



Deliberative capacity as an indicator of democratic quality: The case of the Philippines

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Abstract

The theory and practice of democracy have moved on from the paradigm of electoral democracy to conceptualising alternative models that can facilitate democratic deepening in different contexts. Methodology should follow too. In this piece, I build on Morlino's framework, which takes a step towards a pluralised assessment of democratic qualities but remains largely hinged on the electoral model of democracy. I suggest that Morlino's heuristic tools can be further sharpened by incorporating a deliberative democratic criterion. I provide an empirical illustration through the Philippine case – a country that already exhibits formal features of electoral democracy but fails to translate democratic impulses into democratic deepening.

Keywords

Deliberative capacity, deliberative democracy, democracy, Philippines, research methods

Introduction

Large-scale comparative studies of democracy often come in the form of an index. Based on a set of indicators such as civil rights, rule of law, competitive elections and media freedom, countries are ranked to map the extent to which they are 'democratic'. A numeric value is assigned to summarise a country's democratic quality, making cross-national comparisons possible. The Freedom House Annual Survey of Political Rights and Civil Liberties, the Economist Democracy Index and the Asia Democracy Index Report are some examples of well-respected projects using this approach.

While these indices provide a snapshot of the state of democracy worldwide, their conceptual framework remains hinged on the premise that there can be a fixed set of objective indicators to measure democratic quality. In the past decade, however, democratic theory has shifted from comparing democracies based on a fixed set of indicators to capturing the diversity of how

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democratisation unfolds in various contexts (see Dryzek, 2010; Hobson, 2012). The empirical challenge is to illustrate and compare the dynamic character of democratic practices in different circumstances, instead of making normative judgements as to which democracy is more 'advanced' than the other.

Leonardo Morlino's methodological framework (2010; 2011: especially chs 7–8) is a clear manifestation of this shift. His approach argues that there is no single and objective way of measuring democratic quality that is right and true for all societies (Diamond and Morlino, 2004: 23). He disaggregates indicators of democratic quality into eight dimensions and suggests that all of these dimensions overlap, entail trade-offs and have different normative weights depending on the context. Morlino's framework can be viewed as an attempt at translating developments in democratic theory in methodological terms.

While this framework provides useful heuristic tools in pluralising the assessment of democratic qualities, several conceptual gaps still need to be addressed. In this article, I argue that Morlino's operationalisation of democratic qualities, similar to the aforementioned indices measuring democracy, still privileges the optic of electoral democracy. This tends to leave a number of blind spots in terms of capturing political practices that can facilitate or obstruct his declared aim of 'democratic deepening'. In particular, it misses out a key aspect of democracy that has been considered central to the theory and practice of democratic deepening, which is deliberation (Chambers, 2009; Dryzek, 2009; Rostbøll, 2008).

To empirically illustrate my argument, I will draw on the curious case of Philippine democracy – a country that already exhibits formal features of electoral democracy but continues to struggle in converting democratic impulses into sustained democratic reforms. This case illustrates the methodological need to take into consideration recent indicators of democratic deepening, such as deliberative capacity, in order to bring out the complexities, tensions and prospects involved in the process of democratisation.

This article is in three parts. In the first section, I will provide a critical summary of Morlino's conceptualisation and its contributions to debates on democratic quality and comparative studies. I will draw on Björn Dressel's (2011) work, which has applied Morlino's framework in analysing the democratisation process in the Philippines. I will conclude this section by identifying its conceptual and empirical limitations.

In the second part, I will discuss the importance of including deliberative capacity as a component in analysing democratic quality. Democratic theory has taken a 'deliberative turn' in the past two decades but it is only recently that its normative prescriptions have been translated into evaluative criteria for democratisation. Deliberation refers to the 'talk-centric' aspect of democracy, where legitimacy is based on the ability of those subject to a collective decision to participate in an inclusive, authentic, consequential deliberation about the content of that decision (Chambers, 2009; Dryzek, 2000). Dryzek (2009) has developed a framework that assesses a system's deliberative capacity and provides relevant determinants of democratic consolidation. I suggest that Morlino's framework can be further enriched by incorporating this criterion.

In the final section, I return to the case of the Philippines to illustrate the heuristic contribution of using deliberative capacity as another component in assessing democratic quality. I suggest that oligarchic structures and dysfunctional political institutions are not the only obstructions to democratic deepening, as Dressel and most area studies scholars claim (Anderson, 1998; Franco, 2001; Hutchcroft, 1998), but also the weak 'transmission mechanisms' that connect the strong deliberative capacity of the public space to the empowered space (sites of political decision-making). It has been argued that the Philippines has a vibrant civil society but falls short in translating and scaling up grassroots democratic innovations in formal government institutions (Dressel, 2011; Quimpo, 2005). This, from a deliberative capacity perspective, is an issue of transmission or the means by

which the public space influences the processes and outcomes in the empowered space. I characterise these transmission mechanisms and then conclude the piece by discussing directions for future research in terms of conducting in-depth comparative studies on democratic quality. Through this case study, I aim to illustrate how a deliberative capacity approach can be used to assess democratic quality in a real-world case.

Assessing democratic quality

Morlino's framework evaluates democratic quality based on eight categories. These include (1) rule of law, (2) participation, (3) competition, (4) vertical accountability, (5) horizontal accountability, (6) respect of civil and political freedom, (7) political and economic equality, and (8) responsiveness (see Diamond and Morlino, 2004: 22). The first five categories are indicators for procedural quality or the extent to which the whole citizenry can judge the government's performance through democratic processes. The next two are indicators of quality of content or the extent to which a regime allows citizens, associations and communities to enjoy liberty and equality. Finally, responsiveness pertains to democratic outcomes or the extent to which a regime satisfies citizen expectations regarding governance.

One of the strengths of Morlino's framework is its emphasis on the multidimensional aspect of evaluating democracy. As Morlino, Dressel and Pelizzo (2011: 493) state, the question is no longer 'whether countries are more or less democratic, but how differently they are democratic'. Framing democratic assessments in this manner encourages analysts to delve deeper into contextual specificities that set particular democracies apart from others. This approach 'pluralises' the assessment of democracy, from thinking about democratic quality to democratic qualities. *International Political Science Review's* Special Issue on the Quality of Democracy in the Asia-Pacific (see Morlino et al., 2011) demonstrates this methodological approach, where different manifestations of the eight indicators of democratic quality were exemplified in six case studies.

Moreover, by disentangling different dimensions of democracy, this framework does not assume 'that all good (democratic) things must go together' but acknowledges the possibility that democratic indicators can be in tension with one another. A high-quality democracy is not necessarily one that rates high on every measure but one that is able to manage these tensions. The Philippines, for example, is a global frontrunner in institutionalising political oversight mechanisms such as anti-corruption and human rights commissions but these same institutions have been used by political rivals to topple elected officials (see Morlino et al., 2011: 503). While these mechanisms enforce vertical and horizontal accountability, they also tend to undermine the vote of the electorate. Other examples include Malaysia and Singapore – countries identified as having the highest levels of governability and socio-economic performance in the region but registering high degrees of electoral disproportionality or having a poor record of political representation (Croissant, 2002: 330–331). It is these tensions that are constitutive of democratic practice that Morlino's framework compels analysts to examine.

This framework, however, warrants further development in that its indicators – similar to cross-national democracy indices – are limited by working within the framework of electoral democracy. By electoral democracy, I refer to the vote-centric understanding of democracy, where citizens' views compete through free and fair mechanisms of preference aggregation (Chambers, 2009). Democratic legitimacy is generated when the vote of each citizen or one's representative is counted equally when determining public policy and other political decisions (Dahl, 1989: 111–112). Pluralism is manifest with multiple and distinct parties vying for electoral seats. The main consideration is protecting citizens' liberty and property in order for them to freely pursue their personal interests.

The influence of the electoral democratic framework is reflected in Morlino's conceptualisation of universal suffrage, periodic and competitive elections, and availability of alternative sources of information as democracy's 'minimum requirements' (Diamond and Morlino, 2004: 21). This basic definition privileges elections as the main current of politics, while civil liberties, political freedoms and associations formed by citizens are considered safeguards for meaningful, free and fair elections (Diamond and Morlino, 2004: 21).

Empirical applications of Morlino's framework work within the parameters of this definition. Dressel's work on Philippine democracy, for example, examined 'political competition' in terms of a weak electoral system – inequalities in campaign financing, rampant party switching and dominance of elected officials from political and economic dynasties. Dressel (2011: 536) concludes: 'Although there may be formal alternation in power between individuals and parties, it does not necessarily translate into comprehensive changes of policy direction or power distribution.'

Dressel's characterisation was comprehensive but his analysis also brings to light the methodological limitations of Morlino's framework. One of these limitations is conceptual in nature. In order for a 'pluralised' assessment of democratic qualities to be conducted, indicators from democratic models that are distinct from the electoral democratic view warrant consideration.¹ The observation that, 'implicitly or explicitly, most political scientists hold the aggregative norm of democracy' (Fung, 2007: 449) remains relevant to date, particularly in the comparative study of democratisation, but there is also a growing recognition of the emergence of alternative visions of democracy depending on local contexts (Hobson, 2012). Examples of these models include social democracy, participatory democracy, cosmopolitan democracy or – as I will discuss in the next section – deliberative democracy.² Incorporating indicators from these models into Morlino's framework allows for a nuanced analysis of the different articulations of democracy in evolving political systems.

Another limitation relates to the disconnection between the framework's indicators and Morlino's and Dressel's declared ideal of 'democratic deepening' (Diamond and Morlino, 2004: 10; Dressel, 2011: 531). Conceptually, 'democratic deepening' is an extension of the model of electoral democracy. As Gaventa states:

In this view, democracy is not only a set of rules, procedures and institutional design, and cannot be reduced to only a way of competition amongst parties, though these are of course important. Rather it is a process through which citizens exercise ever deepening control over decisions which affect their lives, and as such it is also constantly under construction. (Gaventa, 2006: 11)

Democratic deepening entails the strengthening of citizens' political involvement from being passive subjects that occasionally hold their representatives to account through elections to becoming active citizens who seek to influence policies that directly affect their lives (Goldfrank, 2007). The methodological consequence of subscribing to this democratic ideal is to map how state and non-state actors interact in the process of 'co-governance', as well as the depth and quality of their engagement beyond the scope of representation (Gaventa, 2006: 23). Indicators from Morlino's framework remain weak on this subject, particularly in making connections between democratic activities in civil society and the state. Dressel's account, in particular, can be further enriched by examining the democratic qualities of practices that occur outside formal state institutions. As Dressel himself states, 'major change often emerges from outside formal political structures through extra-constitutional collective action' (Dressel, 2011: 530). However, by focusing on institutions of representative democracy, his analysis pays less analytical attention to broader processes of contestation in the democratic system that lead to moments of collective action. This, I argue, is also a form of political competition, although discourses that contest in the public space are not necessarily

channelled into an electoral contest. Extending the analysis to these facets of democracy provides insight into the openings and obstructions for further democratic reforms outside the realm of electoral democracy. In the next section, I suggest that the concept of 'deliberative capacity' can respond to some of these limitations and develop both Morlino's framework and Dressel's assessment.

Deliberative capacity

Deliberative democracy has been a major intellectual force in political theory for almost two decades now but it is only recently that this concept has been introduced to comparative studies of democratisation (Dryzek, 2009). Deliberative democracy refers to a conception of political life that secures a central place for reasoned discussion. It began as a normative theory conceptualising an ideal deliberative forum where 'no force except the force of the better argument is exercised' (Habermas, 1975: 108). Deliberation facilitates democratic deepening by promoting what Dryzek refers to as 'democratic authenticity' or the 'degree to which democratic control is engaged through communication that encourages reflection upon preferences without coercion' (Dryzek, 2000: 8). It foregrounds the obligations citizens owe to one another, which include offering other-regarding justifications for one's preferences, listening and sincerely responding to others' arguments, and changing one's judgements if persuaded by others' reasons. This dynamic distinguishes deliberative from electoral democracy in that the former, by definition, is open to preference transformation within political interaction while the latter deals only in the reconciliation and aggregation of preferences defined prior to political interaction (Dryzek, 2000: 10).

Deliberative democracy, however, neither claims that democracy is only about deliberation nor seeks to replace existing institutions of electoral democracy. Part of its theoretical and practical project is to make institutions such as parliament more deliberative (see Steiner et al., 2004; Uhr, 1998). In this way, political decision-making is governed by norms of openness, public-spiritedness and inclusivity instead of staunch partisanship or political horse-trading. It is also concerned with designing forums or 'mini-publics', such as citizens' juries, deliberative polls, consensus conferences and citizens' assemblies, which serve to deepen democratic participation by gathering a group of citizens directly affected by complex and divisive issues to generate workable solutions in a respectful and communicative manner (see Niemeyer, 2011; Smith, 2009).

One of the methodological manifestations of these developments in deliberative democracy is measuring a system's 'deliberative capacity' or the 'extent to which a political system possesses structures to host deliberation that is authentic, inclusive, and consequential' (Dryzek, 2009: 1382). There are three parts to this definition:

1. *Authenticity* refers to deliberation's ability to induce reflection upon preferences in a non-coercive manner. It involves reciprocity or communication in terms that those who disagree with one's preference can understand (Dryzek, 2010: 10). Part of the analytical task in analysing deliberative capacity is to examine the institutional determinants or facilitative conditions for deliberative authenticity (Dryzek, 2009: 1386).
2. *Inclusiveness* refers to the range and discourses present in a political setting. In sites of decision-making, inclusiveness is upheld if all those affected by a particular issue (or their representatives) are given the opportunity to take part in deliberation and influence its outcomes.
3. *Consequentiality* refers to the impact deliberation has on influencing collective outcomes. These outcomes are varied, including public policy decisions or laws. Outcomes may also be informal but impactful, such as changing cultural practices, social learning or generating mutual trust among previously hostile parties.

Consistent with Morlino's framework, deliberative capacity recognises the multidimensional aspect of democratic quality. It does not prescribe particular institutional arrangements or fixate on a specific institution that should drive deliberative capacity-building (Dryzek, 2009: 1382). Unlike other models of the deliberative system that identify specific institutions that host deliberation (see Parkinson, 2006: 169), Dryzek presents a more general scheme, which has the following elements:

1. *Public space*, which hosts free and wide-ranging discourses. Contributions in the public space can come from activists, social movements, ordinary citizens and even politicians. Part of the public space includes mini-publics, Internet forums or physical spaces where people are able to deliberate on public issues and facilitate reflective opinion-formation (Dryzek, 2010: 11).
2. *Empowered space*, or the venue for deliberation among actors that have the mandate to make decisions on behalf of the collective. This may take the form of legislatures, cabinets, courts or political parties. Empowered spaces do not have to be formally constituted in the sense that even informal networks that come up with collective decisions can also be considered part of the empowered space.
3. *Transmission*, or mechanisms through which deliberations in the public space influence deliberations in the empowered space. Common mechanisms include campaigns, protests or direct conversations between members of the public space and those from the empowered space (Dryzek, 2009: 1385–1386).
4. *Accountability*, or the ability of the empowered space to give an account of its decisions to the public space. Elections are common accountability mechanisms but there have also been democratic innovations such as vertical deliberation, where representatives from both the public and empowered spaces deliberate together on a particular issue (see Neblo et al., 2010).
5. *Decisiveness*, which refers to the degree to which the four preceding elements determine the content of collective decisions.

A system can be considered to have high deliberative capacity if it demonstrates: (1) authentic deliberation in the public space, empowered space, transmission and accountability; (2) inclusivity in the public and empowered space; and (3) decisiveness or consequentiality (Dryzek, 2009: 1387). With such a broad scheme, Dryzek's framework provides the methodology to go beyond the blueprint of electoral democracy and examine spaces that promote deliberative capacity (Dryzek, 2009: 1387). This is consistent with Morlino's concept of pluralising democratic qualities in that it disaggregates different parts of a deliberative system and allows for an examination of how deliberative capacity is manifest in different institutional configurations. Dryzek cites China as an example that may have weak deliberative capacity in its central state institutions but exhibits some degree of deliberative capacity in participatory innovations at the local level (Dryzek, 2009: 1383). Eliasoph's (1998) ethnographic research on American civic organisations, on the other hand, illustrates how the public space could be perceived as weak if one were to only look at formal memberships in civic organisations but vibrant when understood within the context of everyday life at the community level. Hence, the scope and application of democratic deliberation is not limited to formal parliamentary institutions, but can also cover alternative political spaces where innovations at deepening democracy are taking root, such as the household, educational institutions, firms and civil society organisations (see Mansbridge, 1980; Schouten et al., 2012). These spaces warrant close empirical investigation, particularly the ways in which they influence the broader process of democratisation of the political sphere. For the purposes of this article, however, I extend Dressel's

analysis, which focuses on the political system, thereby concentrating the analysis on the process of co-governance between the state and the public.

The deliberative capacity framework also affirms the observation that ‘not all democratic things go together’. Dryzek acknowledges that high deliberative quality in one location may compromise the quality of deliberation in another location. As an example, he states that ‘if legislators know that their more dubious collective decisions will be overruled by a constitutional court, they are free to engage in irresponsible rhetoric’ (Dryzek, 2010: 13–14). The challenge is to analyse tensions within the system and find spaces within which deliberative capacity can be enhanced.

I suggest that incorporating deliberative capacity into Morlino’s framework and Dressel’s assessment provides a more textured examination of democratic qualities, which can inform theoretical reflections as well as practical reforms for democratic deepening. First, Dryzek’s model of a deliberative system accords equal weight to the role of both public and empowered spaces in evaluating democratic qualities. It decentres the state as the main democratic actor and foregrounds the importance of the public space and its transmission mechanisms as a site for democratisation and deliberative capacity-building. As Dryzek argues, ‘civil society can constitute a site for democratisation because it can be a place where people choose to live their public lives and solve their joint problems’ (Dryzek, 1996: 482). This is one of the aspects of Morlino’s framework that needs to be further sharpened.

Second, deliberative capacity adds more depth to Morlino’s indicator of ‘participation’, which primarily looks at voter turnout, party membership and engagement of policy and accountability issues at the local level (Diamond and Morlino, 2004: 24). Deliberative capacity deepens the concept of participation in the public space through the authenticity criteria, which require that contending discourses not only be freely disseminated, but also induce reflection, raise citizen competence and develop criticality towards policy decisions. It provides a standard by which to distinguish authentic deliberation from practices in the public space that are adversarial, malicious, denigrating and exclusionary.

Finally, considering deliberative capacity as an indicator of democratic quality is particularly relevant in facilitating a deeper appreciation of the nuances of democratisation. The literature on the Philippines, for example, has reached a near-consensus in terms of identifying patrimonial oligarchy and elite manipulation of electoral processes as reasons for the sluggish process of democratic deepening. An analysis of the political system’s deliberative capacity refreshes the analysis by examining the links between the empowered space and public space and the ways in which particular sites of deliberation serve to compensate or undermine the deliberation in other sites.

Deliberative capacity of the Philippine political system

In this section, I present the case of the Philippine political system to illustrate how deliberative capacity can contribute to analysing democratic quality. I use Dryzek’s scheme of the deliberative system, where each component is assessed based on the deliberative capacity criteria of inclusiveness, authenticity and consequentiality.

Public space

The public space is composed of social movements, activist networks, faith-based groups, commercial actors, the academe, independent journalists, community organisations and flexible citizen alliances. The Philippines is often characterised as having a vibrant civil society. It has the third-largest non-governmental organisation (NGO) community in the developing world next to Brazil and India and has been described as having the densest network of civil society groups in the world (Quimpo, 2005: 247; see also Hedman, 2006; Turner, 2011).

Based on a survey of the literature, I suggest that there are three broad discourses³ that proliferate in the public space. I map discourses rather than actors or interest groups because this approach does not presuppose that political agents always have clear and fixed interests. Instead, it emphasises that actors can contest, reflect on and subscribe to different discourses depending on the issue. This is what makes discourse a distinct analytical category from ideology (free market versus socialist) or party position (liberal versus conservative) in that fluidity, context and contestation are constitutive of the former while the latter categories tend to emphasise consistency of preset preferences. Moreover, discourses serve a coordinating function in that citizens do not need to directly communicate with each other in order to inform their actions (Stevenson and Dryzek, 2012: 191). This is particularly relevant for the Philippines, where political parties or affiliations do not have a centralised authority that generates ideas and informs actions of citizens. Discourses organise people's views and consequently affect their decisions.

The first discourse is a transformative one. Following Nathan Quimpo's (2008) characterisation, struggles for economic equality and social justice have been as resilient as the oligarchic structures in Philippine politics. Even though the empowered space is dominated by elite interests, the public space has been the site for imagining alternative visions for Philippine democracy, with some organisations clamouring for a participatory, egalitarian, green, gender-sensitive and post-neoliberal democracy. The Freedom from Debt Coalition (FDC), for example, has actively promoted economic sovereignty, national self-reliance and democratisation of the economy through its grassroots campaign and advocacy work, which confronts the prevailing state-led neoliberal economic agenda. It has also sought to extend its campaign to non-market domains, such as the household, by recognising the undervalued labour of women (FDC, 2011). Similarly, the Ibon Foundation provides concrete policy recommendations on a range of issues, such as oil price hikes and global trade, 'from the point of view of marginalised sectors' (Ibon Foundation, 2011). These discourses are also reflected among grassroots movements, with transnational networks such as Pamalakaya (National Federation of Small Fisherfolk Organisation in the Philippines), PAKISAMA (a national peasant confederation) and Mindanao Peaceweavers (a network promoting people's participation in the Mindanao peace process), which frame their struggles for democratic reform as a means to rectify historical injustice and structural poverty.

The second discourse is a market-oriented one. Issues such as weak governance and poverty are understood as structural deficits that can be overcome through the collaboration of state and non-state actors. This discourse, as Reid (2005) points out, is consistent with the World Bank's ideology, where stakeholder participation is considered a mechanism to compensate for the failures of market processes by spreading out benefits of economic growth to marginal communities through social welfare programmes. Such an approach to poverty reduction is linked to the aim of reducing reliance on patronage ties. Political issues are interpreted in a similar way. Corruption, for example, has been understood as a market inefficiency that increases the cost of doing business. This discourse is often articulated in personalistic terms, citing the moral unfitness of particular officials as the reason for corruption and consequent underdevelopment, and requiring their removal from power and prosecution. This discourse is associated with the Catholic Church, the business community and sectors of 'civil society' – or what Hedman (2006) calls the 'dominant blocs'. President Benigno S. Aquino's campaign slogan 'Kung walang kurap, walang mahirap' ('If there is no corruption, there is no poverty'), which led to his landslide victory in the 2010 presidential elections, is an indicator of the resonance of this discourse. This slogan has been translated into official government discourse of 'Aquinomics', which equates good governance with good economics. Fiscal sustainability, public-private partnerships, ensuring ease in doing business and investing in the people to help them become productive participants in the economy are some policy articulations of this discourse. The

manifestation of market-oriented discourses in official government policy is an indication of this discourse's impact or consequentiality in the empowered space.

Finally, discourses of patronage – those that emphasise intense loyalties to kin, clan and language group affiliations – still remain relevant (McCoy, 1993). On the one hand, this discourse tends to be exclusionary in that organisations based on familial or regional identities detract from the promotion of the identity of Filipinos as equal citizens (Landé, 1965) as well as the possibility of decision-making based on other-regarding reasons. On the other hand, this discourse is consequential in delivering necessary goods and services to the subjects of a politically dominant patron. Its simplification of the political field into a concrete concept of 'us' provides a structure to political life that is discernible and, consequently, actionable to 'ordinary' Filipinos. This discourse also shapes decision-making among elites or what is referred to as 'transactional politics', where lucrative contracts, government appointments and political coalitions are granted based on connections to those in power rather than merit or ideology (see Fabella, 2007; Putzel, 1999).

What could these three discourses tell us about the deliberative capacity of the public space? First, it can be said that the public space supports the free flow of contesting discourses. There is no dearth of competing views on politics and economic development, as demonstrated by the opposing discourses of transformation, the market and patronage. In spite of stark economic inequalities (Morlino's seventh criterion), discourses from the perspective of marginalised sectors have been articulated in the public space. However, threats to inclusivity remain, including Dressel's concern over the increasing number of unresolved cases of extra-judicial killings and abductions of journalists and community organisers. In this sense, Morlino's criterion regarding the protection of civil and political freedoms is directly linked to the inclusiveness of the public space.

There is also a considerable degree of authenticity in the contestation of discourses. The terms of particular discourses have been actively contested by different actors. For example, the Aquino government's conditional cash transfer programme⁴ has been the subject of intense argument among those subscribing to transformative discourse. Pamalakaya, among other groups, has expressed deep concern that the programme promotes 'the culture and mindset of mendicancy' and 'an across-the-nation corruption and political patronage based on corrupt and syndicated practices' (Hicap, quoted in Delfin, *Philippine Daily Inquirer*, 2 January 2012). These groups have provided an inventory of incidents of mismanagement of these funds, supporting their criticism that the programme is designed to be abused by political patrons. On the other hand, Akbayan, a democratic Left political party, expressed support for the programme because of evidence illustrating its effectiveness in containing poverty in countries such as Mexico and Brazil. However, its view differs from the World Bank's prescriptions in that Akbayan does not treat the programme as the principal tool for poverty reduction and maintains its demands for agrarian reform, reversal of trade liberalisation and a moratorium on foreign debt servicing (Bello, 2012). This contestation of views is an indication of deliberative capacity in that discourse is not constrained by dogmatic ideological formulas. Instead, contestation contributes to discursive vigour. Even though the Philippines does not have a strong party system and electoral processes remain weak, various avenues have become available for the articulation and contestation of discourses. For these reasons, the public space is vibrant not only because of the density of associational networks, but also because of its considerable deliberative capacity. What others may describe as a 'lack of national unity' is, in deliberative terms, a sign of a plural, dynamic and responsive public space.

Empowered space

The deliberative capacity of the Philippines' public space can be described as 'considerable', especially when compared with that of the empowered space or formal institutions of governance and

decision-making. Some deliberative democrats recognise that this is not atypical in that the structure of the public space is generally more open than the empowered space. There are no formal agenda constraints and time for deliberation of a wide variety of issues is in theory unlimited (Rostbøll, 2008: 187). The empowered space, on the other hand, is constrained by its function of coming up with binding decisions. This requires structures and procedures that allow representatives to convey their principals' views to other representatives and relay other representatives' arguments back to their principals (Parkinson, 2006: 32; Rostbøll, 2008: 230). The empowered space is faced with an inherent challenge of managing the practical demands of working within representative institutions, integrating different discourses to come up with a legitimate intersubjective outcome by enforcing deliberative ethics and democratic norms.

One way to empirically examine the authenticity of deliberation in formal empowered spaces is through the Discourse Quality Index. It presents a set of heuristic tools based on deliberation's normative standards to assess the extent to which parliamentary proceedings can be considered deliberative (Steiner et al., 2004). This in itself is a substantive task and warrants a separate investigation. However, several inferences can be made from the literature on Philippine politics to characterise the structural impediments on developing deliberative capacity in the empowered space.

First, electoral politics – the process by which representatives of the public in the empowered space are selected – remains exclusionary, marked by shifting coalitions of clan power identified with the country's elite (Hedman, 2006; Hutchcroft, 1998; McCoy, 1993; Putzel, 1999; Quimpo, 2008; Simbulan, 2005). An exclusionary power structure not only restricts the access of non-elite citizens to become part of the empowered space, but also compromises the diversity of voices in sites of decision-making. This limits the empowered space's deliberative capacity in that the process of crafting collective decisions fails to seriously consider and reflect on the range of discourses in the public space and disproportionately privileges a particular perspective.

One manifestation of this is the predominance of the market-oriented discourse in the empowered space. This is articulated in national policies on privatisation, public–private partnerships, trade deregulation, contractualisation and labour exportation, even though such economic positions have been consistently interrogated in the public space (Reid, 2001). The closest rivals of the market-oriented discourse in the empowered space in terms of consequentiality are discourses of patronage, where 'strong lobbies' from local industries have continued to extract support from politicians through direct and indirect political contributions (see Hutchcroft, 1998). Transformative discourse, on the other hand, remains at the margins. While agents of transformative discourse are able to expand the discursive boundaries of policymaking, their attempts at making their deliberative contributions consequential are often thwarted. For example, the passage of the Comprehensive Land Reform Law was taken over by the landlord bloc in the House of Representatives by adding 'killer amendments' before agreeing to pass the law. These included the provision that required landowners to confirm that farmers tilling the land are qualified beneficiaries, effectively giving veto power over landlords to select compliant tenants or relatives as beneficiaries (see Bello, 2009). While representing and considering the views of landowners is not inconsistent with the principle of deliberative inclusion, the consolidated landlord bloc in the empowered space disproportionately amplified the voice of a market-dominant minority in the public space by holding the bill hostage until favourable provisions had been added. This manoeuvre undermined the arguments of a small number of lawmakers representing the economically and politically underprivileged sector of peasants and farmers and they ended up voting for a bill that gave them a relatively small victory. Hence, the empowered space can be considered to have weak deliberative capacity in that it fails to uphold the principles of inclusion and authenticity in deliberation.

Second, a number of scholars, including Dressel, consider the absence of credible political parties as a reason for weak processes in democratic governance. Parties in the Philippines are considered weak or non-existent because of politicians' changing affiliations depending on the political climate. However, from a deliberative perspective, 'strong' political parties do not automatically enhance deliberative capacity, especially if they promote staunch partisanship and uncompromising loyalties. In their comparative study of discourse quality, Steiner et al. (2004) argue that consensual democracies (e.g. Switzerland and Belgium) tend to facilitate parliamentary proceedings of better discursive quality than majoritarian ones (e.g. the United Kingdom). In majoritarian settings, the role of the political opposition is to oppose because a cooperative opposition may lead voters to assign political success to the incumbent. The aim of illustrating the incompetence of the party in power or the irresponsibility of the opposition overrides the prospect of searching for mutually acceptable solutions in the empowered space (Bächtiger and Hangartner, 2010: 6). On the other hand, consensual democracies – those engaged with power-sharing and coalition-building – provide more opportunities for authentic deliberation. Because parties engage in joint decision-making, there is a shared responsibility to 'get things done'. Deliberation becomes even more appealing when simple bargaining has not resolved impasses, requiring coalition partners to generate a constructive communicative environment, cooperatively overcome cognitive problems and clarify factual disagreements (Bächtiger and Hangartner, 2010: 609; see also Lijphart, 1999).

While the Philippines does not neatly fall under either category, one applicable insight from the Steiner et al. study is the nuanced appreciation of the relationship between political parties and deliberative quality. Instead of immediately disavowing the fluid political coalitions in Philippine politics and unequivocally endorsing the development of political parties, deliberative democrats are cautious of the type of communicative relationship that emerges from 'strong' parties. Shifting coalitions are not necessarily counterproductive for deliberative capacity-building in the empowered space as long as coalitions are forged based on mutual justification and considered preference transformation.⁵

Rather than the absence of strong political parties that have clear preset policy positions, I suggest – albeit cautiously – that it is the lack of diverse voices that can contest dominant ideas that limits deliberative capacity in the empowered space, as illustrated in the land reform example. Assuming that there are institutional conditions that facilitate well-reasoned, respectful and reflective deliberation occurring in the empowered space, these deliberations are still not 'democratic' if they continue to systematically exclude under-represented voices in the public space. It is inclusion that sets democratic deliberation apart from technocratic or oligarchic deliberation, making issues of access central in the empowered space. The 1987 Constitution already has a provision that allocates seats in Congress to sectoral representatives that specifically advocate for the interests of marginalised groups. This, in theory, could have made the Philippine legislature more inclusive. In practice, however, this provision has been subverted to perpetuate existing power structures. In the 2010 elections, President Gloria Arroyo's allies fielded well-funded candidates, including her son, claiming to represent the 'marginalised sector' of security guards, and her former Armed Forces Chief of Staff, representing public transport drivers. Some advocacy groups put forward campaign finance reform as a corrective to the prohibitive costs of running an electoral campaign, although this has not yet been substantively taken up in the empowered space.⁶

Transmission and accountability

Thus far, I have characterised the public space as having strong deliberative capacity in terms of inclusivity and authenticity in the contestation of discourses. The empowered space, on the contrary, has exhibited weak deliberative capacity because of inaccessibility of sites of decision-making to

non-elites, thereby perpetuating the dominance of particular discourses and political practices. This observation relates to Dressel's concluding question as to whether Philippine democracy is a case of a glass half-full because of high levels of participation and a vibrant civil society or a glass half-empty because of the resilience of oligarchic structures.

In deliberative democratic terms, this is an issue of transmission. Transmission mechanisms serve as the medium delivering discourses in the public space to the empowered space, prompting the latter to react, respond and engage with public discourses. These mechanisms are particularly important in the Philippine context. While it remains crucial to form institutions that enhance the deliberative capacity of the empowered space, there are also practical limitations in setting these reforms in motion. The consolidation of a 'landlord bloc' has perpetuated political dynasties, making the empowered space even more impenetrable for new voices to engage with the dominant terms of governance and instigate reforms (see Querubin, 2012).

There are three common transmission mechanisms currently in use in the Philippines. One of these is elections. They are transmission mechanisms in that citizens vote for candidates that represent particular discourses in the public space. Accountability is exercised in that politicians who fail to fulfil campaign promises or consider the voices of their constituents in decision-making are elected out of office. Some members of the public space use elections as a 'direct' transmission mechanism to impart their discourses in the empowered space by attempting to be part of the empowered space. As mentioned, this is the principle behind the constitutional provision on sectoral representation.

In practice, however, elections in the Philippines are not only marked by the widespread use of 'guns, goons and gold' (see Linantud, 1998) to secure victory, but also exemplify weak deliberative capacity. Patronage politics in the Philippines creates conditions for politicians to pander to narrow constituencies in short time horizons (Hicken, 2009), thereby limiting the possibility for platform-based discussions of campaign issues. Because political alliances are often forged on the basis of personalities, electoral campaigns rarely create deliberative spaces where the public and the candidates – be it in town hall-style campaigns or televised debates – can engage in a meaningful conversation that processes differences or similarities in opinion and policy preferences. Failure to use the electoral campaigns as a vehicle for the articulation of a range of ideas curtails their potential to serve as transmission mechanisms of discourses circulating in the public space.

Instead, campaigns are marked by adversarial and personalistic rhetoric, simplifying the political field in terms of us and them. Aquino's anti-corruption discourse has effectively made use of populist rhetoric against Arroyo and her political allies, in the same way that Joseph Estrada won the presidency in 1998 on an anti-elite rhetoric. Aquino and Estrada secured the widest electoral margins compared with other presidents, providing an indication of the effectiveness of adversarial discourses in running campaigns. This kind of rhetoric has served to limit the development of deliberative competencies in that contestation of discourses lapses into modes of communication such as black propaganda, misinformation and character assassination. Quimpo (2005) notes that even progressive movements involved in the electoral process – those that have been active in developing transformative discourses in the public space – have been compromised by forging alliances with traditional politicians and have failed to articulate sharper critiques of oligarchic democracy and to disseminate alternative political and development discourses.

On top of making elections more free, fair and competitive, the electoral process as a transmission mechanism necessitates deliberative capacity. Even in a scenario where the electorate is economically better off and hence less prone to vote-buying (Morlino's second, third and seventh criteria), non-deliberative practices serve to obstruct democratic deepening in that citizens are still treated as passive subjects rather than discerning political agents worthy of reasonable engagement.

Another transmission mechanism is extra-parliamentary action, including protests, petitions, online campaigning and grassroots organising. These are mechanisms in which support for or discontent with the empowered space are expressed. Support, for example, was demonstrated when a number of civil society groups gathered at the People Power Shrine in the middle of a military mutiny in 2003 to defend the Arroyo government. More commonly, however, these mechanisms are used to express discontent. One of the immediately consequential extra-parliamentary actions under the Aquino regime was the widespread protest against the Cybercrime Prevention Act of 2012, which aimed to criminalise computer crime, including identity theft and child pornography. However, the law has been criticised for criminalising 'e-libel', leading to online and street protests against the law. Online protests included blackening of Facebook accounts, hacking government websites and using the hash tag '#notocybercrimelaw' on Twitter. Bloggers, national artists and the National Press Club, among others, have filed petitions in the Supreme Court questioning the law's constitutionality, which resulted in the court granting a temporary injunction. Some legislators that voted for the bill immediately called for the law to be amended, while the Department of Justice, as a response, convened a stakeholder dialogue to discuss the law's implementing procedures.

When assessed as isolated political acts, extra-parliamentary discursive strategies are not necessarily deliberative. They do not involve the exchange of other-regarding reasons, openness to preference transformation and respectful engagement (Young, 2001). This is why extra-parliamentary mechanisms are best appreciated in relation to the broader processes of transmission in the deliberative system. They are facilitative tactics that frame issues and place them on the public agenda for deliberation (Curato, 2012). These demonstrations are not one-off activities, but are conducted in combination with other mechanisms, such as grassroots organising and utilising existing democratic avenues for redress.

Moreover, for some sectoral groups, these strategies are meaningfully connected to their formal representation in the parliament. 'Our parliamentary work is only as effective as our work in the mass movement,' the Secretary General of the New Patriotic Alliance stated, considering that marginalised sectoral groups only manage to secure a limited number of seats in an elite-dominated Congress (Reyes, 2012). In some instances, creating extra-electoral spaces for contestation and intensifying public pressure served as more pertinent deliberative strategies than transmitting discourses through sectoral representatives in the empowered space. This was the case, for example, when sectoral representatives wanted to act upon Arroyo's electoral fraud case but were left immobilised in an Arroyo-controlled parliament. Contestation was 'brought to the streets' through intense campaigning, knowing that parliamentary procedures in the empowered space, such as impeachment proceedings, would not prosper. It is through this dynamic of traversing between the empowered and public spaces that sectoral groups maintain their critical distance from power. Even though some members of the public space have become members of the empowered space, they continue to generate critical discourses and confront ways in which parliamentary procedure is conducted (Dryzek, 2000).

The third transmission mechanism is direct engagement between public and empowered spaces, where representatives from the public space are actively involved in the process of co-governance while maintaining their status as outsiders to the empowered space. The 1987 Constitution formally opened up the democratic space by mandating the state to 'facilitate the establishment of adequate consultation mechanisms' at all levels of political and economic decision-making (Republic of the Philippines Constitution, 1987, Article XIII, Section 16). One of these mechanisms is the Local Government Code 1991, which requires the incorporation of NGOs in local government boards (see Estrella and Iszatt, 2004). Participatory budgeting is another example, where representatives from the public space are invited to take part in budget development and planning. In crafting the 2012 National Budget, six government departments and three government

corporations engaged civil society organisations as part of the Aquino administration's Open Government Action Plan. The extent of their involvement remains at the 'consultative' level, with decisions still left to the discretion of the empowered space. This set-up makes it imperative for civil society organisations to continue their informal engagement with members of the empowered space, as in the case of members from the group Social Watch, who actively reach out to legislators and propose an 'alternative budget' that is consistent with the Philippines' commitment to achieving the Millennium Development Goals (Vital, 2012). This initiative, among others, has been consequential, especially in terms of institutionalising oversight and accountability mechanisms. The Aquino administration has now required all government branches to publicly disclose their approved budgets, utilisation of funds, procurement plans and awarded bids in a timely and relevant manner (Philippine Government Action Plan for the Open Government Partnership, 2011).

Conclusion and directions for future research

'If the health of democracy can be judged by the peaceful transfer of power through the electoral process', Putzel states, then the Philippines, since 1992, 'while in the midst of a regional economic crisis, appeared to pass the test' (Putzel, 1999: 198). However, the process of democratic deepening is not only about the peaceful transfer of power, or building political parties and effective institutions. It is also about creating inclusive spaces where citizens can engage with different discourses and influence the outcome of collective decisions in a non-coercive manner. Democratic theory has moved on from the framework of electoral democracy to examining articulations of democracy in different contexts. Methodology should follow too. Indicators capturing different manifestations and ideals of democracy should be conceptualised. One methodological response is the incorporation of deliberative capacity as another criterion in Morlino's framework of democratic qualities.

I have characterised the Philippine political system's deliberative capacity as considerable in the public space but modest in the empowered space. Discourses in the public space are free and wide-ranging, where views even of marginalised sectors have been articulated, contested, revised and reconsidered. The challenge, however, lies with the transmission of these discourses into the empowered space. While institutional reforms can be enforced to make the empowered space more deliberative and democratic, the practical realities in an elite democracy have thwarted efforts at reform. I have argued that transmission mechanisms are key components of the deliberative system in making an exclusionary empowered space more responsive and accountable to the discourses in the public space. It is important to clarify, however, that the empirical observations I have put forward in this article are preliminary. My aim is to illustrate the analytical potency of deliberative capacity as an indicator of democratic quality. While deliberative capacity has been used as an indicator in analysing earth system governance (Stevenson and Dryzek, 2012) and comparing partisan and non-partisan deliberative forums (Hendriks et al., 2007), there have been few attempts at characterising a political system's deliberative capacity.

I conclude this piece by identifying directions for future research, particularly the deliberative capacity approach's potential implications for comparative studies of democratisation. Some indices, such as the Varieties of Democracy Project (V-Dem), have already begun incorporating indicators of deliberative, majoritarian, participatory and egalitarian democracies. Although this approach is still within the paradigm of creating composite measures that assess democratic quality, it acknowledges democracy's multidimensional character as well as the conflicts and trade-offs among democracy's attributes. How deliberative capacity's methodology can be operationalised and incorporated in projects such as V-Dem is worth investigating, particularly the role of transmission mechanisms and public spaces in deepening democracy.

The deliberative capacity approach can also support qualitative comparative studies, as in the case of Morlino's framework. A country that considers elections as a central political practice, such as the Philippines, can be compared with countries where there is an increasing legitimacy of unelected institutions, such as Thailand (Ferrara, 2011: 513), or those that have strong political parties with antagonistic rather than deliberative relationships, such as Venezuela (see Remmer, 2012). This can generate insight in terms of how discourses in the deliberative system can serve to generate legitimacy in ways that depart from the electoral democratic ideal.

Finally, incorporating deliberative capacity in Morlino's framework allows for a richer analysis when comparative democratisations are examined in historical terms. The deliberative system model enables analysts to examine political spaces and mechanisms that used to be below the analytical radar because of the electoral democracy-centric paradigm of investigation. For example, historical accounts of 'third-wave democracies' can be renegotiated when indicators of democratic transition are broadened, from focusing the analysis on periodic elections and competitive political parties to historically mapping democratic innovations that build bridges between the public and empowered spaces or institutions and practices that facilitate the circulation of contesting discourses over a period of time. It is possible that the picture will be more mixed and uneven, with some political systems exhibiting a historical track record of a democratically resilient public space even under dictatorial regimes, while others exhibit a parliament with high deliberative capacity but with a paternalistic approach to engaging discourses in the public space. Indeed, a deliberative capacity approach can refresh comparisons of political systems by pushing the analysis from examining indicators of formal democracy to examining features of a deliberative system that contribute to democratic deepening. As democratic practice takes more complex and nuanced versions in different contexts, comparative heuristic tools assessing democratic qualities warrant constant updating.

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Notes

1. The *Philippine Democracy Assessment* (Co et al., 2005) is another example of a 'democratic audit' based on an electoral democracy framework. It uses the International Institute for Democracy and Electoral Assistance's set of indicators, which, while comprehensive, focus on areas that contribute to electoral reform rather than the indicators of 'democratic deepening' discussed in this article.
2. These models are not mutually exclusive and have overlapping characteristics. For a discussion of each of these models, see Hobson (2012).
3. Dryzek defines discourse as 'a shared set of concepts, categories and ideas that provide its adherents with a framework for making sense of situations, embody judgments, assumptions, capabilities, dispositions, and intentions' (Dryzek, 2006: 1).
4. Conditional cash transfer is the Aquino government's cornerstone policy on poverty reduction. Poor families are given subsidies as an incentive to keep their children in school, they receive health care during and after pregnancy, and immunisation and constant health check-ups are provided for their children.

5. Croissant (2002) provides a matrix that compares the fragmentation of political parties in South-east and East Asia and the extent of polarisation.
6. There are other institutional conditions that can account for the deliberative capacity of the empowered space, such as bicameralism, presidentialism, unitary form of government, term limits, community representatives' engagement, committee systems and voting systems. The Discourse Quality Index (see Steiner et al., 2004) examines the impact of these institutional arrangements on the deliberative quality of legislative speeches. It is worth broadening the investigation to how these institutional conditions affect the deliberative capacity in the empowered space.

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