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# TOWARDS POLITICAL EQUALITY IN THE CONTEXT OF PARTICIPATORY AND DELIBERATIVE DEMOCRATIC THEORY

Abstract. This article aims to contribute to our understanding of the concept of political equality in the context of participatory and deliberative democracy and its institutional mechanisms. We analyse how and whether these new institutions can enhance political equality and we discuss their ability to create opportunities for the inclusion (participation and representation) of disempowered and marginalised interests in the deliberation and decision-making processes. Based on our comparative analysis of institutional mechanisms, we propose national participatory enclaves, a combination of two institutions and the appropriate selection method which has the potential to empower minority interests and to enhance political equality in the decision-making process.

Keywords: political equality, representation, participation, participatory democracy, deliberative democracy, civil society

#### Introduction

Broadly speaking, contemporary democratic theory includes two types of democracy – participatory and liberal representative (Held, 1989: 17). In contemporary democratic theory, political equality remains central to equal opportunities for inclusion, participation, representation and influence. Election mechanisms can easily reduce the freedom to communicate by restricting the representative possibilities and voices (Saward, 2010). For representation to be truly fair, it would have to include every interest affected by the collective decision-making (Habermas, 1996; Young, 2000); this contributes to political equality. Thus, modern representative governance faces multiple problems: (i) the *inclusion* of the public into the decision-making processes remains asymmetric and limited by powerful interest groups with particular interests creating a representation gap (Stivers, 2008);

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(ii) decreased political participation in Western countries (democratic and citizenship deficit); (iii) the question of the legitimacy and stability of the political system (the weakening of self-government); and (iv) political inequality. The latter occurs when particular disempowered and excluded groups are unable to influence the political agenda and are not part of the decision-making processes. Since less attention has been paid to the question of equal representation of disadvantaged citizens' opinion, our article will focus on the emergence of new participatory and deliberative institutional mechanisms<sup>1</sup> which address and overcome those existing social and political inequality problems (Pateman, 1970; Mansbridge et al., 2012; Dryzek, 2000; Barber, 1984; Habermas, 1996; Fung, 2003). It has been argued that these non-representative forms of participation and deliberation are important for expanding and deepening democracy and political equality (Urbinati and Warren, 2008: 388-389) within the existing representative democracy and can be seen as projects for democratising democracy (Offe. 2013: 24). According to Fung (2003), these new mini-publics can be seen as educative forms, participatory advisory panels, participatory problem-solving collaborations and participatory democratic governance, while Geissel (2009: 66) demonstrates how they can enhance participant's political knowledge, help them better identify the objectives and preferences of a community and crucial groups.

Therefore, we need to focus on representation because it underlies the concept of political equality. Due to the existing gap between the concept of representation and participation found in the literature, we follow Fung's (2006: 66) argument that the mechanisms of direct participation should not be regarded as opposite to representation, while both concepts should be complemented in mutually reinforcing terms. The aim of our article is twofold: (i) to bridge the gap between civil society interests (especially the disempowered and the marginalised) and the decision-making processes within contemporary liberal representative democracy by highlighting normative participatory and deliberative theoretical models and their institutional practices; and (ii) to contribute to an understanding of how and which of these institutional practices enhance the existing representative institutions, and whether they can establish fertile grounds for the equal representation, participation and inclusion of disempowered interests in deliberation, and potentially in the decision-making processes.

Firstly, we argue that the combination of participatory and deliberative theoretical implications as well as their institutional mechanisms improves

<sup>&</sup>lt;sup>1</sup> These institutional mechanisms are utilised in different ways in the literature: democratic innovations, mini-publics, deliberative forums, etc. Smith (2006) makes a distinction between three types of democratic innovations: consultative (citizen's juries, planning cells, consensus conferences, citizen panel); co-governance (participatory budget forums); and self-governance innovations (town meetings).

the existing democratic regime and contributes to its democratisation and political equality by (i) opening spaces for the inclusion (participation and representation) of disempowered and marginalised interests and (ii) by enhancing deliberation and reflective preferences within participation. Secondly, we locate the main criticism of deliberative democracy in its lack of decision rule, while the main problem of participatory democracy lies in the fact that its participants do not sufficiently reflect and deliberate. In order to overcome these deficiencies we propose a *national participatory enclave*, which is an institution which combines two institutional mechanisms – namely participatory budgeting and national conferences – with enclave deliberation as a selection method with the greatest potential for empowering minority interests and enhancing political equality in deliberation and decision–making processes based on selected criteria.

We will begin by setting out the research question and reviewing the existing literature on the concept of political equality and representation within participatory and deliberative democratic theory. Secondly, we will review the empirical evidence of both theoretical paradigms as contributions towards greater representation (participation) and thus the political equality of disempowered and marginalised interests in order to overcome their deficiencies. Thirdly, we will draw a comparison of the institutional mechanisms based on five criteria that enhance political equality. We will conclude by discussing our main findings based on the theoretical and empirical strengths and weaknesses of institutional mechanisms.

# The concept of representation and political equality

In this section, we present some essential normative ideas of participatory and deliberative democratic theory in relation to the concepts of representation and political equality. Most of the literature on deliberative and participatory institutional mechanisms is concerned with how these innovations improve democratic decision-making processes - of particular importance is the question of these innovations can empower minority interests and enhance political equality. According to Karpowitz and Raphael (2016), equal inclusion is far more complex in practice than merely opening doors for the various interests and inviting their participation. Rather, it depends on an institution's goals and the ability to accommodate all relevant participants. Another important solution is offered by Fung (2003: 342-347) who argues that the quantity of participation is an important measure of success and political equality. Fung argues for structural incentives for low-status and low-income citizens to participate. We understand political equality in terms of substantive equality which, according to Wojciechowska (2014: 1), refers to equal participation of opportunities in order to equally influence the decision-making process, and which differs from the formal equality of a single person voice. Following Cohen's (2005) broad and idealistic picture of an ideal deliberative procedure, citizens are viewed as free and equal participants in the sense that each citizen has an equal right to participate in politics at each stage of the democratic process, while the ability to participate is not affected by the distribution of power or wealth.

We will shift our concept of representation away from the standard definition by which representation concerns the relationship between the government officials and their constituents in a representative democracy and instead move it towards the means by which constituents (especially the marginalised and disempowered) can become heard (Urbinati and Warren, 2008: 394; Young, 2000). For Bohman (2012: 73) 'representation is not just a necessity imposed by the size of modern policies but it is rather an important means by which the legitimacy of the demos can be expressed, challenged and transformed'. It therefore ensures the linkage between citizens' interests and policy outcomes (Fung, 2004: 3), encourages political participation (Brown, 2006: 211–212; Cameron et al., 2012) and is crucial for developing and improving representative democratic practices (Plotke, 1997).

In the following paragraph, we present an insight into these two theoretical and empirical practices based on five criteria for measuring political equality. *The type of participants and the selection method* are based on Fung's (2006) ideal framework of participatory governance<sup>2</sup> while adding three additional ones – *the level and scope of representation* and *the subject of deliberation*. The scope of representation or the quantity of participation is an important measure for institutional success. Who participates can be seen as an important question when dealing with the problems of overrepresentation of the advantaged groups, while it is necessary to focus on the selection process and outreach efforts for disadvantaged groups (Fung, 2003: 347–348).

## Participatory democracy and its institutional mechanisms

Participatory democracy is based on the direct participation of self-governing people in the decision-making. It evolved in the United States in the 1960s and 1970s and its central idea is that decision-making processes should be conducted in public and participative ways; participation is considered to be contrary to representation (Floridia, 2013: 4). After Schumpeter's and Down's elitist-competitive and Dahl's pluralistic vision

<sup>&</sup>lt;sup>2</sup> Fung (2006) developed a framework for institutional practices for public participation and introduced three dimensions along which forms of direct participation vary: who participates; type of communication among participants in decision-making; and how discussions are linked with policy or public action.

of democracy in the 1990s and 2000s and with the introduction of several innovative practical experiments, this participatory paradigm re-emerged drawing together a number of strands: (i) the local and communitarian view of democracy; (ii) a radical critique of representation; (iii) the ideal of autonomous self-governing citizens (Barber, 1984); (iv) associative or self-management practices (Pateman, 1970); and (v) participatory institutional architecture (MacPherson as cited in Floridia, 2013).

The recruitment of the participants in participatory institutional mechanisms is highly important as a tool for enhancing inclusion/participation and political equality (Smith, 2006; Fung, 2003; 2006). The appropriate selection mechanism allows institutions to focus on particular types of citizens' interests. Fung (2006) describes three mechanisms of selection: (i) random selection of the general population (descriptive representation), which does not provide an equal opportunity for everyone to participate in deliberation but rather provides an equal probability of being chosen to participate or having power (Brown, 2006: 231; Manin, 1997); (ii) lay and professional stakeholder involvement in public discussions (unpaid representation with similar interests); and (iii) selective recruitment mechanisms - the representation of subgroups who don't often participate and come from low-income and minority communities. Self selection<sup>3</sup> remains one of the mechanisms that includes or accepts anybody who wants to participate, although it does not sufficiently represent the interests of the wider public. When self selection is used in consultative procedures the group is hardly inclusive and input legitimacy is low, because it often selects stronger deliberators over weaker ones (Karpowitz and Raphael, 2014: 110). It goes hand-in-hand with the well-known social bias of political participation (Geissel, 2009: 66).

It is argued in the literature that participatory innovations work best at the local level<sup>4</sup> and in face-to-face communities, although they are criticised for their small-scale impact. In this regard, the *participatory budget forums* cooperating with the state institutions are particularly important. The micro level of participation and deliberation takes place as individual citizens make budget proposals and elect executives and legislatures. It increases justice in public governance by changing the actors who are authorised to make decisions while also opening a structure of open citizen participation which affords more equal opportunities for political influence, especially from under-represented groups. While offering a formally open structure, participants are selected by stratified sampling of all persons affected and

<sup>&</sup>lt;sup>3</sup> The self-selection method was used on a small scale at the local level, for example in Chicago community polling meeting – a co-governance forum, open to all, where residents of low-income neighbourhoods participated or shaped local policing strategies.

<sup>&</sup>lt;sup>4</sup> Participatory mechanisms were also implemented at the state level (Brazil and India) and through the local school councils (Chicago) (Fung and Wright, 2001).

by critical mass of persons over-represented, mostly due to the large-scale social issues and high number of participants. The concerns of the underprivileged and other excluded groups are given more weight in planning. This method is useful in institutions dealing with social issues when there is a need to limit participation in favour of unrepresented groups. It enhances the participation of demographically diverse groups, sets a critical mass of the least powerful groups (Karpowitz and Raphael, 2014; 2016) and it mirrors the social composition of the community (Geissel, 2009: 66).

An example of self-governance mechanisms taking place since 1748 is Mansbridge's town meetings government (as cited in Floridia, 2013: 19). It is seen as an open scale institution in which participation depends on the size of the particular town. Town meetings enhance representation and participation, and address the inequality problem. One particular type of town meeting is the representative meeting which is representative of the local population by electing members from all precincts. Representative meetings include members of society who do not wish just to speak or vote on one specific subject that directly affects their interests, as in open town meetings, but people who commit to this legislative work for a longer period. Citizens who wish to be elected as a member of a representative town meeting usually face low barriers to running for election. Sometimes they have to collect a few signatures from other citizens in support of their candidacy. In other cases they simply have to declare their willingness to run. This is followed by an election in which all eligible citizens vote. The Amherst town meetings were originally 'open' town meetings, which any registered voter could attend, and at which any voter could deliberate and vote.

Besides these emerging independent participatory institutions, there are others that work in collaboration with the existing state institutions in which participants rely on experts and election mechanisms within assemblies or councils to elect their authoritative representatives (Cameron et al., 2012: 239). National public policy conferences (NPPC) are an example of representative participatory institutions. They represent a shift from small-scale, local-level mechanisms towards larger-scale, national-level mechanisms. In addition to the argument about their ability to strengthen representation, these conferences present an arena for public deliberation and participation, many of which have also resulted in legislative initiatives (Pogrebinschi, 2012: 53-71). Especially well-known are Brazil's national public policy conferences, developed in 1941 as an example of direct participation and inclusive public deliberation between the state and civil society. Membership usually consists of members of government ministries, civil society groups and organisations based on a particular issue who hold meetings and make policy recommendations in order to vote in plenary session for delegates. The conference process begins at the local level (municipalities) where participation is open to anyone and then changes to the state level, where participation is limited. Citizens who get elected as delegates shift from participants to representatives in order to go through the policy recommendations which emerge from the municipal meetings. Conferences are not perceived as being technocratic, as they prioritise lay citizen knowledge in combination with expert knowledge. With the self-selection method of participation, deliberation is open to all levels of the public and provides everyone an equal vote at the local level, as the government does not determine the type of participant. National conferences can be seen as an institution to ensure that diverse voices are heard at the local and national levels. They are differentiated from other participatory mechanisms by the possibility that participation at the grassroots can result in not just the assertion of new policy claims but in actual policy output (Pogrebinschi and Samuels, 2014: 321). The number of participants is also particularly high.<sup>5</sup> These national conferences offer an example of how representation and participation can be mutually compatible.

## Deliberative democracy and its institutional mechanisms

One of the main characteristics of democratic and legitimate deliberation is the inclusion and representation of all interests affected by a decision (Karpowitz and Raphael, 2016) and the promotion of mutually respectful processes of decision-making (Gutmann and Thompson, 2004). Meanwhile, its main criticism has been that it increases unequal representation (Young, 2000; 2001; Sanders, 1997) and has only a minimal impact. As Hansen (2006) argues, we are facing the equality paradox - normative deliberative principles in terms of political equality on one side and compromising political equality which favours particular interests and participants on the other. There have been numerous attempts to address the problem of inequality in the deliberative scholarship, from representation within deliberative systems (Mansbridge et al. 2012), discursive representation in government institutions and the public sphere (Dryzek and Niemeyer, 2008), insurgent democracy (Dryzek, 2000), an equity-centric approach (Moscrop and Warren, 2016), to facilitation, inclusive institutional design, enclaves deliberation<sup>6</sup> and the representation of discourses (Wojciechowska, 2014).

<sup>&</sup>lt;sup>5</sup> About seven million people participated in at least one NPPC held between 2003 and 2011; over 600,000 participated in the 14th National Conference on Health in 2011; 400,000 participated in the 8th National Conference on Social Assistance; and about 525,000 participated in the 1st National Conference on Public Security. While some conferences have far fewer participants (70,000) (Pogrebinschi and Samuels, 2014: 321).

<sup>&</sup>lt;sup>6</sup> Enclave deliberation among disempowered groups in civic forums within their own enclaves represents another solution to the problem of inequality in representation and in the theory of deliberative democracy.

However, there are several examples from practice which demonstrate its small-scale impact, although these are not from sufficiently large samples to be genuinely representative. Citizen juries are most commonly employed in the UK, where the number of participants recruited by random selection is twelve members. Traditional consensus conferences, developed in Denmark in 1987, are another example of small mechanisms (of less than 25 participants) which share the design of science and technology issues and function as a jury. They are seen as the next step from the previously established *citizen panel* (a representative, consultative body of local residents) that can range in size from one hundred to several thousand people to identify local priorities and to consult service users and non-users on specific issues. Questions posed by citizen panels are then answered, reasoned with experts during the conference, where participants are recruited through random selection. More recently, there have been attempts to form a European citizens panel at the international level. A study by Dryzek and Tucker (2008) reveals a correlation between the conference impact on political equality, deliberative democratisation and the political system in which they are established. The last example of small forums are planning cells which may include 25 randomly selected members of the public. As deliberation is based on specific planning or policy issues, there is no requirement to include minorities or disempowered groups. The final citizen report, which is based on various citizens' recommendations in cooperation with the experts, interest groups and stakeholders, is then presented to the commissioning body which may or may not accept these proposals.

Another important solution to increase the equal representation in deliberation concerns the selection mechanisms and the fostering of informed public deliberation among disempowered and minorities. These processes of selection and inclusion are based on: (i) the proportional inclusion of the disempowered; (ii) enclave deliberation (Dryzek, 2000; Karpowitz et al., 2009; Fung, 2004; Dutwin, 2003; Hendriks, 2006; Sunstein, 2002); and (iii) random selection. Several case studies emphasise the positive effects of enclave deliberation in terms of broadening the knowledge, skills, empowerment, confidence, efficacy and trust of participants (see Karpowitz et al., 2009). Enclave deliberation among like-minded deliberators can be compatible with the normative principles of deliberative democracy if it is later exposed to the public. Its critics, however, refer to its inability to include different viewpoints. Several case studies reveal that this merging is possible, especially between enclaves and cross-cutting forums (deliberative Poll in Australia) or with officials acting as public representatives in an ongoing political process in which members of the disempowered groups were recruited and group polarisation was limited (see Abdullah et al., 2016: 18-20; Karpowitz et al., 2009). More deliberation in terms of learning,

thinking and talking is included in Fishkin's (1991) deliberative polls, also based on random sampling where the number of participants ranges from 130 to 500 in multiple small groups. Such practices assure everyone an equal opportunity of being chosen to participate, but say nothing about the representation and involvement of the marginalised in general. Fung's (2003: 354) analysis of contemporary mini-publics reveals that deliberative polls are not able to empower lay citizens who are often 'marginalised' compared to experts on complex questions and are unlikely to inform policy. Fishkin and Luskin's (2005) analysis of deliberative polling and public opinion reveals that random samples are highly representative. Random selection mechanisms lack practical features due to the existing gap between the number of demands in small groups and the required number for a representative sample in deliberative institutional mechanisms (Ryfe, 2005). Thus, the alternative could be achieved by identifying relevant groups prior to their inclusion (deliberation within enclaves) or through stratified sampling (Karpowitz et al., 2009: 113-114). Some case studies show how various selection methods can be used to include disempowered interests: the Australia deliberative poll (2001) oversampled the least powerful, as the indigenous group was small; while in 2007 the deliberative poll of ethnic Roma in Bulgaria used stratified random sampling with proportional representation (Karpowitz and Raphael, 2016). Another example is the citizen assembly – institutions with initiative proposals from citizens that are mostly realised through referendums. Participants are recruited through a combination of self-selection and deliberate over-representation of minorities in order to promote political equality and to ensure an even geographic and demographic spread of participants. This kind of selection method (also called lotteries, see Dowlen, 2009) represents an alternative to elections at the national level when dealing with the issues of political inequality and representativeness. Such assemblies connect citizens and experts with final decision making powers in order to achieve political equality through structured deliberation involving a diversity of participants (Smith, 2006: 13-14). Two of the mostly common citizens' assemblies originate from British Columbia in 2004 and Ontario, Canada in 2006 addressing the issue of electoral system reform.

Following this brief presentation of the participatory and deliberative institutions, we can identify a number of common characteristics in terms of the selection mechanisms and the scope of representation (Table 1). Our review of this literature has identified how these different mechanisms can include disempowered and marginalised interests in deliberative processes and decision-making. We also want to know which mechanism presents the most appropriate institution for enhancing political equality.

Table 1: COMPARISON OF PARTICIPATORY AND DELIBERATIVE INSTITUTIONS

		Selection method	Subject of deliberation	Level of represen- tation	Scope of representation / the number of participants	Type of participants
DELIBERATIVE INSTITUTIONS	Citizen juries	Random strati- fied sampling	Cuts in public service spending balancing work and family life or health care provisions	Local, national	12-26	Citizens and experts as repre- sentative of the demographics of a given area
	Planning cells	Random selection	Special issues (energy policy, highway)	Local, national	100-500	People directly affected by the policy issues - experts, interest groups
	Consensus conferences (Citizen panel)	Stratified ran- dom sampling and external advisory com- mittee	Science and technology policy	Local	10-14	Academics, practitioners, issue experts, interest group representatives (as selected advocates)
	Delib- erative polls	Random and (self) selection	Public opinion about public issues	Local, national	100-500	General popula- tion and minori- ties (the case of indigenous and Roma people)
	Citizens assem- blies	Quasi random selection (a combination of self-selection and deliberate over -repre- sentation of minorities)	Issues of electoral reform	Local	100-160	Various partici- pants in terms of age, gender, race, etc.
PARTICIPATORY INSTITUTIONS	Partici- patory budget- ing	Stratified sam- pling	Budget issues and the problems of the under-privileged	Local and national level	40,000	Disempowered interests, under-privileged people, excluded groups - low income segments of the population
	Local self -gov- ernment (Town meet- ings)	Self-selection and through elections	(Capital) budget	Local and national	Varies- depending on the size of the town	All registered voters
	National public policy confer- ences	Self-selection at the municipal level; elected delegates at the national level	Public policy issues	Local and national	70,000 - 600,000	General popula- tion

Source: Elstub and Escobar, 2013; Brown, 2006; Karpowitz et al., 2009; Fung, 2003; 2006; Pogrebinschi and Samuels, 2014.

We identified three main differences between participatory and deliberative institutions based on the following: selection method; the level of representation; and the number of participants. In general, they all represent a way towards empowering citizens in decision-making and unique policy recommendations on particular issues in the deliberation process (mostly in collaboration with experts). We were able to identify two types of recruitment process that have various implications on political equality among minorities and the disempowered: (i) random selection, mostly used by deliberative forums, which does not guarantee the inclusion of all the citizens who would like to participate, and which can easily marginalise some views and is likely to exclude minority voices; and (ii) self-selection in combination with elections (in participatory institutions) which can easily over-represent those with more resources and power and can exclude minorities and the disempowered. In the middle of this 'continuum' is a combination of selective methods (quasirandom selection, oversampling or stratified random sampling) that was used in deliberative polls (the case in Australia and Bulgaria) and citizen assemblies and has been found to include a significant percentage of disempowered also through a geographical and demographical lens. Deliberation in enclaves, seen here as a special example of a selection method, was used in participatory budgeting prior to inclusion in a forum. With its ability to include all the marginalised who would not otherwise participate in the deliberative process. we believe it has the greatest potential to enhance political equality.

If we agree with Smith's (2006: 12) argument about the continuous marginalisation of citizens by institutional actors with high levels of support and political experience, regardless of the selection method, we need to consider another important criteria for political equality – the level of representation – to find out how these interests are taken into account and included in the decision-making processes by their representatives. National conferences offer an illustrative example of this kind of participative and representative shifts from local to national level and from informal recommendations to binding policy decisions through election mechanisms, while with other institutional mechanisms the shift is only possible through elected delegates at the local level (commissioning bodies, etc.).

Participatory institutions generally include a relatively high number of participants, while deliberative mechanisms operate on a smaller scale. The scope of representation refers to the number of participants included in the deliberation and to the institutional openness, while no causality exists as to the actual involvement of disempowered interests and minority issues. As our comparison reveals, participatory budgeting (an example of a large and more open institution) and deliberative polls in Australia and Bulgaria (an example of small-scale forums) involve deliberation and the direct participation of disempowered and marginalised interests.

### Conclusion

Our study incorporates an institutional approach, which is lacking in the existing literature, to examine the concept of political equality, based on selected criteria. It addresses several key findings: (i) the existing gap between representation and participation which can be bridged within participatory and deliberative institutional frameworks (national conferences); (ii) an appropriate selection method that contributes to the equal inclusion of disempowered interests, especially through selective methods and enclave deliberation and which lays the ground for other criteria to occur (the level and scope of representation, the type of participants and the subject of deliberation), as the most influential factor contributing to the equal inclusion of disempowered interests and thus to political equality; (iii) the institutional ability to shift from the local to the national level of representation and therefore decision-making processes, where disempowered interests can be heard and taken into account; (iv) a critique of participatory democracy's inability to include participants with sufficient deliberation, which can be solved within enclaves and participatory budgeting; and (v) a critique of deliberative democracy's lack of decision which can be solved within national conferences.

Based on our research findings, we are able to confirm both initial hypotheses. Firstly, the combination of participatory and deliberative democracy models (regardless of the existing tensions between them) and their institutional mechanisms improve the existing democratic regime in practice and contribute to its democratisation and greater political equality by opening up spaces for the inclusion of various interests. Secondly, since popular participation takes place in public deliberation and *vice versa*, thinking about political equality through deliberation and participation within a particular institution may be contentious. In order to create the sufficient circumstances and conditions for political equality, we therefore require the appropriate combination of individual voices with reasoned and argumentative deliberation as well as the combination of criteria for political equality within and between institutional mechanisms and in connection with other (formal) political institutions.

With reference to the above, we propose *national participatory enclaves* – a combination of institutional mechanisms with an appropriate selection method which has the greatest potential to address the inequality problems and to enable marginalised interests to be heard in the decision-making process. It consists of participatory budgeting (including and addressing the issues of the marginalised), national conferences (which ensure that marginalised voices shift from the local to the national decision-making process), and enclave deliberation (a tool for reasoned argument among

equal-minded groups in order to enhance political equality). This study can also help political actors, especially political representatives, to select a suitable institutional mechanism to solve a particular policy problem by including disempowered and minority interests.

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