

Democratic Voting and the Common Good

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Abstract

Proponents of deliberative democracy believe that political communities should make decisions through public discussion rather than mere majority voting. This project will focus on two claims deliberative democrats make to argue for deliberative systems, and will ask whether those claims can be substantiated. The first claim is that groups that participate in public deliberation before voting are more likely to select policies that promote the common good than those who do not deliberate. I will argue that this claim lacks justification, and therefore we cannot accept it as a reason to implement deliberative democratic structures in real political systems. The second claim says that deliberation is morally required for public decision making because the act of deliberating has moral worth, while the act of voting does not. But as I will argue, the normative principles that underlie deliberation give moral weight to voting as well. This shows that deliberative democrats are committed to the claim that the act of voting has moral value. As a result, we should question the strong empirical and normative distinctions deliberative democrats draw between deliberation and voting procedures.

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Chapter 1: Dissertation Motivation and Outline

1. Introduction

Democratic theories provide justification for democratic institutions. They explain how political communities should be structured to uphold principles like fairness and equality, and to make morally good public policy decisions. Proponents of deliberative democracy in particular believe that the goal of any policymaking process is for all affected by the decision to reach an agreement through public discussion. To this end, members of the political community must make policy proposals, and present reasons for and against those proposals, that are accessible and acceptable to others in a deliberative forum. Deliberative democrats go on to outline the way deliberation ought to proceed, and the kinds of reasons and arguments that are permitted in deliberation. When deliberation fails to achieve consensus, deliberative democrats recognize that voting may be used to make a final decision. But it is deliberation, not voting, that provides the moral foundation for policymaking in deliberative democracies.

This project will focus on two arguments that deliberative democrats use to distinguish deliberative systems from voting systems. The first argument is founded on the claim that groups that participate in public deliberation before voting are more likely to select alternatives that promote the common good than those who do not deliberate. I will refer to this empirical claim as the “Deliberative Voting Claim” or DVC. The DVC is a reason to prefer deliberation followed by voting to voting alone, on the grounds that the former procedure is more likely than the latter to produce policies that promote the common good.

The literature on deliberative democracy does not provide a thorough explanation or justification for the DVC. In this project I will ask if one can justify the DVC using the existing empirical literature on deliberation. If we can provide evidence for the DVC, we can substantiate the deliberative democrat’s view that we ought to deliberate before voting in real world political systems to achieve better policy outcomes. On the other hand, if the DVC is false, or if we lack sufficient evidence to judge whether the DVC is true or false, then those who argue that deliberation promotes the common good do so without justification. This result should lead us to question whether we ought to implement deliberative procedures on the grounds that they promote the common good.

The second argument says that deliberative democratic procedures are valuable for procedural reasons. The claim is that deliberative processes have the moral features necessary to generate legitimate policy decisions, whereas voting procedures do not. In later chapters, I will ask a specific normative question surrounding deliberative democratic legitimacy and voting behavior. I will ask if deliberative democrats are committed to the claim that participants in deliberation have a moral obligation to vote to promote the common good. I will refer to the normative claim as the “Moral Voting Claim,” or MVC.

Whether or not deliberative democrats are committed to the MVC has normative implications for deliberative democratic theory. In particular, if deliberative democrats are committed to the MVC, then they are committed to the idea that voting has moral value, which undermines the strong normative distinctions deliberative democrats draw between the acts of deliberating and voting. Thus this project speaks to two arguments in the deliberative democratic theory literature that compare the relative merits of deliberation and democratic voting procedures.

This chapter lays the groundwork for the five subsequent chapters. My goal in this chapter is to explain the deliberative democratic theories that will be the focus of the dissertation (sections 2 through 4) and provide a brief outline of chapters 2 through 6 (section 5).

2. Theories of Interest

In the democratic theory literature, the concept of a “deliberative” democracy frequently is contrasted with theories and existing political institutions that focus primarily on voting. In “vote-centric” institutions, political outcomes are decided primarily by voting. Deliberative democrats reject vote-centric political institutions for several reasons. One reason is that mere majority voting does not have the normative resources to justify or legitimate political outcomes (Young 1996, p. 120) because it is a method for aggregating individuals’ private preferences rather than finding consensus or common ground. According to deliberative democrats, political decision making should be focused on what is good for the community as a whole, rather than what is good for the individual or interest groups. The reason is that political decisions should be acceptable in the eyes of those who will be bound by them, and thus should be framed in a way that speaks to shared interests or principles. The implicit assumption in this argument is that deliberators cannot accept political choices that are motivated by self-interest.

While voting theorists do not assume that voters’ preferences are self-interested, the claim voiced by deliberative democrats like Young is that self-interested voting is possible or even likely in vote-centric political systems. Young’s concern is that mere voting systems fail to sufficiently motivate voters to set aside self-interest and find reasons for their choices that others can accept, and she considers self-interest to be a poor basis for public decision making. Young is thus critiquing vote-centric systems (real and theoretical) on the grounds that they prompt voters to make decisions- or fail to dissuade voters from making decisions- in what she sees as morally unacceptable ways.

Gutmann & Thompson agree that preferences that are aggregated in voting systems are inferior to those that survive deliberation (Gutmann & Thompson 2009). On their view, deliberative systems are superior to aggregative methods because deliberation requires participants to discuss their views out in the open before a decision is made, making participants’ preferences and their reasons for those preferences contestable. This picture casts deliberation as a moral method for making public decisions because it asks participants to justify their choices to others, while voting is a morally neutral action used only for efficiency’s sake, or worse, a method for generating decisions that are founded on inappropriate or immoral reasons. In chapter 6, I will delve further into the moral principles that underlie deliberation and the way that deliberation is supposed to proceed through an exchange of public reasons.

The literature on deliberative democracy is diverse. There are many different beliefs about what justifies the use of democratic deliberation, and about how democratic deliberation should be structured. There are, however, some constant themes throughout the literature. For example, democratic theorists agree that political decisions backed by coercive force must be achieved through free and *public* deliberation if they are to be legitimate in the eyes of the people. A deliberation is public if it is open to all who will be affected by the decision under consideration. To achieve democratic legitimacy, participants must present *reasons* for and against the policies under consideration, and select those policies backed by the better argument (Lafont 2009, p. 128; Gutmann & Thompson 2009, p. 10). In addition, deliberation must be

focused on the *common good* (Rawls 1997), as opposed to the interests of individuals or groups: “what [deliberative democracy] counsels against is any pattern... in which the [individual] takes account only of what is good for his or her particular coterie or corner or circle” (Pettit 2001, p. 270-1). Finally, while deliberation should be an “unconstrained” process accessible to all, deliberative democrats agree that if consensus is not achievable, a *vote* may be taken to make a final decision. Thus deliberative democratic theories are committed to the following four conditions:

1. **Common Good:** The goal of deliberation is to select outcomes that promote the common good.
2. **Democracy:** Everyone who will be affected by the outcome of the deliberation should be involved in the decision-making process.
3. **Reason-Giving:** During deliberation, individuals should provide reasons for and against the available alternatives.
4. **Voting:** If deliberation fails to end in consensus, a vote may be taken to select an outcome.

Deliberative democratic theorists committed to these four conditions provide two kinds of reasons to support the claim that political decision making should be deliberative. The first is an “intrinsic” or “procedural” justification. An intrinsic justification for deliberative democracy says that public deliberation is valuable or good because of features inherent to the deliberative process. For example, some have argued that deliberation is good because it treats individuals equally, and equality is a good or desirable feature of a political procedure. The second kind of justification is “instrumental.” An instrumental justification for deliberative democracy says that deliberation is valuable or good because of the outcomes it produces. For example, one might argue that deliberation is good because it produces outcomes that are reflective of the views of the people, or as I will focus on, outcomes that promote common good. Deliberative democratic theories can be organized on a spectrum with theories that provide only instrumental arguments on one end, and theories that rely completely on intrinsic arguments on the other. Between these extremes are theories that provide some combination of intrinsic and instrumental arguments.

I take seriously that deliberative democrats give instrumental and intrinsic arguments for deliberation because they believe that deliberative systems are the right way to pursue policymaking in the real world. Deliberative democratic theory is not merely hypothetical. It is meant to provide a roadmap for real world political actors. For example, to show how deliberative democracy would play out in existing political states, deliberative democrats hold up examples of real town hall meetings (Gutmann & Thompson 2009). But because most cities, states, and countries are not structured to make decisions via structured public democratic deliberation, significant institutional change would be required to implement the kinds of systems deliberative democrats argue for. For this reason, we should determine whether their instrumental and intrinsic claims are true before pursuing the costly process of implementing and conducting democratic deliberation.

In chapters 2 through 5, I will focus on theories that provide at a minimum one particular instrumental justification for deliberation. I will focus on the argument that deliberation is good or valuable because it leads to outcomes that promote the common good. Two components of this justification must be distinguished. First, the deliberative democrats on whom I focus argue that the goal of political decision-making should be to produce decisions that promote the common good. This “classic” account of deliberative democracy “aims at consensus and the

common good” (Mansbridge et al. 2010, p. 66). Second, these deliberative democrats argue that deliberation is a good procedure because it will produce good outcomes, and in particular, it will produce better outcomes than voting alone. I explore this second claim in the next section.

3. The Deliberative Voting Claim

The claim that deliberation followed by voting will produce better outcomes than voting alone is rather vague. As I discuss in chapters 2 and 3, the underlying claim seems to be that deliberation is *more likely than* voting to select outcomes that promote the common good. To substantiate this claim, and to show us why we ought to implement public deliberation in real world political communities, deliberative democrats must be able to show that deliberation promotes the common good more than voting alone. It is important that deliberative democrats provide evidence that the DVC is true because the cost of implementing deliberative systems is high. Deliberation takes time and effort, and would require significant institutional redesign for many local, state, and federal governments worldwide. For these reasons, we should demand evidence that deliberation will have the effect that deliberative democrats claim it will have before accepting that deliberation is preferable to more commonly used voting systems.

Chapters 2 and 3 will begin by explaining the DVC. Chapters 4 and 5 will then explore two mechanisms used to support the DVC in the literature on deliberative democracy:

The Deliberative Voting Claim (DVC): Deliberation followed by voting is more likely to produce outcomes that promote the common good than voting alone.

The DVC appears in democratic theories across the intrinsic/instrumental spectrum. Deliberative democrats disagree about the significance of the DVC for democratic legitimacy and justification. For example, Joshua Cohen finds democracy’s value in features intrinsic to the deliberation procedure, and, in particular, in the fact that democratic deliberation treats its participants as free and equal. Nevertheless, Cohen believes that outcomes resulting from deliberation will promote the common good to a greater extent than those that result from voting alone. This fact, however, is not central to his argument for deliberative democratic political systems (Cohen 1997, p. 75). On the other hand, Amy Gutmann, Dennis Thompson (1998, 2009), Jon Elster (1998), and David Estlund (1997) argue that deliberation has epistemic value. On their view, decisions made through a process of public justification are more likely to track standards like “truth” or “justice” than a process when no justification is required (Gutmann & Thompson 2009, p. 102). On Estlund’s view, public deliberation conducted under conditions of equality and public justification is likely to avoid significantly bad outcomes like famine and war and will “have a significant tendency to make decisions that are morally right by standards that are independent of the results” (Estlund 1997, p. 176). Similarly, Christiano recognizes that when participants deliberate with an open mind,

[w]e have reason to think that a society that promotes public deliberation will make better decisions. It is likely to be more sensitive to and understanding of the interests of a broader portion of the population than one where citizens do not have the opportunity to express and discuss their interests... The ideas of justice and the common good that provide the ultimate justification for many policies will usually avoid egregious forms of

arbitrary treatment that arise when a decision-making group is not aware of other groups in the society. (Christiano 1997, p. 247-8)

For these authors, the fact that deliberation will produce better outcomes than voting alone is a reason to prefer democratic deliberation to mere voting. They use the DVC as an instrumental argument in favor of deliberation. James Bohman and William Rehg say that the claim that deliberation should improve decision making over non-deliberative procedures because it involves a cognitive process focused on the common good is a “key tenet” of the deliberative model (William & Rehg 1997, p. xvi). Seyla Benhabib says that deliberative procedures are essential for three reasons: because they reveal new information, because they help individuals reorder preferences such that they become coherent, and because preference and opinion changes are the result of individuals adopting an “enlarged mentality,” such that they consider a wider range of considerations than their own self-interest (Benhabib 1996). Jon Elster goes so far as to say that deliberation is *only* justifiable if it can be shown to improve political decision making with respect to common ends over voting (Elster 1997). Elster describes deliberation’s transformative effect on individual preferences, and the centrality of this aspect of deliberation in broader deliberative democratic theory, as follows:

The core of the theory, then, is that rather than aggregating or filtering preferences, the political system should be set up with a view to changing them by public debate and confrontation. The input to the social choice mechanism would then not be the raw, quite possibly selfish or irrational, preferences that operate in the market, but informed and other-regarding preferences (Elster 1997, p.11).

The DVC provides a reason to favor deliberation and voting over mere voting procedures. The belief that deliberation is focused on the common good, and is more likely than voting, alone, to promote the common good, supports the deliberative democrat’s rejection of non-deliberative voting. According to deliberative democrats, majority voting may not result in outcomes that promote the common good. Deliberation is required to achieve that end.

In chapters 4 and 5 I address two mechanisms that are used in the literature to justify the DVC. Generally speaking, these arguments refer to deliberation’s effects on participants’ preferences, and claim that deliberation alters preferences towards the common good. The idea is that public justification and debate focused on the common good will make participants’ preferences more reflective of the common good than if no deliberation had been held (Aldred 2000; Elster 1997; Fearon 1998). Some have said that this reflective aspect of deliberation, in which participants are able and willing to adjust their views following reflection, is the mark of “authentic” deliberation (Dryzek 2000, p. 1-2).

The analysis in chapters 4 and 5 is most relevant to the instrumental end of the deliberative democratic theory spectrum. In particular, if the DVC (an instrumental claim) is a necessary component of a deliberative democratic theory, and if that claim can be shown to lack empirical grounding, then we do not have reason to accept the theory as it stands. Therefore, the analysis to be conducted in chapters 2 through 5 is most directly aimed at theories that use the DVC in their normative defense of deliberative democratic decision-making. In chapter 6, I take up a broader question about relative moral value of voting that is applicable to a wider swath of the deliberative democratic theory literature. I explain my goals for that chapter in greater detail below.

4. Scope

Just as political theorists provide competing defenses of democratic deliberation and its value, they also give contrasting pictures of what deliberation is and where it takes place. In this section, I will explain what kind of deliberation I will focus on in this project, before moving on to outline the remaining chapters in section 5.

Those who invoke the DVC do not always explain clearly what they mean by deliberation or voting. The term “public deliberation” can refer to a broad spectrum of political activities. For example, deliberation can refer to a formal town hall meeting in which citizens come together to discuss a specific set of policy items and then take votes to make decisions. Or, it can refer to a diffuse, informal activity in which individuals speak to those in their social network, including family members, coworkers, and friends, over an extended period of time, without any central focus point or meeting. The full literature on deliberative democracy refers to both of these activities as “democratic deliberation.” In contrast, “voting” might refer to the act of casting a ballot preceded by any type of discussion or conversation (formal or informal), or merely the act of voting itself. It is important that we be clear about what each of these terms means, because we will look to find empirical studies that construct the kinds of deliberation and voting we are interested in in chapters 4 and 5.

In this project, I will focus on formal, structured public deliberations, as opposed to informal and diffuse public discourse. The types of deliberations I have in mind are those in which members of a political community come together at the same time to discuss and make decisions that will affect them. This type of deliberation can be conducted in many different ways. For example, some of the studies we will see in chapters 4 and 5 conduct deliberations over public policies or legal decisions. Some of these events include a formal presentation of information by experts, while others do not. The main unifying feature of these studies is that they ask participants to gather together to make a decision and discuss that decision in a structured manner. Understood this way, the DVC compares voting that follows a structured deliberation to voting without such a deliberation. In this case, “voting” might refer to voting preceded by informal discussion, or voting preceded by no dialogue whatsoever.

I have three reasons for limiting my scope to this class of events. The first is that the authors with whom I am engaging agree that this format for deliberation constitutes a legitimate form of public discourse. For example, like I mentioned above, Gutmann & Thompson (2009) and Estlund (1997) invoke the idea of a New England town hall meeting as one example of (formal) public deliberation. While some authors acknowledge that informal discussion is also a legitimate type of deliberation, formal public events are nevertheless an “object of study” for them (Mansbridge et al. 2012, p. 2).

The second reason has to do with what counts as a “reasonable” conception of voting. If we took deliberation to mean any kind of unstructured discussion, then the DVC would say that unstructured discussion followed by voting is more likely to promote the common good than voting without any informal discussion whatsoever. The problem with this formulation of the DVC is that it paints the proponent of (mere) voting as someone who advocates for a political climate in which no discussion takes place. This is not something advocated for in the literature, nor is it an accurate representation of real political communities. Thus conceiving of deliberation as an unstructured process is problematic for those who advocate for the DVC because it makes their argument uncharitable to their opponents.

The third reason has to do with the work in chapters 4 and 5. In those chapters, I will be asking what effect public deliberation has on participants' voting behavior. In order to complete these chapters, I must be able to identify empirical studies of political deliberation, however it is defined. As the literature currently stands, the vast majority of studies on the effects of public deliberation involve a formal, structured event, such as a town hall or laboratory experiment. Thus there are more resources available to address the DVC if we understand it in the formal sense, and for this reason, I will limit my analysis to this conception.

By limiting my analysis in this way, I have left open several questions about the instrumental benefits of deliberation and voting. In particular, while I will try to isolate the effect of participating in structured deliberation on participants' voting behavior, be it through learning or other mechanisms, I will not address the effects of informal, diffuse political discussion. This is because I am focused on deliberation as it relates to the DVC, and as I explained above, understanding deliberation as diffuse discussion misrepresents the alternative view.

5. Outline

Although several deliberative democrats state the DVC, the current literature does not explain or justify it sufficiently. The goal of chapters 2 through 5 of the dissertation is to analyze the DVC and determine whether it can be substantiated using the existing empirical literature. The claim must be justified if we are to accept it as an instrumental reason to prefer deliberation followed by voting to voting alone.

Before considering justifications for the DVC, I need to clarify the claim itself. In particular, I need to clarify how a political outcome could "promote the common good." I will begin chapter 2 by examining three interpretations of the common good present in the literature on deliberative democracy. First, the aggregative common good refers to an aggregation of individuals' goods. Second, the procedural common good is the outcome of a particular procedure. Third, the distinctive common good is the good of the community as a whole, which is seen to be greater than or different from the goods of individuals. It is important to distinguish these three conceptions of the common good because what one means by "common good" will influence the reasons one can give to support the claim that deliberation will promote it. In chapter 3, I will outline the ways that deliberation might enable changes in voting behavior.

Following this discussion of the common good, I will ask whether the DVC can be substantiated empirically in chapters 4 and 5. To do this, I will cite and analyze two arguments related to the DVC found in the literature on deliberative democracy. Recall that the claim states that deliberation, followed by majority voting, will lead to better outcomes than majority voting alone. In order for the same majority voting procedure, with the same set of alternatives, to produce two different outcomes, it must be the case that voters behave differently (and in particular, vote differently) in the deliberative and non-deliberative voting contexts. Thus my goal in these chapters is to propose and analyze empirical arguments that could support the claim that voters in deliberative contexts will select outcomes differently than they would if no formal deliberation were held.

The first empirical argument is present in a subset of the instrumental democratic theories discussed above. It says that deliberative voting will select better outcomes than non-deliberative voting because (a) voters vote based on their first-order preferences, (b) deliberation will cause voters to change their first-order preferences before they vote, and that (c) first-order preferences

change in the “right way,” such that voting on those preferences will produce outcomes that better promote the common good than voting on voters’ original, unaltered preferences.

The second argument does not center on the claim that deliberation will change individuals’ first-order preferences over the outcomes, but rather that during deliberation, voters alter their perception of how they ought to behave when they vote (a second-order preference) leading to a change in voting behavior. For example, suppose that prior to deliberation, voters are self-interested, and would vote to promote their self-interest. Following deliberation, voters’ self-interested preferences may remain the same, but voters come to believe that they should not vote to satisfy their self-interest. They choose to set aside those interests and vote for the alternative they believe best promotes the common good. This empirical argument is less common than the first but has received some support in the deliberative democratic literature.

While some deliberative democrats have appealed to empirical evidence to support their views, the literature provides no systematic treatment of this topic. This portion of the dissertation will serve to summarize the effects of deliberation on voters’ preferences and motivations to determine whether this literature can provide support for the DVC under the two mechanisms. I plan to address this question to the greatest extent possible using the current body of literature on the empirical effects of deliberation in chapters 4 and 5.

In those chapters, I will survey the results of a systematic literature review that collected empirical studies of deliberation. Despite the fact that there are over one hundred sources that speak to the two empirical arguments described above, I will argue that these sources cannot be used to support or reject the DVC. The reason is that we do not have sufficient information about the participants who are deliberating, or about the moral principles that underlie deliberative democrats’ notion of common good, to determine whether deliberation moves preferences towards the common good.

The fact that the DVC cannot be confirmed or rejected is a problem for deliberative democrats who use the claim to argue for deliberative systems. Following my survey of the empirical literature, I will argue that the fact that the DVC lacks justification means that we should not accept the DVC as a reason to implement deliberative democratic structures in real political systems. Until more evidence is available, deliberative democrats must abandon the DVC and fall back on other instrumental or intrinsic defenses of deliberation. Until better evidence is available, deliberative democrats must abandon the DVC or adopt a significantly more nuanced approach to deliberation and the common good. I discuss these alternatives at the end of chapter 6.

Although it is important to consider whether these empirical claims are justified, neither of these chapters will determine what normative duties deliberative democratic voters have, and in particular, whether deliberators have a moral obligation to vote to promote the common good. This is a different question that has yet to be explored in the deliberative democratic theory literature. In chapter 6, I will ask whether the deliberative democrats of interest are committed to the claim that deliberators have a moral obligation to vote to promote the common good, a claim that I will call the MVC. I will argue that a commitment to the principles of legitimacy and public reason entails a commitment to the MVC. Because most deliberative democrats are committed to legitimacy and public reason, they are committed to the MVC.

The fact that deliberative democrats across the instrumental/procedural spectrum are committed to the MVC has wider implications than my argument surrounding the DVC. It shows that deliberative democrats of all stripes are committed to the claim that voting is an action of moral worth. I will argue that this fact undermines the strong normative distinctions these

authors draw between the acts of deliberating and voting that I outlined earlier in this chapter. As a result, deliberative democrats must accept that voting has an important moral role to play in deliberative democratic societies.

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Chapter 2: The Common Good

1. Introduction

At the level of policy, if we take seriously that political theories should be applicable to the real world, we can understand deliberative democratic theories as saying that deliberation should be the mechanism through which real people make political decisions. They say that we should strive to implement structured deliberative forums in our existing political communities. In this chapter, I lay the groundwork to answer the empirical question I raised in chapter 1: Is formal deliberation followed by voting more likely to select political outcomes that promote the common good than voting alone? By asking whether deliberation has instrumental value, I am questioning whether implementing deliberation is worth significantly altering the status quo. I ask this question because deliberation is costly. It requires participants and organizers' time and effort. In many countries, institutionalizing structured public deliberation would require significant policy change. Before we begin instituting deliberative democratic policies, we should be clear about what the benefits of those policies are for real people, and whether those benefits outweigh the costs associated with implementing and participating in deliberative institutions.

This chapter begins by breaking down the question of whether deliberation promotes the common good more than voting alone. We must first clarify the relevant terms. In particular, before we can judge whether deliberation is more likely to lead to the selection of outcomes that promote the common good than voting without deliberation, we have to know what it means for an outcome to promote the common good, such that we can look at an empirical study and determine whether the participants' chosen outcome promotes the common good or not. To this end, part one of this chapter will distinguish three conceptions of the common good and explain what it would mean for an outcome of the deliberative and voting processes to promote each variety of the good. In addition, chapter 2 will explain which of the three conceptions is consistent with deliberative democratic theory. These conceptions will be the focus of the remaining four chapters.

2. The Common Good and Deliberative Democracy

This project is concerned with deliberative democratic theories that are committed to a core set of claims. In general, these theories claim that political decision making should proceed via structured public deliberation, under the following conditions:

1. **Common Good:** The goal of deliberation is to select outcomes that promote the common good.
2. **Democracy:** Everyone who will be affected by the deliberation's outcome should be involved in the decision-making process.
3. **Reason-Giving:** During deliberation, individuals should provide reasons for and against the available alternatives.
4. **Voting:** If deliberation fails to end in consensus, a vote may be taken to select an outcome.

In this section, I will focus on the Common Good condition. The “common good” is so named because it is a good that accrues to a community. In the literature on the constitution of communities and deliberative democracy, there are two competing conceptions of what a community is. The “atomist” view identifies a community as a collection of individuals, and nothing more (Gutmann, Sandel et al. 1985, Taylor 2003). The “holist” or “corporate” view defines a community as something over and above the collection of individuals who are part of it (London 2003, Murphy 2005, Mansbridge, Bohman et al. 2010). In this project, I will not take a stance on what a political community is. Instead, I will discuss the various conceptions of the common good and explain the relationship between the common good and a political community.

a. Conceptions of the Common Good

I will borrow Jane Mansbridge’s taxonomy of conceptions of the common good (Mansbridge 1998). Under Mansbridge’s taxonomy, conceptions of the common good are divided into two main categories. The first category includes “procedural” conceptions. In *A Theory of Justice* Rawls recognizes procedural conceptions of justice, and we can adapt Rawls’ terminology to define procedural conceptions to the common good (John Rawls 1971). A *pure* procedural conception identifies the common good with the result of some procedure. So long as the chosen procedure is followed, the outcome of that procedure constitutes the common good, regardless of the outcome’s characteristics or substance. Those who advocate for procedural conceptions of the common good deny that there are any procedure-independent criteria for what constitutes the common good. Advocates of this conception commonly argue in favor of particular political procedures on the basis of their intrinsic characteristics (such as fairness), rather than on the basis of the types of outcomes the procedures produce.

There are several reasons why one might be motivated to adopt a pure procedural conception of the common good. For example, one could argue that that it isn’t possible to identify a definitive, finite list of characteristics that would constitute a good political outcome because interests are diffuse and conflict. In this case, one might instead try to identify characteristics of a good *procedure*, and commit to accepting the outcomes of that procedure, whatever they are. For example, one could argue that deliberation is a good procedure because it treats participants equally and requires rational discourse to reach a decision. In the context of deliberative democracy, advocating for a pure procedural conception of the common good amounts to arguing that deliberation followed by voting is the good or valuable procedure for political decision making, and that we ought to accept the outcomes of deliberation followed by voting, whatever they may be.

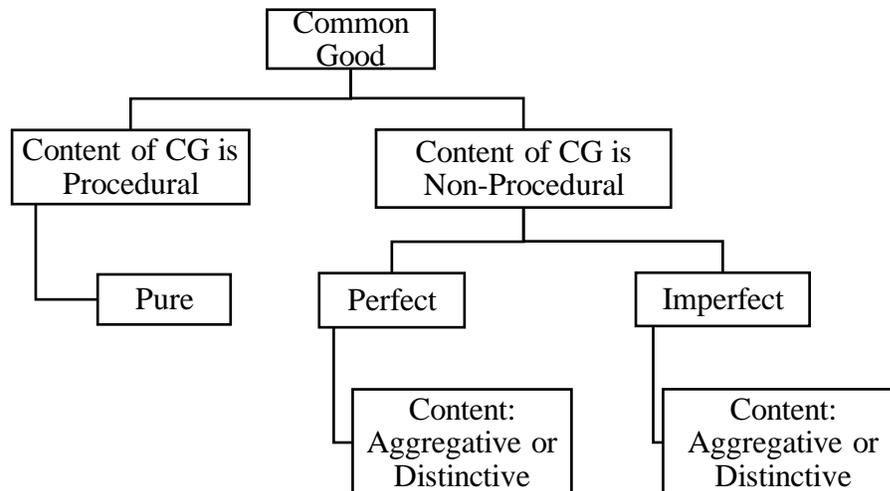
The second category includes “non-procedural” or “substantive” conceptions of the common good. A conception of the common good is non-procedural if the common good is defined as a state of affairs that has a procedure-independent characteristic or substance, rather than a state of affairs that results from a particular procedure. There are two ways that we might understand the relationship between political procedures and substantive conceptions of the common good. If procedures are *perfect*, then they are sure to produce outcomes with the procedure-independent characteristic and are therefore sure to produce the common good. If our political procedures are *imperfect*, then they may not result in the common good. To achieve the common good under the imperfect conception, we must rely on imperfect political processes that we believe have the best chance of bringing us closer to ideal political outcomes.

Proponents of both perfect and imperfect conceptions of the common good recognize that political procedures influence the kinds they produce. For example, Joshua Cohen states that when deliberators recognize one another as political equals, they are agreeing to reject arguments and reasons expressed in the deliberative forum that claim that some interests should count more than others (Cohen 1997). As a result, deliberators may reject policies that promote significant inequalities in the population. Here, Cohen is arguing that a procedural rule may limit the kinds of outcomes that can result from deliberation.

We must now consider what the common good might look like under non-procedural conceptions. “Aggregative” non-procedural conceptions define the common good as a state that is good for the individuals who compose the political community. An individual’s good might be understood, for example, as a utility, or as well-being. In a pluralistic society, it might be the case that maximizing one person’s utility diminishes another’s, or that satisfying one person’s interests means failing to satisfy another’s. Thus, it may not be possible to completely satisfy all individual interests or maximize every individual’s utility simultaneously. Instead, the aggregative common good might plausibly refer to the state of affairs in which utility or well-being is maximized, or the state of affairs in which utility is distributed across the largest number of individuals possible.

Alternatively, one could define the aggregative common good as a state of affairs in which interests that are shared by every member of the community are satisfied to some minimum threshold (London 2003). A proponent of this conception can acknowledge that individuals may have different sets of interests but claims that there is at least one important interest that all people share. For example, Rousseau argued that the goal of political decision making is the common good, which consists in the community’s shared interests of freedom and equality (Rousseau and Gourevitch 1997, Freeman 2000).

“Non-aggregative” or what I will call “distinctive” non-procedural conceptions define the common good as a state that is good for the political community. The distinctive common good is not reducible to the utility or well-being of the aggregate, and is not comprised of the interests that participants have prior to deliberation (Cohen 1997). Instead, the distinctive common good might refer to a state in which a political community abides by or achieves some principle, such as equality or justice. For example, this ideal state might be one in which a community’s laws are perfectly just, or one in which every citizen is respected as a political equal. This common good taxonomy is represented in the figure below.



For the distinctive common good to be different from the aggregative common good, it must involve some good for the community that is not reducible to an aggregate of individual goods. These community-level goods have been referred to as “irreducibly social” goods. A good can be “irreducibly social” in two senses. First, some goods, such as friendship, are social in the sense that they require more than one individual to exist. Those who accept the aggregative conception of the common good accept that there are common goods in this sense: goods that require a social group to exist. They accept that goods like friendship are “common” goods because they are goods that accrue to multiple individuals, and provide each person with utility, or satisfy each individual’s interests. Second, some goods are social in the sense that they apply to particular objects, and those objects cannot be broken down into individual entities, such as individual people. For the distinctive conception of the common good to differ from the aggregative conception, and refer to an alternative set of “goods,” proponents of the distinctive common good must accept that the entity to which the common good accrues (the “community as a whole”) is irreducibly social (Murphy 2005), in that it is something greater than or distinct from the people who belong to it. For this reason, proponents of the distinctive common good must accept the “holistic” view of community discussed above.

Mansbridge (1998, 10-11) elucidates the distinction between aggregative and distinctive common goods with an example. When we judge that an academic department is better than another, Mansbridge argues that we do not (merely) mean that the department meets its individual members’ needs better than the other department. We mean that the department is better at doing the tasks and jobs that we agree an academic department ought to do, such as produce research, educate students, and so on. Mansbridge argues that we might even imagine a scenario in which all individual department members are asked to make a personal sacrifice (and asked *not* to pursue what is good for them individually) by stepping down from their positions for “the good of the department” such that funds are available to hire new, more productive members. This is a scenario, Mansbridge argues, in which the good of the aggregate (the group of individual faculty members) is at odds with what is good for the department. Mansbridge argues that this demonstrates that “the department” is an irreducibly social entity, because it is something greater than or distinct from the faculty who belong to it.

As I have described them, the aggregative and distinctive conceptions of the common good appear to have very little in common. This presentation is overly simplistic. For example, suppose that the distinctive common good refers to a perfectly just state of affairs. It may very well be the case that a perfectly just state of affairs promotes the good of individuals. That is, individuals do well in a society that is just, so the distinctive common good promotes the aggregate good. Similarly, it might be the case that promoting the well-being of many individuals brings a society closer to an ideal state of justice. In these two examples, individual and community goods overlap. As Joshua Cohen points out, it would be odd to think that the (distinctive) common good could be bad for *all* individuals (Cohen 1997). If that were the case, we wouldn’t think the distinctive common good was good at all. This shows that promoting one conception of the common good may very well entail the promotion of the other.

For now, I will treat the conceptions of the common good as distinct because we must determine which of these conceptions is applicable to deliberative democratic theory. This is an important step because deliberative democrats do not always distinguish carefully the conceptions of the common good. The literature is particularly vague in its discussions of self and community interests and their relationship to the common good. For example, Elster states that deliberation requires that individuals move “beyond” self-interest and orient themselves

toward the common good (Elster 1998). Similarly, Freeman distinguishes the individual's good with the common good (Freeman 2000). These authors contrast what is good for the individual and what is good for the common, and for this reason, may appear to reject the aggregative conception of the common good.

However, even if one believes that deliberators should consider more than their myopic self-interest when deliberating, this does not necessarily imply that deliberators should not consider the aggregative common good. To consider what state of affairs is best for all individuals (the aggregative common good) is not the same as considering what is best for oneself (and only oneself). On the other hand, if the goal of deliberation is to promote the aggregative common good, then having every individual vote according to her own self-interest is one way to promote the common good via voting. I discuss this connection between voting and the aggregative common good in greater in chapter 3 below.

b. The Common Good and the DVC

Now we must determine which of the three conceptions of the common good is applicable to deliberative democratic theory. First, consider the non-procedural conceptions of the common good. Are the non-procedural conceptions applicable to deliberative democratic theories committed to the DVC? So far, we have no reason to reject the claim that deliberation could be used to select outcomes that promote the good of individuals who compose the political community, or to select outcomes that promote the good of the community as a whole. Further, it might be the case that deliberation constitutes a *perfect* procedure, in which case deliberation will result in the common good with certainty. Or, deliberation might move us toward the common good ideal better or faster than other available procedures but do so *imperfectly*. Both of these claims are consistent with the DVC: the claim that deliberation followed by voting is more reliable than voting alone at producing outcomes that promote the common good.

Second, consider the pure procedural conception of the common good. Above I noted that those who argue in favor of a procedural conception of the common good do so because they believe that it is difficult or impossible to identify an exhaustive list of characteristics that make outcomes "good," but believe that it is possible to identify good procedures. In this case, we evaluate a political procedure not by the quality of its outcomes, but by the qualities the procedure embodies. But a problem arises when a deliberative democrat committed to the pure procedural conception of the common good also commits herself to the DVC. A person with both of these commitments would be saying that deliberation followed by voting is more likely than non-deliberative voting to select outcomes that promote the pure procedural common good. In this case, the deliberative democrat committed to the DVC is either saying something trivially true or begging the question. The DVC is trivially true under the pure procedural notion of the common good because deliberation followed by voting is, by definition, more likely than voting alone to promote the pure procedural common good: deliberation followed by voting. The deliberative democrat begs the question by failing to explain what distinguishes outcomes that result from deliberative voting from those that result from voting alone, other than the fact that they resulted from different procedures.

The issue here is that the deliberative democrat is making two claims that, when taken together, are trivially true. She is first defending outcomes on the grounds that they resulted from a particular procedure, and then saying that those outcomes are better than those that result from some other procedure. If a "good" outcome is one that results from deliberation (and deliberation only), then it is trivially true that an outcome of deliberation will be better than an outcome from

voting alone. This shows that the pure procedural common good is consistent with deliberative democratic theory, but that the DVC is true under this conception only in a trivial sense. This is not to say that the procedural conception of the common good is altogether wrong or inconsistent. Rather, what I am arguing is that this conception of the common good renders the commitment to the DVC trivial. For this reason, I will set aside the pure procedural common good, and focus exclusively on non-procedural conceptions of the common good in the remainder of this project.

c. Idealism and Promoting the Common Good

As I have described them, the aggregative and distinctive conceptions of the common good refer to ideal states of affairs. In the rest of this section, I introduce a concern that Gerald Gaus raises regarding idealized states of affairs as the ends of political decision making. This is a legitimate concern that one could level against the aggregative and distinctive conceptions of the common good. My goal is to explain Gaus' concern, and in response, update my definitions of the aggregative and distinctive common good to avoid the issue.

In his book *Tyranny of the Ideal*, Gerald Gaus takes issue with ideal theories of political decision making. He argues that political philosophies that take idealized goals to be the ends of political processes are unhelpful for real societies attempting to decide between competing policies. To see Gaus' worry, consider what a deliberative body would need to do to achieve the common good ideal. First, the body would need a conception of what the ideal state is, and second, the body would need to be able to evaluate their options (the policies over which they are deciding, for example), in terms of their realization of the ideal (Gaus 2016). Gaus refers to this kind of decision making as evaluating the alternatives in terms of their "proximity" to the ideal social world (Ibid. 51).

The problem with this approach, on Gaus' view, is that members of a pluralistic society will likely be unable to agree on what constitutes the ideal end state, even if there is some "true" ideal. It would be difficult (or perhaps impossible) for real deliberators to come to a consensus and strive for a single ideal (Ibid. 155), such as a single conception of the common good. Furthermore, if we take seriously the fact that political actors are frequently faced with choices between two or more policies, Gaus argues that a notion of an idealized state is largely orthogonal to political decision making. One does not need to know what the ideal or best state looks like to decide between the two non-ideal states that would result from a real policy choice. All one needs is a standard to compare the two non-ideal states to each other. As Gaus argues, citing Sen: one does not need to know the height of the world's tallest mountain to decide which of the two mountains one currently faces is higher (Ibid. 6). Instead, on Gaus' view, we ought to compare the available alternatives to one another and determine which is better, rather than compare each to a far-off ideal, and should attempt to avoid what we can agree are serious negative outcomes (such as largescale injustice) (Ibid. 208-11). For Gaus, the main question for public deliberators then becomes the following: which alternative(s) poses the greatest improvement in terms of the common good to where we are now?¹ When deliberators vote based on these evaluations, they vote to *promote* the common good, but do not necessarily aim to *achieve* some (perhaps unattainable) ideal end state.

¹ Deliberators will have to balance the amount of improvement they expect with the likelihood that the improvement will occur. It may be the case that the status quo is better than any of the other alternatives on the table.

Gaus' argument is directly applicable to the substantive conceptions of the common good I outlined earlier in this chapter. It shows that the distinctive and aggregative conceptions of the common good- conceived as idealized states of affairs- are poor tools for real world political decision making. To avoid Gaus' worry about idealized states, we must reinterpret the two non-procedural conceptions of the common good discussed above. We must understand the common good not as an ideal state, but as a tool for comparing various alternatives to the current state of affairs and to each other and ranking them from best to worst. In particular, deliberators must rank the alternatives according to the amount of good those alternatives are likely to promote for the individuals of the community (aggregative common good) or the community as a whole (distinctive common good).

To demonstrate how the two approaches to the common good come apart, consider the aggregative conception of the common good. Under the idealized approach presented at the beginning of this chapter, the goal of deliberation is to select policies that would result in an ideal state of affairs for the individuals who compose the political community.² Under the Gaussian view presented in this section, deliberators discuss the available alternatives, and determine how much good would result from enacting each policy. The deliberators then construct a ranking of the alternatives from most good-producing to least. Importantly, deliberators do not need to know what the ideal aggregative state would look like to complete this task.

The upshot of Gaus' argument is that an idealized goal may be unhelpful to real deliberators attempting to decide between two or more policy alternatives. His proposal is that deliberators select policies by comparing them to one another using some metric, such as the individual good or welfare produced by each alternative. His approach seems to sidestep the question of whether our political procedures are perfect or imperfect methods for *achieving* the common good. Above, I noted that political procedures can result in some substantive notion of the common good with certainty (perfect) or not (imperfect). Gaus wants to say that the notion that procedures "result in the common good" is overly idealized. Instead, Gaus thinks our political procedures allow us to compare the available policy alternatives and determine which is the greatest improvement from the status quo. Whether our procedures will produce outcomes that *promote* the common good with certainty (perfect) or not (imperfect) remains an open question. In this project, my concern is not whether deliberative procedures are perfect or imperfect, but rather how those procedures compare to mere voting procedures. We are concerned with the question of whether deliberative political procedures are more likely to produce outcomes that promote the common good than mere voting procedures.

With this new non-ideal interpretation of promoting the common good in mind, I would like to flesh out what it would look like for participants in a deliberation to try to promote the common good. In particular, I want to raise three kinds of comparisons that deliberators would need to make to evaluate policy options. They include: balancing the amount of good that is likely to result from enacting a policy and the likelihood that good will come about, considering the ways in which policies may interact with one another in the future, and using this information to construct a complete ranking of the alternatives. Below I explain these three features of policy comparisons and explain what real deliberators would need to do to alleviate these concerns, and successfully decide between policy alternatives.

² Here, I am making no judgment as to how much good must be achieved, or how many people must experience the good, in order for the state to constitute the common good.

First, consider the number of features that constitute the aggregative or distinctive common good. Above, I noted that Gaus and Sen compare the ranking of policies using the metric “justice” to the ranking of mountains using the metric “height.” But unlike height, promoting the aggregative or distinctive common good may require balancing multiple competing values, such as fairness, equality of opportunity, and welfare maximization. In other words, it might be the case that promoting the aggregative or distinctive common good requires us to promote two or more competing values, values that, when taken individually, produce different rankings of the alternatives. To produce one ranking of the alternatives from most common good-promoting to least, deliberators must decide how to balance any competing principles or values (perhaps by ordering them lexicographically), so that they can use a single metric to produce an ordering.

The second complexity surrounding the common good that deliberators will face has to do with the notion of “promoting” the common good. For example, it may seem as though incremental comparisons of policies according to their common good-promoting characteristics will necessarily constitute progress for the political community. There are at least two ways in which comparisons might stall or reverse progress. The first way concerns the interaction of policies. To elucidate this concern, consider the following example. Suppose a deliberative body is deciding between policy x and policy y , and the body determines that policy x is more common good-promoting than y . However, the conjunction of policy x and an existing policy z fails to promote the common good to the greatest extent. That is, the conjunction of x and z is less common good-promoting than the conjunction of y and z . In this case, we might say that implementing policy x would thwart our pursuit of the common good because policy z is already in effect, even though, on its own, x is more common good-promoting than y . This example demonstrates that public policies must be studied as they relate to and influence one another, rather than in isolation.

The second way that policy comparisons might stall or reverse progress concerns future policy decisions and the social forces surrounding policy change. To understand the issue, consider the following case. Suppose that a political community is currently structured such that it perpetuates widespread inequality in welfare. There is growing support in the community to enact reforms that would redistribute wealth and promote equality. Suppose that the community now faces a choice between two tax plans, each of which would provide only marginal change to equality and welfare but would nonetheless constitute an improvement to the status quo. While enacting either of these policies might promote the aggregative common good, it might be the case that their enactment would quell support for larger, more effective reforms, thereby stalling further political progress and failing to promote the common good to a greater extent. In this case, we might say that enacting either policy would be a step backwards, because the enactment of either policy would forestall larger policy changes that were likely to occur in the future. To avoid this concern, participants in a deliberative forum must consider the effects of their decisions both for the aggregative and distinctive common goods, and for the likelihoods with which future policies will be enacted.

This brings us to a third consideration that deliberators must make in their attempts to promote the common good. There are two senses in which deliberators can vote to promote the common good. First, deliberators can vote for alternatives that they believe are *most likely* to promote the common good to any extent. Second, deliberators can vote for alternatives that they expect will promote the *most good* with any probability. These two features of policies can come apart. A policy x may be very likely to promote the common good to a small extent (by

satisfying only a small fraction of the community's well-being, for example), while an alternative policy y may have a small chance of promoting the common good to a greater extent.

Does the DVC prioritize either approach? The DVC refers to the likelihood with which voters do (empirically) promote the common good via deliberation and voting as compared to voting without deliberation. The contention that I have just outlined refers to the likelihoods that deliberators affix to policies in the deliberative forum: the deliberators' beliefs about the likelihoods that policies will promote the common good or not. Even if deliberators' probability assessments are accurate, they may nevertheless fail to (empirically) promote the common good via voting. For example, they may select policies that they believe have a high probability of promoting the common good, but those policies fail to promote the common good in practice.

Even if deliberators' assessments of the probabilities that policies will promote the common good are accurate, they will nevertheless have to balance the likelihood of promoting the common good with the amount of good they expect the policy to generate (using an expected utility calculation, for example). Thus, the DVC does not necessarily prioritize considerations about the amount of good over considerations about likelihood of common good promotion, or vice versa. In what follows, I will not prioritize one approach over the other, but I will assume that voters have some method for generating a (perhaps incomplete) weak ordering of the alternatives once deliberation ends.

In this section, we have redefined the aggregative and distinctive notions of the common good that will feature in this project to avoid Gaus' worry regarding idealized states and explained three additional considerations that real world deliberators will face when deciding between multiple policy options. We now understand political decision making as a process aimed at *promoting* the aggregative or distinctive common good by comparing the available alternatives to one another and to the status quo. Further, we have seen that deliberators must consider the likelihoods with which policies will promote the common good, and the social effects of enacting policies that provide marginal improvements to the status quo. We have rejected the idea that the goal of deliberation is to *achieve* some ideal state.

In the next chapter, I discuss the ways that deliberation might improve deliberators' abilities to identify alternatives that promote the common good. The work from this chapter is essential to what comes next, because we must know what it means for a policy to promote the common good to determine what deliberators must be able to do in order to promote that good via voting. Chapter 3 will explore what an empirical study would need to show to demonstrate that deliberation makes deliberators better able to select alternatives that promote the common good than voting alone.

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Chapter 3: Evaluating Empirical Studies of Deliberation

1. Introduction

A main question in this project is whether deliberation followed by voting is (empirically) more likely to promote the common good than voting alone. As I showed in chapter 1, the claim that deliberation is better than voting in this way (the DVC) is used to justify the use of deliberation in real political systems. The empirical portion of this project asks about the frequency with which deliberative and non-deliberative voting procedures lead to the selection of outcomes that promote the common good. To substantiate the DVC with evidence, we must be able to determine whether a deliberative procedure better enables communities to select outcomes that promote the common good than those who participate in a non-deliberative voting procedure. This chapter builds directly on chapter 2 and asks what voters could do to select outcomes that promote the common good. Because the empirical literature on the behavioral and psychological effect of deliberation is diffuse, and because the literature is not framed around the empirical question of interest, chapter 3 aims to explore the ways in which deliberation *could* make voters more likely to select outcomes that promote the common good than voting alone. Part two will provide a catalogue of the behavioral or psychological changes that could have this effect.

We must also consider how to evaluate empirical studies to address the empirical question. Part three of this chapter will make clear what an empirical study would need to show to demonstrate that deliberation followed by voting does or does not make voters more likely to select outcomes that promote the common good than voting alone. The work done in part three will follow directly from the work in part two. For every effect that deliberation could have on voters' decision making, such that they are more likely to promote the common good via voting (identified in part two), I will explain what an empirical study would need to demonstrate to show that deliberation has such an effect.

2. Deliberation and Decision Making

The DVC states that deliberation followed by voting is more likely than voting alone to select alternatives that promote the common good. That is, deliberation is more likely to put participants in a position to select outcomes that promote the common good than voting alone. In chapter 2, I introduced the two conceptions of the common good that will be the focus of this project. We must now bring together the DVC with the two conceptions of the common good.

There are two ways of understanding the DVC in light of the two conceptions of the common good. The "strong DVC" states that deliberation improves voter decision making with respect to a conception of the common good. That is, deliberation can improve voter decision making with respect to the aggregative, or (exclusive) the distinctive common good. The "weak DVC" is disjunctive. It states that deliberation improves voter decision making but does not specify a particular conception of the common good. Under the weak DVC, deliberation may lead some deliberators to be better able to identify alternatives that promote the aggregative common good, while others are better able to promote the distinctive common good. Importantly, if it

were shown that participants preferences shift towards the aggregative and distinctive common good, that would constitute evidence that the weak and strong DVC were both true.

In what follows, I will focus on the strong DVC. There are two primary reasons for this. First, when someone claims that deliberation promotes the common good, it seems reasonable to assume that they have some non-disjunctive understanding of what constitutes the common good and are thus committed to some understanding of the strong DVC. Second, for the purposes of this project, it is important that we work with an understanding of the DVC that can be tested empirically, such that we could collect evidence and use it to confirm or reject our interpretation of the DVC. But in many deliberative settings, any change in voters' choices could constitute evidence for the weak DVC. For example, evidence that participants shifted their preferences over policy items away from self-interest and towards general principles like equality or fairness would constitute evidence that deliberation helps promote the distinctive common good, and thus lends credibility for the weak DVC. But a shift in the opposite direction, in which participants shift away from principles and toward self-interest, would also confirm the weak DVC. Conceptually, it would be difficult to identify evidence with which we could reject the weak DVC. This does not mean that the weak DVC is false, but that it is not suitable for empirical investigation. For these two reasons, I will focus my work in the remaining chapters on the strong DVC.

We may now rephrase the main question of this section as follows: How might deliberation improve deliberators' abilities to promote the aggregative *or* (exclusive) distinctive common goods via voting? In the following chapters, I will take any evidence that deliberation makes participants more likely to promote the aggregative or distinctive common good as a mark in favor of the DVC. In order to show that the strong DVC is false, we would need to show that deliberation fails to enable changes in participants' views by showing that that deliberation makes participants less likely to promote their own self-interest or general principles like fairness or equality. In particular, if participants come to prefer alternatives that are worse for them (perhaps because they become convinced (wrongly) that the alternatives are good), OR fail to promote equality or fairness, this would constitute a mark against the aggregative and distinctive conceptions of the DVC, respectively. The remainder of this chapter will discuss the ways that deliberation might improve decision making with respect to the common good. I will explain what kinds of changes in voters' behavior we might expect, and what an empirical study would need to show to confirm that deliberation does have an effect.

In the following chapters, I will look at empirical studies of deliberation that are (generally) structured as follows. Deliberators enter deliberation and discuss the alternatives over which they are to decide. By the end of deliberation, each deliberator has generated some (perhaps weak or incomplete) ordering of the alternatives and will vote their ordering. Our question is: How might the process of deliberation make deliberators more likely to promote the common good via voting?

To answer this question, I will survey several effects that deliberation could have on individual decision making, which would in turn improve the likelihood that the group selects an alternative that promotes the aggregative or distinctive common good. These effects would be individually sufficient (but not necessary) to improve the likelihood that a group selects an alternative that promotes the common good. In the next two chapters, I will turn to two arguments that have been made about deliberations' effects on individual decision making and survey the empirical literature on deliberation to see whether there is evidence to support those arguments.

I want to first distinguish the ordering-formation and voting aspects of the model I just described. An ordering is a deliberator's ultimate evaluation of the alternatives she faces. For example, it can express a voter's self-interested preferences over the alternatives or be based on considerations of the community's well-being. In sum, an ordering is the basis upon which the deliberator will decide how to vote. The voting aspect of the model refers to the process by which the individual expresses her ordering in the form of a vote. For example, if the voting mechanism requires individuals to state their top-rated alternative only, the voting process involves deliberators consulting their orderings, and writing one alternative on a ballot.

To focus our discussion on the improvements that deliberation can provide, I will make two simplifying assumptions. First, I will assume that when we are comparing deliberation followed by voting and (mere) voting, the voting mechanisms considered are the same. That is, votes are input into the voting mechanism (such as a majority vote) and tallied the same way in both cases. I will also assume that the voting mechanism and voters' orderings jointly determine how the individual will vote. That is, once a deliberator has come to a judgment about the alternatives and understands the form that her vote must take (such as voting for one alternative, or presenting an ordering of the alternatives), what she will write on her ballot is settled. For example, if a voter decides that alternative *a* is better than alternative *b*, which is in turn better than alternative *c*, and the voting mechanism asks for her top-ranked alternative, the voter will necessarily vote for *a*. These simplifications are important because they allow us to focus on the effects of deliberation on individuals' orderings of the alternatives and set aside concerns about strategic voting behavior. These assumptions rule out scenarios in which a voter may be incentivized to vote something other than her "true" or "honest" ordering because she wishes to secure a particular outcome. I make these assumptions because I wish to focus on the influence of deliberation on individuals' orderings, and not additional influences or behaviors that might alter the way individuals behave in the voting booth.

a. Orderings

Conceptually, we can say that deliberation followed by voting makes deliberators more likely to vote to promote the common good than voting alone if deliberation is more likely to orient voters' orderings towards the common good than voting is. How orderings must be oriented to reflect the common good will depend on the voting mechanism used. For example, in a simple majority voting scenario in which each deliberator is asked to vote for her top-ranked alternative, we can say that deliberation is more likely than voting to promote the common good if, following deliberation, deliberators are more likely to have an ordering that prioritizes an alternative that promotes the common good than they would be if no deliberation were held. Because most voting mechanisms give priority to individuals' top-ranked alternative(s), I will focus on them. In these voting mechanisms, voters are asked to vote for their top choice(s). Under the assumptions I made above, this implies that voters vote for their top-ranked alternatives in their orderings (and do not vote strategically). Thus, our empirical question surrounding the DVC becomes: how can deliberation followed by voting make voters more likely to prioritize alternatives that promote the common good in their orderings of the alternatives than in mere voting scenarios?

To demonstrate that deliberation improves individuals' orderings in this way, a study would need to show that those who participate in deliberation before voting are more likely to have orderings of the alternatives that highly rank alternatives that promote the common good than individuals who do not deliberate. To show this, an empirical researcher would need to

identify which alternatives best promote the common good and show that individuals are more likely to highly rank those alternatives when they deliberate than they are when they do not deliberate. From the outset, may be difficult to show that deliberation not only changes orderings but improves them with respect to the common good. This is because researchers may be unable to determine what the “correct” ordering of the alternatives is without an in-depth understanding of what participants’ interest are, or how the alternatives align with general principles like fairness. This information is required to confirm the DVC for the aggregative and distinctive conceptions of the common good, respectively.

Instead, researchers might try to prove that deliberation can improve decision making indirectly. They could do this by showing that deliberation *enables* ordering changes toward the common good. How might deliberation improve the likelihood that individuals highly rank alternatives that promote the common good? Below, I explain how deliberation could improve deliberator’s knowledge, evaluation skills, and motivations, which in turn could prompt deliberators to construct orderings that reflect the aggregative or distinctive common goods.

While it seems natural that deliberation can change peoples’ views, it might also be the case that deliberation makes pre-deliberation views more entrenched, or more strongly held. For example, we might imagine that when participants with opposing viewpoints on a controversial topic come together to discuss it, their interaction may do nothing to change their minds. Deliberators’ interactions with others may convince them that their views are the “right” ones. On the other hand, it might be the case that when deliberation is moderated, and each side is asked to present their views respectfully and provide evidence for their views, deliberation may generate an atmosphere in which preference change is possible, even when the topic up for debate is controversial. For these reasons, while we may assume that deliberation can (conceptually) change preferences, it is an open question in what deliberative settings, and under what topics, deliberation does change minds. In chapters 4 and 5, I will survey the literature to uncover any trends (such as the types of topics discussed or consistent features of deliberative settings) underlying ordering change.

b. Knowledge

Because deliberation can reveal and convey information, the conditions are ripe for deliberators to become more knowledgeable. If participants become more knowledgeable such that they are able to identify alternatives that promote the common good, and determine which alternatives are most common good-promoting, then we could say that participants’ improvements in knowledge enabled them to vote to promote the common good. Does deliberation improve knowledge in these ways? In the next few chapters, my aim will be to determine whether the empirical literature on this topic confirms that deliberation does consistently (or reliably) make people more knowledgeable, and therefore better enabled to promote the common good than those who do not deliberate. In this section, my goal is to determine what kinds of information deliberators need to identify alternatives that promote the common good, and rank-order them from most common good-promoting to least.

Deliberators must have a sufficiently strong understanding of the available alternatives they face to evaluate those options using a common good metric. The information required to make this type of evaluation will depend on the type of common good. If the common good is aggregative, individuals must evaluate the extent to which each policy is likely to promote the aggregate’s interests so that they can select alternative(s) that promote the common good the most. If the common good is distinctive, deliberators must know how much each policy will

promote the good of the community. That requires knowledge of both what the common good of the community is, and the extent to which each of the various policies will promote that good or not.

For a moment, I would like to focus exclusively on the aggregative common good because there are two processes through which a political community can promote that conception through voting. First, each deliberator can identify policies that best promote her individual good and allow the voting mechanism to aggregate individual judgments into an overall community choice. Deliberation can serve to help participants clarify their own interests to themselves, while the voting mechanism serves to aggregate individual preferences. In this case, a vote is a statement about which alternative the individual voter believes is best for her. To vote for the alternative that is indeed best for her under this first method, a deliberator must know what her own interests are, and evaluate the available options in light of those interests. In addition, she must believe that others will vote to promote their own interests, such that the voting result will be a true aggregation of individual interests.

Second, deliberators can use deliberation to discuss which alternatives they believe best promote the aggregate good of all individuals (the aggregative common good), and vote for the alternatives they believe are best for the group. In this case, a vote is a statement of one's belief about which alternatives are best for the aggregate. The voting mechanism serves to aggregate voters' judgments of the alternatives. To vote for the alternative that is best for the aggregate, the deliberator must know not only what her own interests are, but the interests of all individuals in the community, and evaluate the available options in light of those interests. To summarize, there are two methods voters might use to promote the aggregative common good via voting:

Voting type A: Voters vote for policies that promote their own individual good.

Voting type B: Voters vote for policies that promote the good of all or most³ individuals in the community.

For both the distinctive and aggregative conceptions of the common good, deliberation can improve deliberators' understanding of the political process, and the fact that they will be asked to state their views in a vote when deliberation is finished. In terms of policy content, deliberation can improve participants' knowledge of the available alternatives and their likely effects on participants. Deliberators may reveal information about the policy options that was previously unknown to other participants, thus enabling others to better evaluate the alternatives. Through discussion and argumentation, deliberators can attempt to identify the likely effects of the alternatives with respect to the common good. They can explore, for example, whether a given policy is likely to satisfy community members' interests, or whether the policy will promote the good of the community, as something distinct from the aggregate. Further, deliberation can reveal information about how the policies being discussed will interact with policies already enacted, and those that are likely to be enacted in the future.

Reasoning with others in this way can lower the computational burden placed on each participant. For example, under voting type B above, individuals vote to promote the aggregative common good by voting for the alternative(s) they believe would be good for the aggregate. To determine which alternative promotes the aggregative common good under voting type B, a voter

³ Above I noted that the aggregative common good may refer to the individual interests of all or the majority of community members.

must know (a) what the community members' interests are, and (b) the extent to which each alternative is likely to promote those interests. These sorts of comparisons may be difficult for the individual to complete on her own when the community is large, as the calculation required is extremely complex. By reasoning with others, the group can explicitly choose to divide the work necessary to come to a decision during deliberation.

For example, a sub-group of deliberators with similar interests can explain their interests to other deliberators and explain why they believe each policy is likely to promote their interests or not. Others in the deliberative forum are then able to use this information to come to a decision, rather than trying to evaluate the sub-group's interests on their own. Or, if the distinctive common good is promoted via two principles, such as fairness and equality, a sub-group of deliberators can evaluate the available policies under fairness, while another evaluates under equality. A voter can then use the sub-group's orderings to make her final evaluation of the alternatives. When these orderings are inconsistent, groups will need to decide how to select amongst the groups' competing rankings of the alternatives if no prioritization is given in the definition of the common good, as I discussed in my explication of Gaus' view in chapter 2. In these examples, information pooling allows individuals to evaluate the alternatives more efficiently than they would be able to on their own. Recall that above I said that I am assuming that participants are not voting strategically. In this case, we would also have to assume that sub-groups are not reporting their individual rankings strategically, in order for other sub-groups to take their reports as honest. If this were not the case, groups would have to evaluate the veracity and quality of information they receive before they could go about pooling information.

It is important to note that while deliberation is assumed to be focused on the common good, this criterion may not be the only aspect of deliberation that improves voters' decision making. In other words, deliberation's focus on the common good may not be the only aspect of the deliberative setting that enables voters to vote to promote the common good. For example, I noted above that deliberation may improve voters' abilities to identify alternatives that promote the aggregative common good because deliberation allows voters to express their interest to the group. This shows that the Democracy criterion of deliberation (the idea that all who will be affected by a decision are allowed to participate) may improve voters' understanding of what constitutes the common good, which in turn may enable deliberators to vote to promote the common good.

As I have just shown, we have reason to believe that knowledge can (conceptually) improve over the course of public deliberation. But it is an open question whether the act of deliberating does contribute to learning. For example, several of the studies that I will discuss in later chapters involve a deliberative event in which participants read briefing materials, listen to presentations by experts, and are able to ask questions throughout the deliberative process. In these cases, it is unclear whether learning improves because people were deliberating (and perhaps gaining new insights or information from their fellow deliberators), or because they had access to curated materials and experts. Thus, while it seems reasonable that participating in deliberative events can improve knowledge, it will be my job to determine whether the act of deliberating contributes learning, or whether learning is due to the provision of information. Identifying the exact cause of knowledge gains is important, because if it is the provision of materials, rather than the act of deliberating, that promotes learning, then we could not say that deliberation specifically promotes informed preference change better than voting alone. If the combination of deliberation *and* information provision is necessary to bring about knowledge

gains, then I will take it that deliberation is necessary to make voters more informed, and thus a beneficial aspect of public decision making.

c. Evaluation Skills

Having the right information is essential for deliberators to promote the common good through voting. In a similar vein, deliberators must have the skills necessary to accurately assess the available alternatives. They must be able to reason about the information they gain in the deliberative forum and use that information to select alternatives that promote the common good.

To prioritize alternatives that promote the common good, deliberators must be able to make several kinds of comparisons. First, they must be able to evaluate each of the alternatives they face using the common good metric. That is, they must be able to determine the extent to which each of the alternatives will promote the common good. This involves comparing the state of affairs that would result from selecting each policy to the status quo.

Second, deliberators must compare the consequences of having selected each of the available alternatives to one another. For example, if deliberators are deciding between policies x and y , they must determine the extent to which x will promote the common good, and similarly for y . Then, deliberators must compare x 's promotion of the common good to y 's. This allows the deliberator to determine whether she believes that x or y will better promote the common good.

This type of comparison may be difficult under both voting types A and B. Under voting type A, individuals may have difficulty producing an ordering when the various alternatives satisfy different individual interests. A similar difficulty may arise under voting type B. Suppose that the alternatives a community faces satisfy different sets of individual interests but are likely to generate similar amounts of good (quantified as a utility, for example). For example, supposed alternative x satisfies interest i for deliberators d_1 and d_2 , while alternative y satisfies interest j for deliberators d_3 and d_4 . Further, for simplicity, suppose that the amount of good generated by adopting x is the same as the amount of good generated by adopting y . We might say, in this case, that each policy is likely to promote the common good to the same extent. In this scenario, deliberators will have to decide which interests to prioritize in order to come to a final decision.

Voters who aim to promote the distinctive common good may face similar difficulties in their evaluation of the alternatives because of the issues raised in section two above. For example, suppose that voters promote the distinctive common good by promoting (at least) two moral principles, such as fairness and equality. If a community were to decide between policy x , which promotes fairness over equality, and policy y , which promotes equality over fairness, the community would need to decide which principle to prioritize. If this prioritization is not written into the definition of the common good, deliberators must decide how to prioritize the competing principles in the deliberative forum.

Conceptually, deliberation could help deliberators make the types of comparisons necessary to vote to promote the common good. Recall that in the deliberative forum, deliberators must provide reasons for and against the available alternatives, and this discussion is framed around the common good. Through discussion and argumentation, deliberators could reason together about the extent to which each of the available policies is likely to promote the common good. Reasoning with others allows deliberators to identify flaws in their evaluations of the alternatives, either by revealing logical inconsistencies in their reasoning, or by showing that their conclusions were arrived at using erroneous information about the common good or the alternatives. It therefore seems reasonable to expect that participants with inconsistent preferences might undergo change during the deliberative process and leave deliberation with

more consistent preferences than they had before. Importantly, the fact that post-deliberation preferences are consistent does not necessarily mean that they better prioritize alternatives that promote the aggregative or distinctive common good to a greater extent than pre-deliberation preferences. For this reason, chapters 4 and 5 will look to see whether preferences become more consistent, and further, whether preference change is in the direction of the aggregative and distinctive common good or not.

In addition, to vote to promote the common good, it is not sufficient that deliberators hear the reasons that others present in the deliberative forum. In addition, deliberators must be able to evaluate the arguments they hear. A deliberator must be able to identify credible information and arguments and use them to update her evaluation of the alternatives.

d. Motivation to Promote Common Good

In this section, I explore the kinds of motivations or incentives a deliberator must have to intentionally construct her ordering based on considerations of the common good. Recall that deliberators can promote the aggregative common good via voting by voting for alternatives that are good for themselves (voting type A) or good for the aggregate (voting type B). To promote the common good under voting type A, deliberators vote for the alternative(s) that promotes their own self-interest. In this case, deliberators must be incentivized to set aside all other considerations, including considerations about the interests of the aggregate. Under voting type B, the opposite is true. Under this voting type, a deliberator must be incentivized to identify alternatives that are expected to promote the good for the aggregate, even if those alternatives do not promote her own good.

To promote the distinctive common good, deliberators may be required to set aside their interests and the interests of others altogether when the distinctive and aggregative common goods conflict. As was discussed in chapter 2, promoting the distinctive common good may require individual sacrifice. Deliberators may have to sacrifice what is in their own interest to vote what is good for the community. Thus it is an open question what kinds of intentions or motivations deliberation promotes.

Deliberation could theoretically incentivize deliberators to commit to voting to promote the common good. When it is announced that the goal of deliberation is to select alternatives that promote the common good, this act may signal to deliberators that they ought to evaluate the alternatives based on considerations of the common good, even when that good conflicts with individual preferences and interests. Further, deliberating about the significance of the common good may give deliberators reasons to commit to evaluating the alternatives on that basis. Simply viewing others' commitments to the common good may cause deliberators to commit to evaluating the alternatives on the basis of the common good as well. Through deliberation, deliberators might see that voting to promote the common good is the norm, or the "right thing to do."

While reasoning with others can incentivize deliberators to promote the common good, emotion can also play a role in improving deliberators' incentives. Listening to arguments and stories about others' life plans and interests may prompt fellow deliberators to feel a sense of empathy, which may in turn cause deliberators to commit to selecting alternatives that promote the common good, even when doing so goes against their personal interests.

3. Empirical Studies

In section 2 we saw what deliberators can do to promote the common good via voting, and the ways that deliberation might enable deliberators to do so. In the next two chapters, I will consider two mechanisms about deliberation's effects on voting that are used to explain why the DVC is true. These mechanisms state that deliberation does enable deliberators to select alternatives that promote the common good. In those later chapters, I will determine whether the empirical literature on deliberation can substantiate the two mechanisms. But before turning to the empirical literature, we must decide how we will evaluate the studies we find. We must determine what an empirical study would need to show to demonstrate that deliberation does improve deliberators' orderings, knowledge, evaluation skills, and motivations.

a. Orderings

Deliberation can enable deliberators to vote to promote the common good by prompting them to adopt orderings that highly rank alternatives that promote the common good. To show that deliberation has this effect, an empirical researcher would need to identify which alternatives best promote the common good and show that individuals are more likely to highly rank those alternatives when they deliberate and vote than when they (only) vote. One could test this effect directly by asking deliberators to rank the alternatives before and after deliberation, and gauging whether deliberation prompted individuals to adjust their rankings to reflect the common good as compared to individuals who did not deliberate.

One difficulty in executing this sort of test under the two conceptions of the common good I have identified is that the conceptions are predicated on the fact that there is some better or worse scale against which we can judge voters' evaluations of the alternatives. In order to assess whether orderings improve during deliberation, a social scientist would need to produce an accurate ranking of the policies and use the ranking as a metric to evaluate changes in preferences. When the common good is very general or vague, it may be difficult to generate an exhaustive, "correct" ranking of the alternatives. What we can do is identify general characteristics of the policies chosen after deliberation and discuss whether and how those policies could be promotions of the aggregative or distinctive common good.

Above I noted that there are several reasons why a deliberator might adjust her ordering during deliberation. I argued that by improving voter knowledge, skills, and motivation, deliberation might enable changes to individual orderings. Below, I discuss how one could detect these improvements. While improvements in these three areas do not constitute direct evidence of changes in deliberators' orderings or voting behavior, and therefore do not constitute direct evidence for the DVC, improvement in at least one of these areas would lend credibility to the idea that deliberation can enable changes to deliberators' orderings.

b. Knowledge

To demonstrate that deliberation does improve voter knowledge, an empirical study would need to show that those who participate in deliberation have a better understanding of the common good, the alternatives, or the voting mechanism than those who do not deliberate. Showing an improvement in understanding along any one of these dimensions would help substantiate the claim that deliberation enables voters to promote the common good. To demonstrate improvement, empirical researchers could provide control groups (no deliberation) and test groups (deliberation) with a pre- and post-deliberation survey, interview, or quiz that

asks about the alternatives and the extent to which they would promote the common good, and the voting mechanism. The researchers would then need to compare outcomes across groups and show that those who deliberated had a more accurate understanding of what the common good is, what the alternatives were and what their consequences were likely to be, and the form that their vote would take, than those who did not deliberate. In addition, they would need to show that voter informedness improved over the course of deliberation by comparing the pre- and post-deliberation survey results in the deliberation group. Importantly, as I noted above, researchers would need to show that improvements in voter knowledge are attributable to the deliberation itself, and not to any other features of the study, such as printed materials or syllabi provided to the participants.

Of the three improvements to voter decision making discussed in this chapter, voter knowledge is perhaps the easiest to gauge using surveys or interviews. As we will see in the next chapter, many empirical studies on deliberation do test participants' understanding of the deliberative process and the alternatives and compare deliberators' knowledge to the knowledge of voters who did not deliberate. However, many of these studies also provide participants with free information about the alternatives and the deliberation process before deliberation begins. Thus, we must attempt to distinguish the effects of deliberation from the effects of providing free information, and providing time and incentives to process that information, to participants wherever possible.

c. Evaluation Skills

Deliberation may improve voters' abilities to compare the available alternatives to one another. These comparisons allow the voter to produce an order of the alternatives using the standard of the common good.

One could test whether deliberators' reasoning skills improve over the course of deliberation by comparing deliberators' reasoning skills before and after deliberation, as compared to the skills of non-deliberators. Above I noted that deliberation could help deliberators think logically by identifying holes in their own arguments. This sort of benefit could be tested at a general level, by testing deliberators' abilities to identify faulty arguments, or by testing deliberators' abilities to fix faulty arguments to produce valid and sound arguments, or their ability to adjust their preferences such that they are consistent. For example, a study might test whether deliberation makes participants' views on related policy items or ideological commitments more consistent. This sort of improvement could also be tested via surveys or quizzes but would not necessarily refer directly to the deliberators' evaluation of the alternatives in terms of the common good. Because knowledge and skill transfer from one domain to another is particularly difficult without significant practice (Halpern 1998), it would be wrong to say that an improvement in skills used to solve logic puzzles necessarily leads to an improvement in evaluating alternatives using the common good metric.

d. Motivation

What would an empirical study need to show to demonstrate that deliberation better incentivizes deliberators to vote to promote the common good than voting alone? As I showed above, the type of motivation required will depend on the variety of the common good to be promoted.

To show that deliberation improves deliberators' motivations to vote based on the aggregative common good, an empirical study would need to show that the reasons behind the

deliberators' vote choices refer to what is good for the individual (voting type A) or what is good for the aggregate (voting type B). To show that deliberation motivates participants to promote the distinctive common good, a study would need to show that deliberators voted based on what is good for the community. Simply asking deliberators to explain in their own words why they voted for an alternative may be insufficient to determine the voters' motivation. For example, a deliberator might respond that voted for policy x because "it's the right thing to do," but that response does not uniquely accord with any particular variety of the common good. Voting to promote any variety of the common good might be construed as "the right thing to do." Thus, providing guided, specific options (such as a multiple-choice format) may be the best format for judging participants' motivations, and the extent to which they align with various conceptions of the common good, in pre and post-deliberation tests.

To determine what motivates a deliberator's vote choice, a survey might seek to distinguish what is in the voter's best interest from her vote choice, if such a distinction can be made. For example, a survey or interview might ask a participant which policy she would vote for (call this answer A), and whether she would select the same alternative if she were the only person affected by her vote choice (answer B). In the latter case, the deliberator is making a decision that only affects her, and therefore may feel that it is acceptable to vote based on self-interest. If her answers to A and B are different, then we could argue that self-interest was not the (only) thing motivating her vote choice. In general, studies might aim to distinguish motivations of self-interest from considerations of aggregate interests or the good of the community by constructing cases in which deliberators must sacrifice their own self-interest for the good of others, or by altering survey or interview questions such that they speak directly to what participants believe is in their own interest, or in the interest of the community.

It may be difficult to design a study that specifically targets conflicts of self-interest and community-interest, as participants may have many different and conflicting interests that researchers must consider. Further, as I explained in chapter 2, there may be many scenarios in which individual, aggregate, and community goods overlap. A more general approach might be to simply ask voters why they voted for the alternative they did, and, if necessary, provide a series of possible answers that refer to the common good. For example, a survey might ask whether the voter selected the alternative she did because it is "in her own interest" or "in the interest of most people in the group." A third alternative might be that the voter chose the policy she did because it "was good for the community as a whole," as something distinct from the individuals who compose it. This kind of survey question would need to be carefully designed to provide respondents with the ability to select the answer that accurately reflects their position, and not feel pigeonholed into an inaccurate response. No matter what the method, the goal would be to demonstrate that voters are more likely to be motivated by a chosen conception of the common good following deliberation than those who do not deliberate.

4. Conclusion

Chapters 2 and 3 have completed three main tasks. First, they explained what the common good is and determined which conceptions of the common good are applicable to deliberative democratic theory. Second, they have explained what voters must be able to do to promote the common good through voting and explored the ways that deliberation might make deliberators better able to vote to promote the common good. Third, they have discussed how an

empirical study might demonstrate that deliberation improves voting with respect to the common good.

In chapters 4 and 5, I will ask whether the empirical literature on deliberation supports the claim that deliberation makes participants more likely to vote to promote the common good than voters who do not deliberate. I will focus my analysis of the empirical literature on two empirical claims that are made in support of the DVC. The first argument (chapter 4) states that voters in deliberative settings are more likely to vote to promote the common good than voters who do not deliberate because deliberation causes voters to prefer the alternative(s) that promotes common good, and vote based on these “new” preferences. This constitutes a change in voters’ orderings over the alternatives. The second argument (chapter 5) states that deliberation may not change voters’ personal preferences but will convince voters that they ought not vote on the basis of their personal preference at all.

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Chapter 4: Deliberation and Ordering Change

1. Introduction and Motivation

The empirical portion of this project asks whether the strong DVC can be supported using the empirical literature on democratic deliberation. I will consider two possible mechanisms through which the DVC could be seen to be true and determine whether those mechanisms can be substantiated with the empirical evidence currently available. In this chapter, I consider DVC 1, or the claim that the DVC holds because deliberation causes voters' orderings of the alternatives to change, which makes voters more likely to vote for alternatives that promote the common good. In chapter 5, I consider DVC 2, which states that the DVC holds because deliberation leads voters to set aside their personal preferences, and vote for the alternatives they judge to be best for the community. It is important to note that in this chapter and the next, I will not be addressing every possible mechanism that could underlie the DVC.

To address DVC 1 and 2, chapters 4 and 5 will build directly on the work in chapters 2 and 3. There, I explained the conceptions of the common good that are consistent with the deliberative democratic theories with which I am engaging. I explained what it means for a voting outcome to promote the common good and explored the ways that deliberation might improve voters' abilities to promote the common good via voting. The first task of this chapter will be to explain DVC 1 in greater detail. I will then describe the kinds of empirical studies that I will use to evaluate the claim in part three. In parts four and five, I will explore the empirical literature on the effects of deliberation to determine whether DVC 1 can be substantiated. As I will show, the evidence surrounding ordering change is mixed. While the empirical literature does not substantiate this ordering change mechanism conclusively, it does present some evidence that deliberation enables ordering change by improving voters' motivations, evaluation and reasoning skills, and knowledge, as was discussed in chapter 3. In this chapter, I will set aside the topic of voter motivation, and show that there is evidence that deliberation improves voters' reasoning skills, in that deliberation makes participants' orderings of policy alternatives more consistent, but that we lack evidence that deliberation alone improves knowledge, or that deliberation changes orderings towards the common good. We do, however, have evidence that deliberation, when coupled with expert presentations or briefing materials, does improve knowledge. To conclude, I explain the key features of the ordering change mechanism that have yet to be verified empirically and discuss how one might test those features in future studies.

2. Sketch of DVC 1

Several authors in the literature on deliberative democratic theory hold the view that structured public deliberation can change participants' orderings over the alternatives discussed in the deliberative forum. For example, it has been argued that reasoned deliberation that is focused on the common good allows for discussion and argumentation, which enable ordering change, which these authors refer to as preference change: "Deliberation' is a form of discussion intended to change the preferences on the bases of which people decide to act" (Elster 1998, Przeworski 1998). Deliberation can change deliberators' preferences over policy alternatives by altering their beliefs about the outcomes that are likely to result from each

policy's implementation, and their beliefs about the political efficacy of the alternatives (Przeworski 1998). Thus, changes in beliefs about policy can explain changes in preferences.

Some authors have noted the specific kinds of preference changes we can expect from deliberation. When individuals enter deliberation with self-interested preferences, deliberation can change their preferences to become "other-regarding" (Elster 1998). According to some authors, deliberation is defined as the endogenous change of preferences resulting from communication (Przeworski 1998, Stokes 1998). Deliberation enables preference transformation by molding deliberators' sense of who they are (Stokes 1998), which changes what they prefer. Because deliberation enables preference transformation, deliberation can improve the quality of outcomes over mere voting outcomes (Christiano 1997, Bohman 1998, McCubbins and Rodriguez 2006, Mansbridge, Bohman et al. 2010). Thus, the DVC holds.

There are two ways to unpack the argument I have just described. To help distinguish the two stories, I will borrow terminology from decision theory and philosophical debates on free will. Authors in these areas recognize that individuals can have multiple "orders" of preferences or desires (Frankfurt 1971). A first-order preference is a ranking of available alternatives from most to least-preferred. The "orderings" I referred to in chapter 3 can be understood as first-order preferences, because those orderings reflect how a person will vote, which is itself a kind of preference. A deliberator would not vote for an alternative if they didn't prefer to vote that way. This does not imply that the voter's preferences are self-interested; I can rank policy 1 as my most-preferred alternative (and vote for policy 1) because the policy is best for the community.

In contrast, a second-order preference reflects how one prefers to construct their first-order preferences. For example, I may prefer to rank the available policies by considering my own self-interest, or by considering each policy's consequences for the political community. If I am consistent, my second-order preferences should influence my first-order preferences. For example, if my second-order preference is to prefer policies that are best for me (and me only), then my first-order preference ranking should prioritize policies that are in my own self-interest.

We can use this terminology to distinguish two mechanisms that could underlie the preference change story highlighted above. In both stories, the "orderings" that individuals base their votes on are first-order preferences over the alternatives. What distinguishes the two stories, however, is the effect that deliberation is supposed to have on first and second-order preferences.

First, it might be the case that outside deliberation, individuals have some ordering of the alternatives, but that ordering does not accurately prioritize alternatives that would promote the aggregative or distinctive common good. Deliberation can cause the content of deliberators' first-order preferences to change, such that deliberators come to prefer alternatives that would promote the common good. They may come to see that those alternatives that promote the aggregative or distinctive common good are better for themselves or their communities than the alternatives they preferred before deliberation began. This is "DVC 1" that I will study in greater detail in this chapter.

The second way of unpacking the argument above focuses on second-order preference change. As I will show in the next chapter, authors who support this argument assume that outside deliberation, individuals may have a second-order preference to vote out of self-interest and construct their first-order preferences accordingly. However, during deliberation, second-order preferences can change. Deliberators may come to reject the notion that they should construct their orderings based on self-interest, and instead, come to prefer to construct their orderings based on other considerations, such as what policies best promote the aggregative or distinctive common good. In this case, the deliberator is altering her views about how she ought

to construct her first-order preferences over the alternatives, which determine her vote choice. When considerations of the common good and considerations of self-interest conflict, this change in second-order preferences would require a change in first-order preferences to preserve consistency. I address this DVC 2 mechanism in greater detail in chapter 5.

As we have seen, both DVC 1 and DVC 2 state that deliberation can cause deliberators' preferences to change, but the preferences to which each mechanism refers are different. In the case of DVC 1, deliberation enables first order preference change. In the case of DVC 2, deliberation enables second order preference change, and may enable first order preference change too. Our goal in this chapter and the next is to determine whether either of these mechanisms can be substantiated empirically.

In the remainder of this chapter, I will ask whether deliberation transforms preferences such that deliberators come to prefer alternatives that promote the aggregative or (exclusive) distinctive common goods. This is a claim about the direct effect that deliberation has on deliberators' orderings, in the language from chapter 3. If deliberators more highly rank alternatives that promote a conception of common good after deliberation than they did before deliberation began, this would constitute direct evidence that deliberation helps promote the common good. While I provided some explanation as to why deliberation can (in theory) change preferences in chapter 3, in this chapter I will look to the empirical literature to see whether (a) deliberation does reliably cause first-order preferences to change and (b) whether change occurs in the right direction. In particular we are interested in how non-deliberative preferences compare to those held by participants after deliberation has ended. Thus, my literature review aims to identify studies that address the content of participants' first-order preferences following deliberation, and whether those preferences reliably give higher priority to alternatives that promote the aggregative or distinctive common good than pre-deliberation preferences. I also noted in chapter 3 that deliberation might enable preference change by making deliberators better informed, better at reasoning, or have better motivations. While we have reason to expect deliberation to cause improvements in each of these dimensions, I showed that an important task will be to determine whether deliberation itself, rather than the provision of extensive briefing materials, improves deliberators' knowledge. We must also see whether deliberation improves reasoning by making preferences more consistent. I take up the question of motivation in the next chapter.

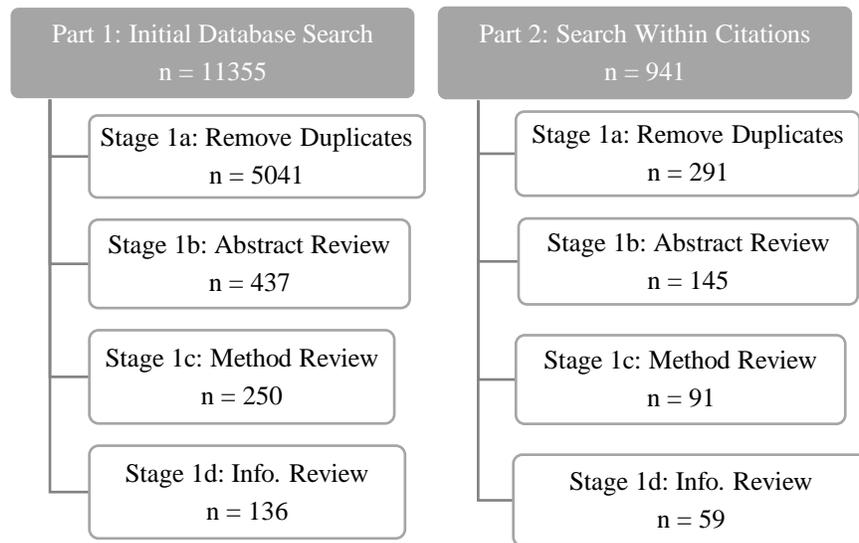
3. Empirical Literature on Deliberation and Preference Change

To identify studies that speak to DVC 1 and DVC2, I performed a systematic literature review. This work was supported by funding from the Laboratory for Empirical Approaches to Philosophy in the Department of Philosophy at Carnegie Mellon University. Part 1 of the review began with a search for peer-reviewed sources written in English in the EBSCO and Social Science Citation Index databases using relevant search terms (see Figure 1) at both Carnegie Mellon University and the University of Pittsburgh. This resulted in 11355 initial sources (including duplicates, and without restricting results to a specific publication date range). The EBSCO database was selected for its breadth, and because it returned many pertinent articles in test searches. The Social Science Citation Index was used because the studies of interest are social scientific, and because the SSCI is commonly used in systematic literature reviews in the social sciences. Search results from each database were stored and reviewed in Endnote.

Figure 1⁴

Database Search Terms
Deliberat AND (preference* OR self-interest OR public-minded OR “common good” OR policy opinion* OR voting OR vote* OR poll*)*

Figure 2



The number (“n”) listed below each stage is the number of sources remaining at the end of that stage.

Figure 2 depicts the systematic review process. The number (“n”) listed below each stage in Figure 2 is the number of sources remaining (i.e. not eliminated) at the end of each stage.

In the first stage of part 1 (stage 1a), duplicate sources were removed. The remaining sources’ abstracts were then reviewed in stage 1b. The abstract review stage was completed by Makenzie Donaldson, an undergraduate student at Carnegie Mellon. Our goal was to eliminate any record whose abstract did not include discussion of both (a) deliberation or focus group discussions and (b) at least one of the following: A new survey-based empirical study, a deliberative forum, or a systematic review, meta-analysis, or review article that summarized several such studies. If a source’s abstract made no reference to both (a) and (b), the paper was removed from the search. If a source did not have an abstract, the full source was reviewed to determine whether it included an empirical study on deliberation. After stage 1b, 437 sources remained.

In stage 1c I reviewed the remaining papers’ methodology sections. Because my goal was to understand the effects that deliberation has on deliberators’ views of the alternatives, I looked

⁴ The “*” symbol instructs the database to search for sources containing any terms that begin with the word or phrase adjoined to “*”.

for papers that solicited any kind of statement about the available options or participants' general policy opinions or recorded any participant behavior before and after deliberation. For example, some studies asked participants to fill out a questionnaire or survey, or asked voters to state what options they would choose before and after deliberation. Other studies recorded participants' selections using a game or workshop activity. If a study did not track participants' views during the experiment in any way, the study was removed from the search. If a study included any method that tracked participants' preferences, opinions, values, or other reflections, that study was not removed. For example, some researchers do not wish to track changes in participants' preferences; they only collected participants' "reflective" preferences and are therefore only interested in the preferences participants share at the end of the deliberative event. These studies were removed during the systematic review.

Many empirical studies on deliberation provide participants with information about the alternatives being deliberated. There are several ways that deliberation and information might affect participant preferences. For example, it might be that providing participants with free information alters participant preferences such that they come to prefer alternatives that promote the common good, and that deliberation is not needed to bring about this change. Or, the opposite might be true: deliberation alters preferences, and information is unnecessary. It might be the case that independently, information and deliberation do little, but that together, they promote preference change. Or, it might be that even in conjunction, deliberation and information do little to alter participants' preferences. One of the goals of this literature review is to see whether and to what extent information and deliberation increase informedly, either collectively or independently.

Approximately half of the studies remaining at the end of stage 1c involved deliberative events in which participants were provided free information on the policy alternatives between the pre- and post-deliberation survey, questionnaire, poll, or activity. To understand the significance of deliberation-with-information in these studies and its relationship to the DVC, as opposed to the significance of (mere) information provision, we would need to gauge the effect deliberating-with-information has on individuals' preferences and compare it to the effect of providing free information only (without deliberating). Only three studies captured by this systematic review made this kind of comparison by using information-only and deliberation-with-information treatment conditions. While two of the studies reported across three publications found that deliberation made a statistically significant change over the information-only group on at least one knowledge or attitude survey question (Carman, Maurer et al. 2014; Carman, Mallery et al 2015;), the third study found no statistical evidence of an effect for either the information-only or discussion treatments (John et al. 2013). Because these results are so few and so inconsistent, I do not have sufficient means to compare the effects of providing free information to the effect of providing free information *and* deliberating. This means that I cannot say what the empirical significance of deliberating is in studies that do not distinguish deliberation and information provision. This is important for our ultimate goal: comparing the effects of deliberation on preference change as opposed to voting, for if the provision of free information is what causes reliable preference change in deliberation (and not the act of deliberating itself), then providing voters with information before they vote may have a similar effect, thus eliminating the need for a deliberative session.

For this reason, stage 1d of the systematic review separated out those references that failed to gauge the effect of deliberation only. This was achieved by reading the methodology and results sections of each remaining paper and determining whether the authors constructed a study design or employed statistical methods that allowed them to isolate the effect of deliberation from the

effect of information provision. Studies were removed that (a) provided formal presentations or briefing materials to participants between the pre- and post-test and (b) failed to estimate the effect of providing presentations and briefing materials on participants' preferences using statistical methods. It is possible that participants in the deliberations shared information with one another, but this fact did not disqualify any sources the literature review.

While the deliberation-with-information studies were separated from those studies that successfully distinguished deliberation and information effects, I will nevertheless provide a brief discussion of the deliberation-with-information results below in section 6 and explain what future studies would need to show to demonstrate that deliberation-with-information is required to establish the DVC. In total, 146 of the resulting studies (114 from the original database search, 32 from the citation search), failed to isolate the effect of providing information from the effect of participating in a deliberative event on individual preferences. Separate from this set, 61 sources (38 from the original database search, 23 from the citation search) failed to explain whether information (via formal briefing materials, or expert panel presentations, for example) was provided before or after the pre-deliberation survey or interview. This includes summary articles that failed to provide a thorough explanation of the study design used in each deliberative study included in the summary. In the systematic review, these sources were not eliminated in step 1d. Therefore, all of these sources are included in the final 195 count.

The total number of sources remaining at the end of part 1 was 136. I then reviewed all of the citations included in the 136 sources and collected those titles that were relevant to the search. In particular, I collected all peer-reviewed references written in English whose titles contained the terms "deliberat*." The total number of English peer-reviewed sources with the terms "deliberat*" in the title was 942 (including duplicates). I then repeated the review process with this new set of sources, which constitutes part 2 of the systematic review. Within this new set of citation sources, I removed any duplicates of references captured in the original search, and any duplicates within the set itself (stage 2a). The remaining references were then reviewed using the process from stages b through d discussed above (stages 2b through 2d). Part 2 resulted in 59 new sources. Therefore, the total number of references that remain (the total number of results remaining at the end of parts 1 and 2) is $136 + 59 = 195$. These 195 results will be discussed in this chapter and the next.

Of the 195 sources remaining at the end of the systematic review, 17 are omitted from the discussion because they failed to report on preference change, or knowledge and reasoning change. Studies in this category are omitted because they conducted pre- and post-deliberation survey but failed to include those results in their paper. 15 additional studies involved surveys that asked participants to explain the frequency with which they participate in informal political discussions with others, and then tested whether there was any correlation between willingness to participate in political discussion and policy preferences. Because these studies rely on participants' memories of recent political discussions, and do not involve an evaluation of preference change in an experimental or quasi-experimental setting, these studies have been omitted from this chapter and the next. I have eliminated these studies because they fail to capture changes in participants' views over the course of a deliberative event, which is the focus of our systematic review. Finally, 11 papers are left out because they presented evidence from studies already included in other papers in the systematic review, and only that evidence. Thus, in total, there are $195 - (17 + 15 + 11) = 152$ studies that speak to DVC 1, DVC 2, or both by either directly addressing first or second-order preference change or by addressing changes in knowledge, motivation, or reasoning skills, or both.

In the remainder of this chapter and the next, I discuss the results of the systematic literature review. In this chapter, I first provide a brief overview of the types of studies collected in the systematic review. I then present the study results that directly address DVC 1, by speaking to the content of participants' first-order preferences following deliberation, and whether those preferences give higher priority to alternatives that promote the aggregative or distinctive common good than pre-deliberation preferences.

Following this discussion of DVC 1, I address the knowledge and reasoning criteria discussed in chapter 3. I explain whether the results of the systematic review can be seen as evidence that deliberation improves deliberators' knowledge of the alternatives, the common good, or the voting mechanism, and whether deliberation improves deliberators' reasoning skills. I will take up the question of whether deliberation enables preference change by altering voters' motivations in chapter 5.

4. Results

a. Aggregate Results and Categorization

The steps of the systematic review outlined above served to identify studies with methodologies that could speak to the DVC 1. The systematic review was the only methodological evaluation I conducted on these studies.

I will categorize the results of the systematic review as follows. If a study presented aggregate statistics that showed that orderings did not change, I take the study as evidence that deliberation did not improve orderings over voting alone. Such a study would therefore not provide evidence in favor of the DVC. If a study presented aggregate statistics that showed that orderings did change, we then have to consider whether orderings improved with respect to the aggregative or distinctive common good.

If participants were more likely to highly prioritize alternatives that promote the aggregative or distinctive common good after deliberation than they did before, then this would lend credibility to the strong DVC. If change happens in the opposite direction, and participants are less likely to prioritize alternatives that promote the aggregative or distinctive common good after deliberation than they would before, then this would show that deliberation makes participants less like to vote to promote the aggregative or distinctive common good (respectively), and thus would count against the aggregative and distinctive interpretations of the strong DVC. Finally, if a study provided only anecdotal evidence of ordering change (such as quotations from participant interviews), I cannot count the study as a mark in favor of the DVC, because it does not show that change happened for participants overall.

Aggregate results for both DVC 1 and 2 are presented in Table 1 below. The table lists the criteria for studies in the systematic review, and the number of studies satisfying each criteria. Of the 152 total references at the end of the systematic review that reported novel results regarding preference change, knowledge, or reasoning skills, 118 showed that deliberation changes first-order preferences. 25 studies showed that first-order preferences do not change, while the 9 remaining studies did not address first-order preference change at all. While 118 studies showed ordering change, we have yet to show that orderings change toward the aggregative or distinctive common good, and this is a necessary step in confirming or rejecting the strong DVC. In what follows, I will outline the four types of study designs captured by the systematic review and outline the conditions under which orderings appear to change in each of

these designs. In particular, I will note whether specific discussion rules or topics tend to lead to ordering change.

The process of looking at the types of ordering changes that occurred during deliberation and determining whether or not we can say that those orderings reflected the aggregative or distinctive common good, will take significantly more effort and discussion than simply looking at whether orderings changed or not. That is what I plan to take up in the rest of this chapter. If a study shows that participants did come to more highly rank alternatives that promote their own interests, or promote broader values like fairness or equality, I will count this study in favor of the aggregative and distinctive interpretations of the DVC (respectively). However, as I will show, for the majority of studies that showed ordering change, we cannot say whether ordering change constituted an improvement or not, because we do not have the information about participants' interests we would need to show that ordering changes aligned with the aggregative common good. With respect to the distinctive common good, the ordering changes I outline below may accord with some interpretations of the term, but not others. My goal is to explain how these studies *could* constitute evidence in favor of the DVC and show what further evidence would be required to confirm it. I will also discuss the evidence that deliberation improves knowledge and reasoning skills, and in particular, whether deliberation (alone) improves knowledge, and whether deliberation improves ordering consistency.

The systematic review collected sources using four different empirical study designs. They include deliberative polls, jury and mock jury experiments, health and environmental policy workshops, and laboratory experiments. In section (a) I provide a summary of each type of study before moving on to the results in sections (b) and (c) and sections 5 and 6. In what follows, I will use the terms "ordering" of the alternatives and "preference" over the alternatives interchangeably, as the authors in the empirical literature I survey do not use any standard terminology.

Table 1: Aggregate Results

Criteria for Studies	Number of Studies that Addressed Criteria		Number of Studies that Did Not Address Criteria
	Preference Change Observed	No Preference Change Observed	
Pre/Post First-Order Preference Collection (Ch. 4)	118	25	9
Deliberative Poll (n = 82)	62	14	6
Mock Jury (n = 44)	37	6	1
Valuation Workshop (n = 10)	8	2	0
Lab Experiment (n = 16)	11	3	2
Pre/Post Second-Order Preference Collection (Ch. 5)	0	2	150 ⁵
Deliberative Poll (n = 82)	0	2	80
Mock Jury (n = 44)	0	0	44
Valuation Workshop (n = 10)	0	0	10
Lab Experiment (n = 16)	0	0	16
	Knowledge/Reasoning Improvement Observed	No Knowledge/Reasoning Improvement Observed	
Pre/Post Knowledge of Policy Items	10	2	140
Pre/Post Knowledge of Vote Method	0	0	152
Pre/Post Knowledge of Common Good	0	0	152
Pre/Post Reasoning Skills Test	6	1	145

⁵ As I show in chapter 5, there are 18 studies of 150 that had the potential to speak to DVC 2, but did not present the appropriate evidence. For this reason, the 18 studies are included in the final column of Table 1.

a. Overview of Study Designs

The experimental design that bears closest resemblance to the deliberative political process described in chapter 1 is the “deliberative poll” (Chambers 2003). While deliberative polls vary widely in their design and policy focus, the majority are conducted as follows. A representative group of citizens is invited to participate in a deliberative event. When they arrive at the event site, all participants are asked to supply background social and demographic information on a questionnaire. In addition, participants complete a pre-deliberation survey that asks about their knowledge surrounding the issues or policies that will be deliberated, and their orderings or opinions over the policy set.

There are two main experimental designs used in deliberative polls. In some polls, participants are divided between control and treatment groups. The treatment group is asked to deliberate on the chosen policy topics in person while the control group does not deliberate. Following deliberation, participants from the control and treatment groups are asked about their knowledge and preferences again, and the pre-and post-deliberation results are compared between treatment and control groups. In the remaining deliberative polls, no control group is used. If no control group is used, post-deliberation knowledge and preferences are compared to those recorded in the pre-deliberation survey only. A small number of studies test the influence of online deliberation on deliberators’ preferences (Price 2009, Coleman, Przybylska et al. 2016).

The second set of studies includes jury and mock jury experiments, which analyze the jury deliberation process. In jury experiments, researchers conduct studies on juries convened to decide the guilt or innocence of defendants in real trials. In “mock jury experiments,” researchers gather participants who view a fictional or past trial on a video tape or read about the proceedings of a trial. Each juror privately decides whether she believes the defendant is innocent or guilty, and her view is recorded using a straw poll or written survey. Jurors then deliberate to decide a verdict. Individual and/or group views are surveyed again at the end of deliberation. Researchers test hypotheses about the factors that sway jury deliberations by varying the specific features of the case considered, the types of questions they pose to jurors, and the demographic makeup of the participating juries. The jury studies captured by the systematic review aim to uncover the dynamics of the jury deliberation process. They do this by analyzing how individual or group assessments of guilt or innocence change over the course of a jury’s deliberation, or by assessing how differences across juries correlate with different jury outcomes (Kessler 1975, Devine 2001, Salerno and Diamond 2010).

The third type of study captured in the systematic review is a workshop designed to track participants’ preferences over healthcare and environmental policy options throughout a group exercise. Here I will first focus on healthcare policy workshops before moving onto environmental policy.

A group of papers captured in the systematic review report on an exercise called “Choosing Healthcare All Together” (CHAT). The CHAT exercise is designed as follows. Participants are recruited and asked to attend the exercise. They are provided with information about available health plans and are then asked to decide how much of each type of health coverage (primary, pharmacy, mental, etc.) they would like to have, given that they cannot have complete coverage in each category. In stage 1, each participant designs a health plan for his or her immediate family. In stage 2, participants work in groups to design a health plan for their neighborhood. In stage 3, the entire group designs a plan for the community at large. In stage 4, each participant again designs a health plan for his or her immediate family. Between each stage,

participants spin a roulette wheel and receive a hypothetical illness or health event. Participants are then asked to reflect on the coverage plan they have chosen given their health event.

The second set of workshops captured by the systematic review focus on environmental valuation and policy. These workshops ask citizens or stakeholders to write down their environmental priorities or preferences before and after participating in a group discussion (Munton 2003, Zografos and Howarth 2010, Lennox, Proctor et al. 2011, Krueger, Page et al. 2012, Kenter, Bryce et al. 2016). Some workshops focus on eliciting preferences over specific environmental policies, while others ask participants how they think environmental decisions ought to be made, which refer to participants' preferences regarding the decision making process, rather than preferences over the policy items being discussed (Schlapfer 2009).

The final set of studies includes experiments on individual and group decision making, largely from economics and psychology. There are two study designs in this category. The first type of laboratory experiment is games. In these experiments, research subjects are asked to participate in a game with other participants. The second type of laboratory experiment is what I will call "group discussion" experiments. Unlike games, participants in group decision-making experiments do not "play" against one another. They talk, and sometimes, are instructed to work together to come to a decision. Unlike the deliberative polling events discussed above, group decision experiments are not usually focused public policy. Instead, group discussions can involve an activity, such as working through a puzzle. The majority of these experiments take place in a laboratory, and social scientists use questionnaires, decision outcomes, and transcripts to uncover changes in individual preferences (Carpini, Cook et al. 2004, Mendelberg 2005, Karpowitz and Mendelberg 2011).

b. Ordering Change

In this section, I discuss the results of the systematic review that show that deliberators' orderings change after deliberation. In section (c), I discuss whether there is evidence that preference change occurs in the right direction; namely, whether there is any evidence that participants more highly rank alternatives that promote the aggregative or distinctive common good following deliberation than they did before deliberation began.

i. Deliberative polls

There is conflicting evidence surrounding the question of whether deliberative polling alters participants' preferences. Of the 152 references remaining at the end of the systematic review, 82 were studies of a deliberative polling event, or a summary of two or more deliberative polling events. 62 of these studies show that deliberation led to preference change, while the remaining 20 studies did not. Of these 20 studies, 6 did not address the question of first-order preference change, while 14 did address the question, but showed that preferences do not change.

It has been shown that participating in deliberative polls can prompt deliberators to alter their opinions or preferences on issues of military policy and Affirmative Action (Neblo 2007), land use and forestry policy (Rodriguez-Pineros and Lewis 2013, Nikolakis, Akter et al. 2016), and health priorities (Makundi, Kipiriri et al. 2007, Robinson and Bryan 2013, Carman, Maurer et al. 2014, Stafinski, Menon et al. 2014). These effects hold for online deliberations (Moreno-Jiménez, Pérez-Espés et al. 2014), and for deliberations that end in secret ballots and public votes (Setälä, Gronlund et al. 2010).

Deliberation can reduce diversity among participants' preferences when the issues debated are of low-salience, meaning that they receive little public attention in everyday life

(List, Luskin et al. 2013), producing some consensus. Consensus here is defined as a state in which participants' orderings have the same "peakedness": "This requires the existence of a left-right ordering of the alternatives such that each individual has (1) a most preferred alternative and (2) a decreasing preference for other alternatives as they get more distant in either direction from it (81)." Deliberation can cause the distribution of views in the deliberating group to widen (Eggins, Reynolds et al. 2007, Kim, Kim et al. 2011, Kim, Kim et al. 2013) or become more nuanced (Edgell, Hull et al. 2016). These results involve deliberations among ordinary citizens. At the level of state institutions, statistical methods have been used to show that the votes of monetary policy executives are influenced by deliberations over monetary forecasts (Ellis and Liu 2016), and whether deliberation transcripts are made available to the public (Meade and Stasavage 2006). For more detail on the history and effects of deliberation on preference change along demographic lines, please see Appendix A.

The remaining 20 deliberative poll studies that resulted from the systematic review showed no statistically significant or aggregate evidence of preference change. For example, some researchers found little or no change in participants' reported priorities and preferences regarding topics in public policy and health, including immigration policy (Gerber, Bachtiger et al. 2014), environmental preservation policy (Walton 2013), food policy (Henderson, House et al. 2013), guidelines for medical decision making (De Vries, Stanczyk et al. 2010, De Vries, Stanczyk et al. 2011, Carman, Mallery et al. 2015, Carman, Maurer et al. 2016), and the use of medical technologies (Landwehr and Holzinger 2010, Bombard, Abelson et al. 2011). Similar results have been shown for online deliberations (Smith, John et al. 2013). When preferences over medical technology use did change, some post-deliberation preferences matched the opinions of the American public captured using public polling (Cobb 2011). This indicates one of two things. First, it might be that polling and deliberation prompt the same change in stated preferences. This should lead us to ask the deliberative democrat committed to DVC 1 why we ought to implement a costly deliberation when simply polling participants would lead to the same effect on preferences. Second, it could be that the baseline preferences expressed in this particular study were significantly different from preferences of those polled, such that deliberation brought participants' preferences closer to those of the general public. In this case we should question the applicability of the results to the broader political community.

In chapter 3, I noted that the structure of public deliberation may influence the extent to which deliberation changes preferences. I argued that we have reason to believe that when deliberative events require participants to state reasons for their views, participants are more likely to change their minds. The systematic review returned conflicting evidence on this topic. With respect to the effects of *reasoned* deliberation in deliberative polls specifically, well-justified arguments have been shown to be a consistent predictor of opinion change (Westwood 2015), and a better predictor than public statements that include little or no justification. In this study, statements were considered to be "sophisticated" arguments if the speaker supported her claims with at least two reasons, and the linkages between those justifications and the statement (either explicit or implicit) were clear to those recording and coding the deliberation (Steenbergen 2003: 28). This seems to indicate that deliberative forums in which participants are required to provide arguments for their own views (the kind that deliberative democrats advocate) may be environments conducive to preference change.

On the other hand, deliberative events in which participants must give reasons for their views have been shown to produce as much preference change as less-structured, informal discussions (Schneiderhan and Khan 2008) or even reading and quiet individual contemplation

(Muhlberger and Weber 2006). Changes in opinion do not always reflect improved consistency among related preferences (Withall, Wilson et al. 2016). In addition, the act of asking participants for their views prior to deliberation can hinder preference change (Baccaro, Bächtiger et al. 2016). These latter studies seem to go against the former, showing that deliberative forums in which participants are not required to present arguments in favor of their views can contribute to as much preference change as more structured forums in which reasoning is required.

In chapter 3, I also noted that the content of deliberation may influence preference change. I argued that deliberation over controversial topics may fail to produce preference change, and further, may strengthen participants' pre-deliberation views. The results of the systematic review provide some evidence for this claim. In deliberation, liberal participants become more liberal, and conservative participants become more conservative, especially when they are asked to discuss their policy opinions with one another (Schkade, Sunstein et al. 2007, Schkade, Sunstein et al. 2010). For example, studies have shown that those who have different views on same-sex rights become more polarized during deliberation, and that shift persists in the long-term (Wojcieszak and Price 2010, Wojcieszak 2011). Even when preference content and extremity remained constant, the certainty with which participants held those views increased (Wojcieszak 2012).

ii. Jury and Mock Jury Experiments

The strongest and most consistent evidence for ordering change following deliberation comes from the jury and mock jury literature. Of the 44 studies on jury deliberations collected in the systematic review, only 6 found no change in preferences (Valenti and Downing 1975, Nemeth, Endicott et al. 1976, Cowan, Thompson et al. 1984, Spanos, Dubreuil et al. 1991, McCoy, Nunez et al. 1999, Ruva and LeVasseur 2012) while 1 additional study did not report summary statistics or statistically significant evidence of ordering changes following deliberation (Hannaford, Hans et al. 2000). While a jury's pre-deliberation judgments can sometimes be used to predict the jury's verdict (Penrod and Hastie 1980, Tanford and Penrod 1986, Tindale, Davis et al. 1990, Spanos, Dubreuil et al. 1991, Sandys and Dillehay 1995), it is widely recognized that jury deliberation can change jurors' expressed opinions (Davis, Kerr et al. 1975, Stasser and Davis 1977, Bernard and Dwyer 1984), under both majority and unanimity voting rules (Nemeth 1976, Guarnaschelli, McKelvey et al. 2000, Huang and Lin 2014).

iii. Laboratory Experiments

The game experiments captured by the systematic review allow participants in the treatment condition to deliberate with one another when deciding how to respond in a game, or how they ought to divide their winnings. 11 of 16 studies in this category showed preference change. 3 studies found no preference change, while the remaining 2 studies did not address first-order preference change. There is evidence that group discussion can change team members' preferences about how the team should reciprocate in a game, and that discussion changes players' opinions who initially wish to reciprocate very much or very little (Ambrus, Greiner et al. 2015), bringing the preferences of individual group members together. Deliberators are more likely to compromise on their judgments when they are talking face-to-face than they are when talking via a computer (King, Hartzel et al. 2010). But even when individual preferences are unchanged in group discussion games, the strength of preferences can increase (Blumenthal 2012), thus making participants more entrenched in their pre-deliberation views.

Contrary to these results, 4 studies out of 15 suggest that participants' preferences do not change, even when the participant says otherwise.⁶ For example, Carlson & Settle show that engaging in political discussion with those who hold opposing viewpoints can lead participants to mask or misrepresent their true policy opinions. In their study, participants were asked to discuss their answers to several political questions with another person who was instructed by the researcher to express opposing views (Carlson and Settle 2016). Nearly sixty percent of participants conformed to the view of the interlocutor in discussion on at least one discussion question, even though the participants' private preferences (elicited using pre- and post-discussion questionnaires covering the same questions) remained unchanged.

iv. Health & Environmental Policy Workshops

Here, I report the changes observed between pre- and post-deliberation policy choices in the CHAT and environmental policy workshops. There are 10 studies in this category: 5 CHAT workshops, and 5 environmental workshops. In all CHAT studies, researchers observed statistically significant changes in policy selection between stage 1 and stage 4. These studies show that participants' selections of health plans for their families (the activity performed in stages 1 and 4) changed after participating in the group workshop exercise in stages 2 and 3. These studies show two types of change in individuals' choices. First, three CHAT studies showed that individuals' prioritization of mental health coverage increased after group deliberation (Goold, Biddle et al. 2005, Danis, Goold et al. 2007, Evans-Lacko, Baum et al. 2012). In other words, participants made mental health coverage a higher priority for their family's health plan in stage 4 than they did in stage 1. Second, the range of coverage options increased in stage 4. That is, participants were more likely to select a wide range of options, with more restrictive coverage for each option, after deliberation in stages 2 and 3 than they were in stage 1 (Goold, Biddle et al. 2005, Danis, Goold et al. 2007). While this does show that participants' preferences changed, it only shows change with respect to participants' private choices for their families, and not how they ranked community-wide policies.

In the 5 environmental workshops, workshop organizers elicit participants' preferences by asking how much they would be willing to pay for environmental policy options before and after deliberation. 2 studies found no change in willingness to pay following the deliberative event (Yoskowitz, Werner et al. 2016, Vargas and Diaz 2017), while the remaining 3 studies did see preference change (Munton 2003, Robinson and Bryan 2013, Vargas, Lo et al. 2016). When participants' willingness to pay did change, that change was attributed to learning about the issue being deliberated from group members (Vargas, Lo et al. 2016). This study shows that participants' private preferences about their immediate family's health plans can change in light of information that they receive from other deliberators. This is one study that supports the claim that preference change (albeit private preferences) is enabled with increased information from deliberation.

c. Orderings & Prioritization of the Common Good

We must now determine whether preferences change such that participants come to more highly rank outcomes that promote the common good than they did before deliberation. Because the conceptions of the common good are vague, it is difficult to say at the outset what would

⁶ The remaining study in this category did not report on preference change but did report on reasoning change.

constitute definitive evidence that post-deliberation preferences better prioritize alternatives that promote the common good than pre-deliberation preferences. Instead, I will explain how the results could (or could not) constitute evidence of DVC 1. I will then step back and discuss whether deliberation has been shown to provide the conditions for preference change by improving voters' knowledge or their evaluation skills in section 5.

i. Deliberative polls

In chapter 3, I explained that it is difficult to look at empirical data and determine whether ordering changes reflect higher prioritization of alternatives promote the common good. It is particularly difficult in the case of deliberative polls. Researchers employ deliberative polls to ask participants about their views on policy items, such the amount of service offered at a municipal airport (List, Luskin et al. 2013), or how physicians should approach patient consent and surrogacy (De Vries, Stanczyk et al. 2010). The policy items included in the studies captured by the systematic review are reasonable and contestable, which is why scientists and policymakers employ deliberative forums to gauge citizens' views. In these studies, it is difficult to say whether one policy would promote the good of the aggregate or the good of the community more than another.

For example, a deliberative poll was used to gauge community members' views of which at-risk populations (including smokers, drug users, and elderly people) ought to be discriminated in favor of or against when resources are scarce. The study showed that the deliberators' health priorities did change as a result of deliberation, and that participants became less willing to discriminate against some groups, and more willing to discriminate against others (Dolan, Cookson et al. 1999). But without knowing the implications of each policy item for the aggregate or analyzing each policy item's relationship to more general principles like equality or fairness, we have no reason to think that one policy item would, as a matter of objective fact, promote the aggregative or distinctive common good more than another. While this does provide evidence that preferences change, it does not confirm that they change in the direction of the aggregative or distinctive common good. In particular, we lack sufficient information about the policy items and participants' interests to try to evaluate which policy would promote the aggregative or distinctive common good more than another.

However, we may be able to make some progress toward confirming or rejecting DVC 1 by looking at participants' justifications for their policy preferences, and by looking at the general qualities of the policies selected. The single deliberative poll that addressed preference justification presented only anecdotal evidence. It tracked participants' stated reasons during deliberation and showed that it is common for participants to justify their positions in terms of their own good. Reasons that appeal to the good of others were scarce (Ugarriza and Nussio 2016). This may constitute evidence that participants' preferences are shaped by considerations of what is good for them, which is one way to promote their own self-interest (which was shown in chapter 3 to promote the aggregative common good). However, because this evidence was taken from transcripts of the deliberative session and does not give us a breakdown of participants' reasoning before and after deliberation, we do not have evidence to support the claim that participants are more likely to identify and prioritize the alternatives they believe are good for themselves after deliberation than they were before deliberation began. With respect to the substantive common good, this evidence suggests that participants do not engage in

reasoning about the substantive common good, as it shows that participants fail to reason with general principles such as justice, equality, or fairness.

Of the 82 references outlining a deliberative poll or summary of polls, there are three that provide some evidence that preferences become more “public-spirited” after deliberation. Fishkin et al. conduct a deliberative poll in Zeguo, China in which community members deliberate about which of thirty possible infrastructure projects their representative council should pursue (Leib and He 2006, Fishkin, He et al. 2008, Fishkin, He et al. 2010, He and Thøgersen 2010). The authors found that after deliberation, participants were more likely to support projects that would impact more community members, which may be an indication that participants come to support policies that better promote the good of the aggregate (aggregative common good), or policies that promote fairness (distinctive common good). It might also be the case that the participants become more supportive of policies that they believe would be useful to them, which is another way to promote the aggregative common good.

The second study conducted a deliberative forum between French and Dutch linguistic groups in Belgium. Researchers in this study were interested in whether participants’ feelings towards individuals who occupy different social groups than their own would change over the course of deliberation. They found that the groups had a higher opinion of one another after deliberation ends (Caluwaerts and Reuchamps 2014). This improvement in community relations may itself constitute a promotion of the common good. There is, however, one caveat to these results. In both the Fishkin et al. and Caluwaerts & Reuchamps studies, it was unclear whether information was provided to participants before or after the pre-deliberation survey. For this reason, we cannot be sure whether these effects are due to deliberation, information, or both.

The final study was conducted with high school-aged students. Students deliberated about a policy that would raise some community members’ taxes. The authors show that given their demographic background, most students’ families would be required to pay more taxes as a result of enacting this policy, and that prior to deliberation, most students opposed the measure (Levy and Orr 2014). During deliberation, preferences changed, and twelve percent more students supported the measure following deliberation, as compared to a non-deliberating control group. This change may be an indication that deliberation promoted individuals to adopt less economically self-interested preferences and came to prefer policies that would benefit the aggregate or the community.

ii. Jury and Mock Juries

To know whether jurors’ views turn towards the common good during deliberation, we need to know how the alternatives they face align the aggregative and distinctive common good. In jury and mock jury experiments, participants are asked to decide whether they believe the defendant is guilty or innocent before and after deliberation, which means that there are two “alternatives” to choose from. What would it mean to say that either alternative promotes the common good? One answer is that the correct verdict is the one that promotes the good of the community. Individuals and the community do better when juries convict those who are guilty and fail to convict those who are innocent. Thus, perhaps we can make sense of DVC 1 as the following: Jury deliberation promotes the common good by making it more likely that individuals select the correct verdict. We should use jury deliberation in particular because it is the most reliable, albeit imperfect, method for getting to the true verdict. Deliberation is an “imperfect” procedure because jurors are rarely able to determine with certainty which alternative is “correct” for a given case.

On the other hand, one could argue that when sentencing guidelines are severe, the harm done to those who are convicted and sentenced is greater than the amount of good produced for the community. In this case, we might say that harsh penalties fail to promote the common good, even when the convicted person is in fact guilty of a crime. For example, for minor crimes with harsh penalties, the harm caused by punishment may outweigh the good produced for others. In this case, one might argue that the aggregate welfare (a type of aggregate good) is better served by not convicting, even if the defendant is guilty. We have some evidence that juries tend to move in this direction. In general, deliberations tend to move groups toward more lenient verdicts than those rendered by individual jurors (Stasser, Kerr et al. 1982, MacCoun and Kerr 1988, MacCoun 1990, Kerwin and Shaffer 1994, Ruva, McEvoy et al. 2007), and the amount of money awarded by a jury is usually higher than the average amount awarded by individual jurors (Bourgeois, Horowitz et al. 1995, Schkade, Sunstein et al. 2000, Sunstein 2000, Sunstein 2002). For more information about how the demographic features of jurors and other trial participants correlate with preference changes, please see Appendix B.

While the empirical research described above shows that jurors can and do alter their orderings during deliberation, the authors of these studies do not show that these changes result in outcomes that are better for the aggregate or the community. For example, if we take the first argument I presented in this section, that the common good is best promoted when juries perfectly predict the true verdict, none of the studies shows that deliberation is reliable in this way, because none asserts what the “true” verdict is. Above I suggested that an alternative interpretation of the common good in this case is that when sentencing guidelines are overly severe, the best outcome may be the one in which the innocent and those who have committed small crimes are not convicted, such that they are able to avoid unfair treatment. In this case, we might say that in some cases a verdict of “innocent” is the best outcome, even when the person committed the crime. Both of these cases are plausible interpretations of the common good in the jury deliberation case, but we would need significantly more context about the cases being tested empirically for us to determine what would constitute a “good outcome” for the community or aggregate. Without further information about what the correct verdict would be, or what the community’s interests are, we cannot tell a story that would explain how jury deliberation alters preferences to promote the common good.

iii. Laboratory Experiments

Laboratory experiments have the potential to shed light on whether deliberation leads participants to prioritize alternatives that promote the common good for two reasons. First, the controlled laboratory setting allows researchers to track changes in individuals’ views throughout the experiment. This step is critical if we are to understand the influence of individual preferences on the group decision. In particular, if we do not know what participants’ preferences are at the time when a group decision is made, it may be unclear whether the participants experienced a change in preference, or whether the outcome is the result of participants’ pre-discussion preferences and the voting method used by the group to come to a decision (Penrod and Hastie 1980, Ambrus, Greiner et al. 2009). Second, some authors argue that their studies demonstrate that playing games and participating in group discussions leads participants to select outcomes with certain characteristics, such as outcomes that are equitable or fair to the parties involved. If our understanding of the distinctive common good involves principles such as fairness or equity, then these studies provide some support for the idea that group deliberation can lead participants to select outcomes that promote the common good.

In terms of behavior, allowing participants to deliberate can lead them to accept more equitable distributions of the winnings (Sulkin and Simon 2001). This fact may constitute evidence for DVC 1. If equity is a feature of the aggregative or distinctive common good, then we can say that discussion makes participants more likely to agree on a state of affairs that promotes the aggregative or distinctive common good. On the other hand, deliberating groups have been shown to exhibit less inequality aversion than individuals, which seems to indicate that individuals are more likely to select policies that are equitable than deliberating groups (Schaufele, McMillan et al. 2010). These conflicting findings might be an indication that deliberation has no consistent effect on players' behavior. Or, these results might be an indication that there are particular features of the games that lead players to exhibit inequality aversion in some cases, but not in others. Further research is needed to understand whether there is any correlation between the features of the games played and the resulting behavior of the players.

iv. Health & Environmental Policy Workshops

Health and environmental policy workshops would provide evidence in favor of DVC 1 if they could show that participants are more likely to select healthcare plans or environmental policies that promoted the aggregative or distinctive common good following deliberation than they did before deliberation began. Two CHAT studies note that policy preference changes in study participants seem to reflect a less selfish or more "public-spirited" outlook. One study found a twelve percent increase in Medicare enrollees' willingness to allot some of their personal healthcare resources toward insuring the uninsured (Goold, Biddle et al. 2005), while the other found the same shift across the entire participant pool (Goold, Green et al. 2004). This would support DVC 1 if insuring the uninsured would help promote the interests of the aggregate (the aggregative common good), or the distinctive common good. Importantly, if voters are moving away from voting for their own self-interest, they are no longer voting to promote the aggregative common good under Voting Type A, as was discussed in chapter 3.

Two of the studies described above tried to uncover participants' justifications by soliciting their reasons for or against the various policy items. In particular, these studies asked participants to explain why they changed their policy selections between stage 1 and stage 4, in which participants were asked to select health care plans for themselves and their immediate families. While participants were explicitly instructed to select health care plans for themselves and their families, the reasons that participants said motivated their selections in round four were not exclusively self-interested. For example, one study showed that participants were significantly more likely to select plans that included some allocation of money to cover the uninsured in stage 4 than in stage 1 (Goold, Green et al. 2004), while another showed that participants were more likely to allocate some portion of their health insurance spending towards mental health coverage in stage four than in stage 1 (Evans-Lacko, Baum et al. 2012). When asked what motivated this change, participants in both studies made several competing claims. While some participants invoked the "common good," which may refer to either an aggregative or distinctive conception, others noted that they were motivated by concerns about personal cost and personal risk, or by concerns about their friends and family's wellbeing. These latter comments may be an indication that participants are motivated by their own interests and the interests of those close to them, which is one way to promote the aggregative common good. Because we do not know what participants meant by the "common good," however, we cannot say whether this constitutes evidence that participants reasoned at all about the distinctive

common good. This is not a problem for the conception of the common good, but an indication that the way participants talk about these terms in real deliberations is too vague to distinguish between the types of common good included in the taxonomy from chapter 2.

Now consider the evidence from environmental policy workshops. Changes in participants' willingness to pay for ecological sustainment systems followed deliberations that were framed in terms of fairness, rather than in terms of a utilitarian cost-benefit analysis (Kenter, Hyde et al. 2011, Kenter 2016). In particular, participants became more willing to pay for environmental services after having deliberated about them with other community members. The fact that willingness to pay increased following a deliberation framed in terms of fairness may be an indication that participants' preference changes reflected considerations of fairness, which may promote the good of the community. Similarly, deliberations made participants less likely to prioritize economic concerns over ecological concerns (Proctor and Drechsler 2006). It could be argued that promoting the good of the aggregate or the good of the community as a whole requires protecting the environment, even if doing so requires short-term economic sacrifice. Thus, one could argue that these results indicate that deliberation makes participants more likely to prioritize policies that would promote the aggregative or distinctive common good than those who do not deliberate.

5. Knowledge and Evaluation

In chapter 3, I noted that even if the empirical literature does not establish that deliberation changes orderings in the way the DVC suggests, it may nevertheless show that deliberation enables preference change by improving participants' knowledge of the policy alternatives, the community's interests, or the voting mechanism, by improving participants' evaluation abilities, and changing their motivation. In this section, I consider whether we have evidence to suggest that deliberation improves voters' knowledge and evaluation skills. Where possible, I highlight studies that have demonstrated that knowledge and skills gains have contributed to ordering changes, thereby showing that knowledge and skills enable preference change. Showing that (a) deliberation improves knowledge and skills, and that (b) knowledge and skills enable preference change, are not sufficient to establish DVC 1, because (a) and (b) would fail to show that preference change reflects a prioritization of the common good. However, showing (a) and (b) would demonstrate that deliberation produces the conditions under which preferences can change, and may therefore be preferable to political mechanisms in which preference change is not enabled, so long as deliberation does not make voters worse at identifying and prioritizing alternatives that promote the common good. Because voters' motivations will be the focus of chapter 5, I will not address motivation here.

a. Knowledge of Policy Items

With respect to information passed between participants during deliberation, changes in opinion have been explained by the sharing of private information in games (Goeree and Yariv 2011), the influence of opinionated moderators (Spada and Vreeland 2013), and the presence of experts (Gleason 2011). It is unclear what mechanism underlies this influence, but one plausible story is that experts and moderators provide participants with new information about the policies, or about how I ought to weigh or value the information I already have, which prompts participants to change their opinions. Listening to political arguments that are framed in negative

or positive lights make it more likely that participants hold negative or positive opinions (respectively) of the issue discussed because they alter the listener's expectations about the effects of public policies (Jerit 2009). In particular, presenting study participants with arguments that cite the negative effects a policy might have (such as an increase in unemployment or a decrease in household income) decreases the likelihood that the participants will support that policy. Similarly, arguments that cite positive policy effects make it more likely that participants support the policies being discussed. These results seem to bridge the gap between the knowledge and ordering effects of deliberation. They show that deliberation alters participants' beliefs about the policy options (a type of knowledge), and as a result, alter their orderings.

b. Knowledge of the Common Good and the Voting Procedure

The studies captured by the systematic review do not speak to either knowledge of the common good or knowledge of the voting mechanism. Most post-deliberation surveys ask participants for their policy opinions and their satisfaction with the deliberation process, and sometimes test participants' knowledge of the policy options they face, but do not test their knowledge of other participants' interests, which might enable preference change toward the aggregative common good (voting type B). Nor do the studies discussed here gauge participants' knowledge about general moral principles that might constitute the distinctive common good, or the type of voting mechanism used, if any. Several studies captured by the systematic review did not hold a post-deliberation vote, they simply asked participants to fill out a survey. For this reason, I cannot say that we have evidence that deliberation enables preference change by improving participants' knowledge of the common good or the voting mechanism.

c. Reasoning Skills

Perhaps the most promising indirect evidence for DVC 1 comes from the literature on deliberators' reasoning skills. 7 studies tested the effect deliberation has on participants' reasoning skills, or on the consistency of participants' policy preferences. 6 of the 7 studies showed that deliberation improves participants' reasoning skills or makes preferences more consistent. Deliberation has been shown to change participants' views such that their opinions are more consistent with their ideological predispositions (Gastil, Black et al. 2008) and can increase consistency among ideologically related opinions (Hansen and Andersen 2004, Hansen 2005). On the other hand, "group think" can cause groups to make errors in reasoning (Sunstein and Hastie 2015). Deliberation with others can improve opinion quality by mitigating the effect of receiving information that is framed in a partial or biased way (Brewer 2001, Druckman and Nelson 2003). In addition, mock jurors who deliberate demonstrate higher reasoning skills in a post-deliberation test than those who did not deliberate (McCoy, Nunez et al. 1999). The majority of the studies on participant reasoning indicate that deliberation enables preference change, such that participants' preferences become more consistent with their other political and ideological beliefs.

These results could constitute positive indirect evidence for DVC 1. They might be an initial indication that participants are willing and able to revise erroneous preference orderings such that they are consistent with an ideological commitment to promoting the common good. This would show that deliberation enables preference change towards the common good by prompting participants to re-order the alternatives.

On the other hand, as I noted in chapter 3, increased consistency among preferences does not necessarily indicate that preferences better prioritize alternatives that promote the common

good. It might be the case that deliberation prompts participants to revise their preferences away from the common good. For example, if we assume that the common good is substantive, it might be the case that deliberation prompts participants to revise their preferences such that they are consistently self-interested. That is, deliberation prompts participants to prioritize more policy items on the basis of self-interest than they did before deliberation took place, which would show that deliberation does not promote the distinctive common good. In this case, we might say that the fact that deliberation improves preference consistency inhibits the promotion of the common good.

At the very least, this evidence shows that deliberation enables participants to update their preferences. What remains to be seen is whether participants consistently revise their preferences to achieve consistency, such that all preferences are consistent with the promotion of the common good.

6. Deliberating with Information

The systematic review separated out those studies that isolated deliberation and information effects from those that tested the effects of informed deliberation only. In the latter set, participants are presented with information, either in the form of printed briefing materials or a presentation by experts (or both), and then deliberate. In some studies, participants can ask questions of experts throughout the deliberation process. Researchers then use interviews, questionnaires, or surveys to elicit participants' preferences and beliefs when the deliberation is finished, and compare them to participants' pre-deliberation views, or the views of a control group.

Between the initial database search and the citation search, a total of 146 sources failed to isolate information and deliberation effects. Of these studies, 72 showed that deliberation with information leads to statistically significant changes in participants' policy preferences. 34 found no statistically significant change in preferences, while the remaining 40 studies failed to present any direct evidence (positive or negative) about preference change. For example, several of the studies in this final group only tested deliberation's effects on participants' factual knowledge of the policies being discussed, which could constitute indirect evidence of preference change, while others provided only anecdotal evidence of participants' views from deliberation transcripts.

Among those studies that found statistically significant changes in participants' preferences, few patterns emerged, and those patterns seem to conflict with other evidence found in the review. For example, two studies show that deliberation can both moderate extreme opinions (Lindell, Bachtiger et al. 2017) and maintain and polarize participants' views when they are asked to discuss immigration specifically (Smets and Isernia 2014, Lindell, Bachtiger et al. 2017). In addition, some researchers have found that participants' public statements are not always reflective of their true beliefs. For example, (Waters and Hans 2009) found that while the vast majority of mock juries are able to come to a unanimous decision under the unanimity rule, thirty percent of mock jurors in this study disagreed with their ultimate choice. This may be an indication that participants are willing to set aside their true beliefs in order to achieve a consensus, or to promote the collective interests of the group deliberating. For these reasons, it is difficult to draw strong conclusions about the direction of individual preference change from this subset of the systematic review.

More consistent patterns can be found when we look at the effects that deliberation has on knowledge and reasoning skills. 27 studies tested whether deliberation with formal briefing materials improves participants' knowledge. Only 3 of these studies found no significant improvement in participants' knowledge on at least one pre and post-deliberation survey item. Deliberation with information has been shown to significantly improve participants' knowledge on matters of immigration policy (Esterling, Neblo et al. 2011), medical policies (Hayeems, Miller et al. 2015), green utilities (Zarnikau 2003), and local budgeting (Talpin 2012). Knowledge increases can be so significant that individuals with low and high educational attainment score similarly on knowledge questions about the policies being discussed (Robinson, Clouston et al. 2008).

Deliberation with information also affects participants' reasoning skills. This has been tested directly through experiments in classrooms (Cummings, Maddux et al. 2010). Reasoning has been tested indirectly in political deliberations by measuring the consistency among related political beliefs, and by asking participants how many features of a policy issue they would be willing to consider when making policy choices. In particular, deliberation has been shown to make participants' political attitudes towards related policy items more consistent (Gastil and Dillard 1999) and more stable over time (Marteache 2012).

In the next chapter, I will discuss the influence that deliberation has on participants' motivations and second-order preferences. None of the studies that included deliberation with information tested motivation directly by asking about participants' second-order preferences in a pre- and post-deliberation survey or questionnaire. There is, however, evidence to suggest that deliberation can change the way that participants approach policy making. For example, evidence suggests that the number of features of the problem that participants are willing to consider increases following deliberation (Niemeyer 2004, Niemeyer 2013, Smets and Isernia 2014), which may be an indication that deliberation prompts participants to consider multiple aspects of a decision. This is one way that deliberation could help promote the common good. If promoting the aggregative or distinctive common good requires that deliberators be able to consider or balance several different values (such as several different components of individual well-being, or principles such as justice or fairness), this research shows that deliberation may enable participants to consider all of the relevant features of the decision at hand. Other evidence suggests that participants in public town hall meets are less likely to report self-interested or "clientelist" tendencies than those who do not participate (Fujiwara and Wantchekon 2013). This may be an indication that deliberation makes participants less self-interested and more "other-regarding," or it may be an indication that participants believe that there is a social norm against voicing self-interested views in public forums, even if they hold self-interested preferences. Finally, deliberation appears to increase participants' confidence in their own political efficacy, or their ability to affect political change (Morrell 2005). In the next chapter, I explain how increased political efficacy may indicate a broader shift in one's background motivations, and thus constitute indirect evidence for DVC 2.

In order to show that deliberation is necessary to bring about these changes in participants' preferences, beliefs, and attitudes, future studies would need to test the effect of deliberation with information and compare it to the effect of only providing participants with free information. This empirical evidence, together with the studies discussed in sections four and five above, would help us differentiate the empirical efficacy of deliberation, information, and deliberation with information. In the next section, I explain how future studies could test DVC 1 directly before moving on to DVC 2 in chapter 5.

7. Future Studies

The discussion above has revealed several barriers to confirming or rejecting DVC 1. The empirical work on deliberation presents evidence both in favor of and against the claim that deliberation changes preferences. There is evidence that those who deliberate are more likely to divide resources equitably, and more likely to support policies that would benefit a large number of community members. Further, there is evidence that deliberation does improve participants' reasoning skills, even if deliberation has not been shown to increase participants' knowledge of the common good or the voting mechanism. Along the way I have tried to tell a story to show how these results could help confirm DVC 1, as that was not the initial goal of the studies' designers. Below, I discuss how future studies could test DVC 1 directly.

To test whether preferences change such that deliberators come to more highly rank alternatives that promote the common good, researchers must be able to rank order the policies they intend to include in their study of deliberation. In particular, researchers might focus on one or two values that might promote the distinctive common good, such as equity or fairness, that could be used to develop an (at least somewhat) objective ranking of the policies from most to least common good-promoting. It must be the case that researchers can determine which ordering would be common good-promoting for each participant. This seems to indicate that to test DVC 1, a researcher must assume an (at least partially) objective account of the common good, such that she would be able to determine what policies promote the common good to a greater or lesser extent. This does not necessarily imply that the common good is not aggregative; it might be the case that testing DVC 1 requires researchers to understand what the best interests are of the members of the political community, and rank policy items according to those interests. But it does require that there be some measure or measures that one could use to generate a correct ranking of the alternatives.

To determine whether deliberation alters preferences towards the common good, researchers must conduct a deliberative event with pre- and post-deliberation questionnaires, surveys, or interviews. They must elicit preferences before and after deliberation and determine whether preference changes brought participants closer to the objective ranking. They must collect information about participants' interests, and about their knowledge about general principles that align with the conception of the distinctive common good they are testing. To ensure that the observed ordering changes are attributable to deliberation, moderators must be sure to provide any necessary information to participants before the first pre-deliberation survey, as was done in the studies surveyed in this chapter.

While the studies discussed above have provided some evidence to support the idea that deliberation alters preferences, new empirical work is required to confirm DVC 1. In the next chapter, I will consider whether the results from the systematic review provide any evidence for an alternative justification for the DVC: DVC 2.

Appendix A- Deliberative Polling Background and Demographic Effects

Deliberative polls are used for a variety of purposes. For example, many scientists have employed deliberative polling to gauge the public's views on health or science policy issue (Murphy 2005, McTaggart-Cowan 2011, Carman, Heeringa et al. 2013, Degeling, Carter et al. 2015), such as resource allocation in medicine (Abelson, Forest et al. 2003, Abelson, Warren et al. 2012). Deliberative polls have been used to gauge citizens' views on a variety of public policy issues in the United States (Merkle 1996, Gastil and Dillard 1999, Ackerman and Fishkin 2004, Gastil and Levine 2005, Gastil 2008), Canada (Warren and Pearse 2008), the United Kingdom (Davidson and Elstub 2014), Australia (Gregory, Hartz-Karp et al. 2008), and Denmark.

Features of the deliberative setting and characteristics of the deliberators may influence the treatment's effect on participants' preferences. For example, participants with higher educational attainment report less preference change than participants with lower attainment (Wang, Gold et al. 2015). Cultural background can influence participants' willingness to participate, and as a result, mitigate or enhance the effects of having deliberated (Seong-Jae 2014). Some have argued that preference change is more likely to occur when there is little consensus among the group initially (Elam, Stratton et al. 2002).

Appendix B- Jury and Mock Jury Experimental Effects on Verdicts

Changes in pre- and post-deliberation verdicts have been linked to the demographics and background ideologies of the jurors and other participants in the trial. For example, while there is little difference between women and men's judgments before deliberation (Nemeth, Endicott et al. 1976), researchers have shown that women jurors change their pre-deliberation views more often than men jurors, and that juries that are majority women are more likely to find a defendant guilty than juries that are majority men (Golding, Bradshaw et al. 2007). Juries composed of individuals with similar gender identities and tendencies toward generosity are more likely to converge to a consensus than more diverse juries (Baddeley and Parkinson 2012). The race of fellow jurors (Lipton 1983, Taylor-Thompson 2000) and the gender of the attorneys (McGuire and Bermant 1977) has also been linked to preference changes in deliberation. Jurors who oppose the death penalty are much less likely to find a defendant to be guilty in case where a guilty verdict may carry criminal punishment than those who do not oppose the death penalty, and their rankings of the alternatives do not change significantly over the course of deliberation (Cowan, Thompson et al. 1984).

Jurors' opinion changes have also been linked to procedural features of the trial and jury deliberation process. Jury decisions can be influenced by pre-trial publicity (Shaw and Skolnick 2004, Ruva and LeVasseur 2012, Ruva and Guenther 2015). The type of evidence (Hans and Doob 1975, Tanford and Cox 1988, Wheatman and Shaffer 2001), judges' instructions to jurors (Smith and Kassin 1993), and the jury's decision rule (Kameda 1991) can also influence jurors' judgments. The amount of time elapsed (Davis, Stasser et al. 1976, Davis, Stasson et al. 1993), the number of arguments presented (Stasser, Stella et al. 1984) and jury size can influence jury deliberations and the likelihood of a guilty verdict (Kerr and MacCoun 1985). If a jury has already spent time deliberating a case, evidence suggests that they cannot simply "forget" what has been deliberated and start again, even when instructed to by a judge (Kaplan and Atkins 1982). In addition, the number of crimes being discussed (Koch and Devine 1999) and the sequence in which juries decide verdict and sentencing questions (Davis, Holt et al. 1981) appear to influence the likelihood that a jury member views a defendant as innocent or guilty.

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Chapter 5: Deliberation and Judgment-Based Voting

1. Introduction and Motivation

Chapter 4 considered whether deliberation improves decision making by transforming deliberators' first-order preferences. We saw that evidence is mixed; while there is some evidence that deliberators change their orderings during deliberation, we could not confirm that post-deliberation preferences are oriented toward the aggregative or distinctive common good. Further, while deliberation can enable preference change by making preferences more consistent, we had little evidence that the act of deliberating increases voter knowledge of the common good, or the community's interests, or the voting mechanism.

This chapter considers a different empirical argument that could be used to support the DVC. In contrast to DVC 1 discussed in chapter 4, DVC 2 does not state that deliberation transforms first-order preferences over outcomes. Under DVC 2, deliberation may do nothing to transform deliberators' personal, private preferences over outcomes. Rather than remain committed to voting based on their personal, private preferences, deliberation will transform their beliefs about how they ought to vote, which may in turn change voter behavior.

DVC 2 states that deliberation followed by voting is more likely to produce outcomes that promote the common good than voting alone because deliberation alters participants' second-order preferences, which can in turn change the ways that participants vote. Authors who invoke DVC 2 in the literature on deliberative democracy say the following. Deliberators may, or may not, enter the deliberative forum with self-interested second-order preferences. However, over the course of deliberation, deliberators can become motivated to set aside considerations of self-interest (Elster 1998). While Elster does not mention any particular conception of the common good explicitly, he recognizes that a major feature of deliberative democracy is an explicit rejection of self-interest as the basis of public decision making, which seems to indicate that he is more focused on the deliberative common good. While an individual's personal, private, and self-interested first-order preferences may remain unchanged during deliberation, she may nevertheless come to believe that she ought not vote on the basis of those preferences (and those preferences only) (Freeman 2000). Deliberative democrats claim that deliberators should try to establish some sort of agreement on these "second-order" principles, even if they don't agree on policy (Gutmann & Thompson 1998; 93). This reflects a change in the voter's second-order preferences. Instead, she should vote based on her judgment as to which alternative(s) would best promote the common good (Pettit 2001).

An example can help explain DVC 2 and distinguish it from DVC 1. Suppose that prior to deliberation, if presented with a vote between two tax plans A and B, a participant would (empirically) vote for tax plan A because the voter believes that implementing A will decrease her individual tax burden. DVC 1 says that deliberation can prompt the voter to re-order the content of her preference, such that she comes to more highly rank alternatives that promote the aggregative or distinctive common good than they did before deliberation began. For example, during deliberation the voter may learn that she was wrong to believe that tax plan A would decrease her tax burden more than tax plan B and update her preferences accordingly. This is one way that the voter could vote to promote the aggregative common good.

DVC 2 states that deliberation can change voting behavior by altering voters' perceptions about how they ought to make their vote choice. In this example, the claim might be that

deliberation helps the voter see that she should not make her selection based on which plan will decrease her individual tax burden. Instead, deliberation may prompt voters to decide that they ought to vote for the tax plan that will provide the most funding for essential social programs, on the grounds that taxes should be used to help the aggregate or the community at large. If the tax plan that will lower the individual's contribution will also provide the most funding for social programs, this shift in reasoning may not alter the voter's first-order preferences. This shows that DVC 1 and DVC 2 can come apart. This example also shows that the specific empirical argument required to establish DVC 2 will vary, depending on the conception of the common good. The substance of the common good will dictate, at least in part, the kinds of motivations or information required as inputs to the voting procedure to output decisions that promote the common good.

In the first part of chapter 5, I will show how DVC 2 has been used in deliberative democratic theory. In section 2, I will discuss whether the empirical literature on deliberation provides any evidence for this mechanism. I will conclude by summarizing what has been shown and what questions remain unanswered and suggest avenues for future empirical research.

2. Deliberation and Perception Change in Normative Literature

While the authors cited above state DVC 2 explicitly, other theorists in the literature on deliberative democracy have DVC 2 as a consequence of their views but fail to recognize it explicitly. The majority of theorists who invoke DVC 2 (implicitly or explicitly) fail to provide justification for the claim. For example, Joshua Cohen argues that deliberation may, or may not, change voters' preferences. Nevertheless, Cohen anticipates that deliberation followed by voting is more likely to produce outcomes that promote the common good, even if voters' personal preferences remain unchanged (Cohen, "Democratic Legitimacy" 75). If the same voting mechanism is used in deliberation with voting and voting alone, but the procedures produce two different outcomes, it must be the case that the input to the voting procedure is different under the two procedures.⁷ That is, participants must vote differently under deliberation and voting than they do under voting alone. But Cohen says this will be the case even if personal preferences remain the same throughout deliberation. This indicates that under deliberation or under (mere) voting, participants must be voting some ordering other than their personal preference under at least one of the procedures. This shows that on Cohen's view, either deliberation or voting can prompt voters to vote on the basis of some consideration other than personal preference. Because deliberation is claimed to be the mechanism that is more likely to select outcomes that promote the common good, and because this process is contrasted with self-interested preference voting, the implication is that deliberation (not voting) prompts voters to set aside personal interest and vote to promote the common good.⁸

Why might we think that deliberation can alter the standards that participants use to construct or select an ordering of the alternatives? The authors above do not justify DVC 2, so I will try to explain how deliberation could have this effect. In deliberation, participants discuss various policy proposals, and present reasons in favor and against those proposals to the group. As a rule, reasons must be accessible and acceptable to the other members of the group. If a

⁷ Here, I am assuming that deliberation does not involve the provision of formal briefing materials. In chapter 4 I explained why that approach to deliberation is not properly tested in empirical studies.

⁸ This rules out aggregative voting type A, as I discussed in chapter 3.

participant says that the group ought to pursue policy x because x is good for her, that reason may not be acceptable in the eyes of other participants who do not share her interests or preferences. This response may signal to the speaker that the deliberative forum is not the appropriate place to discuss and promote self-interest and convince her to make her vote choice on the basis of the aggregative or distinctive common good instead. Or, it might be the case that simply participating in a public deliberation with other people primes the voter to take a more “community-oriented” perspective, and as a result, select policies based on what is good for others, even if the reasons she hears are largely based on participants’ self-interest.

The authors cited above invoke DVC 2 and distinguish an individual’s personal, private, and self-interested preferences from her judgments about what outcomes would best promote the common good. According to these authors, individuals may maintain their first-order, self-interested preferences while adjusting their expressed judgments in the form of a vote. But this is not the only way that the DVC 2 mechanism could work in practice. For example, it could be the case that prior to deliberation, a participant is motivated to vote on the basis of what would best promote the community’s shared interests (the aggregative common good). In this case, deliberation could convince participants that they ought to vote for their own self-interest, thus promoting the aggregative common good using voting type A from chapter 3. She might become convinced, for example, that everyone’s interests are better protected when each individual votes for her own interests, rather than trying to decide which alternatives, on the whole, best promote everyone’s interests. In this case, we might say that DVC 2 holds because deliberation prompts voters to reassess their second-order preferences, and coordinates voters to protect their own individual interests, which promotes the common good. While this is an alternative way of instantiating the DVC 2 mechanism, none of the authors above endorse this view. Comments surrounding DVC 2 focus exclusively on a shift from self-interested to community-interested motivations, and not vice versa.

In this chapter I will consider the claim that deliberation can prompt participants to change their second-order preferences, and that this change enables participants to promote the common good to a better or greater extent than before deliberation began. In the next section, I survey the results of the systematic literature review on the topic of voter motivation and deliberation. In particular, I discuss what evidence exists to support or reject DVC 2. To verify DVC 2 empirically, we will have to identify scenarios in which we can uncover the reasons that motivated participants to order the alternatives the way they did. In the sections below, I review the remaining results from the literature review presented in chapter 4. While most of the studies collected in the systematic review do not speak to voter motivation explicitly, I have tried to tell a story about how these results might constitute evidence for DVC 2. In total, there are ten sources discussed below that did not appear in chapter 4.

It is important to note that the first-order preference changes discussed in chapter 4 could be evidence of an underlying change in second-order preferences. It could be that the changes in first-order preferences I discussed in that chapter were brought about by changes in second-order preferences. But most of these studies did not provide *direct* evidence of second-order preference change. Thus, in this chapter, my goal is to survey those studies that show changes in voters’ second-order preferences, or changes in voters’ approaches to political decision making more generally that could constitute indirect evidence for second-order preference change.

3. Results: Reported Motivations

One direct way to gauge second-order preference change in deliberation is to ask participants what motivated their rankings of the available policies before and after a deliberative event. For example, if a person says that she initially ranked the alternatives by considering what would be best for her, but adopted a new ranking method during deliberation, this could be an indication that the participant came to believe that she should not use a particular motivation, such as self-interest, to construct her rankings. 21 of the 152 studies resulting from the systematic review discussed participants' stated reasons for their preferences, and therefore had the potential to shed light on DVC 2. One study is omitted because the authors failed to provide data or summary statistics about whether participants' motivations changed, even though participants were asked about their motivations before and after the deliberative event (Ambrus, Greiner et al. 2013). Of the remaining 20 studies, 2 showed that motivations do not change in deliberation (Bombard, Abelson et al. 2011, Schkade, Sunstein et al. 2010). The final 18 studies failed to address DVC 2 directly. Studies in this category either did not collect data using pre- and post-deliberation surveys, or tracked changes in participants' second-order preferences about topics other than the policies deliberated about, such as participants' willingness to participate in political events. Importantly, it is not the case that these 18 studies tracked second-order preferences about the topics deliberated and showed that those preferences did not change. Rather, these studies are unhelpful because they failed to track the preferences we are interested in altogether. Because these studies did not address the preference change criteria, they are grouped with the remaining 132 studies that did not speak to motivations at all in Table 1.

First, consider the 2 studies that did track participants' motivations. In these deliberative polls, researchers asked for participants' underlying values and ideologies before and after deliberation. The first study showed no statistically significant changes in the values that voters reflect on to make their vote choice (Bombard, Abelson et al. 2011), while in the other, ideologies remained the same, but strengthened (Schkade, Sunstein et al. 2010). That is, participants' ideologies remained the same, but individuals felt more strongly about those ideologies after deliberation than they did before. These two studies show that second-order preferences do not change during deliberation.

The other 18 studies that collected information about participants' second-order preferences change failed to track changes in second-order policy preferences over the deliberative event. For example, one health care workshop study discussed in chapter 4 asked participants to explain or justify their final policy discussions in a public discussion. The researchers show that participants justify their final policy selections by referring to several different and conflicting concepts related to the aggregative and distinctive common good. For example, some participants referred to their own individual good by invoking the concept of personal risk, while others said they chose the policy they did out of a concern for others (Evans-Lacko, Baum et al. 2012). After conducting a deliberative poll, Ugarriza & Nussio study deliberation transcripts, and show that participants frequently justify their preferences to the group by referring to their own interests, and not the interests of others or of the group (Ugarriza and Nussio 2016). Another study shows that participants in environmental policy workshops tended to mention concepts like "personal responsibility" and "fairness" in conversation (Kenter, Hyde et al. 2011, Kenter 2016). This could be an indication that participants are motivated by general moral principles, which could mean that participants are motivated by the distinctive common good. Thus, these studies show that participants invoke a variety of concepts in

deliberation, and those concepts align with self-interest and both conceptions of the common good. While these studies do record participants' underlying justifications, I can make no strong conclusions about the types of reasons used in deliberation to justify participants' choices, and how those reasons align with the two conceptions of the common good.

Even if the evidence from these studies did point toward one particular conception of the common good, that evidence would be insufficient to verify DVC 2. The problem with these studies is that they do not track *changes* in second-order preferences over the course of the deliberative event. They only show that certain types of reasons were stated in the deliberative forum or at the end of the deliberative event. If it is the case that voters have a single second-order preference, and that this preference is consistent before, during, and after deliberation, we can say that constitutes evidence against DVC 2, because it shows that deliberation does not contribute to statistically significant second-order preference change. I cannot make this claim because information regarding motivation change is not provided.

The fact that only two studies spoke directly to DVC2 constitutes a significant gap in the empirical literature on deliberation. In particular, it shows that we have some information about the words or concepts that participants use in deliberation to justify or explain their policy choices, but little to no information about how those concepts change over the course of the deliberative event. Significantly more empirical work is needed to say whether DVC 2 is a legitimate defense of the DVC, and of democratic deliberation. In particular, we need evidence from studies that ask participants about their motivations in pre- and post-deliberation surveys or use survey questions to extract participants' pre and post-deliberation second-order preferences, just as the studies from chapter 4 asked participants about the pre- and post-deliberation first-order preferences. These studies would need to be able to distinguish changes in second-order preferences from changes in the terms or vocabulary that participants use to describe their (unchanged) first or second-order preferences. This data would allow us to see whether participants' stated motivations were different after deliberation, and if so, whether motivation changes tend to move voters toward considerations of self-interest, the aggregative common good, or the distinctive common good. To confirm the DVC 2, researchers would need to expose the underlying reasoning for participants' ordering change, and in particular, uncover a shift in the participants' decision making where the participant moves from making decisions solely based on her own well-being to making decision about the good of a greater group of people, or vice versa.

The remaining studies that I will discuss below do not track motivation change directly. I will describe these results and attempt to give an explanation as to how those results could constitute indirect evidence of second-order preference change.

4. Results: Indirect Evidence

While the studies discussed in chapter 4 tracked changes in participants' judgments before and after deliberation, the experiments discussed in this section consider deliberation's other effects on decision making and behavior beyond first-order preference change. Some of the main findings from these studies are largely orthogonal to the question of second-order preference change. For example two studies tracked participants' senses of their own political efficacy (Gastil 2004, Himmelroos, Rapeli et al. 2017) and their trust in political institutions (Rhee and Kim 2009). While a sense of political efficacy and trust in political institutions may

enhance one's willingness to participate in political dialogues, these changes do not necessarily reflect a change in one's first or second-order preferences, but may reflect a broader change in one's views regarding societal institutions and public values.

There are two studies that may shed some light on second-order preference change without testing it directly. De Vries et al. asked each participant to list her personal (self-interested) preference and her policy preference "from a societal perspective" regarding surrogacy in medicine before and after group deliberation (De Vries, Stanczyk et al. 2010, De Vries, Stanczyk et al. 2011). Personal preferences refer to an individual's views about what is best for herself, while policy preferences refer to what the individual believes is best for society as a whole. While preferences from a societal perspective changed after deliberation, personal preferences did not. Because participants were not asked to decide between the two types of preference before and after deliberation, this study does not provide direct evidence for second-order preference change. In other words, these results do not show that deliberators shift from a personal to a societal perspective or vice versa. These results indicate that *if* participants' motivations were to shift from self-interest to the good of their community or vice versa, this may prompt a shift in first-order preference. The study thus shows that changes in motivation can contribute to changes in voting behavior, but does not confirm or reject DVC 2 directly, because it does not test whether motivation changes actually occur during deliberation.

The second study shows that deliberation can alter participants' motivations when deciding on matters of policy, as it shows that participants adopt a more societal-focused view in deliberation than they do when they make decisions on their own. The study tracks participants' willingness to consider various types of information when making policy decisions before and after deliberation. In particular, deliberation increased the number of issues that participants considered when deciding how willing they were to pay for mitigating carbon dioxide emissions (Dietz, Stern et al. 2009). The types of issues that participants were willing to consider varied between the deliberating and non-deliberating groups. Non-deliberating participants were more likely to consider personal financial concerns than deliberating groups, while deliberators were more likely to mention social costs. The authors argue that deliberation has the effect of framing the willingness to pay decision as one of a charitable contribution, rather than a consumer purchase. This could reflect an increased willingness to construct one's orderings based on charitable considerations rather than one's own willingness to pay, which constitutes a change in second-order preferences.

The remaining studies consider how participating in deliberation alters participants' willingness to engage in other political activities. The act of participating in a deliberative forum has been shown to increase one's willingness to engage in political deliberations in the future (Price and Cappella 2002, Grönlund, Setälä et al. 2010). With respect to juries and life outside the courtroom, those who participate in real juries are more likely to participate in civic life in the future, such as in elections (Gastil, Deess et al. 2002), in political rallies, or in volunteering opportunities with political campaigns (Gastil and Weiser 2006). On the other hand, those who witness uncivil discourse online see less potential for deliberation with others than those who are only exposed to civil discourse (Hwang, Kim et al. 2014). Further, structured deliberation about policy can discourage participants from participating in political activities, especially for participants with moderate political views (Wojcieszak 2011). These results show that there is conflicting evidence about the effect that deliberation has on participants' willingness to engage in other public political activities.

We can try to tell a story about how these results could constitute indirect evidence supporting the DVC 2. It could be the case that changes in participants' willingness to participate in deliberation, elections, and other political events are brought on by a shift in participants' higher order preferences, albeit indirectly. For example, it could be that participating in a jury heightens deliberators' senses of civic duty, and in particular, shows jurors that their decisions regarding public events should be shaped by considerations of the aggregative or distinctive common good. Further, participating in a jury may convince jurors that they ought to commit more of their time to participating in events in the public sphere because those activities promote the good of the community, even if participating can be costly for the individual. Thus, a shift in second-order preferences could in turn prompt jurors to change their first-order preferences regarding how they spend their time. Participants could come to see that they should participate in rallies or elections because that sort of behavior promotes the aggregative or distinctive common good and come to prefer to participate in those events as a result. While this story would help substantiate DVC 2, none of this story is verified by the empirical results. All we know is that participants' (first-order) preferences for participating in political life were different after deliberation than they were before. We do not know why those first-order preferences were different. Thus, we cannot use these results to confirm DVC 2.

To summarize, we have very little direct evidence for DVC 2. While some studies did ask participants to justify their claims in the deliberative forum or their policy choices following deliberation, these studies failed to track changes in voter motivation over the course of the deliberative event. We have significantly more evidence to suggest that participating in deliberation increases one's willingness to participate in future political events, but this fact only indirectly supports DVC 2.

5. Future Studies

The results discussed above show that there is a significant lack of information in the empirical literature that could be used to verify or reject DVC 2. Very few studies ask participants what motivated their preferences or vote choice, and further, no studies established that participants' second-order preferences changed over the course of a deliberative event. This is a major gap in the literature. More empirical work is needed to verify or reject DVC 2. Here, I discuss how one could design a direct empirical test for DVC 2.

One way that future studies could track changes in voters' second-order preferences is to ask them what motivates their rankings of the alternatives before and after deliberation. This would allow participants to reveal the reasoning behind their first-order preferences. One could then compare pre- and post-deliberation reasons and determine whether those reasons changed during deliberation. One concern with this kind of approach is that participants' reasons may not be obvious to the participants themselves. In other words, participants may not be able provide a clear explanation of what motivated their pre- and post-deliberation choice that clearly points to a conception of the common good. Further, what participants say in post-deliberation surveys may be a post-hoc rationalization of their choices, rather than an accurate description of what motivated their choices in the moment.

Another approach would be to specifically target participants' second-order preferences using a questionnaire and accompanying poll. Before deliberation, one could ask participants to vote their ranking using a poll, and then distribute a questionnaire that asks participants how they

would have ranked the policies if they were deciding (a) for only themselves or their immediate family or (b) for their community. The process would be repeated after deliberation ends. One can then compare the rankings before and after deliberation and see whether the deliberators' votes from the poll align with the self- and community-interested rankings on the pre- and post-deliberation questionnaires. While this method does not ask participants to explain their reasoning, it may provide some evidence as to whether participants' votes accord with their views of their self or community interest. These new studies would help confirm or reject the claim that deliberation enables second-order preference change, which in turn would help legitimate deliberative democrats' claims about the instrumental benefits of deliberation highlighted at the beginning of this chapter.

6. Conclusion

While there is some evidence that could be used to support DVC 1 and 2, chapters 4 and 5 have shown that we require more empirical work to substantiate the DVC. This shows that we currently lack the evidence needed to confirm deliberative democrats' claims about the effects of deliberation on first and second-order preferences. In the next chapter, I set aside the empirical question, and take up the normative question: are deliberative democrats committed to the claim that voters have an obligation to vote to promote the common good?

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Chapter 6: The Duty to Promote the Common Good

1. Introduction

In this chapter, I will shift my focus back to the normative features of deliberation that I first introduced in chapter 1. I will argue that the deliberative democrats with whom I am engaging are committed to the claim that deliberators ought to vote to promote the common good. I will refer to this claim as the **moral voting claim**, or “MVC.” I will show that the authors with whom I am engaging are committed to the MVC by demonstrating that the ethical principles that legitimate democratic deliberation also place significant moral weight and limitations on voting.

At the end of this chapter, I will bring together the work from chapters two through six and explain the implications of my empirical and normative arguments for deliberative democratic theory. With respect to the empirical arguments surrounding the DVC, I will argue that the fact that we cannot say whether the DVC is true or not is a serious problem for deliberative democrats for two reasons. First, I will argue that it is wrong for authors to make empirical claims about the instrumental value of deliberation when they are unable to support those claims with evidence. It is wrong because what we are talking about are not simply the empirical effects of deliberation, but the moral reasons we have to integrate deliberative systems into real political communities, significantly altering the status quo. Second, I will show that in order to substantiate the DVC with evidence, deliberative democrats would need to define the common good, which they may be unwilling to do. I then argue that authors in this position would need to abandon the DVC.

The normative argument that I make in this chapter has broader implications for the deliberative democratic theory literature. A commitment to the MVC implies a commitment to the claim that the act of voting has moral value. Voting is an act that can be done well or poorly, morally speaking. This shows that contrary to the comments made by the authors in chapter 1, voting is not necessarily a morally neutral or bad act on the deliberative democratic view. I will argue that this fact undercuts the strong moral distinctions that deliberative democrats want to draw between deliberation and voting. This calls into question the significant divide between deliberation and voting in the broader democratic theory literature.

To better understand deliberative democrats’ views on the moral value of voting, this chapter will begin by showing that deliberative democrats have invoked the claim that participants have an obligation to vote to promote the common good. As I will show in section 2, some authors have claimed or attributed the MVC to deliberative democrats, but those views are not necessarily representative of the wider literature. It will then be my job to justify the MVC under more commonly-held theories of deliberative democracy. In section 3, I will look to the moral foundations of deliberative democracy, and deliberative democrats’ explanations of what the deliberative process should look like, to explain why they are committed to the MVC. In sections 4 and 5, I will bring together this project’s normative and empirical results and discuss their implications for democratic theory.

2. Textual Evidence

Several political philosophers have attributed to deliberative democrats the claim that deliberators have a moral obligation to vote to promote the common good. For example, Philip Pettit describes the moral obligation as the duty to vote one's judgment about what is good for the group that is deliberating, rather than vote according to one's preferences (Pettit 2001, p. 270-1). He says that this duty is an essential feature of deliberative democracy. Some have said that within deliberative democratic theory, voters have an obligation to "abstract from" their personal preferences, and impartially vote for policies that promote the group's shared interests, which is a version of the aggregative common good (Freeman 2000, p. 375). In this section, I will present two examples of authors who have discussed voters' obligations in deliberation explicitly, and then go on to explain why there are so few examples in the literature.

The first example is from Mansbridge et al., who argue that voting is an important component of the deliberative process. These authors say that under deliberative democratic theory broadly construed, voters have the following duties:

[T]he citizen's duty has three stages. If the citizen concludes that one policy or candidate would promote the common good more than another, the citizen should vote for that policy or candidate. If there seems to be no justifiable "common" good (loosely defined) but instead a relatively fair adjudication of conflicting values or interests, the citizen should vote for the fairest adjudication possible. If the citizen concludes, however, that this particular vote is structured to function as no more than a way of aggregating self-interests, preferences, or competing values, then that citizen should feel free to vote on his or her self-interests, preferences, or values as part of the aggregation process.

(Mansbridge et al. 2010, p. 89-90).

While this quote seems to show that the authors are committed to the MVC, they do not explain why voters in deliberative democracies have these duties, or why the duties are ordered in a particular way.

The second example comes from David Estlund. Estlund says that participants in deliberation and voting have an obligation to "address a shared conception of justice" as opposed to group advantage. On this view, voters should make decisions by considering what policies or candidates would be good for all voters according to some shared conception of justice, and not consider what would be best for themselves or their sub-group.

Why must voters address a shared conception of justice? For Estlund, the answer has to do with the legitimacy of democratic processes and political outcomes (Estlund 1997). On Estlund's account, legitimate democratic outcomes are only achievable when the procedure used to produce those outcomes is fair and considered to be epistemically best at making those decisions. The fact that an outcome came from the procedure that is most likely to produce outcomes that promote justice or the common good gives participants reason to accept that outcome. Outcomes are acceptable not simply because they came from a particular procedure, but because the procedure has "epistemic value" (Estlund 2009, p. 20). Estlund's view seems to bridge the procedural/substantive divide outlined in chapter 1. For Estlund, the procedure most likely to produce good outcomes is one in which participants address a shared conception of justice in the way I described above. Thus, the moral obligation to deliberate and vote according

to a shared conception of justice or the common good is derived from a conception of democratic legitimacy for political outcomes.

Estlund's work in this area is significant because he is one of the only theorists to discuss and attempt to justify moral obligations in both deliberation and voting. Deliberative democrats tend to focus on the moral obligations participants having during deliberation, and do not address what obligations participants have when deliberation ends, and a vote is taken. For example, Amy Gutmann and Dennis Thompson say that participants in deliberation should seek agreement on second-order moral principles (as opposed to first-order policy preferences), but they do not say that participants ought to vote on the basis of those agreements when deliberation ends (Gutmann & Thompson 1998, p. 93). If we conceive of voting as part of the deliberative process, one could say that participants' moral obligations in deliberation extend to voting too. But further argumentation is needed to justify this obligation.

Estlund's account of democratic legitimacy seems to answer the main question I outlined in the introduction of this chapter. It shows that a deliberative democrat is committed to the MVC and that he justifies that duty by referring to an underlying principle of democratic legitimacy. However, Estlund's account is not representative of the entire literature. Many authors disagree with Estlund that the legitimacy of democratic outcomes comes from the reliability of democratic procedures. We cannot say that Estlund's theory settles the question of whether other authors are committed to the MVC because Estlund's account of legitimacy is not widespread, and because Estlund's conception of legitimacy grounds his commitment to the MVC. Because authors in this literature have several different views of democratic legitimacy and do not discuss the MVC explicitly, I will attempt to address the MVC in the wider literature by looking at moral commitments that the other authors share. In particular, to determine whether other authors are committed to the MVC, I will look to the foundational principles that these authors claim ought to shape the deliberative process.

In the next section, I will explain what the moral foundations of deliberation are, and what deliberative democrats believe deliberation should look like. In particular, I will focus on the claim that deliberation should be an expression of public reason. My goal is to show that public justification based on reasons is necessary to legitimate political outcomes under deliberative democratic theories. I will use these explanations of the deliberative process to show that there is a widespread commitment to the MVC in the deliberative democratic theory literature, even though this commitment has not been explicit.

3. Public Reason in Deliberation

In chapter 1, I showed that deliberative democrats distinguish deliberative democracy from (mere) voting systems. One way that deliberation is said to be morally superior to voting is that deliberation improves voting outcomes with respect to the common good (the DVC). As I showed in chapter 1, deliberative democrats also believe that deliberation has procedural value, whereas voting does not. Voting was said to be a bad method for making public decisions because voting is a competition among interests that lacks focus on a common good. These comments cast deliberation as a morally significant and transformative part of public decision making, whereas voting lacks procedural moral value and is used solely for its efficiency when time is limited.

But as I will show, the underlying principles that support the claim that deliberation has procedural moral value also support the claim that voting is morally valuable. To develop this argument, I will identify the moral principles that authors use to justify deliberation over voting in section a. In sections b and c, I will look more deeply at the idea of democratic deliberation and explain how deliberation should proceed. I will show that the moral principles that are supposed to guide the deliberative process under commonly-held views of deliberation also place moral constraints on how deliberators should vote. In particular, I will show that these underlying principles generate a duty to vote to promote the common good. This is true both for theorists committed to the DVC, and for theorists who support deliberation on solely procedural grounds.

a. Democratic Legitimacy

In addition to the substantive claim that deliberation promotes the common good, most deliberative democrats argue that deliberation is valuable for procedural reasons. The process of holding a public deliberation confers legitimacy on the outcome, while the process of voting does not. The reason is that all participants who will be affected by a political outcome must assent to it for the decision to be legitimate. To gain assent, participants must present reasons in favor of the policies that others can reasonably accept in an “inclusive and unconstrained” process (Lafont 2009, p. 128).⁹ Deliberation, and a public transfer of reasons, is therefore required to achieve democratically legitimate political outcomes. The implication is that voting procedures lack a public reasoning process in which participants provide justifications for their choices that everyone can reasonably accept, and therefore the outcomes of mere voting procedures lack democratic legitimacy.

The deliberative process generates assent from participants by providing a forum in which their views are presented and debated. Participants express their views in favor of or against the policies being discussed before a decision is made via consensus or a vote. Deliberative democrats believe that even when consensus cannot be achieved, the deliberative process is preferable to voting alone because it allows for discussion and debate. Choices arrived at via deliberation “should be more acceptable, even to those who receive less than they deserve, if claims have been considered on the merits” (Gutmann & Thompson 2009, p. 10) than choices made via voting alone. The claim is that even when a large proportion of the deliberators disagree with a political outcome, they will have a more positive attitude toward it than they would if the outcome resulted from (mere) voting. The reason is that during deliberation participants will have seen that those who supported the measure did so for reasons, and in particular, for reasons that survived public scrutiny, as opposed to private reasons that were not contested. The assumption here is that claims backed by public reasons are more likely to be acceptable in the eyes of those who disagree than claims supported only by private reasons. Thus, deliberative democrats hold that deliberative procedures that involve a public exchange of reasons (empirically) generate outcomes that are more acceptable in the eyes of participants than the outcomes of voting procedures, and thus confer more legitimacy on their outcomes than

⁹ Note that this is different from Estlund’s view of democratic legitimacy presented above. On that view, outcomes will be legitimate in the eyes of deliberators if they are derived from a process that participants have reason to believe is reliable and fair, and not because the policy is supported by reasons that others can accept. On Estlund’s view, participants need reason to accept the *process* for outcomes to be legitimate. Many other deliberative democrats believe that participants must have reason to support the specific *outcomes* being adopted.

voting alone. This shows that public justification underlies the legitimacy¹⁰ of deliberative outcomes.

In chapter 4 and 5, I considered whether deliberation has the ability to change first and second-order preferences, and whether those changes could be seen as promoting the common good. Deliberative democrats believe that deliberation can alter preferences in part because deliberation asks participants to justify their preferences to others, whereas voting does not. Because deliberation requires participants to justify the preferences that they express publicly, it exposes their views to debate and scrutiny. In this environment, participants may be motivated to update or change their preferences if those preferences do not survive public debate. They may come to see that their preferences are backed only by private reasons and are therefore inappropriate for public decision making. In the next section, I delve into these notions of public reason and debate more deeply, and discuss what deliberation is supposed to look like, before moving on to show that these principles justify the MVC.

b. Moral Guidelines for Deliberation and Voting: Rawlsian Reciprocity

The comments above show that some deliberative democrats believe that public justification based on reasons is required to legitimate democratic decisions. Why is public justification based on reasons important, and how should it shape the deliberative process? In this section and the next, I look to John Rawls and Jürgen Habermas's theories of discourse and deliberation to explain the significance of public justification. I will explain these authors' views about how public deliberation should proceed, and in particular, explain what "publicity" entails. I will begin each section by explaining why these authors believe that publicity is a necessary feature of political decisions making. I then discuss how these conceptions of publicity have been taken up by contemporary deliberative democrats. In section 4 I consider what implications these concepts have for voting and the MVC.

Rawls raises the concept of public justification when he considers how members of a democratic society should go about making political decisions. For Rawls, many political decisions should be governed by the principle of *public reason* (Rawls 1993). Public reason is not a political procedure, but a moral principle that explains "how individuals, institutions, and agencies ought to reason about public matters" (Benhabib 1996, p. 75).

A democratic society is one in which every citizen has access to public decision making. Like the authors described above, Rawls claims that legitimate democratic decisions are those that are acceptable in the eyes of citizens. How must public decision making be structured in order to ensure that every citizen is able to participate, and in particular, able to judge whether the options before them are acceptable or not? For Rawls, the principle of public reason expresses the way that political decision making must be conducted in order to ensure that decisions are democratic and legitimate.

The principle of public reason is "public" in two senses of the word (Rawls 1993, p. 213). First, it is public in nature, because it asserts that political decisions should be made out in the open, where all citizens can participate. Below I explain in greater detail what the principle of public reason demands to ensure that decision-making is public, and therefore democratic. The principle of public reason is also public in content. Public reason's subject, or what citizens of a democratic society are supposed to be formulating plans and making decisions about under this

¹⁰ Note that this is a very different theory of democratic legitimacy than Estlund's view presented above.

principle, is the good of the public. Now I will consider why public reason demands that decision making be focused on justice, and what public decision making should look like under the principle of public reason.

The principle of public reason requires that political decision making be focused on content that is public. The reason is this. Enacting policies entails some citizens exercising coercive power over others. For example, when tax laws are passed, some citizens are charged with collecting money from others, and levying fines or other penalties with citizens fail to pay. On Rawls' view, citizens may only legitimately exercise power over one another when it is exercised in accordance with rules or laws which all citizens can reasonably be expected to endorse (Ibid., p. 217). Otherwise, the power is exercised against citizens' assent. To exercise power over those who would not endorse it is to violate their autonomy. On Rawls' view, the policies that citizens would endorse (and thereby agree to be governed by), are those that accord with his theory of justice as fairness. I will not provide a thorough explanation of Rawls' theory of justice because this content is not necessary to understand the significance of public reason or its relationship to the MVC.

While public reason does not select one kind of process (such as deliberation or voting) that must be used for decisions to be just and legitimate, it does require that participants in public decision-making behave in particular ways. Public reason requires that participants abide by the duties of civility and reciprocity. Under the duty of civility, citizens must be able to explain how the policies they advocate for are supported by political values, and in particular, how those policies promote justice as fairness (Ibid., p. 217). They must be willing to listen to others' arguments and be "fair minded" in selecting political outcomes, which I discuss in greater detail below. This ability and willingness to present reasons in favor of policies enables other citizens to evaluate the policies they face in light of justice as fairness and assent to them or reject them in an informed way.

The duty of reciprocity is more general than the duty of civility and refers to the kinds of policies or laws that citizens in a liberal democratic society can (morally) support. Under the duty of reciprocity, citizens who make policy proposals should think that it is reasonable for others to accept those policies (Rawls 1999, 14). The reason is that citizens in a liberal democratic society must respect one another as free and equal autonomous citizens who have the moral authority to assent to or reject the laws and rules that will govern them, which I discussed above. When interacting with others, citizens must limit the principles from which they act "to principles they are prepared in good faith to justify to others from a shared and appropriate moral point of view" (Reidy 2007, p. 253).

The duty of reciprocity is particularly important at the legislative level, where citizens are empowered to make political decisions on behalf of others, but it is also relevant to voting. In the case of voting, Rawls states that the duty of reciprocity requires that citizens believe that the policies they support (in the form of a vote) would be acceptable to others, on the grounds that they are able to justify those policy decisions to others. To support policies that others could not accept is to undermine their position as equal, autonomous citizens. This places a moral requirement on how participants in a liberal democratic society vote (Brown 2003). It requires that participants vote for policies that would be acceptable in the eyes of other citizens. For Rawls, policies that are acceptable to all other citizens are those that promote justice.

Putting these pieces together, the principle of public reason, and more specifically the duty of reciprocity, requires that citizens in a democratic society vote for policies that promote justice, and not vote for policies that fail to promote justice. When we understand Rawls'

principles of justice as a distinctive conception of the common good, this shows that Rawls is committed to the idea that participants in a liberal democracy have a moral obligation to vote to promote a particular understanding of the distinctive common good. Thus, Rawls' principle of reciprocity grounds the MVC.

Are other authors in the literature on deliberative democracy committed to the MVC under a Rawlsian account of public reason? To answer this question in the affirmative, we must be able to show that other authors are committed to the principle of reciprocity, which grounds the MVC. While the content of the duty of reciprocity for Rawls is a conception of justice, it is the duty itself, rather than its content, that constitutes a commitment to the MVC for Rawls. For this reason, any theorist committed to Rawlsian reciprocity would also be committed to the MVC, even if they disagree with Rawls about the content of justice or the common good.

We can simplify the question even further by acknowledging the necessary connection between Rawlsian reciprocity and autonomy. In my discussion of public reason above, I showed that the duty of reciprocity is borne out of the concept of autonomous assent. Because democratic legitimacy requires that communities enact policies that citizens would agree to (thereby respecting them as autonomous persons), deliberators have an obligation to put forward proposals that others could reasonably accept (the duty of reciprocity). As I discussed above, in a voting context the duty of reciprocity is the MVC. This shows that a commitment to autonomous assent generates the duty of reciprocity, which in turn grounds the MVC. The connection between respect for autonomy and the MVC holds regardless of the content of the common good, or the policy proposals being considered. Thus, *any* deliberative democratic theory committed to the Rawlsian concept of respect for individual autonomy would be committed to the duty of reciprocity, and as a result, the MVC. With this in mind, we can re-formulate our main question as the following: are the authors of interest in this project committed to Rawlsian autonomy and assent? If so, they are committed to the MVC.

The concepts of public reason, autonomy, and reasonable acceptance or assent are ubiquitous in the literature on deliberative democracy. For example, James Bohman says that "deliberative democracy is a complex ideal with a variety of forms, but whatever form it takes it must refer to the ideal of public reason." Bohman defines public reason in terms of reciprocity and autonomous assent. He says that public reason is "the requirement that legitimate decisions be ones that 'everyone could accept' or at least 'not reasonably reject'" (Bohman 1998, p. 401-2). For Bohman, deliberation is defined as a process that respects the principle of public reason, and in particular, the principle of reciprocity and assent.

Others agree with Rawls and Bohman that democratic decision making must achieve autonomous assent and should proceed via a reciprocal exchange of reasons. This is the view that participants must provide reasons that others (and in particular, those who disagree) could accept (Dryzek & Niemeyer 2006, p. 643). They see the process of reason-giving as "required and central," and in this process, participants should treat one another with "respect and equal concern," such that they listen to one another and give reasons that others can accept because they are to be respected as free and equal persons (Mansbridge et al. 2010, p. 65-6).

While Gutmann & Thompson agree with Rawls that reason-giving is required for a decision to be legitimate, their view of autonomous assent and reciprocity diverges from the Rawlsian account on two points. First, for Gutmann & Thompson, deliberation must actually happen to ensure that justifications for policies are mutually justifiable. It is not sufficient that a policy be backed by reasons that others could support "in principle"; on Gutmann & Thompson's view, the policy must survive a real deliberation to be legitimate (Gutmann & Thompson 2002).

Second, Gutmann & Thompson's understanding of reciprocity is much broader than Rawls' term. On their view, acceptable reasons may refer to many different shared values, and not just justice as fairness. Nevertheless, Gutmann & Thompson agree with Rawls that participants must have reasons to enact the policies they vote for that others would accept, which generates the commitment to the MVC (Rawls 1997, p. 770).

This section has shown that a commitment to Rawlsian autonomy and assent entails a commitment to the MVC. It has also shown that several theorists in the literature on deliberative democracy are committed to Rawlsian autonomy and assent and are therefore committed to the MVC. In the next section, I consider an alternative picture of what deliberation should look like, and what constitutes "public reason." I then show how this alternative view of deliberative democracy also generates a commitment to the MVC.

c. Moral Guidelines: Habermas and Valid Norms

Like Rawls, Habermas believes that open democratic discourse is required to legitimate the use of political power. But Habermas' theory of public reason differs in its aims and content from Rawls' theory. Under the Rawlsian principle of public reason, public discourse aims to identify and adopt policies with which citizens could reasonably be expected to agree. The Habermasian view of public reason also aims at agreement, but seeks to achieve agreement in a different way, and for different reasons.

First, while Rawls argues that agreement is necessary to respect the autonomy of citizens who must live under the policies they deliberate about, Habermas' view of deliberation "withdraws from universal human rights" like autonomy and freedom (Habermas 1996, p. 26). On Habermas' view, the goal of public discourse is to identify what he calls intersubjectively valid moral and political norms. For Habermas, "intersubjectively valid" norms are those that fully rational agents would agree to in an ideal speech situation. In an ideal speech situation, agents are in a position to achieve "rationally motivated consensus" (Young 1981, p. 288) because each person has equal power (Habermas 1994) and equal opportunity to participate (Habermas 2018, p. 42). Thus, an intersubjectively valid norm is one that would be acceptable to ideally rational discussants when they stand in equal power relations to one another. Agreement for Habermas is important not because it signifies a respect for persons, but because it shows that the norms over which citizens are agreeing are intersubjectively valid (Ibid., p. 43).

Second, Habermas' view diverges from Rawls' account in its explanation of how deliberation should proceed. Above I noted that Rawls' view of public reason is best understood as a moral principle that should shape public decision making in all its forms, rather than a particular political procedure. Habermas' view of public reason does explicate a discourse procedure that, in the ideal, would aim at and achieve consensus. In order for a speaker to convince a listener to agree with a statement in an ideally rational speech situation, the speaker must make a "communicative action," which is a statement that aims at consensus. The statement must be intersubjectively valid, such that the listener would agree to it, and both people must be on equal footing, such that the speaker has no coercive power over the listener. In other words, in order to achieve consensus, it must be the case that the speaker could present valid reasons to justify his claims that would be reasonable for the listener to accept without being coerced.

Habermas' view of reason-giving is similar to, but more general than, the Rawlsian account of reciprocity. Rawls' view requires that citizens present reasons for their views that refer to substantive principles of justice, and support policies that others could reasonably accept, which, again, are those policies that promote justice as fairness. Similarly, Habermas' view

requires that citizens be able and willing to present arguments in favor of their positions as communicative actions. But on Habermas' view, the reasons presented in favor of or against the moral and political norm being debated need not refer to a particular notion of justice. Habermas' requirement is that claims presented in public discourse should be intersubjectively valid, such that discourse is driven by the reasonableness or rationality of one's argument and background assumptions, rather than any substantive commitment to principles of justice.

The question remains what Habermas' view has to say about moral commitments of political actors, and whether there are moral constraints on those who participate in public decision making via deliberation and voting in an unideal speech situation. Habermas explicitly recognizes political deliberation as one form of public discourse. Therefore, deliberation must be founded on reasons and claims that are intersubjectively valid. But in order to understand *voting* as a type of public discourse, we would have to understand voting as a speech act that aims at consensus. This must be the case for Habermas' theory to be applicable to voting.

In *Between Facts and Norms*, Habermas recognizes voting as a communicative action with political power. Recall that a communicative action aims at agreement. If voting is a communicative action, what kind of agreement does voting aim at? Habermas does not answer this question. One possibility is that when people vote, they express their opinions with the goal of generating one outcome that they have already agreed will constitute the "community's choice." Habermas says that public opinions, when transmitted through voting procedures and other methods of political decision making, exhibit political power. This is because votes aim to influence legislative and regulatory bodies (Habermas 1996, p. 442). Communicative acts that have political power in this way are said to have "communicative power."

If voting is a type of communicative action, what does a vote express? If we set aside the possibility of strategic voting, we can understand a vote as a declaration of which alternative the voter thinks ought to be chosen by the community,¹¹ as I discussed in my explanation of "orderings" in chapter 3. We can therefore apply Habermas' theory of rational discourse to the voting context. In this case, what Habermas' theory requires is that participants present and support, through an act of voting, those policies that they can defend using valid argumentation. In particular, it would require that citizens vote for implementing those moral and political norms that would survive ideally rational discussion and are therefore intersubjectively valid.

To summarize: Habermas' view is a description of an ideal deliberative process that aims to identify, validate, and adopt norms. But Habermas does not claim that intersubjectively valid norms are a distinctive or aggregative "common good" in the way I have used those terms throughout the dissertation. Rather, he refers to his view as "proceduralist," because his main focus is on the process of discourse, and in particular, the conditions that must be in place for individuals to rationally evaluate norms through discourse by approaching or approximating the ideal speech situation (Habermas 1994, p. 9). In order to show that Habermas is committed to the MVC, we still need to show that the duty to vote for norms that are intersubjectively valid is equivalent to the duty to vote to promote the common good.

Is there a way to fit Habermas' view into the taxonomy of the common good from chapter 2? There are two ways to understand Habermas' view. How we understand this view depends on what we take to be of primary focus for Habermas: the ideal speech situation or rational consensus. Recall that in chapter 2, I showed that there are three ways to conceptualize

¹¹ Habermas rejects the claim that political discourse can represent expressions of what individuals prefer. For a discussion of this topic, see Young (1981).

the relationship between political procedures and their outcomes. Procedures can perfectly or imperfectly achieve outcomes that are judged to be good on procedure-independent grounds (i.e., because they promote the aggregative or distinctive common good). Or, we can judge “pure” procedures to be good because of features inherent to them, regardless of what outcomes they produce. If we focus exclusively on the ideal speech situation, we can say that ideal discourse is a morally valuable “pure” procedure because it allows for a rational exchange of reasons, the outcome of which is intersubjectively valid norms. In this case, one could argue that Habermas’ view is a commitment to a procedural common good: The ideal speech situation is a morally valuable procedure, and for that reason, it necessarily produces valuable results, namely intersubjectively valid norms.

On the other hand, if we take intersubjectively valid norms or rational consensus to be the main focus of the theory, then we can understand the ideal speech situation as a perfect procedure, and the real speech situation as an imperfect procedure, in achieving consensus and identifying valid norms. In this case, we can try to fit Habermas’s view within the distinctive conception of the common good. We can say that the goal of political decision making is a state of affairs in which all policies are backed by rationally motivated consensus, and that deliberation is a perfect or imperfect procedure for attaining it. This shows that both interpretations of Habermas’ view are consistent with the common good taxonomy used throughout this project. Putting this and the preceding argument together, we can now say that Habermas is committed to the MVC because he is committed to the claim that voting is a communicative act that aims at consensus over intersubjectively valid norms.

Like Rawls’ account of autonomy and assent, Habermas’ view of public reason and validity are consistent themes throughout the discursive democratic theory literature. Recall that for Habermas, the goal of public reason and deliberation is to identify valid moral and political norms. Agreement in the ideal speech scenario is a sign that norms over which people are agreeing are valid. This focus on agreement and rationality can be found in political and non-political discussions of discourse ethics. For example, Seyla Benhabib agrees that the goal of public deliberation is a common, public rationality, and explicitly ties democratic legitimacy to “a general moral theory based on a discursive model of validity” (Benhabib 1996, p. 70). Some authors in this literature have gone so far as to say that the right to justification, or the demand that norms of governance be rationally justifiable to those affected, should be seen as the single underlying right of social and political life (Forst 2011).

While not all deliberative democrats focus on validity and rationality, the claim that deliberation should be a discussion amongst political equals, each of whom has an equal opportunity to participate, is widespread. For example, Bohman and Rehg claim that political equality, defined as the equal opportunity to participate, is critical for democratic legitimacy (Bohman & Rehg 1997, p. xxiii) and central to theories of deliberative democracy. While all of these authors have a commitment to the MVC, it is important to note that none of them advocates for the DVC. As I will show below, the work from this chapter nevertheless presents a conflict for their view. I discuss this conflict in the next section.

What this and the previous section have shown is that the principles of epistemic democratic legitimacy and public reason ground the MVC, and that the concept of public reason is present within the theories of deliberative democracy I am engaging with. In the next section, I bring this fact together with the results of the previous chapters and explain what the moral implications are for deliberative democrats.

4. Normative Implications & Conclusion

I began this project by explaining two reasons why deliberation was considered to be morally superior to voting in the deliberative democratic theory literature. One reason is that deliberation improves political outcomes with respect to the common good (the DVC). Another reason is that deliberation has the normative procedural resources to legitimate democratic decisions, whereas voting does not. Deliberation was said to be the sole morally transformative feature of public discourse. Together, these instrumental and procedural reasons were supposed to convince us that deliberation has moral value and ought to be implemented in real political systems, whereas the act of voting lacks moral character, or worse, that the act of voting is detrimental to political communities.

In chapters 4 and 5, I showed that we have little evidence to support or reject the claim that deliberation improves outcomes by altering deliberators' orderings of the alternatives or their underlying motivations. We don't know one way or another whether deliberation changes orderings or motivations towards the common good. This means that the DVC is an unsubstantiated instrumental argument in favor of deliberation.

The fact that the DVC lacks empirical justification is a problem for those political theorists (and only those political theorists) who use the DVC to defend democratic deliberation. It is a problem because empirical claims ought to be backed by evidence when they are used to advocate for widespread institutional change. In particular, if an author makes an instrumental argument in favor of a political procedure on the grounds that it produces good outcomes, then she ought to be able to justify that claim by providing evidence for it. This sort of justification is particularly important when the author is arguing that the procedure ought to be implemented in the real world, and that implementation would require large-scale political change. As I explained in chapter 1, I take it that the goal of deliberative democratic theory is not just to outline superior democratic procedures on paper, but to advocate for their implementation in the real world. To justify the claim that deliberation produces superior outcomes to mere voting procedures, the deliberative democrat would need to collect evidence of the sort I sought in chapters 4 and 5.

The view that one ought to defend empirical claims with evidence is consistent with other assumptions I have made and argued for in this project. In particular, in earlier chapters I said that I will focus on the strong DVC, in part because it doesn't seem too unreasonable to think that those who claim the DVC actually mean something specific by "the common good." This assumption already moves us closer to making the DVC a "testable" claim.

If we did not hold deliberative democrats to this evidential standard, then we would be saying that it is permissible for (at least some) political theorists to make instrumental arguments in favor of political procedures, even when their claims cannot be shown to be true or false given existing evidence. I think that is a problematic stance to take, especially when the costs to accepting their arguments are quite high because of the amount of real-world institutional change required. Note that I have not made any claims about the truth or falsity of the DVC but have instead focused on the standards of argumentation in the democratic theory literature. What chapters two through five have shown is that more work needs to be done to justify the claim that deliberation improves outcomes over voting, including conceptual work to distinguish and select a substantive notion of the common good. Until then, those who state the DVC will be making arguments that lack empirical justification.

How might we go about verifying the DVC? One of the themes in my discussion of the empirical results in chapters 4 and 5 was that whether or not a given study lent credibility to the DVC depended heavily on the conception of the common good at hand. This shows that the DVC may be true for some conceptions of the common good, and not true for others. In order to test the DVC empirically, one would need to select a specific notion or notions of the common good and see whether voting behavior and motivations change in the direction of those conceptions. This means that a deliberative democrat who seeks to verify the DVC empirically would need to design studies with an eye toward particular conception(s) of the common good.

But as I noted in chapter 2, deliberative democrats may be hesitant to specify one or more particular conceptions of the common good. They may believe that given competing interests and the vast array of moral principles (equality, fairness, etc.) that ought to inform a community's conception of the common good, it's not possible to provide a thorough definition of the common good at the level of democratic theory. In order to define the common good, it might be argued, we must conduct a public deliberation whose goal is for participants to come to some consensus about what the common good is.

The problem with this approach is that it makes the deliberative democrat's argument circular. They would be saying that we must conduct a deliberation in order to find out what the common good is, at which point we use the conception of the common good to evaluate whether the deliberation promoted the common good or not. To avoid circularity, the deliberative democrat might adopt a procedural conception of the common good and say that the common good is whatever outcome results from deliberation. But as I showed in chapter 2, a commitment to a procedural conception of the common good makes the DVC true only in a trivial sense. Note that this is only a problem for those theorists who claim the DVC, and not for those theorists who employ only intrinsic reasons to defend deliberative democracy.

To avoid circularity, a deliberative democrat committed to the DVC who would prefer to remain agnostic about what the common good is could say something like the following. To define the common good, a political community needs to have a "stage 1" deliberation focused on identifying and defining their common good. From then on, the community can conduct "stage 2" deliberations in which they make policy decisions with the aim of promoting the common good identified in stage 1. We could then ask whether stage 2 deliberations promote the common good or not to test the DVC empirically.

While chapters 2 through 5 focused on authors who claim the DVC, this project, and in particular this chapter, has broader implications for the literature on democratic theory and the relative normative value of deliberation and voting. This chapter has shown that deliberative democrats across the instrumental/procedural spectrum are committed to the idea that voting is an act of moral value. Within deliberative democratic theory, voting can be done well or poorly, morally speaking. Voting is a morally good action when it promotes the common good, and bad when it fails to do so. This shows that *both* deliberation and voting are decision making procedures that have moral value within deliberative democratic theory.

Importantly, a commitment to the MVC, and as a result a commitment to the idea that voting has moral value, directly contradicts the comments made by deliberative democrats in chapter 1. There I showed that deliberative democrats saw voting as either a morally negative or morally neutral action. They believed that because of these moral deficiencies, voting was an inappropriate method for making binding public decisions. But this chapter has shown that the views of voting presented in chapter 1 are undercut by the moral foundations of the deliberation, and that voting is a feature of democratic decision making that holds moral weight.

What this tells us is that the divide between deliberation and voting is not nearly as wide as deliberative democrats with whom I am engaging would have us believe. We cannot set aside voting procedures on the grounds that the act of voting is necessarily bad or morally neutral and focus exclusively on public deliberation. We can no longer contrast “vote-centric” theories with “deliberative” theories because deliberative theories also place moral weight on voting. This means that going forward, deliberative democrats must acknowledge that voting has a morally relevant role to play within deliberative democracies and must be studied in conjunction with public discussion and deliberation.

5. Objections

By considering the limitations of my argument, we can assess the ways that a deliberative democrat committed to the DVC and MVC might respond to the work presented here.

One way to avoid the arguments presented above is to reject the conception of deliberation I have used throughout the thesis. I have understood deliberation as a formal event in which individuals come together to discuss policy items. If a deliberative democrat were to respond to my argument in this chapter by changing their conception of deliberation, the updated DVC would say the following: diffuse, informal deliberation followed by voting is more likely than voting alone to promote the common good. To show that this new DVC has empirical support, its proponent would need to show that those who participate in informal, diffuse discussions are more likely to prefer policy items that promote the common good than those who do not participate in said discussions.

One problem with this response is that it is unclear how one would design an empirical test of the updated DVC. The test would need to record the preferences of participants before and after deliberation to show that preferences changed towards the common good, whereas the preferences of those who do not participate in diffuse deliberations did not change or did not change in the “right way.” One concern with this type of approach is that the study designer would need to assert what counts as a “pre-deliberation” preference. If deliberation is an ongoing informal process, at what point should we record participants’ preferences, and what period counts as the deliberation of interest?

Another question concerns eligibility for the contrast class or control group. Many people participate in informal discussions of political matters in everyday life. It is unclear how and whether an empirical researcher would be able to identify a sufficient number of people eligible for the control group (a group composed of people who do not participate in diffuse policy discussions) for this study to be valid. This does not mean that the DVC is false, but that it would be difficult for us to determine its truth or falsity empirically.

Even if a researcher were able to identify eligible populations and diffuse deliberative events for a new empirical test, as I showed in chapter 4 and 5, the trouble verifying the DVC does not come from our understanding of what counts as deliberation. The difficulty comes from the vague conceptions of the common good used in the literature on deliberative democracy. Thus, any empirical researcher would also need to clearly delineate a conception of the common good and explain what it would mean for preferences to improve with respect to that conception before progress can be made.

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