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Interpretative Interactions: An Argument for Descriptive Representation in Deliberative Mini-publics

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ABSTRACT

Mini-publics are institutions that invite a small group of citizens to deliberate on a specific political issue. Deliberation scholars find them attractive because they use random sampling techniques to generate representativeness. However, analysts have different interpretations of what exactly mini-publics should represent, and why. In this paper I distinguish between three conceptualizations of descriptive representation in the mini-publics literature. I argue that these conceptualizations do not fully support the interpretative and exploratory aspects of forming considered opinions in the course of deliberations. Instead, they tend to primarily address concerns about the democratic legitimacy of a political institution involving unelected participants. However, I show that mini-publics can be considered legitimate if the notion of legitimacy is detached from elections. I then propose an argument for descriptive representation that better serves the mini-publics' aim of achieving high-quality deliberation.

KEYWORDS

Mini-publics; Representation;
Deliberative democracy

Introduction

The recent deliberative turn in democratic theory has generated great interest in institutional innovations that seek to satisfy the ideals of deliberative democracy (Goodin 2008; Smith 2009). One such innovation that has gained considerable scholarly attention is *deliberative mini-publics*. Mini-publics attract deliberation scholars because they use random sampling techniques to counteract the over-representation of citizens with a high social or economic status and achieve a demographically well-balanced group. Thus, the mini-public is considered to be a deliberative institution that safeguards both deliberation and representativeness (Goodin & Dryzek 2016; Smith 2012).

Although the representativeness of mini-publics is emphasized as a strength, scholars have different ideas about in what way they should be representative, and why. In this paper, I identify three conceptualizations of descriptive representation in the mini-publics literature – the *representation of public opinion approach*, the *representation of social perspectives approach* and the *representation of filtered opinions approach*. I argue that their justifications for descriptive representation downplay the importance

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of the idea that participants in mini-publics should interactively gain an understanding of how they would think and feel if they were in another person's situation. I consider this to be problematic, since the exercise of putting oneself in the place of others, often referred to as *ideal role taking* or *perspective taking*, is key to making considered judgements during deliberation (Benhabib 1992; Dahlberg 2004; Habermas 1990).

Instead of supporting the idea of an interpretative and exploratory deliberative process, current arguments about descriptive representation largely revolve around concerns about the democratic legitimacy of mini-publics. Scholars question the equality, authorization and accountability of a forum comprised of randomly selected (rather than elected) participants who are not required to base their decisions on public opinion. To determine whether the concept of descriptive representation should counter-balance these features, I investigate the meaning of political equality, authorization and accountability when taken out of the context of electoral processes. I explore previous studies on randomly selected political officials and identify context-specific mechanisms that uphold legitimating bonds between participants and non-participants.

After showing that mini-publics do not necessarily suffer from a lack of legitimacy, I then suggest ideal role taking as an alternative, deliberation-specific argument for descriptive representation in mini-publics. More precisely, I argue that the interpretative interactions that ideal role taking prescribes constitute a deliberation-sensitive argument for involving individuals with different experiences and perspectives.

In contrast to previous research, which mainly treats descriptive representation as a guarantor of democratic legitimacy in the sense that it maintains responsiveness to the public as a whole, my argument for descriptive representation centres on enabling inter-subjective knowledge construction – a democratic value that is specific to deliberative democracy. In conclusion, I argue that my deliberation-specific approach to descriptive representation improves current arguments by better resonating with and supporting the ideal deliberative process. In practical terms, the argument helps maintain focus on high-quality deliberation when constructing and evaluating mini-publics.

The Ideal Deliberative Process and the Importance of Role Taking in Deliberation

The central logic of deliberative democracy is that political decisions should be made through public debate rather than by aggregating preferences. While this theory has been interpreted in multiple ways and applied to various problems, I follow Habermas and define deliberative democracy as a form of democracy that seeks to uncover structural injustices, and ensure citizens' emancipation and self-determination (Dryzek 2000; Habermas 1984, 1991, 1996; Hammond 2019; Rostbøll 2008). I compare representation in mini-publics to this exploratory and empowering goal. In doing so, I distance myself from less critical approaches to deliberative democracy, which for example consider the concept to be a theory of communicative responses to disagreement, focused on mediating conflict through the give and take of reasons (e.g. Fung 2012; Warren 2017).

Habermas's theory of deliberative democracy rests on his theory of communicative action. According to Habermas, *strategic action*, by which individuals strive for their private goals, should be replaced with *communicative action*, which involves interactions designed to reach a shared understanding of reasonable goals (Habermas 1984, p. 285–

286). This theory of communicative action in turn rests on his discourse ethics, according to which moral norms cannot be justified in the minds of isolated individuals. They must instead be justified intersubjectively by engaging in real discourse with all those affected.

The type of communication Habermas has in mind requires participants to reciprocally test different validity claims, and to be willing to revise their positions accordingly. This is a well-known part of the deliberative process. Habermas's emphasis on ideal role taking as an underlying condition for these criteria (Chambers 1996; Dahlberg 2004; Habermas 1990; McCarthy 1992) usually receives less attention in the literature on deliberative institutions. The concept of ideal role taking, originally coined by George Herbert Mead (1934), involves participants putting themselves in the position of others in order to find common ground and reach valid conclusions. The existence of such a requirement implies that deliberation demands more than respectful listening, questioning and arguing. The deliberative process is also about being 'hermeneutically open and sensitive to how others understand themselves and the world' (Habermas 2001, p. 34). Thus, deliberation ideally entails an interpretive understanding of the 'other'.

Seyla Benhabib emphasizes the importance of interpretative understandings of the other in the deliberative process. Abandoning Habermas's notion of consensus as a moral test in communicative ethics, Benhabib holds onto and highlights Habermas's idea that participating in the public sphere imposes an obligation to think and reason from the standpoint of others (Benhabib 1992, p. 37–38, chap 4). According to Benhabib, this idea is present across the work of influential public sphere theorists, and can be traced to Immanuel Kant's principle of universalizability (Benhabib 1997, p. 14–15). In her discussion of Habermas's discursive theory of legitimacy in the public sphere, Benhabib draws a strong parallel to Hannah Arendt's political assessment on Kant's aesthetic judgement (Benhabib 1997, p. 5–7).

According to Kant (1987, p. 160), aesthetic judgements (which have subjective grounds, but claim universal validity) require individuals to put themselves in the position of others in order to be able to reflect from a universal standpoint. Doing so represents 'a broadened way of thinking' or 'an enlarged mentality'. Arendt argues that individuals form valid political opinions through a similar process (Arendt 1961, p. 241). According to her, the quality of political judgements is determined by individuals' capacity to imagine how they would feel and think if they were in another person's place. For Arendt, this process is important because, unlike matters of truth, thinking in matters of opinion is discursive, 'running, as it were, from place to place, from one part of the world to another, through all kinds of conflicting views, until it finally ascends from these particularities to some impartial generality' (Arendt 1961, p. 242).

While Habermas advocates ideal role taking to solve the problem of a distorted rationality, Arendt's representative thinking is different: she dismisses the idea of rational proof giving and rational consensus. As Linda Zerilli (2016) has shown, Arendt is interested in affirming human freedom, not adjudicating political claims. Nevertheless, Arendt complements Habermas by offering a more nuanced description of the requirements for political thinking in the public sphere – especially in regard to the requirement of an 'enlarged mentality' (Bernstein 2012, p. 772).¹ A joint consideration of Arendt's and Habermas's ideas on thinking from the standpoint of others highlights two important implications for the notion of representation in deliberative settings.

First, ideal role taking establishes the need for the *presence of diverse perspectives* in the public sphere. Since Habermas and Arendt view political thinking as discursive, they emphasize the importance of interacting with concrete (particular) others in an effort to understand others and the world. Hence, their demand is different from Rawls's idea of individually conducting the thought experiment of putting oneself in the place of others (Rawls 1993), or Goodin's idea of an 'internal-reflective' vs. an 'external-collective' deliberation (Goodin 2003). Arendt and Habermas consider interactions with other people to be necessary to achieve role taking. Distinguishing himself from Rawls (and Mead), Habermas states that practical discourse can 'be viewed as a communicative process *simultaneously* exhorting *all* participants to ideal role taking' (Habermas 1990, p. 198, emphases in original).² Similarly, for Arendt, an enlarged way of thinking:

cannot function in strict isolation or solitude; it needs the presence of others "in whose place" it must think, whose perspectives it must take into consideration, and without whom it never has the opportunity to operate at all (Arendt 1961, p. 220–221).

Thus, both Arendt and Habermas underscore the importance of joint action with relevant others.³

The second implication is that ideal role taking requires *disinterestedness*. According to Arendt,

The very process of opinion formation is determined by those in whose places somebody thinks and uses his own mind, and the only condition for this is disinterestedness, the liberation from one's own private interests (Arendt 1961, p. 241).

Similarly, ideal role taking for Habermas is a state of moral judgement motivated by autonomy in which the egocentric perspective (motivated by reward and punishment) and the group perspective (motivated by duty or inclination) have been overcome (Habermas 1990, p. 166–167). Thus, according to Habermas, common interpretative efforts require 'decentration' of an egocentric understanding of the world:

The more the worldview that furnishes the cultural stock of knowledge is decentered, the less the need for understanding is covered *in advance* by an interpreted lifeworld immune from critique, and the more the need has to be met by the interpretative accomplishments of the participants themselves (Habermas 1984, p. 70, emphasis in original).

The requirement of disinterestedness is demanding. It calls for participants to distance themselves from their own interests in order to interpret the perspectives of others. For the deliberative concept of representation, the requirement to achieve such a distance means that participants should be free of expectations to act based on specific interests. Participants may of course express and identify with specific interests, but must not advocate on behalf of particular interests, since this would shrink the possibility of distancing themselves from their initial standpoints, and allow different 'others' to influence their future direction (Hendriks 2011, p. 4). In other words, the expectation to act on behalf of others assumes that participants serve as the agents of non-participants, which in turn implies that participants must consider each other as objects for their own missions, rather than fellow subjects with whom they can learn and reason about the world. The next section explores how approaches to representation in the mini-public literature relate to these requirements of the deliberative process.

Representation in Mini-publics

There is no universally agreed-upon definition of mini-publics. I follow Graham Smith (2009) and define them as institutions characterized by random or stratified random sampling, independent facilitation, honoraria for participating citizens, information from and cross-examination of experts, and deliberation among citizens in small groups and plenary sessions. Mini-publics usually last a few days and aim to align political decision-making with citizens' considered views. Examples include citizens' assemblies and citizens' juries.

Mini-publics have attracted the attention of deliberation scholars because of their use of random sampling techniques, which help limit the over-representation of individuals with relatively high social or economic status, i.e. the 'usual suspects' of political participation (Smith 2012, p. 94). Hence, random sampling makes mini-publics *descriptively* representative: the participants are representative of the population because they *resemble* them in terms of factors such as age, sex, occupation, and ethnicity. This resemblance is assumed to help accurately represent the overall population's opinions and interests (Mansbridge 1999, p. 629; Phillips 1995, p. 41–45). However, rather than evaluating whether participants act on behalf of certain interests, the descriptive view of representation only assesses representatives according to how accurately they resemble the population (Pitkin 1967, chap. 4). Deliberative democrats prefer this approach to assessment since participants in a deliberation are expected to be concerned not only with their own interests but to listen to and take account of the interests of others insofar as these promote the common good.⁴

Although there is wide agreement on the advantage of mini-publics in terms of representation, and on the adequacy of their descriptive representation, there are different explanations for why these institutions should be descriptively representative. I analyse three well-established approaches to descriptive representation in order to better understand prevailing ideas about representation in mini-publics, and the extent to which they promote the normative idea of deliberative democracy described above.

First, John Parkinson notes that identities and descriptive characteristics matter in mini-publics. He assumes that the descriptiveness of a deliberative mini-public could improve participants' sensitivity to the interests of those affected (Parkinson 2006, p. 75). I interpret this reasoning to be in line with the above explained view of descriptive representation, according to which descriptive characteristics should be represented because they improve the representation of relevant opinions and interests (Phillips 1995). However, Parkinson has a unique interpretation of descriptive representation: he identifies a problem that he believes to be peculiar to deliberative democratic ideals – descriptive representation in light of opinion transformation. For Parkinson, the descriptive element of mini-publics is lost the moment a group's opinions start to depart from the distribution found in the general population. He believes that 'deliberation destroys the representativeness of descriptive representatives' since participants who change their opinions during deliberation 'cease to be representative in a descriptive sense on anything other than physical characteristics' (Parkinson 2006, p. 81). Hence, he seems to assume that a mini-public's descriptive representation dissolves if the public's opinions are not proportionally represented post-deliberation. I therefore call his view of descriptive representation the *representation of public opinion approach*.

In a second approach, scholars are more optimistic about the combination of descriptive representation and deliberation. Inspired by Iris Marion Young (2000), supporters of this approach advocate descriptive representation in mini-publics since this increases the diversity of *social perspectives*, which they argue are less determinate and less tied to concrete political goals than interests and opinions. I therefore call it the *representation of social perspectives approach*, according to which experiences of (and views on) social reality often correlate with demographic categories (Brown 2006, p. 219). It is important for participants in mini-publics to draw on a wide range of experiences and perspectives in their search for the most reliable and accurate decisions (Smith 2009, p. 83; Smith 2003, p. 91–92). At the same time, scholars safeguard the possibility of opinion transformation, and are careful not to frame participants as agents of certain interests. Graham Smith argues that the preliminary task of mini-publics should be understood in terms of deliberation rather than representation, since ‘an emphasis on representation may undermine the ideal of active citizenship and the emergence of democratic deliberation’ (Smith 2003, p. 91). Similarly, Mark Brown states that the assumption that interests are connected to particular social categories is discordant with the ideal deliberative process of informing and transforming opinions (Brown 2006, p. 218). He argues that because social perspectives are less determinate than interests, the representation of social perspectives gives people greater freedom to imagine and adjust their perspectives during deliberations (Brown 2006, p. 219).

The third approach, elaborated and advocated by James Fishkin, promotes statistical descriptive representation. He argues that random sampling creates a numerically proportional representation of demographics and viewpoints – a ‘microcosm’ of the entire population. According to Fishkin, this microcosm ensures that the result of the deliberation (in his case related to the Deliberative Poll) represents what the public would think ‘under comparably good conditions’ (Fishkin 2009, p. 98). In other words, a microcosm represents what public opinion would be if the whole population deliberated. I call this the *representation of filtered opinions approach*. In contrast to the two previous approaches, this approach extends the representative merit of descriptive characteristics and initial viewpoints to the post-deliberative opinions of the participants in a mini-public.⁵

These three approaches highlight different arguments for the ‘why’ of descriptive representation. The representation of public opinion approach uses descriptive representation to *counteract* potential gaps between the opinions in mini-publics and the opinions in the population throughout the deliberation. Descriptive representation is considered desirable since it safeguards the voice of the many against the voice of the few (Parkinson 2006, p. 75). However, it is perceived to have a limited applicability since the mini-public does not represent the many if it ceases to mirror the distribution of opinions in the population post-deliberation (Parkinson 2006, p. 81). In contrast, the representation of filtered opinions approach treats descriptive representation as a way to *justify* possible gaps between the filtered opinions in the mini-public and raw public opinion. These gaps are argued to provide insights about the maxi-public, since the diverse viewpoints that emerge through random sampling are expected to, via the deliberative filter, ‘provide a counterfactual picture of public opinion as it would be, were it refined and enlarged’ (Fishkin 2009, p. 18).

The representation of social perspectives approach is also permissive in regards to opinion change in the mini-public. However, its advocates do not claim that descriptive representation in the mini-public creates a counterfactual deliberation of the maxi-public. As mentioned above, they stress the epistemic advantage of descriptive representation, arguing that it gives participants a wide range of experiences and perspectives to reflect upon. Proponents of this approach are particularly concerned about increasing the likelihood that the decisions reached by the mini-public respond to the concerns of politically marginalized groups (Smith 2009, p. 21), and they note that an issue first raised by a minority may later become important to the broader public (James 2008, p. 107–108). Some also claim that descriptive representation has the potential to generate perceived legitimacy, i.e. to convince non-participants that their perspectives have been publicly articulated (Brown 2006, p. 220; James 2008, p. 107).⁶

Although they are different, none of the arguments for descriptive representation in mini-publics is clearly anchored in the interpretative and exploratory ideal of role taking, which constitutes the basis of the deliberative process of forming considered opinion. They largely revolve around counteracting or justifying opinion gaps between participants and non-participants, which could arise due to the fact that mini-publics consist of a limited number of unelected citizens. The above analysis shows that some scholars adjust their concept of representation to allow for role taking and opinion change. However, their explanations of *why* individuals with different experiences and perspectives should be present do not highlight this presence as a prerequisite for a communicative process in which differently situated participants engage in ideal role taking through direct interactions. This interactionist merit of descriptive representation, which enables an intersubjective reconstruction of knowledge and emancipatory self-determination, is not invoked. Since such an argument for representation, which I will elaborate on later, focuses on the deliberative process *within* a mini-public, I will first examine the extent to which the concept of descriptive representation in mini-publics needs to balance the fact that these institutions consist of only a small number of unelected citizens. In other words, I will investigate whether the random selection of participants, and the possibility that they distance themselves from public opinion, threatens the democratic legitimacy of mini-publics.

The Alleged Lack of Legitimacy

While the legitimacy of aggregative democracy stems from individuals' right to elect and re-elect representatives according to their will, deliberative theorists consider the process of will-formation to be the source of democratic legitimacy. They assert that a legitimate decision is one that results from deliberation by all those subject to the decision. For example, Bernard Manin (1987, p. 352) argues that 'as political decisions are characteristically imposed on all, it seems reasonable to seek, as an essential condition for legitimacy, the deliberation of all or, more precisely, the right of all to participate in deliberation'. Further, according to Joshua Cohen (1989, p. 22), 'outcomes are democratically legitimate if and only if they could be the object of a free and reasoned agreement among equals'. Similarly, Seyla Benhabib (1996, p. 68) states that 'legitimacy in complex democratic societies must be thought to result from the free and unconstrained deliberation of all about matters of common concern'. The recurring message is that in order to

attain legitimacy with regard to collective decision-making, citizens cannot be left to choose between options determined by a political elite. Instead, they should have the chance to influence political outcomes by engaging with each other in reasoned deliberation.⁷

Formal deliberative institutions do not typically invite all citizens to deliberate. Since their size is limited, and the systematic exclusion of certain groups has to be avoided, they instead offer an *equal probability* to participate by applying random sampling. This method of selection has been strongly criticized. According to Parkinson, random sampling in mini-publics severs the legitimating bonds of accountability and authorization between the participants and the population at large. He argues that this is more problematic in a deliberative setting, where participants are allowed to change their opinions (Parkinson 2003, p. 188; Parkinson 2006, p. 31, 81). He further claims that only elections can secure representation in deliberative forums. Without elections, the mini-public can only aim to gather information (Parkinson 2006, p. 34). Similarly, Cristina Lafont states that because participants in mini-publics are not elected, and filtered opinions might not mirror those of the broader population, the use of mini-publics that directly feed into the decision-making process is incompatible with the criterion of legitimacy (Lafont 2015, p. 49–52).

I next investigate whether the absence of elections to select members of mini-publics severs the legitimating bonds between the participants and the population at large. I do so by examining three aspects of democratic legitimacy that previous studies have claimed cannot be accounted for in deliberative mini-publics – authorization, equality and accountability. My intention is not to investigate whether mini-publics can secure legitimacy in the same way as elections, but to explore whether and how authorization, equality and accountability can be upheld if democratic deliberation is considered the most important source of political legitimacy. Thus, I will treat deliberation among free and equal citizens as the central institutional principle of mini-publics (cf. Landemore 2017). This exercise is important because it forces me to answer an important question – whether the concept of descriptive representation should make up for the lack of elections to deliberative mini-publics.

Authorization

Since participants in mini-publics are selected by lot rather than elected by other citizens, some have argued that they are not authorized by anyone (Lafont 2015; Parkinson 2006). In other words, selection by lot does not allow the maxi-public to approve those appointed to mini-publics. Indeed, lottery does not involve a recurring procedure through which citizens give their consent to be governed by particular representatives. However, the literature on sortition (the selection of political officials by drawing lots) offers alternative ways to think about authorization.

There are at least three suggestions for how to achieve authorization when representatives are selected by lot. First, the drawing of lots can be stipulated in the constitution: those selected by lot would thus be authorized via *a priori* consent (Delannoi et al. 2013; Landemore 2011). Second, authorization could be built on ‘virtual representation’, which does not require an electoral process, but allows representatives to speak for a larger group as long as their interests and desires are shared by those who do not participate

(Landemore 2011). Third, and similarly, according to the notion of ‘consent by proxy’, consent could derive from the assumption that an accurate random sampling process generates representatives who share the interests of the people (Sutherland 2011). The idea here, extracted from Fishkin’s *representation of filtered opinions approach*, is that citizens would approve of those selected by lot since ‘people like them’ would be proportionally present.

Yet these suggestions are not a valid substitute for the consent given at the ballot box. They only constitute indirect or tacit consent. Thus, if we prefer mini-publics to be made up of ‘ordinary citizens’, rather than elected representatives, the role of direct and explicit consent must be abandoned. However, the absence of consent is not irreconcilable with democratic authorization and democratic legitimacy. As just shown, there are other ways of conceptualizing authorization. There is an additional option to use measures that could indicate approval. For example, Warren treats the level of trust expressed by citizens as an indicator of authorization. In his analysis of authorization in the British Columbia Citizens’ Assembly (CA), he notes that ‘most citizens viewed the CA and its members as “ordinary citizens” who had the public interest in view in their deliberations and decision-making’ (Warren 2013, p. 278). In addition to securing *a priori* consent through a constitutional procedure and/or referring to ‘consent by proxy’, such indicators seem to be a suitable way to monitor and secure public approval of mini-publics.

Equality

Since all citizens cannot participate in a mini-public – not even all those who would like to – scholars have doubted whether they meet the requirement to provide an equal opportunity to influence political decisions. The equal *probability* of participating that random sampling offers has been described as a different, weaker, principle of political equality (Brown 2006, p. 212–213; Leydet 2016, p. 4; Smith 2003, p. 91). However, as Peter Stone has noted, the limited availability of positions does not endanger an individual’s equal opportunity to influence political decisions (Stone 2016, p. 345). In fact, the lottery procedure has historically been closely associated with the equal exercise of power. According to Bernard Manin, the democratic capacities of the lottery approach to filling political offices have been overlooked due to the prevailing discourse at the time representative government arose:

By the time representative government arose, the kind of political equality that was at center stage was the equal right to consent to power, and not – or much less – an equal chance to hold office (Manin 1997, p. 92).

Thus Manin suggests that the right to vote and the equal chance of holding office both imply an equal opportunity to influence political decision-making. This notion is supported by Peter Stone, who states that the position of a voter and the position of a decision-maker drawn by lot both ‘reflect a commitment to the same strong form of democratic equality’ – the equality of claims (Stone 2016, p. 350). The former is about the equality of claims to be a voter, while the latter relates to the equality of claims to be a decision-maker. However, while elections are held under the assumption that certain citizens have stronger claims to political office than others, the lot erases the division of labour between elected officials and ordinary people (Stone 2016, p. 346–348). As

deliberative theory emphasizes ordinary citizens' participatory capacities, an equal chance of holding office is appealing. In this light, the selection of mini-publics by lottery is a source of legitimacy, rather than a threat to it.

Even if random sampling to mini-publics is believed to maintain an equal chance to political office, it could be argued that deferring to the filtered (considered) opinions of a few means that citizens are dominated by their 'better selves'. The problem then is not that few citizens participate, but that few citizens *deliberate*. Christina Lafont argues that granting influence to such deliberation is in line with elite models of democracy, which ask citizens to blindly defer to the deliberations of a few (Lafont 2015, p. 48). She asserts that micro-deliberation turns some citizens into political experts, and that it is not democratically legitimate for experts to rule the people (Lafont 2015, p. 50). From this perspective, it seems that mini-publics reproduce the elitism they intend to overcome. However, the assumption of expert rule equates mini-publics with processes where ordinary citizens are considered incapable of deliberating. The filtered opinions of mini-publics might not mirror the opinions of the maxi-public, but participants of mini-public are nevertheless 'ordinary citizens'. They might become more informed than the average citizen, but they have no particular education or social background. Their power does not rest on an uneven distribution of resources or structural processes of privilege. Further, unlike typical experts or elites, participants of mini-publics have a temporary mandate – they rule and are ruled in turn (Thompson 2013, p. 36). In other words, mini-publics uphold the principle of rotation, which impedes the creation of a separate class of rulers (Landemore 2017, p. 59).

The problem of elitism ascribed to mini-publics does not end with the assumption of expert rule. It is also sometimes assumed that elitism simply arises because mini-publics generate non-participants. According to Lafont, bypassing deliberation in the broad public sphere means that the citizenry at large is denied insight into the acceptability of the reasons brought about in the deliberative decision-making (Lafont 2015, p. 54). She asserts that this is incompatible with the criterion of legitimacy endorsed by deliberative democrats (Lafont 2015, p. 53). Similarly, Simone Chambers (2009, p. 344) argues that mini-publics risk sending deliberative democracy on a path toward participatory elitism. The underlying assumption seems to be that theories of deliberative democracy require mass deliberation. While Lafont traces this requirement to the all-affected principle in deliberative democratic theory (Lafont 2015, p. 45–47; see also Dryzek 2010, p. 23), Chambers refers to the fact that mini-publics exist in a broader institutional context and are dependent on the deliberative quality of mass democracy (Chambers 2009, p. 331). The latter concern could be addressed by an integrative approach that celebrates a multiplicity of connected deliberative venues (Hendriks 2006). However, Lafont's claim is more discouraging. She makes a literal interpretation of the all-affected principle, requiring mass participation at every deliberative occasion. Such a view undoubtedly renders mini-publics that directly feed into the decision-making process illegitimate. However, to my understanding, the all-affected principle, which is central to the deliberative democratic concept of democratic legitimacy, does not guard against all forms of micro-deliberation. The principle rather aims to realise inclusiveness (Smith 2009, p. 20–21) and seeks to establish the widest possible terms of entry into deliberative arenas (cf. Knight & Johnson 1997, p. 280–287). It prescribes equal opportunity to access deliberations for those affected, but does not condition this equality on mass participation.

Finally, and in addition to the above-mentioned concerns about elitism and inequality, it could be argued that conferring a decisive role to mini-publics is problematic because the opinions of participants in mini-publics might not mirror the opinions of the *majority*. However, although democracy and political equality is commonly associated with majority rule, they do not conceptually require majority rule (Saunders 2010). Democracy requires that decisions are responsive to the wishes of the people, deliberative democracy adds the requirement of public deliberation in the decision-making process, and equality requires an equal chance to influence decisions. Mini-publics that randomly select their participants meet all of these requirements.

Accountability

Some have argued that participants in mini-publics suffer from a lack of accountability since they are not directed by other citizens, and cannot be dismissed (Lafont 2015; Parkinson 2006). The absence of elections implies that there are no obvious groups to act on behalf of, and no way to sanction participants who are morally corrupt and/or disconnected from the people.

This lack of sanctions seems troublesome at first glance. However, as Jane Mansbridge has observed, understanding accountability as simply involving monitoring and sanctioning assumes that representatives act in order to secure their re-election, and that voters and representatives have conflicting goals (Mansbridge 2009, p. 369). These assumptions are less valid in mini-publics, where participants do not belong to a political elite, and will not be subjected to re-election.

An alternative to the notion of accountability as comprising sanctions is the idea that it involves explaining or giving an account – what Mansbridge calls ‘deliberative accountability’ (Mansbridge 2009). She assumes that citizens select representatives who have aligned objectives, and that these representatives are at least partly self-motivated. In deliberative accountability then, ‘principal and agent both ask questions and give answers, exploring whether or not they remain mutually aligned and whether the grounds of their alignment might have changed’ (Mansbridge 2009, p. 384).

The idea of accountability as constituting acts of exploring and explaining is popular in the deliberation literature. However, instead of being based on relationships between representatives and constituents, accountability is assumed to be embedded in reason giving that addresses the people as a whole (Gutmann & Thompson 1996, p. 129). Thus, instead of being held accountable for interest and value representations, accountability in a deliberative forum entails holding participants accountable by justifying their actions to each other. In fact, individual constituent accountability has been argued to undermine deliberative (discursive) accountability by discouraging creative and autonomous commitment to the public good (Mansbridge 2004; Warren 2013). Constituency-based accountability has also been claimed to trade-off against ‘public accountability’: the capacity of institutions to serve as a forum for public argumentation and justification (Warren 2013, p. 282).⁸

While participants of mini-publics have no accountability to individual constituents, they are still accountable to the public. They have the task of making decisions that can be justified to those bound or significantly affected by their decisions.⁹ They pursue this goal by scrutinising each other’s arguments and reasons. However, since their own

experiences and views might not be sufficiently informative, mini-publics are usually designed to expose the participants to salient discourses and public opinion (Escobar & Elstub 2017, p. 9). For example, Warren notes that the CA in British Columbia ‘provided necessary material and opportunity for discerning the public interest’ and ‘sought several forms of public input, including public hearings and Internet submissions’ (Warren 2013, p. 287).

Another strategy for strengthening ties between the mini-public and the broader population is to shift the focus from accountability to the associated principle of publicity. Past studies have argued that mini-publics should communicate their decisions to the general public to encourage participants to arrive at public-spirited judgements, and to make it possible for the public to judge the actions of the participants (Chambers 2004; Setälä 2017; Smith 2009). Alongside the requirement of ‘deliberative accountability’, such communication seems fruitful to ensure that participants in mini-publics act to secure the common good.

A Deliberation-specific Argument

As shown in the previous section, the absence of elections and mass participation does not necessarily undermine the democratic legitimacy of mini-publics. Nor does the fact that participants in mini-publics might distance themselves from public opinion. This does not mean that elections – or the deliberation of the broad public through different media such as TV, newspapers, and the Internet – should be abandoned. Nor does it mean that mini-publics should have a say in all issues, or exercise power at every stage of a decision-making process. It simply means that democratic decisions can be made even without elections and mass participation. And that mini-publics do not have to be ascribed the same kind of limited advisory power as technical specialists and public servants.

Since mini-publics can be democratically legitimate without elections and mass participation, the argument for descriptive representation need not aim to uphold the ties between participants and the wider population. It could instead focus on promoting the deliberative process of forming considered opinions, i.e. the criterion for democratic legitimacy that is specific to deliberative democratic theory. How, then, should a deliberation-specific argument for descriptive representation be formulated? As discussed above, the deliberative process and its call for ideal role taking suggest two main guidelines on how to conceptualize representation in deliberative settings. First, ideal role taking requires interactions between participants with different experiences and perspectives. Second, it requires participants to distance themselves from their own views and perspectives in order to interpret and take into account those of others.

In contrast to the representation of public opinion approach (which asserts that descriptive representation protects the interests of the people), the representation of filtered opinions approach (which advocates descriptive representation to achieve the counterfactual deliberation of the entire population), and the representation of social perspectives approach (which emphasizes descriptive representation as a means to increase the epistemic quality of decisions and/or perceived legitimacy among non-participants), I suggest drawing attention to the fact that descriptive representation creates an opportunity for people with different experiences and perspectives to *interact*. Such

encounters are important, as they lay the foundation for role taking and the exploratory interpretation of concrete others. In other words, if deliberation is assumed to involve putting oneself in the place of concrete others (Habermas 1990, p. 198) and the intersubjective construction of knowledge (Habermas 1984), it requires the presence and joint actions of individuals with different experiences and perspectives. Thus, descriptive representation in mini-publics is desirable because it enables the kind of interpretative interactions that deliberative theory requires.

Rather than promoting descriptive representation in mini-publics as a way to challenge elite interests, create proxy deliberations, generate well-informed decisions, or enhance the public's perception of being included, the argument for descriptive representation as a means of enabling interpretative interactions supports the norms that distinguish deliberative democracy from other forms of democracy – norms that uphold an intersubjective and discursive process of identifying political problems, priorities, and solutions. The argument thereby strengthens the focus on the possibility of new discoveries (relative to current standpoints), the uncovering of structural injustices, and an emancipatory type of self-determination.

As an alternative to advocating descriptive representation, it could be argued that participants with different perspectives can be assembled to interact on the basis of their assumptions and way of thinking about issues. Dryzek and Niemeyer (2008) have proposed identifying the array of relevant discourses on an issue, and then selecting representatives from each discourse. These representatives would be allowed to change their mind, but would need to justify such changes in terms set by the discourse they represent. However, as highlighted in previous research (Brown 2006; Smith 2009), the representation of ideas risks obstructing ideal role taking and opinion change in deliberations. This is because, rather than learning and reasoning together with different others, participants who represent certain ideas have to be mindful of how their actions are received by those who share those ideas. A reference to the requirement of disinterestedness for ideal role taking could clarify this discordance between deliberation and substantive representation. As previously discussed, disinterestedness, i.e. temporarily liberating oneself from one's own viewpoints, is a prerequisite for interpreting others' views and opinions during deliberations. This requirement highlights the extensive type of openness that deliberation ideally contains, and makes it clear that the type of diversity that arises from descriptive representations is best suited to achieve it. In other words, the requirement of disinterestedness clearly signals that the possibility that participants will reconsider their previously held opinions during the deliberative process is not merely about a willingness to be persuaded by better arguments. It primarily entails an active and forward-looking search for information.¹⁰

How, then, should participants with different descriptive characteristics – and perspectives and experiences – be assembled? Selection mechanisms and random sampling play a role. As James Fishkin has argued, randomly sampling ordinary citizens offers a way to represent the diversity of viewpoints within the population (Fishkin 2009, p. 37). A common objection to this method of selection is that it favours numerically strong social perspectives, rather than including a wide range of social perspectives (Brown 2006, p. 220). However, random sampling has the advantage that organizers do not need to create descriptive links between representatives and participants, which is helpful given the difficulty of predicting relevant descriptive characteristics

(Landemore 2013).¹¹ In addition, and as discussed in the previous section, random sampling upholds political equality in a context in which elections and the ‘one person one vote’ principle do not apply. It makes mini-publics egalitarian by offering everyone an equal chance of being selected to participate.

A comment on the institutional conditions to support ideal role taking is also in order. As Graham Smith (2009, p. 25) has argued, institutions cannot be designed to *ensure* that citizen achieve enlarged mentality and considered judgement. They can only *support* such a development. An enabling condition likely to support ideal role taking in mini-publics is the explicit activation of storytelling. Previous research has both theorized and empirically observed storytelling as an important tool for prompting participants to imagine themselves in the place of others (Black 2008; Muradova 2020; Young 2000). Further, a clearly communicated division of labour between experts and participants – i.e. a message that highlights the limits of factual knowledge and the necessity of interpersonal deliberation in forming political opinions – should be important for role taking. Such a message is likely to encourage ideal role taking by creating an environment in which participants feel comfortable and eager to take each other’s arguments and stories seriously. Previous research has shown that attitude change in mini-publics is modest in the ‘discussion phase’ relative to the ‘briefing phase’ (Goodin & Niemeyer 2003). If institutional measures to support ideal role taking and enlarged mentality prove to be successful,¹² we may find that that low attitude change in the ‘discussion phase’ of a mini-public is a consequence of institutional design rather than evidence that deliberative democrats have wrong expectations of deliberation.

Conclusion

This paper makes two important contributions to previous research on representation in deliberative mini-publics. First, I have argued that prevailing arguments for descriptive representation in mini-publics are largely guided by concerns about the democratic legitimacy of an institution in which participants are not elected. I have asserted that such arguments lose sight of the deliberative process and its demand for ideal role taking, which highlights the interpretative, exploratory, and emancipatory aspects of deliberative democratic theory.

Second, I have suggested that ideal role taking, and its requirement of interpretative interactions, should constitute the core of the argument for descriptive representation in deliberative mini-publics, which would be: descriptive representation is important in mini-publics since it secures the presence and interaction of people with different experiences and perspectives. Such encounters lay the foundation for interpreting how concrete others understand themselves and the world, which is key to forming considered opinions in deliberation. In contrast to other forms of representation, descriptive representation has the capacity to enable encounters between differently situated participants without discouraging them from being disinterested, which is an additional prerequisite for interpreting others in deliberation.

This deliberation-specific argument for descriptive representation is a viable alternative if the idea of democratic legitimacy is detached from elections. At a time when deliberative mini-publics are criticized for lacking legitimacy, I believe this conclusion strengthens their appeal. Future research should continue to explore the unique logic

of deliberative democratic theory when reflecting on the functions of deliberative institutions.

Notes

1. Graham Smith (2009, p. 24) has argued that Arendt's 'enlarged mentality' offers one of the most compelling accounts of considered judgement.
2. See also Chambers (1996, p. 101) and Benhabib (1992, p. 140) on the requirement to think from the standpoint of concrete others in the discourse model of ethics.
3. However, Arendt allows for 'anticipated communication' with others, which does not require actual interaction with them, but involves an active engagement with their ideas (Arendt 1961, p. 220).
4. However, see Mansbridge (2010) for arguments about incorporating self-interest into deliberative ideals, and Dryzek and Niemeyer (2008) who advocate the representation of discourses.
5. Fishkin gives social science the task to assess whether the filtered opinions in the microcosm is generalizable to the larger population (Fishkin 2009, p. 98).
6. Brown (2006, p. 220) also argues that non-participants who identify with the value of diversity might feel represented by the panel as a whole.
7. John Dryzek (2010, p. 23) has argued that Benhabib's definition of legitimacy differs from that of Manin's and Cohen's in the sense that Benhabib requires the deliberation *of all* (interpreted as each individual subject to a decision), while Manin and Cohen settle for the equal right or opportunity to deliberate. However, Benhabib does not distinguish herself from the others in this way. In a footnote she asserts that her formulation is 'wholly akin to that proposed by Cohen' (Benhabib 1996, p. 88).
8. Warren (2013, p. 283) categorizes discursive accountability as a deliberative form of 'input legitimacy' and public accountability as a deliberative form of 'output legitimacy'.
9. This may include citizens in other nations, citizens yet to be born, and non-humans (Eckersley 2000; Gutmann & Thompson 1996; Skirbekk 1997).
10. The reference to disinterestedness also prevents conflating ideal role taking in deliberations with related concepts such as empathy or the awareness that people have different views.
11. However, see Gül (2019) for the suggestion to view representation in mini-publics as representative claim making on behalf of the organizers.
12. An important factor for success is to minimize psychological barriers to achieving enlarged mentality and considered judgement. The tendency to evaluate incoming information to support preconception is an example of such a barrier (e.g. Lodge & Taber 2000).

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