

# Defending democracy against technocracy and populism: Deliberative democracy's strengths and challenges

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**Preface:** Rainer Schmalz-Bruns, one of the co-authors of this article, died before its final version could be published in *Constellations*. He was 65 years old and died on March 31, 2020, in his hometown Lüneburg, Germany. Rainer was an inspiring political theorist who influenced a number of younger scholars in particular with his writings on Reflexive Democracy and International Political Theory. His reconstructive approach in the tradition of Critical Theory was highly regarded for bridging the gap between political theory and the various empirical subdisciplines in the social sciences. Rainer will be remembered by many of the participants of the yearly Conference on Philosophy and Social Science in Prague for the charming wit of his critical comments in discussions and by the members of the editorial group of *Constellations* for the seriousness of his contributions for the journal. An obituary for Rainer (in German) is published online at <https://www.theorieblog.de/index.php/2020/04/nachruf-auf-rainer-schmalz-bruns>.

Hubertus Buchstein/Jean Cohen/Cristina Lafont (Editors in Chief of *Constellations*).

## 1 | INTRODUCTION

Any account of liberal representative democracy will more or less explicitly address the following three conditions for democracy to work.<sup>1</sup> First, the legitimacy of democracy depends on some real link between the public will and the public policies and office holders selected. Yet this ideal is severely undermined when the will of the people is in large part manufactured by political elites (Fishkin & Mansbridge, 2017, p. 7). In this case, the causal arrow goes in the wrong direction—to the extent that large minorities or sometimes majorities of existing liberal democracies are dissatisfied with, and feel left out or alienated from, the democratic practices and routines they experience (Offe, 2017, p. 15). We may safely infer that this concern to a large degree fuels populist anger, protest, and contestation. A second condition, however, is meant to provide an answer to the question how to best make collectively binding decisions that from an anticipated future standpoint we have no reason to regret. You may call this the concern for the epistemic dimension (or the epistemic properties and characteristics) of the process, rules and procedures of political decision-making and its modalities, a concern that feeds into another symptom of the malaise of democratic government and

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governance, that is, technocratic rule. Third, democracies should be regarded as self-scrutinizing and self-correcting political systems that can respond to externally induced as well as internal deviations from its normative ideals. This is why they face notorious and ongoing controversial demands for their own revision, development, and improvement—the challenge here consists in “a tricky recursive logic” (Offe, 2017, p. 14).

Offering an attractive account of how these conditions are to be fulfilled in modern representative democracies, deliberative democracy has become a dominant school within democratic theory. Yet at the same time, and perhaps surprisingly, it has also become the culprit in a peculiar trial: Does deliberative democracy offer justifications for institutional reforms that effectively depoliticize decision-making and erect an elitist, technocratic, “postdemocratic” order? And does it, in consequence, also bear responsibility for populist reactions against this elitist order that insulates decision-making processes from “ordinary people”? In this paper, we want to show that this assumption is baseless. Neither does deliberative democracy justify depoliticization or technocratic rule, nor do technocratic and populist approaches present viable alternatives to the conceived shortcomings of liberal representative democracy—they rather miss the democratic core of collective action altogether.

Thus, seeking to correct some notorious misunderstandings about the goals of deliberative democracy, we will, in what follows, begin by showing that the contrasting juxtaposition between elitism or technocracy on the one hand and populism on the other is misleading. In essence, both elitist and populist thinking are antipluralist and lead to the rejection of any form of mediation, reconciliation, and pluralistic interest representation and their institutionalization. We continue by arguing that deliberative democracy is by no means an elitist or antipluralist school of thought. On the contrary, it centers on the values of pluralism and respect for difference. Although deliberative democratic theory stresses the epistemic dimension of democracy, this epistemic quality is neither dependent on consensual decision-making nor presupposes some kind of prepolitical standard for the quality or “truth” of political decisions. Importantly, it also does not imply a requirement for the societal claims and views fed into the democratic process to fulfill specific quality criteria, for example, to be impartial, well considered, or rational. What deliberative democracy instead points out is that the normative core of representative democracy consists in an open and inclusive process of will formation and decision-making, the epistemic quality of which is ultimately based on its orientation toward reaching understanding, even if in practice, hardly any decision is made consensually. Adopting a Habermasian, systemic account of deliberative democracy, the final section of the paper thus concludes that the ultimate challenge for deliberative democracy lies in defending the procedural consensus on which representative democracy rests against populism and technocracy—while at the same time conceptualizing and informing metadeliberative processes that enable the renewal of this procedural core in the ongoing transformations toward new forms of democracy.

## 2 | DEMOCRACY’S CHALLENGES: TECHNOCRACY AND POPULISM

In the last three decades, we have witnessed three parallel developments: the rise of nonmajoritarian expert institutions, in particular in the context of European integration; the rise of theories of deliberative democracy as the now dominant strand in democratic theory; and, more recently, the rise of right-wing populist parties in Europe and beyond. Does this mean the three developments are causally related? Several authors make respective arguments. Peter Mair, for example, drew a connection between the increasingly technocratic character of EU institutions and political theories that justify expert rule as deliberative (Mair, 2013). In a similar line of thought, Buchstein and Jörke (2007) have criticized theories of deliberative democracy and even the practice of deliberation as such as inherently elitist. In a more recent contribution, Jörke and Selk (2017) explain the rise of populism as a democratic reaction to a neoliberal, postdemocratic order, in which the link between the public will and public policy is effectively lost. At a first glance, the diagnosis might make sense: technocracy is in essence elitism, and populism is characterized by antielitist sentiments and mobilization. By accepting this reading, however, we effectively buy into the populists’ false dichotomy between a “real people” and the “corrupt elites.” Although criticism of unequal voice in democratic politics is surely warranted, it is impossible to clearly define and circumscribe “the elite,” let alone “the people.” Any attempt to divide the demos

into homogenous opposing groups (workers/capitalists, natives/immigrants, citizens/elite) is not only doomed to fail analytically but also dangerous to the ideal of liberal democracy itself.

Moreover, and more importantly, the juxtaposition of elitism/technocracy on the one hand and populism on the other blinds out important commonalities between the two. Urbinati (2014) identifies the two currents of technocracy and populism as disfigurements of democracy that break down the diarchy of will and opinion that procedural democracy depends on. Technocracy ultimately reduces democracy to the search for truth (assessment of opinions), while populism subjects the pluralism of opinions to a putative “popular will.” In both cases, the justification of democracy is ultimately an instrumental one. In epistemic theories of democracy and technocratic institutions, democracy is an instrument in the quest for truth. In populist thinking, democracy serves to enable the rule of a homogenous “will of the people.” What both justify and label as “democracy,” however, is not the liberal democracy we are thinking about. Instead, technocracy and populism, respectively, envision political orders that deviate from the normative ideals of liberal democracy because they do not share them.

Christopher Bickerton and Carlo Invernizzi Accetti assess the works of Pierre Rosanvallon and Ernesto Laclau to show similarities between elitist/technocratic and populist thinking:

[P]opulist and technocratic forms of discourse can be considered as two sides of the same coin, the coin being the critique of party democracy. [...] the idea of contemporary political life being restructured around a new cleavage between populism and technocracy actually masks a *deeper* dimension of political opposition – between party democracy and its critics – in terms of which both populism and technocracy find themselves *on the same side*. (Bickerton & Accetti, 2017, p. 201, emphasis in original)

Bickerton and Accetti point out that the central commonality between technocracy and populism consists in the negation of interest pluralism and mediation through political parties. Populist and technocratic discourses thus center on the criticism of a specific form of democracy: that of representative party democracy. This form rests on the assumption that political legitimacy is provided by democratic *procedures* and the reconciliation of conflicting interests and not by the *substance* of political decisions alone (Bickerton & Accetti, 2017, p. 188).

Focusing on motivations and inclinations behind practical politics rather than political theory, Caramani similarly describes how populists and technocrats wield the axe against pluralism and mediation:

Both [populism and technocracy] are examples of ‘*unmediated politics*’ [emphasis added] dispensing with intermediate structures such as parties and representative institutions between a *supposedly unitary and common interest of society* [emphasis added] on the one hand and elites on the other.[...] populism stressing the centrality of a putative will of the people in guiding political action and technocracy stressing the centrality of rational speculation in identifying both the goals of a society and the means to implement them. (Caramani, 2017, p. 54)

To summarize, populism and technocracy are united by the fiction of an objective or unitary will of the people or common good that is to be implemented against any opposition or conflicting interests. This leads to the devaluation of institutions and practices of mediation, representation, and interest reconciliation. Understanding the antipluralist momentum behind both populism and technocracy makes it clear that the juxtaposition of the two is inappropriate.

Moreover, it becomes clearer what we have to defend against populist and technocratic currents: a proceduralism that recognizes the intrinsic rather than merely instrumental value of democratic procedures. This proceduralism is realized in the institutions of representative democracy, but also and more generally by linking formal and informal practices of mediation, coordination and communicative conflict management to collective decision-making in democratic institutions—that is, a deliberative-democratic system of will formation and decision-making. To understand how the theory of deliberative democracy not only allows us to explicate the deliberative and inclusive qualities of democratic procedures, but can also inform their adaptation and reform in the face of large-scale societal

transformations and the challenges of populism and technocracy, however, it is important to get the theory and its intentions right.

### 3 | GETTING DELIBERATIVE DEMOCRACY THEORY RIGHT: DEMOCRATIC LEGITIMACY AS OUTCOME OF A DELIBERATIVE SYSTEM

Arguing that deliberative democratic theory can provide guidance in providing an account of liberal representative democracy that addresses the contemporary challenges of technocracy and populism as well as the societal transformations that drive them, we need to clarify the theory's fundamental normative principles and assumptions. There are obviously numerous elaborate accounts of deliberative democracy that differ in how they conceptualize and locate deliberation and in the institutional implications they derive from the idea that democratic legitimacy is based on inclusive and deliberative procedures.<sup>2</sup> However, we believe that a majority of deliberative theorists do share the fundamental normative principles we outline here and will at least in part be persuaded by implications we derive from them. Although we concede that our systemic, Habermasian account of deliberative democracy is only one possible account of the theory, we also hope that some of the clarifications of its aims, principles, and assumptions that we offer here will seem relevant to other variants of the theory as well—and in particular, to the theory's critics.

#### 3.1 | Normative principles of deliberative democracy

If we review the broad lines of criticism the model of deliberative democracy has been exposed to in recent years, one concern is paramount: that it is ridden with and potentially finally unraveled by the internal tensions that exist between its commitment to both the principle of equality and its insistence on the necessary epistemic dimension of collectively autonomous will formation. These concerns have triggered severe doubts about the very possibility to redeem the promises of a deliberative outlook within the structural and institutional conditions and social foundations of modern mass democracies.

To a significant degree, these doubts counter the expectations that 20 years ago, James Bohman invested into the "coming of age of deliberative democracy" (Bohman, 1998, p. 423). Although Bohman's hope was that the idea of deliberative democracy would enhance a civic reclamation and transformation of politics, this hope was in conflict with the maturation of the theory that entailed taking seriously the complexity and inherent plurality of modern societies and depended on the reference to the basic institutions of liberal democracy. Similarly, Mansbridge and a number of other authors have argued that any concept of democracy must have an irreducible and constitutive reference to the plurality of interests and the fact of power (Mansbridge et al., 2010; see also Martí, 2017; Rostbøll, 2017; Weinstock, 2017). This implies that the rationality assumptions of deliberative democracy as well as the central idea of reaching understanding have to be complemented with a normative concept of democratic respect and political compromise. It is in this sense that realism in deliberative democracy has improved by taking up Habermas' outline of democracy's procedural core in *Between Facts and Norms*, considering also other than purely discursive orientations and modes of interaction, such as negotiation and compromise (Habermas, 1996). To Habermas, a strictly procedural interpretation of the democratic processes enables us to bring the norms and principles of discourse ethics to bear on politics—but through the legal structuration of procedures rather than the sanctioning of individual citizens' interaction orientations.

Nonetheless, a tension between the egalitarian and the epistemic pole of deliberative democratic legitimacy remains. This tension, however, is no deficit but a productive tension that democratic legitimacy rests upon and that establishes democratic practice as an ongoing and open process of self-scrutinizing. In this sense, it is true that, according to Habermas, democratic legitimacy is ultimately dependent on the cognitive content of reasons. It is also true, however, that the content and validity of reasons on the one hand and the inclusive practice of equal individual political autonomy on the other hand are connected (see Habermas, 2013, p. 68).

According to a more or less uncontroversial understanding, the idea of democratic legitimacy requires that the addressees of political decisions at the same time need to be able to view themselves as authors of the very same decisions that bind them. This requirement has an internal reference to the deliberative form of will formation in that the connection between democratic legitimacy and public preference formation can only take place in the light of general and transferable reasons with which citizens can justify the reciprocal force they exert upon one another through political decisions (Forst, 2007). At the same time, the conditions under which public deliberation can take on a legitimizing function are rather demanding, given that permissible reasons have to fulfill at least two requirements. On the one hand, they must consider the interests and ideas of all affected, while on the other hand, reasons only qualify as reasons (rather than force, manipulation or pure self-interest) if public deliberation remains sensitive to the quality of reasons to which a justifying function and effect is assigned (see Lafont, 2015, p. 46). It is rather obvious that these demanding requirements of deliberative “preference laundering” (Goodin, 1986) cannot be met by any individual citizen, not even by an (elite) group of citizens alone, but must be based on some all-inclusive input, mediation, and accountability mechanism.

Against the background of these conceptual clarifications, we should stop seeing the various turns deliberative theory is said to have taken (i.e., the institutional, the empirical, and the systemic) as a sequence of well-bounded generations of theories but should instead regard them as mutually dependent and supportive components of a common project (see Dryzek, 2017, p. 611). In the light of external and internal criticism it becomes clear that this project derives its strengths, its normative attractiveness and political meaning from a comprehensive outlook integrating all these dimensions into a conceptual frame that prevents us from privileging one perspective over the other and thus, for example, from considering deliberative democracy as a toolkit for insular democratic innovations at the level of the forum (Dryzek, 2017, p. 612).

Taking this more general lesson seriously, we can also see why, according to the deliberative account, the high demands of reflection and justification required for the generation of democratic legitimacy cannot be met within single forums. Similarly, we cannot restrict the systemic view to considering (and improving) the internal connections between institutions and discourses but also need to realize that a deliberative system remains embedded in different institutional configurations that modern mass democracies have acquired over time.<sup>3</sup> Deliberative and nondeliberative sites in the democratic system necessarily remain tied to the dynamics of a more anarchic use of communicative freedom in the broader public sphere, in civil society, social movements, and political protest (Habermas, 1996; Lafont, 2020).

These considerations suggest that the challenge for deliberative democracy is not to succumb to complexity and to preserve its critical force. In accordance with its fundamental normative commitments, this critical force can be upheld only when we acknowledge the role of inclusion required for democratic reflection and justification. To the criterion of inclusion, not only the discursive representation of all relevant arguments, stories, and subjective stances (see Dryzek, 2017, pp. 619–620) matters but also the boundaries of the demos and the representation of persons. It matters and must matter because in the end, it is the individual person as a subject of claims to justice that deliberative democracy must give reasons to (see Forst, 2011, p. 15).

### 3.2 | The systemic perspective

The most recent, systemic turn in deliberative democracy, marked by the publication of a now authoritative volume by Parkinson, Mansbridge, and others (Parkinson & Mansbridge, 2012) is in a sense a return to its roots in Jürgen Habermas' work and a correction of some misconceptions connected with its interpretation in empirical studies and practical endeavors of citizen participation. To put it very briefly, the deliberative system perspective clarifies that legitimacy claims should be directed at the political system at large and not at single forums within it. Within the system, deliberation can be distributed, decentralized, or iterated and take place in a multitude of different forums involving different types of actors (Thompson, 2008, p. 515). In pointing out the system as the proper addressee for legitimacy claims,

the systemic perspective adopts a macroperspective that is more in keeping with the intentions behind Habermas' depiction of a deliberative democracy in *Between Facts and Norms* (Habermas, 1996).

The analytical and constructive merits of the systemic turn are perhaps best captured with the insight that democracies are complex entities in which a wide variety of institutions, associations, and sites of contestation accomplish the political work of mediating societal interests under the condition of inclusion and integrating them into political decisions based on general and transferable reasons. What follows is that no single forum or institutionalization could alone possess the democratic capacity to legitimate the decisions and policies that democracies adopt (Mansbridge et al., 2012, p. 1). What is more, a political system could be described as deliberative and democratic even if no single forum within it is both at the same time.

If we follow Mansbridge et al. (2012), we have to decenter the distinctive idea of participatory governance and treat it as one, albeit a crucial, trait of the plural institutional or associative setup democracy can and does take under conditions of complexity. At the same time, the systemic perspective allows us to coherently rearticulate the deliberative rationale of the idea of democratic self-determination and self-government in a way that allows us to think of it in large-scale societal terms. Moreover, the revived systems perspective makes it possible to analyze the division of labor among parts of a system and finally invites us to introduce large contextual issues and broad systemic inadequacies that shape the possibilities of effective participation into the analysis (Mansbridge et al., 2012, p. 2).

The value of the systemic perspective becomes even more apparent upon consideration of three basic functions of democracy that Mansbridge et al. (2012) take to be relatively uncontroversial: In what they refer to as the epistemic function of a democratic system they allude to the fact that we normally want a system of democratic will formation and decision-making "(...) to produce preferences, opinions, and decisions that are appropriately informed by facts and logic and are the outcome of substantive and meaningful consideration of relevant reasons" (Mansbridge et al., 2012, p. 11). The ethical function of such a system then is to promote mutual respect among citizens. Finally and most importantly, the egalitarian function requires "(...) the inclusion of multiple and plural voices, interests, concerns and claims on the basis of feasible equality (...)" because equality is the central element of what makes democratic processes democratic (Mansbridge et al., 2012, p. 12).

If we follow Owen and Smith in assuming that the deliberative systems perspective "all too easily becomes a functional defence of non-deliberative acts and practices that do not cohere with even the minimal requirements of mutual respect that all theorists consider central to deliberation per se" (Owen & Smith, 2015, p. 222), we might miss the whole point of a system-level account of the deliberative endeavor. Although the (ab)use of the theory to justify inequalitarian and deficient decision-making processes is certainly possible, its real goal should be to assess when, where and why democratic institutions (fail to) fulfill their deliberative and/or egalitarian functions and require innovation and reform. Such a critical assessment, however, means first and foremost to assess if and how a particular institution contributes a function necessary to the overall democratic system's performance in upholding the productive tension between the egalitarian and the epistemic pole of democracy. Any critical assessment of an institution thus has to be an assessment-in-context and as such requires a normative benchmark that allows us to assess the overall performance of a democratic system with reference to reflection, justification, and inclusion (Dryzek, 2017, p. 621).

#### 4 | GETTING DEMOCRACY AS DELIBERATIVE SYSTEM RIGHT: NO SELF-GOVERNMENT WITHOUT DELIBERATION

The systemic perspective of deliberative democratic theory suggested by Habermas (1996, 2009) aims to provide such a benchmark by way of *reconstructing the procedural logic that generates legitimate rule in modern democracies*. The difference between theoretical accounts that provide a normative justification of democratic legitimacy and reconstructive democratic theory is that the former seek to construct a sound argument for why people should, under certain conditions, accept democratic rule as legitimate, while the latter seeks to explain the fact that, overall, members of modern representative mass democracies actually have accepted representative democracy as legitimate despite that fact

that, at first glance, it does not seem to fulfill the demanding criteria of self-government. However, this does not imply that reconstructive accounts are conservative or justify the status-quo with all its shortcomings. To the contrary, only understanding the reasons for why citizens of mass societies do identify with political decisions as outcomes of self-government allows for a critical assessment of when and why societal and institutional change leads to violations of the conditions of democratic legitimacy and enables us to construct viable solutions for democracies to adapt accordingly. In this sense, *reconstruction* of democracy with a critical, transformative intent requires a sociological *reconstruction* of democratic legitimacy (Gaus, 2013, 2019).

The Habermasian systemic perspective on deliberative democracy aspires to the latter and develops two central claims. First, it regards deliberation (among other things, e.g., inclusive citizen participation) as indispensable to the generation of democratic legitimacy in pluralist societies. Second, given the complexity of modern mass societies, it assumes that only a division of labor between an institutionalized core and a wider informal public sphere can establish a democratic system that generates legitimate political decisions without overcharging the (deliberative) capacities of individual citizens while preserving individual autonomy. Both claims will briefly be illustrated.

#### 4.1 | The function of deliberation in democracy

What is the function of deliberation in democracy? Democracy in mass societies faces the following conundrum: On the one hand, seeking consensus about “truth” or reasonableness of political decisions is futile given societal pluralism. On the other hand, the principle of self-government forbids to disregard any individual citizen’s views in decision-making. Thus, beyond consensus or truth, the only epistemic quality that can make decisions legitimate is some sort of mutually acceptable justification that comes with every decision. In particular, this justification will have to address those individuals whose views it runs counter to.

It seems obvious that without deliberation, there can be no such acceptable justification. Any form of proceduralism without deliberation, such as democratic lottery or pure majoritarianism, merely soothes the minority with the promise of political equality. The problem is that political equality in democratic lottery or pure majoritarianism is restricted to the equal formal chance of everyone to inform a decision with their views. But as a matter of fact, without deliberation, it is not the case that everyone subjected to a decision will effectively have informed it. And the individual citizen’s chances to do so in the future are based on pure luck or, given stable societal majority situations, zero. From the perspective of the societal minority whose views the decision runs counter to, accepting respective political decisions thus becomes tantamount to “blind deference” (Lafont, 2020, Chapter 1)—for neither has their view informed the decision nor is there any reason to trust that this will be different in future decisions.

Yet at the same time, deliberation does not per se lend political decisions democratic legitimacy. In technocratic expert rule, for example, decisions may be based on deliberation, while again the views of (large parts of nonexpert) citizens are outright disregarded. What follows is that in pluralist societies both, technocratic deliberation without all-inclusive proceduralism and all-inclusive proceduralism without deliberation, require blind deference of at least some citizens and thus contradict the principle of self-government—for the same reasons.

The key to this puzzle is that deliberation in democracy has a twofold normative function. Contrary to, for example, deliberation in science, improving decisions by the search for truth or reasonableness in a democracy is an important, but not the only function of deliberation (Lafont, 2020, pp. 164–168). In order to avoid blind deference, the additional and genuinely democratic function of deliberation is to convince all fellow citizens that they can identify with a decision because there are good (substantive) reasons for them to comply with it on their own accord. This epistemic dimension of democratic deliberation is directly related to the principle of inclusion: it does not aim for truth, but at *convincing other citizens* with opposing views to accept a policy decision on its own merits. The deliberative means to do so are epistemic, but they differ from scientific arguments based on academic authority alone, which might be incomprehensible to ordinary citizens. Expertocratic self-authorization is detrimental to democratic deliberation and respective arguments are dysfunctional in a deliberative system. Academic expertise may be required to inform those aspects of a



political matter that can be assessed scientifically. However, in democratic decision-making, evidence-based academic arguments must be transformed into arguments that address opposing societal views and that are comprehensible to those holding these opposing views.

In democratic deliberation, a citizen's view is acknowledged by giving reasons to justify policies on the basis of "exactly the type of information, evidence, arguments, examples, counterexamples, etc. that his [or her] present cognitive stance requires" (Lafont, 2020, p. 166). The practice of democratic deliberation requires the use of epistemic means, that is, it requires providing substantial reasons, when addressing fellow citizens with opposing views, for these reasons must address the *substance* of their contrasting views in order to convince *them*.

From the perspective of the democratic ideal of self-government, public deliberation essentially contributes to democratic legitimacy by enabling citizens to endorse the laws and policies to which they are subject on their own accord instead of being coerced into blind obedience [...] There is no shortcut for reaching that goal. (Lafont, 2020, p. 168)

Instead of tracing the complex ways in which democracy as a deliberative system justifies political decisions from the perspective of citizens (Habermas, 1996, 2009), we (have to) confine ourselves to a few remarks on some features particularly important with regard to two popular criticisms of deliberative democracy: namely, that citizens, on the one hand, and effective collective action, on the other hand, are overcharged by the requirements of deliberation.

## 4.2 | Does democratic deliberation overcharge citizens' capacities?

Contrary to concerns voiced by critics of the theory, the epistemic dimension of democracy does not charge particular deliberative requirements onto the individual citizens' voice in the democratic process. It seems important to us to clarify that instead, the division of labor between different sites in the deliberative system *frees* citizens from those charges. Citizens do not have to "deliberatively launder" their views and preferences before voicing them in political discourses. For one thing, individual electoral votes count equally, regardless of the quality of the voter's views. But importantly, citizens are also free to utter their voices in nondeliberative ways and can still expect them to be taken up in public opinion-making and will formation.

Nevertheless, the deliberative system adds an epistemic dimension to democratic decision-making—how so? The reason is that deliberation in the democratic system is the outcome of a division of labor and interplay among three broad arenas of political communication (see Habermas, 2009, p. 160): institutionalized discourses in the political system (in and between government, parliament, administration, courts, etc.), media-based communication in the wider political public sphere and "anarchic" communication among civil society actors. Each arena provides a particular function to democratic legitimacy based on different kinds of political communication. In contrast to the institutionalized discourses and also (partly) media-based public discourse, communication in civil society need not necessarily be deliberative. To the contrary, the contribution of civil society to the deliberative system sometimes even depends on nondeliberative antagonistic forms of communication such as demonstrations and protests. For it functions as "a kind of early warning system that registers critical experiences from private areas of life, processes them into voices of protest, and feeds them into the [media-based, the authors] political public sphere" (Habermas, 2018, p. 878).

The highest requirements regarding rational discourse, that is, deliberation, are to be met, first and foremost, in the institutionalized political sphere—in the institutionalized discourses within parliaments and courts but also, to a lesser degree, in informal communications in and between government, parties, administration, etc., at least in all matters concerning ethical, moral, or aspects of fair interest mediation. This is because the main function of the institutionalized political sphere in the deliberative system is to mediate existing societal views on the basis of mutually acceptable reasons, in order to prepare, make, justify, imply, and/or review concrete political decisions (Table 1).



**TABLE 1** Modes and arenas of political communication

Modes of communication	Arenas of political communication	
(Institutionalized) discourses	Government, parliaments, administration, courts	Political system
Media-based mass communication	Media system	Political public sphere
Citizen communication	Informal relations, social networks, movements	Civil society

Source. Adapted from Habermas (2009, p. 160) and Lafont (2020, p. 172).

These requirements of deliberation also apply to political actors' communications with diffuse societal audiences in the intermediate media-based public sphere. Here, the communications from the institutionalized political system, on the one hand, the communications from civil society, on the other, and from lobbyists (economic sphere) meet in dispersed media-based publics. They inform, contradict, complement each other and thus establish and review competing public opinions on relevant matters and influence the scale of their support.

In this sense, public deliberation in a pluralist democracy can be understood as an ongoing communication inside and across different arenas that overall functions to constantly generate and review considered and justified, if potentially strongly conflicting, public opinions. Public deliberation in democracy is thus no catalyst of an (impossible) political consensus, but a kind of generator of issue-related justifications that fuel political will formation in the institutionalized decision-making process as well as inform the views of actively and passively participating citizens alike.

What is thus required from citizens in a deliberative system is not a particular cognitive capacity to deliberate, but a democratic ethos. That is, the mutual willingness to treat all fellow citizens' as "self-originating sources of claims" (Richardson, 2002, p. 138) and, in consequence, their views as valid reasons in the light of which I am willing to reevaluate my own views—and vice versa.

#### 4.3 | Does democratic deliberation hinder effective collective action?

In pluralist deliberative democracies, the legitimacy of political decisions is not dependent on an (almost impossible) substantial consensus, but on a consensus about the normative logic behind the democratic process. Citizens must be able to view deliberative politics in terms of a never-ending inclusive process of opinion formation and will formation in which "we improve our beliefs in political disputes and thereby approach the correct solution to problems" (Habermas, 2018, p. 873). In other words, citizens must be able to view democratic practice as an ongoing and open-ended learning process.

Accordingly, democratic deliberation does not imply a search for (impossible) consensus that unduly protracts decisions and thus effective collective action. Rather, in contemporary democracies the proper functioning of the deliberative system is dependent on the combination of majoritarian decision-making with general elections in a two-fold sense. For one thing, the possibility of majoritarian (rather than unanimous, consensual) decisions secures the system's capacity for timely collective action. For another thing, the recurrent requirement of winning a majority institutionally anchors democratic deliberation in the form of an ongoing feedback loop across all arenas of political communication. This way, it turns democracies into self-scrutinizing societies with the institutionalized potential for transformation and innovation (Schmalz-Bruns, 1995). It creates an incentive for political minorities to publicly contest political decisions and majority opinions as well as an incentive for governing majorities to publicly justify their views and decisions and it urges all political actors to do so by giving reasons based on (at least: a group of) citizens' concerns and views.

The consensus about the normative logic behind the egalitarian-deliberative democratic process can make political decisions acceptable even from the perspective of a substantially disagreeing individual citizen. Even members

of a defeated minority can, for the time being, accept a decision as legitimate (albeit false) as long as they see it as based on justification *and* can trust in their own power to contest this justification by actively participating in public opinion-formation and changing the majority view in the long run (and/or by litigating against the falsely justified decision in court).

## 5 | CONCLUSION: METADELIBERATION AND REFLEXIVE DEMOCRACY

Tendencies toward increasingly technocratic decision-making and the rise of populist parties and movements constitute real challenges to contemporary democracies. Respective phenomena indicate malfunctions of representative democratic institutions that theories of democracy must identify and address. As we have argued in this paper, neither populist nor epistemic conceptions of democracy promise to offer practical and institutional cures to democracy's apparent ailments, as their inherent antipluralism is incompatible with the deep pluralism of secular, heterogeneous societies. Epistemic and technocratic understandings of democracy view democratic legitimacy as deriving from objectively "correct" or "true" decisions. Populist thinking reifies majority preferences and decisions as the "will of the people" and reduces legitimacy to its accurate representation in decisions (see Urbinati, 2019). The institutional implications of populist and epistemic conceptions of democracy amount to what Lafont labels "shortcuts" to democratic decision-making, requiring blind deference to either a contingent majority or expert judgment (Lafont, 2020). This blind deference, however, is incompatible with the basic principle of democratic autonomy, according to which only decisions that my views have (however indirectly) informed, I have the power to contest, and thus can accept, are legitimate. In both technocratic and populist perspectives, by contrast, democratic procedures are ultimately reduced to instruments in the pursuit of the higher goals of truth, respectively, implementing the "will of the people,"—and thus require blind deference of dissenting citizens. Accordingly, these perspectives do not view democratic decisions as a preliminary result of an ongoing process of societal self-scrutinizing, but aspire to definitive and final decisions.

The central goal of this paper has been to defend deliberative democracy against the allegation that it is an elitist theory of democracy that serves to justify technocratic rule and has thereby, if inadvertently, contributed to the populist backlash against liberal institutions. We have tried to show that on the contrary, the theory of deliberative democracy offers a convincing response to the contemporary challenges of democracy. Its potential lies precisely in the fact that it acknowledges both the egalitarian and the epistemic promises of democracy and can reconcile them by explicating how equal participation and the exercise of individual and collective autonomy enable decisions that are rational in the sense that they are less likely to be regretted in the future than decisions taken otherwise. Nevertheless, deliberative democrats should carefully avoid institutional conservatism and complicity in the justification of technocratic institutions. To do so, we regard it as necessary to clarify that the point behind deliberative democracy has never been to justify any existing set of democratic practices and institutions with all their shortcomings, but to inform the identification of such deficits in collective learning processes.

Although failures of existing democratic institutions to meet egalitarian and epistemic aspirations may give rise to populist and technocratic inclinations, it has hopefully become clear that the interpretations of democracy and the institutional solutions respective theories and ideas have on offer cannot cure the ills of democracy, but instead, and importantly, undermine democratic reflexivity. *The severe challenges to existing democratic systems that result from societal transformation processes can only be confronted by reflecting about the very terms of our democratic political interaction and cooperation.* We have argued that the theory of deliberative democracy remains the ultimate candidate to guide this metadeliberative endeavor and to defend pluralism and mediation. At the same time, we can immediately see that the required level of reflexivity can only come about under conditions of inclusive participation that safeguard the equal opportunity of all affected to effectively influence policy decisions.

The strength of the deliberative order of liberal representative democracy lies precisely in its potential to respond to societal changes and challenges and make the renewal and adaptation of this order possible by enabling

permanent and ongoing learning processes. At present, representative national democracies are indeed experiencing major changes and confronting historically new problems. In particular, the growing salience of the postnational constellation and growing social, economic, and political inequalities within and between democratic societies require metapolitical and metadeliberative discourses that addresses the shortcomings of existing institutions and inform reforms.

Importantly, however, the possibility and success of democratic “metadeliberation” (Landwehr, 2015) does not depend on the deliberative and democratic virtues and capacities of citizens but rather on the democratic ethos of elites acting within the political system. Citizens can accept democratic decisions if and only if they can trust the democratic political system to function according to egalitarian *and* epistemic procedural logics. Their trust in the functioning of these logics, however, may not be equated with and is not dependent on trust in the deliberative capacities of fellow citizens. Contrary to a widespread view in the debate, the theory of deliberative democracy discharges citizens from demands for virtue and rationality and enables them to voice their unfiltered opinions and preferences in elections, protests, petitions, and everyday discussions. The deliberative filter rests with the institutionalized processes of will formation and decision-making in the political system and the actors within it. Political actors’ willingness and capacity for deliberative preference formation is the central requirement for successful policy deliberation and democratic decision-making. Importantly, however, deliberation among actors in the political system needs to be systematically and institutionally connected with and tied to processes of opinion and will formation in the wider public sphere and among ordinary citizens. Contemporary political discourses are, however, ridden with various deficits: populist actors polarize discourses by rejecting requirements of mutual justification and deliberative preference formation, while at the same time, technocratic tendencies among political elites disconnect their opinion formation and decision-making from civil society and ordinary citizens. These deficiencies need to be critically addressed in metadeliberative collective learning processes to enable democracy to live up to its deliberative *and* participatory promises and to renew the procedural consensus it is based on.

The task for deliberative democracy in the face of populist and technocratic challenges is thus a twofold one: On the one hand, the theory has to defend existing liberal and representative institutions by showing how they enable learning processes and deliberative democratic decision-making. On the other hand, it needs to identify shortcomings and biases in the existing order as well as possible detrimental effects of societal transformations to the functioning of the procedural normative logic of liberal representative democracy, such as the consequences of transnationalization or effects of economic inequality on political equality. On this basis, the theory can demand and inform broad metadeliberative processes in order to renew the procedural normative logic by adapting the democratic system(s) to changed societal circumstances. In this regard, one of the theory’s own shortcomings may have been that it has so far tended to blind out distributive implications of existing institutional orders: any specific set of rules and practices has outcome effects that benefit some interests and groups more than others. In institutional terms, the cure deliberative theorists have offered for democracy’s ailments has all too often been to simply add deliberative forums (in particular, mini-publics) to existing institutional orders. Instead, the theory should more boldly address problems of existing institutional configurations and inform discussions of more fundamental reforms at the level of democracy as a deliberative system (Landwehr & Schäfer, 2020). The most important point we have tried make here is thus that deliberative theory’s critical edge lies in its potential to normatively guide metapolitical and metadeliberative processes that aim at democracy’s adaptation to major societal changes. Democratic deliberation can work if and only if it is reflexive of itself.

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## NOTES

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- <sup>2</sup> For an overview of pluralism in deliberative theory, see Bächtiger, Niemeyer, Neblo, Steenbergen, and Steiner (2010).
- <sup>3</sup> For this important point, see the instructive functional and context-sensitive accounts by Bächtiger and Beste (2017) or Warren (2017).

## REFERENCES

- Bächtiger, A., & Beste, S. (2017). Deliberative citizens, (non)deliberative politicians: A rejoinder. *Daedalus*, 146(3), 106–118. [https://doi.org/10.1162/DAED\\_a\\_00450](https://doi.org/10.1162/DAED_a_00450)
- Bächtiger, A., Niemeyer, S., Neblo, M. A., Steenbergen, M. R., & Steiner, J. (2010). Disentangling diversity in deliberative democracy. *Journal of Political Philosophy*, 18, 32–63. <https://doi.org/10.1111/j.1467-9760.2009.00342.x>
- Bickerton, C., & Accetti, C. I. (2017). Populism and technocracy: Opposites or complements? *Critical Review of International Social and Political Philosophy*, 20, 186–206. <https://doi.org/10.1080/13698230.2014.995504>
- Bohman, J. (1998). Survey article: The coming of age of deliberative democracy. *Journal of Political Philosophy*, 6, 400–425. <https://doi.org/10.1111/1467-9760.00061>
- Buchstein, H., & Jörke, D. (2007). Redefining democracy. *Redescriptions: Political Thought, Conceptual History and Feminist Theory*, 11, 178–200. <https://doi.org/10.7227/R.11.1.10>
- Caramani, D. (2017). Will vs. reason: The populist and technocratic forms of political representation and their critique to party government. *American Political Science Review*, 111, 54–67. <https://doi.org/10.1017/S0003055416000538>
- Dryzek, J. S. (2017). The forum, the system, and the polity: Three varieties of democratic theory. *Political Theory*, 45, 610–636. <https://doi.org/10.1177/0090591716659114>
- Fishkin, J., & Mansbridge, J. (2017). Introduction: The prospects & limits of deliberative democracy. *Daedalus*, 146(3), 6–13. [https://doi.org/10.1162/daed\\_x\\_00442](https://doi.org/10.1162/daed_x_00442)
- Forst, R. (2007). *Das Recht auf Rechtfertigung. Elemente einer konstruktivistischen Theorie der Gerechtigkeit* [The right to justification: Elements of a constructivist theory of justice]. Frankfurt am Main: Suhrkamp.
- Forst, R. (2011). *Kritik der Rechtfertigungsverhältnisse. Perspektiven einer kritischen Theorie der Politik* [Justification and critique—Towards a critical theory of politics]. Berlin: Suhrkamp.
- Gaus, D. (2013). Rational reconstruction as a method of political theory between social critique and empirical political science. *Constellations*, 20(4), 553–570.
- Gaus, D. (2019). Rational reconstruction. In A. Allen & E. Mendieta (Eds.), *The Cambridge Habermas Lexicon* (pp. 369–378). Cambridge: Cambridge University Press.
- Goodin, R. E. (1986). Laundering preferences. In J. Elster & A. Hylland (Eds.), *Foundations of Social Choice Theory* (pp. 75–102). Cambridge: Cambridge University Press.
- Habermas, J. (1996). W. Rehg (Ed. & Trans.), *Between facts and norms: Contributions to a discourse theory of law and democracy*. Cambridge, MA: MIT Press.
- Habermas, J. (2009). Political communication in media society: Does democracy still have an epistemic dimension? The impact of normative theory on empirical research. In J. Habermas (Ed.), *Europe—The Faltering Project* (pp. 138–183). Cambridge: Polity.
- Habermas, J. (2013). Stichworte zu einer Diskurstheorie des Rechts und des demokratischen Rechtsstaats [Keywords on a discourse theory of law and of the democratic constitutional state]. In J. Habermas (Ed.), *Im Sog der Technokratie: Kleine Politische Schriften XII* [The lure of technocracy—Short political writings XII] (pp. 67–81). Berlin, Germany: Suhrkamp.
- Habermas, J. (2018). Interview with Jürgen Habermas. In A. Bächtiger, J. S. Dryzek, J. Mansbridge, & M. Warren (Eds.), *The Oxford Handbook of Deliberative Democracy* (pp. 871–881). Oxford: Oxford University Press.
- Jörke, D., & Selk, V. (2017). *Theorien des Populismus* [Theories of populism]. Hamburg: Junius.
- Lafont, C. (2015). Deliberation, participation, and democratic legitimacy: Should deliberative minipublics shape public policy? *Journal of Political Philosophy*, 23, 40–63. <https://doi.org/10.1111/jopp.12031>
- Lafont, C. (2020). *Democracy without shortcuts: A participatory conception of deliberative democracy*. Oxford: Oxford University Press.
- Landwehr, C. (2015). Democratic meta-deliberation. Towards reflective institutional design. *Political Studies*, 63, 38–54. <https://doi.org/10.1111/1467-9248.12158>
- Landwehr, C., & Schäfer, A. (2020). *Deliberation unplugged. Institutional requirements for effective citizen participation* (Unpublished manuscript). Conference paper, ECPR General Conference Innsbruck 2020.
- Mair, P. (2013). *Ruling the void. The hollowing out of Western democracy*. London: Verso.

- Mansbridge, J., Bohman, J., Chambers, S., Christiano, T., Fung, A., Parkinson, J., ... Warren, M. E. (2012). A systemic approach to deliberative democracy. In J. Parkinson & J. Mansbridge (Eds.), *Deliberative systems: Deliberative democracy at the large scale* (pp. 1–26). Cambridge: Cambridge University Press.
- Mansbridge, J., Bohman, J., Chambers, S., Estlund, D., Føllesdal, A., Fung, A., ... Martí, J. L. (2010). The place of self-interest and the role of power in deliberative democracy. *Journal of Political Philosophy*, 18, 64–100. <https://doi.org/10.1111/j.1467-9760.2009.00344.x>
- Martí, J. L. (2017). Pluralism and consensus in deliberative democracy. *Critical Review of International Social and Political Philosophy*, 20, 556–579. <https://doi.org/10.1080/13698230.2017.1328089>
- Offe, C. (2017). Referendum vs. institutionalized deliberation: What democratic theorists can learn from the 2016 Brexit decision. *Daedalus*, 146(3), 14–27. [https://doi.org/10.1162/DAED\\_a\\_00443](https://doi.org/10.1162/DAED_a_00443)
- Owen, D., & Smith, G. (2015). Survey article: Deliberation, democracy, and the systemic turn. *Journal of Political Philosophy*, 23, 213–234. <https://doi.org/10.1111/jopp.12054>
- Parkinson, J., & Mansbridge, J. (Eds.). (2012). *Deliberative systems: Deliberative democracy at the large scale*. Cambridge: Cambridge University Press.
- Richardson, H. S. (2002). *Democratic autonomy. Public reasoning about the ends of policy*. Oxford: Oxford University Press.
- Rostbøll, C. F. (2017). Democratic respect and compromise. *Critical Review of International Social and Political Philosophy*, 20, 619–635. <https://doi.org/10.1080/13698230.2017.1328092>
- Schmalz-Bruns, R. (1995). *Reflexive Demokratie*. Baden-Baden: Nomos.
- Thompson, D. F. (2008). Deliberative democratic theory and empirical political science. *Annual Review of Political Science*, 11, 497–520. <https://doi.org/10.1146/annurev.polisci.11.081306.070555>
- Urbinati, N. (2014). *Democracy disfigured. Opinion, truth, and the people*. Cambridge, MA: Harvard University Press.
- Urbinati, N. (2019). *Me the people. How populism transforms democracy*. Cambridge, MA: Harvard University Press.
- Warren, M. E. (2017). A problem-based approach to democratic theory. *American Political Science Review*, 111, 39–53. <https://doi.org/10.1017/S0003055416000605>
- Weinstock, D. (2017). Compromise, pluralism, and deliberation. *Critical Review of International Social and Political Philosophy*, 20, 636–655. <https://doi.org/10.1080/13698230.2017.1328093>

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