

involve

Room for a View

**Democracy as a
Deliberative System**

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October 2015

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Foreword

Over two centuries ago Edmund Burke in his “Speech to the Electors of Bristol” famously described Parliament as properly a “deliberative assembly”. Burke was right to highlight deliberation, but wrong to suppose that its main (and perhaps even exclusive) home should be Parliament. So in retrospect the electors of Bristol did the nation a service by eventually sending Burke packing.

Deliberation’s domain extends well beyond Parliament, and in our day new spaces and possibilities open up for public deliberation, and so for the invigoration of a deeper democracy than is possible if we confine it to the election of representatives. Irrespective of time and place, any democratic system should in large measure be seen as a deliberative system joining multiple locations to good effect, and that applies to the United Kingdom no less than anywhere else. These locations can include old and new media, social movements, associations of various sorts, designed citizen forums, courts, and everyday talk amongst citizens in informal settings, as well as councils and parliaments. Any attempts at democratic reform that ignore the multiplicity of sites of democratic activity and – crucially – their interconnectedness are likely to misfire. Intelligent reform just has to contemplate the (sometimes counter-intuitive) consequences of seemingly piecemeal interventions in particular sites for the deliberative and democratic health of the system as a whole. That health will benefit from more effective articulation, representation and consideration of the variety of viewpoints that can be found among the citizenry.

In this light, Simon Burall provides a novel and refreshing perspective on democratic reform in the UK. His contribution is timely as well as urgent, given that potentially far-reaching constitutional change is on the agenda. At worst, politicians may stumble into such change for the sake of short term political gain, with disastrous long term consequences; at best well-meaning constitutional changes may prove to have negative systemic consequences. We can and must do better, and there is no better place to start than with the principles set out in Simon Burall's lucid, accessible, and thought-provoking treatment.

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Executive summary

Democratic reform comes in waves, propelled by technological, economic, political and social developments. There are periods of rapid change, followed by relative quiet.

This is a period of innovation and significant political pressure for change to our institutions of democracy and government. As a result there are a significant number of reforms either on the table or under serious consideration. These range from wholesale attempts to reform institutions, through to innovations in practice and policy.

With so many changes under discussion it is critically important that those proposing and carrying out reforms understand the impact that different reforms might have. *Room for a View* provides a simple framework for analysing the health of our democratic system as a whole, of the impact of individual reforms in their own terms and on the system as a whole.

What's wrong with current approaches to democratic reform?

Most democratic reformers, whether within government, civil society and academia, focus on electoral democracy. However, elections rarely reveal what voters think clearly enough for elected representatives to act on. Does a vote for a party mean support for its policy on health, the environment or defence? Or merely a preference for the party's leader? Or something else entirely? As a result changing the electoral system, or increasing the number of elected posts will not, alone, significantly increase democratic control by citizens.

A deliberative systems analysis of UK democracy

Deliberative systems thinking arose, in part, from the analysis above. Rather than focusing purely on the extent to which individuals and communities are represented within institutions, it is equally concerned with the range of views and narratives present and how they interact.

A healthy democracy is one where there is a high level of representation and exchange of views within and between different parts of the system, for example, between citizens with different opinions and experiences, and between these citizens and elected representatives. Decisions should be informed and influenced by a wide range of perspectives.

Adapting the work of the political theorist John Dryzek, this publication suggests there are seven components to the UK's political system, as viewed from a deliberative perspective. It describes and analyses the health of each in turn:

1. The **public space** includes the media, civil society and citizens. Its health is related to the range of views and narratives visible and impacting on each other.
2. The **empowered space** is where legitimate collective decisions are taken, for example Parliament. Its health also depends on the range of views interacting.
3. The **transmission** of views and narratives between the public space and empowered space is important for ensuring that the latter responds to citizens. It is working well when the full range of views are transmitted and impact on decisions being taken.

4. The health of the fourth component, the **accountability of the empowered space to the public space**, is determined by the extent to which those with power are answerable for the decisions they take.
5. The **private space** is made up of political conversations at home and in communal spaces such as the work place or places of worship. Its health depends on the extent to which they inform, and are informed by, the public and empowered spaces.
6. The **public examination of the qualities of the system itself** requires the system to have mechanisms to evaluate the health of the components of the system. The longer term health of the system depends on this because every political system experiences a fall in deliberative capacity over time as a result of societal changes, interest groups taking over particular institutions and so on.
7. Stepping back even further, no deliberative system is totally independent; most are embedded within larger systems. A system's health therefore also depends on its **decisiveness**; can it make the decisions that affect people's lives, or are they in reality being imposed from the outside, for example.

What does this mean for the UK?

Overall, a high-level assessment suggests that the health of the UK's democracy is fragile. The representation of alternative views and narratives in all of the UK system's seven components is poor, the components are weakly connected and, despite some positive signs, matters are in general getting worse. The net effect of this low deliberative

capacity is to open the UK system up to increased domination by a small number of special interests, populism and rising distrust.

This report also shows the complex effects changes to one part of the system, can have on others. For example:

- The robust debate in the public space in Scotland about independence was in many ways good for Scots in deliberative terms. However, the fact that very little was transmitted to other parts of the UK suggests something wrong with the UK's deliberative capacity overall;
- Access to information and the publication of thousands of data sets in open format should be positive. However, if knowledge of their availability isn't transmitted effectively to the public space and if what they show isn't accessible to large swathes of the population, they will only inform a small number of the debates in the public and private space. There will be little improvement in deliberative capacity.

The complexity of interactions within the system suggests the need for a holistic and thorough analysis of any changes that take place organically or are proposed.

What next?

This publication sets-out a brief and high-level assessment of the UK's democratic health using a deliberative systems approach.

It suggests that a focus on the key institutions in the empowered space, such as Parliament, the Executive and other powerful bodies, while

important, isn't enough; it is vital to pay as much attention to the rest of the UK system's seven components. In the same way, we need to worry as much about the representation of views and narratives as we do about the representation of individuals and communities.

We look forward to working with partners and democratic reformers both inside and outside government to explore how this different way of analysing UK democracy might affect our views of its health. We also look forward to discussing together what it might mean for priorities for reform.

Acknowledgements

Particular thanks must go to the Centre for the Study of Democracy at Westminster University, and particularly to Professor Graham Smith both for hosting me during my mini-sabbatical and for all of the ideas, encouragement and resources they put at my disposal. A large number of individuals have commented on and contributed to various drafts of this paper and particular thanks for their time and thoughts go to Sarah Allan, Sonia Bussu, Sophie Blake, Jon Boswell, Stephanie Gamauf, Emily Graham, Tom Harrison, Catherine Howe, Tim Hughes, Avis Johns, Clive Mitchell, Alfred Moore, Reema Patel, Amy Pollard, Josephine Suherman-Bailey, and Anthony Zacharzewski. All mistakes, misinterpretations and misplaced conclusions are of course my own.

Introduction

The Speaker of the House of Commons, John Bercow, in the foreword to the report of his Commission on Digital Democracy identifies one of the most significant sources of strain in the system:

“Over the past 25 years we have lived through a revolution – created by the birth of the world wide web and the rapid development of digital technology. This digital revolution has disrupted old certainties and challenged representative democracy at its very heart. With social media sources such as Twitter, blogs and 24/7 media, the citizen has more sources of information than ever before, yet citizens appear to operate at a considerable distance from their representatives and appear ‘disengaged’ from democratic processes.”

John Bercow, Speaker of the House of Commons¹

The Commission finds that:

- Citizens don’t understand what Parliament is or how it works;
- Parliament can be better at responding to the issues that citizens care about; and
- Low voter turn-out is an indicator of poor democratic health.

¹ Bercow Open Up! Report of the Speaker’s Commission on Digital Democracy, 2015 www.digitaldemocracy.parliament.uk/documents/Open-Up-Digital-Democracy-Report.pdf

If Parliament, with its membership of directly elected representatives, feels distant from the public it is no wonder other institutions of government, both at local and national level feel the same or worse. Given these similarities with other institutions in the system, it is no surprise that the categories of reforms that the Commission has proposed are mirrored across the system in different ways, whether it is webcasting formal meetings and publishing minutes in open formats to boost transparency, or opening up to petitions and creating formal and informal spaces to engage citizens in key decisions. And of course there are the campaigns for more formal democratic reform in the form of changing the voting system, reforming the House of Lords, devolving power to the different nations of the UK and to local government, for example, which have long been a feature of political life.

Fundamentally, most reformers, political commentators and political leaders see the challenge of democratic reform within a framework of electoral democracy. Their aim is to open up the institutions of electoral democracy, to make them more transparent, increase citizen voice over individual decisions or make the institution more representative of society at large. On this basis each reform can be judged by the extent to which it gives citizens increased power within the system. However, as is elaborated below, focusing solely on electoral democracy is flawed from the beginning. Reforms based on this framework of analysis will fail to deal with a number of fundamental issues facing our democracy.

Involve takes a deliberative perspective and the central question addressed by this publication is the extent to which this approach helps to identify reforms which are more likely to increase the democratic quality of the system as a whole. Does this approach help to identify significant gaps in the work of the reform movement, and are there

reforms that are currently being pushed which might actually decrease the democratic quality of the system?

To do this, the publication first starts by outlining the popular understanding of how democracy works. It then examines the extent to which deliberative public engagement processes can help to overcome the gaps identified. In the final two sections it describes a deliberative systems framework and then uses this framework to analyse the strength of the UK's democracy. It is a first attempt at taking a systemic approach to analyse UK democracy. It makes few attempts at identifying concrete solutions, though hopefully it provides a number of strong pointers along the way.

Electoral Democracy: a fundamental flaw

The economist and political scientist Joseph Schumpeter defined electoral democracy as “that institutional arrangement for arriving at political decisions in which individuals acquire power to decide by means of a competitive struggle for the peoples’ vote.”² Viewed like this democracy operates indirectly through the selection of representatives who are delegated power to act on voters’ behalf. It takes the individual as the main focus of politics and assumes that individuals are self-interested and express this interest through the act of voting. Democratic elections are therefore exercises in revealing and combining individual preferences, with the majority preference becoming the ‘winner’. This view is concerned with equality solely in terms of ensuring that each person has a vote and that their votes count equally.³ It is less concerned with questions of economic and social equality, for example.

People operating within this framework also emphasise the role that electoral democracy can play in ensuring post-hoc accountability. Elections force incumbents to account for their actions in government and provide real power to voters in the form of getting rid of leaders they judge to be poorly performing, corrupt or abusing power in other ways.

² Quoted in Saward, M. (2003) Democracy, Polity.

³ Although, as highlighted below, not all votes are equal in practice given the current voting system.

This is undoubtedly the intuitive view that most people would express in some form if asked to explain how our democracy works. However, its linear representation of the link between voting and policy change doesn't represent the messy nature of the way the country is governed. It also doesn't meet the expectations of most people if you spend time exploring ideas of democracy for more than a short time.

Democratic reformers who focus on strengthening the electoral democracy framework tend to emphasise one or more of the types of reform identified by the Speakers' Commission; education of voters about how the system works, increased transparency, increased engagement of citizens in the workings of democracy and electoral reform. These reforms are important in and of their own right. However, they are inadequate and cannot, by themselves, lead to a stronger, more vibrant democracy. The reason is simply because this most classic of democratic theories rests on the fundamentally false assumption that elections allow voters to make their preferences clear. The reasons it is false are instructive and help indicate the path to an alternative way of thinking about democratic reform.

Modern general elections are robust affairs and have increasingly focused on sound bite and personality within a heavily managed set of performances for the 24/7 media. One of the big set pieces of elections is the launch of the party manifestos, documents which lay out the parties' priorities for the next five years. By their very nature manifestos cover a massive range of public policy, from the economy, education and health to the environment, foreign policy and defence. It would be a very rare voter (or even MP as evidenced by the number of rebellions in the House of Commons) who knows what is in any manifestos, let alone agree with every single policy contained within them. On top of

this manifestos are a combination of detailed commitment, much vaguer aspirational statements, and a restatement of the values and principles which the party intends to drive its leadership of the country.

As a result, the signal about voters' preferences is weak overall, and virtually non-existent for individual areas of policy. However, there are more reasons that elections alone are a poor mechanism for revealing voters' preferences in a way that elected representatives can deliver.

"It's hard to see how MPs use the distant signal from the general election to guide their decisions as they get deeper into the parliamentary term."

By their very nature elections are time consuming (the business of government has to stop over the election period) and expensive.⁴ By law they happen only once every five years. It's trite to say a lot can happen in five years, but given that this is true, it's hard to see how MPs use the distant signal from the general election

to guide their decisions as they get deeper into the parliamentary term.

In addition, the preferences that voters express are contradictory. These contradictions often revolve around money; in nearly every public policy area polling suggests that the public want more service *and* lower taxes, or cheaper electricity now *and* reduced risk of climate change later, for example. How are MPs supposed to make an honest assessment of voters' intentions and then act on them, given this?⁵

4 Estimates for the 2010 General Election put the cost to the tax payer at over £110m www.bbc.co.uk/news/uk-politics-24842147 (accessed 29 April 2015).

5 This inability of elections to reveal voters' preferences is not just down to the system of elections working imperfectly. In his 1951 book, *Social Choice and Individual Values* (Yale University Press) the social scientist Kenneth Arrow demonstrated that no reasonable voting system can lead to an outcome that reveals how voters rank their preferences. This is known as Arrow's Impossibility Theorem.

This is not to downplay the importance of elections and electoral democracy. There is no doubt that elections function as a fundamental part of our democratic life. Primarily and most importantly they act as critical points for accountability; they offer the ultimate power to voters and an important corrective against the abuse of power. They also act as a moment of theatre and can bring into sharp relief key concerns of voters. As such, they play a vital role in bringing the attention of those with power, and seeking power, to some of those issues that matter most to citizens.

Finally, except in very rare occasions, the general election of 1997 would be one possible example, it is very difficult to read the signal that voters are sending; is it a post-hoc review of past performance, or endorsement of the future vision as presented? This makes the signal about voters' intentions even harder to interpret.

So is leadership key?

If the public really is so fickle and confused about what it wants, and if the signals about their preferences are so weak, then MPs and governments are in a bind; how do they make the decisions the public wants them to make? One way out of this is to focus on the need for strong leadership. Tony Blair, in a recent radio programme on democracy, expressed what is a common view for many politicians:

"The public often is divided on these issues which is often the problem. When people say listen to the people I say, well I'm listening but they're saying different things. It doesn't get you very far."

"They don't want to be engaged in a continual process of debate about it... What they actually want is for you to make their lives better."

"There is a whole swathe of the public that thinks 'I elect my government, you guys go and govern. Don't keep troubling me every three seconds with what I should think or shouldn't think'. They want to see their leaders leading."

Tony Blair⁶

If democracy is viewed as being largely about the election of leaders who will do *the right thing*, then elections risk becoming almost exclusively post-hoc accountability mechanisms rather than forward looking moments in time where the public can engage its leaders about the future shape of the country.

There is a deeper challenge to the view that elected politicians must lead from the front. This challenge stems from the difficulty governments have in making sense of and delivering on what voters want. The danger is that this view leads to the conclusion government must do 'the right thing' as if there is an objectively right answer to every policy question. However, it is an extremely rare public issue which falls into this camp. Look at any live policy issue, from HS2 and increased airport capacity in the UK, to whether nuclear power should be part of the country's energy mix and it is obvious that all options have a balance of risks and benefits, arguments for and against. The dimensions of the debates cross economic, environmental, political and moral boundaries; they require government to balance the needs of the current generation with the needs of future generations. What is the 'right' decision for a strong leader to take? Is it to favour the future economic health of the country against losses felt by sections of the current population, or vice versa?

6 Author transcript from Can Democracy Work? Programme One, BBC Radio 4, first broadcast 13 January 2015, www.bbc.co.uk/programmes/b04xp157

It is in the face of policy questions where there is no single 'right' answer that electoral democracy has developed mechanisms to engage and hear the views of citizens between elections.

In conclusion, while elections are absolutely critical as a final accountability mechanism, they are inadequate for forming and revealing the public's preferences alone. The question this paper explores is whether theories about deliberative democracy offer an alternative way of thinking about how to ensure that the public exerts more control over the decisions that affect their lives.

Deliberative Democracy and one off processes

The German social theorist Habermas argues that democracy has to entail discussion and reflection, in other words deliberation. In practice, as described in more detail below, this notion is often interpreted to mean public meetings and debates where people listen to and engage with each other's views with the aim of reaching consensus. It's important to note that this is how deliberative democracy differs from direct democracy which is where people decide, often through voting in referendums, but without the requirement for previous deliberation.

One obvious expression of deliberative democracy is the kind that Involve has played a part in pioneering over the past decade: citizen deliberations focused on a policy question identified by government. These policy questions can relate to many areas of public policy, and at the national level in the UK have very often focused on policy questions arising from emerging science and technology innovation, such as nuclear power, nanotechnology, geoengineering, or synthetic biology, for example.

Deliberative processes of the kind described above and pioneered by Sciencewise⁷ in the UK typically take the form of extended workshops involving 100 or more citizens recruited to be broadly representative of

7 www.sciencewise-erc.org.uk/

the population. Such invited spaces with recruited members of the public are often called mini-publics.⁸

In such processes, citizen participants are normally given time to learn about the issue, and are then invited to take time with their peers, policy makers and experts such as scientists and economists to explore and deliberate on a series of issues relevant to the policy question the government wants answering. This process is relatively extended, and can take two to three days, often split up over the course of a couple of weeks to allow participants time to talk to friends, family and people in their communities about the issues raised. They offer much deeper insights into what citizens think, how they make up their minds and how they balance the tensions between competing perspectives than forms of social research such as focus groups.

“During the course of the deliberation citizens gain confidence that they bring a different perspective, and policy makers (and experts) find that they gain new insights.”

Citizen participants often join such processes unsure what value they can add to the policy questions being posed. Policy makers are often similarly sceptical about the value of citizen involvement. However, during the course of the deliberation citizens gain confidence that they bring a different perspective, and policy makers (and experts) find that they gain new insights.

These insights take two forms. One is on how citizens form their views (or preferences). Well designed deliberative processes provide citizens and policy makers with the space and time to reflect on their own views

- 8 It’s important to note that these aren’t the only kind of deliberative processes that are used. Consensus conferences can take up to a week, citizens juries (in the form they were designed at least) four to five days with some citizens assemblies meeting multiple times over the course of months.

and those of others. This helps them build a better understanding of how they negotiate the tensions between different preferences – say moral and financial. Secondly, such deliberative processes move beyond answering the specific questions that policy makers arrived with, they often open up new, important questions they hadn't thought of, and can identify new solutions too. There are a number of examples where such deliberative processes have had significant impact on the final policy decision.⁹

The description above of deliberative processes as being national in scope, on 'upstream' science and technology, involving 100 people recruited against carefully designed criteria isn't prescriptive. AmericaSpeaks,¹⁰ for example, hosted gatherings of 1,000 people at a time in conversations about the national budget,¹¹ while much smaller citizens juries are a feature of some local and national policy conversations. More recently, significant attempts have been made to use online digital engagement techniques to create deliberative processes.¹² What all these deliberative processes have in common is what democracy theorist Jane Mansbridge and her authors define broadly

9 Various evaluations of the Sciencewise Programme and the deliberative dialogue projects that it supports provide ample evidence of this. www.sciencewise-erc.org.uk/cms/sciencewise-programme-evaluation/

10 Since closed down.

11 <http://web.archive.org/web/20140425012210/http://americaspeaks.org/projects/topics/budgeting/americaspeaks-our-budget-our-economy-2/> (accessed 29 April 2015).

12 See for example the Belgian civil society G1000 process www.g1000.org/en/introduction.php (accessed 16 June 2015) and the NHS Citizen process that Involve and partners are developing with NHS England www.nhscitizen.org.uk/design/ (accessed 16 June 2015).

as "communication that induces reflection on preferences, values and interests in a non-coercive fashion."¹³

Deliberative processes such as the ones described here are part of a much larger suite of public engagement processes. These include tightly bounded consultation processes, more open processes – where citizens and policy makers work together co-productively to identify policy questions and solutions, for example – and community development type approaches where the focus is on building the capacity of citizens and communities to control their own lives.

One off deliberative processes won't save democracy alone

A central assumption of many advocates of most forms of participation, including Involve, is that it produces healthier, more empowered communities, politics which better reflects the wishes of citizens and more innovation through the identification and generation of new ideas.

Many people argue that citizens participating in community life, building up their communities and having a say in the decisions that affect them is a good thing, both in and of itself, and because it leads to better outcomes. However, there are also substantial criticisms of both the form and content of many public engagement processes, or types of engagement. Deliberative processes, even those that have had a significant impact on policy decisions, are not immune from this criticism.

Participation of the kind of deliberative mini-publics identified above is conceived of, framed and run by those in authority. As a result it can

¹³ Mansbridge, J. et al (2010) The Place of Self-Interest and the Role of Power in Deliberative Democracy, *Journal of Political Philosophy*, March, 2010. 10.1111.

be used to reinforce authority rather than challenge it, becoming a management tool for securing legitimacy about specific decisions or of institutions themselves. The highly unequal power imbalance between the authority and the citizens taking part means that it is virtually impossible for citizens to challenge authority effectively within the process.

Worse than this, for some critics of such invited mini-publics, is not all citizens who enter the space are equal. Those from poorer backgrounds tend to lack the knowledge, skills and capacity to capitalise on the opportunity that such spaces can offer for bringing in different views and perspectives.¹⁴

Mass citizen mobilisation is one way of challenging power. Such mobilisation or participation happens at the initiative of citizens themselves, in opposition to authority. However, because much contemporary participation is generated by those in authority, at isolated points throughout the system, the risk is that citizen energy and participation is diffused and prevents the development of the forms of mass participation that were successful in pushing for change in earlier decades.

Even where individual deliberative processes do influence the decisions of those in authority, there are substantial challenges. Such processes are normally highly managed affairs. The policy questions are nearly always identified, and the processes framed, by policy-makers. While the public participants may have an impact at the margins, the processes are designed to feed into specific policy questions. This means that

¹⁴ For a brief sketch of this argument see Bussu, S. (2012) *Governing with the Citizens: Strategic Planning In Four Italian Cities*, London School of Economics (pp. 35–37) http://etheses.lse.ac.uk/630/1/Bussu_Governing_with_Citizens.pdf

participants have limited control over the types of questions they are asked and the direction that the process takes. They have even less control over the narrative framing within which the questions are being asked and conclusions drawn. In one way this is their strength, their focus on the policy decisions facing the government at that time means that the processes, and views of the citizens within them, are much more likely to have an impact on the final decision. However, in the wider sense of citizens having democratic control these processes fall short.

There are other more technical challenges that are laid at the door of many deliberative processes. For example, small groups of citizens, even the 1,000s who took part in the public budget conversations of AmericaSpeaks, cannot be representative, in the sense meant by electoral democracy. They offer a view of what a sample of the public thinks. This may or may not be statistically representative of the demographic make-up of the wider public. However, care must be taken in relation to claims about the range of views that are expressed within the space. While the views expressed are likely to open up a number of questions and views that policy-makers hadn't considered, no claims can be made that they represent the views of the public as a whole. Policy makers can therefore only use the views they hear expressed as one more form of evidence within a wider suite of findings; participants cannot be given democratic control in the way that they are during elections.

These criticisms don't devalue the role that public participation in general, and one-off deliberative processes in particular, can play in certain types of policy process, but they certainly demonstrate that alone they can't resolve the central dilemmas facing democracy for the modern state.

Deliberative Systems

The work of deliberative theorists such as Jane Mansbridge and John Dryzek moves from seeing deliberation as happening in a series of disconnected, one-off process to thinking about the characteristics of a deliberative democratic system. In doing this they move from thinking about the role that deliberation can play within individual public engagement processes and institutions towards thinking about the whole democratic system and what capacity it needs to have to be thought of as democratic. Central to this understanding is the role that power, as well as control of debates and narratives, plays in strengthening or undermining deliberative democratic control by citizens.

One driver for the development of the deliberative systems approach was the rise of transnational governance arrangements and concerns about how to understand and analyse their democratic qualities. This is partly because, at the global level, there is no ultimate elected democratic body. As a result, decisions taken have limited democratic legitimacy from a traditional perspective. It is also currently impossible for citizens to hold the decision-makers to account through the ballot box. Instead, there is a network of institutions and organisations framing debates, taking decisions and enacting policy decisions. There is a democratic link as many of the institutions and networks are formed and controlled by nationally elected governments, but the link is extremely weak. In many of these governance networks civil society and business are also important actors. The challenges identified within transnational governance are replicated at other levels of governance as well.

"No single forum, however ideally constituted could possess deliberative capacity sufficient to legitimate most of the decisions and policies that democracies adopt. To understand the larger goal of deliberation, we suggest that it is necessary to go beyond the study of individual institutions and processes to examine their interaction in the system as a whole. We recognize that most democracies are complex entities in which a wide variety of institutions, associations, and sites of contestation accomplish political work—including informal networks, the media, organized advocacy groups, schools, foundations, private and non-profit institutions, legislatures, Executive agencies, and the courts. We thus advocate what may be called a systemic approach to deliberative democracy."¹⁵

Deliberative system thinkers are realists. They recognise that for all but the smallest of populations genuine democratic involvement and control at every stage of the decision-making process is impossible. As a result, from a systems perspective, not all individual elements or institutions within the system need to be deliberative, but the system as a whole must be. This removes the focus of attention away from trying to democratise every institution or decision within a democracy. The systems approach instead focuses attention on trying to understand how different institutions interact, and which institutions and interactions have the most chance of increasing the deliberative capacity of the system as a whole.

¹⁵ Mansbridge et al, quoted in Owen, D. and Smith, G. (2015) Survey Article: Deliberation, Democracy, and the Systemic Turn, *The Journal of Political Philosophy*.

"The question for deliberative systems thinkers is when is deliberation appropriate and when would other forms of decision-making be more democratic?"

One of the criticisms laid at the door of deliberative democrats is that their main focus is on building democratic consensus and that in doing so they marginalise already marginalised viewpoints and communities in favour of the majority. However, theorists such as Dryzek and Mansbridge highlight the importance in deliberative democracy of broadening the

range of debates and narratives that are considered, of opening up the issues under discussion rather than closing them down. Indeed, they don't define deliberative democracy in opposition to many of the underlying elements of electoral democracy, e.g. self-interest, bargaining, voting or use of power.¹⁶ The question for deliberative systems thinkers is when is deliberation appropriate and when would other forms of decision-making be more democratic?

Viewing UK democracy within the framework of electoral democracy suggests a relatively simple system, at its crudest with voters holding Parliament to account, and parliament in its turn holding the government to account. However, the briefest of glances demonstrates that the situation is far more complex. Drawing on the work of the deliberative systems theorists has a lot to offer when trying to analyse the UK's democracy.

The components of a deliberative system

John Dryzek has developed one theoretical framework for analysing governance systems for their deliberative capacity. He identifies seven

¹⁶ See, for example, Mansbridge, J. et al (2010) The Place of Self-Interest and the Role of Power in Deliberative Democracy, *Journal of Political Philosophy*, March, 2010. 10.1111.

components of a deliberative system.¹⁷ Mapping these components onto a national system of governance may offer one way of evaluating the impact that different democratic reforms can have on the system as a whole. It may help identify gaps in activity and areas where energy is currently being spent which might have more effect if focused elsewhere in the system.

Deliberative theorists place strong emphasis on the discourses, or narratives, that are present within the different components of the system. Their concern focuses significantly more on the extent to which there are competing discourses which can be openly engaged with by anyone within the space described. This is an important shift from the notion of representation of individual voters, to placing equal weight on the importance of representation of ideas.

The seven components of a deliberative system that Dryzek identifies are as follows:

1. The **public space** is made up of a wide range of views and discourses which interact and affect each other. There should be few legal restrictions on what can be said within this space. Actors within this space will include politicians, activists, interest groups, academics, journalists and citizens. Such interactions and discourses will happen in both physical and virtual locations. These spaces may exist already or be specially created for the purpose of generating discussion and debate.

¹⁷ Stevenson, H. and Dryzek, J. (2014) *Democratizing Global Climate Governance*, Cambridge University Press.

2. The **empowered space** is where legitimate collective decisions are taken and include parliament and council chambers, courts, international negotiations, and spaces such as stakeholder dialogues which have been given power to act and decide by the government. Such spaces will have formal or informal rules for how decisions are taken.

3. The **transmission between the public space and empowered space** is important for ensuring that the empowered space is influenced by the development and interaction of narratives in the public space. Such transmission can take place in a number of ways. Narratives developed in the public space can have direct impact on the debate within the empowered space through political campaigns and protest, formal submissions of evidence, the development of new evidence bases and through actors in the empowered space contributing to the public space and taking the views expressed there back into the empowered space. Transmission can also occur in more indirect ways, such as for example through cultural change started by social movements which change the perspectives of those in the empowered space.

Dryzek identifies this component as involving (1) the transmission of public space constructed narratives to the empowered space, where (2) they have the chance to influence its deliberations and decisions.

However, Involve's practical experience with invited deliberative spaces clearly suggests that one barrier to this happening is that the debates in the public space all too often show a lack of understanding about the debates within, and constraints acting on, the empowered space. We would therefore add that transmission from

the empowered space to the public space is just as important if a system is to be truly deliberative. The spaces are interlinked and there are both positive and negative feedback loops between them. For example, the quality of the debate in the empowered space will also affect the quality of the debate in the public space and vice versa.

4. The **accountability of the empowered space to the public space** is a critical component of a deliberative system as it requires holders of power to give account for their decisions. Dryzek notes that elections are the most common and important final accountability mechanism, but identifies no other mechanisms.¹⁸ However, in the national context others will include parliamentary hearings, ombudsmen, courts and public hearings, for example. Such accountability mechanisms will need to be underpinned by strong transparency and whistleblower protection, for example.
5. The **private space** is made up of the political conversations and interactions which take place everyday in spaces which are non-civic in nature, i.e. they don't contribute directly to political decisions made within the system. These could be between family and friends, with colleagues, or in communal meeting places such as restaurants, crèches and so on. Such conversations do not necessarily have a direct link to the debate in the public space, though they will reflect it and impact on it in indirect ways, and offer a way for citizens to test ideas and develop the skills necessary for democratic engagement in the rest of the system.

¹⁸ Stevenson, H. and Dryzek, J. (2014) *Democratizing Global Climate Governance*, Cambridge University Press.

6. The **public examination of the qualities of the system itself**¹⁹ by those involved in it at all levels. This examination should consider how well the system as a whole reflects the discourses and narratives within society, and acts on them. Reflection is not enough however; the system must also be able to change and adapt based on the reflection. Dryzek is relatively vague about how such a public examination might occur, but it will clearly require mechanisms for collecting and evaluating information about who is participating in, and missing from, the system as a whole and how well the different components are interacting. It will also require the periodic creation of an empowered space authorised to restructure the system, or components within it, if required.

7. The **decisiveness** of the system and its components is also critical; to what extent is its power dissipated thus leaving the system unable to take or implement decisions? Dryzek defines decisiveness as the extent to which the deliberative system in question has the power to take decisions in relation to other political forces. In other words, power should not lie outside the system in practice or in theory.

While this is undoubtedly one way in which a deliberative system can dissipate power (and therefore lack decisiveness), there is at least one other as well. This second dimension relates to the extent to which the system can identify and deal with the largest threats and opportunities facing it. In other words, does it have the institutions, spaces and processes within which it can develop new narratives about the future and act on them?

¹⁹ Or what Dryzek calls the 'meta-deliberation about the deliberative qualities of the system itself', Stevenson, H. and Dryzek, J. (2014) *Democratizing Global Climate Governance*, Cambridge University Press.

Each of the seven components is clearly made-up of a number of different elements, or institutions. Most deliberative theorists agree that while individual elements need not be deliberative in nature, (defined in terms of a way of communicating that encourages reflection, promotes equality of contribution and is non-coercive) the system as a whole can be judged on its deliberative nature.

“The next section starts to draw a partial map of each component of the system and how a small sample of reforms might contribute to the health of the system overall.”

The central question this publication tries to address is whether applying deliberative systems theory will help individuals and organisations interested in strengthening democracy to identify reforms which are more likely to increase the democratic quality of the system as a whole, whether there are any gaps in the work of the reform movement, and whether

there are reforms that are currently being pushed which might decrease the democratic quality of the system. The next section starts to draw a partial map of each component of the system and how a small sample of reforms might contribute to the health of the system overall. The aim is to start a wider conversation about how the work of different actors might fit together better.

Although the approach below analyses the democratic and governance system of the country as a whole, it is important to be clear that democratic systems operate at different levels; there are systems within systems. Thinking through how the components of a deliberative system fit together can be used in many different contexts, at the local authority or town council level, for individual government departments and even for new forms of deliberative governance arrangements such

as NHS Citizen²⁰ or multi-stakeholder processes. Indeed, as mentioned above, the deliberative system was developed by Dryzek in an attempt to analyse the extent to which global political decision-making processes are, or can be, democratic.

The approach taken below is to focus on the UK-level and Westminster as the unit of analysis.

20 This is an initiative of NHS England to develop a deliberative system to support citizens and the Board of NHS England to identify challenges facing the health service in England and work together to solve them collaboratively. See www.nhscitizen.org.uk/

The deliberative system

Meta-deliberation

The system is deliberative and periodically examines the democratic qualities of the system and components



Private Space

The political conversations and interactions which take place everyday in spaces which are non-civic in nature



Public Space

The wide range of political conversations which interact with and affect each other within the public realm



Empowered Space

Where legitimate collective decisions are taken

Accountability

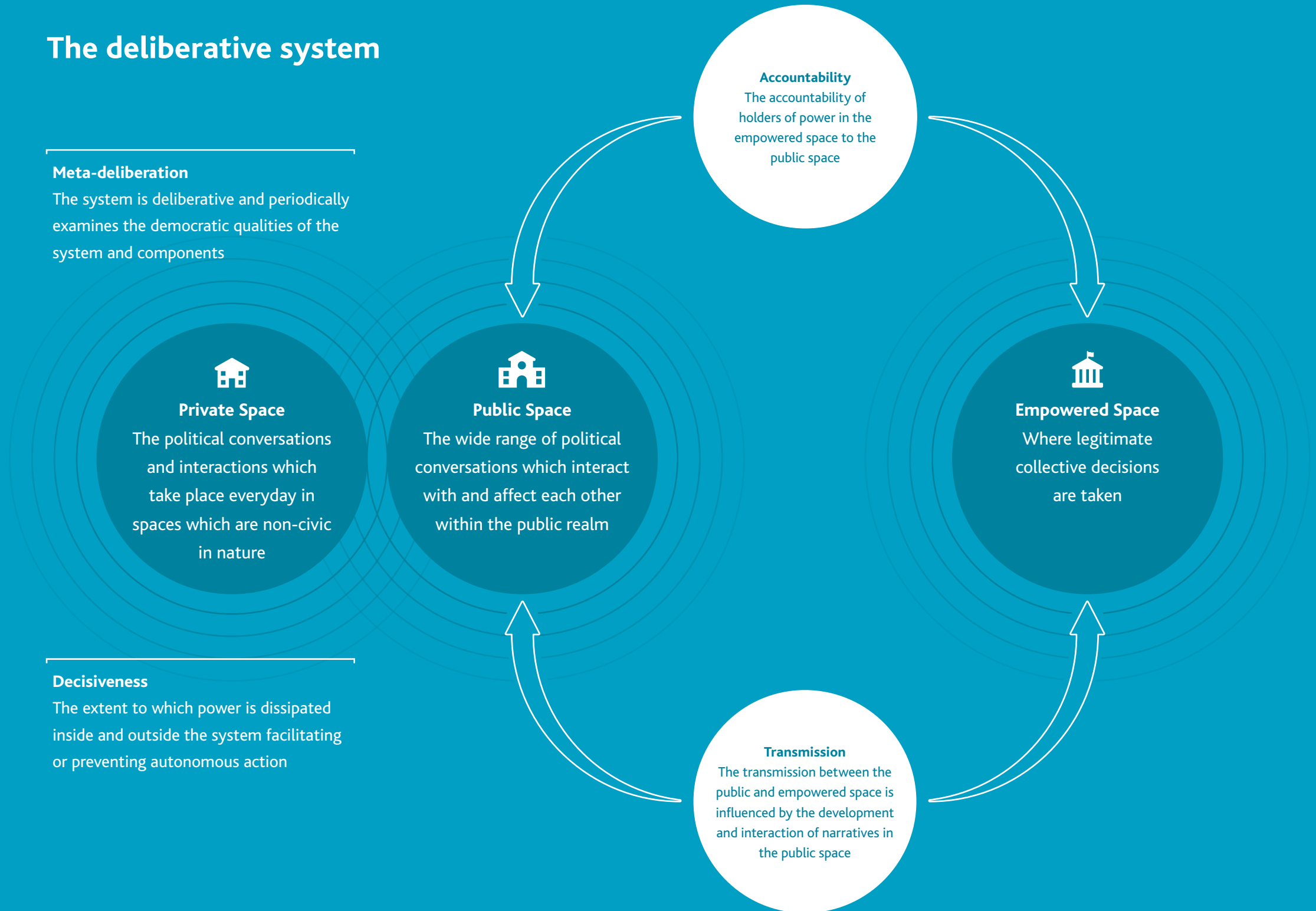
The accountability of holders of power in the empowered space to the public space

Transmission

The transmission between the public and empowered space is influenced by the development and interaction of narratives in the public space

Decisiveness

The extent to which power is dissipated inside and outside the system facilitating or preventing autonomous action



Analysing democratic reform in the UK

Organisations concerned about democratic reform are working on a wide variety of issues. The discussion below is intended to explore, at a high-level, the extent to which taking a deliberative systems approach sheds light on the strength of UK democracy and the relative importance of different reform proposals. It takes Dryzek's theoretical conception of a deliberative system as its starting point and begins to explore the democratic deliberative capacity of each of the seven components.

The public space

The health of the public space is critical within any view of democracy, and so it is within the deliberative systems framework. Overall, and taking the classic view of what makes up the public space, its health appears good. Citizens have freedom of speech, there are vibrant public campaigns across the political spectrum across a plethora of issues and academic work contributes widely to the political debate both directly and through intermediary organisations such as think tanks. The public space in the UK is certainly in ruder health than many other countries in comparison.

While the overall texture and tenor of the public space in the UK may appear healthy there are some warning signs that may indicate where the democratic reform sector will need to focus some attention.

Dryzek's description of the public space is the place where different views, narratives and arguments are made public, critically examined

and interact. Critical to the deliberative nature of the space is the interaction, the testing and the reformulation of different narratives and arguments. High levels of noise from a few contributors drawing on a few dominant narratives does not mean that the public space has significant deliberative capacity; in fact it is an indicator that capacity is low.

Over much of the 19th Century, such debates and narratives were formed, tested, reformulated or rejected within organisations such as political parties, unions, churches and social organisations. However, their decline in size, membership, influence and visibility is well charted and has contributed to a significant decline in the deliberative capacity of the system overall over the past few decades. It is hard to identify new institutions in the public space where a wide range of public views are welcomed, aired and debated.

Previous eras may seem golden in retrospect, however it would be a mistake to assume that revitalising the organisations listed above is necessarily desirable, or even possible. What is more important is to identify where sites and spaces are (re)emerging for the critical examination, testing and interaction of a wide range of narratives. In identifying such sites it may then be possible to explore ways to make the conditions more favourable for their growth. The conditions for such sites to thrive require citizens to be able to organise, network and meet, even when they are expressing views that the majority might find difficult to agree with, or even listen to. The focus of campaigners on issues such as excessive police surveillance of campaigning groups, of the growing restrictions on the rights to protest and organise, and of the increased privatisation of public space are therefore of particular

importance when thinking about the long term deliberative capacity of the system as a whole.

The media is one of the few remaining forums where these views and different narratives can interact and be tested against one another. Campaigns to maintain and strengthen the plurality of the media are therefore critical to the health of the public space and the deliberative system overall. It must also be of concern that traditional local media sources are reducing too. It remains to be seen whether or not recent innovations such as hyperlocal media²¹ can fill the gap in a way that builds the capacity of local narratives and debates to interact with and impact on the discussions in the national public space.

The rise of social media and the self-publication of views and perspectives that blogging allows is having direct effects in the public space. More voices are visible, it is easier for groups that are marginalised to organise, bring new evidence into the public debate and create alternative narratives.

However, overall the picture is more ambiguous. The technology, and its impact on society, is too recent to be able to predict how it will play out in the longer term. There is certainly evidence that social media and blogging, combined with the decline of traditional mass media, is fragmenting public space, creating bubbles and making it harder for different narratives to interact and be tested against each other. It may therefore become increasingly urgent for the democratic reform sector

²¹ For a brief discussion about hyperlocal media see, for example, Radcliff, D. (2013), Hyperlocal media: A small but growing part of the local media ecosystem, BBC www.bbc.co.uk/blogs/collegeofjournalism/entries/9faf65be-b541-39f2-abb9-efe0de2c151d (accessed 25 June 2015).

to strategise about how to maintain links between different communities and narratives to maintain and build the deliberative capacity of the public space overall.

Just as police surveillance and excessive data collection by government can have a chilling effect on public debate, so too can features of the online world that are becoming more apparent. For example, the rise of trolling, the lack of visibility of women, and even more so of many minority groups and viewpoints therefore presents a significant challenge to the diversity of debate within the public space and should be of particular concern to anyone interested in strengthening democratic life. This is more than just a question of ensuring media plurality.

There are further warning signs within the four nations of the UK. The presence of strong national newspapers in Scotland is significantly contributing to the deliberative capacity within the Scottish deliberative system. There is a new energy within civil society in Scotland in particular. This too has the potential to increase the deliberative capacity of that national deliberative systems. However, the links between the emerging debates and narratives in the three smaller nations and the wider UK public space are poor and probably decreasing. For example, UK national media organisations tend to focus on Westminster and rarely reflect the debates and narratives in Scotland, Wales and Northern Ireland. Beyond a handful of large organisations, links between civil society across the borders of the four nations are very weak. This has the effect of reducing the range of views and narratives within the UK public space and is of significant concern when thinking about the deliberative capacity of the UK as a whole. One view might be that this will contribute to the speeding up of the devolution debate across the UK and that the outcome of this might be stronger deliberative

systems in each of the four nations. This is a far wider issue than this short publication can deal with, but the extent to which this is true will be determined by the extent to which each of the national systems is judged as having decisive capacity (see below) with respect to the transnational governance systems they are embedded in.

The sheer noise and robustness of the debate in the UK public space would suggest that it is in fine health. Democratic debate doesn't progress solely through the clashing of one or two main political ideas (despite the attempt of much of the media to present it as such). It advances just as much through the inclusion of different viewpoints, experience and knowledge brought in through the contributions of as many different contributors as possible. Trends within the public space appear to be reducing the deliberative capacity of the space and therefore the system as a whole. This must be of significant concern and attention.

The empowered space

This is the space that has the authority to take decisions. Parliament is one of the preeminent institutions in this space and it is no surprise therefore that much of the attention of democratic reformers focuses here. Their analysis and reforms demanded take a number of different forms.

“The quality of the debates within Parliament, and the extent to which they represent the views of the wider population is critical for the capacity of the system as a whole.”

The quality of the debates within Parliament, and the extent to which they represent the views of the wider population is critical for the capacity of the system as a whole. One set of reform demands focus on making both chambers more representative of the populations they serve. In the case of the House of

Commons this takes the form of demands for more proportional voting systems, and for many changing the way appointments are made to the House of Lords whether by election or random selection. From a deliberative systems perspective the case for making both chambers more representative is strong; more proportional systems are more likely to bring in a wider range of people, and hence of viewpoints and narratives, into Parliament. This would tend to increase the deliberative nature of the two chambers.

One set of reforms focuses on making Parliament more transparent and understandable. Not only might this contribute to the deliberative capacity of the public space as debates there are likely to be better informed as a result, but it may also help contribute to increasing the capacity of the empowered space. This is because greater accessibility of Parliamentary processes and procedures might give a wider range of people confidence that they have something to contribute and thus be more likely to stand for election, or contribute directly (see below). On the basis that any increase in the diversity of views and narratives will increase the deliberative capacity of the component this clearly would be a good thing.

Other reforms to rules and procedures have taken the form of establishing select committees, or increasing the powers of parliament, for example. The extent to which these powers allow Parliament and its members to access better quality information and data in order to make more effective laws will again contribute to the quality of the deliberation within it. This should also help increase the deliberative capacity of debates within the public space too (although see the analysis of the transmission between the spaces below).

One set of reform proposals²² are much more recent and refer to the extent to which members of the public are able to participate in parliamentary debates, whether these are debates in the main chamber, public bill committees or in select committee hearings. Some select committees have trialled different ways of engaging the public, holding meetings across the country, or accepting questions to ministers via Twitter. Finding ways in which to bring a diversity of voices into Parliamentary debates in a way that contributes to the deliberations and laws made within it could increase the deliberative quality of the space as a whole.

Parliament may be the preeminent institution in this space, but it is by no means the only one. Traditionally the government of the day, or Executive, has had significant power over the business of Parliament, over what is discussed, when and for how long. The imbalance between the power of the Executive and Parliament in terms of who can dictate the content and shape of the debate is an important consideration when thinking about the deliberative nature of Parliament within the empowered space. It will also affect the way its members act in the other two components of the system too.

Recent developments, such as open policy making, are worth exploring in relation to the extent to which they bring alternative narratives and debates into the heart of policy making and in particular affect the power of the Executive to act unilaterally. For example, over the past two and half years or so, Involve has coordinated the UK Open

²² See for example, Pollard, A. (2014), Public Question Time: A briefing for party leaders, Involve www.involve.org.uk/blog/2014/10/13/public-question-time-a-briefing-note-for-party-leaders/ (accessed 26 June 2015).

Government Network.²³ In summary,²⁴ between November 2012 and October 2013 the network worked with the Cabinet Office to develop an action plan containing 21 government commitments for making UK government more open. While the process is not without criticism, particularly in terms of the diversity of network membership, our assessment of the benefits of the more open process²⁵ suggests a number of ways in which a more open process can bring alternative narratives and views into a policy development process. This in turn appears to have strengthened not only the support for the action plan, but also improved a number of individual commitments too.

Considerable power has been ceded by Parliament and Government to other institutions outside the boundaries of central government in Whitehall. These institutions obviously include the devolved administrations of Scotland, Wales and Northern Ireland, but there are also a large number of quangos, or Non-Departmental Public Bodies (NDPBs)²⁶ each with different levels of authority and power.

NDPBs are only part of the issue, however. For many areas of public service delivery in particular, decisions are not taken by single institutions, or even a hierarchy of institutions with Parliament at the top. Instead

23 www.opengovernment.org.uk/

24 For a more detailed description of the process: Involve (2014), OGN Briefing: Story of the UK National Action Plan 2013–15, Involve www.opengovernment.org.uk/resource/ogn-briefing-story-of-the-uk-national-action-plan-2013-15/ (accessed 26 June 2015).

25 Ibid, section 03.

26 Numbers are difficult to compare and understand, but the latest government figures suggest that there are currently 450 NDPBs www.gov.uk/government/publications/public-bodies-2014/public-bodies-2014-summary-data (accessed 30 April 2015).

there are complex networks of governance taking in local, regional and national institutions, civil society organisations, private companies and different kinds of unelected citizen and stakeholder bodies.²⁷ Many decisions are not directly the responsibility of, or accountable to, elected politicians at either the national or local level (though individual elected officials may be involved in multiagency committees which are empowered to take decisions). In addition, services are increasingly delivered by companies and civil society organisations accountable through legal contracts rather than democratic structures; the contracts themselves are normally confidential and the decisions by the private organisations not subject to any kind of transparency or freedom of information.

Space precludes even a partial analysis of this complex mix of NDPBs, networks of governance and contracted public services, but most are highly opaque and non-deliberative in the way they work, significantly decreasing the deliberative capacity of the empowered space. In addition, the lack of transparency of this part of the empowered space significantly reduces the ability of actors in the public space to debate and understand what is going on, or hold those with power to account. The overall capacity of the system is therefore weakened.

A focus on the form of the Parliamentary debate alone as the classic approach to electoral democracy would suggest, with its robust exchange of views and the debates might give the impression of a strongly deliberative empowered space. This partial, high-level analysis confirms that the focus of many reformers on other institutions in the space is correct and that the deliberative capacity of the system as a

²⁷ See for example the diagram by the Kings Fund of how decisions are taken by, and money flows through, the health system www.kingsfund.org.uk/sites/files/kf/media/structure-of-the-new-nhs-animation.pdf

whole is considerably weakened by the low capacity here. However, this analysis suggests that more needs to be done.

Transmission between the public space and the empowered space (and vice versa)

In Dryzek's theoretical description of the deliberative democratic system, an important factor in the overall deliberative capacity of the system is that the debates and narratives within the public space are transmitted to, and have an effect on, the space with the power to act. Of course, this is crucially important. However, as highlighted above, characterising this component in this way misses out transmission in the other direction; this is also vital to the overall health of the deliberative system and is examined below.

It's also important to note that, given the sheer number of institutions with the authority to take decisions, it is not possible to give a comprehensive analysis in such a short publication. What follows is a very broad-brush attempt to explore the implications of such an analysis.

Transmission between the public space and space with the power to act. Transmission between Parliament and the public space would appear, at first glance, to be in good health. Members of Parliament regularly meet with constituents, attend public meetings and campaign themselves, bringing their insights back into Parliament. In addition, the media and civil society campaigns affect and influence Parliamentary business. However given the relative lack of diversity of both Houses of Parliament there must be some concern about the extent to which the full range of narratives and debates are reflected in, and have influence on, the debates, narratives and decisions which emerge in Parliament. Examining this as a systemic issue, there is increasing concern that,

for example, the political class is growing increasingly distant from the everyday concerns being expressed in the private space of the system. This is further exacerbated by a growing lack of diversity within other key democratic institutions including the media, the civil service and civil society for example, as well as the decline of political parties as mass membership organisations.

One of the most important mechanisms for transmitting narratives and views from the public space to the empowered space is lobbying, by business, but also by civil society and other civic actors. A recent report by Transparency International²⁸ highlights the concerns that many, in civil society as well as in government and parliament, have about this critical part of the deliberative system. It notes that since the Prime Minister, David Cameron, "claimed that lobbying was 'the next big scandal waiting to happen', our research has identified at least 14 major lobbying scandals."²⁹ The report also finds 39 loopholes where the rules allow corrupt behaviour or lobbying abuses. Such abuse degrades the value of lobbying as a transmission mechanism as it allows the views of a small numbers of people to unduly influence policies at the expense of other equally valid views and narratives. While it is important that such loopholes are closed, it is equally important that civil society organisations and others representing legitimate and often marginalised perspectives are not prevented from lobbying as a way of bringing alternative views and narratives into the policy process. It is therefore concerning that many civil society organisations continue to express misgivings

²⁸ David-Barrett, E. (2015), Lifting The Lid On Lobbying: the hidden exercise of power and influence in the UK, Transparency International www.transparency.org.uk/our-work/publications/9-news-item/download/260_bd5028189e9380a7568abe401500c85c (accessed 26 June 2015).

²⁹ Ibid page 2.

about the effect that the Lobbying Act of 2014 will have on their ability to campaign.³⁰

If there are some concerns about the transmission between the public space and parliament there are far greater concerns about the transmission between the public space and government departments, NDPBs and networks of governance. Indeed, the sheer number of attempts by institutions across the empowered space to both formally and informally engage stakeholders, civil society and citizens suggests that these institutions themselves feel disconnected from the public space and unable to reflect relevant views, debates and narratives in their internal deliberations and debates.

Thinking about the role of deliberative mini-publics in this light may be helpful. This relatively recent innovation has come under criticism from some democratic theorists as being undemocratic (see above), but from the perspective of the deliberative systems framework, they can be viewed as positive contributors to the overall deliberative nature of the system depending on the extent to which they act as effective transmission mechanisms between debates and narratives in the public space and debates in the empowered space. There is also evidence³¹ such one off processes can also help to build the deliberative capacity of those who take part. However, while mini-publics can be incredibly effective mechanisms for bringing alternative narratives and debates into the decision-making process, they can only be a small part of the solution.

30 See for example the BOND network's response to the Lobbying Act www.bond.org.uk/advocacy/lobbying-act (accessed 26 June 2015).

31 See for example, Hughes, T. and Pollard, A. (2014) Changing hats: how deliberation impacts citizens, Sciencewise www.sciencewise-erc.org.uk/cms/assets/Uploads/Changing-Hats15-05-14.pdf (accessed 9 July 2015).

Transmission between the empowered space and the public space. At a very high-level of analysis there would appear to be a far bigger problem with transmission in the opposite direction in order to ensure that the narratives and debates within the public space are influenced and impacted by the concerns of those taking decisions. Involve's practical experience shows that a lack of understanding by the public both of the debates taking place within government and Parliament, and of the legal, political and financial constraints that act on those with power significantly affects how realistic some elements of the public debate are.

The media focuses disproportionately on personalities and on significant rifts between people at the top of institutions than it does on the content of debates and narratives. Civil society campaigners tend to feed back to their supporters in terms of whether a particular campaign has been won or lost rather than providing a clear account of the debates that went on.

The problem cannot be solely laid at the door of the media. It is far from clear whether the public has a limited appetite to hear information about what decisions are taken and how. Adapting a quote from Bismarck, academic Matthew Flinders likens this to a desire not to know what goes on inside a sausage factory.³² Our own work exploring when, why and how citizens engage in the public space and empowered space suggests that the reality is far more nuanced.³³ Interpreting these findings within the deliberative systems approach, the implication is that the debates in both spaces are too distant from the everyday concerns

³² Can Democracy Work, Programme Three, BBC Radio 4, first broadcast 27 January 2015 www.bbc.co.uk/programmes/b0506859

³³ <http://pathwaysthroughparticipation.org.uk/>

expressed in much of the private space; again the lack of diversity of actors within both the public space and empowered space is one element of the problem that increased public engagement will have only partial success in overcoming.

Overall, the transmission mechanism between the public space and empowered space (in both directions) could be significantly improved.

The accountability of the empowered space to the public space

The ultimate mechanism by which the public space holds the empowered space to account is, as Dryzek notes, elections. However, in the case of Parliament this mechanism works imperfectly at best given the role of elections both in holding MPs to account as well as making voters' preferences for future decisions visible (see above). The ability of elections to act as strong accountability mechanisms (or indeed mechanisms for revealing voters preferences) is further weakened by the presence of 380 constituencies in the 2015 election where the sitting party appeared to have no chance of losing the election.³⁴

If the accountability of Parliament to the public space is relatively weak, the situation is far worse for the 450 NDPBs which are unelected and only indirectly accountable through Parliament (and hence even more indirectly to the public space). To compound this weakness further, Parliament's resources to hold the Executive and other bodies accountable are also woefully small.³⁵

³⁴ www.electoral-reform.org.uk/safe-seats accessed 30 April 2015.

³⁵ See, for example, Burall, S. et al (2006), *Not in Our Name: Democracy and foreign policy in the UK*, Politicos pp. 47 and 193 for a description of the impact of the lack of resourcing on Parliament. Though written nearly 10 years ago the situation has barely changed.

In light of this, to see elections as the primary source of accountability in the system is dangerous for the health of the deliberative capacity of the system as a whole. The role of civil society, citizens and other actors in holding those in power to account is critical therefore. But for this to be effective, there needs to be accurate and timely access to information and data about what decisions are being taken when, where and by who.

Another critical element of the accountability component in the UK is the media. At its best the media demonstrates time and again its value in holding the abusers of power to account. One only has to look at the recent reports on MPs expenses and phone hacking, to pick just two, to see the way in which media investigations can act as an accountability mechanism. Again, as highlighted above, a focus on ensuring media independence from both government as well as from a few powerful individuals, is critical for maintaining and strengthening the capacity of this component and the deliberative system as a whole.

Further movement on access to information, open data and broader transparency has been highlighted as critical for strengthening the transmission of information, debates and narratives between those with power and the public space. This will be just as important for strengthening accountability within the system. Despite the passage of the Freedom of Information Act in 2000, it remains very difficult to access adequate information about how and why most public bodies take their decisions. The continued focus of the open government movement and others on strengthening freedom of information (including extending it to organisations in the private sector which provide public services), wider transparency and open data will be critical for strengthening this component of the wider democratic system.

One of the most important ways that abuse of power, corruption and poor decision-making comes to light is through the actions of whistleblowers. All too often whistleblowers are subject to harassment, suspension from their jobs and an inability to work in the public sector they were trying to protect. Their protection must be a critical element of any deliberative system.

There are also other institutions than parliament responsible for accountability. The most obvious example being the rise of posts such as ombudsmen and commissioners. There isn't space to analyse the extent to which these add to the deliberative capacity of the system, however it is worth noting that most members of the public are probably unaware that the posts exist, what they do or when they are holding people to account. In addition, the coalition government has significantly scaled back some of these institutions, for example by closing the Audit Commission in 2010.

Courts and judicial reviews, both of which are another obvious component of the accountability system, are important to bear in mind when thinking about the system as a whole, acting as they do as a final backstop against the abuse of power. Recent debates about the impact of cuts in legal aid on the accessibility of the courts to all citizens are therefore concerning. As with ombudsmen and commissioners it is also not clear the extent to which the public has adequate access to their judgements.

Overall the conclusion must be that accountability is relatively weak in the system, and the focus of many on elections, turnout and parliament as the accountability mechanism is unhelpful. Of particular concern is

the lack of accountability of NDPBs, networks of governance and private suppliers of public services.

The private space

Political conversations and interactions which take place in the private space, given their non-civic nature, have no direct impact on decisions taken within the system. For many therefore this component of the overall system will be relatively unimportant. However, understanding the private space as being made up of workplaces, schools, places of worship and other institutions, and examining the space as part of a larger democratic system highlights its potential importance in contributing to the democratic health of the wider system.

If the other components, particularly the public space and empowered space, are to be properly democratic then citizens individually and collectively must be able to contribute effectively. Effective contribution will obviously require a basic understanding of how the system as a whole fits together, what the role of parliament versus the Executive is, for example, as well as how the different components work, their rules and culture, for example. Voter education is probably the most obvious example of activity within the democratic reform sector, but it is by no means the only one.

Another obvious way to build both knowledge and skills to contribute to democratic life is through the formal and informal education system. In this light it is regrettable that citizenship education has neither the funding, nor the practical emphasis within the curriculum. While not a quick democratic win, focusing reform effort and time on citizenship education, thought of as more than just a way to increase young people

turning out to vote, within schools would contribute long term to the deliberative capacity of the system as a whole.

Over 30m adults are in some form of employment.³⁶ Many will spend more time in the workplace than at any other activity. The growing movement to create more mutuals and coops could contribute significantly to the skills of citizens to participate in the wider democratic system. Unions also undoubtedly have a significant role to play here.

In Dryzek's description of the different components of a democratic system, the private space is independent of the other components in terms of the extent to which it directly impacts on them. Although, debates, narratives and views developed in the private space will be drawn into other spaces when individuals move between the private space and other spaces. Increasing the extent of this movement will increase the deliberative capacity of the system overall.

The solution to the problem of how to increase the movement of actors and ideas from the private to the public space doesn't solely lie with educating the public about the system or making them realise how important it is that they engage. As our research shows,³⁷ the overwhelming majority of citizens are already engaging in their communities in what Dryzek would class as the private space; it's not that they aren't engaging, but rather that they aren't engaging with the other components of the deliberative system. The challenge for democratic reformers

36 www.nomisweb.co.uk/reports/lmp/lor/2092957698/report.aspx#tabrespop (accessed 30 April 2015).

37 Brodie, E. et al (2011), Pathways through participation: What creates and sustains active citizenship?, London <http://pathwaysthroughparticipation.org.uk/resources/index.html>

is how to make the debates, particularly in the public and empowered spaces, more relevant to the majority of citizens so that they are able to engage on their own terms. A focus on the role that intermediary level civil society organisations are playing and could play in this regard might be helpful. The cuts to public budgets are undoubtedly affecting those organisations that play the connecting role within civil society and this will be impacting negatively on the deliberative capacity of the system as a whole.

In addition to their impact on the public space, the role that social media and blogging are playing in making the narratives within the private space more visible may well be blurring the line between the private space and other components of the system. The increased visibility of private conversations (which are both political and non-political), and which would have been largely hidden from the components of the system, makes it easier for institutions in the empowered space to reach out to listen to some citizens, for example.

However, the nature and status of these conversations is currently ambiguous; do those in authority have the permission from citizens to listen to these conversations and take them into account when taking decisions, for example? The answer differs depending on circumstances and how sensitively it is done, but it is undoubtedly the case that the increasing visibility of the private space is impacting on the deliberative capacity of the system as a whole, whether this is positively or negatively is difficult to tell given the recent rise of the phenomenon; as with all such complex systems the answer is likely to be highly ambiguous. The attitude and response of key institutions within the system to views from the private space which become more visible will largely determine

whether this phenomenon increases or decreases the deliberative capacity of the system.

Attempting to build the deliberative capacity of the private space will rarely, with the possible exception of voter education, lead to quick change. This means that the reform agenda relating to the private space is often the poor stepchild of democratic reformers. However, unless the pool of deliberative capacity in this space is increased, and its connection to the other components of the system strengthened, it will have significant negative implications for the capacity of the system as a whole.

The public examination of the qualities of the system itself

Societies change, institutions become disconnected from the citizens they serve or are co-opted by one or more interest groups in society. It is critical therefore that everyone within any democratic system has a chance to step back from time-to-time to examine the system itself. The aim of this periodic reflection should be to see how well the system as a whole is working, both in terms of reflecting the discourses and narratives within society, and is acting on them. Reflection is obviously not enough as the system must also be able to change and adapt based on the reflection.

Here UK democracy is failing badly. There are few formal mechanisms for collecting and publicly evaluating information about who is participating in the system and which debates and narratives are missing and how the public think the system should change to overcome this. Opportunities for change, when they happen, do so relatively quickly through the mechanism of referenda (the 1975 referendum on EEC membership, the 2011 referendum on changing the voting system,

and last year's referendum on Scottish independence, for example). These are flawed as meaningful spaces for democratic deliberation for three reasons.

Firstly the public space for deliberation is often significantly limited, the Scottish referendum is an extreme outlier in this respect. The reasons the space is limited are the same as those highlighted above. In the absence of opportunities for voters to contribute to and engage in meaningful deliberation where all the views are made visible and interact, it is difficult for them to make meaningful judgements of the risks and benefits associated with the choice placed in front of them.

The second reason is because referenda are, by their very nature, based on simple questions. This in itself need not be a problem, except the questions are set before there is significant debate in the public space. The simple yes/ no question set by referenda therefore normally constrain the main debate in the public space rather than providing the opportunity for the debate to open up to other narratives and views which can interact and be taken into account when setting the referendum question.

Finally, as has been shown above, elections of any kind are poor mechanisms for revealing voter preferences. Was the no vote in the AV referendum because voters actually like the first-past-the-post system? Or was it because they want change but thought that the AV system was not the right choice because it wouldn't have changed the situation a great deal? Or, was it because, in the context of the Liberal Democrat's broken promises on tuition fees, they were fed up with the main party supporting the yes campaign? In the absence of a robust debate in the

public space we'll never know. And yet it is clearly an issue that will not go away.³⁸

It is unsurprising that the UK is weak in this area; most other deliberative democratic systems are too. Debates about the role that a Citizens' Constitutional Convention³⁹ could play in reaching a new constitutional settlement are therefore a good thing. However, such a convention will only be effective if it is understood within the deliberative systems framework. One primary question, should a convention be formed, will be what its role will be? Will it be a mechanism for the transmission between the public space and the empowered space? An important additional question is which empowered space should have the power to decide? Or, will the convention be an empowered space itself, tasked with developing a constitutional solution? If so, how will the decision it takes be legitimised? Or, will it be intended to form a significant element within the debate in the public space? This would raise questions about how well a relatively small number of citizens can contribute effectively to the wider public debate, particularly in the face of a dominant media, and how the public debate will influence and interact with the debates and decisions in the empowered space (again raising questions about where the empowered space should lie in this case)?

A small number of civil society organisations, of which Involve is one, are actively trying to develop and engage in the debate about the

38 See for example this recent intervention from the former Cabinet Secretary Gus O'Donnell www.bbc.co.uk/news/election-2015-32534591 (accessed 1 May 2015).

39 See, for example, Electoral Reform Society (2015) How to do a Constitutional Convention in the UK, ERS www.electoral-reform.org.uk/sites/default/files/How_to_do_a_Convention_Mar_2015.pdf (accessed 26 June 2015).

democratic nature of the system or parts of the system. However, the sheer longevity of some of these debates and campaigns (demands for House of Lords reform have been going for over a century) suggests that the absence of a mechanism for the system to examine itself reduces the deliberative capacity of the system overall.

The decisiveness of the system

The extent to which power is dissipated from the UK's deliberative system in relation to international governance structures, particularly the EU, but also the more than 200 institutions of global governance, is obviously a significant political issue. UKIP and many on the Conservative right and Labour left would say that power is imbalanced in favour of the EU. The prevalent narratives within the public space would appear to back that up. A deeper analysis using this deliberative democratic systems approach may identify other areas of the system which are equally, if not more, imbalanced, or identify where the public narrative is misplaced. However, this is beyond the scope of this short piece to start to do, though in light of the potential referendum on EU membership in 2017 it is becoming increasingly urgent that such an analysis is carried out.

It is also important to note that it is not just international political institutions which dissipate power from the UK deliberative system. Cross border threats such as environmental, demographic and geopolitical and economic change also have the potential to reduce the scope for the UK deliberative system to act in the best interests of citizens. The pooling of national sovereignty (and therefore power) within existing, reformed, or new international organisations may be the right way to prevent further dissipation of power from the UK.

Looking outside the system at where power lies, or at global trends which may reduce national power, is one way of thinking about how decisive a system is. However, it is equally important to look inside the system too. The impact that the sheer number of NDPBs and the rise of networked governance has on the empowered space has already been highlighted. However, creating such a complex web of decision-making structures also has an impact on the power of the system to deal with critical issues.

For example, power is dissipated across the health and social care system in such a way that it lacks the decisiveness to make the reforms required to reduce costs and improve outcomes. This is because a range of institutions, from the Department of Health, the NHS, local authorities, clinical commissioning groups, and health and wellbeing boards, for example, deliver between them the patchwork of health and social care services most citizens will require at some point in their lives. The lack of integration means that it is difficult to focus on prevention, for example, leading to much more expensive visits to A&E and avoidable medical interventions.⁴⁰ The health system as a whole lacks decisiveness leading to worse outcomes for many. This situation is replicated across many areas of public policy.

Assessing the decisiveness of a deliberative system is not easy and few metrics exist to make an empirical assessment. However, it also has a critical impact on the overall deliberative capacity of the system, and most analysis would suggest that this is an area of concern for the UK's deliberative system.

⁴⁰ See, for example, NHS England (2014), The Five Year Forward View, NHS England www.england.nhs.uk/wp-content/uploads/2014/10/5yfv-web.pdf (access 26 June 2015).

Conclusion

Taking a deliberative systems approach has the potential to change radically how individuals and organisations drawn from government, civil society and academia who are interested in achieving democratic reform view the UK political system, its strengths and weaknesses. Using this approach requires some useful switches in perspective which improve the understanding of which democratic reforms have more chance of increasing deliberative capacity of the system.

One important change in perspective relates to the idea of representation. While the representation of individual citizens and communities by elected MPs (or other elected officials) is important, the deliberative systems approach highlights the equal importance of the representation of views and narratives throughout the system. A system (and its components) is only as deliberative as its ability to bring in, reflect and act on a multitude of views. One clear proxy indicator for the health of the system and its components would be to assess the number and influence of different views in debates and on decisions. UK democracy would fail badly by this measure.

A monoculture is dangerous to the long-term health of a natural ecosystem because it lacks the biodiversity to adapt to changes in the external environment or attack by new diseases, for example. The same is true for democratic systems where a few views and narratives dominate. One outcome of building an effective deliberative system would be to stem the rise of populism. Another would be to stop the powerful exerting themselves too strongly and displacing all but the most dominant of

ideas. Not only are both bad for many citizens (often minorities and weaker groups) in the short term, but it's bad for democracy in the long term. Examining the extent to which democratic reform proposals will increase the visibility of views and narratives interacting within, and impacting on, the system is therefore important for understanding their democratic impact overall.

A second important change in perspective is that this approach requires a shift from seeing individual institutions and reforms in isolation to viewing the system as a whole. The study of complex natural and manmade systems shows us that changing individual components of a system can have unpredictable and often negative effects elsewhere in the system because of feedback loops which are poorly understood, or connections between components that aren't immediately visible.

It is the same for political systems too. Indeed the brief analysis above demonstrates that complex interactions are taking place. For example, from the perspective of Scotland, a robust Scottish media is contributing positively to the deliberative capacity of the democratic system. However, when combined with the Westminster-centric English media the deliberative capacity of the UK system as a whole appears to be decreasing. Viewed through the deliberative system prism this issue takes on increasing urgency and suggests various courses of action for democratic reformers interested in strengthening the UK public space component of the overall system.

Taking a deliberative systems approach, and drawing on systems thinking, can therefore help us to think about how the seven different components of the democratic system fit together, interact and affect one another in ways that analysis of the democratic failings of individual

institutions can't. The approach confirms that many of the perennial critiques of UK democracy are real and important. However, in doing so, it sheds new light on them, suggesting a different perspective and potentially different emphases when considering reforms. This analysis also suggests that focusing attention in different areas of the system might have the potential to unlock some of the more significant areas of reform where attention is not focused at the moment.

Involve plans to take this work forward in a number of different ways:

- **Work with government, political parties, civil society and academic partners** to explore ways in which we can use the deliberative systems framework together as an additional tool for developing a shared longer term strategy based on incremental reform aimed at bolstering positive rather than negative feedback loops resulting from big ticket institutional changes;
- **Extend the analysis of the health of the system** to include a consideration of where power is exerted in the system and how it flows between components. This will further help to focus attention on where reform is most needed;
- **Supporting open government reformers**, including elected officials, civil servants and civil society to use the approach to develop a more strategic focus for their reform efforts; and
- **Promote a wider debate about the state of our democracy** and ways that citizens can support, develop and promote attempts to build deliberative capacity within the system.

Democracies develop and evolve as a result of pressure from inside and out. Change, when it comes, can often appear to happen quite suddenly, although it has often required years of hard work from actors across the system. The success of big ticket institutional changes in increasing the deliberative capacity of the system as a whole can be enhanced by placing them within the systems framework proposed here.

The deliberative systems focus on increasing the deliberative capacity of the system offers a different way of thinking about the problem. It implies sets of reforms which, while appearing relatively limited from an electoral reform perspective, could have a significant long term impact that strengthens the system as a whole and makes more substantial change more likely further down the line.

Reading and listening list

This is an annotated bibliography of the most significant publications and a radio programme which informed the writing of this publication. Full references are found in the footnotes to the text.

BBC Radio 4 Can Democracy Work?, first broadcast 13 January 2015

A three part Radio 4 series presented by Nick Robinson based on interviews with members of the public and a number of senior political leaders. Lays out very clearly many of the main political debates about democracy and democratic reform. A useful and stimulating provocation.

Dryzek, J. (2009) Democratization as Deliberative Capacity Building, Comparative Political Studies Vol 42, pp 1379–1402, Sage

Focuses on creating a framework for analysing deliberative systems. For a one stop shop the Owen and Smith paper (see below) is probably more useful because it is more recent and summarises wider literature too. However, this provides useful depth. It contrasts deliberative systems theory with theories about electoral democracy, noting in particular that the presence or absence of a particular set of institutions is not indicative of the health of a democracy. It provides a useful definition of a deliberative system, and what some of the components are (his later work as summarised by Owen and Smith expands on this). It also provides some useful international examples to explore how deliberative systems theory can help analyse processes of democratic reform. These provide some insight for how Involve's work might support reform

within (national or international) networks of governance where elected politicians are largely absent, or only one of many actors.

Dryzek, J. and Stevenson, H. (2011) Global democracy and earth system, governance, *Ecological Economics*, Vol. 70, issue 11 pp. 1865–1874

This paper analyses global climate negotiations as a deliberative system (identified as having six components): public space; empowered space; transmission from public space to empowered space; accountability of empowered space to public space; meta-deliberation about the deliberative qualities of the system itself; decisiveness in relation to other political forces. A later formulation (Stevenson, Hayley and John Dryzek. 2014. *Democratizing Global Climate Governance*. Cambridge: Cambridge University Press) summarised in the Owen and Smith paper identifies a seventh component; the private sphere. The paper describes the six spaces in a little detail and then analyses each of the components for its deliberative quality. Helpful in expanding and clarifying what Dryzek means by the different components.

Lee, C. et al (2015) *Democratising Inequalities: Dilemmas of the new public participation*, Chapter 1: Rising Participation and Declining Democracy, NYU Press

Recently published critique of much public participation, including deliberative processes. Chapter 1 contains a good summary of many of the standard critiques. These are largely fair enough as they boil down to my key concerns when working with government, what is the purpose of the deliberation, and is the government willing to engage authentically? However, while I'd agree with the critique of many stand alone participatory processes, I'm not sure I'd agree if viewed as a way of contributing to building up the deliberative capacity of the system as a whole.

Mansbridge, J. et al (2010) The Place of Self-Interest and the Role of Power in Deliberative Democracy, Journal of Political Philosophy, Vol. 18 (1), pp. 64–100

Identifies a fault line in deliberative democratic theory about the role of conflict between self-interested parties in deliberative systems. Clearly identifies theoretical reasons for moving beyond consensus on substantive (i.e. about the content of the deliberation) issues to process issues such as the boundaries of the conflict and terms of negotiation. It introduces bargaining, voting and negotiation within non-deliberative forums as key elements of deliberative systems. The article identifies four types of deliberative communication with very different aims. Attempts to rationalise the reality of power politics and majority rule within deliberative systems and succeeds to some extent, however, more normative theorists will be tearing their hair out.

Owen, D. and Smith, G. (2015) Survey Article: Deliberation, Democracy, and the Systemic Turn, The Journal of Political Philosophy, 23(2): pp. 213–234

An academic discussion of the development of deliberative systems thinking. Focuses on the development of what the authors call a Manifesto for Deliberative Systems Thinking. Largely focuses on the academic question of how to analyse such systems rather than Involvement's concern about how to create such systems (or elements of such systems). But it is a useful summary of some of the different ways to conceptualise such systems. It also includes some helpful thinking on some of the key dilemmas faced by deliberative systems.

Pateman, C. (2012), Participatory Democracy Revisited, APSA. Vol. 10 (01), pp. 7–19

A defence of participatory democracy which is a reaction to the rise of deliberative democracy theory. Central tenant of her view of participatory democracy is that it must increase the capacities of citizens to participate, and that structures must do this, as well as reform democratic institutions to make their participation meaningful (and therefore support further capacity enhancement).

Saward, M. (2003) Democracy, Polity

A good primer taking the perspective of understanding the narratives of democracy theorists in order to examine how democratic innovations create a narrative in relation to classical theories of democracy. Useful in unpacking the difference between participatory and deliberative democracy (spoiler alert: it appears to be a question of emphasis and taste largely, when thinking practically about establishing more participatory structures the distinctions are helpful for remaining grounded, but largely irrelevant when dealing with political realities. Helpful for the longer-term vision, less useful for the tactics).

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