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Deliberative Democratic Theory and Empirical Political Science

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Abstract
Although empirical studies of deliberative democracy have proliferated in the past decade, too few have addressed the questions that are most significant in the normative theories. At the same time, many theorists have tended too easily to dismiss the empirical findings. More recently, some theorists and empiricists have been paying more attention to each other's work. Nevertheless, neither is likely to produce the more comprehensive understanding of deliberative democracy we need unless both develop a clearer conception of the elements of deliberation, the conflicts among those elements, and the structural relationships in deliberative systems.

INTRODUCTION

In a major recent study of deliberative democracy, the authors write that "empirical research can merely be a helping hand in the big controversies in democratic theory. But, as a helping hand, empirical research has its place" (Steiner et al. 2004, p. 42). The authors may be too modest. Some of the best empirical work (including theirs) has the potential to offer more than a helping hand. But if the hand of research is to guide as well as help, it must be systematically directed toward the core problems in deliberative theory. Empirical inquiry can more effectively influence—and in turn be influenced by—normative theory if both theorists and empiricists proceed with a clearer conception of the elements of deliberation. They can then more productively address two general problems that have not received the attention they deserve: the conflicts among those elements, and the relationships of the parts of deliberative democracy to its whole.

At the core of all theories of deliberative democracy is what may be called a reason-giving requirement. Citizens and their representatives are expected to justify the laws they would impose on one another by giving reasons for their political claims and responding to others' reasons in return. (For a survey of the meaning and variety of theories, see Gutmann & Thompson 2004, pp. 1– 39; the most important collections of recent theoretical writings include Benhabib 1996, Besson & Marti 2006, Bohman & Rehg 1997, Elster 1998, Fishkin & Laslett 2003, Macedo 1999). Deliberative theorists differ to some extent on what counts as an adequate reason, how extensive the reason-giving forum should be, whether procedural norms are sufficient, and the desirability of consensus as a goal. But they agree in rejecting conceptions of democracy that base politics only on power or interest, aggregation of preferences, and competitive theories in the tradition of writers such as Schumpeter and Downs. These conceptions do not give sufficient weight to the process of justifying to one's fellow citizens the laws that would bind them. (For various statements of the contrast with other theories, see Cohen 1989; Habermas 1984, 1989, 1996; Gutmann & Thompson 1996.)

Some of the claims of deliberative theory are not empirical. One of the most important benefits that theorists ascribe to deliberative democracy is that the decisions it produces are more legitimate because they respect the moral agency of the participants. This benefit is inherent in the process, not a consequence of it. It is not appropriately subjected to direct empirical investigation. But other claims the

theory makes plainly invite empirical inquiry, and theorists themselves were among the first to undertake empirical studies of deliberation (Chambers 1996, 1998; Dryzek & Braithwaite 2000; Fishkin 1999; Fishkin & Luskin 2005; Mansbridge 1980). They treated the empirical claims not as assumptions but as hypotheses, many of which in their view required further research. Then, as deliberative democracy became the "most active" area of political theory (Dryzek 2007), political scientists joined the venture. The result has been a profusion of empirical studies, now more numerous than the normative works that prompted them. (For surveys, see Delli Carpini et al. 2004; Mendelberg 2002; Ryfe 2005; Steiner et al. 2004, pp. 43–52.)

Despite these impressive efforts, much of the empirical research by political scientists has not fully engaged with the normative theory. Theorists and researchers often "talk past each other" (Neblo 2005). Some researchers have assumed that they can dispose of deliberative theory by showing that political discussion often does not produce the benefits that theorists are presumed to claim for it. They extract from isolated passages in various theoretical writings a simplified statement about one or more benefits of deliberative democracy, compress it into a testable hypothesis, find or (more often) artificially create a site in which people talk about politics, and conclude that deliberation does not produce the benefits the theory promised and may even be counterproductive. The most insistently skeptical work in this mode is Hibbing & Theiss-Morse's *Stealth Democracy* (2002). Reviewing the results of their own focus groups and other studies of discussion in settings they consider deliberative, they argue that "reallife deliberation can fan emotions unproductively, can exacerbate rather than diminish power differentials among those deliberating, can make people feel frustrated with the system that made them deliberate, is ill-suited to many issues and can lead to worse decisions than would have occurred if no deliberation had taken place" (p. 191).

Other studies recognize the limits of their methods, and are more qualified in their conclusions but still present their largely negative findings as objections to deliberative theory. In a survey of French citizens about government assistance for the unemployed, Jackman & Sniderman (2006) found that deliberation does not lead to "better grounded judgments—that is, judgments that reflect one's considered view of the best course of action all in all" (p. 272). Deliberation leads "many people to ideologically inconsistent positions." A study of discussions about race in five town meetings in New Jersey Mendelberg & Oleske (2000) found thatin the integrated meetings (which had the diversity that deliberative democrats seek) the deliberation failed to lessen conflict, increase mutual understanding and tolerance, or reduce the use of group-interested arguments. The meetings with all white participants produced consensus, but consensus against school integration—not the result that deliberative democrats presumably favor Using survey data and focus groups from six communities in the United States and Britain, Conover & Searing (2005) examined the extent to which political discussion satisfies "the standards set by political theorists: publicity, nontyranny and equality." They concluded that the discussions "currently fall short of the ideals of deliberative democracy," although they saw some potential for improvement in educational reforms. Rosenberg (2007b) also found that deliberation failed to provide the benefits that some theorists claim for it, but suggests that a "more collaborative and transformative" form of deliberation may have greater potential.

The objection prompted by these studies—that deliberative theory is not realistic—has never impressed normative theorists. They believe that it misses the point. Theory challenges political reality. It is not supposed to accept as given the reality that political science purports to describe and explain. It is intended to be critical, not acquiescent.

Theorists also challenge some of the empirical studies on their own terms. Dryzek (2007) sharply criticizes the methods of Hibbing & Theiss-Morse, for example. He argues that they ignore contrary evidence in their own survey data, and that they use the conclusions of focus groups, who are in effect deliberating, to show that citizens do not want to deliberate.

Yet most deliberative theorists now recognize that they cannot ignore empirical studies without retreating into utopianism and rendering the theory irrelevant to ongoing politics. Despite his criticism of some of the studies, Dryzek (2007, p. 250) acknowledges that other empirical findings are "quite capable of discomforting theorists." In the same spirit, even while insisting that "deliberative democracy is still in large part a critical and oppositional ideal," Bohman (1998, p. 422) concludes that the theory has "come of age" because it has recognized that "the best and most feasible formulations of deliberative democracy require the check of empirical social science."

The general conclusion of surveys of the empirical research so far is that taken together the findings are mixed or inconclusive (Chambers 1996, p. 318; Delli Carpini et al. 2004, pp. 336–37; Janssen&Kies 2005, p. 331; Ryfe 2005; Sulkin&Simon 2001, p. 812). The main reason for the mixed results is that the success or failure of deliberation depends so much on its context. The contingent character of these results may seem to give theorists hope. If only theorists can identify the right conditions, they can confidently continue to extol the virtues of deliberative democracy (e.g., Gastil&Levine 2005, pp. 273–74; Fung & Wright 2003, pp. 259–60). They can use even the negative findings to point out defects in the system, and support reforms that would bring about conditions more favorable to deliberative democracy. When confronted with findings that seem to confute his theory, Habermas is unfazed. He reads the "contradicting data as indicators of *contingent* constraints that deserve serious inquiry and. . .as detectors for the discovery of specific causes for existing lacks of legitimacy" (Habermas 2006, p. 420). His article is pointedly subtitled "the impact of normative theory on empirical research." It implicitly relegates empirical research to the job of being merely a helping hand. In that role, it poses no risk of becoming a disruptive voice in the deliberative project.

Theorists should not take too much comfort from the mixed or contingent character of the empirical conclusions. The conditions under which deliberative democracy thrives may be quite rare and difficult to achieve. In a welcome collection that brings together theorists and empiricists (Rosenberg 2007a), several of the theorists explicitly take up this challenge (Warren 2007, Cohen 2007, Dryzek 2007).

The most promising approach for empirical research would therefore seem to be to continue trying to discover the conditions in which deliberative democracy does and does not work well, while paying more attention to the question of to what extent the unfavorable conditions could change. Some conditions (such as the absence of genuinely deliberative forums) might be affected by legislative measures or political action at local or national levels. Others (such as inequalities of resources) may be products of the social and economic structure of particular systems. Still others (such as the fact of reasonable pluralism) may be essential characteristics of democratic systems. This potentially fruitful approach would address a central concern of deliberative theory—the possibilities of its practical realization (for a systematic statement of a similar approach, see Fung 2007a). There would be no guarantee that deliberative democracy would be vindicated, but with a more discriminating and wide-ranging analysis of the conditions that promote or impede it, we would have a clearer sense of its place in democratic theory and practice. This seems a worthy and appropriate project for collaboration of theorists and empiricists interested in deliberative democracy. The aim would not be reform as such (although the conclusions may be useful to reformers). It would be to understand better the extent to which the values posited by deliberative theory can be realized under not only current but also potential conditions.

However, any such project is more problematic than this straightforward prospectus might suggest. No collaboration between theorists and empiricists is likely to make further progress until three general problems are more fully addressed:

- The analytic problem, which requires distinguishing the elements of deliberation—its concept, standards, and conditions. _
- The internal conflicts problem, which necessitates recognizing that the conditions that promote some values of deliberative democracy may undermine other values, including some that deliberative democrats favor.
- The structural problem, which calls for moving beyond the study of isolated or one-time deliberative experiences and examining the relationship between deliberative and non-deliberative practices in the political system as a whole and over time.

THE ELEMENTS OF DELIBERATION

The empirical studies typically begin with a concept of deliberation and a list of benefits it is supposed to produce. These are sometimes drawn from one or two theories, often modified for the convenience of the research. While claiming (correctly) that deliberative theories share a common core of values, the empirical studies actually adopt diverse concepts of deliberation and examine different consequences under a range of conditions. The variations make it difficult to compare the findings of the studies and relate them to the theories. That would not be an insuperable obstacle to collaborative work if the variations were presented within a common framework. We could then say that, given any conception of deliberation, the practice is likely to produce conse-

quences of a certain kind under specified conditions. But that would not overcome this persistent problem: the elements of deliberation are often run together, as in this definition: ". . .we have deliberative democracy when, under conditions of equality, inclusiveness and transparency, a communicative process based on reason. . .is able to transform individual preferences and reach decisions oriented to the public good" (della Porta 2005, p. 340). Better are those approaches that distinguish the definition from the evaluation of deliberation (the "unit of analysis" from the "democratic quality") (Nanz & Steffek 2005). But even so, the differences among the elements remain underanalyzed.

Three elements in the analysis of political deliberation need to be distinguished: conceptual criteria, evaluative standards, and empirical conditions. Each may be understood as a different kind of necessary requirement of deliberation. Conceptual criteria stipulate what is necessary for a practice to count as deliberation. Evaluative standards specify what counts as good (or better) deliberation. Empirical conditions indicate what is necessary for producing good deliberation (or less strongly, what may contribute to producing good deliberation). Each is subject to empirical inquiry, but in different ways.

It is understandable that researchers do not always distinguish the elements. In deliberative theory itself, some of the same values that specify the concept of deliberation appear as standards that evaluate the practice of deliberation, and also as empirical conditions that promote it. Take the value of equality: A discussion does not count as deliberation at all if one person completely dominates; the discussion is better deliberation to the extent that the participation is equally distributed; and the discussion is more likely to be more egalitarian if the background conditions are more nearly equal. This interaction is inherent in—and a positive feature of—deliberative democracy. It reflects its self-correcting character: Equal conditions produce a more equal process, which in turn produces more equal conditions, and so on. This dynamic process can of course work in the opposite direction. It can degenerate as the conditions become more and more unequal. Given the potential confusions of dependent and independent variables that these interactions create, it is all the more important to keep straight the various elements of deliberation and to distinguish the different levels of the values that each expresses.

Conceptual Criteria

Clarifying and limiting the scope of the concept is not an effort by theorists to "impose fixed and often narrow definition that effectively shuts scholars off from existing political realities," as some suggest (Button&Mattson 1999, p. 612). It is an important step in the analysis because the choice of the concept determines the scope of any inquiry, and the significance of any conclusions for normative theory. Empirical researchers do not have to agree on a single concept of deliberation. After all, theorists have not been able to do so. But if the research is to be relevant to deliberative theory, researchers must be clear about what practice they are investigating. Their characterization of that practice must at least partly coincide with what most theorists regard as the core of the problem of deliberation. More generally, any inquiry must have the conceptual resources to be able to specify whether the particular practice under investigation is deliberation or only discussion; and, independently, if it is deliberation, to what extent it is better or worse deliberation.

If the concept is too broad—if it includes every form of political talk (e.g., Cook et al. 2007)—the conclusions will have "uncertain bearing" on deliberative theory (Cohen 2007, p. 222). "Everyday talk" and other forms of political discussion may contribute to developing citizens' political views and their capacity to make political decisions, and thus create conditions that support deliberation, as some researchers on political discussion recognize (Walsh 2003, 2007) and some theorists emphasize (Mansbridge 2007). But ordinary political discussion should be distinguished from decision-oriented deliberation so that the relationships between the practices can be systematically analyzed. Maintaining this distinction should not be taken to imply that other forms of discussion are somehow less worthy of a place in deliberative democracy. As the discussion of the problem of structure (below) indicates, it is important to recognize that deliberative democracy includes many kinds of political interactions other than deliberation. But we can more clearly retain the connection to the central aim of deliberative theory if we treat these other activities as part of a larger democratic process, rather than as instances of deliberation per se.

To capture the distinctive character of the kind of deliberation that is central to the theory, researchers would do better to avoid an expansive concept of deliberation. They should focus on those features of the practice that directly relate to the fun-

damental problem deliberative theory is intended to address: In a state of disagreement, how can citizens reach a collective decision that is legitimate? The first two aspects of the problem, disagreement and decision, characterize the circumstances of deliberative democracy. The third, legitimacy, prescribes the process by which, under these circumstances, collective decisions can be morally justified to those who are bound by them. It is the key defining element of deliberative democracy.

A state of disagreement. Some basic disagreement is necessary to create the problem that deliberative democracy is intended to solve. Several empirical studies recognize this criterion, although they use slightly different terms: cross-cutting exposure, or simply diversity of opinion (Barabas 2004, p. 689; Jackman & Sniderman 2006; Mutz 2006, pp. 6, 14, 20, 139). If the participants are mostly like-minded or hold the same views before they enter into the discussion, they are not situated in the circumstances of deliberation. They do not confront the problem that deliberation is intended to address. That is not to say that discussion among like-minded people cannot contribute to deliberative democracy. Such discussion can help citizens learn more about the reasons they hold their views, or perhaps even discover that they do not agree as much as they thought they did. It can also strengthen the views of group members and help mobilize the group for more effective political action. The effects of discussion among the like-minded can be positive or negative for the democratic process, and its differential consequences merit more empirical and normative attention. But this kind of talk should not be confused with discussion among citizens with diverse opinions. Distinguishing the two, as indicated below, is necessary to recognizing a potential conflict in deliberative democracy.

A collective decision. Deliberative democracy is focused on the circumstance in which a group must make a decision to which all members are bound whether they agree with it or not. Although even political deliberation can have various purposes (see Fung 2007b), its essential aim is to reach a binding decision. From the perspective of deliberative democracy, other purposes—such as learning about issues, gaining a sense of efficacy, or developing a better understanding of opposing views—should be regarded as instrumental to this aim.

Until recently, nearly all studies—and much of the normative theory— investigated deliberation by ordinary citizens rather than politicians. (Steiner et al. 2004, an important and welcome exception, is discussed further below.) Even in most empirical studies of deliberation among ordinary citizens, the participants are not making or influencing actual political decisions. Much of the literature in the surveys is based on small group discussions and laboratory experiments (Mendelberg 2002). That is a limitation, not only because what is being studied is several steps removed from what deliberative theory is ultimately concerned about, but also because discussion alone is likely to produce different empirical consequences than those of decision-oriented discussion. Empirical studies suggest that the differences are significant and their implications not always favorable for deliberation (Fung 2007b; Janssen & Kies 2005, pp. 325; Ryfe 2005, pp. 57, 61). On the favorable side, if participants believe that they have a stake in the outcome and will have to live with the decision and with their fellow decision makers, they may take the discussion more seriously and try harder to reach a decision that is mutually acceptable. But knowing that the discussion ends with a decision that counts may have just the opposite effects. Participants may act more strategically, show less tolerance for opponents, and take more extreme positions. Groups such as juries that are charged with reaching consequential decisions often polarize (Sunstein 2002), whereas Fishkin's "juries" (deliberative polls), in which the participants are not asked to reach a collective decision at all, are less likely to do so (Fishkin & Luskin 2005, p. 293). Theorists are not surprised that, when group discussion has little "possibility of making a real practical difference," the deliberation is less "critical and emancipatory" than they might wish (cf. Cohen 2007, p. 234; Rosenberg 2007a).

There is another reason that deliberative theorists insist on a distinction between discussion directed toward helping individuals develop more informed preferences and discussion directed toward helping groups reach a collective decision (Habermas 1989). Structuring a discussion that in effect asks participants, "What do you, as an individual, prefer?" begins to resemble the aggregative democracy (adding up the well-informed preferences of individuals) that deliberative democrats criticize. Discussions framed by asking participants, "What action should we, as a group, take?" come closer to the deliberative democracy (creating a genuinely

public opinion) that they favor.Some empirical evidence that the “frame-shift” toward group rather than individual decisions has some of the positive effects that the theorists hope for (Neblo 2007b).

The criterion specifying that deliberation should be decision-oriented does not imply that studies of groups that only discuss politics, such as Fishkin’s deliberative polls, are not relevant to the study of deliberative democracy., The experiments conducted by Fishkin and colleagues have been among the most cited in the literature of deliberative theory and practice. (Also, some of his more recent projects have involved groups that make decisions or advise decision makers. See the reports and papers of his Center for Deliberative Democracy at **http://cdd.stanford.edu.**) Although participants in discussions of this kind may not make collective decisions, they may be seen as taking part in an early phase of a process that leads to a deliberative decision. Like subjects in some other studies of pure discussion, Fishkin’s subjects are preparing for (or can be seen as modeling citizens who are preparing for) the making of political decisions for the collectivity. Fishkin does not ask his subjects to make a collective decision, evidently because he wants to mitigate the pressures toward conformity and encourage a greater capacity for independent judgment. But this raises a question that reveals a potential conflict in deliberative democracy. To what extent is independent judgment compatible with making collective decisions? To answer that question, we need to study deliberation that leads directly to binding decisions.

Studies that examine opinion formation more generally can also be relevant to the study of deliberative democracy. For example, some experiments suggest that the cross-cutting discussion favored by deliberative democrats may protect ordinary citizens against manipulation by elites. Individuals who discuss a political issue in “mixed” groups (in which the members have been exposed to conflicting perspectives on the issue) are less vulnerable to elite framing effects (the tendency to focus only on the subset of considerations that politicians and other leaders prefer to emphasize) (Druckman & Nelson 2003). Thus, the larger democratic process that ends in a collective decision includes multiple stages and various sites. All may be relevant to deliberative theory and are worthy of study, but they should be kept distinct so that their interrelationships and their role in the process as a whole can be more systematically investigated.

The legitimacy of the decision. Given these circumstances (the need for a collective decision in a state of disagreement), deliberative democracy seeks a conclusion that is legitimate. The criterion of legitimacy is not only or mainly an empirical one. For a law to be legitimate, it is neither necessary nor sufficient that most citizens feel that it is. But it is necessary that citizens take part in a process aimed at producing laws that are mutually justifiable to all citizens. Hypothetical legitimacy is not sufficient. Thus the primary conceptual criterion for legitimacy, and the most important distinguishing characteristic of deliberation, is mutual justification—presenting and responding to reasons intended to justify a political decision (Cohen 1989, 2007; Gutmann & Thompson 2004; Mendelberg 2002).

Theorists hold more or less expansive notions of this reasoning process (cf. Cohen 2007 and Mansbridge 2007), but most agree on its essential characteristics: publicspiritedness, equal respect, accommodation, and equal participation.

Public-spirited reasoning is directed toward the collective good of the group that will be bound by the decision, even if the reasons also refer to other goods. Assertions of power are not justifications at all, and claims of self interest alone, though admissible, are not sufficient. Studies that distinguish arguing from bargaining, and identify deliberation with the former, capture many of the relevant features of mutual justification (Holzinger 2005; Risse 2000; Ulbert & Risse 2005), although most recognize that arguing and bargaining often go together in actual political discussion. Most theorists would include almost any kind of appeal, provided that it is not merely or finally based on self or group interest. After all, even the philosophical versions of the theories are about politics, not philosophy. Furthermore, the appeal beyond self interest does not have to be sincere if it is plausible on the merits; actual arguments are what matter, not motives (except insofar as the motives are predictors of future arguments). More broadly, research should focus not on deliberative intentions but on institutional functions (Warren 2007, pp. 275–77). Empirical researchers therefore should not worry, as some evidently do, about formulating an independent test for sincerity or truthfulness (Bächtiger & Steiner 2005, pp. 162–64; Steiner et al. 2004, pp. 19–20, 56, 166).

In addition to public-spiritedness, the reasoning must show respect to the participants and their arguments, even if it challenges the validity of

the claims. In mutual justification, deliberators present their arguments in terms that are accessible to the relevant audience, and respond to reasonable arguments presented by opponents.

The requirement of accommodation means that the reasoning must keep open the possibility of cooperation on other issues, even if the deliberators do not specifically propose alternatives or initiate collaboration.

Equal participation requires that no one person or advantaged group completely dominate the reason-giving process, even if the deliberators are not strictly equal in power and prestige.

Notice that none of these requirements demands that deliberators use only pure reason in their discussions. Most theorists regard affective appeals, informal arguments, rhetorical speeches, personal testimony and the like as important ingredients in the deliberative process. They do not assume that only arguments that would satisfy philosophers will or should carry the day. One of the most cited examples of successful deliberation involves Senator Carol Moseley Braun's highly emotional appeal that brought about the defeat of an amendment to renew the Daughters of the Confederacy's patent on their insignia (Gutmann & Thompson 1996, p. 135). Exaggerating the kind of rationality that deliberative theory requires is a common mistake. Much as Schumpeter criticized a "classical theory of democracy" that no theorist actually held (Pateman 1970), some critics now attribute to deliberative theory assumptions about rational citizens that no theorist accepts (even as an ideal). Without attention to what theorists actually write, empirical researchers risk creating a caricature of the theory. Even a researcher as careful as Mutz (2008) does not always avoid this pitfall. In one section of her contribution to this volume, she criticizes deliberative theory—without discussing any theorists—for assuming that only the message should matter in deliberation, not the characteristics of the speaker and the listener or the context in which the communication occurs. No major theorist makes such an assumption. Manyexplicitly address how factors other than argument quality can (and should) bring about opinion change.

The normative requirements that characterize deliberation are intended to be relatively minimal criteria. By differentiating deliberation from other kinds of discourse, they are meant to isolate the practice that is the subject of the inquiry. They do not include all forms of political discussion, and they do not assume that the empirical consequences of deliberation are necessarily beneficial. The criteria could be formulated somewhat differently depending on the purposes of the inquiry, but however formulated they should be weaker than their corresponding evaluative standards, which impose more stringent demands on deliberation.

Evaluative Standards

The evaluative standards provide a basis for judging the quality of the deliberation identified by the conceptual criteria. The closer the actual deliberation comes to meeting the standards, the better it is in terms of deliberative theory. The standards are sometimes called ideals because theorists assume that although they guide actual discussion they can never be fully realized (Thompson 1970, pp. 45–51, 86–119). But they should not be understood as values derived from ideal theory or from any external theoretical source (Habermas 2005, p. 385). They are implicit in political practice, presupposed by the political communication that takes place in actual democracies. Even when participants fail to meet the standards, their attempts to communicate acknowledge the significance of the standards. The failures (or the partial successes) of the participants can be adequately understood only in terms of the standards.

Although this claim about the implications of a practice may be largely theoretical (as it involves interpreting what a given practice presupposes), empirical examination of a closely related question could be illuminating. To what extent do participants themselves explicitly endorse the standards? Speakers may need to presuppose some basic standards of communication in order to have any discussion at all, but they do not have to presuppose standards that are specifically deliberative. Some may come to a forum merely to advocate their positions vigorously and to bring pressure on officials. When citizens with that kind of aim come together in the same forum with citizens who wish to deliberate, the result may frustrate the aim of deliberative democracy. This conflict between different expectations (different views about how the political discussion should be evaluated) is a fruitful area for further research (see Karpowitz 2003).

As more stringent versions of the conceptual criteria, the evaluative standards may demand more of what the criteria require (e.g., more frequent or sustained appeals to the common good), or a more robust form of what they require (e.g., a more active form of accommodation). The standards that apply

to the discourse itself are most plainly amplifications of the conceptual criteria. The standard of public-spiritedness simply demands more of the same kind of other-regarding reasoning that characterizes the minimal form of deliberation. (It does not rule out affective, rhetorical, or informal appeals.)To assess more of the cognitive content in the deliberation, some researchers advocate a standard that focuses on the quality of the information the deliberators use—for example, the extent to which "members of Congress rely on informed reasonable beliefs about. . .the impact of proposed policies" (Mucciaroni & Quirk 2006, p. 5).

As for equal respect, the evaluative standard also simply requires more than its conceptual counterpart. Deliberation ranks higher if more participants more often use arguments that the criterion emphasizes. Accommodation, as an evaluative standard, prescribes a positive effort toward cooperation, not merely avoiding actions that obstruct it, as required by the conceptual criterion. It corresponds to what some deliberative theorists have called the "economy of moral disagreement," in which citizens seek the rationale that minimizes rejection of the position they oppose and try to find common ground on related policies (Gutmann & Thompson 1996, pp. 84–94). This standard may be difficult to operationalize, but some researchers have begun to develop empirical methods for identifying and measuring what they deem "constructive politics" or "deliberative reciprocity," which are intended to capture much of the content of the idea of accommodation (Steiner et al. 2004, pp. 59–60, 107–9, 178–79; Weale et al. 2007).

The evaluative standard of equal participation goes beyond its conceptual cousin. It refers to a stronger and somewhat different phenomenon. The standard applies not only to the discourse itself but also to its distribution. Equality is obviously a complex idea, and theorists disagree about what kind of equality they think most important or relevant to deliberation (Cohen 2007, Knight & Johnson 1997, Thompson 2008). But most agree that the more the deliberation is influenced by unequal economic resources and social status, the more deficient it is. That is because deliberative democracy is based on a moral principle of reciprocity, a form of mutual respect that requires treating citizens as equals (even if, or especially if, they are not equal in power). Its justification is not primarily empirical, although the extent to which it is satisfied can be investigated empirically. The general standard of equality is applied both to the distribution of membership in the deliberative body and to the patterns of participation in the deliberation itself. Equal opportunity, random selection, proportional representation, representative sampling, and equal time are among the versions of the standard that may be applied to assess equality.

Whatever the standard, one of the most consistent empirical findings is that unless special measures are taken, membership and participation are likely to be significantly unequal (Delli Carpini et al. 2004, Mansbridge 1980, Mendelberg 2002). Although critics repeatedly brandish the findings of inequality to declare deliberative democracy fatally flawed, most deliberative theorists are neither surprised nor discouraged. They believe that deliberation itself can help expose unjust inequalities in politics and that the findings can serve as a justification for leaders who would undertake special measures to counteract the inequalities—such as requiring proportional representation of disadvantaged groups in deliberative bodies. Empirical research that simply reinforces the general conclusion that deliberation falls short of the standards of equality is therefore not very illuminating. Research that shows specifically what conditions and changes might mitigate inequality can be useful. Even more valuable, and less common, is research comparing the inequalities in deliberative forums with the inequalities in other political settings. Because so much of democratic politics is pervaded by inequality, the more fundamental question is comparative: To what extent do deliberative forums satisfy various standards of equality more or less effectively than other political processes?

It might seem that these standards (and their corresponding criteria) are too complicated for fruitful empirical analysis, but similar and no less complex measures have been adopted by some political scientists with illuminating results. The most systematic attempt to operationalize principles for identifying and evaluating deliberation is at the center of the study of parliamentary discourse by Steiner and his associates. More than most empiricists, Steiner et al. (2004, pp. 52–61, 170–79) have made a serious and well-informed effort to capture what theorists regard as core elements of deliberation. Their "discourse quality index" comprises coding categories intended to track principles they find in deliberative theory: level of justification (a reason, conclusion, and link between them), content of justification (appeal to common versus group interest), respect toward groups to be helped (empathy), respect toward the demands of others (articulated re-

gard for an opponent's proposal or argument), respect toward counterarguments (a positive statement about an opponent's argument against one's conclusions), constructive politics (presentation of an alternative or mediating proposal), and participation (absence of interruptions).

Their categories measuring the level and the content of discourse track well both the criterion and standard of public-spirited reasoning. If the categories are not found to some degree (if they are coded 0 or 1), the discourse should not count as deliberative at all, or should not be regarded as sufficiently deliberative to be worthy of evaluation. Higher scores qualify as better deliberation. The three "respect" categories are useful interpretations of equal respect. The "constructive politics" category demands more than the minimal accommodation criterion and is better treated as an evaluative standard. The "participation" category is a curious measure: It seems largely subjective and culturally variable. It depends on whether the speaker thinks the interruption is significant. A measure of speaking time (by gender, race, education) might be a more useful test of equal participation.

We need a second set of evaluative standards in order to assess the effects on participants. Empirical studies have more to say about these effects than about most other aspects of deliberative democracy because the effects track familiar categories of social science research. It is relatively straightforward to test whether deliberation (under certain conditions) increases political knowledge, a sense of efficacy, and other standard survey items. The very familiarity can lead researchers astray, however. From the perspective of deliberative theory, knowledge of the political views of other participants, for example, is as important as knowledge of issues. If you are to respect your fellow participants— and even more if you are to be open to their persuasion—you have to understand their views and their reasons for holding them. Yet most studies tend to concentrate on whether participants are better informed about public policies, candidates' positions, and government actions.

Another potential danger of familiarity is that the empirical tests may be mistakenly identified with the similarly named but substantially different normative standards. Normative concepts of legitimacy (for example, a decision that cannot be reasonably rejected by individuals seeking fair terms of cooperation) are not the same as empirical legitimacy, which is sometimes called a sense of legitimacy (for example, a decision that is accepted because of a favorable attitude toward or trust in government). A decision may be legitimate in the normative sense but lack empirical legitimacy. Conversely, a decision may be normatively illegitimate but still perceived as legitimate. These possibilities are worth exploring as examples of potential conflicts of the kind discussed below. But the exploration cannot get started if the normative and empirical concepts are not carefully distinguished when the evaluative standards are applied.

The third set of standards concerns the outcome of the deliberation. The least problematic of these standards—and those for which empirical research is likely to be the most useful in assessing outcomes—are simply the composites of the standards that measure the effects on individuals. For example, the extent and distribution of the change in political knowledge in the group as a whole can be presented and analyzed in any assessment of the effects on individuals. For certain issues (those that turn mainly on matters of fact and similarly objective consequences), empirical studies may help assess the quality of the outcome. This approach would be most relevant to those theorists who believe that deliberative democracy has substantial epistemic value (Estlund 1997, Marti 2006).

However, some other standards sometimes deployed for assessing outcomes should be used for empirical research only with great caution, if they are used at all. The standard most commonly invoked is consensus (Karpowitz 2003, Mendelberg & Oleske 2000). Its problems are normative and empirical. First, there is no consensus among deliberative theorists themselves that consensus should be the goal of deliberation (Gutmann & Thompson 2004). Exposing and even intensifying disagreements may be desirable in many circumstances. Second, it is difficult empirically to distinguish consensus from compromise (Steiner et al. 2004, pp. 91–92). Some indirect evidence suggests that discussion may change people's minds and move a group toward greater agreement, but the effect is not observed because it is latent and delayed (Mackie 2006). People are more likely to say that they accept a decision as a compromise than that they have changed their mind. Empirical evidence may help evaluate the extent to which deliberators change their minds, but the goal should not be to determine whether the deliberation achieves consensus. (For a more favorable view of consensus as part of a research strategy, see Neblo 2007a.)

Another outcome standard for which the hand of empirical research has not been very helping is the justice of the decision. The most systematic study of the capacity of deliberation to produce just outcomes in actual political settings finds no significant relationship between the quality of the discourse (as measured by the index cited above) and weak egalitarian decisions (as indicated by the extent to which they help the least well off) (Spörndli 2004). The outcomes seem to be best explained by the pre-existing preferences of the majority, which may suggest that the distribution of power has a greater effect than the quality of the reasoning. But this study is quite limited in scope. It is based on coding speeches in 20 debates that took place from 1971 through 1982 in the 22-member German Mediation Committee, an unusual constitutional body that meets in private and makes recommendations to resolve disputes between the two federal legislative chambers. Moreover, the criteria for weak egalitarianism are questionable. They are an exiguous interpretation of only one specific type of justice and do not take into account whether a proposed policy is more or less egalitarian than the existing policy it would replace. More generally, the empirical challenges of isolating the effects of the deliberation on the justice of the outcome are formidable because the intervening causes are even more numerous and complex than in the causal paths of the other effects of deliberation.

A further normative problem complicates empirical inquiry into the justice of outcomes. Deliberative theorists disagree not only on standards of justice but also on whether substantive standards should be part of deliberative democracy (Gutmann & Thompson 2004). Yet all agree that to some extent the nature of justice should itself be the subject of deliberation. This creates what might be called a problem of normative endogeneity. The standard used for evaluating the deliberative process is influenced by the process itself. What principle of justice should be accepted, and how it should be interpreted in particular cases, is supposed to be partly decided in that process.

Empirical Conditions

The aspect of deliberation about which empirical inquiry has potentially the most to say is the set of conditions that are necessary for, or at least contributory toward, good deliberation. As we have seen, good deliberation is multifaceted, and any empirical inquiry into the conditions that support it needs to be clear about which evaluative standards are at issue. Composite standards (which combine several different measures of the quality of deliberation) may be appropriate for some purposes, but using separate standards is more useful for identifying conflicts and trade-offs. This disaggregated approach is consistent with what Mutz (2008) in this volume calls middle-range theory—and has more in common with it than she acknowledges. But as indicated below, the approach supports (what she and some others neglect) the study of the structure of deliberative democracy beyond individual instances and particular conditions of deliberation.

With respect to empirical conditions, a disaggregated approach can help determine the extent to which satisfying one standard entails falling short on another because each requires incompatible empirical conditions. For example, the more that trained facilitators lead a discussion, the better the quality of the discourse and the more participants learn, but the less equal the participation is likely to be. Bringing the deliberation closer to officials who are actual decision makers (enhancing one of the circumstances of deliberation) can generate another kind of inequality. Without careful planning and strong independent control, the officials tend to dominate; and when they do not, the citizens often simply use the occasion to criticize the officials or to advocate their own cause (Button&Mattson 1999, Ryfe 2002,Weatherford&McDonnell 2007). More encouraging is an important ongoing investigation of the interaction of members of Congress with their constituents (Esterling et al. 2007). In discussions with their congressional representative about immigration policy, constituents "gain knowledge that is useful to make accountability effective."

Clearly the range of possible empirical conditions is large, and part of the challenge of empirical inquiry is to decide which are worth investigating. Examples of two types— institutional and cultural—can illustrate the challenges that confront such research.

The most difficult empirical condition to specify is equality. It refers to the resources, including talents, status, and power, that participants bring to the deliberation (as distinct from the membership and participation that are the subject of the evaluative standards). If equality of resources were a requisite for deliberation, then deliberative democracy would fail from the start. For many deliberative theorists, one of the main points of deliberative democracy is to expose inequalities to public criticism and

create less unjust conditions in the future. They believe that deliberative politics can provide a more level playing field for the disadvantaged because, compared to competitive or other forms of interest group politics, it does not track so closely the existing distributions of power in society. Still, unequal resources are likely to produce unequal participation in the deliberative forum. Apart from the studies that use ascriptive characteristics as indicators, almost no empirical work investigates how great this effect is likely to be. We do not even know whether it is true, as some theorists plausibly argue, that under many conditions deliberation is less affected by prevailing inequalities than power-based modes of decision making.

The most discussed empirical condition is publicity—the requirement that the deliberative forum be open to scrutiny by citizens either directly or through the media (Chambers 2004, 2005). Deliberative theorists do not insist that all deliberation take place in public, only that the second-order decision to deliberate in private be subject to public deliberation at some stage (Gutmann & Thompson 1996, pp. 96, 104, 117). But most theorists emphasize the salutary effects of making firstorder arguments in public. They assume that such arguments will be more public-spirited and mutually respectful if made in the open. When speakers have to defend their proposals and preferences before a large and diverse audience, they are more likely to appeal to more general principles and to take seriously their opponents' views (Benhabib 1996, p. 72; Cohen 1997 pp. 76–77; Elster 1998, p. 12; Goodin 1992, pp. 124–46). Even in international negotiations, the appeal to third parties that public deliberation makes possible can bring out "universal principles" (Ulbert & Risse 2005, pp. 358–59).

Yet empirical research has also confirmed what common sense suggests: In many cases, politicians who deliberate in private are more inclined to make candid arguments, recognize complexities, and offer concessions (see Chambers 2004, 2005). Moreover, even if private discussions present more opportunities for capture by special interests and for collusion among parties against the public interest, greater transparency often does not help, simply because most citizens do not pay attention (Curtin 2006).

These mixed results (and assumptions) suggest that further research could help determine in which settings and for which issues publicity would promote or undermine deliberation. In conducting this research, the empirical condition of publicity must be distinguished from the normative requirement that deliberation be conducted in terms of public reason. This requirement, the scope of which is controversial among theorists, is a conceptual criterion of deliberation, as noted above in the discussion of public-spiritedness. The two should be kept distinct because the empirical condition of publicity may affect the extent to which the conceptual requirement can be satisfied. It is important to know whether this hypothesis or its opposite is valid: The more public the discussion, the more likely the participants are to use public reason, and the more likely the discussion is to be deliberative.

In a thoughtful review of the theory and evidence on publicity, Chambers (2005, p. 256) suggests that in addressing such hypotheses, future research should adopt "a more nuanced idea of publicity and its effect on speakers." She credits empirical approaches with showing the need to distinguish three kinds of effects that publicity may have on public reason. Publicity can promote (*a*) rationality—justifying one's beliefs, articulating premises and conclusions, taking account of opposing points of view; (*b*) generality—appealing to the common good or the general interest; and (*c*) plebiscitary reason—appealing to what seems to be the common good, but with "shallow, poorly reasoned pandering to the worst we have in common" (p. 260). Public forums, she suspects, are more prone to irrationality and plebiscitary reason, whereas private discussions are more vulnerable to capture by special interests and may not even avoid plebiscitary reason completely (but see Steiner et al. 2004, pp. 128–31, 165; and the comment by Chambers 2005, p. 263).

The most significant analysis of institutional conditions at the level of the political system is found in an ambitious study of parliamentary discourse in Germany, Switzerland, the United Kingdom, and the United States (Steiner et al. 2004). Using the discourse quality index cited above, Steiner and his colleagues found that "institutional design matters for the quality of political discourse" (p. 135). Issues make a difference: Deliberation is less successful when opinion is extremely polarized, as on the question of abortion. But for many other important issues, institutional conditions are significant. Among the conditions favorable to deliberation are coalition cabinets, multi-party systems, proportional representation, veto provisions, and second-chamber debates.

The most interesting conclusion for deliberative theory is that the variation in the institutional

conditions has different effects on the different aspects of deliberation (Steiner et al. 2004). "Respect" is most affected by the conditions, "level of justification" draws mixed results, and "constructive politics" shows little variation across institutional factors (except in the difference between first and second chambers). The authors speculate that the persistence of "positional politics" (rather than "constructive politics") is due to general features of the legislative process. In other settings, such as civic forums where partisanship is less prominent and initial positions have not crystallized, the discourse may display more constructive attitudes. Even if this turns out to be true, deliberative theorists may still be concerned about the lack of constructive politics in legislatures, which are after all important decision-making bodies.

Cultural conditions are no doubt important but have only recently received serious attention from researchers specifically interested in deliberative democracy. Although deliberation is less necessary to the extent that the participants agree on political issues to be decided, deliberation may not be possible at all if the participants do not agree on the framework for discussion (if some believe for example that only violence can resolve the disputes). Some cultural consensus on the value of settling disputes by mutual accommodation is probably necessary. That would suggest deliberation is not possible in segmented societies and in many international disputes, where the parties are divided by deep cultural differences about how to deal with fundamental disagreements. Surprisingly, several recent studies have shown that deliberation does take place in divided societies, and potentially at a higher level than many expect (O'Flynn 2006). Similarly, several scholars contend that the favorable outcomes of some important international negotiations cannot be explained without reference to the efficacy of deliberation ("arguing" as distinct from "bargaining") (Risse 2000, Schimmelfennig 2001, Ulbert & Risse 2005). Dryzek (2006) sees significant possibilities for deliberation in large-scale international forums, although only to the extent that the discussion takes place in international civil society at some distance from the exercise of sovereign power.

THE CONFLICTS IN DELIBERATIVE DEMOCRACY

One of the most important reasons for disaggregating the elements of deliberative democracy in the way suggested here is to expose potential conflicts in its theory and practice. These are neglected by much of the theory and research. There is a tendency, evident in much of the work cited above, to treat deliberative democracy as a cohesive set of values that are jointly realized or jointly fail to be realized. The benefits of deliberation are presumed to go together: As citizens engage in deliberation, they learn more about the issues, gain respect for opposing views, employ more public spirited arguments, and so on. Or if citizens fail to deliberate, they learn less, disrespect more, pursue self-interested goals, and so on.We miss the complexity and power of deliberative democracy if we do not recognize the possibility that its elements may conflict with one another, that not all the goods it promises can be secured at the same time, and that we have to make hard choices among them.We miss the opportunity to pursue empirical work more relevant to normative theory because one of the most fruitful contributions of empirical research is to expose the nature and extent of these conflicts.

The potential for this kind of contribution is illustrated by the conflict between two major values in deliberative theory— participation and deliberation itself (see Ackerman & Fishkin 2004, pp. 289–301; Cohen & Fung 2004). Among democratic theorists, the turn toward deliberative theory has not displaced participatory theory. Although elitist versions of deliberative theory look with suspicion on citizen involvement in decision making, most deliberative democrats favor greater participation by citizens, if not in the deliberation itself then at least in judging the deliberation of their representatives. Rather than transcending participatory theory, many deliberative democrats see themselves as extending it. To the standard list of political activities in which citizens participate—voting, organizing, protesting— they add deliberating.

The most common empirical challenge to participatory theory has taken the same form as the challenge to deliberative theory mentioned above. The theory is unrealistic, critics say, because most citizens are not political animals. They do not want to participate in politics, just as they do not want to deliberate about politics (Hibbing & Theiss- Morse 2002).This objection against participatory theory misses the point, just as it does against deliberative theory. Participatory theory deplores the lack of participation in any current political system, just as deliberative theory condemns the lack of deliberation. The more penetrating (and ultimately more constructive) empirical challenge to any normative theory

seeks to show that the values that it prescribes conflict in practice. The theory falters not because current democracies fail to realize its values but because one of its values cannot be fully realized without sacrificing one of its other values. Such a conflict is especially disturbing if the principles are equally indispensable to the theory. Standard tradeoff techniques and pluralist approaches then offer no ready solution.

That conflict is the challenge that Mutz (2006) poses to deliberative theory in her study of political networks in the United States. She supplements her database of three national surveys with comparative studies in other countries. An admirable feature of her book is its selective engagement with deliberative theory. She does not try to test the whole theory—a "large package of variables all rolled into one concept" (p. 6). Her approach is disaggregated in the sense described above. She focuses instead on a specific necessary criterion of deliberation: the exposure to oppositional political perspectives through political talk. This cross-cutting exposure creates what she calls diverse political networks, which satisfy one of the key conceptual criteria set out above for deliberation (a state of disagreement). Mutz finds that deliberation under these circumstances provides some of the benefits that theorists hoped for: recognition of the legitimacy of opposing viewpoints, greater tolerance, and greater empathy for political opponents (pp. 84–86). Yet these deliberative benefits come at a high participatory price. Her research suggests that the more citizens discuss politics with people whose views differ from theirs, the less likely they are to engage in political activity (pp. 89– 124). The more they deliberate, the less they participate. The moderate attitudes encouraged by deliberation weaken some of the most powerful incentives to participate. Opponents seem less like enemies; mobilizing to bring about their defeat seems less urgent. Unlike citizens who talk mostly with like-minded compatriots, deliberating citizens find themselves cross-pressured, and their views challenged rather than reinforced.

The conflict between participation and deliberation does not of course express a universal law. We do not yet know enough about how general the conflict is—under what specific conditions it is more or less likely to appear. Is it more likely in discussions about certain kinds of issues? Is it more common in discussions among ordinary citizens than among political leaders? Is it more frequent in informal interactions than in formal institutions? Can forums for deliberation be structured in ways to avoid or mitigate the conflict? Some available research bears on these questions, but political scientists have much more work to do before democratic theorists would give up affirming both of these values. The empiricist's answer to the theorist's general question should prompt the theorist to ask more specific questions. The theorist needs the answers in order to evaluate how serious the conflict of values is, and what steps are worth taking to overcome it. The helping hand can gesture in new directions.

This conflict is only one among many possible tensions in deliberative theory that would repay further empirical and normative analysis. Several are implicit in the earlier discussion of the elements of deliberation. Equal participation may lower the quality of the deliberative reasoning. Publicity may do the same. Public deliberation may also be less conducive to mutual respect than private discussion. Decision-making authority may encourage polarization and positional rather than constructive politics. Some further conflicts are suggested by recent studies of institutional conditions. Consensus systems (grand coalitions, multi-party structures, veto powers) tend to produce better deliberation than competitive systems, but at the cost of less transparency in policy making and less accountability of officials (Steiner et al. 2004). More generally, "if the goal is respectful deliberation that also entails argumentative change, then the actor relationships should not be too competitive, actors should not have bound mandates, bodies should be small and explicitly geared toward rational discussion and reflections. . ." (Bächtiger et al. 2007, p. 98). This may not mean that deliberative democrats are forced to endorse a "premodern and gentlemen's club model of politics," but it does suggest that they need to face up to the tensions that empirical research exposes among their key values, and refine their theories to help decide the extent to which one value should be sacrificed for another.

Empirical research thus may pose some challenging questions and even offer some provocative answers, but it does not have the last word. Exposing conflicts among values is an important step, but it is closer to the beginning than the end of fruitful research into the nature of deliberative democracy. If participation and deliberation (or any other key values in deliberative democracy) stand in conflict, we still have to decide under what conditions which value should have priority, and which combination of the values is optimal. That decision depends partly

on considerations that are not primarily empirical—such as conceptions of human dignity and understandings of the fair terms of social cooperation. The decision is usually not a matter of simple tradeoffs but also entails a further normative choice of the best method for dealing with the conflicts (Goodin 1995). It is normative theory that ultimately determines the significance of any conflict and the appropriate mode of dealing with it. In that respect, it has the upper hand.

THE STRUCTURE OF DELIBERATIVE DEMOCRACY

Most of the empirical research on deliberative democracy has focused either on a single episode of deliberation, as in one-time group discussions, or on a continuing series with the same group or in the same type of institution. This limitation is understandable. The challenges of conducting research on discrete cases is formidable enough without attempting to relate the findings to deliberation in other parts of the political system, let alone to nondeliberative practices in the system. Yet deliberative theory is ultimately concerned with the democratic process as a whole, and therefore with the relationships of its parts to the whole. The theory's approach is decidedly not "one size fits all," nor even "deliberation all the way down." Most deliberative theorists recognize not only that the practice of deliberation may take different forms in different parts of the process, but also that it is only one of many desirable modes of decision making. Deliberative democracy is more than a sum of deliberative moments. Deliberative theorists make room for such activities as interest group bargaining and political protests (Mansbridge 2007), but most insist that their role—and the form they take—be justified at some stage from a deliberative perspective (Gutmann & Thompson 2004, Habermas 2005).

How deliberation should be allocated within the democratic process thus becomes a key question. It is a question that has not received sufficient empirical or normative attention. Deliberative democrats should more seriously "think about legitimacy across multiple deliberative moments and the wider deliberative system" (Parkinson 2006, p. 174). They need to confront more systematically the structural problem of the division of labor in deliberative democracy. It is possible to study the structure with the middle-range theories that Mutz (2008) recommends, but only if the theories are ultimately related to the democratic process as a whole. This effort is not to be confused with the testing of a "grand theory." It is simply to try to ensure that research is relevant to a central concern of political science and political theory—the performance of the political system. That means that we must go beyond the study of the interactions of small groups considered separately, and examine how those interactions relate to the larger political institutions. It also means that we need to know more about how deliberation relates to (not only compares to) other modes of decision making.

Three approaches to the structural problem merit examination. The first is what has been called distributed deliberation (Goodin 2005). Different aspects of the "deliberative task" are assigned to different institutions, which can then be held to different deliberative standards. Party caucuses are expected to satisfy standards of candor; parliamentary debates are better at reasonable arguments; the public at large in elections supposedly come closer to achieving the common good; and postelection bargaining can reach mutually acceptable compromises. A similar division of labor might be derived from the conclusion that parliamentary committees are better at fostering mutual respect whereas plenary sessions are better at articulating the public interest (Steiner et al. 2004).

The advantage of the idea of distributed deliberation is that, by emphasizing that not all institutions are equally effective at promoting all aspects of deliberation, it invites further research into the comparative advantage of each institution. But it also faces difficulties. The various functions of deliberation cannot be kept as distinct in practice as the model implies. Arguing and bargaining, for example, are difficult to distinguish empirically, and their segregation in separate institutions is normatively questionable. Even if a division of labor can be sustained, there is the further difficulty of how the dispersed functions are to be coordinated to create a recognizably deliberative system. Integrating the functions into a coherent structure remains a challenge for both normative theory and empirical research.

A second approach—decentralized deliberation—avoids this difficulty by keeping the practice of deliberation itself in one piece. Rather than distributing different deliberative functions to different institutions, it creates unified deliberative processes in many different bodies. Instead of dividing deliberation, it divides the deliberators. The most prominent example of this approach is the Porto Alegre Participatory Budget (Baiocchi 2005, Fung 2007b, Gastil &

Levine 2005). Citizens in each of the 16 districts of this Brazilian city assemble annually to consider the budget priorities on policies ranging from sewage and housing to health care and transportation. The results of the "reflective preferences" generated in these and other sessions are then aggregated into a single city budget.

The process certainly increases participation and evidently produces genuine deliberation about the issues in each district and neighborhood. The difficulty is that the deliberation focuses on "very local goods and needs" and does not dispose "citizens to think about the greater good of the city, the just trade-offs between jurisdictions or the good of the city through the long arc of time" (Fung 2007b, p. 179). The final budget is produced by an aggregative process, relegating deliberative democracy to a supporting role. If this approach is to be viable, its proponents must find more effective ways to encourage a broader perspective in the local deliberations and to integrate the decentralized bodies into a deliberative process at central levels of the political system. (For a discussion of how mini-publics can influence decisions in the larger political system, see Goodin & Dryzek 2006.)

Iterated deliberation, the third approach, addresses this problem of integration. It also exemplifies one of the most important features of deliberative democracy—its dynamic capacity for self-correction (Gutmann & Thompson 2004). The process of iterated deliberation typically takes this form: A political body (which may or may not be deliberative) proposes a policy to a deliberative body, which returns a revised version of the policy to the original body. That body revises the policy again and submits it for further consideration to the deliberative body before it is enacted. This loop may continue through multiple phases and may be expanded to include other institutions. If the institutions have different capacities, iterated deliberation can reap the benefits of the division of labor in distributed deliberation without the costs.

The process for setting health care priorities in Oregon in the early 1990s is sometimes cited as an example of iterated deliberation. (For various interpretations of that process, see Fung 2007b, Gutmann & Thompson 1996.) The state's Health Services Commission created a priority list of conditions and treatments. After the list was widely criticized, the commission consulted with a number of citizen bodies and other institutions, some of which were deliberative. A substantially revised list was considered by the commission and then by the legislature. The final result fell short of what many would have liked, but it was better than the earlier proposals. The process itself was certainly flawed in many respects, but it too was by deliberative standards an improvement over what had gone before.

The general question remains, however: how to incorporate the need for expertise and technical administration in a deliberative democracy (see Richardson 2003). Given the potential of iterated deliberation (and the fact that it mirrors one of the key characteristics of deliberative democracy), we need to learn more about the conditions under which it works well. For which issues is it more or less suitable, which institutions should play what roles in promoting it, and what is the optimum point for bringing it to closure?

All three of these approaches to dividing deliberative labor (distributive, decentralized, and iterated deliberation) imply ambitious projects of institutional design. How should the designers choose their approach? The natural answer is: deliberatively, through a process that might be called meta-deliberation. Some deliberative theorists distinguish the practice of deliberation from the conception of deliberation. They do not insist that every practice in deliberative democracy be deliberative but rather that every practice should at some point in time be deliberatively justified (Gutmann & Thompson 2004, Macedo 1999). The question of the place of deliberation in the larger process should be open to deliberative challenge itself.

If this approach seems more an abstract idea than an institutional proposal, consider the citizens' assemblies that are being used to reform the electoral system in several provinces in Canada, and in the Netherlands. Some 160 citizens, chosen more or less randomly, met weekends for nearly nine months in 2004–2005 in British Columbia to decide whether to recommend replacing the current majoritarian system with some version of a proportional system. Even though the question was technically complex and potentially divisive, the members of this Citizens' Assembly, by all accounts, managed to deliberate effectively (Blais et al. 2008, Thompson 2008, Warren & Pearse 2008). The members of the Assembly were not deliberating directly about the role of deliberation in their political system, but they were deliberating about institutional changes that could substantially affect that role. If such assemblies can successfully discuss and decide about electoral systems, they may also be capable of con-

sidering other issues of institutional design. They could provide a partial answer to the question of how to decide deliberatively what place deliberation should have in deliberative democracy.

A citizens' assembly does not entirely escape the general problems inherent in the division of deliberative labor. The deliberation in the assembly is quite different from the deliberation in the public, who in the British Columbia case ultimately vote in a referendum on the assembly's recommendations. (The assembly's deliberation is also different from the deliberation in the legislature, which in other circumstances may be the final decision-making body.) Members of an assembly engage, on relatively equal terms, in a process that the electorate can never hope to match. Members reach conclusions for reasons that most ordinary voters are not likely to fully appreciate. Designed to reduce the gap between citizens and experts, the process itself can reproduce the problem that it was intended to overcome. But the deliberative gap may be partly bridged if voters are prepared to trust the judgment of members. If the work of the members is made accessible, voters can deliberate about the fairness of the process rather than its results. The normative question is whether this is an adequate form of deliberation, and the empirical question is under what conditions citizens are likely to engage effectively in this form of deliberation.

Deliberative theorists have only begun to analyze the possibilities of meta-deliberation in such institutions as the citizens' assembly. Any normative assessment will need to be informed by the full repertoire of empirical inquiry, including case studies, interviews with participants, opinion surveys, and content analysis. The key question here, as with all the approaches to dealing with the problem of the division of labor in deliberative democracy, is what are the most effective and desirable relationships among the various bodies that operate within the structure of deliberative democracy—those designed to deliberate, as well as those constituted to decide in other ways.

CONCLUSION

The study of deliberative democracy, like its practice, has tended to observe a division of labor. The division of deliberative labor may or may not serve the practice well—that is one of questions flagged above for further inquiry. But it is clear that a rigid division between normative and empirical inquiry does not serve the study of the practice well at all—that is one of the conclusions this review suggests. Normative and empirical inquiry are distinct, and justifiably so. Their methods and agendas diverge, appropriately so. But our understanding of deliberative democracy will fall short until theorists and empiricists take greater steps to bridge this division. Some might say that unless philosophers become political scientists, or unless those who now are political scientists become philosophers, there can be no end to troubles in our discipline; only then will the theory of deliberative democracy see the light of day. Indeed, some of the most valuable recent work on deliberative democracy is being produced by younger scholars (such as Bächtiger, Fung, and Neblo) who are as proficient in normative theory as in empirical social science.

But even with the division of labor that is likely to persist, collaboration can still go forward constructively if theorists and empiricists systematically engage with each other's work. The questions each side poses can stimulate answers that raise further questions, which in turn identify new problems—an iterative program of research that would mirror the deliberative process itself. Such a program is more likely to be enlightening if theorists and empiricists proceed with a common analytic understanding of the elements of deliberation, a deeper appreciation of the conflicts within deliberative democracy, and greater attention to its structure. They need to study the deliberation that takes place not only among citizens but also between citizens and their representatives, and among representatives themselves. Theory and empirical research might then more often progress hand in hand.

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