Citizens vs. Politicians: Who is Better at Deliberation and Does it Matter?

A qualitative assessment of speeches at the Landsgemeinde *in Glarus*

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Abstract

The Landsgemeinde of Glarus, an open-air assembly of citizens with binding decision-making power in one of Switzerland's 26 cantons, is commonly praised to be the prototype of both democratic self-government and deliberation with actual effects. Nevertheless, systematic investigations into the actual content of Landsgemeinde speeches to test for these and related hypotheses do not exist yet. Thus, in this paper, we first investigate to what extent the deliberative quality of citizens matches that of the political elite. Second, we are interested in the extent to which deliberation has an actual influence on Landsgemeinde decisions. To answer these questions, we make use of an original database containing a totality of 423 speeches on 68 agenda items held by citizens and politicians at the Landsgemeinde of Glarus between 2000 and 2010. We find that while the elite does in fact do a better job in justifying its demands, both citizens and the elite show similar levels of respect. Moreover, a really good speech by a citizen on any demand, a really good speech by an elite member against parliament, and an argumentative advantage for parliament all make a significant contribution to success.

Keywords

Deliberation, justification rationality, respect, success, Landsgemeinde, Glarus

1 Introduction

In a time when the divide between "the people" and "the elite" is decried is having contributed to a lack of political participation and/or the rise of populism (e.g. Albertazzi & Mueller 2013), some institutional settings seem particularly adequate to give counterweight. Traditional direct democracy as it is still practiced at the *Landsgemeinde* in two Swiss cantons, for example, has the advantage of combining beneficial features of direct, that is radically equal, and deliberative, that is rational, democracy (Flaig *forthoming*). Particularly in

the canton of Glarus, citizens still and strongly uphold the *Landsgemeinde* as an important venue for public debate and actual exercise of popular sovereignty (Blum & Köhler 2006).[1] This annual open-air assembly of (potentially all) cantonal citizens entitled to vote stands out for its multiple political rights, chief among them the ability for citizens to not only accept or reject a parliamentary proposal but also to substantially modify it, send it back for reconsideration, or also simply to postpone a final decision to a later year. Moreover, every person having the right to vote in cantonal matters (that is, Swiss citizens residing in Glarus who are at least 16 years old) is allowed to take to the stage to speak and issue demands; the only restriction being that demands and decisions are confined to agenda items tabled that day.[2] After all speeches are held, the assembly decides on the issue by majority vote. In other words: the *Landsgemeinde* is no (deliberative) poll – decisions have binding character as well as real-word and sometimes far-reaching consequences (see section 4.1 for examples).

However, the extensive participation rights that the canton of Glarus grants to its citizens only pay out if citizens actually possess the capacity (and willingness) to speak and issue demands and if they do so with the intended political effect (see Milewicz & Goodin 2012; Dryzek 2009). In this paper, we thus examine not only the deliberative quality of all speeches held at *Landsgemeinde* meetings in Glarus between 2000 and 2010, but also the connection between deliberation and actual decisions taken. We also profit from the rare situation that, at the assembly, both "normal" citizens and the political elite (defined as current public office holders) act on the same stage and on equal footing. Altogether, this allows us to answer three questions of general interest:

1. To what extent is public deliberation present in the first place?
2. Are there systematic differences between politicians and "ordinary" citizens in terms of participation, civility, as well as logics and reasons employed to justify demands?
3. To what extent are the decisions of the *Landsgemeinde* the result of logical reflection and rational judgement and not merely due to mobilisation or elite-driven?

In what follows, we first highlight the theoretical need to answer these questions and show what kind of contribution our systematic analysis of a real-world case can make to the

[1] By contrast, in the canton of Appenzell Inner-Rhodes, the only other Swiss canton still featuring the *Landsgemeinde*, deliberation mainly takes place beforehand and the assembly primarily serves to take votes (Blum & Köhler 2006, Schaub 2012). This is the main reason why this text focuses solely on Glarus.

[2] Every cantonal constitutional and legislative change as well as expenditures above 1 million CHF (or 25 CHF per resident, as of 2012), the annual tax rate, adherence to inter-cantonal treaties as well as land purchases of at least 5 million CHF have to be approved by the citizen assembly (Art. 69 KV GL). But approval only means actual voting if at least one person challenges parliament's recommendation; see below. With an electorate of ca. 26'000, usually around 25% turn out to vote but participation occasionally rises to 35% (2006) or even 50% (2001) (Schaub 2012, 326).

political science literature (section 2). We then provide some further background on the *Landsgemeinde* and present the methodology employed to test our hypotheses (section 3), while our findings are presented in section 4. Section 5 discusses these results in light of the existing literature, both theoretical and empirical, and concludes.

2 Theory: The deliberative potential of the Landsgemeinde

Advocates of public deliberation see deliberation as a cornerstone of both participatory democracy and representative government (e.g. Barber 1984; Dryzek 2000; Fishkin 1995). At the core of deliberative democracy lies the premise of political justification via public reasoning among free and equal subjects (e.g. Cohen 1996; Elster 1998; Gutmann & Thompson 2004; Mansbridge et al. 2012). In contrast to a mere aggregation of fixed preferences through voting, deliberation offers a talk-centric model of democracy in which decision-making is preceded by communicative interaction between subjects who are required to remain open to preference transformation in the direction of more considerate and public-spirited ways (e.g. Chambers 2003; Young 2002). The *Landsgemeinde*, which empowers everyone to speak, offers a welcome opportunity for the inclusion of various interests and viewpoints and thus complies – at least in theory – with the deliberative notion of free expression in order to determine the common good (Cohen 1989: 29-30).

Furthermore, public face-to-face deliberation is said to increase civility and enhance incentives to defend one's position on public grounds, both of which are desirable in a deliberative perspective (Parkinson 2009; Mansbridge et al. 2012). Large physical assemblies might also exert an "impressive" effect on the elites, "alerting them to the fact that they are under scrutiny, and thus activating the Kantian publicity principle that disciplines their words and actions in publicly-defensible directions" (Parkinson 2009: 112). Finally, the *Landsgemeinde* also serves the direct-democratic perspective in that everyone participating at the event is asked to place his vote only *after* deliberation. By means of the equal vote principle, the people are empowered to directly decide via simple and binding majority vote (Flaig *forthoming*). Thus, thanks to the universal right to vote, and together with the possibility of public deliberation preceding it, the *Landsgemeinde* holds high the expectations of creating both better and more legitimate political outcomes.

However, granting citizens extensive rights to directly participate in the political process is not undisputed among researchers. Contrary to the act of voting, which is regarded to be "the most equally distributed form of participation" (Hooghe 1999: 13), the bar for being able to successfully deliberate in public is placed much higher. In what follows, we shall address

three main criticisms related to this circumstance to derive hypotheses testable with original data on the *Landsgemeinde* Glarus. Following Fishkin and Luskin (2005), we group these criticisms under the headings of *extenuationists, defeatists*, and *alarmists*.

2.1 On extenuationists, or: is there a need for public deliberation?

The first strand of criticism of deliberation centres on the very existence of deliberative fora. Followed through to its extreme, *extenuationists* argue that citizen "deliberation is […] a waste of time" (Fishkin & Luskin 2005: 290; see also Luskin 2002). To put it differently, extenuationists question the need for additional forms of *citizen* participation by departing from the premise that it does not make a difference whether experienced political actors (such as MPs and ministers) or the people take a decision, since the latter simply act the way the elite tells them to. More concretely, extenuationists argue that people lack the necessary motivation to engage in politics and thus rely on low-information rationality, i.e. cues and shortcuts presented to them (e.g. Hibbing & Theiss Morse 2002). One strategy for obtaining information with a minimal effort of own thinking is to rely on another person that is perceived as trustworthy and knowledgeable (Lupia & McCubbins 1998). Given that the most politically interested people are likely to become partisans (Hendriks et al. 2007), lay citizens thus tend to rely on cues from officials or party adherents that best represent their own ideological position, so the extenuationist argument (Luskin 2002).

From a deliberative perspective, this is problematic on at least two grounds. In order to attain an "enlightened" outcome, a deliberative process has to ensure that all the relevant reasons are aired and appropriately weighed (Mansbridge et al. 2012). This mainly requires two things: (1) the airing of a *diversity* of viewpoints, and (2) openness to *adapt* one's preferences. Concerning the latter, as delegates are elected on a specific party platform, preference shifts among the elite are less likely to occur than among lay citizens who often enter deliberation without fixed preferences and who are not required to follow a given party manifesto (Hendriks et al. 2007; Landwehr and Holzinger 2010). Concerning the former, we face a problem if providing citizens with extensive rights to participate in the political process, for example via the *Landsgemeinde*, simply means offering "different playgrounds for the same participants who already play one role or another in representative democracy" (Lutz & Guilland 2004: 7). This goes at the expense of interests and positions that are not, or only marginally, represented by the elected delegates. If members of such groups do not feel capable or are unwilling to defend their particular interests, their claims will not even come to the fore, which would violate the diversity principle (see Young 2002; Sanders 1997).

However, Neblo et al. (2010: 566) recently provided counter-stereotypical evidence: groups who are generally less likely to participate in politics, such as young, non-whites and people from lower-income classes, are more willing to deliberate, which they regard as a "partial alternative to politics as usual". A prominent historical example also stems from Glarus: At the Landsgemeinde of 1864, the people decided on a pioneering factory worker protection bill against the will of both government and parliament. Eight years later, the working class again managed to defeat the manufacturers and limit the maximum working hours to 11 hours per day, while it was not until 1878 that the Swiss people at large decided on similar regulations (Krummenacher 2014). In short, the debate on whether *public* deliberation is needed in the first place calls for an empirical answer. If the *Landsgemeinde* as an open-air forum for citizen debate is to conform to the ideal of public deliberation as a critical and meaningful arena, the following two statements should be true:

H1a: Citizens are more likely to challenge the authorities than to support them.

H1b: Citizen demands challenging the authorities can be successful.

2.2 On defeatists, or: is there a capacity for public deliberation?

The second strand of criticism of deliberation centres on process. While there is no universally accepted definition of the exact deliberative capacities individuals need to possess (Pedrini 2014: 265), justification rationality, i.e. the presentation of arguments in a logically coherent and comprehensive way, may nevertheless be regarded as the core requirement in a Habermasian understanding of the deliberative process (Bächtiger et al. 2010a).[3] However, a good deliberator must also be common-good oriented, reflective, respectful, empathetic, inquisitive, and open to the better argument (Gerber et al. 2012). The main argument *defeatists* use to portray this ideal as illusory is the lack of deliberative skills among a majority of people.

Thus already Joseph Schumpeter, the "father" of the defeatists, argued that "the typical citizen drops down to a lower level of mental performance as soon as he enters the political field" (Schumpeter 1943: 262). Although Schumpeter's image of the political citizen is commonly acknowledged to be too pessimistic, critics of deliberation still question the idealized conjectures on the "deliberative citizen" possessing sophisticated reasoning skills while also

[3] However, recent developments in deliberative theory criticize the overemphasis on rationality and highlight the importance of alternative forms of communications, such as storytelling. Nevertheless, theorists also stress that stories only function as a valuable complement to deliberation if they provide additional information or arguments, create a valve for perspectives that otherwise might not be aired, or advance "trust, inclusion, respect or in other ways help to meet the preconditions of effective deliberative participation" (Neblo 2007a: 533); see also our methodology section, below.

remaining civil and open-minded (see Gerber et al. 2012). Many psychologists and sceptics of deliberation have equally argued that only a small minority of individuals possesses the level of deliberative ability required by deliberative theory (e.g. Mendelberg 2002; Rosenberg 2005, 2014). Rosenberg (2014) for example concludes quite pessimistically that the average citizen is biased in his perceptions, has trouble utilizing more abstract forms of evidence, engages in prejudicial thinking, and tends to rely on cognitive shortcuts that lead him to flawed conclusions. This is related to the line of reasoning asserting a general lack of interest in politics: the common thread in opinion research is that people are poorly informed about politics, rendering them incompetent to debate sophisticated issues (Campbell et al. 1960; Delli Carpini & Keeter 1996), and that as a consequence the average citizen has difficulties to engage in abstract thinking about more general issues that he is not directly concerned with (Posner 2004). Ultimately, this line of reasoning calls for delegation to the political elite to achieve rational decisions (Schumpeter 1943), if this is not already taking place automatically (see Michels 1968).

However, while some either postulate or find that political *delegates* are more prone to issue well-reasoned arguments than average citizens (Thompson 2008; Pedrini 2014), Fishkin and Luskin (2005) on the other hand argue that the *mass public* may produce even better deliberation than delegates since they are neither bound by constituencies or party ties, nor do they need to engage in strategic thinking to get re-elected. In a similar vein, we know from parliamentary research that debates in secret committees are more civil and respectful than in public plenaries (Steiner et al. 2004; Bächtiger 2005). Comparing parliamentary debates and online citizen deliberation, Pedrini (2014) also finds that citizens act more respectfully than their delegates – her comparison, however, must be accepted with caution since citizens deliberated online and experimentally while MPs where observed in real-world settings speaking face-to-face. We thus lack findings on how citizens and their delegates (or the political elite more generally) perform in the *same* setting.

This matters because deliberative quality is highly context dependent (Thompson 2008; Landwehr & Holzinger 2010; Pedrini 2014): it might well be that if citizens are meant to act as parliamentarians (as they are in the *Landsgemeinde*), that is by having to defend their position in public and knowing that stakes are high, they *descend* in their levels of civility to those of the elite. The elite, in turn, because acting in public and not wanting to be seen as advocating too particularist a position, may become *more* civil than when in parliament (Parkinson 2009). Given the same setting, differences in civility between lay citizens and the elite might also simply disappear.

Moreover, developmental psychologists (e.g. Rosenberg 2014) admit that reasoning skills are not an inborn characteristic of human beings but rather something that can be learned and developed. Properly designed institutions such as neighbourhood assemblies and town meetings may help to educate citizens and improve their "competence to make reasonable political judgements" (Setälä 2006: 702; Barber 1984; Knobloch & Gastil 2014). Repeated regular interaction may be key in helping to do so, as has been demonstrated in the framework of the British Columbia Citizens' Assembly (where people met once a week over a period of one year; see Warren & Pearse 2008; Fournier et al. 2011). In fact, even though the *Landsgemeinde* is only held annually, observers consider the assembly to foster a speech culture that relies on conciseness and fairness and as a place where deviant views are faced with respect (e.g. Hosp 2014). In sum, the question on the existence and extent of a deliberative difference between the political elite (whom Schumpeter wants decisions to be delegated to) and "the people" again calls for an empirical answer. We attempt to provide one by first measuring and then comparing the deliberative quality of speeches held by both members of the political elite and "ordinary" citizens at the *Landsgemeinde* Glarus, hypothesising that

H2: All else equal, the deliberative quality (rational argumentation and respect for counter-positions) of speeches held by ordinary citizens is the same as that of speeches held by members of the political elite.

2.3 On alarmists, or: is public deliberation harmful?

Finally, for deliberation to reach its full epistemic potential, post-deliberative preferences and decisions need to be based on facts and logic and be the outcome of "substantive and meaningful consideration of relevant reasons" (Mansbridge et al. 2012: 11). Being exposed to new information and different perspectives, people should reflect on their own preferences in the light of better arguments (Barabas 2004; Hendriks et al. 2007; Neblo 2007b). In this sense, only "rational, that is, argumentative, convincing is allowed to take place" (Chambers 1996: 99; see also Landemore & Mercier 2012). So for justification rationality to raise "the chances of persuading others on the basis of logical coherence" (Gerber et al. 2014: 414), arguments must trump anything else, including the number of proponents, of adherents, or the ratio between the two camps.

Faced with these demanding attributes of the ideal deliberative situation, *alarmists* question neither the need (H1) nor the potential (H2) for public deliberation, but first and foremost warn that it might make things worse (see Fishkin & Luskin 2005). On the one hand, the argument goes that dominant groups may, even unconsciously and independent of the

qualities of their speeches, treat claims of less powerful groups with only inadequate respect (Sanders 1997; Young 2002; Mendelberg & Oleske 2000).[4] So the opinions of citizens might fall prey to arguments put forth by a specific section of the elite – not because of the quality of arguments, but because their status as members of the elite. On the other hand, social conformity may drive opinions toward the dominating position, resulting in what Sunstein (2002) calls the "law of group polarization". This would mean that whichever position has most adherents will win, regardless of its quality of argumentation.

In short, if factors *other* than argumentative quality (like elite dominance or the number of speakers) are influential in moulding opinions, this casts doubt on the idea that only well-reasoned, sincere, and persuasive argumentation can bring about superior decision-making and more consensual resolutions (Mutz 2008: 533). Or, in Rosenberg's (2014: 111) words, we could face a situation where outcomes are "more a matter of conforming to norms than guided by logical reflection or rational judgement". So whereas in the eyes of the extenuationists discussed above, public deliberation does not alter decisions previously made by the political elite, alarmists on the other hand fear that decisions may indeed be altered but *for the worse*, i.e. by ignoring claims of the less powerful or simply by changing opinions in the direction of the dominating preferences, but not the better argument. On the other hand, there is again prior evidence from survey research that at least for the *Landsgemeinde* of Glarus a good speech is believed to be able to swing majority opinion (Blum & Köhler 2006). That good speeches are supposedly rare (Hosp 2014) does in no way invalidate the theoretical content of that claim. By again adopting the optimist position in this debate, we thus hypothesise that

H3a: Deliberative quality is able to positively influence political decisions.

H3b: A single high-quality speech is able to influence decisions in the desired direction.

H4a: The number and ratio of elite supporters has no influence on the success of a given political demand.

H4b: The number and ratio of speakers in favour and against a certain demand has no effect on a decision taken.

We next provide some further background on the *Landsgemeinde* of Canton Glarus to situate and better define the setting of our subsequent analyses, while also introducing our method.

[4] While ideally this type of equality extends to all sorts of socio-demographic criteria, we focus here solely on the difference between the elite and ordinary citizens and measure opportunities through participation.

3 Method and data

3.1 The Landsgemeinde of Glarus

To empirically test our hypotheses, we have analysed all the 423 speeches held on a total of 57 agenda items at the 12 *Landsgemeinden* of Glarus between 2000 and 2010. In order to understand our method and data, first a closer look at the actual functioning of the *Landsgemeinde* is necessary. This is best done through visualising our data structure in the form of a hierarchy (Figure 1). At the top we find the *Landsgemeinde* (LG), which is normally held once every year – the only exception in our data is 2007, when two meetings were held, one in May and the other in November.[5] Every *Landsgemeinde* is structured into agenda items, that is judicial elections and business (constitutional amendments, laws, inter-cantonal treaties, ordinances etc.) to be decided that day.[6]

--- Figure 1 ---

The whole LG agenda is prepared by the cantonal parliament, who alone has the right to table matters and issue official recommendations beforehand. For each agenda item, any person meeting the cantonal criteria to vote (age of 16, Swiss nationality, cantonal residence and sanity; Art. 56 KV GL) has the following range of demands at his (and, since 1971/2, also at her) disposal, without limitation in number, frequency or form of combination:

1. Rejection of the parliamentary proposal ("reject");
2. Modification of the parliamentary proposal ("change");
3. Sending the proposal back to parliament for reconsideration ("send back");
4. Postponing a decision to a following year ("postpone"); and
5. Approval of the parliamentary proposal ("approve").

Note that demand no. 5 is only necessary if at least one of demands no. 1 to 4 has been put forth beforehand: in case *no* demands are put forth, the parliament's recommendation ("approve" or "MA reject", see below) is automatically accepted, without even voting on it. What slightly complicates matters is that a speaker may issue several demands; in that case we have split his speech into the corresponding content (in the example in Figure 1, speaker 3

[5] At the *Landsgemeinde* 2006, the people approved one of the biggest and most radical local government reforms in recent Swiss history. But more than 2000 citizens demanded a second vote on the issue, since they considered the 2006 decision as violating the constitutional principle of local self-determination. Thus in November 2007, an extraordinary *Landsgemeinde* was held on just this aspect (and fully confirming the 2006 decision) – by that time, the change of 2006 had become the official position of parliament.

[6] We can safely disregard elections as on these agenda items no actual speeches are held; however, we include *concordats* (inter-cantonal treaties), since although one cannot demand modifications, people can nevertheless speak by demanding rejection or approval.

has issued demands b + c and thus held speeches 3 and 4). Obviously, different speakers on the same agenda item may have the same demand (speakers 2 and 3 for demand b, in Figure 1). Thus, in our structure, every speech is tied to only one specific demand, in addition to one specific speaker.

Moreover, citizens also have the possibility to themselves initiate constitutional or legislative change, using the instrument of the *Memorialsantrag* (MA) – in fact, a single citizen can thus draft a new constitutional article or propose an entire new bill (Art.s 58-59 KV GL). This resembles the 'single initiative', known for example in the canton of Zurich, Switzerland. Every MA is first sent to parliament for consideration; if there it gathers at least 10 votes (out of a total of 80 MPs, until 2010, and of 60 MPs, since then), it is then tabled as an ordinary item at one of the subsequent *Landsgemeinden*, with parliament either demanding the MA to be rejected or accepted. If the MA does not gather the requisite 10 MP votes, the MA is tabled at the very end of one of the subsequent *Landsgemeinden*: the people then have to decide whether they want parliament to debate the MA again or not (Art.s 62.2 & 65.4 KV GL). To simplify matters, we have taken the two tracks together, thereby assessing just two additional demands:

6. Approval of the MA ("MA approve"); and
7. Rejection of the MA ("MA reject").

3.2 Assessing deliberative quality

The rules of the *Landsgemeinde* have it that every demand has to be justified ("*zu begründen*", Art. 65.5 KV GL), which is where our measure of argumentative quality comes into play: at the very lowest level in Figure 1, namely speeches. To do so we more or less employ the DISCOURSE QUALITY INDEX (Steiner et al. 2004; Bächtiger et al. 2010b); in other words, we have relied on an external measure of deliberative quality, not auto-judgements by the participants (see also Gerber et al. 2012). For each speech so defined, we have assessed both the breadth and depth of arguments used under the umbrella term of *justification rationality*. Code 0 was given when no argument was presented at all and the speaker only said that that X should (not) be done. Code 1 captures inferior justifications: while a reason Y is given why X should or should not be done, no explicit linkage is made between X and Y, so the inference is incomplete or the argument is merely supported with illustrations. Code 2 was attributed for complete justifications: a single, but complete linkage was made why one should expect that X contributes to or detracts from Y (qualified justification). Code 3 was chosen when at least two complete justifications were given (sophisticated justification –

broad). Code 4 was given for in-depth sophisticated justifications, where not only at least two complete justifications were given for a demand, but where the justification was also embedded in inferences, i.e. a problem was examined in a quasi-scientific way from various viewpoints. Our prime focus on justification rationality is dictated by the fact that, as discussed already in the theory section, all deliberative theorists have emphasized the importance of robust reasoning (e.g. Cohen 1989; Habermas 1991; Rawls 1993). Justification rationality thus not only makes a speech accessible to rational critique, it also increases the chances of persuading others on the basis of logic (Landemore & Mercier 2012).[7]

A second key component of deliberation, respect (or civility), is measured through different types of references made to other speakers. We have coded references to others using four codes (see Bächtiger et al. 2010b): 0 for no explicit references to other speakers, 1 for a negative reference to counter-arguments and positions, 2 for neutral references to aligned or deviant positions, 3 for positive references to another speaker advocating the same demand, and finally code 4 in order to capture positive references to a speaker advocating a different demand (and thereby to counter-arguments). However, we shall in this paper mainly focus on positive respect towards counter-arguments and positions (code 4) as the most demanding burden placed upon deliberation. Indeed, "merit in opponents' claims" is regarded as one of the principal purposes of deliberation (Macedo 1999: 10). According to Gutmann and Thompson (1996), the willingness to treat an opponent with respect also demonstrates one's commitment to self-reflection and openness to preference change, in turn truly deliberative characteristics.

As opposed to survey data, our way of measuring these two key components of deliberation has the advantage of uniformly applying the same standards. The disadvantage, of course, is not least related to the reliability and validity of the coding process itself, which we address next.

--- Table 1 ---

[7] Note that we do not equate justification rationality with argumentative superiority (see also Gerber et al. 2014). One might imagine a strategic actor who uses unnecessary elaborate arguments precisely to cover weaknesses in his main point. Yet argumentative reasoning is not detached from truth seeking (Landemore & Mercier 2012: 920): since the evaluation of argument is one function of reasoning, deliberators have a strong incentive to present sound arguments. If a speaker nevertheless sets up a well-phrased construct of lies, truth seeking is most effectively advanced through falsification of the claim by means of rational argumentation. What is more, a speech with sophisticated justification already entails argumentative diversity to some degree, since it demands from the speaker to elaborate on at least two different aspects of a demand. Last but not least, previous work on a deliberative poll has demonstrated that justification rationality is an important part of a latent construct of deliberative quality (Gerber et al. 2012): in general, speeches with the highest justification rationality were also characterized by public spiritedness and the absence of disrespectful utterances towards the relevant social group. In the framework of the *Landsgemeinde* debates, we also looked for narrow group or constituency interests and found that such instances were rare.

After a first round of parallel coding of the two first years and discussion of the results, a test of inter-coder reliability was conducted prior to coding the full database. The two coders (authors) independently evaluated 60 speeches. Besides Cohen's conventional reliability statistic κ ("kappa"), we also calculated Spearman's rank correlation coefficient *r* and the standardized item alpha α for our ordinal indicator of justification rationality (Table 1). We also display the ratio of coding agreement (RCA), which indicates the percentage of cases that were coded in accordance with the other coder (Holsti 1969; Siegel 1956). While κ=0.72 showed substantial coder agreement for references to other speakers (Landis & Koch 1977), the initial reliability test for justification rationality was indicative of only moderate agreement. However, Spearman's *r* equalled 0.77 and the corresponding standardized item α mounted to 0.89, which can be considered "a very good reliability" (Steenbergen et al. 2003: 38). More importantly, these results indicate that the moderate coder agreement reported for kappa rather resulted from minor discrepancies between the two coders. After the disagreement for justification rationality had been settled and disputed cases were recoded, a second reliability test was performed using a new and smaller sample (N=30). After the second round of coding, κ=0.74 displayed substantial agreement about which code should be applied (Landis & Koch 1977). To code the speeches, i.e. the arguments as well as references to others contained therein, we have used both the official protocols and audio files.[8] The speeches by the chair of meeting, the *Landammann*, were excluded as s/he is the non-partisan, procedural caretaker but does not speak in favour of any demand.

If the same speaker makes several demands, for example "change" but also, if that is not granted, "send back", we have coded the arguments and references for each demand separately. Also, the arguments of "official" speakers, that is parliamentary or government members defending the recommendation of parliament (demands no. 5 and 7), are coded separately if they counter separate demands voiced before, for example by answering to a demand proposing a different way of financing ("change 1") as well as to one asking for a specific component of a building project to be replaced by concrete ("change 2"). Operating thus at the level of specific demands and their corresponding level of justification allows a much more fine-grained analysis than simply looking at speakers (instead of speeches) or even agenda items (on which several different and rivalling demands as well as speeches may take place). With this focus, we are able to shed light on several much too understudied aspects of democratic deliberation: the process of arguing and counter-arguing, in general,

[8] Both the protocols and the audio files are available here: http://tonarchiv.gl.ch. In the case of the Landsgemeinde 2003, the audio file on which is faulty, we have obtained the original recording upon request.

and the number and status of speakers for and against each demand as well as the quality of their respective speeches.

3.3 Predictor variables

At the level of speeches, we coded deliberative quality (see above), which we use as the dependent variable in order to test our hypothesis on deliberative capacities (H2) and, in aggregated form, as one of several predictor variables for the hypotheses on success (H3). Furthermore, we include two control variables that capture whether the speech was aired on behalf of a political party and whether a speaker was defending his own MA (single initiative).[9]

At the level of speakers, we included their *status*, namely whether she was, at the time of speaking, a member of the political elite (defined as occupying an elected executive, legislative or judicative office at local, cantonal or federal level) or an ordinary citizen (everybody else). This serves as the independent variable for both H1 (challenges) and H2 (capacities). As control variables, we introduce gender in order to account for criticism raised by difference democrats that alludes to a potential tension between inclusion and deliberative capacities, which arises when politically rather marginalized groups, such as women, ethnic minorities, poor, and the less-educated, are unable to compete in "articulateness" with men and socially privileged groups (Sanders 1997; Young 2002; see also Bernstein 1971).[10]

At the level of demands, we have assessed whether a given demand was accepted by the LG or not (*success*), which will serve as the dependent variable in order to test our hypotheses opposing the alarmists' claims (H3 and H4). In these models, we furthermore include variables displaying the *number*, *ratio* and *status* of pro- and contra-speakers and the mean and maximum levels of justification of each camp.

Finally, at the level of agenda items, we include the number of total speeches per item in order to model issue controversy. In doing so, we control for the assumption that citizens only present their best arguments when they see a need for it (Esterling 2011). Agenda items were also categorised into policy areas to control for issue complexity.

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[9] We have not assessed a speaker's position in the speech queue (which most often is a matter of luck) nor the length (possibly indicating breath of knowledge) or dialect (possibly indicating an insider/outsider status) of her speech. Although it is important to have the last word (see Lupia 2002), at the *Landsgemeinde* it is almost always a representative of the parliament *and* one of the government who, in that order, exercise that privilege, so this is a constant across almost all agenda items discussed.

[10] Since only a speaker's name and affiliation are known to the audience, we lack information on other, potentially important, socio-economic variables or psychological characteristics of individuals.

4 Findings

4.1 The impact of public deliberation – a reply to the extenuationists

A reply to the extenuationists calls for the presentation of descriptive data that are also well suited to start with in order to embed the *Landsgemeinde* into context. From 2000 to 2010, a total of 162 material agenda items (i.e. excluding elections) were tabled at the citizen assembly. Out of these, 68 (=42%) have been challenged by raising at least one demand. Thus, a majority of businesses (58%) was accepted without prior deliberation and without even voting on them (Figure 2a), whereas a total of 375 speakers have held 623 speeches in that period on the challenged agenda items (42%) (Figure 2b).

--- Figure 2a and 2b ---

Looking just at the end results, the people have not followed parliament in eleven instances, making for a total success rate of challenges of 6.8%.[11] "Defeats" of parliament include five modifications (in 2000 on taxes, in 2001 and 2004 on education, in 2006 on state structures, and in 2010 on energy policy), five straight defeats (victory of the Christian-Democrat Party on the tax rate in 2000, victory of the Green Party on lowering the number of government ministers in 2002, victory of the demand of an ordinary citizen on taxes in 2003, victory of the Young Socialists on voting age in 2007, and the approval of an MA by just one citizen on lowering the number of MPs in 2008), and one sending back for reconsideration (in 2001 on building a new road) (Landsgemeinde protocols 2000-2010).

Turning to the issues on which, due to the airing of at least one demand, deliberation actually took place, differences between the elite and citizens immediately become obvious. Table 2 lists, for each demand, the number and share of speeches held by citizens and the elite. Overall, 60% of all speeches have come from members of the elite. But citizens are most prominently represented among demands challenging parliament (with shares of between 56% and 100%), while the elite's task is mainly to argue for parliamentary proposals (88% of approval demands) or at least against single initiatives (76% of MA reject demands). In terms of the relative importance of various demands, 71% of all speeches demanded either modifications or approval of the parliamentary proposal. Finally, the distribution of speeches also reveals that in 84% of all the cases, citizens have challenged parliament (by posing

[11] By comparison, at federal level only 7% of all laws enacted by parliament are challenged via the optional referendum with a success rate of ca. 30% since 1980, so the final "failure" rate of parliament (=eventually rejected bills from all bills enacted) has come to stand at 2% (Linder & Wirz 2014, 155).

demands no. 1 to 4 or 6), while the elite has in 66% of its total speeches supported it (by posing demands no. 5 and 7).

--- Table 2 ---

The success rate of single demands (to be traced back to one or several speeches) varies between 6% ("reject" and "MA approve") and 87% ("approve"). Demands for modifying a bill have, with 15%, the greatest chances of success, but are still rather low. Moreover, these demands are also the most frequent (40% of all demands). By contrast, the more radical demands for outright rejection, sending back, postponing and for the acceptance of an MA are not only less frequent (together totalling only 24% of all demands), but also half as likely to be accepted (7% success rate). Overall, demands challenging parliament (demands no. 1 to 4 and 6) have a 12% chance of success, whereas demands in favour of parliament (demands no. 5 and 7, i.e. "approve" and "MA reject") were successful in 86% of the cases. All in all and on the level of single speeches, this makes for a success rate of citizen speeches of 29% (48 out of 165), whereas elite speeches achieve a ratio of 62% (156 out of 250).

--- Table 3 ---

In sum, we draw the following conclusions with regard to our first hypothesis (H1a): Considering only agenda items on which a debate had emerged in the first place (42% of all material agenda items), citizens are indeed and clearly more likely to challenge the authorities than they are likely to support them. In eleven out of 68 debates parliament has come out as a loser, which makes for 16.2% of successfully challenges. Most notably, the MA by a single citizen on lowering the number of MPs from 80 to 60 was accepted in 2008 despite the opposition of both parliament and government. However, we should keep in mind that people show implicit support for parliamentary proposals in 58% of all agenda items. Overall, then, parliament's opinion is modified or overturned in only 6.8% of the cases – but these include, in our period of study, notable decisions such as the complete overhaul of the local government system from over 70 to just 3 municipalities (2006), reducing the number of ministers from seven to five (2002) and of MPs from 80 to 60 (2008), and lowering the voting age from 18 to 16 years (in 2007, this time with implicit support by the government but against the wishes of parliament). Turning thus to our second hypothesis (H1b), we conclude that demands challenging the authorities can be successful but that accepting such a proposal is a rather rare occurrence. We next analyse to what extent the deliberative behaviour of citizens and members of the elite is a determinant of success.

4.2 Deliberative capacity – a reply to the defeatists

Our analysis of the quality of deliberation centres on the level of justification rationality and respect for others, in particular the positive evaluation of arguments that are at odds with one's own demand. For the first aspect, a significant t-test provides first evidence that members of the political elite are *better* at arguing in terms of giving rational reasons and providing clear and consistent inferences. Elites not only show significantly higher mean values on that variable (2.8, N = 252) than ordinary citizens (2.3, N = 171), but the difference persists even when controlling for gender, the number of speeches per agenda item, policy area, the type of demand (in favour or against parliament), party legitimacy, *and* whether the speaker is at the source of an agenda item though being the author of an MA *at the same time* (Table 4). Note that we decided to collapse our dependent variable into two categories, separating sophisticated argumentation (codes 3 and 4) from qualified and inferior justification (codes 0 to 2), since we considered running a linear model with only five characteristics as not feasible. After dichotomizing our dependent variable, we ran a multilevel log likelihood model.[12] It becomes visible from Table 4, which displays the average marginal effects, that when a member of the political elite speaks, the probability to reach a sophisticated level of justification rises by more than 30 percentage points, holding everything else at their variables.

--- Table 4 ---

If we look at the control variables, the positive news (for normative advocates of deliberation theory) is that gender does not seem to have a significant influence on argumentative quality, while the impact of the total number of speeches for an agenda item is significant at the 5% level. Hence, the more speeches there are for a given item, which in turn can be taken as a sign of controversy, the more likely the quality of speech is to rise. But the legitimacy of a speaker in terms of advocating a cause on the explicit behalf of a political party also has a significant impact, as does the fact whether the speaker is the author of the citizen petition ("*Memorialsantrag*", MA) debated together or in fact having led to the very tabling of a given agenda item. Both coefficients are positive and significant, meaning the presence of either is likely to raise the level of justification; in both cases, the increase of the probability hovers around 20 percentage points. Particularly because 91% of all MA author-speeches have come

[12] For now, we only calculate two-level models and place the agenda items at the second level. For the sake of reducing model complexity, we ignore for the moment that there might be unexplained variance at the level of the speaker and/or at the level of demands.

from ordinary citizens, this is good news for deliberation theorists and advocates of the *Landsgemeinde* alike: allowing citizens to directly petition and then speak at the Landsgemeinde raises the quality of deliberation.

Finally, on the specific policy area an agenda item belongs to, we also found a significant *improvement* in terms of the quality of oral argumentation as regards finance & economy and education, health & social policy, but the opposite trend as regards infrastructure. A possible answer for this is provided by the fact that both education and health form part of the almost exclusive domain of the Swiss cantons. There is only minimal regulation of primary schools at federal level with ensuing cross-cantonal differences (Stadelmann-Steffen 2010) and health & social policy, too, is primarily a cantonal affair (Rüefli & Vatter 2014, 828), which may give more importance to such debates. They are also the two most expensive policy areas, accounting for nearly half of all public expenditure nation-wide (EFV 2014). On the other hand, one may argue that the topics of education, health and social policy are more concrete and easier accessible, while issues of infrastructure, finances as well as the political and judicial system are more technical, abstract and complex, requiring more effort of thinking to argue for or against such a matter (Posner 2004).

Turning to the second aspect of deliberation, 74% of all instances of respect – defined as a positive reference to counter-arguments – have come from members of the elite, although the elite share in the total sample is only 60%. Moreover, it is members of the cantonal parliament that are the most respectful of opponents, given that 50% of all instances of respect are attributable to them, although their overall share in the speech sample is only 36%. So we find that members of the elite do in fact show more signs of respect, but also that this difference to ordinary citizens is only just significant at the 10% level and disappears when we control for a number of other variables (Table 4). Thus, our findings reveal that citizens are not *per se* more respectful than the elite when they act in the same political context (the *Landsgemeinde*) where stakes are high and debates are public. Nevertheless, the slight tendency for the elite showing more respect to counter-positions and thus expressing a willingness to accommodate these interests is good news for deliberative inclusion, which places the "burden of reciprocity" on the more powerful (see Pedrini et al. 2013).

In the model on respect presented in Table 4, the only other significant coefficients we find relate to party position and MA authorship. The fact that both speeches on behalf of a political party and a specific MA contain significantly *less* respect for counter-arguments may be due to the fact that their holders often come with fixed statements that have gone through (party-

or interest group-internal) concertation, though only qualitative enquiries would be able to verify this. In any case, listening to somebody explicitly speaking on behalf of a party may also have the beneficial effect of facilitating one's ordering of preferences.

In sum, H2 according to which the deliberative quality of speeches held by ordinary citizens is the same as that of the political elite is falsified as regards the level of argumentation but not so with regards to respect for others. We next turn to whether all this matters for actual success.

4.3 Is deliberation harmful? A reply to the alarmists

Our second block of multivariate analyses centres on the relationship between deliberative quality and actual political success. In particular, we have argued that deliberative quality is able to positively influence political decisions (H3) whereas neither the number and ratio of citizen vs. elite supporters nor the overall balance of argumentation has an influence on the success of a given political demand (H4). To test H3a, we calculate the difference between the mean level of justification of speeches in favour and that of speeches against a demand, whereas to test H3b we assess the existence or not of one excellent speech (code 4) in favour of a demand and examine whether it influences success, independent of any counter-arguments. In doing so, we also control for the influence of excellent speeches given by members of the elite vs. those given by ordinary citizens. In order to test H4a, we use the ratio of citizen supporters of a demand, while H4b is examined by calculating the share of all speeches favouring a demand from all speeches in favour of and against that demand. We again control for party position and policy area.

--- Table 5 ---

Table 5 shows the results for the different models. The one on the left includes all demands, separating simply between those in favour and those against the parliament of Glarus, the *Landrat* (LR). One can immediately see that this has a huge impact; the same we have already concluded in the section 4.1 above.[13] To further test for the impact of deliberation vs. elite influence and the number of supporters we have thus decided to split the subsequent analysis according to the type of demand (from the point of view of parliament, i.e. anti- or pro-LR).

[13] As can be gleaned from Table 2 and as also suggested by Table 4, some of our independent variables are, by definition, correlated with the nature of the demand (anti- or pro-LR). This particularly concerns the variables on the ratio of citizen vs. elite speakers favouring a demand as well as the presence of a highly sophisticated elite speech.

What is interesting to observe now is that an excellent citizen speech can make a significant impact if we analyse all demands, but that it is an excellent elite speech that seems to be more important for demands that challenge parliament. At the same time, if we only look at pro-LR demands (far-right column in Table 5), the mean difference in the level of argumentation does indeed have a significant and positive impact on success. In this category, however, also the ratio of supporters and party position matter.[14] But the higher the ratio of citizens in favour of an LR demand, the less likely it is to pass, which would require further investigation.

What does all this mean for our debate? By way of a reply to the alarmists, we have hypothesised that deliberation matters, in general (H3a), and a single high-quality speech is able to influence decisions in the desired direction (H3b). Both seem to be the case but differently for different demands. We have also hypothesised that the number and ratio of elite speakers in favour of a certain demand (H4a) as well as the ratio of pro and contra speeches have no effect on a decision taken (H4b). Both are falsified as regards demands in favour of parliament, where support other than argumentative (number of citizen speeches and political parties as well as the proportion of pro-demand speakers) also matters for success, but not as regards anti-LR demands. At the same time, the fact that *any* given demand that has had at least one supporting citizen at the highest level of argumentative justification significantly raises the success of that demand is again good news for deliberation theorists and adherents of the *Landsgemeinde* alike.

5 Discussion and conclusion

This paper has analysed the extent and effect of deliberation at the *Landsgemeinde* Glarus between 2000 and 2010. We found that, first and overall, a very good single speech delivered by a citizen substantially increases the chances of success of any demand. This is also true for highly sophisticated speeches given by members of the elite, but only if they argue for a demand challenging parliament. For demands in favour of parliament, however, single speeches held by members of the elite cannot make a significant difference in terms of success. Nevertheless, if on balance opponents trump advocates in terms of justification rationality (or, in numbers), the rejection of a parliamentary proposal becomes more likely. Having said this, we conclude that deliberative quality can indeed make a difference and that

[14] In this model, the coefficient for highly sophisticated citizen speakers could not be estimated since this predicts success perfectly.

challenging demands have the power to defeat parliamentary decisions, in one way or another, if they are supported by sophisticated speeches.

However, we also found that while citizens and the elite do not differ much in terms of paying respect towards counterarguments, the elite does in fact do a better job in justifying its demands. Also, we have shown that the majority of agenda items at the *Landsgemeinde* is tacitly adopted without prior deliberation and that the success rate of challenging proposals is rather small. Keeping this in mind, it becomes evident that the elite, and particularly members of the cantonal parliament, dominate the *Landsgemeinde* both in terms of argumentation and agenda control. Nevertheless, overall the level of deliberation at the assembly was quite high, particularly among the elite, thereby supporting the assumption that representatives who have to justify their decisions in front of the people are forced to reflect on their policy choices (Parkinson 2009; Setälä 2006).

Our paper has several avenues for improvement. A first is to enlarge our focus on performance and output to also include democratic *input*. By simply analysing a speaker's contribution, we omit the issue of who remained silent and for what reason. With more data on important socio-demographic factors (other than gender) and political attitudes, we would also be in a better position to assess whether claims of certain groups have in fact been raised or not. As we know from previous research (Bryan 1999; Mansbridge 1983; Mendelberg and Oleske 2000), this is a question one cannot easily discard.[15] In order to address such questions, one would need to complement our research with surveys and/or expert interviews (see also Blum & Köhler 2006). A second avenue would be to refine our measurement of a good (*Landsgemeinde*) speech, taking into account length, humour, dialect, position in the speech queue, or argumentative innovation compared to previous speakers (e.g. Cappella et al. 2002; Dryzek 2000; Lupia 2002). A third avenue would be to assess also the *direction* of decisions and address another claim by the "alarmists" not properly tested here: that the people can sometimes take decisions that are worse than those prepared by their delegates, for example in terms of inclusiveness, justice, fairness or the common good (see, e.g., Gutmann and Thompson, 2002; Rawls, 1971; Sanders, 1997; see Neblo 2007a for a discussion on procedural vs. substantive evaluation of deliberation). Concerning the latter, however, one would have to accept that there exists such a thing as an *a priori* common good (Fraenkel

[15] Concerning the *Landsgemeinde*, we currently only know that women participate considerably less than men (Schaub 2008; and own data).

1991) instead of advancing the view that it is primarily constructed via the deliberative process (Cohen 1989).

Nevertheless, what we have demonstrated here is that when the public is enabled to participate in political decisions both directly and via deliberation, as it does at the *Landsgemeinde* (even if only as listeners, the great majority), citizens are indeed capable of deciding in line with deliberative ideals.

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Figures and Tables

Figure 1

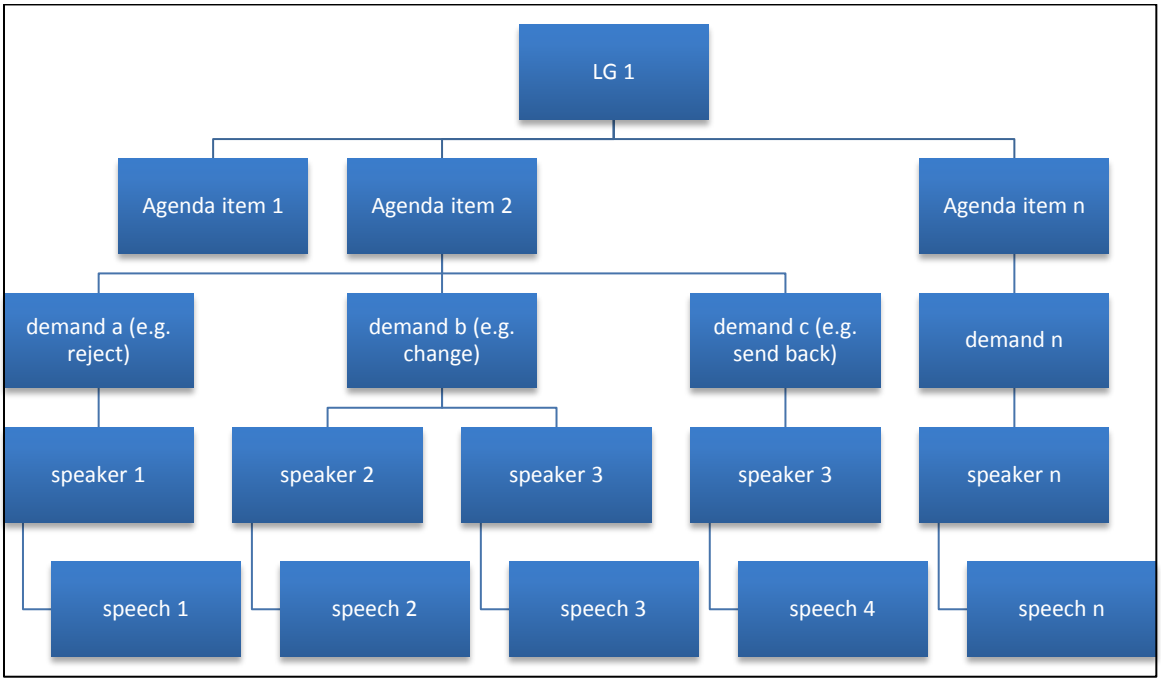

Figure 2a: Number of total and debated material agenda items, 2000-10

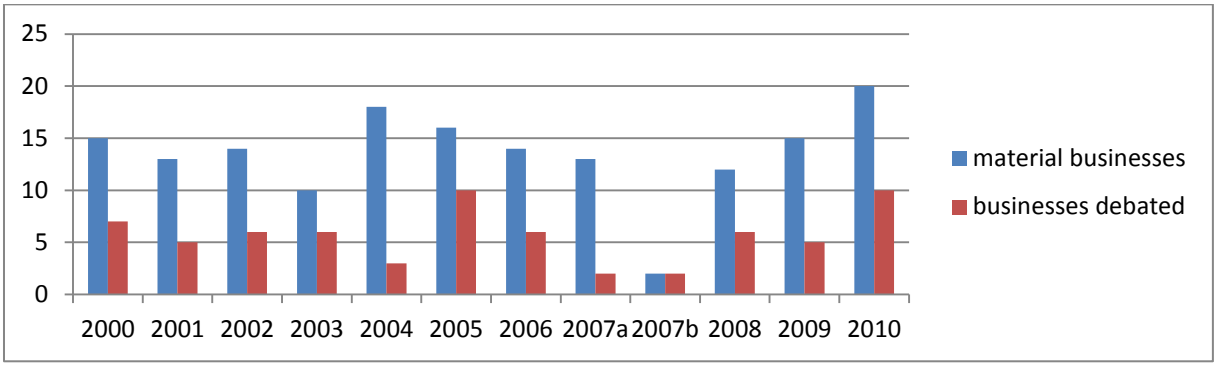

Figure 2b: Number of speakers and speeches, 2000-10

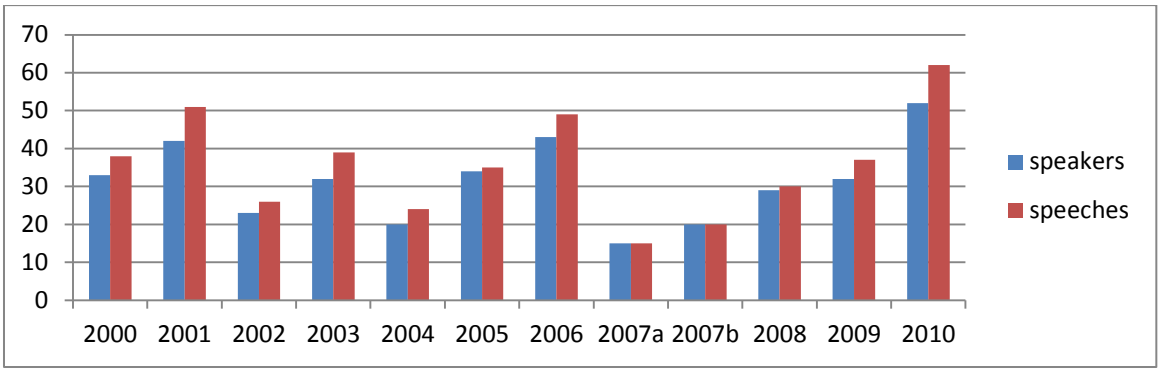

Table 1: Reliability scores by coding category

	N	RCA	Kappa	s.e.	Spearman	Alpha
Justification rationality [a] *(level of justification)*	60	65%	0.500**	0.077	0.772**	0.887
Justification rationality [b] *(level of justification)*	30	80%	0.735**	0.1025	0.933**	0.963
Reference towards other speakers	74 [c]	81.1%	0.717**	0.076	-	-

*Note: **p<0.01. [a] First test. [b] Re-test. [c] N=74 references were recorded in a total of 60 speeches (first test).*

Table 2: Frequency of speeches by demand and speaker status

Demand	Citizen speeches		Elite speeches		Total	
0. none	1	50%	1	50%	2	0%
1. reject	26	74%	9	26%	35	8%
2. change	**73**	**56%**	58	44%	**131**	**31%**
3. send back	17	57%	13	43%	30	7%
4. postpone	1	100%	0	0%	1	0%
5. approve	21	13%	**147**	**88%**	**168**	**40%**
6. MA approve	26	84%	5	16%	31	7%
7. Ma reject	6	24%	19	76%	25	6%
Total	***171***	***40%***	***252***	***60%***	***423***	***100%***

Table 3: Success rates of all valid demands

Demand	Failure		Success		Total	
1. reject	15	94%	1	6%	16	9%
2. change	62	85%	11	15%	**73**	**40%**
3. send back	10	91%	1	9%	11	6%
5. approve	7	13%	45	87%	**52**	**29%**
6. MA approve	16	94%	1	6%	17	9%
7. Ma reject	2	17%	10	83%	12	7%
Total	***112***	***62%***	***69***	***38%***	***181***	***100%***

Table 4: Results for deliberative quality (JLEV & respect) as the dependent variable

	Level of Justification[a]		**Respect[b]**	
Member of the elite	0.323***	(0.050)	0.031	(0.028)
Gender	-0.105	(0.069)	-0.035	(0.031)
Party position	0.191**	(0.070)	-0.077***	(0.018)
LR demand	-0.135**	(0.050)	-0.001	(0.028)
MA	0.187*	(0.084)	-0.073***	(0.017)
Speeches per item	0.009*	(0.004)	-0.004	(0.003)
Policy area (base: state):				
…Finance & economy	0.109^{+}	(0.066)	0.013	(0.031)
…Education, health & social	0.163**	(0.060)	0.059	(0.037)
…Infrastructure	-0.157**	(0.060)	0.044	(0.034)
N	423		423	

*Note: Cells display average marginal effects, SEs in brackets. +p<0.1, *p<0.05, **p<0.01, ***p<0.001. [a]Mixed effects logistic regression model; [b] Mixed effects complementary loglog model.*

Table 5: Results for demand success as the dependent variable

	All demands		**Anti-LR demand**		**Pro-LR demand**	
JLEV mean diff	0.035	(0.029)	0.089	(0.062)	0.112***	(0.011)
At least one top-speech…						
…by elite member	0.026	(0.071)	0.206*	(0.082)	-0.106	(0.075)
…by citizen	0.199**	(0.083)	0.118	(0.094)	-	-
% citizens pro demand	-0.001	(0.001)	0.001	(0.001)	-0.006***	(0.001)
% speeches pro demand	0.004^{+}	(0.002)	0.000	(0.001)	0.015**	(0.005)
Demand anti-LR	-0.580***	(0.071)	-	-	-	-
Party position	-0.037	(0.024)	0.027	(0.062)	0.096**	(0.039)
Policy area (base: state):						
…Finance & economy	-0.008	(0.059)	-0.069	(0.092)	-0.108***	(0.000)
…Education, health & social	0.051^{+}	(0.031)	0.054^{+}	(0.031)	0.040	(0.040)
…Infrastructure	0.013	(0.082)	-0.109	(0.115)	0.092***	(0.019)
N	181		117		64	
Pseudo R^2	0.535		0.291		0.393	

*Note: Logistic regression models. Cells display average marginal effects, SEs in brackets (clustered at the level of demands). $^{+}$p<0.1, *p<0.05, **p<0.01, ***p<0.001.*