

# Considerations of Deliberative Integrity from the Lens of Practitioners

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This research note draws on our emerging conceptualization, research and conversations about deliberative integrity and has not been peer-reviewed. For up to date information on the deliberative integrity project, visit [www.deliberativeintegrityproject.org](http://www.deliberativeintegrityproject.org)

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# Deliberative Integrity from the Lens of Practitioners

## **Problem**

Practitioners feel that deliberative processes serve to correct problems with electoral politics and traditional forms of public consultation. However, practitioners are a diverse group that do not only have collective ambitions to transform public engagement. They also differ in their emphases regarding the criteria, purposes, and evaluation of deliberative processes. The challenge is that most publicly available practitioner resources speak to general guidelines in running processes and less to the challenges they face.

## **Purpose**

In this research note, I outline the most noted facets that comprise a deliberative process according to six practitioner and organiser guidelines and booklets. Following this, I provide preliminary insight regarding the factors that impact practitioners' understanding of the integrity of deliberative processes.

## **Approach**

This research note draws from qualitative, semi-structured interviews conducted from November 2021-December 2021. Thematic coding revealed six challenges that practitioners face in running deliberative processes.

## **Findings**

Conversations about deliberative integrity can usefully draw from practitioner insights about how deliberative processes operate, including: politics and the willingness to fund and listen to processes, co-learning as an objective regardless of policy impact, the technicalities of outreach and selection require critical reflection, invisible, micro-forms of power imbalance must be countered through an equity lens, panellist autonomy should be part of an agenda to empower participants, and lastly, flexibility and context need to be incorporated within standardized evaluation.

## **Value**

The preliminary insights presented in this research note encourages a nuanced conversation regarding the differences between what practitioners feel to be important challenges they experience.

## **Introduction**

The use of deliberative processes and minipublics to address policy challenges has dramatically increased in the last decade, and this makes it imperative to assess their integrity. We cannot assume deliberative processes automatically serve the public interest to the extent that they should or could. At the same time, recognizing the need to evaluate such processes should not take for granted the vital democratic function they can and do serve. Understanding the integrity of deliberative processes will require an appreciation of the experiences of all the actors that are part of such processes. That said, in this research note, I focus specifically on practitioner insights given that the first phase of our primary research started by interviewing members from leading deliberative organisations.

Deliberative practitioners are a diverse group of organizers that all have sincere ambitions to radically transform public engagement. All practitioners feel that deliberative processes serve to correct problems with electoral politics. Moreover, they note that systems of public consultation have struggled to meaningfully engage the public. As a result, practitioners remind us that deliberative processes not only need to be evaluated on their own terms, but also relative to the democratic deficits in which they arise and are meant to address. Practitioners feel that the integrity of deliberative processes stand on stable ethical ground. Often, there are only subtle derivations from best practice, rather than a lack of ethics wholesale. For practitioners, deliberative processes thus require a nuanced approach to evaluating their integrity.

Despite collective ambitions, there are tensions concerning different practitioner conceptualizations regarding the criteria, purposes, and evaluation of deliberative processes. This stems in part from contrasting ontologies between academic, non-for-profit, and private consultancies. There is no one size fits all organisation that is responsible for running deliberative processes, and as a result, they have different agendas and experiences that can provide reasons for why they operate in the way that they do and point to their better practices as well as their limitations.

While practitioners in the first instance claim that they serve the public interest, they each have a responsibility to their team. It means that there is an ongoing parochial, or a protective, necessity

to continually secure funding, whether that be through grants-in-aid, and/or through contracts, to run deliberative processes, and to maintain highly skilled paid staff. Some organisations even go so far as to do projects pro-bono or must figure out how to raise money to run important deliberative processes. Within such a scenario, practitioners remind us that deliberative processes are logistically expensive to operate. This can have tenuous implications on establishing, building, and growing capacity; future contracts and maintaining political connections needs to be top of mind.

Practitioners are aware of this and have a range of responses, which includes a) being critical of the lack of practitioners challenging the status quo of dependency on political/administrative commissioning, b) deflecting scrutiny of deliberative processes to those with the power to commission such processes, and/or c) maintaining a vital need for instrumentality in their operations to ensure their organisation is flexible enough to support its people.

Practitioner organisations highlight that they differ in the political and economic context in which they implement deliberative processes, as certain countries, along with their political culture and institutional regimes, lend themselves to different scales, funding, and frequency of deliberative activities. This partially conditions the extent of the overarching agenda they (can) pursue, notably because commissioning bodies might primarily be departments within the public sector versus directly connected to legislative assemblies with different levels of political authority. It means that deliberative processes exist within a contextual policy chain and timeline with deliverables, such that deliberative processes are one facet of a broader political ecosystem.

Overall, practitioners deftly navigate between strong opinions regarding what deliberative processes should entail, and they do this by having to balance an internal mission rooted in ethical objectives, alongside limited fiscal conditions that are not so easily reconciled with normative ideals. As a result, practitioners would initially advocate for tempering expectations of what they can achieve relative to larger political processes in which they exist. Still, they have impressive processes and mechanisms that provide participants with memorable, learning experiences.

### **Important Features of Deliberative Processes: Insights from Practitioner Guidelines**

This section indicates the common elements of what practitioners have published as the core features that contribute to the integrity of a deliberative process. This gives us insight into the familiar features that crosscut most, if not, all deliberative processes. We can appreciate from these documents potential indicators to evaluate the integrity of deliberative processes.

Based on a review of six detailed global practitioner documents, there are a myriad of procedures and logistical considerations that go into the making of a successful deliberative process. Some of the processes overlap with normative fundamentals.

*Table 1 – Facets of a Deliberative Process*

<p><b>Duties of Staff</b></p>	<ul style="list-style-type: none"> <li>· Participant selection, logistics like venue booking and catering, facilitation of dialogues, witness coordination, member preparation/issues management, development and application of staff handbooks and moderator training, hearing or process management, wrap- and follow-up, media and publicity, evaluation.</li> </ul>
<p><b>Mini-Public Features</b></p>	<ul style="list-style-type: none"> <li>· Orientation and value articulation phase, education phase including expert presentations and reading materials, deliberation and listening phase including roundtable discussions, drafting of recommendations and dissemination phase.</li> </ul>
<p><b>Basic Conditions of Success</b></p>	<ul style="list-style-type: none"> <li>· Transparency, oversight, impartiality, respect, and accountability, in terms of the types of balanced/variegated information used, balanced expert presentations, how the deliberative process proceeds through phases, how participant contributions are used in documentation, how the results are transmitted, how final recommendations are implemented or more loosely given 'careful consideration' by policy-makers, how members are selected, how accountability of staff is enforced, how respect between members is maintained, how participants can reflect on the overall process.</li> <li>· There are perhaps more meta considerations – who does the evaluation, who creates the conditions for procurement (mandate?), do government actors give favourable support to the process, the intentionality of government actors once the process convenes, the role of lobbying beyond the process.</li> </ul>

<p><b>Transparency</b></p>	<ul style="list-style-type: none"> <li>· Is the process agenda available?</li> <li>· Is there reasoning for process characteristics – who was selected to be an expert/forum participant?</li> <li>· Is information material public?</li> <li>· Is the process recorded/live for public viewing?</li> <li>· Is the convener clear on influence of the minipublics – are participants told how their contributions will have an impact on policy?</li> </ul>
<p><b>Oversight</b></p>	<ul style="list-style-type: none"> <li>· Is there an independent advisory committee? An advisory committee can have a range of responsibilities including agenda development and balanced witness selection.             <ul style="list-style-type: none"> <li>o What determines the level of ‘independence’ of an advisory committee – who appoints them etc.?</li> </ul> </li> <li>· Is the committee multi-sector, pan-ideology?</li> <li>· Is there a hotline for support – available staff for answering questions?</li> <li>· Are there training tools/handbooks for the process and staff to follow?</li> </ul>
<p><b>Impartiality/respect</b></p>	<ul style="list-style-type: none"> <li>· Are staff unbiased in facilitation, issue framing and reporting?</li> <li>· What or who determines ‘balanced’ presentations and the information used, the experts on hand for Q&amp;As etc.</li> <li>· Are process norms mutually agreed on and practiced?</li> </ul>
<p><b>Accountability/evaluation</b></p>	<ul style="list-style-type: none"> <li>· Are critical voices reflected in final reports?</li> <li>· What recourse do participants have in airing concerns – about staff, the process etc.?</li> </ul>

<p><b>Inclusion</b></p>	<ul style="list-style-type: none"> <li>· Process considerations for inclusion would entail participant selection procedures – specifically if demographic balance is achieved</li> <li>· Forum considerations like venue selection that meets accessibility standards</li> <li>· Childcare availability, translation, stipends, transportation fare</li> <li>· Cultural/racial and anti-oppression considerations? Locations within specific neighbourhoods, community-led facilitation (forum leaders need to look like those who participate), diverse forms of gender accommodation (instances where women are uncomfortable participating in rooms with men).</li> <li>· How does the broader public feed into the process – in some cases this includes open submissions, participating in a forum led by minipublics participant delegates, broader political processes like referendums.</li> </ul>
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**Six Challenges that Practitioners Experience Regarding Deliberative Processes: Insights from Semi-Structured Interviews**

My conversations with leading practitioners revealed six challenges that impact deliberative integrity. The themes arising from semi-structured interviews indicates the relational (external and internal) challenges that make up a more dynamic, rather than rigid rulebook of action and intervention.

1) Deliberative processes are fundamentally informed by politics. Politics operates in terms of the ability to commission and fund a project, influence process design, and determine the level of policy impact that arises from process recommendations. For many practitioners, the biggest problem facing deliberative processes are external actors. As a result, there are a few considerations: there is an active need to monitor undue political influence which includes avoiding partisan stacking of deliberative processes and maintaining distance from commissioning bodies. There is a need to make processes sufficiently large and public to make them harder to ignore. Moreover, it is important to secure the intention of those with political and/or bureaucratic authority to both listen to the participants and provide adequate funding before, during and after the processes. Part of this buy-in is both in terms of the type of public relations that deliberative

processes are given, and where in the policy process they might arise, with practitioners arguing that public administrations often seek deliberative input too late in a policy cycle.

From a standpoint of understanding deliberative integrity, it is necessary to discern the extent to which we evaluate contextual political/partisan factors and how they inspire or degrade deliberative integrity. Practitioners mentioned the need to get buy-in, which requires constantly advocating for sincere political commitment. Here, running a very good process is not only plausible, but many practitioners feel they have excelled at making people feel heard, supported, and have an influential say in the group's decisions. Thus, a process can very well have internal integrity. Nonetheless, the process might be a let down in terms of not having enough of an impact in the way participants and the broader public might expect. This means that a lot of commitment can be invested in participation, including sacrificing time, money, and leisure, with the process not necessarily delivering meaningful policy impact. Practitioners argue that at a minimum, there needs to be at least a guaranteed response by commissioning authorities to deliberative recommendations within a reasonable time.

2) Co-learning is an objective of deliberative processes regardless of policy impact. Deliberative practitioners constantly work towards securing some form of meaningful influence over outcomes. Nonetheless, given the nature of political and governing authority, they cannot guarantee policy impact. Some deliberative processes purely arise within select public sector departments that have constitutionally allocated responsibilities and can only operate within certain jurisdictions. Even then, said departments can also be under plenary authority of political legislatures. Hence, the scope, goals and ambitions of certain practitioners is to work within public administration of better service delivery. This can be fundamentally different from legislative assemblies that commission deliberative processes. Nonetheless, even where there is a direct line of interaction between deliberative processes and political decision-making, practitioners also note that governments can change hands, and so post-hoc commitments to deliberative processes are also liable to change.

As a result, it is important to recognize that practitioners often see their efforts mostly focused on delivering the best possible deliberative processes. Integrity from this point of view is internal. An important objective is to ensure that participants would be willing to attend again. How this happens is by setting up processes that allow participants to meaningfully engage with people that are different from them, to learn from each other and about themselves. Ultimately, practitioners want to create a more civically inspired and engaged public, making deliberative processes part of the repertoire of citizenship. The idea is that deliberative processes are not only about granting the public influence over outcomes. Rather, a key component of making society more democratic is to

ensure that deliberative processes are good public learning exercises; public servants, politicians and members of the public can all learn through collective dialogue.

3) The technicalities of outreach and selection require critical reflection. The practitioners I interviewed are experts (or at least have experience) in organizing deliberative minipublics (DMPs). DMPs hold out the promise of generating a microcosm of the public by sampling and stratifying participant selection. Two fundamental issues were noted and are perhaps little discussed by practitioners: response rates and ascriptive representation. Thousands of invitations go out to the public through the mail and ask if they would be willing to participate on a panel about a select policy issue. Even for leading organisations, response rates can amount to 3-6% of a ten-thousand-person invitation. This begs the question of who and why are over 90% of the invitees unresponsive and does this undermine the legitimacy of the whole process.

At the same time, stratification of who gets to participate is also important. Standard public consultations are continually noted to over-represent the 'usual suspects': older, educated, affluent, white men. An important goal of a DMP is to avoid recreating typical imbalances both in status quo consultations but also in electoral chambers that largely remain unreflective of demographic diversity (though this varies based on electoral system). Here, practitioners claim that it is key to have a two-step recruitment process that strives to select participants that reflect the diversity of their communities.

The complexity of selection procedures is further compounded by the location of dispersed household information, which can come from public sources, but very often from private polling firms. The latter spawns noted complaints by practitioners who demand deliberative processes remain non-for-profit. Further distinctions need to be discussed on the differences between small private firms and larger corporations that preside over the use and control of public demographic information. This raises additional questions in terms of the extent to which deliberative processes are open source in terms of recruitment mechanisms, but also regarding so-called intellectual property, namely manuals with step-by-step practices.

4) Panellist autonomy should be part of an agenda to empower participants. There is a complex relationship between the actors of deliberative processes, including the commissioning authority, the expert practitioner organisation, moderators and facilitators, expert witnesses, and panellists. How these actors coalesce at different moments can impact the integrity of deliberative processes particularly in how power is accountable and transparent. A noted distinction made by practitioners is that they are the holders of the public trust, or otherwise acting in an ombudsman role, i.e., keepers of the process and ensure that the process runs efficiently and equitably. Here, the role of the organizer might contain too much control. Similarly, who gets to determine the

question, prepare learning materials and the line-up of expert presenters, can be a highly partisan and unbalanced processes. Additionally, facilitation, as much as it is sometimes considered a neutral process with trained leaders, it is also recognized by practitioners as containing ethics in how dialogue is subtly pushed in ways that can challenge participants to think in certain directions.

This makes notions of panellist empowerment and autonomy important in many regards because legitimacy democratically rests with the public. To be sure, democratic determination is the purpose of deliberative processes, but this needs to be reflected in every decision within a process, from selection to how content and outcomes are taken. Such a perspective includes having (potentially old guard organisational) actors with established power taking a step back and allowing participants to be able to reflect and hold processes accountable, in terms of agenda-setting and final reporting. Practitioners differ in terms of how radically de-centering they strive to be in panellist autonomy. Some are more skeptical of granting large degrees of - let alone full - control of processes to participants and instead seek a balanced approach by serving as a buffer to prevent hijacking of deliberative processes by any single set of actors.

5) Invisible power imbalances must be countered through an equity lens. Only focusing on political will and authority takes for granted the smooth internal functioning of deliberative processes, and not how micro-level forms of power inequity can erode integrity. Some practitioners pay close attention to who is in the room and how power is distributed, reflecting on the fact that certain participants are exposed to domination, and that members of the public do not enter deliberative processes equally. Nonetheless, deliberative processes are generally geared towards the promotion of equal participation, which means that equity is still something that needs to be further worked into processes.

Deliberative integrity can be undermined if the problems found in society are recreated in deliberative processes. This requires conscious intervention in process design. Some ways that are discussed by practitioners and are beginning to be experimented with are making sure to counter injustice, marginalization and disenfranchisement by having ascriptive demographic groups more targeted for panellist selection. Another way is to carve out thematic assemblies within larger plenaries, offering groups a chance to discuss topics without conversations being led or dominated by prominent gendered and racial groups.

The challenge is not strictly overt, but rather a lack of consciousness of the power dynamics and oppressive relationships that can be just as problematic as larger political influences surrounding and embodied in deliberative processes. Other ways that micro-power can enter deliberative processes is the over-expectation of learning as a pre-condition to participate effectively. Some practitioners make it a point to ensure that the public is sufficiently educated on subjects prior to

processes to be able to deliberate and make educated decisions. Other practitioners remind us that there is an equity chasm for those that have caregiving and other work-related responsibilities such that entering a process having read take-home content is unlikely and space to learn needs to be carved out with-in processes.

6) Flexibility and context need to be incorporated within standardization. The concept of integrity is in many ways operationalized through established indicators that can measure (ir)regularities of deliberative practices. Practitioners tend to agree that standards are a good thing. However, there are some significant differences concerning what this looks like. In fact, some go so far as to suggest that standards are the least of their worries, as opposed to scaling activities. Others take a strong stance on standards being a welcome and much needed objective, perhaps by having practitioners become certified. The bigger question then becomes who gets to determine such standards, and even with the development of a more encompassing system of indicators, it might not include unanimous agreement, nor an encompassing inclusion of organisations in the process. As such, some practitioners counter by saying standards might then become a very top-down, and arguably theoretical exercise. One of the more enduring critiques by practitioners of the field that will need to be pursued to ensure deliberative integrity is more frequent independent evaluation by third-party organisations.

Many practitioners suggest balancing standards with flexibility to suit context. Otherwise, the concern is that the peculiarities of each project (which comes with its own challenges), will make it difficult for people in the field to commit to, or achieve standards that reflect integrity measures.

Related to flexibility is the question of uncertainty, with respect to potential incoming political blockages, participant attrition, lobbying, and pecuniary responsibilities. Practitioners often advocated for an instrumental approach. This can be challenging to reconcile with an appreciation of what constitutes democratic, not simply deliberative integrity. In this way, there are different discussions and opinions on best practices. Practitioners differ on their opinions regarding the exact mechanism, some suggesting that context should determine the type of deliberative process. There are critical voices who deny DMPs expansive authority to influence governmental policy. Meanwhile, other's see DMPs as being the basis for the complete overhaul of a more deliberative political system. Here, debates about entire systems will rely on thoughts about how to situate deliberative processes and balance power, with goals not simply standardization but to scale deliberative democracy.

In various conversations there were differences regarding the potential co-optation of deliberative processes by undemocratic governments and its prospective illiberal uses. The concern is democratic backsliding, and the rise of authoritarian populism might lead to inappropriate uses of deliberative processes which are supposed to be rooted in norms of inclusion and reciprocity. At the same time, other practitioners argue that a strictly universalizing western mentality has missed the successful use and application in undemocratic contexts where deliberation is a useful tool to engage the public. Here, attention is directed to different levels of state and administrative activity that can provide platforms and spaces for public inclusion that might not otherwise exist.

This all makes standardization far more complicated than a strictly rigid process can recognize.

### **What this means and next steps**

Based on the core facets that comprise a deliberative process as found in multiple practitioner guidelines, there are important questions to help guide how we think about integrity conceptually and in terms of data collection:

- What does it mean to get deliberation right?
- What do existing deliberative process measurements capture?
- Why might deliberative processes be difficult to measure?
- What constitutes an irregularity?

At the same time, this research note attempted to provide a more encompassing look into the challenges and politics within and beyond deliberative processes that practitioners grapple with. As argued, there are important factors to consider in support of the ongoing need ensure deliberative processes evolve to continually serve the public.

Part of how we might examine and report on the integrity of deliberative processes depends on normative and empirical considerations. This research note is only a starting point for having to reflect upon what are essentially dynamic moments and processes within deliberative fora. As we move forward with the project, we need to reflect on how to choose and frame derivations or irregularities in deliberative integrity. In electoral integrity research this is variegated, where irregularities are framed either positively or negatively, and most often, challenges to integrity are captured via quantitative indicators. More likely, the integrity of deliberative processes will require a mixed method approach that also includes a qualitative review of internal and external (power) structures that influence deliberative processes.

The variation of styles and activities to suit clients noted by practitioners means that activities will realistically need to be evaluated differently in some circumstances. For example, deliberative minipublics will differ from forums that do not require sortition to determine participant selection and participation. How we then start to evaluate a deliberative process must begin from the outset in tandem, both with established norms in mind, but also with an appreciation for certain (institutional design) features - internal operations of the forum, and/or processes extending beyond the forum - and the needs that these require for a functioning and effective (series of) deliberative event(s).

Is the goal to emphasize the regularity of the implementation/key factors like the collective creation of values, neutral moderation/facilitation, access to learning materials and expert presentations, the opportunity for several nuanced dialogues over multiple weekends, and then the determination of a collective solution to a problem? What, then, is an undue indicator/qualification/irregularity? How much of a deficit is required to call into question the integrity of a process?

There is a myriad of examples that might suggest room for flexibility, which means that there are different strategies involved in how to conduct processes, and likely nuanced ways to understand if said strategies have operated in terms of integrity.

The Deliberative Integrity team encourages any practitioner interested in collaborating with us to please contact us [here](#).

**List of deliberative guidelines and workbooks:**

1. Jefferson Center. 2004. *Citizens' Jury Handbook*.
2. Involve. 2008. *Deliberative Public Engagement: Nine Principles*.
3. newDemocracy Foundation. 2017/18. *R&D notes about "How to do it?"; and 5 key principles*.
4. Healthy Democracy. 2018. *Key Elements of the Citizens' Initiative Review*.
5. MassLBP. 2019. *How to Commission a Citizens' Assembly or Reference Panel*.
6. Citizens Democracy. 2022. *Basic standards for organising a Citizens' assembly; and key steps in designing a Citizens' assembly*.