CIVILIA
ODBORNÁ REVUE PRO DIDAKTIKU SPOLEČENSKÝCH VĚD

Seeking the proper sphere (and scope) of public deliberation

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Abstract: There is a broad consensus among the leading theorists on the fact that the current representative democracy is experiencing a major crisis. Nowadays, the concept of what may be called New Elitism becomes more and more popular, especially among the younger generation. This concept recalls in its consequences upon Plato's idea of an ideal state governed by well-trained and skilled philosophers. Against the government of "enlightened" authorities I postulate the concept of deliberative democracy. Firstly, I briefly introduce the possibility of deliberative innovations in parliament; however I consider them as insufficient and vague. Secondly, I try to clarify the concept of representation in deliberation, particularly through the civic associations. My research on civic deliberation in practice is based on the analytical interview with a participant and organizer of participatory and deliberative activities in the Slovak capital city Bratislava. At the end of my paper I conclude that the authorities, politicians and scholars should play only an advisory and supportive role in deliberation. I strongly oppose to the so-called Pure Proceduralists and argue that deliberation without definite conclusions and collectively binding decisions is a weak deliberation. Moreover, I try to point out the fact that civic associations do not meet the conditions of accountability and legitimacy; they always represent only a part of the public.

Key Words: Deliberative democracy, Participatory democracy, Representation, Civic associations

Introduction

Civic political culture has been coming to become a typical feature of contemporary liberal democracies. We have been witnessing the awakening interest in public affairs through participation in manifold deliberative activities: individual and collective, unplanned and spontaneous, organized as well as unarranged. These facts are expressed in the innumerable bulk of theoretical works analyzing the circumstances, conditions and impacts of the deliberative activities. In the paper, I would like to enrich the existing research by sketching out the current state of debate on qualitative prerequisites of a successful deliberation process. Seeking the adequate sphere and scope of public deliberation is considered a crucial issue by many deliberative proponents. To respond to questions such as "Where is the proper deliberative forum?"; "Is representation in deliberation more effective than some direct forms?"; "What should be the role of parliament in the process of public discussions?"; "Are direct deliberative forms ever possible in everyday reality?"; "Who is accountable for consequences of decisions made during deliberation?"; "Should deliberators be granted their special privileges?" etc. is completely impossible neither by the form of a scientific paper, nor of a bunch of the papers and even books. On the other hand, some fragments of answers to the posed questions can be found both in the latest scientific research and in some practical experiences of civic engagement.

Therefore, in order to approach the outlined aims, the structure of the article reflects the dichotomic model of "theoretic/empiric". In the first section, I call attention to several starting points for successful deliberation in public fora laid by some leading theorists. Focusing on the problem of sphere, this paper examines the right manner of the exchange of opinions: spontaneous small group discussions, focus group debates managed by a researcher, large-scale unrestrained exchange of opinions, and debates held by representatives (in parliaments). The most

crucial tasks are: "Could the aforementioned deliberative forms reach equivalent results?"; "Could the different deliberative forms make resolutions about action to be taken with a relatively high rate of efficacy?", and finally: "May the interest representation be counterproductive?"

Some say parliamentary debates cannot satisfy all deliberative conditions, although they encompass rationally justified argumentation (Dolný, 2011). The others remind us that in a global scale effective deliberation is completely impossible because "most citizens are not political animals; they do not want to participate in politics, just as they do not want deliberate about politics" (Thompson, 2008, p. 512). Nowadays, on the contrary, we may witness a revival of the deliberative (and participative) practice in local urban communities which are concerned with various issues, such as participative budgeting, community planning, sporting and spare-time activities (for adults, teenagers and children), local referenda and so on. This is consequently reflected in the successive revival in the field of participatory (!) democracy theory (Zittel, 2007). Jeffrey Hilmer (2010) remarks that the *reality* of participatory democracy inspires the revitalized interest in the *theory* of participatory democracy. Simultaneously, he highlights that the long-lasting tendency to prefer the research of deliberations (deliberative democracy) does not necessarily mean to emphasise the participation itself. It is believed that deliberation is merely a form of political participation. R. W. Hildreth (2012) who in principle does not agree with his colleague's conviction that the sphere of participatory democracy includes deliberation offers the opposite view. He stresses that both theories differ primarily in the goals. While participatory theorists accentuate the democratic transformation of individuals and institutions, deliberative scholars emphasize the need of democratic legitimacy. Among other differences he highlights the two types of rationality: the instrumental one (defended by participatory theorists) versus communicative model (deliberative democracy). Moreover, theorists of participatory democracy emphasize the need for democratization of all sectors of society (including workplaces, namely employee participation or economic democracy), while proponents of deliberative democracy tend to focus on civil society with the exclusion of workplaces (Hildreth, 2012,

pp. 296–297). Therefore, these two theories differ with each other in the objectives they seek (social transformation vs. justification), used practices (instrumental action vs. reasonable deliberation), effects they have on individuals (transformation into an active vs. enlarged sense of interests), as well as tactics (an unwillingness vs. willingness to be included in decision-making "dominant" institutions) (Hildreth, 2012, p. 305). Indeed, some recent studies do not strictly distinguish between deliberation and participation (Borgida et al., 2008), or use directly the newly established term "deliberative participation" (Crocker, 2007). The question of identifying the differences or similarities between participatory and deliberative democracy is not primary in this article and for now it shall be left aside. I will return to it later when analyzing the empirical findings from the interview.

In general, participation may be deemed to be an action, "through which an individual internalizes values and behavioural norms; he learns to understand the external affairs and he engages in different societal roles" (Ondria, 2007, p. 112). Therefore, participation has been coming to be a fundamental component of democracy which may be labelled as its prerequisite or *condicio sine qua non*. Together with graduate usage of participatory procedures on various levels of society and politics both political elites and civic masses tend to internalize participatory mentality and evaluate participatory methods very high. At any rate, civic deliberation could still be seen as a relatively rare phenomenon and it seems that "many of those who would be eager to deliberate already possess the motivation and civic skills to participate in public life" (Ryfe, 2005, p. 53). As a consequence, public deliberation lacks one of the most expected outcomes: "the education effect". It is also widely known that the deliberator or participant must meet a set of cognitive and procedural conditions, which include competence, reciprocity, inclusiveness, freedom of expression and, last but not least, willingness to be persuaded by others, that means, by their rational arguments (Parkinson, 2003, pp. 180–181; Rosenberg 2007, p. 341; Bianchi, Miková, p. 2010 p. 109; see also Ryfe's five mechanisms associated with successful deliberation: Ryfe 2005, pp. 63–64). In light of the mentioned facts it seems clear that seeking the appropriate sphere and scope of public

deliberation cannot remain only a task of theoretical investigation and some empirical proofs are needed. And that is my enterprise here.

We could agree with Ryfe (2005, p. 64) that the empirical study of deliberative practice is, in spite of its breadth, not too rich or sufficiently deep. Although, over approximately 10 or more years we have been witnessing the steady growth of the body of empirical literature in the field (e.g. Steiner et al., 2004; Delli Carpini et al., p. 2004; Warren, Pearse, 2008). In order to conceptualize the ample and far-reaching discussion on deliberative forms and practices, I present certain practical results in the second section of my paper, drawing from the structured interview based on the closed and well defined questions. The interview was conducted via e-mail with a long-time civic activist who deals with urban planning, participatory budgeting in Slovak capital city Bratislava and works with various participative communities. From the political methodology point of view, interviewing is a widely accepted although rarely used research method and it is best-suited "for gathering data on those characteristics of the social world that differentiate it from the natural world…" (Rathbun, 2008, p. 690). It is this type of data which is represented by the group deliberative activities. Within these groups, different interests and opinions overlap with each other, and their affect on the policy implementation is hardly recognizable without appropriate analytical tools. Therefore, an interviewing which "is often necessary for establishing motivations and preferences" (Rathbun, 2008, p. 690) can helps us both to uncover and understand the hidden interests inside the policy-making (or decision-making) process. We should not forget that "without an understanding of desires, even the most rigorous rationalist argument will not be falsifiable if it simply infers preferences from observable behaviour and a posited set of situational constraints" (Rathbun, 2008, p. 690). What is more, "[i]nterviewing can help establish whether a political actor felt under pressure from forces beyond his or her control, and what those forces were…" (Rathbun 2008, 691). As we will see later, those forces often materialize in the form of civic discussions in which policy-makers can participate. Sure, the use of a mere empirical and behavioural research method cannot assure expected outcomes. As Swift and White (2008, 49) remind

us, "normative theorizing at the level of abstract principle typically does not yield policy prescriptions on its own. Only by combining value judgements with relevant and appropriately detailed empirical social science can one ordinarily work out what policies should be urged in any particular context." Thus, combination of empirical findings with meta-theoretical analysis seems to be inevitable. I, however, believe that the properly explained and theoretically well-grounded experiences of my respondent may help clarify many of the hidden or unclear aspects of deliberation which are at the core of the current theoretical research, as well as unveil the changes of the concept of representation through time. Moreover, I hope the analysis of his "speech acts" could disclose not only structure and character of public deliberation but it may also help to get closer to answering the question if current representational democracy could and should be replaced by a deliberative one. To put it in another way, if a deliberative democracy could be viewed as an alternative to representational democracy. In what follows, I attempt to offer a (definite?) response based on David Miller's assumption that deliberative democracy is less vulnerable to specific difficulties (e.g. to the arbitrariness of decision rules, vulnerability to strategic voting) than to liberal democracy (Miller, 1992).

1. New elitism or Back to Plato?

Although there is a relatively wide consensus on the importance of face-to-face communication in the political process and usefulness of rational argumentation, many contemporary scholars speculate on the adequate form of "representation" within deliberation. Proponents of what may be labelled as New Elitism say that the best version of deliberation is putting the discussion over and granting decision prerogatives to professionals who are well-trained in communication and sufficiently skilled in political matters. To put it in a simple way: decisions about substantial political issues should be left to experts. These elitist or Schumpeterian (i.e. procedural) versions of the theory of democracy tend to look with suspicion at citizen involvement in the decision-making process and consequently try to minimize citizens' political

involvement. In this sense, "participation is strictly limited and the influence that voters have over government policy is minimal […]" (Barry 1995, p. 279; see also Manin, 1997, pp. 161–162; Bellamy, 2000, pp. 93–102). As a consequence, political activities of citizenry are shirking to the voting, organizing and occasional protesting. As David Miller (1992, p. 57) properly puts it: "Democracy on this view is a matter of the voters having the right, at periodic intervals, to remove governments which they have come to dislike". Nothing else is acceptable. Moreover, greater civic activism and the right to have a say in public issues is considered as detrimental to the functioning of democracy, which sees itself as an "unavoidable evil", an impediment to the rule of enlightened individuals. Former as well as contemporary advocates of this approach have been arguing (as J.A. Schumpeter did in 1940s) that masses of people "cannot see beyond their narrow interests" (Sanders, 1997, p. 354). They fear citizens' lack of the capability of rational argumentation and their uncontrolled behaviour (Sanders, 1997, p. 354). A gradual transformation of the initially coherent society into an incoherent cluster of ideologically inconsistent and incompetent people is viewed as another threat to democracy. This model of deliberation of elites reminds us of Plato's depiction of the rule of philosophers in his ideal state. What is more, market rules have been increasingly entered into the democratic political decision-making. Individuals are seemed as autarkic profit maximizers who vote their private preferences and interests; "in effect they act like economic agents removed to a different forum" (Freeman, 2000, p. 372). Thinking about this, let me mention an example of taxes in democratic countries. Imagine that people would have a right to choose a taxation level in their country. Despite of arguments concerning the importance of taxes for public finances, fiscal policy and securing of public services, people would (irrationally) tend to keep low taxation level trying to maximize their private wealth. This is a view of the rational choice theorists, according to whom an individual can be depicted as a ceaseless profit seeker or so-called *homo œconomicus* (Petracca, 1991; Maloy, 2008; Wandling, 2011; Ondria, 2013). Even some constitutions, as the Slovak (Article 93, Clause 3), Hungarian (Article 8, Clause 3b) or Estonian one (§ 106), have a special clause forbidding of

taxes to be the subject of referendum. This simple example may be used by new elitists for justifying an exclusion of citizenry out of some deliberative and decision processes vital for an effective and successful public administration. By contrast, we should definitely give up the belief in the existence of an ideal deliberator; i.e. a perfectly rational and equal deliberator with sufficient time and resources.

On the other hand, there are some significant tasks ahead of us, for example, where did the elites reach their skills? Certainly, politicians are not "enlightened" by the noble knowledge which has come down out of heaven. They are recruited out of internal party structures, often as a reward for their previous political activities. Similarly, we could believe that the elites do not always have greater knowledge than ordinary people and they are elevated to their political positions according to well-known Peter Principle, that is, until the extent of their own incompetence and beyond their level of ability. An effective control of political elites also appears to be problematic due to the length of the electoral cycle and the lack of continuous control. Furthermore, let us remember that a "victory in the contestation of discourses does not depend on the reasonableness of the discourse – it rather depends on the existing power structure within which the discourses are embedded (…)", as John Parkinson (2003, p. 186) reminds us. It seems not surprising and quite natural that deliberative democrats strictly oppose both the procedural and pluralist conceptions of democracy represented by the elitist and interest-group variants of democratic decision-making, respectively. Moreover, it is the rational choice theory with its "aggregative" view on democracy, which has become a major impetus for the emergence of the (opposing) theory of deliberative democracy in the 1990s (Rosenberg, 2007, p. 337).

The truth is that exclusion of marginalized discourses is very strong even within the groups of official political representatives alongside ideological cleavages. In many cases, especially in the Central and Eastern European politics, there are strong internal factions inside the established political parties the existence of which supports fragmentation of the parties and opacity of politics in citizen's eyes. Exclusion of common individuals out of political discourse is also not rare, in many

cases with a strong support of politically "coloured" media dependent upon private business and governmental financial resources (Herman and Chomsky 1998). Surely, on one hand, among the most favourable conditions to deliberative democracy we may identify grand coalition governments, proportional representation, multiparty systems, minority veto provisions, or the existence of the second-chamber debates (Thompson, 2008, p. 511). On the contrary, the mentioned provisions seem to be insufficient in the light of the current crisis of representative democracy. Permanent instability of cabinets in many European states is one of the best examples of the crisis. During the last five years approximately more than ten countries have made an experience with early elections. Just let me mention Iceland (2009), Belgium (2010), Lithuania (2011), Slovenia (2011), Portugal (2011), Spain (2011), Netherlands (2012), Slovakia (2012), Bulgaria (2013), Czech Republic (2013), and Slovenia (2014). In the case of Greece there were even two elections in an immediate row (May and June 2012). Specific reasons for early elections differ with each country. However, we could identify some common problems. It seems that either no deliberation has taken place before the elections, which would increase competencies of voters as Zsuzsanna Chappell (2011, 91) supposes, or a deliberation was insufficient and it should be preferred to representative democracy.

If we look at the problem more critically together with the contemporary French philosopher Jacques Rancière, we can find that the problem might lie at the heart of representation itself. According to Rancière, such representative democracy seems to be a mixture of democracy and oligarchy, and it is contaminated with a plague of hierarchy and elitism; it is even a counterposition of democracy. Political parties' *modus operandi* and intrinsic structure are reflected in the whole political system and bring all the negative elements to it, such as a mutual animosity, internal conflicts, low willingness to make an agreement, atomisation, incoherence, etc. (see, e.g. Rancière, 2006; May, 2008). Therefore, we should ask whether parliamentary systems based on a consensus, although producing better deliberation than their competitive counterparts, are not less transparent in policy making and less accountable to citizenry.

Advocates of greater civic involvement represent the opposition to the aforementioned new elitists. They promote an argument that common citizens possess sufficient cognitive competencies and skills in order to ensure the survival of democracy and make it working better. From their point of view citizens should obtain broader possibilities of democratic decision making among of which deliberation is the first one. They also oppose to "classic" forms of opinion representation, such as political parties or elections. They try to point out that "in the current representative democracies there is a dominant position of political parties and other representative and intermediary institutions, which insufficiently mirror the interests of their constituents; the current situation does not provide enough space for expressing the citizens' interests as well as the opportunity to influence political decisions" (Jarmara, 2011, p. 41). It is claimed that just the existence of a wide range of active groups of different nature and size play a crucial role in the articulation of citizens' demands, as well as in their transformation into decision-making processes (Kováčik, 2007, pp. 186–187). It means that only more inclusive process of deliberation can produce smarter and more reasonable outcomes than a less inclusive one. Thus, randomly selected and laic representatives are preferred over those recruited by elections "in the name of the greater collective intelligence that can result from having more diverse and inclusive pool of representatives" (Landermore, 2013, pp. 1210). Scholars from this school of deliberative thought (let us call them "epistemocrats") hold that to make deliberation more democratic does not mean (only) to allow procedural fairness in terms of giving equal significance to all participants, but also to make deliberation open and inclusive which are expected to ensure greater "cognitive diversity". Epistemocrats claim that the diversity that matters "is not primarily a diversity of opinions, values, perspectives, or even a diversity of social and economic backgrounds" (Landermore, 2013, p. 1212). Nor it is identical with diversity of age, life-experience, or vocation. The diversity is first and foremost epistemic (see more in Landermore 2013; Anderson 2006; List, Goodin, 2001). In spite of the fact that a lot of proponents of intensive public deliberation usually support direct forms of argumentative interconnection

a role of civil society associations should not be undervalued as I will emphasize later.

Somewhere between the two opinion streams there is a belief that experts' voices have certain weight, "but only in as much as they are offered in a process of public deliberation, and are found persuasive by those to whom they are offered, in a context in which the substantive goals of society are plural and essentially contested" (Parkinson, 2003, p. 183). In other words, authorities, scholars and politicians should play only supportive and advisory role in public discourse. On one hand, experts should and have to introduce their opinions and arguments into public debate but, on the other hand, citizens have a right of exclusion to the experts' proposals and should deliberate independently of them. Otherwise, deliberation would become a kind of intellectual competition among elites with the exclusion of public. Consequently, the results contrary to what was originally expected could be reached. It means that conflicts would not be mitigated, mutual understanding and tolerance would not increase, and the usage of the narrow group-interested arguments would not be reduced.

2. In representation we trust

Many of the contemporary scholars strongly believe that current liberal representative democracies appear to be in a deep crisis. This belief is shared with citizens who are losing confidence in elementary democratic procedures, political institutions and structures of opinion representation (Rosenberg, 2007, p. 335). It is widely supposed that politics is permeated by rigid individualism. What is more, peoples' ability to be involved to the process of political decisions forming is shrunk to the retrospective, *ex post* judgements on the actions of the elected representatives (Manin, 1997, p. 183). Hand in hand with these convictions there go some other examples of a decline of liberal democracy, except of the mentioned early elections. Electorates are apathetic, uninterested in politics and disengaged from the political process as such. Underrepresentation of minorities prevails and rational argumentation is replaced by (economic) interest group politics (Chappell, 2011, p. 81).

Together with this, worsening socio-economic situation of the population due to the economic crisis comes to our minds, manifested, for example, via high unemployment rate of the young people, including alumni. As a result, current liberal democracies have been criticised, not only by the leftists, of failing "to fulfil traditional democratic ideals of political equality, freedom and governmental accountability […]" (Barry, 1995, p. 292). These facts are being reflected not only by the anti-globalist protests and famous Occupy movement. It is worthy to note that the increasingly growing number of theoretical studies trying to question prevailing capitalist (or Neoliberal) order in Western democracies as well as to outline some possible positive alternatives have been coming into light in recent years (e.g. Wrong, 2004; Vázquez-Arroyo, 2008; O'Flynn, 2009; Nycz, 2010; Cahill, 2011; Cotoi, 2011; Krčál, 2012; Biebricher, Johnson, 2012; Malleson, 2013).

Although some radical democrats strictly reject the idea of representation as such (Barber, 2003, pp. 145–146), many other political theoreticians view representational mechanism as a panacea of the presented crisis. Some of them analyse the potentiality of enriching parliamentary debates by deliberative innovations (Dolný, 2011). They propose two fundamental models of improving parliament's work: progressive and conservative. In essence, both models differ in scale of adopting deliberative innovations. The former counts with institutionalizing deliberative democracy, for example via deliberative polling and periodic referenda, the latter includes only partial and ephemeral reforms and vague "boosting of deliberative capacities". Unfortunately, both models must inevitably come to the conclusion that competitive party struggle hinders effective deliberation. Parliamentary forms of argumentation have often a form of bargaining; including preferential decision-making where some political interests overweight the others, at best for a short period of time. Furthermore, political market has oligopolistic character and constrains to enter the opposite discourses. It is also targeted on canalizing specific discourses, so a condition of inclusiveness is lacking. Market and competition in economic sense are usually used as tools for eliminating ineffectiveness but politics encompasses balancing of fairness. Political decisions cannot be compared to economic

ones because the last end of them is common good and they are intrinsically different in comparison with the individualistic economic decisions. Economic market decisions are not usually based on a logic reasoning and authentic respect to the counter-arguments. Parliamentary discussions, made often not only in the official forum but more frequently "behind the scenes" (Freeman, 2000, p. 372), do not meet anyone of the key conditions of deliberative democracy, namely the opportunity of participants to affect the discursive rules. Debates in parliament are usually subjected to precise and hardly changeable regulations. Finally, parliamentary debates offer only a narrow scope for deliberation because of the existence of an inexorable majority rule. True deliberation cannot accept an exclusion of the power of majority by sacrificing both reasonability and power of an argument. Nonetheless, parliamentary debates going together with law-making process result in collectively binding rules which other alternative (sensu stricto real) types of deliberation are lacking. From this point of view it seems that formal democratic deliberation in parliaments coming to law and rule adopting should be viewed as strong deliberation.

In a light of the mentioned problems with deliberative innovations in formal representational fora it would be better to rethink consistently a concept of representation. Commonly, representation is viewed as a tool thanks to which people who are not physically present in a forum may feel they have had sufficient power and influence (Parkinson, 2003, p. 186). On the other hand, a formal concept of representation encompasses an important and seemingly inescapable role of the politicians. This view is wide-spread and popular not among the people but zealously promoted by the elected representatives, i.e. politicians. It should be noted, however, that the roots of this concept go back to the second half of the 18th century. It was James Madison who wrote in his Federalist Paper No. 10 that just elected representatives are those who tirelessly struggle for the public good, and "whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations" (Madison, 2009, p. 51). In light of the mentioned problems of contemporary liberal democracies this Madisonian approach

can be scarcely perceived as sufficient. Moreover, political design which was suitable for the self-constituting young democracy of such extent as the U.S.A. more than 200 years ago can be hardly viewed as adequate today. More and more it seems to be apparent that the role of representatives might not be played only by elected politicians, as mentioned earlier. A better way of interests representation might be through the civic associations, whether temporary or permanent. These associations play an important role in articulating and defending discourses that are traditionally excluded from public deliberation. Civic associations, according to Mendonça (2008, p. 127), can both exert direct or indirect pressure upon formal representatives and decision-making centres and get involved in more participatory designs. Simultaneously, the associations draw legitimacy both from permanent internal confrontation of discourses and ideas and communication with socially relevant partners that are not part of the associations, especially with other similar associations and politicians as well. Thanks to the universalism, civic associations promote a process of "back-and-forth communication" advancing creation of a network of discourses and arguments through the relevant part of a society (Mendonça, 2008, p. 131). Therefore, participants are better supplied with new information both from other participants and external sources than from elected MPs. In addition, politicians are usually a target group of lobbyism and seek only fulfilment of their own private interests. As Ian Shapiro (2003, p. 30) reminds us, the basic impediment of deliberation in modern democracies "is not the lack of will on the part of people with differing moral convictions to deliberate in ways that can minimize their differences". Rather, the powerful business elites and tycoons themselves are the principal impediment through their generous financial support "they make available to politicians and political campaigns" (Shapiro, 2003, p. 30).

In comparison with parliamentary deliberation, civic associations seem to aid a better inclusion of ideas, easier interchange of unbiased and reasonable arguments and equality of participants, i.e. the four most important procedural traits of democratic deliberation as was identified by many scholars (e.g. Chappell, 2011, p. 81; Parkinson, 2003, pp. 180–181; Cunningham, 2002, p. 164). In spite of its undeniable advantages

civic associations have also some disadvantages. Firstly, the amount and heterogeneity of participants makes agreement adoption more difficult. Secondly, the legitimacy of the discourse of these associations could be questioned. Elected representatives (politicians) can always refer to the general election in which they were temporarily endowed power by voters to manage common issues. Civil society associations do not have such legitimacy and do rely solely on the interlocution and intensive communication with the outside, as I mentioned earlier. The third and most serious problem is the inability to take collectively binding decisions. Because of this, such kinds of deliberative democracy can be regarded as too weak. Whereas elected representatives in formal deliberative bodies have the authority to take decisions which all citizens of the community (state) must obey, civil society associations as the agents of informal deliberation have for now only an advisory role. There is also a risk that deliberation of civic associations should be converted into direct political pressure or degenerate into Neo-Corporatism. It depends, of course, on a degree of its acceptance by ruling political elites. If the civic associations become a lobbying group, the original meaning of their existence withers away and elementary procedural conditions of democratic deliberation will get unfulfilled. On the contrary, the problem may be seen from another perspective. While the civic associations might not and cannot make collectively binding decision straightforwardly, these informal deliberative groups can significantly contribute to some urgent political decisions or, at least, help to shape public opinion and act indirectly in the process of decision-making in conjunction with formal deliberators, i.e. elected representatives. After all, media discourses, interest groups activities, and our everyday talks in the workplaces or families "constitute important parts of the larger deliberative system" (Mansbridge, 1999, p. 228).

In order to resolve the mentioned problems with representative deliberation some other forms of public discourse emerge. One of the potential fields of deliberation may be already mentioned mass media. The traditional television and print are not relevant because of prevailing political and economic interests, as well as of the impossibility of effective interlocution. The media is always present only a narrow

group of interests shaping unilaterally public opinion. Citizens do not generally have to actively participate and express their views through them. The Internet offers better opportunities but its potential remains under-utilized yet. Additionally, there are also new fora for discourse interchange, i.e. occasional group gatherings and parades, such as gay prides, Christian "Marches for Life" and so on. These events may be possibly viewed as special deliberative tools for presenting and defending arguments but lack to fulfil many of the elementary conditions of deliberative democracy. Reasonability of the arguments is often questionable. I assume their role dwells only in pointing out problems. In spite of their relative size they should still be viewed as more-less small or media-sized groups and social strata. Crucial function of effective decision-making is lacking as well.

Let me just mention the last discussed form of deliberation – randomly selected small deliberative groups. Commonly, these groups are created by professional researchers for scientific purposes and most of them involve no more than 20-30 individuals talking directly to each other about a problem (Ryfe, 2005, p. 51). Participants are recruited randomly and are confronted by a diversity of ideas and arguments, face-to-face with people who had been unknown to them. They tend to learn from others and considerate deeply an issue. Although there are many other features of the groups, I would like to focus on representativeness. We could agree with Ryfe (2005, pp. 52–53) that a small group of deliberators – even if randomly recruited – cannot represent the community of any size as a whole; inclusiveness is ensured but representativeness is not. What is more, researcher-made deliberative associations are viewed as time-consuming, expansive and offering short-term gains and little long-term civic activity. It should be noticed that the problem arises only with "experimental deliberation groups". Self-recruited and spontaneous groups of deliberators are expected to lack this kind of complication.

Let me try to summarize the points I have just made. Representation is currently regarded as the most important form of deliberation. It does not mean that representation as such is a mere subset of deliberation. Rather, deliberation may encompass substantive representational

elements and as such can be made more representative. Its understanding varies considerably in the theory and practice. In general, representation by elected MPs is nowadays considered to be insufficient. Regular parliamentary plenary sessions are no longer held as the right fora for debates and deliberation because of strict voting discipline reigning within each political camp (Manin, 1997, pp. 216). Therefore, various deliberative innovations in parliaments are being proposed. Competitive character of politics and the prevalence of individual interests, however, preclude effective deliberation. When searching for the most appropriate forms of representation, mass media are mentioned, particularly the Internet, along with further small-sized, randomly recruited groups for research purposes and especially civic associations. Although each of the above mentioned forms has its pros and cons, as optimal and the most common form for the time being seems to be deliberation provided by civic associations. These associations are concordant to the notion of representatives of civic interests as non-ordinary delegates, bound by previous instructions (Parkinson, 2003, p. 188).

The following empirical part of my paper will be aimed at the analysis of answers of a civic activist who has first-hand experience with deliberation of medium-sized groups dealing with participatory budgeting and urban planning at the municipal level. Bearing in mind that an interview with one respondent can hardly be considered as fully representative from the methodological view, the aim of the research has not been a mere data collecting, but rather an concise analysis of authentic testimony of a person with direct and intense experience of civic deliberation. These "speech acts" are then compared to some previous theoretical findings and conclusions.

3. The analytical interview: empirical findings

The following findings are based on the interview that the author of this article conducted via e-mail [09/23/2013] with a long-time civic activist, Mr. Peter Vittek from the civic association called Utopia (in Slovak *Utópia, občianske združenie*). He has been trying to promote ideas of participatory democracy and social inclusion and their practical

application. In terms of public deliberation he has rich experiences with the implementation mechanisms of participatory budgeting in the capital city of the Slovak Republic, Bratislava. He is also participant in various public fora in a role of facilitator and speaker.

First and foremost, I focused on the issue of the connection between public and political fora. According to Mr. Vittek, there are many attempts to link different forms of public deliberation with political sphere. These efforts are ongoing at all levels of public administration and the intensity of the interface depends on the form of deliberation and responsiveness of elected representatives. Some public fora, as Peter Vittek highlights, are directly attended by politicians. The others offer politicians only the role of observers and some others take place without their active attendance and only the final findings are given to them. According to my respondent, citizens involve in deliberative processes with pleasure. Some of the processes are initiated directly by them, mainly if the topic of deliberation relates to their immediate environment. For more abstract topics the interest is less. The intensity and duration of the civic engagement depend primarily on the quality of the process and its results. If the outcome of the process does not occur, or is not good, interest is disappearing.

Mr. Vittek's claim is congruent with empirical findings offered by Neblo et al. (2010) who conclude that willingness to deliberate is much higher than research in political behaviour might suggest. "Politicians perceive the activities in very different ways, depending on their willingness to engage citizens in various decision-making processes. We meet with comprehension, as well as with total rejection", claims Peter Vittek. It is not at all surprising because deliberation represents a disturbance of everyday political habits and an established way of political decision-making. He normatively adds, concordantly with theoretical conclusions presented by Manin (1997, pp. 216–218) and Shapiro (2003, p. 49), that mutual discussions of representatives (operating at national, municipal, and local level) in parliaments and governments cannot successfully fulfil criteria of true democratic deliberation. For this reason it seems as not too important neither to find out which of the chambers in bicameral parliaments is more effective in deliberation

as rigidly examined by some theorists (e.g. Steiner et al., 2004, pp. 125–128), nor to exhaustively assure that a legislative body will in detail "mirror" different socio-economic and demographical characteristics of the country as it has been done by so-called "proportionalists" (Pitkin, 1967, pp. 60–64). Linking political practice and civic deliberation in the light of the achieved results (at least from a psychological point of view having regarded a "public spiritedness") seems to be more effective on extra-parliamentary level. Both the citizens' willingness to deliberate and readiness of the political representatives to listen to them show a misstatement of some critics that the ultimate impact of deliberation is on public opinion and not on the policy-making process (Ryfe, 2005, p. 61). In a sharp contrast to politicians, civic associations do not meet the condition of accountability. Despite of the apparent lacking of this kind of accountability it should be added that an accountability of such bodies of discursive representation must be understood in a special, "communicative fashion" (Dryzek, Niemeyer 2012, p. 61).

Unlike the artificial deliberative groups created by researchers, a size of common and real deliberative group is smaller. It ranges between 10 and 20 members and its activities are managed by a well-trained facilitator. The role of the facilitator helps avoiding many of the usual threats of group deliberation, such as "tyranny of eloquent", namely that "some citizens are better than others at articulating their arguments in rational, reasonable terms" (Sanders, 1997, p. 348). As a result, they try to argumentatively overcome the others who are seen as the latent adversaries, and dominate in a discourse; some deliberators tend to disregard others, to see their different views as an obstruction, and are not capable of being ready to hear the other side (Sanders, 1997, p. 349; Rosenberg, 2007, pp. 345–346). On the other hand, facilitator's role could be questioned in case of misusing his/her power over the facilitated group. The potential for this kind of power abuse is real. Therefore, before crafting a deliberative group it should be kept in mind that creating an appropriate and sophisticated institutional design in order to prevent the danger is needed (Rosenberg, 2007, p. 359).

Despite the existence of some similarities, Vittek stresses that group deliberation differs from participation. He deems deliberation as

a process which enables citizens' participation. Participation, on the other hand, can be provided in other ways, via voting or referendum, for instance. He personally prefers deliberation over participation because it can help to map citizens' interests and needs more accurately. The described divergence between the two is consistent with the theoretical basis presented by Hilmer (2010, p. 47) and simultaneously in a contrast with the aforementioned Hildreth's (2012) conclusions. Unlike Vittek, however, Hilmer deems that deliberation is indeed a necessary element of participation but not a sufficient condition. To put it in another way, it should not be considered equivalent to civic participation.

Concluding remarks

Many theoreticians across the opinion spectrums and schools of thought are now agreeing on the need to solve the current state of crisis of liberal democracies. It also confirms the opinion of Peter Vittek according to whom we can speak of "the crisis of participation". We "should not to expect that the ongoing political arrangement will endure forever", my respondent adds. Therefore, we may say together with Cunningham (2002, p. 180) that "deliberative-democratic theory may be seen as a way to overcome the formalism of liberal democracy: by introducing the idea of deliberation and its conditions". Deliberative democracy can also be seen as a tool of overcoming persistent individualism and other difficulties which liberal democracies over the world must to settle with. Deliberative democracy could help halt regarding individuals "as essentially asocial agents that act simply to maximize their personal interests under conditions of collective action" (Rosenberg, 2007, p. 356). Understandably, deliberation itself represents only a normative ideal aspiring to be proven in an empirical context. Only then will it be able to provide sound practical guidance in the sphere of politics (O'Flynn, 2010, p. 578). Neither deliberative theorists nor facilitators in deliberative groups should have the final word on the issue of introducing deliberative mode into democratic decision making. The empirical findings of the interview have proven that civic associations appear to be one of the most appropriate "testers" of

deliberation in public sphere. They could be seen as the adequate form of interest representation in contemporary Western society. Of course, associations should include the widest possible range of affected participants. Failure to meet a condition of inclusiveness means deliberation will appear as illegitimate for those left outside the forum. Pure proceduralism preferring the open and fair process of discussion over searching for a correct answer has proven to be insufficient over time. A pure *epistemic* approach to deliberation says, on the other hand, that "justice is entirely independent of procedures for deciding what is just, so that the procedure that best approximates substantives justice is itself right" (Freeman, 2000, p. 388). Therefore, concordantly with epistemic proceduralism I see deliberation without definite conclusions and collectively binding decisions as a weak deliberation. Conversely, strong deliberation implies the possibility to decide about an issue. This decision should not be reserved only to politicians but it should be enabled to each relevant group, in this case civic associations. The biggest problem of these is the dependence on willingness of the official political representatives, as mentioned above. Without restoring the full independence from elected representatives, effective deliberation is, in my opinion, unimaginable. This also makes for a possibility to approach a simplified version of *associative democracy*, as Paul Hirst and Veit Bader (2001) supposed in their seminal book (see also Bader, 2001a, 2001b; Perczynski, 2001; Mendonça, 2008, p. 132). If that independence got achieved, the lack of legitimacy would remain an open question. Unfortunately, the effort to reply to this question is beyond this article.

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