

CARLOS SANTIAGO NINO

# THE CONSTITUTION OF DELIBERATIVE DEMOCRACY



# Constitution Of Deliberative Democracy

**Alfred Moore**



## **Constitution Of Deliberative Democracy:**

**The Constitution of Deliberative Democracy** Carlos Santiago Nino, 1996-01-01 In this important and wide ranging book a leading political theorist and activist considers the question What justifies democracy Carlos Santiago Nino critically examines answers others have given and then develops his own distinctive theory of democracy emphasizing its deliberative character In Nino s view democracy resembles a moral conversation and is valued because of its capacity to generate an impartial perspective one that takes into account the interests of all citizens Nino s conception of deliberative democracy bears on the way power is organized under a constitution Drawing on a variety of constitutional traditions he criticizes the presidential system and calls for citizens to participate more directly in the political life of their country He also envisions a revitalized role for political parties Nino shows how deliberative democracy can be combined with and supported by other constitutional practices such as the specific wording of the text and the protection of individual rights The complex constitution that emerges from his analysis consists of a historical constitution an ideal constitution of rights and an ideal constitution of power Nino s goal is to explain how these three dimensions of constitutionalism can reinforce rather than conflict with each other In a final chapter he argues that the deliberative conception of democracy requires a more limited role for judicial review than is usually contemplated

**Constitutional Deliberative Democracy in Europe** Min Reuchamps, Jane Suiter, 2017-07-31 From small scale experiments deliberative mini publics have recently taken a constitutional turn in Europe Iceland and Ireland have turned to deliberative democracy to reform their constitutions Estonia Luxembourg and Romania have also experienced constitutional process in a deliberative mode In Belgium the G1000 a citizen led initiative of deliberative democracy has fostered a wider societal debate about the role and place of citizens in the country s democracy At the same time European institutions have introduced different forms of deliberative democracy as a way to connect citizens back in These empirical cases are emblematic of a possibly constitutional turn in deliberative democracy in Europe The purpose of this book is to critically assess these developments bringing together academics involved in the designing of these new forms of constitutional deliberative democracy with the theorists who propagated the ideas and evaluated democratic standards

**Constitutional Courts and Deliberative Democracy** Conrado Mendes, 2013-12 It is often argued that courts are better suited for impartial deliberation than partisan legislatures and that this capacity justifies handing them substantial powers of judicial review This book provides a thorough analysis of those claims introducing the theory of deliberative capacity and its implications for institutional design

**Deliberative Constitution-making** Min Reuchamps, Yanina Welp, 2023-08-31 This book explains deliberative constitution making with a special focus on the connections between participation representation and legitimacy and provides a general overview of what the challenges and prospects of deliberative constitution making are today It seeks to provide a more complete picture of what is at stake as a political trend in various places in the world both theoretically and empirically grounded Distinctively

the book studies not only established democracies and well known cases of deliberative constitution making but also such practices in authoritarian and less consolidated democratic settings and departs from a traditional institutional perspective to have a special focus on actors and in particular underrepresented groups This book is of key interest to scholars and students of deliberative democracy constitutional politics democratization and autocratization studies citizen participation and more broadly to comparative politics public administration social policy and law *Handbook of Democratic Innovation and Governance* Stephen Elstub, Oliver Escobar, 2019-12-27 Democratic innovations are proliferating in politics governance policy and public administration These new processes of public participation are reimagining the relationship between citizens and institutions This Handbook advances understanding of democratic innovations in theory and practice by critically reviewing their importance throughout the world The overarching themes are a focus on citizens and their relationship to these innovations and the resulting effects on political equality The Handbook therefore offers a definitive overview of existing research on democratic innovations while also setting the agenda for future research and practice **Deliberative Democracy and Beyond** John S. Dryzek, 2002 The past few years have seen a remarkable ferment in the theory of democracy *Deliberative Democracy and Beyond* is a critical tour through recent democratic theory by one of the leading political theorist in the field It examines the deliberative turn in democratic theory which argued that the essence of democratic legitimacy is to be found in authentic deliberations on the part of those affected by a collective decision The deliberative turn began as a challenge to established institutions and models of democracy but it has now been largely assimilated by these same institutions and models Drawing a distinction between liberal constitutionalist deliberative democracy and discursive democracy the author criticizes the former and advocates the latter He argues that a defensible theory of democracy should be critical of established power pluralistic reflexive in its questioning orientation to established traditions transnational in its capacity to extend across state boundaries ecological and dynamic in its openness to ever changing constraints upon and opportunities for democratization Dryzek's reinvigorated approach enables deliberative democracy to respond more effectively to the criticisms that have been leveled against it *Oxford Political Theory* presents the best new work in contemporary political theory It is intended to be broad in scope including original contributions to political philosophy and also work in applied political theory The series will contain works of outstanding quality with no restrictions as to approach subject matter Series Editors Will Kymlicka David Miller and Alan Ryan **Constitutional Deliberative Democracy in Europe** Min Reuchamps, Jane Suiter, 2017-07-03 From small scale experiments deliberative mini publics have recently taken a constitutional turn in Europe Iceland and Ireland have turned to deliberative democracy to reform their constitutions Estonia Luxembourg and Romania have also experienced constitutional process in a deliberative mode In Belgium the G1000 a citizen led initiative of deliberative democracy has fostered a wider societal debate about the role and place of citizens in the country's democracy At the same time European institutions have introduced different forms of

deliberative democracy as a way to connect citizens back in These empirical cases are emblematic of a possibly constitutional turn in deliberative democracy in Europe The purpose of this book is to critically assess these developments bringing together academics involved in the designing of these new forms of constitutional deliberative democracy with the theorists who propagated the ideas and evaluated democratic standards *Democratizing Constitutional Law* Thomas Bustamante, Bernardo Gonçalves Fernandes, 2016-04-19 This volume critically discusses the relationship between democracy and constitutionalism It does so with a view to respond to objections raised by legal and political philosophers who are sceptical of judicial review based on the assumption that judicial review is an undemocratic institution The book builds on earlier literature on the moral justification of the authority of constitutional courts and on the current attempts to develop a system on weak judicial review Although different in their approach the chapters all focus on devising institutions procedures and in a more abstract way normative conceptions to democratize constitutional law These democratizing strategies may vary from a radical objection to the institution of judicial review to a more modest proposal to justify the authority of constitutional courts in their deliberative performance or to create constitutional juries that may be more aware of a community's constitutional morality than constitutional courts are The book connects abstract theoretical discussions about the moral justification of constitutionalism with concrete problems such as the relation between constitutional adjudication and deliberative democracy the legitimacy of judicial review in international institutions the need to create new institutions to democratize constitutionalism the connections between philosophical conceptions and constitutional practices the judicial review of constitutional amendments and the criticism on strong judicial review *Deliberative Politics : Essays on Democracy and Disagreement* Stephen Macedo Laurance S. Rockefeller Professor of Politics and the University Center for Human Values Princeton University, 1999-07-30 The banner of deliberative democracy is attracting increasing numbers of supporters in both the world's older and newer democracies This effort to renew democratic politics is widely seen as a reaction to the dominance of liberal constitutionalism But many questions surround this new project What does deliberative democracy stand for What difference would deliberative practices make in the real world of political conflict and public policy design What is the relationship between deliberative politics and liberal constitutional arrangements The 1996 publication of Amy Gutmann and Dennis F Thompson's *Democracy and Disagreement* was a signal contribution to the ongoing debate over the role of moral deliberation in democratic politics In *Deliberative Politics* an all star cast of political legal and moral commentators seek to criticize extend or provide alternatives to Gutmann and Thompson's hopeful model of democratic deliberation The essays discuss the value and limits of moral deliberation in politics and take up practical policy issues such as abortion affirmative action and health care reform Among the impressive roster of contributors are Norman Daniels Stanley Fish William A Galston Jane Mansbridge Cass R Sunstein Michael Walzer and Iris Marion Young and the editor of the volume Stephen Macedo The book concludes with a thoughtful response from Gutmann and Thompson to their

esteemed critics This fine collection is essential reading for anyone who takes seriously the call for a more deliberative politics

**The Cambridge Handbook of Deliberative Constitutionalism** Ron Levy,Hoi Kong,Graeme Orr,Jeff King,2018-04-19 Deliberative democratic theory emphasises the importance of informed and reflective discussion and persuasion in political decision making The theory has important implications for constitutionalism and vice versa as constitutional laws increasingly shape and constrain political decisions The full range of these implications has not been explored in the political and constitutional literatures to date This unique Handbook establishes the parameters of the field of deliberative constitutionalism which bridges deliberative democracy with constitutional theory and practice Drawing on contributions from world leading authors this volume will serve as the international reference point on deliberation as a foundational value in constitutional law and will be an indispensable resource for scholars students and practitioners interested in the vital and complex links between democratic deliberation and constitutionalism

**Innovative Citizen Participation and New Democratic Institutions Catching the Deliberative Wave** OECD,2020-06-10 Public authorities from all levels of government increasingly turn to Citizens Assemblies Juries Panels and other representative deliberative processes to tackle complex policy problems ranging from climate change to infrastructure investment decisions They convene groups of people representing a wide cross section of society for at least one full day and often much longer to learn deliberate and develop collective recommendations that consider the complexities and compromises required for solving multifaceted public issues

Participatory Constitutional Change Xenophon Contiades,Alkmene Fotiadou,2016-10-04 This book explores the recent trend of enhancing the role of the people in constitutional change It traces the reasons underlying this tendency the new ways in which it takes form the possibilities of success and failure of such ventures as well as the risks and benefits it carries To do so it examines the theoretical aspects of public participation in constitutional decision making offers an analysis of the benefits gained and the problems encountered in countries with long standing experience in the practice of constitutional referendums discusses the recent innovative constitution making processes employed in Iceland and Ireland in the post financial crisis context and probes the use of public participation in the EU context New modes of deliberation are juxtaposed to traditional direct democratic processes while the reasons behind this re emergence of public involvement narratives are discussed from the aspect of comparative constitutional design The synthetic chapter offers an overview of the emerging normative and comparative issues and provides a holistic approach of the role of the people in constitutional change in an attempt to answer when where and how this role may be successfully enhanced The work consists of material specifically written for this volume and authored by prominent constitutional scholars and experts in public participation and deliberative processes

The Will of the People Yanina Welp,2022-06-06 The Will of the People Populism and Citizen Participation in Latin America argues that while populist leaders typically claim to speak in the name of the people they rarely allow the people to express their opinion independently through institutions of citizen participation

The argument is rooted in theoretical discussions and empirical analyses of trends and specific cases The volume deals with the following questions Why is populism so prolific in the Latin American region How and where do populist leaders arrive to power Is there a connection between populism and fascism as claimed by negative views of Argentinian Peronism Are populist leaders more keen on introducing mechanisms of direct citizen participation Are the erosions of the political party system an explanation of the emergence of populism as seems to be the case with Fujimorism in Peru To what extent have the governments of Hugo Ch vez Evo Morales and Rafael Correa given voice to the people through the so called participatory democracy

**Citizenship and Democratic Innovations in Europe** Ireneusz Paweł Karolewski, Carsten Herzberg, 2025-10-16 This book brings together scholarship and debates on citizenship and democratic innovation and examines how democratic innovations might change or even consolidate the existing contours of citizenship Arguing that the nexus between research on citizenship and democratic innovations can be found in the praxis approach to citizenship where citizenship can be framed as a realm of actions and practices the book shifts the discussion from the institutional level into a more conceptual realm of analysis Taking stock of the democratic innovations at the local level the national level and the EU level such as citizen assemblies referendums and participatory budgeting the book further surveys and maps their contribution to the democratic quality of citizenship across various European countries This book is of key interest to

scholars and students of democratic innovations citizenship studies democratization governance and more generally public policy and European Politics and Studies

The Oxford Handbook of Deliberative Democracy André Bächtiger, John S. Dryzek, Jane Mansbridge, Mark E. Warren, 2018-08-30 Deliberative democracy has been one of the main games in contemporary political theory for two decades growing enormously in size and importance in political science and many other disciplines The Oxford Handbook of Deliberative Democracy takes stock of deliberative democracy as a research field in philosophy in various research programmes in the social sciences and law and in political practice around the globe It provides a concise history of deliberative ideals in political thought and discusses their philosophical origins The Handbook locates deliberation in political systems with different spaces publics and venues including parliaments courts governance networks protests mini publics old and new media and everyday talk It engages with practical applications mapping deliberation as a reform movement and as a device for conflict resolution documenting the practice and study of deliberative democracy around the world and in global governance

*Comparative European Politics* Rory Costello, Neil Robinson, 2024 This essential guide to comparative European politics provides the broadest range of coverage on Europe illustrated via the widest range of examples applied to contemporary events In *Comparative European Politics* the team of expert authors explore the politics of a range of European countries providing insight into everything you need to know on the subject from the fundamentals of democratic politics institutions and practices of government to key contemporary challenges

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**Growing Constitutions** Tom Ginsburg, 1999 [De Gruyter Handbook of Citizens' Assemblies](#) Min Reuchamps, Julien Vrydagh, Yanina Welp, 2023-05-31 Citizens Assemblies CAs are flourishing around the world Quite often composed of randomly selected citizens CAs arguably come as a possible answer to contemporary democratic challenges Democracies worldwide are indeed confronted with a series of disruptive phenomena such as a widespread perception of distrust and growing polarization as well as low performance Many actors seek to reinvigorate democracy with citizen participation and deliberation CAs are expected to have the potential to meet this twofold objective But despite deliberative and inclusive qualities of CAs many questions remain open The increasing popularity of CAs call for a holistic reflection and evaluation on their origins current uses and future directions The De Gruyter Handbook of Citizens Assemblies showcases the state of the art around the study of CAs and opens novel perspectives informed by multidisciplinary research



and renewed thinking about deliberative participatory processes It discusses the latest theoretical empirical and methodological scientific developments on CAs and offers a unique resource for scholars decision makers practitioners and curious citizens to better understand the qualities purposes promises but also pitfalls of CAs     Crafting Constitutional Democracies Edward Schneier,2006-04-27 By examining the institutions of government through the lens of constitution making Crafting Constitutional Democracies provides a broad and insightful introduction to comparative politics Drawn from a series of lectures given in Jakarta Indonesia on the drafting of the U S constitution the book illustrates the problems faced by generations of founders through numerous historic and contemporary examples Both Indonesia in 1999 and the United States in 1789 faced the same basic issue how to construct a central government for a large and diverse nation that allowed the majority of the people to govern themselves without intruding on the rights of minorities What kinds of institutions make for good government What factors need to be considered in designing a government Author Edward Schneier explores these questions through a rich variety of examples from both recent and historic transitions to democracy Drawing frequently upon the arguments of the American Federalist Papers and more contemporary theories of democratization Crafting Constitutional Democracies lucidly explores the key questions of how and why democracies succeed and fail A concluding chapter on constitutional change and decline raises provocative and important questions about the lessons that citizens of the world s older democracies might take from the struggles of the new     Critical Elitism Alfred Moore,2017-06-22 This book reimagines expert authority for an age of critical citizens and shows how expertise can contribute in a deliberative system

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