

## **Democratic Deliberation Procedures : Theoretical and Practical Issues\***

**Abstract :** In contemporary political philosophy, the focus of the most important controversies is on the deliberative model of democracy. These controversies concern not only the theoretical problem of providing the best justification for a deliberative model of democratic legitimacy, but also the practical problem of designing the best deliberative procedure that will secure the implementation of deliberative democracy. In this paper I will present and analyze some of the most important deliberative designs: deliberative polls, citizens' juries, consensus conferences and planning cells. I argue that these deliberative events can have a significant impact on the political behavior of a democratic community. However, I explain that all of them have only a limited influence on the policy-making activities in local and central governing structures. This is the reason why I believe we could only supplement and never fully replace the traditional aggregative procedures of democracy (voting and bargaining) with a deliberative design.

**Key words :** deliberative democracy, deliberative polls, citizens' jury, consensus conferences, planning cells.

The main objective of this paper is to present and analyze the basic features of four deliberative designs – deliberative polls, citizens' juries, consensus conferences and planning cell. I will also analyze the attempt of Lyn Carson and Janette Hartz-Carp, to combine and adapt several deliberative procedures in order to overcome the limitation of each of them. In the final section, I will underline the virtues and the limits of these designs and I will emphasize some problems concerning the implementation of deliberative democracy, in general.

### **1. Deliberative Polling**

One of the most important deliberative procedures is the deliberative polling designed by Jame Fishkin. In the article *Deliberative Polling : from Experiment to Community Resource*, James Fishkin and Cynthia Farrar present the theoretical and the practical issues concerning the transformation of this

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procedure from a thought experiment to a democratic practice in different communities in the United States and around the world.

They define the deliberative poll as „a poll of citizens before and after they had the chance to arrive at considered judgments based on information and exposure to the views of their fellow citizens” (Fishkin, Farrar, 2005 : 68). Fishkin and Farrar argue that the deliberative poll is a distinctive form of public consultation that combines two key values, political equality and deliberation, understanding by *political equality* the equal consideration of everyone preferences, and by *deliberation* a process of discussion in which people weigh competing arguments on their merits.

In their opinion, for a quality deliberation there are four standards that should be met:

- (a) *Completeness*: the extent to which arguments offered on one side of an issue are answered by arguments from another side that are then answered in turn;
- (b) *Information*: the extent to which information that people employ is reasonable and accurate;
- (c) *Consciousness*: the extent to which people participate with the aim of deciding the issue on its merits;
- (d) *Diversity*: the extent to which those who deliberate represent the diversity of viewpoints in the relevant population.

Understanding the fact that the complete fulfilling of these standards is practically impossible, they affirm that the standards should be satisfied to a reasonable high degree, by providing accurate information, materials, experts and a climate of mutual respect.

A deliberative poll is a form of political consultation that requires organizing skills and financial, human, civic, political and media resources. It presupposes support and expertise from groups such as local and national financial institution, civic associations, universities and media (Fishkin, Farrar, 2005 : 71-72).

The participants to such an event are randomly invited, usually through a process of random-digit dialing or by the sending of a letter to a random sample of a phone listing followed by phone calls, ensuring the fact that the sample does not include only the people that are the easiest to reach. The structure of the poll includes the administration of a initial and a final survey to evaluate the changes in the political opinions of the participants, small-groups discussions moderated by trained facilitators and plenary sessions organized for the propose of consulting a group of experts in the field. Usually, the deliberation process lasts for two days and consists in face-to-face conversations without any formal limits regarding the length, the content or the kind of speech they use. The deliberation process can be connected to local or national policymakers either directly, when participants have the opportunity to express their opinions to policymakers that participate in the debate, or by media coverage, when it is available (Fishkin, Farrar, 2005 : 73-74).

Fishkin and Farrar offer a large range of cases in which the instrument of deliberative polling was implemented. One example is the series of deliberative events that took place in the New Haven metropolitan area, organized by the Community Foundation for Greater New Haven and the League of Women Voters aided by Yale's Institutions for Social and Policy Studies and the Center for Deliberative Polling at the University of Texas. Beginning with the first polling that took place in 2002, the increasing number of participants debated on issues like the future of the regional airport, the sharing of property taxes across town lines, prison overcrowding, and the financing of public schools.

They observed the fact that participants changed their views considerably as a result of discussions and questioning of the paneling experts. For example, as a result of the 2002 debate, only 42 percent of the attendees maintained their opinion that towns should retain control of their own taxes. At the beginning of the debate 80 percent held this opinion. The participation rate has increased from one year to another, many of the attendees declaring that the motive of their participation was the fact that they heard about the previous year's event. In Fishkin and Farrar's opinion, these are reasons to think that the deliberative polling in New Haven area developed from an experiment to a democratic practice (Fishkin, Farrar, 2005 : 69-70).

Another problem that is analyzed is whether this event can be extended to a national or international scale. They mention eleven national polls: two in United States, five in Britain, two in Australia, one in Denmark and one in Bulgaria.

The conclusions of their analysis on deliberative polling are the following:

- (a) Deliberation makes a difference: participant's opinions at the end of the process are significantly different from the initial ones.
- (b) Participants usually become better informed.
- (c) The changes in opinion are associated with learning: those who gain information are the ones who change their view.
- (d) Deliberation improves democracy: participants develop a greater sense of efficiency and engagement and are more likely to continue the learning and participation activities.
- (e) Deliberative public opinion tends to be more collectively coherent and reflectively stable than the attitudes presented as public opinions by traditional polls (Fishkin, Farrar, 2005 : 75-76).

In the final part of their article Fishkin and Farrar present the advantages and disadvantages of national and local polls. In their view, national polls have the advantage of creating a microcosm of the entire country, ready to confront difficult issues, offers an image of the informed and representative public opinion and it is able to influence both the public and the policymakers. The main disadvantage consists in the fact that such a national poll could be very expensive. This problem could be solved by organizing these polls in

cyberspace. But, in such a case, most part of the great moving force of the traditional means of political communication (like television) will be lost. The main advantage of the local polls is that is less expensive and can create social capital: citizens that are able to participate in other deliberative polls, citizens that will involve in the life of the democratic community and will change its character.

In their view, the most important challenge for the future is that of finding ways to adapt, institutionalize and take the deliberative poll to scale, preserving in the same time its defining elements: random selection and systematic exposure to different points of view. They believe that this could be accomplished by the means of a structure that is simultaneously local and national like that of By the People project (Fishkin, Farrar, 2005 : 77).

In the book *Deliberation Day*, coauthored with Bruce Ackerman, James Fishkin tries to extend this design and to create a national public consultation named "Deliberation Day", a new national holiday, which will be held ten days before major national elections. Voters will be called for two days (for which they will be paid around 300 \$) in small groups of 15 and large groups of 500 to discuss the central issues of the campaign. In their opinion, if this design will succeed, then all the members of the political sphere will change to adapt to a more attentive and informed public. And, when the election arrives, the people would vote with a better chance of knowing what they wanted and which candidates were more likely to pursue the popular mandate (Fishkin, Ackerman, 2005 : 6).

However, in my opinion, the attempt to take this design at a national level will not necessarily have the effect of overcoming the problems it faces at a local level. I believe that the quality of deliberation would only diminish and the whole process would risk transforming from deliberation into a general public-speaking process. And the national deliberation will be very expensive without offering any guaranties that the political influence will increase.

## 2. Citizens' juries

Another important procedure of deliberative democracy is that of the citizens' juries. This is a deliberative model developed by Ned Crosby in 1971. He founded the Jefferson Center in 1974, a nonprofit organization based in Minneapolis, Minnesota, with the aim of researching and developing new democratic procedures. Since 1974 the center organized 31 juries in United States and more than two hundred around the world. The main objective was that of creating a high quality deliberation process that will enhance reason and empathy among citizens when they discuss a public policy or when they evaluate political candidates (Crosby, Nethercut, 2005 : 112).

In the article *Citizens Juries: Creating a Trustworthy Voice of the People*, Ned Crosby and Doug Nethercut, present the virtues and the limits of this procedure offering information regarding the structure of a jury, the basic

features, the historical evolution and the future direction of developing this deliberative design. The structure of a citizens' jury contains seven basic elements:

(a) *Microcosm of the community.* To organize a jury, first we have to randomly select citizens so to construct a microcosm of the community: the group of citizens has to resemble the community in terms of age, education, gender, geographic location, race and political attitude. The citizens will be paid for their activities (around 150\$ for every day).

(b) *As large a group as possible, consistent with good deliberation.* The most important aspect was considered to be the high quality of the deliberation so the organizers decided that the plenary session should not include more than 24 people and the small-group discussions should include only four to six citizens.

(c) *High-quality information.* The view of the organizers was that the best available information concerning a problem is that provided by the people who witnessed the fact that was debated. So, they offered the participants the opportunity to question the witnesses directly.

(d) *High-quality deliberation.* The Center offered training for the facilitators in order to secure a good dialogue and to maintain a balance between the objective of ensuring the fact that the discussion is open enough to allow the participants the possibility to express their views and the objective of controlling the discussion in order to avoid the situation in which a juror dominates the debate.

(e) *Minimizing staff biases and avoiding outside manipulations.* They tried to control the body language of the facilitators and offered the jurors the possibility to evaluate staff and to express their recommendations at the end of the process.

(f) *Fair agenda and hearings.* The Center came to rely on outside advisory committees which represented a broad range of view in order to set the agenda of the debate.

(g) *Sufficient time to study the matter.* A citizens' jury is usually a five-day event to ensure that the jurors have enough time to study the issue.

In Crosby and Nethercut view, the main problem that the organizer of a citizens' jury faces is that of structuring the event in such a manner that it can simultaneously secure a high quality debate and have an impact on public policy. This is a difficult task because assuring the quality of the deliberation presupposes the participation of a small number of citizens, carefully chosen, and of facilitators and witnesses for securing the quality of the information and of the debate. But, the media are more likely to pay attention to an event with a much higher participation rate, and which lasts only for one day. One solution is that of assuring the direct participation of policy makers which can enhance the media coverage to. But, policymakers and public officials are tempted to impose some constraints on the agenda and of the witnesses list in order to avoid some question that might embarrass them or their supporters. So, as Crosby and

Nethercut affirm, the designing of such a jury is a balancing act (Crosby, Nethercut, 2005 : 113-114).

The authors of the paper mention four stages in the activity of the Jefferson Center. The first one lasted from 1974 to 1983. This was a stage in which this deliberative process was tested and refined. The first Citizens Jury was designed to the aim of evaluating the candidates to the presidential election in 1976: Ford versus Carter.

The second stage lasted from 1983 to 1993 and was one of the developing of the project. In 1984 the center organized a project on agriculture and its impact on water quality and in 1993 designed two national projects on federal budget and on Clinton health care plan. The national project on Clinton health care plan had some support from the White House. But, in spite of the organizers effort to get extensive media coverage, they didn't have much media attention.

In the authors' opinion, the third stage overlapped the second stage since 1989 to 1994. The members of the Jefferson Center and the league of Women Voters organized many Citizens Jury projects in order to evaluate candidates in local and national elections. This activity caught the attention of the Internal Revenue Service (IRS) which declared in 1993 that the Center was in violation of the rules regarding the involvement of nonprofit organizations in electoral activities, and in 1996 declared that the center could no longer evaluate political candidates because a research proved that the deliberative process had the potential to change 5 to 10 percents of the votes.

The fourth and final stage was since 1994 to 2002, and during this time the center organized sixteen citizens' jury projects on subjects like welfare reform, property tax reform, farming, school bonding, and global climate change. Unfortunately, the organizers of these deliberative procedures observed the fact that they were not getting repeat customers and that they did not have a major impact on public policy. So, since 2002 the center closed its offices and maintained only its Web site in order to provide a historical archive and guidelines for conducting juries.

The conclusions of Crosby and Nethercut were that the Citizens Jury project was a deliberative procedure that was able to provide people with quality information and to secure a quality debate that had a significant impact on election result (Crosby, Nethercut, 2005 : 115-117).

So, the analysis of the citizens' jury design reveals the fact that a quality deliberation is not also the most influential one. Even the main organizers of these events, the members of Jefferson Center, reached the conclusion that it was not a very efficient activity as long as there wasn't a continuous demand for this kind of deliberations. In my opinion, this is an important argument for the thesis that deliberation as a political procedure does not have an intrinsic value, but only an instrumental one: it is valuable as long as it has a significant political influence that covers its costs.

### 3. Consensus Conferences and Planning Cells

Two other important and closely related deliberative designs are the consensus conferences and the planning cells. As, Carolyn Hendriks affirms in the article *Consensus Conferences and Planning Cells: Lay Citizens Deliberations*, these deliberative models aim at including ordinary and politically unorganized people in the process of public deliberation, by providing them with a space in which they have the opportunity „to develop an informed and considered public voice on issues of social relevance” (Hendriks, 2005 : 81).

Both models evolved from the planning cell procedure designed by Peter Dienel in the early 1970s with the aim of involving citizens in urban policy deliberation. His deliberative procedure was structured as a series of concurrent four days planning cells, each involving around twenty-five ordinary citizens. Contemporary planning cells and consensus conferences have a similar structure. They include a group of randomly selected lay citizens for a deliberative event that lasts three or four days. During this time they are informed with briefing materials, field trips, and presentations from government officials, academics, interest groups representatives and activists. Their meetings are moderated by independent facilitators. Citizens will deliberate on the available information, will question presenters and they will develop a series of policy recommendations. In the end they write a report that contains all their findings and which will be transmitted to policy-makers (Hendriks, 2005 : 81).

The most important aspect of these models is the fact that the participants are lay citizens that have no special expertise or knowledge regarding the issue that is debated and are not affiliated to interest groups. So, much effort and planning is invested in involving lay citizens in these deliberative procedures. Participants are randomly selected by stratified random sampling to ensure that the samples reflect the characteristics of the population.

Beyond the structural similarities between planning cells and consensus conferences, there are some few important differences. The Danish model of consensus conference is a two-stage procedure that involves the participation of ten to twenty-five people in eight day of deliberation over a period of three months. The first stage consists in two preparatory week-ends with the aim of learning about the group and about the topic. The second stage consists in the actual four-day conference. In the first two days they listen to different experts and question them. The citizens' panel meets in nonpublic session to formulate other questions. In the last two days they work together to write their rapport. Consensus conferences are moderated by impartial, trained facilitators that are not experts in the field of the topic that is debated. They benefit also from the advice of an external committee that maintains the procedural integrity and adds legitimacy to the procedure. This committee includes academics, practitioners of public participation and experts. They are involved in the selection of the facilitators, of the briefing materials, the selection of the participants and in the relationship with the media and the public (Hendriks, 2005 : 83-84).

The planning cell design is a much more complex model that usually includes hundreds of citizens. They participate in six to ten concurrent planning cells, each including around twenty-five citizens and lasts for four or five days. Each cell contains sixteen work units that presuppose information session, hearings, site visits, and small-group discussions. Each planning cell is similar to a consensus conference. One difference is the fact the presenters and the topics for deliberation are previously determined by the commissioning body and not by the citizens. Another difference consist in the fact that each cell has two facilitators (stewards), a man and a woman, and their role is more one of chairing the session than one of actual facilitation of the discussions. The reason for using multiple stewards is the need to reduce the effects of the moderator bias. After all the planning cells are completed the conveners write a "citizens' rapport" which will be approved by a group of citizens representing each cell.

Carolyn Hendriks mentions four features of the planning cells design. The first feature is the fact that citizens are remunerated for their activities to motivate them to participate. The second feature is its emphasis on small group (usually a five citizens group) work. This offers them a better opportunity to express their opinions and to interact without the pressure brought by the presence of a public. Another important feature that she mentions is the minimal level of facilitation. Almost no effort is invested in group-building to avoid any manipulation. The final feature is the fact that the citizens' output is aggregated after the deliberations are completed, because citizens do not have access to every planning cell. So, the writing of the final rapport is the task of the conveners (Hendriks, 2005 : 84-87).

Both deliberative designs that we are presenting in this section require a great deal of effort from the part of the conveners: research institutes, consulting groups or state-funded institutions. Consensus conferences and planning cells are complex deliberative models that involve activities which might take from six to eighteen months of preparations. The stimulus of a debate almost always comes from a government official who is looking for public input on some administrative task. The topics of the debate are usually selected in an annual consultation process. The organizers have to provide an appropriate space for plenary session and small-group discussions and all the resources that are needed.

Carolyn Hendriks informs us that more than fifty consensus conferences took place in sixteen different countries like Argentina, New Zealand, Korea, Israel, Japan, Canada and United States. A similar number of planning cells have been held all over the world. The majority of them took place in Germany (Hendriks, 2005 : 88-90).

There are three kinds of impacts that these deliberative models have: on the public policies, on the citizens involved and the public discourse and ideas of the policy elites. The participants in the deliberation have learned many things about the topics. They became more self-confident, more politically aware and active. The other two kinds of impacts are more difficult to determine because they depend on many political circumstances: political agenda, the willingness



of the decision-makers to listen to the citizens, and so on. In some countries like Denmark and Spain these deliberative events were more influential than those held in United States. In any case all of them had an indirect and limited influence on the policy-makers and politicians' agenda.

If it is obvious that these events have a significant impact on the character of a political community, it is also true that they are expensive projects. A consensus conference could cost between 70.000 and 200.000 dollars. A project involving eight planning cells could cost between 180.000 and 240.000 dollars. In Hendriks' opinion, these high cost reveal the fact that these deliberative designs are not appropriate in every context :

“Both models are best suited to deal with issues that are publicly significant and relevant to the lives of lay citizens. Planning cells are considered appropriate when the problem is relatively urgent and when there are different options available, each posing different benefits and risks. (...) Consensus conferences are best suited to issues that pose a complex mix of social, ethical, and technical consequences for society” (Hendriks, 2005 : 94).

Other limitations of the two designs are: the fact that they do not sustain contact with the participants after the deliberative event, there is a possibility for the organizers to manipulate the process if the procedure is not transparent and inclusive, their formats are relatively rigid and do not fit well with more informal kinds of deliberation, the concerns of some elites regarding the capacity of lay citizens to understand complex social and political issues, the fact that they change the use of power in policy arena by assigning policy actors the new role of presenters, and the fact that deliberative designs tend to promote a climate of reasoned argument and reflection and not one of political competition (Hendriks, 2005 : 95-96).

#### **4. Combining and adapting deliberative designs**

One important proposal, for solving the problems that each deliberative design faces, is that of Lyn Carson and Janette Hartz-Carp from the article *Adapting and Combining Deliberative Designs*. They describe the Australian experience of successfully combining and adapting different deliberative designs.

In their opinion the need to combine different deliberative procedures comes from the need to secure the essential elements of an effective deliberative process. They mention three such elements:

(a) *Influence*: The process should have the ability to influence policy and decision making.

(b) *Inclusion*: The process should be representative of the population and inclusive of diverse viewpoints and values, providing equal opportunity for all to participate.

*(c)Deliberation:* The process should provide open dialogue, access to information, respect, space to understand and reframe issues, and movement toward consensus (Carson, Hartz-Carp, 2005 : 122).

For a deliberative process to be an efficient democratic procedure, all the tree conditions should be met. The problem is that different deliberative procedures are more successful at securing one or two of these conditions and less successful at securing the last one. For example, the deliberative poll can be very influential and inclusive, but can be deficient in terms of its deliberative capacity because of the limited opportunities for moderated, in-depth dialogue and reflection. Citizens juries can be very inclusive and deliberative, but much less influential.

The problem is that the failure on any of the tree criteria affects the success of the deliberative process because it has negative effects on the other criteria: if it is not influential it is difficult to attract many participant and secure inclusion and deliberation, if it is not inclusive is unlikely to become influential and so on. One solution to this problem is to combine deliberative designs to the aim of compensating the weaknesses of a process with the virtues of another (Carson, Hartz-Carp, 2005 : 123).

Carson and Hartz-Carp offer three examples of such combinations. The first attempt is that of pairing televote with a citizens' jury. It was developed in 2000 by Lyn Carson in collaboration with the Institute for Sustainable Future on the topic of container deposit legislation. The aim was that of combining quantitative and qualitative methods of public consultation. The citizens' juries secured the quality aspect and the televote secured the quantity aspect of the consultation. They asked the participants in both the televote and in the citizens' jury to complete initial and final surveys and they concluded that the more people learn about the topic, the more they supported the introduction of container deposit legislation (Carson, Hartz-Carp, 2005 : 127). The second example was that of the Freight Network Review designed by Janette Hartz-Karp, a combination of consensus forum, multicriteria analysis conference, deliberative poll and stakeholder implementation. The third was the Dialogue with the City, developed also by Janette Hartz-Karp, which combined a 21<sup>st</sup> Century Town meeting, a Regional Planning Game, Interactive Web Site, Multimedia Involvement, and Stakeholder Implementation.

The conclusion of their paper is that the combining and the adapting of deliberative designs significantly increases the extent to which they were inclusive, deliberative and influential. Moreover, they increase the community's willingness to participate in addressing other issues in the future (Carson, Hartz-Carp, 2005 : 134).

However, in my opinion, the gains of the combining and adapting approach are counterbalanced by the fact that the deliberative event becomes much more complex, more expensive and more difficult to manage. In the next section I will analyze the virtues and limitations of all these designs, and some general problems of implementing deliberative democracy.

## 5. The virtues and the limits of the deliberative procedures

From the previous sections we can observe that the conclusion of all the organizers of these deliberative events is that the deliberative procedures affect in a significant, positive and profound way the character of the political community in which they take place. The participants become more informed, more open-minded and more ready to change their opinions in the light of new evidence. And, the changing of their view is directly connected with the information they acquired. Moreover, they become more socially and politically aware and active: more ready to participate in future deliberation, to inform others and to maintain the relation with the local authorities regarding the social problems of their community.

However, even if the designs we analyzed above have similar effects, they are not identical. Deliberative polls have focused mainly on reflecting the process of opinion-changing regarding the public policies at the level of a local community. The parties are common citizens that are randomly selected with the aim of representing their community. Citizens' jury is a kind of design developed with the aim of obtaining a high quality debate regarding the main subjects of electoral campaigns. The most important aspect is the quality of the deliberation and of the information. This would help the parties reach the best deliberative result. For the consensus conferences and planning cells designs, the most important problem is the inclusion of lay citizens in the deliberative procedure, with the aim reaching common solutions to issues that pose a complex mix of social, ethical, and technical consequences for the society.

These different virtues are associated with different limitations of each deliberative design. Compared with the citizens' juries, the quality of the deliberation in deliberative polls is not very high, but they are more inclusive and less likely to be considered to be manipulative. Consensus conferences and planning cells are more complex, but also more expensive. This is the reason why the virtues and the limitations of the deliberative designs should be carefully evaluated before deciding which procedure is the most appropriate in a particular case.

Some of the limitation of the deliberative procedures can be overcome by combining and adapting several deliberative designs. But, there are many other problems that affect all these procedures and cannot be solved in this way.

A main problem concerning all the deliberative designs presented above is the fact that they could be really expensive, and some of them very expensive. All of them are complex and highly planned events that require significant resources. We already mentioned the fact that a single consensus conference could cost around 200 000 \$, and a planning cell even more. The high costs issue is much more serious when we consider national projects, like the deliberation day. In the final part of their work, *Deliberation Day*, James Fishkin and Bruce Ackerman present the estimate costs of one such national holiday

“During the year the holiday occurs, then, total costs are roughly \$1.542 billion for 50 million participants, \$988 million for 30 million participants and \$2.096 billion for 70 million participants” (Fishkin, Ackerman, 2005 : 193).

The opportunity of using a deliberative procedure should be evaluated considering the fact that all of them had only a relatively limited and indirect influence on the policy-making activities. Some of the defenders of these procedures believe that this problem could be solved if we managed to extend their scale to a national level. However, a national design will be much more expensive. Moreover, many of the virtues of applying the deliberative designs at a local level would be diminished. There is a danger of transforming the authentic deliberation procedure into a general public-speaking procedure, in which there will be no real informing, communication, reasoning, debating and opinion-changing going on.

I think that the relatively limited influence that these designs had on the policy-making activities is not just a proof of the political systems' tendency to resist any change or of the fact that these deliberative designs are not suitable for the propose of influencing policy-makers. There are some problems that concern the legitimacy and efficiency of any deliberative procedure. One such difficulty is *the deliberative democracy's scale problem* that is mentioned by John Parkinson in the book *Deliberating in the Real World: Problems of Legitimacy in Deliberative Democracy*:

“deliberative decisions appear to be illegitimate for those left outside the forum, while bringing more than a few people in would seem to turn the event into speech-making, not deliberation” (Parkinson, 2006 : 5).

So, even if a group of citizens have established a solution for a problem of the community, their agreement is not binding for the citizens outside the deliberative forum, and especially for the policy-makers. Even if the organizers of a deliberative event would randomly select the participants in such a manner to construct a microcosm of that community, these people would not be the political representatives of the community. A form of political mandate would be needed. But, even then, the problem of the legitimacy will remain unsolved: we would witness a case of double political representation. The citizens would be represented both by the elected officials and by the parties in the deliberative event. And, of course, the decisions of the two categories of representatives might conflict and, in this case, we would not have any criteria to decide which decision would be the legitimate one.

Another problem that Parkinson indicates is that of *the motivations* that are presumably making the participants willing to have their preferences transformed: they have to be ready to go into the forum with an open mind. But, in the same time, people's pre-formed preferences, interests, and goals are an essential part of what motivates them to enter political arenas in the first place

(Parkinson, 2006 : 5). So, we should ask why citizens would want to change their initial motivation to embrace those that are necessary for the functioning of the deliberative procedure. This means that the relation between the political motivations inside the forum will be different from the political motivations outside the forum, and that the willingness to implement the decisions took by deliberation will be quite low. And, I believe this is the reason why the influence of the deliberative designs on the policy-making activities can be only indirect and relatively limited.

And even if the influence of the deliberative designs on policy-making activities would be much more direct and significant, it is by no means obvious that this influence would always be a good thing. The recommendations regarding the most appropriate way to solve a social problem that are offered by common people could be wrong. This process is what Guido Pincione and Fernando Tesón call a „discourse failure”. In the book *Rational Choice and Democratic Deliberation: A Theory of Discourse Failure*, they argue that common citizens lack the resources that are needed in order to acquire the information that is necessary for understanding the complex society they live in. That’s why their recommendations regarding the solutions to complex social and political problems are usually wrong. And the deliberation between common citizens would only reinforce these wrong judgments (Pincione, Tesón, 2006 : 17).

If we are considering the virtues and the limitations presented above, we should observe that the implementation of deliberative democracy is beneficial, but is not always recommended. The positive effects of deliberative designs are more significant at a local level. And we can say that we should always evaluate these positive effects against the important costs of organizing a deliberative event.

But the most important conclusion is that the deliberative procedures do not have a direct and significant influence on the policy-making and political activities. And, because of the “discourse failure” phenomenon mentioned above, we could say that this influence shouldn’t be much greater than it already is. So, it seems that the deliberative model cannot be extended to a greater scale in order to become the only democratic decision-making procedure. We have to use deliberative designs only as a supplement to traditional aggregative methods like voting and bargaining, and only when the costs of their implementation do not exceed the benefits.

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