

## What is good quality public deliberation?

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### Why measure the quality of public deliberation?

Deliberative democracy emphasizes a process in which political actors listen to each other with openness and respect, provide reasons and justifications for their opinions, and remain open to changing their points of view about public policy problems. Deliberators should be oriented toward mutual understanding, the goal of coming to some level of agreement, and should want to learn the reasons for why they agree or disagree. They must be driven not only by a search for their personal notion of the best policy, but by a search for the reasons that would warrant them and their fellow citizens in believing a policy to be the best. Deliberation is not just an opportunity to learn things others know or what they think, but to more fully articulate a public justification for actions on matters of common concern. That is, deliberators discuss *what we should do as a political community* rather than (or in addition to) *what I want as an individual*.

Theories of deliberative democracy do not prescribe a single method of “doing” deliberation. Given the plethora of deliberative procedures that exist, the uncertainty and debate regarding the best approach,<sup>1</sup> the relative novelty of the use of deliberative procedures in bioethics, and the goal for theory to guide practice, it is vital to evaluate the quality of deliberation. Deliberation tends to change things – opinions, rationales, intensity, attitudes toward opposing views, etc. Unless deliberation has these effects

primarily via mechanisms specified in the normative theories, however, deliberation would, at best, waste resources. If the changes due to deliberation result primarily from dynamics of social power, group conformity, and the like, deliberation could magnify social inequality and pervert its own goals.. Evaluation of deliberation quality might also enable improvements in future events based on lessons learned. If deliberation intends to serve its goals, we must be able to answer questions about the quality of deliberation, whether deliberation actually achieves anything, and in particular, whether the presumed benefits of deliberation do indeed arise.<sup>2</sup>

### Domains of quality

Deliberation has multiple aims, generically, but also specifically with regard to each individual event. Is it therefore possible to talk of universally relevant criteria against which any and all deliberative events can be judged? In this essay, we outline three domains of deliberative quality – structure, processes, and outcomes – and multiple aspects of quality in each domain.<sup>3</sup> Some aspects could fit in more than one domain, and not every aspect of quality in each domain would be relevant or even appropriate to measure for a particular deliberative procedure; selection depends on the goals of the deliberations.

*Structures* – As reviewed by Rowe and Frewer,<sup>1</sup> the two most common criteria in the literature are those of ‘representativeness’ and ‘impact’. The criterion of ‘representativeness’ essentially states that those involved in a deliberative event should in some way represent those affected by the policy issue under consideration. If participants

are not appropriately representative, the result would be open to contention from those who felt their voices had not been sought. Another important aspect of structure includes an assessment of relevant resources, specifically information and time. Information provided to participants should be credible, trustworthy, sufficient (including a sufficient range of policy options), accurate, accessible and independent. Deliberators should have sufficient time to review information, reflect and discuss.

Representativeness can be portrayed simply as demographic characteristics, although in some cases other participant characteristics (e.g., political ideology, religious beliefs, health conditions, life experiences) could be relevant features to report. Credibility, comprehensibility and adequacy of information, as well as perceptions of sufficient time to reflect and discuss, can be measured in post-deliberation surveys.<sup>4</sup>

*Processes* - Deliberative democrats offer a theory of political legitimacy. While deliberation can have instrumental value (as a means to better decisions or policy), theorists also often assign deliberation inherently moral value. They are likely to claim that *high quality* deliberation constitutes a direct indicator of justice. The standard for good or right, “legitimacy,” is a latent concept that a set of procedural and substantive indicators warrants us in claiming as more or less realized. Equality and other procedural criteria serve as (*ceteris paribus*) indicators of legitimacy in the same way that “outcome” measures like citizens’ self-reports of perceived legitimacy do.<sup>5</sup>

Many aspects of deliberative processes can contribute to a judgment of quality. Do

participants listen to one another? What sort of reason-giving occurs? Here, we distinguish persuasion on the merits from mere rhetorical effectiveness. Persuasion on the merits requires that participants communicate with each other through reasons that other participants can challenge, and can accept or reject. Reasoning should reflect relevant factual information, include value-based reasoning, and reflect a societal perspective on the issue (what is best for society, rather than on what is best for individual participants). This notion of acting in one's public role as a citizen is so theoretically central to deliberative democracy that any field or lab study that does not take some account of it can only be indirectly and contingently relevant to testing deliberative theory. How does the discussion proceed? Specifically, do participants ask clarifying questions? Challenge others with counterarguments? Modify their views after listening to the reasoned views of others? How are disagreements reconciled?

Equality of participation, or reasonably balanced participation, constitutes an important aspect of procedural fairness. Do a few participants dominate the discussion, or do all or most participants contribute? Do the sessions encourage compromise positions, or does the majority simply overrule minority voices? Other important aspects of fair procedures include transparency and sincerity (vs., for example, strategic or manipulative reason-giving), tolerance for others' points of view and respectful dialogue.

These aspects of procedural quality can be examined using qualitative analysis of dialogue, for example examining the discussion for language indicating acknowledgement of others' points of view, counter-arguments, and the accuracy of

factual claims.<sup>6</sup> One can also assess the quality of processes by measuring participants' views. One can measure perceptions of fair procedures, perceptions of the sincerity of others' comments, their own willingness to abide by groups' decisions, respect for the opinions of others, and knowledge in a post-deliberation survey.<sup>7</sup> Counting the number and length of comments for all participants can assess equality of participation. To measure the degree to which participants are willing to adopt a societal perspective, one could compare personal preferences with regard to the issue with preferences for social policies.<sup>8</sup>

*Outcomes* - The outcome criterion of 'impact' (or 'influence') essentially refers to some notable and tangible impact from a deliberative event – such as an effect on policy – but outcomes can be intangible and may not be apparent until considerable time has elapsed. One of the most obvious immediate outcomes includes the decision(s) or recommendations reached by individuals and groups deliberating. Other short-term outcomes include effects on participants, for instance change in knowledge and understanding, opinions and attitudes about the policy issue, or greater respect or tolerance for the views of others. Participants (and possibly those aware of deliberative events) may change their views of policy makers or decisions (e.g., trust, legitimacy, satisfaction). Changes in participants' views such as these provide indirect evidence of deliberative quality. Participants might also become more politically activated or develop a stronger sense of political efficacy. Depending on the scope of deliberative procedures, changes in social capital could be realized.

Conveners of deliberative events will nearly always report individual and/or group decisions or recommendations. Measuring knowledge and understanding can be vulnerable to instrument reactivity, so some means of controlling for pre-deliberation measurement is needed to allow comparison to post-deliberation measurement.<sup>9</sup> Political activation, efficacy and social capital can all be measured using a variety of survey scales. Whenever possible, the use of existing, reliable and valid measures is preferred to creating new survey items.

Measuring impact or influence on policy decisions or processes presents a formidable challenge. The timing of policy making can be quite uncertain, and may occur some time distant. In addition, measuring the impact of deliberative events on policy making cannot avoid the potential influence of other events or circumstances. A high quality, successful deliberative event can occur without having any explicit effect on policy. One option, if an assessment of influence is planned, may be to interview policy makers or observe policy makers' discussions about the topic before and then after deliberation, to see if a) any mention of deliberation results occurs, or b) if policy makers' views reflect or change in line with the decisions or recommendations from deliberations.

For measures of deliberation quality in all domains, those using deliberative procedures and conducting research or evaluation should examine differences between subgroups. For example, the adequacy of information, or perceptions of respectful treatment, may differ depending on social status. Some individuals with strongly held views, or particular ideologies, may hold less favorable views of deliberations' results or the credibility of

information. Besides identifying and developing well-validated measures of quality, the key issue of who should conduct an evaluation arises. A party external to the organizers could pre-empt claims of bias from internal participants or external observers.

### Conclusion

Deliberative democracy promises a unique and novel way to address thorny problems in health policy and bioethics. The evaluation of deliberative quality must first be guided by clearly articulated goals for deliberation. Given the variety of deliberative methods and its relative novelty, it will be especially important to develop ways to measure the quality of deliberative events and projects. Organizing the assessment of quality using the broad domains of structures (including, e.g., representativeness, information, time), processes (including, e.g., reason-giving, balanced participation), and outcomes (e.g., changes in participants' opinions and understanding, influence on policy) provides one way of approaching this complex task. In applying such a framework, it is essential keep in mind that although we have presented numerous aspects of quality that could reflect an "ideal" framework, the actual "front lines" work in deliberation is messy and complex.<sup>10</sup> In this regard, it is especially important to ask, when probing the quality of deliberation, "compared to what?" In other words, in evaluating the evidence about whether deliberative procedures achieve their goals, we should ask whether they achieve these better than alternative methods.

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- <sup>1</sup> Rowe, G. and Frewer, L.J. (2005) "A typology of public engagement mechanisms." *Science, Technology, & Human Values*, 30 (2), 251-290
- <sup>2</sup> Neblo M. (2005). "Thinking through Democracy: Between the Theory and Practice of Deliberative Politics." *Acta Politica*. Vol. 40, no. 2: 169-181.
- <sup>3</sup> Goold SD, Damschroder L and Baum NM. (2007) "Deliberative Procedures in Bioethics" In *Empirical Methods for Bioethics: A Primer*, Ed. Jacoby L and Siminoff LA. Elsevier Publishers
- <sup>4</sup> Goold SD, Biddle AK, Klipp G, Hall, C, Danis M. (2005) "Choosing Healthplans All Together" A Deliberative Exercise for Allocating Limited Health Care Resources. *Journal of Health Politics Policy and Law* 30(4):563-601
- <sup>5</sup> Neblo M. (2007) "Family Disputes: Diversity in Defining and Measuring Deliberation." *Swiss Political Science Review* 13(4):527-557.
- <sup>6</sup> Black, LW et al. (2009) "Methods for Analyzing and Measuring Group Deliberation." In *Sourcebook of Political Communication Research: Methods, Measures, and Analytical Techniques*, Routledge Communication Series+, New York: Routledge; and De Vries R, Stanczyk A, Wall IF, Uhlmann RA, Damschroder L, Kim SY. (2010) "Assessing the quality of democratic deliberation: A case study of public deliberation on the ethics of surrogate consent for research." *Social Science and Medicine* 70(12):1896-903
- <sup>7</sup> Goold *et al*, 2005.
- <sup>8</sup> Bächtiger A, Niemeyer S, Neblo M, Steenbergen MR and Steiner J. (2010) "Disentangling Diversity in Deliberative Democracy: Competing Theories, Their Empirical Blind Spots and Complementarities." *Journal of Political Philosophy*. 18,(1):32–63
- <sup>9</sup> For a solution to reactivity, compliance, and selection problems common in deliberative field events, see: Esterling KM, Neblo MA, Lazer DMJ. (2011) "Estimating Treatment Effects in the Presence of Noncompliance and Nonresponse: The Generalized Endogenous Treatment Model" *Political Analysis* (2011) doi: 10.1093/pan/mpr005
- <sup>10</sup> Rowe G, Horlick-Jones T, Walls J, and Pidgeon NF. (2005) Difficulties in evaluating public engagement initiatives: Reflections on an evaluation of the UK "GM Nation?" public debate, *Public Understanding of Science*, 14 (4), 331-352.