Deliberative democracy

The challenge ahead for deliberative democracy: in reply to Weale

Michel van Eeten

If new democratic practices are more important for increasing the deliberative capacity of a political system, rather than the level of political participation, as Weale argues, then proponents of deliberative democracy have to address a critical missing link in their thinking. Rather than blaming vested power interests for the lack of influence of the new democratic practices, the proponents themselves have to answer how the outcomes of these practices can be understood, captured and transferred into wider political processes. In the absence of such an answer, blaming vested power interests is little more than an admission of weakness of an intrinsically flawed school of thought.

Nothing is automatic about public participation on science and technology issues. Weale captures the point nicely when he states that “extending consultation is likely to be more important for its effects on the deliberative capacity of a political system rather than its level of political participation” (his italics, this issue, page 418). Unfortunately, too many initiatives for public involvement in such policy issues are legitimated with little more than the fact that different stakeholders are participating and expressing their views. As Weale argues convincingly, little in such practices is democratic by sheer virtue of participation alone. The deliberative element in these initiatives, while often acknowledged, is just as often not capitalized upon and is lost at the end of the day.

My reply argues that repeated displacement of deliberation by participation is a core problem undermining the wider use of deliberative practices and needs to addressed. Paradoxically, for public involvement to be deliberative, we need analytical tools, commonly associated with ‘the experts.’ With those tools in hand, including the public’s hands, we can then confront the conflicting principles and moral values that Weale and many others say challenge science and technology policy.

‘Missing link’ of deliberative democracy

A vein of self-destructiveness runs through the schools of thought usually referred to as ‘deliberative democracy.’ The self-destructiveness stems from the fact that its proponents have problems understanding the preconditions for deliberative democracy’s own success. One grave complaint

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of the proponents is that the success of deliberative practices is held back by political decision-making processes — or, to put it differently, the problematic coupling between deliberative practices and collective decision making (Hajer, 2000, page 32).

More often than not, the explanation for the lack of success is sought out in the political economy of “democracy in capitalist times” (Dryzek, 1996), one such argument being that ‘the powers that be’ are not responsive to the views of citizens, that vested interests determine decisions and the deliberative process is window dressing. This argument has been particularly cogent in the Dutch context where academics and stakeholders alike tried to explain why recent, large-scale deliberative processes around major infrastructure decisions (the expansion of Rotterdam Harbor, the expansion of Amsterdam Airport Schiphol, and the development of the National Transportation Plan) failed to leave any recognizable imprint on subsequent decision-making processes (see, for example, Klijn and Koppenjan, 2000; van Eeten, 2001).

While undoubtedly true in many respects, the argument glosses over the role that the proponents of deliberative democracy themselves play in these and similar failures. This reply suggests that proposals for deliberative democracy are closely related to direct and substantive forms of democracy and consistently have had conceptual and practical problems linking the outcomes of deliberative practices to other democratic processes in the wider political environment. Without the link, attempts to establish deliberative practices create the preconditions for their own failure, not success. The reply further suggests that policy analysis, particularly discourse analysis, has much to offer in providing this ‘missing link’ of deliberative democracy.

### Coupling direct and indirect practices

Recent experiences with what has been called ‘interactive policymaking’ in the Netherlands and elsewhere have made the missing link painfully clear. In many cases there was a problematic coupling of the often ad hoc deliberative practices to the well-institutionalized processes of representative democracy (Weggeman and de Jong, 2000).

Deliberative democracy as a position of praxis and theory has arisen in large part as a response to the problems of representative democracy, the latter having suffered many years of bad press. The “standing for” or “acting for” function (Pitkin, 1972) of political representatives has been interrogated and problematized on many fronts. Participatory approaches attempt instead to strengthen democracy by giving citizens direct access and influence in policy making. They seek to introduce forms of direct democracy into an existing representative democracy, de facto creating hybrid forms of democracy.

Much attention has been focused on the tensions between direct and indirect forms of democracy. Many initiatives, at the local through national levels, have struggled with the question of whether to involve political representatives in the deliberative practices, and if so, at what stage, in what role and under what conditions (Klijn and Koppenjan, 2000).

The dilemma has proved vexing. Involving representatives runs the risk of turning a potentially rewarding process of exchanging and developing policy arguments into a political front-stage performance that reinforces existing positions, especially as media pay closer attention once politicians are participating. Furthermore, participating politicians are in a peculiar position because they are understandably wary of making any commitments or taking on any position that preempts their role in the formal democratic process, including parliamentary deliberations.

The other side of the dilemma — not involving political representatives — raises its own complications, most notably the risk that the deliberative process fails to leave any recognizable imprint on the formal democratic process, thereby leading many participating stakeholders to question the legitimacy of both. Much of this is familiar ground to the reader.

Equally familiar are the confounding tensions between instrumental and a substantive views of democracy. The substantive view sees democracy as a value and goal in itself. Democracy is the fundamental process that transforms people into citizens who are actively, openly, and responsively involved in public policymaking. Interaction and discussion take place between equal citizens without the domination of existing institutions (Dryzek, 1990; Habermas, 1979).

The instrumental perspective, on the other hand, approaches democracy mainly as a procedure for decision making, as a means for reaching agreement on governmental interventions, “the authoritative allocation of values” according to Easton’s (1965) classic definition. A crucial element in the instrumental view is how preferences, wishes, and ideas are translated into policy. This of course can be done through a representative or more direct system of democracy, but, as stated before, serious doubts...
exist over representatives’ ability to translate citizens’ interests and preferences into enduring policy. In response, a core part of the agenda for deliberative democracy has been to enable superior ways for citizens to develop and articulate their preferences, which should in theory lead to better, that is, more democratic, policies.

The more general point is that the ideas of deliberative democracy are closely related to direct and substantive forms of democracy, while their success critically depends on the coupling of such deliberative practices to indirect and instrumental democratic processes. It is this link which is by and large missing from both theory and practice.

Experiences over the last few years with deliberative practices in representative structures have called for new ways to conceptualize the link, and indeed we find them in the current literature. Interestingly, their common denominator is that they point to the substantive dimension of deliberative practices, which brings us to the role of policy analysis as expert advice.

Problematic nature of ‘outcomes’

In a state-of-the-art conceptualization of the link between deliberative practices and collective decision making, Hajer (2000, page 32) places the burden of proof on the latter. The litmus test as to whether the collective decision-making process constitutes a legitimate form of governance is whether the decision or vote is based on “substantive reasons and on a well-reasoned rebuttal or confirmation of arguments that have been advanced in the societal debate” (original quote in Dutch, translation by author). When the representative political process fails the litmus test, it loses legitimacy and can rightfully be blamed for the failure of deliberative democracy, in Hajer’s eyes. Klijn and Koppenjan (2000, page 380) argue along the same lines:

“In the end [successful coupling] does not have to mean that proposals come through the formal procedures completely unchanged. What matters is that the interests, expertise and considerations that are articulated in the interactive process are being used in the formal decision-making procedures.”

The Achilles heel of both comments is their assumption that the ‘outcomes’ of the deliberative process are, or could be, clear, at least in important respects. In most cases, they are not. Take the fairly recent deliberation exercises associated with the development of the Dutch National Transportation Plan (van Eeten, 1999a), the expansion of Amsterdam Airport Schiphol (van Eeten, 2001) the new national spatial planning policy, and the expansion of Rotterdam Harbor. The documentation associated with these exercises measure in cubic meters.

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The deliberations for the National Transportation Plan, as an example, involved over a hundred participants resulting in an excess of 65 documents on eight very different themes. These documents were exceedingly varied in structure, goal, authorship, information covered and relation to the deliberative process. There is nothing self-evident about how this variation can be understood, how it can be represented or how any collective decision-making process can be held accountable in terms of criteria such as whether it is based on “substantive reasons and on a well-reasoned rebuttal or confirmation of arguments that have been advanced in the societal debate.” This might be just an interesting academic problem, if it were not the case that practitioners in the government bureaucracy are being scrutinized, evaluated, and routinely criticized with respect to meeting such multifarious standards.

Faced with so much variation, proposals that assume clear outcomes from deliberative democracy fall dangerously short for praxis and for theory. The crux of the theoretical problem is that nobody has yet provided an approach, let alone an answer, as to how to process this variation. On the contrary, the Habermasian legacy for deliberative democracy has been that any processing or other manipulation of results of deliberative practices using analytic or bureaucratic procedures must be treated as suspect and undesirable — all to approximate that Holy Grail, the ‘herrschafffreier Diskurs’ (ideal speech situation).

While mistrust in institutions is justified by a wealth of evidence on technocratic domination and distortion of democratic processes (for example, Fischer, 1990), few if any commentators seem prepared to address the rising mistrust in a deliberative democracy that does not have a theoretical and practical approach to how to process variation in outcomes along multiple, cross-cutting dimensions. Just how do you participate your way into outcomes that are clear, or at least clear enough for the participants involved and for the policies that follow? The proponents of deliberative democracy have by and large been silent on this, which again takes us back to the original point about a deliberative democracy that creates the conditions for its own failure.
Conclusion: example of discourse analysis

What then are the means for translating variation in deliberation into collective decision making, or if you will, for rendering participation more policy relevant? What forms of analysis exist to capture as well as process the variation generated in deliberative practices?

I have only enough space to suggest an obvious candidate. Discourse analysis immediately suggests itself as one fairly sensitive approach to assessing and evaluating the many different voices and stories arising out of public participation and consultation processes. If we are better able to articulate the discourses that matter in public controversies, we can bring out the principled moral questions that Weale suggests are often begged in public participation processes.

In recent years, Q methodology as a form of discourse analysis has received increasing attention in the policy analysis community for its ability to uncover and represent stakeholder positions and their interrelations (Durning, 1999; Lynn, 1999; Pelletier et al., 1999; Steelman and Maguire, 1999; Weimer, 1999; van Eeten, 2001). The method has proven to be fruitful in capturing rich understandings of stakeholder views and positions, making the method an important tool for deliberative democracy, as already recognized a decade ago by Dryzek (1990).

Q methodology condenses the variation of views, opinions and ideas into a set of basic positions, problem definitions or dimensions underlying the debate. It does so without destroying the variation in the process in the way that, for example, some surveys do. Neither does it have the drawbacks of open qualitative interview techniques, which often end up reproducing pre-defined categories from experts or stakeholders. Of course, Q methodology is not the only form of discourse analysis that can capture the dimensions and outcomes of deliberative practices (for a related methodology, see Roe, 1994).

Case studies with which I am familiar demonstrate how discourse analysis can operationalize proposals of proponents of deliberative democracy for coupling deliberative practices to collective decision-making processes. Nothing in the deliberative process, however, a priori entails discourse analysis as a form of analysis, deliberative or otherwise. For that to happen, outsiders have to be called in to identify a procedure which, in effect, functions as a double-edged sword — by providing practice with the means to capture the variation of ideas, positions, problems and solutions voiced in the deliberations, and then by providing the means to hold policy more accountable in terms of how it represents and addresses that variation. Both functions are crucial, given Weale’s point about the underlying importance in these deliberative initiatives of deliberative capacity rather than political participation.

Finally, Weale is surely right to problematize the supposed opposition between science advice and public deliberation. If the above argument is right, the more potent contemporary oppositions are science versus science embedded in public versus public (van Eeten, 1999b). The issues over which values and facts conflict are often precisely those over which citizens and scientists differ among themselves. As any policy analyst will tell you, ill-structured problems always put a premium on analysis.

References


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