshadows the deliberative requirement to imagine how one would feel and think if one were in another person's place—an exercise that is key to forming considered opinions (Benhabib, 1992; Dahlberg, 2004; Habermas, 1990). I believe the lack of attention to role taking is problematic, because the discursive-interactive feature of democracy that role taking embodies is a unique advantage of the deliberative model of democracy, and is crucial for its emancipatory intent. I suggest that if deliberation is assumed to be desirable, and conditioned on ideal role taking, the enabling of interpretative interactions constitutes a coherent, strong and precise argument for descriptive representation in deliberative settings.

The **third essay** is motivated by the revisions of deliberative democracy that have been undertaken in response to critiques from difference democrats. The

traditional view is that participants enter deliberations with group-based differences, but end up identifying common interests by putting their individual interests aside (Habermas, 1996). However, inspired by Iris Marion Young, most deliberative scholars now regard difference as a resource in the search for common interests (Young, 1996). According to this view, learning can take place because perspectives lie beyond one another, not because they are possible to transcend. Although this more recent view on difference is theoretically compatible with the overall deliberative goal of enabling a shared awareness of structural injustices, I have wondered whether emphasizing social difference lowers citizens' expectations that deliberation can help reach this goal. In the third essay I therefore hypothesize that focusing on social group differences in mini-publics raises expectations of *observing and acknowledging differences*, but lowers expectations of *humble communication and reflexivity* during the deliberative process. Thus, I explore whether there is an empirical trade-off between *seeing* others and otherness and cognitively *mixing with* others.

To determine whether there is such a trade-off, I conducted a survey experiment in which I asked individuals to imagine being invited to a mini-public on either gender quotas in boards of directors or ID checks at the Swedish border to Denmark. The salience of social groups was increased by informing respondents of efforts to include participants from different social groups in the mini-public, i.e. by bringing their thoughts and feelings about social group difference to "the top of their heads" (Zaller, 1992). The results show that emphasizing social group differences raises expectations of observing and acknowledging differences without lowering expectations of humble communication and reflexivity. Analyses of possible mechanisms suggest that highlighting social groups increases expectations of observing and acknowledging differences through increased perceptions of mini-publics as an institution that can resist or counteract power imbalances.

In summary, the essays in this thesis suggest that while some challenges to deliberative democracy limit the critical prospects of mini-publics, others have an enabling effect. More studies are needed in order to understand the overall balance between these influences, as well as their nature. Some conditions are created as a consequence of shifts in theoretical ideals (as in essay 2). These conditions have a general impact on the critical prospects of mini-publics. Other conditions are sensitive to human psychology and the political discourse (as in essays 1 and 3). They are context specific, and thereby likely to change over time and place.

I believe the continued investigation of the critical prospects of mini-publics, given the practical and theoretical challenges to deliberative democracy, is important for three interrelated reasons. First, this approach to the study of mini-publics is a reminder of the fact that (the Habermasian account of) deliberative democracy is rooted in critical theory (Dryzek, 2000; Rostbøll, 2008), as are the requirements of deliberative institutions. Studying mini-publics with the expectation that they should enable critique of ideal-

ogy counteracts the view of them as institutions for conflict management, or other activities in which political interests and tensions are perceived as quite fixed. Thus, it keeps the critical edge of mini-publics sharpened.

Second, the study of the critical prospects of mini-publics given the challenges faced by deliberative democracy keeps mini-publics up to date. As mentioned above, discussions of deliberative democracy generate new normative ideals and new practical insights. Tracking and assessing these changes is important for establishing institutional criteria and supporting measures that can maintain the critical relevance of mini-publics. Thus, exploring the critical prospects of mini-publics in light of new considerations gives them a chance to address and survive criticism from, for example, those who recognize the need for critique but argue that the traditional take on deliberation limits it, or those who are concerned about the gap between the criteria of mini-publics and the empirical reality.

Finally, the study of the critical prospects of mini-publics in light of new insights ensures they are continuously assessed. In order to be effective, deliberative democracy must be a constantly evolving, self-reflexive, and democratic project (Bohman, 1999; Dryzek, 2000; Hammond, 2018). Otherwise, it will contradict its own norms. I hope my thesis will encourage further reflection on issues that could challenge the critical potential of mini-publics. I am open to the possibility that this process may lead to the conclusion that mini-publics are unable to serve our emancipation. After all, our political institutions are ours. They are ours to reflect on, to challenge—or to abolish. This is the essence of critical democratic theory.

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