



DELIBERATIVE DEMOCRACY AS A SOLUTION FOR CONTEMPORARY DEMOCRATIC CHALLENGES: A CRITICAL EVALUATION OF JAMES FISHKIN'S APPROACH

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Abstract

Man is a political being who resides within the boundaries of a sovereign state. Individuals consistently seek a governing framework that is more convenient and aligns better with their lifestyle. Consequently, numerous states and governments have embraced and implemented a variety of political ideologies and systems, including monarchy, socialism, communism, democracy and others. Democracy stands out as one of the most preferred and practised forms of government due to its foundation on being a government that represents the people. Nevertheless, democracy is not devoid of shortcomings and constraints like absence of inclusiveness and lack of informed deliberation. Therefore to solve these problems, there is the need to embrace James Fishkin's theory of deliberative democracy. James Fishkin defines deliberative democracy as "efforts, in both theory and practice, to reconcile the value of deliberation with other core democratic principles, such as political equality and the avoidance of the tyranny of the majority". The aim of this essay is to conduct a critical evaluation of James Fishkin's concept of deliberative democracy as a solution for contemporary democracy by harmonizing the significance of deliberation with essential democratic principles. The analytical method of research was be implored. This paper asserts that increased deliberation and inclusiveness has the potential to enhance the quality of our democracy by emphasizing its primary features and elements, thereby advocating for it as the most optimal form of democratic practice.

Keywords: Deliberation, Democracy, Government, Inclusiveness, State, System, Thoughtfulness.

Introduction

Man, existing within society, must coordinate and manage his interactions with others. In order to coexist peacefully, individuals establish a system of governance to regulate all aspects of life, resulting in a social contract between ruler and subjects. This contractual arrangement leads to the formation of a governmental structure that governs the populace within a state. Aristotle asserts that humans are inherently political beings, inherently involved in matters of governance (Aristotle. Trans by H. Rackham, 1944). This inclination prompts individuals to come together to

create a cooperative society in pursuit of mutual benefits. Furthermore, the necessity for a leader to oversee communal issues arose to solidify this collective existence. Government functions as an institution responsible for managing the affairs of the society. Democracy is one of the various government systems that have been adopted by mankind and has gained popularity among states. It has evolved from its crude form of direct democracy to representative democracy and liberal democracy, as exemplified by the some Scandinavian and European countries. However, there appears to be a disconnection between the government and the governed in all these forms of democracy. This gap arises from the failure to engage in consultations with the governed through deliberations to ascertain their needs at any given moment. In African political context, particularly in Nigeria, a significant portion of the population is disengaged from government affairs, partly due to this factor. There is a noticeable disconnect between the people and the government within a democratic system, resulting from insufficient deliberations prior to decisions being made by elected officials and the citizenry who empowered them through their votes. Political philosophy asserts that internal sovereignty is vested in the hands and will of the citizens, resulting in the government having an obligation towards its citizenry (Azelama, 2016, 145). In Nigeria, representative democracy has yet to adequately address grassroots deliberations with citizens regarding state issues before they are discussed in the legislative body. Consequently, when a communication gap exists between the government and its citizens due to insufficient deliberation, the efficacy of the state is compromised. It is against this backdrop that our research is framed to underscore the importance of deliberative democracy. This paper aims to advocate for engaging with the electorate who initially empowered the government in a democratically elected system, and who hold the true sovereignty.

The Concept “Democracy”

The term “democracy” has been in use in the tradition of western political thought since ancient times. It is derived from the Greek root ‘demos’ which means ‘the people’; ‘kratia’ stands for ‘the rule’ or ‘government’. Thus, literally, democracy signifies “the rule of the people”. Abraham Lincoln’s definition of democracy is very close to its literal meaning. It reads: “democracy is the government of the people, by the people and for the people”. In short, democracy as a form of government implies that the ultimate authority of government is vested in the common people so that public policy is made to conform to the will of the people and to serve the interests of the people (Gaubu, 2007, 421).

Furthermore, from the etymological stand point, democracy means the rule of the people. It denotes the system of government in which people preside or determine the way of their governance as opposed to any form of arbitrary rule. According to Pericles:

“Our constitution is called democracy because power is in the hands not of minority but of the whole people. When it is a question of settling private disputes everyone is equal before the law, when it is a question of putting one person before another in position of public responsibility, what counts is not membership of a particular class but the actual ability which a man possesses. No one, so long as he has it in him to be of service to the state, is kept in political obscurity, we are free and tolerant in our private lives but in public affairs we keep to the law, this is because it commands our deep respect” (Thucydides translated by Rex Warner, 1963, 3-4).

Edward Craig asserts that democracy means rule by the people. It is a form of decision making or government whose meaning is quite precise by contrast with rival forms such as dictatorship,

oligarchy or monarchy. In these rival forms a single person or a select group rules. With democracy this is not so. The people themselves rule and they rule themselves. The same body is both ruler and ruled (Craig, 1998, 867). The classical concept of democracy was articulated by some of the modern thinkers, particularly of England, such as James Bryce and A.V Dicey. We shall therefore discuss their view in a summary.

According to Dicey, it would be unwise in a democracy to enforce laws not approved by the people. He attempted to demonstrate elaborately the relation of legislation to the prevailing public opinion. However, he also pointed out that particular laws are the product of a particular historical setting. Since public opinions under democracy are not a uniform phenomenon, it has not produced uniform laws (Gaub, 2007, 422). James Bryce is one of the greatest champions of democracy and its most sympathetic critic. In his two monumental works, the *American Commonwealth* (1893) and *Modern Democracies* (1921) he chiefly treated democracy as a form of government. He defined democracy as 'the rule of the people expressing their sovereign will through the votes'. Ultimately he reduced it to 'the rule of the majority'. Bryce has enumerated six outstanding evils of the existing form of democracy.

- i. the power of money interests to pervert administration or legislation;
- ii. the tendency to allow politics to become a trade, entered for gain and not for service;
- iii. extravagance;
- iv. the failure to evaluate properly the skilled man, and to abuse the doctrine of equality;
- v. party politics, and
- vi. the tendency of politicians to pay for votes.

Bryce asserts that the major problems of democracy include self-interest and irresponsibility of power. Democracy has two powerful weapons to fight these evils; law and opinion.

The term "democracy" is used to describe a system of government in which the powers of government are divided amongst different institutions such that some institutions are responsible for making laws, while others are responsible for executing the laws and yet a third institution may be responsible for mediating or adjudicating in disputes between different individual or groups who violate the laws of the land.

Based on the above, for democracy to actualize its set goals, there are some conditionalities that it must be respected or kept namely;

- i. **Free Discussion:** For a democratic system to be sustainable in a society, people living within the confines of such a society are free to speak without constraint. The citizens must be free to discuss issues that concern their government without punishment; not the kind of democracy practice in some societies like Nigeria, where people get punished for discussing the bad deals of the government in power. In pseudo-democratic societies of that kind, one must adequately take into consideration where to discuss, when to discuss, how to discuss and who to discuss with as not to interfere with other people's freedoms.
- ii. **Freedom of Association:** This is a critical element for a successful democratic system. For a democracy to work, citizens must possess the liberty to associate and disassociate, to be friendly and unfriendly, to form alliance and not to form alliance at anytime that is suitable for him without being punished by anybody or by law.
- iii. **Periodic Elections:** For democracy to be successful, workable, sustainable for the interest of the citizens, elections to leadership position at all levels must be periodically conducted, so that citizens might have the opportunity to vote in and vote out their political leaders.

The Concept of Deliberative Democracy

Deliberative democracy is a school of thought in political philosophy that claims that political decisions should be the product of fair and reasonable discussion and debate among citizens. In deliberation, citizens exchange arguments and consider different claims that are designed to secure the public good. Through this conversation, citizens can come to an agreement about what procedure, action, or policy will best produce the public good. Deliberation is the necessary precondition for the legitimacy of democratic political decision. Rather than thinking of political decisions as the aggregate of citizens' preferences, deliberative democracy claims that citizens should arrive at political decisions through reason and the collection of competing arguments and viewpoints. The concept of deliberative democracy was early on influenced by two philosophers namely; John Rawls and Jurgen Habermas. Rawls advocated the use of reason in securing the framework for a just political society. For Rawls, reasons curtails self-interest to justify the structure of a political society that is fair for all participants in that society and secures equal rights for all members of that society.

Democracy encompasses different models which have been in practice in the modern-day, there is always a representation, but these representations are not enough or all embracing. This would be inferred from Alfred Smith's statement when he says, "the only cure for the evils of democracy is more democracy" (Iain, 2009, 112). The fundamental question here will be: What then could be more democratic? We have noted already that representation did not solve this issue. This difficulty has led many defenders of democracy to search for new solutions to the question posed, and this is where the idea of deliberative democracy arose. Deliberative democracy solves the issue of democracy by placing a huge emphasis on deliberation. "Deliberation in this context refers to a process, or more often processes, of rational argumentation... democracy will only be sustained by people participating in debate and discussion, intending to reach a reasonable consensus on the contested political issues (Iain, 2009, 114). Deliberative democracy ensures that people make decisions after they have considered the opinions of other delegates that are involved in the process of deliberation. John Bohman beautifully elucidates the definition of deliberative democracy when he describes it as "any of a family of views according to which the public deliberation of free and equal citizens is the core of legitimate political decision-making and self-government" (Bohman, 2006, 177).

Life and Times of James Fishkin

James Fishkin, born in 1948, is an esteemed American political scientist and communications scholar. He currently holds the Janet M. Peck Chair in International Communication in the Department of Communication at Stanford University, where he serves as a Professor of Communication and, courtesy, Political Science. Additionally, Fishkin acts as the Director of Stanford's Deliberative Democracy lab (Fishkin, 2025). Widely recognized for his research on deliberative democracy, Fishkin's introduction of deliberative polling in 1988 has been particularly influential. His academic achievements include a Bachelor's degree from Yale University and Ph.D and in Political Science from Yale and Philosophy from Cambridge University. Fishkin's work primarily focuses on deliberative and participatory democracy, and he, along with Robert Luskin, has developed the concept of deliberative polling, which entails surveying a representative sample of citizens after engaging in deliberative discussions. The deliberative poll method has been utilized in more than one hundred (100) polls in twenty-eight (28) countries, aiding governments and policymakers in making crucial decisions in various nations such as the USA, China, Mongolia, Japan, Macau, South Korea, Bulgaria, Brazil, and Uganda, among others. Over his career, Fishkin has been the recipient of several prestigious fellowships, including a

Guggenheim fellowship and a fellowship at the Centre for Advanced Studies in the Behavioral Sciences at Stanford. Additionally, he has been elected to the American Academy of Arts and Sciences. Fishkin has authored multiple books, notably “Democracy and Deliberation: New Directions for Democratic Reform” (1991), “When the People Speak: Deliberative Democracy and Public Consultation” (2009), as well as “Democratic Aspirations: Participation, Deliberation, and Power; and many others. His work has been widely recognized, and he continues to be a prominent voice in the field of deliberative democracy.

James Fishkin’s Concept of Deliberative Democracy

James Fishkin defines deliberative democracy as “efforts, in both theory and practice, to reconcile the value of deliberation with other core democratic principles, such as political equality and the avoidance of tyranny of the majority” (Fishkin, 2002, 221). We realize that democracy has some shortcomings due to political inequality and the tyranny of the majority in contemporary models of democracy. Deliberative democracy aims at deliberation by the citizens to bring about political equality. For Fishkin, the concern is whether deliberation is achievable despite the conflicting values of citizens. Deliberation is aimed at reconciling these differences (Gregory, 2023, 688). For Fishkin, “Modern debate about deliberative democracy can be thought of as an exploration into the compatibility of three principles; deliberation, political equality, and non-tyranny” (Fishkin, 2009, 221). Deliberative democracy in Fishkin’s idea entails deliberation by a representative microcosm of the citizenry. The opinion of the citizens can be achieved from a well-informed organized deliberation. Hence, political equality is attained as the voice of the masses is considered. Tyranny of the majority citizens representing various interests is a tendency inherent in deliberation (Gregory, 2023, 688). There is an important aspect in James Fishkin concept of deliberative democracy, which he refers to as deliberative opinion poll. This is a concept proposed by Fishkin, involves gathering a representative random sample of people to deliberate on a specific issue. Participants are provided with briefing materials, carefully designed to represent all viewpoints in a balanced matter.

Primarily, a deliberative democratic theory seeks to propound principles that can establish fair terms of political cooperation in a democratic society (Fishkin, 2002, 221). This is what Fishkin’s deliberative democracy seeks to achieve by bringing together the deliberative microcosm to deliberate on issues and policies that concern them in their society. The fundamental basis of Fishkin’s deliberative democracy is how democracy can be more inclusive, and thoughtful (Fishkin, 2009, 95). It is inclusive in the sense that, it seeks to bring in the various microcosms of the society to deliberate on policies. Inclusiveness in the deliberative process entails that there is no form of domination by organized interests who hijack the process (Fishkin, 2009, 99). Deliberative democracy is thoughtful because it seeks to give careful and due consideration to issues and policies to be discussed from the various perspectives of a well-informed deliberation. Some required conditions to aid thoughtfulness that improve the quality of deliberation include: information, conscientious participation, substantive balance, diversity of viewpoints represented, and the merits of ideas presented (Fishkin, 2009, 99). Deliberative democracy in Fishkin’s thought is supposed to produce a positive effect. Therefore, to achieve inclusiveness, thoughtfulness, and effective deliberation, a necessary factor that ought to be considered and present are the right, and proper conditions for deliberation to occur. There must be some form of mutual justification during deliberation, “mutual justification means not merely offering reasons to other people, or even offering reasons that they happen to accept (for example, because they are in a weak bargaining position). It means providing reasons that constitute a justification for imposing binding laws to them (Gutmann and Thompson, 2002,

156), Fishkin notes that these conditions must take into cognizance the fundamental principles that they share, issues bothering communication and language, an avenue for mutual trust and respect which must be created, and none the least, a conducive and serene environment to ensure that deliberation goes on smoothly. These factors must be duly considered when proposing a deliberative democracy in different conditions (Gregory, 2023, 690).

The Effectiveness of Deliberative Democracy: A Practical Perspective

Deliberative democracy is considered effective and practicable due to the availability of deliberative polling which ensures a judgment – free environment, and it creates the opportunity for people to listen and learn about competing viewpoints. This is also used in various countries to inform policy decisions. Secondly, citizen juries, which is employed to address complex issues, such as healthcare and education. Thirdly, participatory budgeting which is implemented in cities worldwide to involve citizens in budget decision. Fourthly, deliberative democracy enhances civic engagement and education. Furthermore, deliberative democracy also have some effective outcomes on contemporary democracy as follows; improved decision making, deliberative democracy leads informed decisions, it encourages active participation and civic involvement. And also it fosters legitimacy and trust in institutions, it ensures representative participation and reduces inequality. Deliberative democracy practical applications and consequential outcomes demonstrate its potential to revitalize democratic systems, promote citizen engagement and improve decision- making processes. Deliberative democracy makes democracy practicable through public consultation and dispute resolution. According to James Fishkin, deliberative democracy is s form of alternative dispute resolution. Consulting the public in a thoughtful and representative way can lead to consequential public policy outcomes that might otherwise have been difficult to achieve (Peck, 2010, 611).

The Relevance of James Fishkin's Deliberative Democracy as Solution to Contemporary Democracy

It is pertinent to evaluate the relevance of Fishkin's deliberative democracy to Nigeria. Although it is not surprising that the system of government practised in Nigeria cannot be termed a democracy in the real sense. According to Godfrey Onah, modern democracy is an illusion; what we practise in Nigeria as democracy is contrary to Lincoln's definition of democracy as a government of the people, by the parties, for the powerful; or a exploitation of the people, by the powerful, through the parties (Onah, 2004, 281). These implicitly show the failures of democracy in Nigeria, whereby those in office politically and economically exploit the citizenry for their selfish gains. There is no form of deliberation in the real sense with the citizens to determine which policy needs to be adopted. Thus, it becomes pertinent to adopt Fishkin's theory of deliberative democracy. James Fishkin's deliberative democracy is realistic, accordingly, Nicole Curato states that "skeptics have questioned the practical viability of deliberative democracy. Its ideal have been criticized as utopian, and its forums have been dismissed as mere experiments, with no hope of being institutionalized effectively (Curato, 2017, 29). Contrary to this claim, Fishkin's deliberative democracy has proven to be both a theory and practice which has been implemented in various countries on a national level e.g. the United Kingdom, Australia and Denmark, and in difficult conditions like China's that is not open to democratic practices (Gregory, 2023, 692).

Fishkin's deliberative democracy is all-inclusive; it seeks to include all persons irrespective of gender, race, colour, social and economic stratification, and the powerful. Thus, more than ever, there is need to adopt Fishkin's idea of deliberative democracy to imbibe its principles where a microcosm represents the citizens to make well-informed decisions for the

country. Deliberative democracy gives voice to the people. Chris Osegenwune notes therefore that democracy in African is faced with weak structure, institutions, and high cost of organization. This has created a system whereby the political class is favoured. Thus, the underprivileged are unable to participate in the political process of the country (Osegenwune, 2017, 60). Like the democratic practice in Nigeria where a few influential minorities dominate the political scene to the detriment of the citizens, deliberative democracy creates an avenue that gives political sovereignty to the citizens. Hence, instead of decisions and policies being adopted by these few individuals, deliberative democracy allows a public consultation and deliberation for a wider and more informed microcosm to take these decisions. Thus, it becomes expedient to adopt Fishkin's deliberative democracy.

Deliberative democracy is instrumental in achieving sustainable development in a country. Underdevelopment has made Africa in general, and Nigeria, in particular, to be unfavourable and difficult. Thus, most African countries are referred to as third- world countries. Gregory Ogbenika hinged the reason for this underpins to the problem of leadership (Ogbenika, 2020, 101). Nigeria's present system of governance has been filled with corruption and self-interests. Hence, the crisis is that the intended development plan of the government is quite different from that of the people. The argument is that long term development will be more sustainable in an open and secure society (Fishkin, 2017, 141). It is important to know that before any country's developmental plan is proposed and implemented, there is a need for public consultation, which will usher in a diversity of ideas on which way the country can be better developed, and how they can be implemented. Elitism is been criticized by deliberative democracy because it does not give space for inclusiveness whereas Fishkin's theory of deliberative democracy seeks inclusiveness for all citizenry who have already been politically alienated and leaves no avenue for political alienation. Thus, there is more political participation. One importance of Fishkin's deliberative democracy is that it combines political participation and deliberation. According to Carole Pateman, "Deliberative democrats have shown little interest in the last thirty years of participatory promotion, but focus on Mimi-publics or new deliberative bodies (Pateman, 2012, 8). Fishkin was able to tackle this long issue by making deliberative democracy more inclusive.

Fishkin's deliberative democracy is centered on public deliberation; this public deliberation has an educative power. Hence, "the benefits of participation in public affairs are primarily personal. Participation improves the moral, practical or intellectual qualities of those who participate" (Cooke, 2000, 948.). This makes them not just better citizens, but also better individuals.

Conclusion

This research work has postulated a suitable and practicable model of democracy that will strengthen democracy as a system of government as practiced. We have observed that democracy is more acceptable to people due to the freedom, rights, and protection they enjoy from the leaders in positions of authority. Over the years various systems of democracy have sprung up, but they are not free from various shortcomings. Even the most acclaimed and popular systems now being practiced, (liberal and representative democracies) also face their challenges (Gregory, 2023, 695). Thus, the research recommend that James Fishkin's model of democracy which is deliberative democracy be adopted and practiced as the tenable model of democracy in which deliberative microcosms deliberate on issues and policies in a thoughtful manner and inclusiveness. Inclusiveness in Fishkin's idea is aimed toward reducing the cries of marginalization of various minorities, groups, and facets of society. Thoughtfulness further reduces the incompetence of current models of democracy that are not well informed on

policies, since most decisions are taken based on how it will be favourable to them and not the citizenry whom they represent. This can occur where there is mutual trust and justification.

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