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Citation

Saward, M. (2001). Making Democratic Connections: Political Equality, Deliberation and Direct Democracy. *Acta Politica*, 36: 2001(4), 361-379. Retrieved from <https://hdl.handle.net/1887/3450787>

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Note: To cite this publication please use the final published version (if applicable).

crucial issue. What they demonstrate is what “[p]articipants in the debate on Europe ought to [do]”, so that a European identity may come into being (e.g., presenting particular practical proposals and promoting public contestation about episodes of ‘darkness and light’ in European history). But as far as I can see, they do not make clear why citizens should feel obliged to do this, seen from *their* perspective. What binds them together in community with other Europeans, but not with non-Europeans? De Beus and Mak stress the significance of a “noble idea of European civilization” and a fifty-year period of history of European integration. But idea and history have not offered Europe a shared ‘soul’, a ‘spiritual dimension’, a ‘patrie’ (Jacques Delors). Therefore, as long as the existence of special moral obligations to ‘fellow Europeans’ has not been shown, I maintain that the obligation of global justice is not weakened by the need for a European identity as the precondition of European democracy.

De Beus and Mak claim that a ‘European public’ is missing. What they mean is a public that develops a belief in Europe and solidarity among fellow Europeans. Using their terminology, I suggest an alternative conception. What we need is a ‘European public’ that develops a Europe-wide belief in a sense of global justice, in such a way that patriotism, in encapsulating such sympathies as part of the national consciousness, becomes partially subordinated to it. When that occurs, patriotism in Europe, involving the defence of what people care about, will come to involve putting first a substantial part of the important material interests of the world’s poorest (Baxter 1986: 125). In so doing, a European public stimulates increased cooperation between the nation states of Europe for the purpose of global justice.

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Making Democratic Connections: Political Equality, Deliberation and Direct Democracy

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Abstract

This article argues that advocates of deliberative democracy, on the one hand, and direct democracy, on the other, ought to engage with each other’s perspectives much more than they have done so far. The ideals and practices associated with these two models can be shown to be mutually supportive, and in some cases even mutually implicative. By deploying Robert A. Dahl’s influential criteria for the democratic process as a baseline, we can begin to see how neither deliberative nor direct approaches taken in isolation can offer an adequate account of democracy. At the same time, we can see how each contributes crucial insights into the demands of democracy, extending and deepening dominant representative or polyarchal theories. Concluding comments sketch innovative institutional designs that exploit deliberative, direct and representative devices, making connections between them with the aim of enriching our visions of democratic practice.

1 Introduction

Two important, venerable camps in democratic theory – the deliberative democrats and the direct democrats – mostly ignore each other from their well-entrenched fortifications, apart from the occasional suspicious glance.¹ This state of affairs is self-defeating for both camps, and for progressive visions of democracy generally. The core of my argument will be that each can bolster its own claims on democratic theorists, and on the hearts and minds of democrats, by adopting something of the ethos and mechanisms of the other. I also broach the larger argument that *representative* democracy can be richer, more defensible and adaptable, if it adapts to core concerns of both camps.

‘Deliberative democracy’ is a cover term for a rich and diverse set of perspectives, assumptions and aims in recent thinking about democracy. Some proponents set up abstract visions of ideal deliberative procedures on which real procedures might be modelled (Cohen 1989); some embody deliberative ideals specifically in microcosmic forums like citizens’ juries and deliberative

polls (e.g. Fishkin); some look to heighten the importance of deliberation in existing structures and institutions (Gutmann & Thompson 1966); some look to international civil society, beyond the unshakeable confines of the state, as the locus for deepening democracy through 'discursive democracy' (Dryzek 2000). But whatever type and location of deliberation they advocate, deliberative theorists contend that democratic legitimacy is a product of the extent and nature of the deliberation that precedes (or perhaps in extreme cases *substitutes for*) formal collective decisions. From a deliberative perspective, legitimacy is (variously) fostered to the degree that talk displaces voting; accountability, as reason-giving, displaces line-hierarchy answerability; the reciprocity and engagement of the forum displaces the isolation of the polling booth; intersubjective interests displace personal preferences; and representation becomes an ongoing discursive process rather than a formal or legal status or relationship.

Critics of the deliberative model have taken aim at a range of targets, though many have stressed the view that a range of deliberative arguments suffer from a distinct *disengagement* from:

- other theories of democracy with practical track records and some normative purchase (such as competitive elitist and participatory models);
- 'aggregative' conceptions, which stress unavoidable formal decision institutions (often this is done by lumping too much into the 'aggregative' camp, despite difficulties in actually naming the aggregative enemies [as in Young 2000: Ch.1], and downplaying or dismissing the extent to which such devices can foster the democratic legitimacy of collective decisions);
- issues of institutionalisation and institutional design, linked to empirical concern with just how practical democratic decisions might be reached if deliberation of some specified sort is in fact the core ingredient in a satisfactory model of democracy.²

By 'direct democracy' I refer to a regime in which there is regular deployment of the devices of the citizens' initiative and the referendum for policy as well as constitutional decisions. Such regimes have had their advocates in recent democratic theory, though not the academic profile of the deliberative current (Budge 1996 and Saward 1998 offer compatible empirical visions of a modern democratic system centred round direct democratic mechanisms). More recently, this direct democratic thread has taken aim at perceived deficiencies of deliberative models (see Budge 2000 and Saward 2000).

Direct democracy, of course, has never lacked critics. Contemporary critics tend to allege three main things, namely:

- that the initiative and referendum mean decision-making based on citizens voting their non-reflective, non-deliberative, often ill-informed preferences in a context where they are subject to manipulation due to unequal resources and access to information, and do not have to bear the consequences of their votes;

- that direct democracy threatens majority tyranny and the undermining of the rights of minorities, and that it undermines constitutional and cultural constraints on majorities that are essential to any defensible conception of democracy; and
- that direct democracy threatens inconsistency and instability in collective decision-making, where (for example) 'the people' will support higher public spending on health care but will not support the levels of taxation that are necessary to sustain such systems.

The familiarity of the above criticisms, and the widespread perception that these are real deficiencies of deliberative and direct models, provide appropriate grounds to consider whether or not mutual engagement between the two (in the first instance) may provide important defences for each. Let me begin with comments to indicate why, on pragmatic grounds, both deliberative and direct advocates might gain support for their preferred models by adopting something of the other; in other words, how the two models can be regarded as *mutually supportive*. Consider how, taken together, deliberative and direct devices can reinforce the attractiveness of each:

- Deliberative models are often criticized for not specifying sufficiently the formal mechanisms of democratic decision; direct models forefront formal paradigmatic moments of decision as the final part of a democratic legitimacy conferring process that may, at various points, highlight deliberation;
- Deliberative models may reasonably be accused of being potentially exclusive of felt interests which do not measure up to the criteria (however they are expressed) of deliberative preferences, or exclusive of those who hold to their (deliberatively inadequate) preferences; direct models insist that at the end of the day the origins, nature and style of preferences held are essentially irrelevant when it comes to their expression in voting;
- Direct models are confronted with core objections that many people have preferences based in simple ignorance of the issues; many forms of deliberation either directly or indirectly involve providing information so that people's views may be based on knowledge of pertinent facts;
- Direct models, it is suggested, provide no incentive for people to inform themselves and to look at issues from points of view other than their own, narrow self-interest; deliberative devices by their very structure require that people give reasons to support their views, and that those reasons must at least attempt to include a principle that appeals to others on grounds other than self-interest;
- Direct voting can result in unstable decision-making, policy cycles, and so on; where deliberation can in principle help to induce single-peakedness in preference structures by assisting in the identification of underlying dimensions that can be used as organizing devices among preference sets (see Miller 1993; Dryzek & List 1999);

– Seemingly irresponsible outcomes from direct voting can undermine confidence in the democratic capabilities of ordinary people; deliberative devices can in positive ways “shed light on the deliberative capacities of ordinary citizens” (Fishkin & Luskin 2000: 27).

These points suggest *prima facie* evidence that these are, potentially, mutually supportive ideals and practices. The argument can go deeper than pragmatic mutual support, however. The following sections attempt to draw closer links by exploring key ways in which the two models are mutually *implicative*, i.e., the adoption of one implies the need to adopt the other as part of one, democratic, process.

2 The baseline criteria of democracy

Mapping both of these conceptions of democracy and attendant devices onto a common grid, which most readers can regard as legitimate, is one productive way to begin to reveal and to explore the potential for mutual implication. No such grid can be regarded as incontestably better than others. I will deploy the single most influential, cited, and respected account of the criteria for a democratic process in the contemporary literature in English – namely Robert A. Dahl’s familiar account of the criteria for a democratic process (1985; 1989; 1998). I am in good company in regarding Dahl’s five criteria for a democratic process as compelling foundations. Habermas (1996: 315), for example, is happy to take them directly on board. That said, my approach to the criteria will not be uncritical; specifically, they will offer us a richer conception of democratic possibilities if filled out with insights emerging from debates around deliberative and direct democracy, respectively. In short, I deploy Dahl’s criteria as a baseline grid both because in their current form they are strong, suggestive, defensible criteria, and because they can in turn usefully be elaborated and enriched beyond the point Dahl reaches with them. Further justification for deploying Dahl’s criteria will emerge in the process of argument.³

In his criteria Dahl defends a ‘strong principle’ of political equality as the basic principle justifying democracy:

If the good or interests of everyone should be weighed equally, and if each adult person is in general the best judge of his own good or interests, then every adult member of an association is sufficiently well qualified, taken all around, to participate in making binding collective decisions that affect his or her good or interests, that is, to be a full citizen of the demos. More specifically, when binding decisions are made, the claims of each citizen as to the laws, rules, policies, etc., to be adopted must be counted as valid and equally valid (Dahl 1989: 105).

Dahl’s five criteria spring from this strong principle; they are “criteria that a process for governing an association would have to meet in order to satisfy the requirement that all the members are equally entitled to participate in the association’s decisions about its policies” (Dahl 1998: 37). The five criteria are: effective participation; voting equality; enlightened understanding; control of the agenda; and inclusion of adults (Dahl 1998: 37–8). My first step will be to use the criteria to show why deliberative models fall well short of offering an adequate model of democracy – despite the need for deliberative institutions to realise some of the five criteria. The second will be to show how the criteria imply the desirability of adopting specific direct democratic mechanisms, but only insofar as certain deliberative mechanisms are adopted as well.

3 Deliberative democracy: reasons and limits

That deliberative democracy comes in many shapes is an understatement. This is not a detailed taxonomic exercise and so I will not attempt anything like a comprehensive mapping. However, a simple dichotomy between circumscribed and uncircumscribed variants of deliberative sites and forums captures with reasonable accuracy the institutional aspirations of various strands of deliberative theory. The circumscribed variants generally involve: an artificially created or consciously designed forum, in existence for a specific time period, with a limited and clear agenda of issues to deal with, involving a relatively limited number of people, operating face-to-face in a single geographical space, normally within the state or oriented to enhancing state decision-making capacity, with clear and relatively tight procedures and (explicit or implicit) standards of rationality governing discussion.

The uncircumscribed variants generally involve: a spontaneous or organic group or network arising from shared interests or experiences, in existence for an indeterminate period of time, with a self-generated, fluid and unpredictable set of issues or concerns to deal with, involving an indeterminate number of people to varying degrees and in varying roles (often self-chosen), which may never ‘meet’ and may lead a geographically dispersed or virtual existence, generally working within a public sphere outside the formal institutions of the state, with informal and loose procedures and broad rules of conduct and interpretations of ‘deliberation’, both internally and with other groups.⁴

Clearly these are extremes on a crowded continuum that can barely contain just two master dimensions. Nonetheless, microcosmic bodies based on random sampling of the larger population – and therefore representative in one key sense of the word – such as citizens’ juries, consensus conferences (Smith 2000) and deliberative polls (Fishkin 1991; Fishkin & Luskin 2000), are deliberative forums which are clearly enough circumscribed.

Uncircumscribed variants, by definition, come in a still greater variety of forms. The whole of a 'public sphere' may be involved (Habermas 1996) as a 'space' for deliberation, or smaller 'protected enclaves', 'subaltern counterpublics', or more specifically interest groups or constituted rather than latent identity groups and networks (Benhabib 1996; Dryzek 2000).

Whatever their precise concerns, focus, or style, deliberative theorists would question the way in which Dahl sets out the criteria and the links between them. Specifically, Dahl's central claim that "when binding decisions are made, the claims of each citizen as to the laws, rules, policies, etc., to be adopted must be counted as valid and equally valid" (1989: 105) looks thinly justified and over-hasty from a deliberative perspective. Fishkin explicitly questions Dahl's criteria, asking about trade-offs among them, suggesting that:

... pursuit of three criteria creates a problem for two others: Voting equality, inclusion of all adults, and control of the agenda seem to produce a significant cost in enlightened understanding and effective participation, at least with respect to those involved in the relevant decisions (Fishkin 1999b: 699).

This claim helpfully pinpoints concerns, shifts of emphasis, perhaps even departures, from Dahl's criteria from a deliberative democrat's point of view. All citizens' views cannot automatically be treated as 'valid and equally valid' because some will be more enlightened – more informed factually, based on more knowledge of others' views, perhaps adjusted in the light of the intensity and character of others' expressed views, and so on – than others, as a result of participation in, or attentive observation of, focused deliberations on the issue (or perhaps an 'internal-reflective' equivalent – see Goodin 2000). That at least is a core deliberative claim – indeed, the likelihood of an increase in 'enlightenment' achieved in this manner is the *basis* of the deliberative claim that democratic legitimacy of outcomes is enhanced by the nature and extent of appropriate deliberation that preceded it. Referring to Fishkin's comment above, we can say that his claim about the criterion of 'effective participation' piggybacks on that regarding 'enlightened understanding' – effectiveness is here cast as a product of being informed, aware, capable of adding a genuinely positive voice or vote to the effort to resolve an issue.

From a deliberative perspective deliberation is about one or other form of enhanced, or intensified, citizen engagement – with each other, with the issues, with their political representatives. This is what happens with formally constituted citizens' juries or deliberative polls; with elected parliaments; with 'subaltern' groups in civil society, and so on. The purposes, scope, likely impacts, and longevity of deliberations may (do) differ radically across all these and other instances of deliberative democracy in action. Taking all this on board, it is clear enough that, for a deliberative democrat, enlightened understanding in the appropriate sense is a product of varying such modes of

engagement. We can gain this form of enlightenment (and so gain a capacity individually to make a more substantial contribution to democratic legitimacy) from engaging with each other, etc., not from relying on, and acting solely or primarily upon, our prior preferences or indeed prejudices.

4 The place of enlightened understanding

Enlightened understanding, and the attached notion of effective participation, is, arguably, the key thing that 'deliberative democrats' want more of. Certainly these features of living democratic systems are highly desirable. There can be little doubt that in a real, albeit elusive, sense the 'value' of a vote diminishes with diminished comprehension and consideration of the issue.⁵

However, left like this the deliberative model is radically insufficient. No system resting its justification upon the principle of political equality could rightly countenance the denial of the right to vote, however ill-informed an individual's preferences might be judged to be. Deliberative forums like deliberative polls increase enlightened understanding (and with it, effective participation) for a *democratic* purpose: at best, they make votes *make sense*. Note too – they make *votes* make sense. In no way can they reasonably be seen as a substitute for voting as an aggregative device.⁶

Although deliberative theorists generally concede the need for formal voting in the last instance (e.g., Cohen 1989: 23), voting and elections are subsumed by deliberationists under the 'aggregative' model of democracy. The 'aggregative' approach, discredited in deliberative eyes, centre-stages the principle of formal and universal equality and cashes it out as formal voting equality. More strictly in Dahl's terms, it stresses *equal votes*, and up to a point *equality in agenda-setting* powers and in *inclusion* in collective decision-making. This aggregative model is standardly presented as a black-and-white contrast to the deliberative model, with one model unambiguously good, the other bad. However, this argumentative strategy importantly involves the implication that the deliberative model is *self-sufficient* – that deliberation of a certain sort could indeed be the only institutionalized ingredient that really matters in an ideal, functioning democratic system.

Voting (and the principle of universal votes of equal value) remains much more critical to any model of democracy with pretensions to completeness, practicality and political legitimacy than deliberative democrats will readily acknowledge.⁷ This can be argued on grounds of (1) closure, (2) inclusion, and (3) capacity. First, there cannot be any confidence that any of the types of deliberation proposed by different deliberative democrats, in any of the forums they cite, laud or envisage, can always produce a consensual outcome that can be discerned and expressed in a mutually acceptable manner without the need

for activating a formal, quantitative, aggregative device – voting on the basis of political equality. Second, any deliberative persistence in neglecting ‘aggregative’ mechanisms stands in danger of being rightly accused of quite bluntly anti-democratic exclusionary views. If deliberation is all, what is to be done with the participation rights of those who persist in having non-deliberative preferences, whatever they may be exactly (see the discussion in Offe 1997)? If voting is retained as a necessary evil, are these recalcitrants to be denied the vote? Some writers have picked up the barely latent exclusionary threads in deliberative literature and run with it (see Bell 1999), but that remains marginal in the literature.

On the third point, the deliberative focus on enlightened understanding quickly spills over into the necessity of endorsing equal votes. Stressing above all the capacity or the potential for citizen enlightenment under appropriate deliberative circumstances leads all types of deliberative democrats, by the force of their own logic, to a blanket respect for the deliberative potential and the enlightenment potential of *all* citizens. Fishkin’s approach to deliberative polls, for example, implies a strong respect for the (latent) capacities of ordinary citizens, and ultimately a desire to encourage a more enlightened understanding of politics and political issues. Cohen, Bohman and others stress the importance of preferences being transformed, rather than merely aggregated; and transformed into something reflecting a more enlightened understanding (of issues, and of others’ views and what motivates them) by citizen-deliberators. How else would deliberation add to the democratic legitimacy of decisions, as claimed?

It should be clear that deliberative democrats have stressed approaches to and devices for democratic deliberation that fill out and extend (in particular) the criterion of enlightened understanding. Dahl, as we have seen, easily asserts the claims of each citizen as to laws, etc, as ‘equally valid’. The deliberative wave of writing has provided strong reasons for us to think twice about this claim. An ultimate equal and formal validity, yes; but much (reasonably open, accessible, public) prior debate, in various forums and sites and with various participants, is critical to the achievement of levels of intersubjective knowledge and awareness of the interests and views of others that will underpin the reasons for defending such equal and formal validity on all fronts. To this extent, we can say that democracy does indeed require a variety of well-established deliberative devices, public and private, circumscribed and uncircumscribed, if its outcomes are to be consistently meaningful and compelling.

It is these strengths of deliberative conceptions that underline its *limitations* as a self-sufficient, adequate theory of democracy on its own. This readjusted perspective on Dahl’s criteria deepens the importance of accepting as central the *other* criteria too; the ones deliberative theorists tend to set aside. This goes

for agenda-setting as much as equal votes and inclusion. The great faith deliberative democrats show in the reasoning and comprehension capacities of (in principle) all citizens may have implications for extending formal opportunities for all citizens to engage in effective agenda-setting, for example. If we are all in principle capable of participation in the making of decisions, are we not also capable of taking roles in deciding what needs to be decided by our collectivity? Deliberative devices are not good at *initiating* issues, but have a clear and vital role to play once agendas are set (see Dahl 1997). This observation brings us neatly to turning the focus on direct democracy. I shall argue that devices of direct democracy, such as the citizens’ initiative with respect to agenda-setting, is indeed a strong implication arising from Dahl’s criteria – stronger in fact for the deliberative underlining of respect for citizen capacities. As with the discussion of deliberation, the argument takes Dahl’s criteria as read in a skeletal way, but seeks to draw out important practical implications that do not themselves appear in Dahl’s own work.

5 Referendum, citizens’ initiative, and the democratic criteria

Dahl is clear on the strength of the requirement for each of the five criteria: “each [of these criteria] is *necessary* if the members ... are to be politically equal in determining the policies of the association” (1998: 38). Note, first – ‘decisions about its *policies*’ [my emphasis]. In the plural the term can only reasonably be taken to mean views on discrete or separate issues. Dahl implies that separate, discrete and formal endorsement of separate, discrete policies proposed is a fundamental requirement of the democratic process, and in its turn of the principle of political equality. This point is underlined further with his comments on his fourth criterion – ‘control of the agenda’. Dahl elucidates this criterion by saying that “The demos must have the exclusive opportunity to decide how matters are to be placed on the agenda of matters that are to be decided by means of the democratic process” (1989: 113). This, he says, requires ‘final control’ or ‘final say’ by the demos on the shape of the political agenda. In the strongest formulation in *On Democracy*, “The members must have the exclusive opportunity to decide how, *and, if they choose, what* matters are to be placed on the agenda” [my italics] (1998: 38).

Further, in defence of the criteria in general, Dahl states that “each is necessary if the members ... are to be politically equal in determining the policies of the association. To put it in another way, *to the extent that* any of the requirements is violated, the members will not be politically equal” (1998: 38).

What preliminary conclusions might we draw about institutional requirements that follow from the criteria? Alongside the requirements arising from consideration of how deliberative forums can promote enlightened

understanding and effective participation, we can argue on the basis of a brief exploration of the criteria that:

- the right to equal vote ought not too hastily be taken to mean merely a vote for candidates in an indirect system. The criteria strongly imply that democratic citizens have a right to a formal, paradigmatic say on discrete policies; this implies the necessity of mechanisms allowing direct registration of citizens' preferences with respect to those policies on a continuous basis; in institutional terms, this implies in turn the necessity of at least some of:
 - (a) direct, face-to-face *assemblies* of citizens for deliberation and decision,
 - (b) an equivalent to face-to-face assemblies conducted by 'virtual' means, or
 - (c) *referendums* in which citizens record directly – and decisively – their preferences on issues;
- control of the agenda implies that citizens cannot rest content with voting on issues that are placed on the agenda by influentials (such as a government?) who are better placed to do so. Issues must at least be facilitated from the bottom up as well as from the top down. This implies the use of the *initiative* device as a trigger for (at least some) referendums. Further, control of the agenda implies that both representatives and constitutional provisions within a democratic association be subject to (respectively) *recall and revision* requirements.

In short – and to put the point too bluntly for the moment – on *this* account democracy requires a range of quite direct democratic devices or mechanisms – certainly the initiative, recall and policy referendums, possibly face-to-face local assemblies (cf. Barber 1984) – in order to live out the full meaning of its creed. Putting these initiating, recalling, directly decisive powers in the hands of all citizens raises, of course, the issue of the knowledge, engagement and other-regardingness of 'ordinary' citizens. It is precisely at this point where we would turn to the upshot of the earlier discussion of deliberative democracy. To fulfil each of Dahl's criteria, in principle a system needs both deliberative and direct mechanisms; the two are mutually implicative within a critical view of those criteria.

6 Real and ideal, representative and direct

But is this view too idealistic? Does it set aside representative democracy as a more familiar, 'realistic' model? I have argued that deliberative and direct democratic perspectives, though partial in themselves, provide strong reasons for us to enrich conceptual and institutional aspects of Dahl's influential criteria for democracy – even as we work within the latter. Given the radical range and mix of political mechanisms I have argued arise from deliberative and direct engagement with the criteria, it is important to remind ourselves

that Dahl himself takes his criteria in a quite different direction – to *polyarchy*.

It is worth emphasizing that 'direct democracy' does not mean unmediated, constant popular voting on any and all issues, along with the virtual abolition of the state or state-like structures beyond the machinery of implementation. Budge helpfully distinguishes unmediated from mediated forms of direct democracy; in his view, parties still play a prominent role in the latter, and parliaments and elections continue to exist in familiar forms. The major change, in this view, if we move towards direct democracy is that the citizenry gets to vote directly on issues – whether initiated from the bottom up or the top down – in a range of binding referendums (see Budge 1996). Even if we start with ideals rather than adaptations of existing practice, by starting with direct legislation we rapidly deduce the need to foster an array of 'indirect' institutions in order to facilitate the operation of the referendums, the initiative, etc. In this sense, any practical advocate of direct democracy has to take on board the need for elected chambers of representatives, and an array of administrative and enabling bodies for it to oversee (Saward 1998). None of this ought to be controversial – direct democracy, like any more or less effective political system, has to be constituted; consequently, it requires a range of secondary institutions which are necessary to the functioning of its primary mechanisms.⁸

So, even if we start from a strong assumption of direct democracy (or indeed deliberative democracy), to make that work we quickly end up with an array of (often familiar) representative or otherwise indirect institutions. The best accounts of both direct democracy and deliberative democracy do not *oppose* representative models in any hasty or absolute manner; rather, they seek to renew and revive representative institutions in line with their most pressing ideal. Thus, for example, deepening deliberative opportunities and capacities among elected and other representatives is a key thread in recent writing (see Eckersley 2000).⁹

Fine, one might say to this. Dahl's familiar criteria do have quite extraordinarily radical implications for how we ought to understand democracy, and can be enriched considerably by deliberative and direct institutional perspectives. But surely these are *ideal* criteria; they are not meant to describe real-world democracy? The radical democracy of the criteria, with its focused, microcosmic deliberative forums and its citizens' initiatives and direct voting, is suitable to associations very different, in size at least, from modern nation-states (or beyond them, regional structures like those of the EU). Is this not the way Dahl treats the criteria himself – and with reason?

Dahl makes it clear that, to a reasonable degree, the five criteria are realised by various institutions of polyarchy (see Dahl 1989: 222). I suggest, however, that we should not accept the move from the criteria to polyarchy so easily, on methodological and other grounds.

Dahl begins with a highly abstract set of conditions defining a political order, then deduces in turn 'assumptions justifying a democratic political

order' and then the five criteria. The problems arise at the next level of analysis. In essence, Dahl does not do what the logic of his own deductive methodology suggests, namely *to consider which institutions follow from the criteria* (I have suggested above key instances of such institutions, both direct and deliberative, as implied in my view by the criteria). In a key passage Dahl writes that, inevitably, whenever democratic ideas are applied to the real world, actual democracy falls significantly short of ideal standards. For example, the criteria for the democratic process

... have never been fully met and probably cannot be. What level of approximation are we to regard as in some sense satisfactory – sufficiently satisfactory, let us say, so that we may reasonably call some actual system a 'democracy' (1989: 117)

He then goes on, almost immediately:

... an important threshold of democracy has been attained by a significant number of modern countries, as evidenced by a specific set of political institutions which, taken together, distinguishes the political system of these countries from all 'democracies' and republics prior to the eighteenth century and from all 'nondemocracies' in the contemporary world. Although these countries are ordinarily said to be 'democracies', I will refer to their systems ... as polyarchies (1989: 117).

Here, Dahl assumes that the institutional configurations achieved by 'polyarchies' *embody* the maximum feasible present-day attainment of the theoretical criteria. But he has done this by missing a critical stage in the analysis as he himself sets it up – consideration of that institutional configuration arising *from the criteria themselves*. As my previous comments suggest, missing this stage in the analysis wrongly prevents us from even considering a range of (feasible, in-existence, even familiar) institutions such as citizens' juries and deliberative polls, the referendum, the initiative and the recall. The omission is especially troubling given (a) the 'necessary' character of the criteria, and therefore (b) the need to take very seriously institutions directly implied by the criteria and therefore, in turn, 'more democratic' than the limited set of institutions under the name of 'polyarchy'.

Further, we are given no real explanation of why *polyarchal* institutions constitute that set of institutions that are "necessary to the highest feasible attainment of the democratic process in the government of a country" (1989: 222). Dahl writes that there are three ways in which "we can reasonably determine what political institutions are necessary for large-scale democracy" (1998: 84). We can look at what institutions democratising countries actually did adopt; look at what institutions exist in countries commonly called 'democratic'; or conduct a hypothetical experiment concerning what institutions would be necessary (1998: 84-5). Without further explanation, Dahl writes that: "Fortunately, all three methods converge on the same set of

democratic institutions" (1998: 85). These are the seven institutions of polyarchy: elected officials, free, fair and frequent elections, freedom of expression, access to alternative sources of information, associational autonomy, and inclusive citizenship (1998: 85-6).

Not a single element of the direct democratic institutions implied by Dahl's criteria survive to become part of his criteria of polyarchy. Democracy is purely indirect; now, officials make all the decisions, and elections are the key mechanisms. Deliberation to foster enlightened understanding and effective participation is left more to chance than 'designed-in'. Now, the criteria of 'effective participation' and 'control of the agenda', for example, are satisfied merely by the existence of 'elected representatives' (1998: 92).

In my view, if Dahl had actually *pursued* one of his strategies – to hypothesise over feasible institutions arising from his own criteria – he would not have restricted himself to the institutions of polyarchy, but would have considered – as a central part of his task – mechanisms such as referendums, initiative and recall on the one hand, and microcosmic and other deliberative devices on the other.

The question of *scale* lies at the heart of the problems in Dahl's analysis. He overlooks forms and mechanisms of direct democracy by, for example, wrongly assuming that direct democracy *can only mean* face-to-face, assembly democracy. Direct democracy is discarded because city-states are no more. Note well that this is no accidental overlooking; the imperative of Dahl's historical-empirical approach to polyarchy, and therefore his following of classics up to J.S. Mill which subsume direct democracy under assembly democracy, impels him in that direction:

Once the locus of democracy shifted to the national state, the logic of political equality, now applied to countries enormously greater than the city-state, clearly implied that most legislation would have to be enacted not by the assembled citizens but by their elected representatives (1989: 216)

The 'consequences' of scale are too readily assumed rather than argued. Direct democracy need not, of course, be face-to-face democracy; it does not depend upon the capacity of the members of the political unit to gather together in one place to make decisions.

Interestingly, Dahl does consider various reforms that might extend or deepen democracy in polyarchal systems, as the radical democrat of the mid-1980s onward critiques the polyarchal democrat prior to that. The most notable reforms are the democratisation of economic enterprises – this admittedly a long-term Dahl interest – and the idea of the minipopulous. The latter, of course, resembles citizens' juries and deliberative polls, as a microcosmic representative device focused on issues at different levels of the political system. But as it does not get mentioned until page 340 of his 341-page classic text – *Democracy and its Critics* (1989) – it can hardly be said to

occupy centrestage in the theory of polyarchy. And the absence of broader consideration of deliberation linked to the democratic criteria leaves plenty of space to go much further, as I have tried to show above.

7 Making democratic connections

Let us consider the argument so far. Using Dahl's five criteria for a democratic process as a baseline, I have set out ways in which devices of both deliberation and direct decision are (to use the over-precise language of analytic philosophy) necessary but insufficient to a well-rounded conception of democracy. Deliberationists and direct democrats both offer quite particular, and quite compelling, interpretations of political equality, the principle that lies behind Dahl's criteria. But this very particularity is both a strength and a weakness in each case – each model has tended to be constructed in a way that sets aside core aspects of political equality that are in turn vital to a well-rounded, three-dimensional conception of democracy.

Subsequently, I argue that the two models are mutually implicative in ways that both map onto Dahl's criteria and extend our conception of the matrix of institutions we might expect the criteria to prompt. Among other things, direct mechanisms can enact the positive view of citizen capacities strongly implicit in deliberative conceptions; and opportunities for genuine deliberation can help us to respond to scepticism about the institutionalisation of popular power in the first place.

Let us finally lift our eyes from these models and look briefly at possible implications for democratic institutional design. If we look for creative, practical syntheses of democratic devices we can think of sequences of devices designed so as to invoke values and incentives in political actors in specific settings. For example, favoured devices beloved of direct, deliberative, liberal and ecological democrats – respectively, say, the initiative and referendum, deliberative poll, judicial review based on bill of rights provisions, and an environmental defenders' office¹⁰ – we can think through the ways in which considered orderings of these devices in decision procedures may enact a rich array of meanings of core democratic principles.

Consider one highly stylized possibility, the general form of which is: *initiative – delay – deliberation – referendum*. This sequence could be spelled out in a variety of specific ways. One possibility would be as follows: a citizen's initiative, in which approximately 2% of signatures in a constituency can place a question on the formal political agenda for resolution – a period of open discussion via the media and various civil forums in which formal institutions and decisions do not figure – a period of focused deliberation in more formal settings of the question, which may take the form of deliberative polls, representative

parliaments and local government forums – a popular referendum resolves the issue if it passes a majority in the key deliberative forums.

Clearly, even the specification lacks much detail – not to mention the wholly acontextual account offered here. Nonetheless, treating this as an ideal-typical construct, we can say that crucial democratic principles are invoked in a variety of ways in the sequence. The direct devices (initiative and referendum) enact formal interpretations of political equality as agenda-setting and inclusion, for example. The deliberative device enacts equality more in the sense of 'enlightened understanding'. But note that the upcoming delay period (enabling scrutiny of proposals) and the use of the microcosmic and other deliberative forums creates incentives back at the first stage not to initiate policy proposals onto the political agenda which can only be defended in terms of narrow self-interest. Cynical effort to use the citizen's initiative to bring onto the agenda narrowly sectional concerns is likely to founder in the mandated moments of deliberation built into the procedure (however else they differ, the necessity for successful appeals in genuinely deliberative forums to appeal beyond reasons of narrow self-interest is common to the accounts of deliberative theorists). Thus, combining certain devices of varied provenance into a common collective decision sequence appears to offer highly promising ways to capture the variety and richness of meanings of a principle such as political equality.

8 Conclusion

Deliberative democrats have dismissed direct democratic devices out of hand, often either without consideration at all, or on logically or factually dubious grounds (Cohen 1989, for example). Direct democrats are strongly skeptical of deliberative emphases, too (Budge 2000). The use of direct devices is being extended in countries such as Australia (Williams & Chin 2000) and the UK, and, of course, has long operated in Switzerland, and several states of the USA, in particular (Butler & Ranney 1994; Budge 1996; Cronin 1989). Proposals for 'corrective referendums' enabling voters to change legislation through direct voting have been on the verge of becoming law in the Netherlands. Deliberative devices are becoming more prominent, too. Citizens' juries play an actual role in decision-making in the UK, and close equivalents do likewise in Germany and in Scandinavian countries (Smith 2000), while deliberative polls have been deployed as part of real sub-national decision-making contexts in the USA and have the potential to be used much more in this respect (Fishkin and Luskin 2000). In the countries of the rich (conceptual) North, at least, my argument to make democratic connections can join a widespread and highly practical dialogue about how democracy might be deepened in countries that otherwise count as longstanding and stable, liberal democratic systems.

Notes

1. Earlier versions of this paper were presented at the conference on 'Deliberative Democracy' at the University of Texas at Austin, February 2000, and at the ECPR Joint Sessions, Copenhagen, April 2000. I am grateful for the constructive comments of participants at both events.

2. These conceptual and institutional criticisms are of course blanket assertions about a varied literature. Stylised representations of positions and critiques are necessary if we are to get to grips with core arguments here; though clearly some authors' positions would be less vulnerable in principle to objections along the lines of these two criticisms.

3. In *After the Revolution?* (1970), Dahl considers direct democracy, one of my key concerns here, more than in later works. However, the present discussion is based on the assumption that his later and more detailed texts, notably *Democracy and its Critics*, represent Dahl's definitive views.

4. See Young (1997) for the view that 'difference', as constituted by the complex effects of social structures, can be seen as a positive 'resource' for deliberation across such uncircumscribed groups. See also Dryzek (2000) for a discussion of cross-border discursive networks.

5. See, for example, Popkin and Dimock (1999) for an optimistic view, and Fishkin and Luskin (2000) for a critique.

6. John Dryzek is alone among prominent deliberative theorists in that he aims at a "logically complete deliberative alternative to the aggregative idea that public opinion is transmitted to government through voting that registers preferences" (2000: 50).

7. Przeworski exaggerates only slightly when he writes that "deliberation theorists ... wish away the vulgar fact that under democracy deliberation ends in voting" (1998: 141).

8. Some quite ingenious arguments fall by assuming the logical or empirical separability of direct and representative democracy. Consider the problem of 'expressive voting'. Brennan and Hamlin (1999) argue that representative forms of democracy are clearly superior to direct forms because representatives have an incentive to act virtuously, and, therefore, to offer policies that are closer to the public interest than direct voting can produce. According to this view, under direct democracy voters cannot choose or effect outcomes, but they can choose for whom or what to vote. As a result, votes will be 'expressive', based largely on 'particular enthusiasms' and 'prejudices' (1999: 119). When electing representatives, on the other hand, we can detect and will vote for candidates of relative virtue. Further, candidates are responsible for the policies they adopt, whereas no one is responsible for direct democratic policies (1999: 125). In the end, "... there is a clear, first-best argument for representation that is grounded in the expressive account of voting" (1999: 125). Here, I would argue that Brennan and Hamlin perpetuate the unsustainable view that representative and direct democracies are mutually exclusive types. Further, a key part of their argument is the claim that "voters have a systematic tendency to express support for candidates who are perceived as having more rather than

less civic virtue" (1999: 120). But why could we not equally say 'policies' instead of 'candidates'? Is it so different, especially if we adopt the view (as surely we must) that political and other influentials will line up as promoters and advocates of different policy positions in a referendum, thus taking advantage of Brennan and Hamlin's own point that "the extent to which persons are virtuous is detectable by others" (1999: 120)? Even without this, the assumption that information costs are greater with respect to detecting virtue in policies compared to candidates is (at least) under-defended.

9. There are different approaches one might take to marrying direct, deliberative and representative elements. The idea of 'directly-deliberative polyarchy' advocated by Cohen and Sabel (1997) is of interest here, and it is worth pausing a moment. Their model underlines the usefulness of promoting deliberation in a way that finds strong middle ground between circumscribed and uncircumscribed variants – by focusing on deliberation in existing and emerging local communities, but formally constituting the debates and discussions so as to provide them with a genuine role in real-world problem-solving. The ways in which the roles of traditional liberal-democratic institutions would need to adapt to facilitating decision-making by and among local communities displays an impressive grasp of the implications for political systems as a whole in the effort to foster deliberative decision-making. However, as in Cohen's earlier work (1989), direct democratic mechanisms are ruled out of their directly-deliberative polyarchy by their accepting a common misunderstanding. Cohen and Sabel explicitly contrast 'directly-deliberative' with 'representative-aggregative' conceptions (1997: 317). Further, the problem of size gets in the way of instituting (what is for them) direct democracy – 'assembly democracy' (1997: 317). Direct democracy is more than just decentralisation or participation – just doing it locally does not mean it is direct democracy. Formal direct democracy involves aggregation – uncoupling Cohen and Sabel's false oppositions. This in turn means extensive use of the referendum and related devices – or so I have argued. And if 'polyarchy' is to be employed, it is as well to delve at least partially into the supposed roots of the idea in Dahl's account, as I have attempted to do briefly above. In short, Cohen and Sabel's account offers a vision that is interesting and provocative, but in its present form it lacks the depth of democratic character they want it to have by not taking on board sufficiently the baggage that comes with the 'direct' part of their equation.

10. See Eckersley (2000) for an ecological-democratic advocacy of the idea of an Environmental Defenders' Office.

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