Public policy and obstacles to the virtual agora: Insights from the deliberative e-rulemaking project

Peter Muhlberger[a,*], Jennifer Stromer-Galley[b] and Nick Webb[b]
[a]*Texas Tech University, TX, USA*
[b]*University at Albany, AL, USA*   Should be "NY" not "AL"

Abstract. Cyber-optimists anticipate that electronic media will serve as an extensive public space, a virtual agora, that will re-engage the public with politics and the policies that affect everyday life. For three years we were involved in a U.S. National Science Foundation funded project designed to enhance the participation of citizens in government agency rulemaking processes using online public deliberation and Natural Language Processing technologies. Despite a promising approach in an important arena for direct and regular public engagement, the project was met with serious obstacles in trying to secure a partnership with a government agency or interest groups. This led us to consider the policy process literature for insights regarding the obstacles we faced. That literature, a mainstay in the public policy and public administration curriculum in the US and an   *US should be U.S.* attempt to capture how policy makers actually make decisions, heavily focuses on institutional actors and their adversarial relationships. Yet, it provides for hardly any role for the public to participate in what ideally should be a democratic process. Important components of the literature imply that institutional actors should discourage direct public engagement. The analysis seeks to clarify leverage points and contexts that could be used to promote online public engagement as a regular component of government processes.

1. Introduction

Cyber-optimists' [1–4] depictions of vibrant civil societies online highlight the contrast between the prevalent weak public sphere and the potential for something better. Perhaps stimulated by such positive visions, e-government researchers are engaged in many efforts to combine social and computer sciences in projects that aim to breathe new life into citizen engagement with public policy [5–8]. These projects deploy information technology to reduce participants' cost of becoming informed and communicating. Sharply reduced costs of public engagement should encourage such behavior. Similarly, social science techniques of deliberation seek to improve the sharing of information and quality of discussion.

A seemingly propitious setting for such enhanced public engagement is the arena of government agency rulemaking. Rulemaking is the process by which agency officials seek to turn the often general language of legislation into specific rules that determine compliance with a law. At the US federal level, the Administrative Procedures Act requires the careful elicitation and consideration of public comments for significant rulemakings. Because of their extensive use in federal and in many state agencies and their impact on actual rules enforced by government, the rulemaking comment process represents perhaps the

*Corresponding author: Peter Muhlberger, TTU; Mass Comm Bldg., MS3082; Lubbock, TX 79409, USA. Tel.: +1 806 742 3385 x270; Fax: +1 806 742 1085; E-mail: pmuhL1848@gmail.com.

most substantial arena within which the public, in true democratic spirit, could directly influence public policy.

The Deliberative E-Rulemaking Project (DeER) sought to develop rulemaking-specific Web sites that would apply democratic deliberation techniques and information technology tools to enable greater consideration and input into the rulemaking public comment processes. We sought to have agencies invite stakeholders and the broader public to comment on our website on the regulation and discuss it with others who commented. The dialogue on the Web site and a final position statement of each participant would then be submitted as public comments to the involved agencies.

After three years of effort to recruit agency and public interest group partners, hundreds of phone calls and email messages, consideration of dozens of potential deliberation issues, and the support of top Department of Transportation (DOT) and Environmental Protection Agency (EPA) officials involved in rulemaking, our project succeeded in conducting only two deliberations with some degree of government agency backing. One of these was at the federal and one at the state level in New York, and neither with the DOT or EPA. Both deliberations involved turnouts too small to be considered successful as demonstrations of the value of deliberative rulemaking comment processes.

Government, foundations, and non-profits serve as the main supporters of public deliberation efforts in the United States. Government thus cannot be faulted as a supporter of deliberative efforts, at least in the form those efforts currently take. Nevertheless, deliberations are typically conducted as expensive, rare, and one-of-a-kind efforts to address issues that people in powerful positions believe have proven insusceptible to regular political processes. For example, when top political officials and foundations (Blue Shield Foundation, Kaiser Family Foundation and the California Endowment) in the state of California wanted to address the problem of health care, a policy issue that has proven quite intractable, they brought in an organization, AmericaSpeaks, that typically conducts large, one-time deliberations on different topics. For over $4 million dollars, reportedly, AmericaSpeaks organized face-to-face and high telepresence conferencing meetings with 3500 California residents on Aug. 11, 2007 [9]. The DeER project, however, sought to test a rather different approach to deliberation, one in which online citizen dialog without trained and expensive moderators, would be inserted into a regular process of government – the rulemaking comment process. In the context of the DeER project, upper-tier political leaders were likely not involved, let alone in a position to conclude the policy issues were intractable or that they stood to gain politically from a participation effort. The question, then, is how supportive more ordinary government officials are of utilizing online deliberation as a part of the regular processes of government rather than as special events.

The impediments we experienced in partnering with government agency staff led us to investigate more carefully the theoretical literature on the public policy process in a search for explanations – the literature in which many government agency personnel as well as other policy actors are steeped. That literature is revealing with regard to its handling of the role of the public. A scholar could read thousands of pages of the key policy process literature and encounter few mentions of the public. The chief actors in these theories include interest groups, political leaders, policy experts, and agency officials. When the public appears in this literature, it is as a general environmental factor, a "national mood", that can affect policy actors, but which itself might be the result of manipulation by some of those actors. The literature, which generally seeks to avoid normative claims, typically does not consider the role of the public in conferring democratic legitimacy. A student of this literature is prepared to go forth and do battle in a world of highly adversarial policy actors, not one in which the public plays or should play any active role. Deliberative public engagement lands in this world like a brother from another planet – not understood and in some cases actively rejected.

In the following pages, we briefly describe our project and the obstacles we faced, we then engage in a critical examination of the public policy process literature, highlighting as noteworthy that literature's disinterest in the important normative role of the public or its poor view of the public and democratic processes more generally. Finally, we return to our project and examine its difficulties in light of the reality the public policy literature creates.

2. The deliberative e-rulemaking project

The DeER Project combined a multi-level deliberation (MuLD) technique with an effort to use automated technologies to facilitate discussion. MuLD (we are indebted to Thomas R. Bruce for suggesting "MuLD" rather than the original MLD) is a type of small-group discussion technique modeled after work on sociocracy [10], pyramidal democracy [11], and participatory budgeting [12], which provide suggestive evidence for the effectiveness of the method. In addition, the project sought to create a Discussion Facilitation Agent based in Natural Language Processing technologies. Elsewhere [13], we detail the technologies and approaches brought to bear in this project. Here, the focus is the obstacles we encountered seeking to bring this work into actual rulemakings.

In the two deliberations we hosted with government agencies, we experienced adverse agency decisions that limited the success of the deliberations in terms of recruiting sufficiently large numbers of participants. In one case, on a deliberation focused on changes to the forms required by a state government agency for oversight and review of activities potentially harmful to the environment, the public managers we worked with informed us shortly before the deliberation began that they had not invited all potentially interested parties to the deliberation, but rather only a limited number of individuals that were supportive of the proposed changes. Turnout among that subset was low, and the deliberations themselves limited, in part because participants agreed with each other.

In the other case, which involved a rule to ban the use of an environmental toxin, a federal agency worked with us in the early stages, but later decided that it could not endorse nor be seen as an active partner in the deliberation. We were told that in recruiting participants and holding the deliberation we would have to frame the project as exclusively our endeavor, but could note that the agency was interested in looking at participants' discussion and comments after project completion. Agency officials explained their decision in terms of adversarial politics – the issue was likely to stir up strong opposition among certain interest groups, causing unwanted attention by those groups. Our efforts to recruit stakeholders were likely much more challenging without agency support, because they lacked the legitimacy of a proper rulemaking. Our turn-out rates for stakeholders and the broader public was quite low for an issue that was highly controversial in nature, despite our efforts to recruit more than 100 public interest groups into the deliberation.

In our work of recruiting agencies to participate in the deliberation, we encountered a noteworthy pattern of response from agencies. Specifically, we found that public managers of the agencies we were in contact with already had a vested stake in the regulation on which they were required to seek public comment. This vested stake played out in various ways.

In the deliberation described above on changes to an environmental impact form, the agency had spent several months revising the form, had already received public input on changes on a first draft, and incorporated those changes into the form before the deliberation held with us. Their time and resource investment on the draft changes was substantial. They were eager to move forward with the form, and invited only supportive stakeholders to get the assurances they needed.

In a second noteworthy case, we focused on the issue of network neutrality, which is a policy question about whether internet service providers can manage or "throttle" the bytes that travel across

the internet. We sought participation from the Federal Communications Commission. Two Democratic commissioners at the FCC indicated interest in the idea of the project, but told us that open support would undermine our chances of success with the then Republican Chairman of the FCC, under President George W. Bush. At the Chairman's office, we spoke with public relations personnel who listened with initial interest but then stopped returning emails and phone calls. Shortly after the end of our contact efforts, the Chairman released a public statement declaring opposition to adoption of a network neutrality rule, ending consideration of the issue until the next administration. The authors also made inquiries under President Barack Obama's Administration with the new Democratic Chairman's office. Again, after initial interest, the public relations personnel stopped responding. Several months later, the FCC Chairman publicly declared broad support for the adoption of a network neutrality rule. In both cases, the agency had established a position on the rule.

A final noteworthy experience in obtaining agency cooperation concerned our effort to collaborate with an office of the US Dept. of Transportation (DOT) interested in promoting congestion pricing – high tolls to reduce traffic congestion in major cities. The office, composed substantially of economists, had spent hundreds of millions of dollars paying for highways in an effort to entice cities to adopt congestion pricing. Cities would accept the money, but then renege on tolls high enough to make a difference; city administrators reportedly feared public opposition to substantial tolls. After several months of exchanged emails and phone calls, we participated in a conference call in which we highlighted the efficacy of deliberations and noted our obligation to serve as a neutral party in the deliberation. Therefore, we had to offer background information not only in support of but also in opposition to congestion pricing. The staff stated that they could not participate in our experiment unless we could provide some assurance that the public would support congestion pricing by the end of the deliberation. We could not provide such assurance, so the effort was scrapped. Our deliberation effort would have cost the office virtually nothing.

In addition to government agencies desiring a specific outcome from the deliberation, we encountered a similar orientation among public interest groups that we also tried to attract to our deliberative efforts. On the network neutrality policy question, after we failed to secure FCC cooperation, we decided to hold a deliberation on network neutrality with the broader public by working with public interest groups with a stake in the issue. We obtained agreement from 16 groups, including one with, reputedly, 300,000 members, to mention and promote our network neutrality deliberation. The 16 public interest groups were divided into 10 with a position on net neutrality and six more general-purpose groups with no position. The groups initially seemed interested in the project, and there was much promise for a healthy deliberation. A couple months passed in preparations, and then the interest groups were asked to alert their members to the start of the deliberation. We were informed by all 10 groups with a position on network neutrality that they had reconsidered their participation in the project, and they would not be involved in any way, including mentioning the project to their members. In contrast, all six of the general-purpose public interest groups, which had no position on the issue, mentioned our project to their members. Unfortunately, the latter groups, which were small and not directly involved with the issue, provided only a few participants, albeit ones that were highly engaged and knowledgeable. We discussed the situation with a senior staff member for a pro-network neutrality group with the largest membership. While saying he personally found our effort interesting, he added that group leaders were concerned that technically-informed participants could sway members away from the advocacy group's position on the issue. At the core of his concern was of the possibility membership support would shift away from the organization's position. They seemed to privilege managing the opinions of their membership over informing their membership and letting them come to their own conclusions, despite the group's public dedication to openness and transparency.

[margin annotation:] add "Group leaders". Remove "They"

Although our experiences suggest there are obstacles to making deliberative public engagement a regular part of government processes, this must be understood within the context of accumulating evidence that such engagement would be beneficial. A substantial literature finds that deliberations typically result in improved policy knowledge and changed policy attitudes [14–17], enhanced legitimacy [18], and attitudes suggestive of greater future political engagement [19]. Of course, much of that literature focuses on professionally moderated, face-to-face deliberations that would likely prove impractical to implement on a routine basis. As part of the DeER project, however, we conducted a large pilot of our deliberative e-rulemaking approach with college students that showed similar positive consequences as these deliberations, but online, asynchronously, and without moderation. Policy attitudes changed, objective policy knowledge improved, and participants showed growing identification with being a citizen and more active conceptions of citizenship, as we intend to report in a future paper. Thus, our efforts likely had promise for rulemaking.

Our difficulties with obtaining agency cooperation led us to investigate the public policy process literature for guidance and insight as to why we experienced the reception we did from government agencies and interest groups. As we detail next, the literature reveals a set of assumptions about the role of the public that is troublesome. This literature should prove revealing because it is used heavily in the training of Americans pursuing careers in public policy or public administration and because it is the literature consulted by those seeking to better understand how policies are constructed, placed on the governmental agenda, legislated, and implemented. The literature constructs a framework for thinking about the processes of government, and tellingly, constructs a reality in which the public plays a highly limited role. Moreover, the literature is not merely a set of theories but the product of extensive research regarding how government officials actually make decisions, including in-depth interviews with government officials and qualitative and quantitative assessments of official behavior. Thus, the literature should reflect not only how students of public policy and administration are taught to view the public, but also the best evidence currently available regarding how officials do in fact regard the public's role in policy.

3. Public policy process theories

Before considering policy process theories, two background considerations need to be visited – the role of the public in democratic legitimacy and what is known about the democratic fitness of the public. Many political theorists [20–26] consider the public the basis of the legitimacy of any democratic form of government. If democracy means rule by the people, then a country remains a democracy only to the extent that its decisions are approved by the people. The approval of the people, then, makes democratic government and the policies it adopts legitimate. These political theorists, all of whom are theorists of democratic deliberation, add the notion that democratic legitimacy is contingent not merely on approval, but *informed* approval. In this view, manipulated popularity contests in present-day democracies cannot lend real legitimacy. Only a public that gives serious thought to the key policy choices to which it is committing itself can. Thus, a substantial and growing movement by political theorists, described as the "deliberative turn" of political theory, makes informed consent by the public the basis of democratic legitimacy. These theorists offer strong arguments that deliberative public engagement should become a regular part of government. Importantly, however, this normative necessity of informed consent is largely passed over by policy process theories.

The second background point, one that plays an important role in policy process theories, is the political science view of the public as democratically unfit. A substantial body of research finds that the general

public is poorly informed [27–29], lacks the basic concepts needed to understand politics [29,30], and shows a declining capacity for collective action [31,32]. Beyond this, researchers find that the public readily shifts its attitudes in the direction of elite opinion [33] or even small amounts of information [34], suggesting the broad public is easily swayed.

Some scholars contest the democratic unfitness of the public [35,36], arguing that such mechanisms as cognitive shortcuts (heuristics) can yield good electoral decisions despite minimal information. Others argue that people are cognitive misers who lightly monitor the environment for issues or problems of concern and then become more attentive once they encounter such issues [37]. Both views hold that people can still be good citizens despite their low levels of knowledge, attention, and interest in the political realm. The problem with these perspectives, however, is they do not address the implications of weak opinion and of opinion change in the face of new information, features that make the public readily manipulated. Nor do these responses satisfy deliberative theorists who emphasize the need for a more engaged public.

3.1. Rational choice and economic theory

Economic theory and its sibling, rational choice theory, are among the mainstays of programs in public policy, public administration, and, economics departments, at least in the United States. These theories start with strong assumptions about decision makers. People are typically assumed to be fully informed; have fully worked out, stable, and transitive preferences; be exclusively self-interested; and always act instrumentally and in ways that maximize benefits [38]. That is, their actions are oriented to changing the state of the world to fulfill their preferences, and they always determine and pursue the most efficient means to maximize achievement of those self-interested preferences. In short, people are "rational egoists" (arguably, "efficient sociopaths").

The implications of rational egoism are highly unfavorable for political engagement. The probability of an ordinary individual actually changing the outcome of any appreciably large election are infinitesimally close to zero and the benefits to the individual of one candidate over another fairly bounded. Thus, the expected benefits of participating (probability X benefits) are, for the vast preponderance of people, likely to be lower than the costs of participation – even for going to a polling booth, let alone more involved forms of participation. Thus, rational choice theory predicts that the majority of the public will not participate politically and will remain "rationally ignorant" [39] – that is, it will rationally choose to be ignorant on political issues.

While this may seem consistent with the democratic unfitness of the public, millions of people do vote and participate in more time-consuming ways, which raise serious questions about the extreme predictions of rational choice theory [40]. In particular, the better educated are more likely to participate, even though it would seem they are more capable of rational choice calculations. Though some theorists suggest modifications of rational choice that allow for political engagement [41,42], there is a serious question of whether such changes either successfully explain the facts of participation or that the changes remain in the realm of rational choice explanation [40], rather than implicitly introducing and requiring other theories. The focus here will be the unadulterated core of rational choice theory.

Public deliberation and community make little sense through the lens of rational choice theory. The theory predicts that people would not participate. In addition, rational choice theory offers little hope for the value of discussion. Rather, it views discussion as "cheap talk" [43] – an opportunity for people to seek advantage by manipulating others with false information. Communication is automatically suspect. Arguably, rational choice actors might learn from others who have been vetted for value and ideological

similarity [35], but such learning likely reinforces polarization, not deliberativeness. Also, because rational choice actors have fixed preferences, they can do little in the political arena besides horse-trade, arm-twist, or lie to get their way [44].

Rational choice theory constructs a world of adversaries that is not propitious for public deliberation. All actors are assumed to be strategically-minded egoists with fixed preferences for limited resources, hence untrustworthy and ready to take advantage of any weakness. Those steeped in rational choice would believe their survival depends on becoming as adversarial as their opponents.

Finally, those who subscribe to rational choice theory are apt to have difficulty conceiving a role for democratic legitimacy, thereby undermining a key argument for experimenting with public deliberation. It is unclear how a rational egoist could define "fairness" or "legitimacy".

In contrast, deliberative theory assumes that people are intrinsically social and altruistic. People can enter the political arena in search of a better understanding of their own preferences, including their responsibilities as citizens and conceptions of the common good [44]. Such people have much to talk about, need not engage in "cheap talk", and can reason with each other.

While training in economic theory often makes up the preponderance of education in public policy and public administration, students in these fields are also exposed to a degree to other policy process theories. The next sections examine key theories and critique their assumptions.

3.2. Theorizing stability

From the end of WWII to the 1960s, public policies remained relatively unchanged due to the New Deal accommodation of key economic interests and a lack of major social movements. Scholars sought to explain this apparent stability, and such theories remain important as components of more recent explanations that encompass both stability and change. Even these newer explanations concede that real change occurs infrequently. The theories of stability shed few or no assumptions of rational choice and offer no role for the public – features with negative implications for democratic engagement.

In the theory of subgovernments, an "iron triangle" relationship is believed to form between agency officials, Congress members whose committee or subcommittee oversees the area of policy of these officials, and narrow economic interest groups [45,46]. Each actor offers valuable benefits to another actor, cementing a persistent relationship. Congress members insure funding and clout for the agency, the agency adopts policies that benefit the interest group, and the interest group helps the Congress members win reelection. This mutual back scratching depends on the arrangements not attracting wider attention, which can raise questions about public costs [45].

The theory of subgovernments contains two features of interest to explaining why persons viewing policy through the lens of such stability theories would not entertain democratic deliberation. First, subgovernments include no role for the public. In fact, public attention tends to undermine subgovernments. Second, the theory of subgovernments is compatible with rational choice assumptions, so long as it is assumed that the actors' interests are aligned with their organizations – a reasonable assumption for any organization that is able to persist.

Another key theory of stability is incrementalism [47,48]. Incrementalism departs from rational choice theory by asserting that policy makers are boundedly rational. A full rational analysis of any given policy decision would require considering the costs and benefits of every conceivable option and weighing these in light of a fully specified system of preferences. Lindblom maintains that such a decision process would be cognitively overwhelming. He suggests instead that decision makers actually utilize a less taxing incremental decision process. The decision maker starts with existing policy, asks what small

changes would improve it, and then makes those changes. After some time has passed, the impact of the changes are assessed and further small changes are considered.

Lindblom [44] does not mention the public. Also, he indicates that in making incremental changes, the decision maker's focus will be detailed information about the strengths and weaknesses of existing policy and detailed knowledge of past efforts to improve that policy. Such information and knowledge are found among policy insiders, not the public. Also, while Lindblom sets aside rational choice theory's implausibly demanding decisions, he does not address the assumptions of pure self-interest, instrumentalism, or of maximizing within cognitive limits. The negative implications of rational choice theory for uptake of democratic deliberation follow from these assumptions.

3.3. Theorizing change

in the United States

Following widespread social change during the 1960s and the implosion of the New Deal accommodation in the 1970s, scholars increasingly sought to understand policy change, as well as stability. Many of these theories are compatible with some form of bounded rationality, and thus do not raise questions about the critique of deliberative approaches to be found in rational choice. These theories at times mention the public and its policy role, but that role is typically not one of active involvement in policy making and the conception of the public presented is one that lends itself to elite definition and manipulation.

3.3.1. Early ideas – Mixed scanning and issue networks

Some initial flirtations with explaining change can be found in Etzioni's [49] mixed scanning theory and Heclo's [50] theory of issue networks. Etzioni simply adds to incrementalism the possibility that policy makers will at times scan the policy environment, find areas in which incrementalism is not working well, and then engage in a more thorough effort to choose a new approach. As with incrementalism, mixed scanning fails to mention a role for the public and simply embraces a form of bounded rationality.

Heclo, observing the breakdown of at least some subgovernments in the 1970s, proposes that power over policy had shifted from subgovernments increasingly to open "issue networks" – an interacting network of experts on a given policy both in and out of government. These experts ordinarily include individuals who move between academia, government, and business. Because of high turnover in government, particularly among political appointees at agencies, the issue networks serve as a core of stability and are the source for reputations that help place appointees. The exploding number of policy issues, their complexity, and growing political emphasis on policies puts a premium on expertise. The networks extend across both the executive and legislative branches of government, making possible greater communication and cooperation. The networks also prove valuable politically. Policy makers gain room to maneuver between disagreements among the experts. Importantly, Heclo states that "no one really knows" how to solve the main policy problems, so it is useful to have politically expendable technocrats in charge of policies.

We would add that experts in issue networks may have clout because they prove beneficial for corporate and elite interests. Making expertise a prerequisite for policymaking excludes the public – though it should not because "no one really knows" how to solve policy problems and because experts cannot decide value issues. Only the public should in a democracy. Also, corporate interests have multiple opportunities to shape the experts – with influence over business, economic, and policy schools; by offering outsized salaries when the experts migrate into corporate jobs; and through patronage of think tanks and foundations. Heclo's focus on experts as drivers of policy occurs also in the advocacy coalition framework, a prominent current approach [51].

Heclo's theory leaves no room for the public with respect to policy, raising as he concedes serious concerns about the democratic legitimacy of the political system. Heclo suggests that the motives of the experts are primarily intellectual and emotional and only secondarily material. This departs from rational choice assumptions in an important way, but Heclo mentions this only in passing and does not detail any implications. Heclo does not explain why rational egoism would be incompatible with the body of the theory.

3.3.2. Multiple streams

More recent efforts to explain change and stability have taken the form of comprehensive process theories. Among the most prominent has been Kingdon's [52] multiple streams approach. Kingdon and others [53] maintain that a policy option is apt to make it onto the actionable executive agenda and to be passed by the legislature only when three windows on three streams of activity are simultaneously open – the policy, problem, and politics streams. The policy stream consists of efforts to formulate apparently sound policy solutions, typically by experts. The problem stream consists of events and information (such as government program statistics) that suggest there are problems that policymakers should address. Finally, the politics stream consists of the political context, including who is in office, party ideology, and the "national mood" regarding the role of government. The three windows are open when a problem becomes salient at the same time as a policy solution for the problem has gained wide acceptance and the political context is fertile for that policy. Policy entrepreneurs in and out of government serve the crucial function of preparing the ground to open ("couple") all three windows. Coupling is heavily constrained by virtue of the fact that policymakers have limited attention and can consider only one issue at a time. A primary tool of entrepreneurs seeking to couple windows is "manipulation." Manipulation involves framing, priming, and use of symbols to resolve ambiguity about a policy context. According to multiple streams theory, policymakers and "others" have problematic preference – they do not know what they want. Ambiguity is not uncertainty, which can be solved by more information, but a state of not knowing what interpretations or values to bring to bear. Through manipulation, policy entrepreneurs provide meaning, identity, and clarity, by focusing attention on some dimension of the problem.

Multiple streams theory stand in a complex and somewhat indeterminate position with respect to rational choice theory. It includes bounded rationality in the form of limited attention of decision makers, but also indicates that complex institutions are capable of simultaneously considering multiple matters at once. This helps give rise to the three streams, which can be percolating along considering many issues independently of each other. In introducing the notion that policymakers do not have fixed and settled preferences but face ambiguity, multiple streams makes an important departure from rational choice theory, but the departure is left unsettled with respect to its political implications. First, the assumption of pure pursuit of self-interest is not directly challenged. Second, though policymakers face ambiguity, policy entrepreneurs are goal-directed and solve ambiguity in the service of their goals, thus appearing to be much like rational agents. Finally, it is unclear whether ambiguity is a problem that might be addressed with such approaches as democratic deliberation or is simply a fact about the human condition that cannot be addressed.

This lack of clarity about the nature of ambiguity could be resolved in a number of ways. One way is to assert that ambiguity arises from the democratic unfitness of the public. Not understanding important political facts, not having sorted out their political values, and not having adequately conceptualized the political community and their roles in that community, the public is in a permanent state of ambiguity with respect to policy alternatives and their meaning (value implications). Policymakers simply reflect that ambiguity because they wish to avoid the electoral risk of taking a more definitive stance. They wait

for policy entrepreneurs to manipulate the public one way or another before they settle on a position. Ambiguity, then, is a problem that could be resolved through better civic education and meaningful engagement and deliberation opportunities for the public.

Alternatively, however, ambiguity may reside in an incapacity of people to develop a rational preference ordering, even with adequate education, engagement, and deliberation. As multiple streams theory contends, ambiguity is resolved by focusing attention on one dimension of a problem. This suggests that solutions are impermanent, because other dimensions are only temporarily ignored and return to upend any given policy consensus – a key contention of an important theoretical spawn of multiple streams, punctuated equilibrium theory [54]. At least one policy theorist [55] embraces the implications of people's inability to settle on a given order of preferences or values and declares the rationality project, including rational choice theory, a failure. Deliberation is not an attractive alternative in a world in which people cannot, in principle, settle on preferences or values. The best hope in such a world may be that someone can manipulate a consensus.

Finally, multiple streams theory does not conceptualize an active, independent, or even well-defined role for the public. The real actors in the theory are policy entrepreneurs, policymakers, civil servants, experts, lobbyists, and interest groups. The public, says Kingdon, plays a crucial role in setting the "national mood" – a general sense, among political leaders, of whether the public is currently in favor of or opposed to an expansive role for government. The national mood serves as a powerful constraint or encouragement for policymaking; nevertheless it is an environmental parameter, not the public actively engaged. In addition, Kingdon states that political leaders do not determine the national mood from opinion polls, which offer contradictory evidence regarding the national mood and, in any event, may not capture the intensity of preferences. Rather, political leaders infer the national mood from what they hear from constituents and other political actors. They may also infer from the political context, such as who is President. We would add that political elites might form a consensus on an illusory national mood through the echo chamber among elites – that is, an information cascade. Jones and Baumgartner [56] contend that elites at times settle on conclusions about what the public wants that appear inconsistent with empirical data. Even in Kingdon's less stark story, the national mood and the public from which it emerges is not clearly defined. As for the independence of the national mood from elite control, Kingdon states that political elites likely steer the public, though he also suggests that at times the public asserts its own position.

Overall, the role of the public in the theory remains largely passive. Their active role, in Kingdon's theory, is relegated to electing political leaders, which has an appreciable impact on the policy agenda of government, though not the policy alternatives considered, which are the domain of experts. Yet, even that act by the public is not necessarily autonomous from elites, who may steer the public toward certain electoral choices. conclusions.

3.3.3. Punctuated equilibrium

Punctuated equilibrium (PE) theory [54], which has been capturing substantial academic attention presently, emerged in connection with multiple streams theory. The core thesis of PE is that policy remains in a stable state, but is occasionally punctuated by sudden, dramatic changes. Baumgartner and Jones [57] attribute punctuations to two processes – mimicking and serial shift. Mimicking occurs when people shift in coordination with others to take advantage of the benefits of that coordination. One example Baumgartner and Jones give is voters flocking to a candidate who has a stronger perceived chance of winning. Serial shift occurs when policy choices are decided by one dimension of a problem, but the neglected dimensions eventually shift people's attention, resulting in demand for new policies.

Baumgartner and Jones explain serial shift in terms of bounded rationality – as a consequence of people having difficulty considering more than one policy dimension at a time. Thus, unlike with multiple streams theory's notion of "ambiguity," there is no potential questioning of the possibility of rational preferences. Also, people seeking benefits in mimicking would seem to be consistent with rational egoism. Some of the examples of mimicking Baumgartner and Jones give might be best explained by conditional altruism [58], in which people are altruistic if enough others prove altruistic, but the authors do not delve into that possibility. In short, PE does not explicitly depart from bounded rational choice.

While Baumgartner and Jones [57] frame the mechanisms of punctuation broadly in terms of how "people" act, when it comes to explaining policy processes, these mechanisms are described as impacting policy through the usual political actors, not the public. In their edited book, with 13 chapters and 306 pages from multiple scholars writing from the PE perspective, the chief causal factors influencing policy are Congress and other institutional actors, interest groups, and historical events. The public is mentioned primarily in passing. A couple exceptions regarding mentions of the public include Hardin's [59] chapter, in which members of the public are mentioned as among the targets of or witnesses in Congressional hearings. These are not described as politically potent roles.

Perhaps the most substantial role of the public is discussed in the chapter by Wilkerson et al. [60] about the repeal of the Medicare Catastrophic Coverage Act in 1989. Wilkerson et al. observe that the Act provided better and lower cost coverage for catastrophic medical needs than many private plans. Nonetheless, because payment for the coverage took the form of higher premiums and copayments on existing Medicare insurance, many seniors perceived the Act as a cut in their benefits. Seniors accused the American Association of Retired Persons, which backed the Act, of losing touch with their needs and physically attacked Representative Dan Rostenkowski, a key supporter of the Act. GOP legislators seized the moment to repeal the Act. Wilkerson et al. ultimately plead ignorance about whether an informed body of seniors would have supported the Act, even though what they describe, which borders on thoughtless mob violence, does not paint a reassuring picture of public engagement.

Jones and Baumgartner [56] make a revealing assessment of what they see as a key problem of the political system in the concluding chapter of their book. They identify the chief problem as systems of power and privilege that inhibit change. One of the two main factors buttressing these systems is ". . .American suspicion of electoral democracy." (p. 304). Specifically, the problem is that citizens think they can govern better than political elites. As evidence, Jones and Baumgartner cite the initiative and referendum processes in Western states in the US that, while being legitimized under the assumption that these are forms of citizen-driven democracy, have actually been repeatedly and successfully manipulated by corporate interests. Jones and Baumgartner reveal a distrust of the public, perhaps a view that is more prevalent among policy scholars and political elites than these actors admit.

3.3.4. New openings

Even within the realm of policy process theory, there are increasingly recognized strands that, if further elaborated, may prove to be conceptually consistent with public engagement. Ostrom [43,58], the creator of institutional rational choice (IRC) theory, on occasion mentions the considerable research showing that many people are conditional cooperators – that is, willing to cooperate in a collective action dilemma situation if enough others are willing to cooperate. A rational egoist would not do so, only someone with concern for others would. Regrettably, Ostrom also under-stresses the role of altruism in her theory. She does not use the term "altruism" and states that her theory involves "bounded rationality" – a term that implies the theory departs from standard rational choice merely in assuming people have information processing limits. Most applications of IRC are either in developing countries or local, thus limiting the relevance of the theory to US state or federal politics.

Sabatier and Jenkins-Smith's [51] advocacy coalition framework (ACF) starts with the stipulation that whether people are altruistic or not must be decided empirically, not by fiat. ACF goes on to suggest that the policy experts inhabiting advocacy coalitions are motivated by "belief systems" and by a desire to see their preferred policies adopted – that is, by societal goals. Sabatier and Jenkins-Smith also appeals to alternative dispute resolution as a way to mediate among competing experts. ACF is an exciting development, but needs to be expanded to include the impact of belief systems and purposive benefits on other policy actors, particularly the public. It also needs to incorporate more psychological theory and new methods to study these factors.

4. Policy process theories and the deliberative e-rulemaking project

What the public policy process literature constructs is a conceptual framework in which the public typically plays no active role. If they do play a role, theorists present a highly unfavorable view of them in enacting their role. Thus, the major policy process theories reviewed are not receptive to an active public role in policy. What we found in the attitudes of public agency managers and their public interest group counterparts we interacted with suggested a similar orientation to the public: Either they wanted the public to adopt the agency's stance on the regulation, or they wanted to restrict the public's participation in ways that would ultimately be beneficial for the agency or organization. Although we cannot make a causal connection between the policy process literature and the prevalent attitudes of the public officials we interacted with, we can note their shared perspectives toward the public.

With a few exceptions, the government managers we interacted with wished for assurances that the outcomes of the deliberation would be supportive of the regulation they had drafted. In some ways, this is understandable. These public managers have done research, solicited input from technocrats and elites on the policy matter, and have spent many hours drafting what they see as a sensible policy meant to solve an existing problem. They have become highly informed on the problem and the solution they have drafted, and they feel invested in its eventual success. In opening the draft regulation to public comment, they view the public as ill-informed and incapable of fully grasping the complexity of the problem and the solution they are advocating. Their attitudes square strikingly well with the policy process literature that similarly portrays the public as ill-informed, easily manipulated, and therefore incapable of producing quality policy.

Indeed, it strikes us as noteworthy that there is by law a requirement that government agencies must submit their draft regulation to the public for comment. The necessity for a law raises the question of whether, in the absence of such a law, government agencies would forge ahead with regulations without soliciting public input. Moreover, the public comment process as it exists now is a simulacrum of public engagement. The federal and state government staff with whom we worked acknowledged that comments provided to them during the mandated public comment process were unlikely to lead to changes in the regulation. Generally, once the regulation is published in the Register to be commented on by the public, little if any re-drafting will be done on the regulation. The public policy process literature constructs a reality in which the public's active input is of such little value as to be primarily overlooked. The practices of government agencies echo that sentiment.

The public policy process literature implies that there might be a few good reasons for government agencies and interest groups to be suspicious of public input that came about through a deliberation exercise. One concern, in the rational choice approach and those approaches that do not split sharply from it, is that attitude change would likely be the result of the knowledgeable manipulating the ignorant. Indeed, this point was made as a rationale for not participating in DeER by the leaders of a major interest

group advocating for network neutrality. The point, which suggests a distrust of member's capacity for independent reasoning, contrasts sharply with the group's democratic rhetoric, which stresses the free exchange of ideas.

A second concern hinges on the assumption in the policy process theories that policy-making is a highly adversarial affair. Working within such an environment, any opportunity to open up the public comment process to wider citizen participation in the form of a deliberation could entail being hijacked by motivated interest groups. Agencies may thus expect interest groups to turn public comments into political theater, not meaningful input. Agencies seeking to avoid this might take a position on a rulemaking and then, if possible, seek to impose their position without open public engagement. We repeatedly found that agencies took positions in rulemakings and either sought to opt out of public input or tightly control that input.

Although neither of our actual deliberations were hijacked, we had to assure those to whom we pitched the project that the deliberation itself would be held behind "closed doors." Only those who had registered to participate in the project would be allowed to see and participate in the deliberation. Thus, participants had to reveal something about themselves prior to the deliberation by consenting to participate and by taking a survey. Staff we spoke with actively expressed concerns about being hijacked by trolls or flamers who would derail the deliberation and turn it into a gladiatorial exercise.

In keeping with the current adversarial environment of public policy making, we found ourselves the subject of Freedom of Information Act requests by an interest group that sought all of our project's staff email, documents, survey data, and deliberation transcripts. The group was especially concerned that the agency with which we were working was trying to circumvent the federally mandated public comment process by using our deliberation process. This interest group had previously been invited to participate in the deliberation. They did not respond to our invitations, nor did they contact us directly to learn about the project. Instead, they used sunshine laws to investigate us and the agency.

Novel public engagement also conflicts with the logic of resource acquisition by interest group leaders and agency officials, a logic that emerges from rational choice or bounded rationality theories. Self-interested interest group leaders whose personal goals are aligned with the success of their groups will focus their efforts on increasing the inflow of group resources. For typical public interest groups, those resources will be contingent on the number and intensity of their members. Keeping the attention of members or potential members is key because of the public's limited attention span [52,57]. The members and, especially, their attention are crucial resources. In hierarchical organizations in which leaders decide group positions and define the group and its value around these positions, membership resources will be viewed as retained and directed through these group positions. Indeed, given our lack of success in recruiting participants through Google and Facebook advertisements, it does appear that organizational membership lists are a crucial resource. Handing members over to an outside group for dialogue may, therefore, be viewed as stealing attention from group efforts, such as donation drives, and potentially changing participants' views, resulting in the lose of members. Likewise, self-interested agency officials will seek to maximize resources flowing into their agency, which means making political patrons happy or, in an issue network environment, implementing what experts see as good policy. The latter leads to the already noted tendency of agencies to promote expert decisions.

5. Discussion and conclusion

The Deliberative E-Rulemaking (DeER) project sought to bring a promising combination of democratic deliberation and natural language processing techniques to bear on improving federal and state agency

public comment processes. Indeed, in trial efforts with students, this combination proved effective under the same objective standards as are typically applied to costly face-to-face deliberation with human, rather than automated, moderation. Nevertheless, the effort could not be replicated with ordinary citizens in real rulemaking comment processes because it received little cooperation from government agencies and interest groups, despite years of seeking such cooperation and multiple promising starts. We detail cases of agencies and interest groups stepping back from initial enthusiasm about the project. This suggests that there may be systematic resistance to applying citizen deliberation to regular rulemaking public comment processes at the national and state levels.

A potential explanation might be found in the numerous negative implications for public engagement in theories of public policy process prominent in the U.S. These theories are used to train people pursuing careers in public policy, public administration, and economics. The policy process literature is also consulted by anyone interested in understanding these processes. These theories are also based on substantial systematic research seeking to determine how policy makers actually think in making decisions. Thus, these theories not only prescriptive for prospective government officials but are presumably descriptive of how officials actually think about decisions. As detailed here, much of this literature implies that deliberations will not be successful, will bring about attitude change through manipulation of the uninformed, will prove to be nothing more than political footballs in a highly adversarial environment, will undermine interest group control of their most vital resources – their members and members' attention, and will undermine needed agency control of implementation. Most of these theories offer no active, positive role for the public in the policy process.

Although policy process theorists cannot be faulted for focusing on how policies are actually formed and adopted, values should guide what questions scholars ask. Because democratic legitimacy is a crucial value, scholars should not sidestep questions of the public's role and the independence of that role in the policy process. Nor should they avoid questions about whose interests are served by arrangements such as the growing power of expertise or elite definition of the national mood. The results might stimulate efforts to shore up democratic legitimacy via new forms of public engagement. Likewise, because the informed consent of the public is playing an increasingly important role in political theory, policy scholars should perhaps examine novel engagement efforts. Finally, because of the deep normative conflict between deliberative and rational choice approaches, policy scholars should seek to clearly specify their underlying assumptions about choice.

The lack of policy actor cooperation in the DeER project and the possible relation of this to the negative implications of policy process theories do not entirely foreclose prospects for engagement. Certainly there have been successful attempts at broad public deliberation, though none, of which we are aware, in federal or state rulemaking. Many of the successful efforts, backed by considerable foundation money and organization, could be presented as a *fait accompli* to interest groups – conditions researchers will have difficulty duplicating. Still, it is important to ask what conceptual and other resources could aid researchers investigating novel public engagement efforts.

One resource may be the rootedness of dialogue and deliberation in human psychology. Democratic deliberation, as Habermas [61] contends, is predicated on communicative rather than strategic (rational choice) rationality. In communicative rationality, people engage in a collective search for what is true and good based not on coercion but only on the force of dialogue consisting of reason-giving (viewed broadly). Habermas maintains that communicative rationality is built into the basic architecture of language, which is intrinsic to human thought. Muhlberger [62] presents a theory of human agency, based on research in social cognition, that also allows communicative rationality to emerge from fundamentals of human psychology. People, then, are typically social, not sociopathic, and construct the true and the good

[margin note: Finally, these]

[margin note: Start sentence with "Finally, these" and erase "also"]

through dialogue. A world with sociable rather than strategic people is essential for the hopes of cyber-optimists for a deeper community. Such community-minded persons can be called upon to be citizens, even if those skills are rusty. Occasionally, a community of individuals affected by a policy will demand input – certainly an opportunity for researchers. We sought to work with a DOT office on a deliberation involving the handicapped community, but the agency extended the start date past our research deadline.

Rational choice and related conceptions of political life have more substantial sway at some levels of the political system than others. It is from the intermediate commanding heights of political life that people seem to be little more than resources or a general mood. At the local level, in contrast, political actors must interact directly with the public, thus being more readily drawn into dialogues that constitute communicative rationality and, thus, increasing their receptivity to online public engagement. Indeed, such efforts at the local level have had some success [5,7]. Though efforts to improve community and political life should not ignore the commanding heights, perhaps these efforts are most readily initiated at the local level and could be built up from there. Alternatively, at least a few of the topmost political elites may also be open to deliberation, given that they may have been exposed to the encouraging deliberative political theory and research described earlier and see themselves as guardians of democracy. Greater difficulty might be expected from intermediate elites, who are more narrowly and technically trained, often in economics and policy process theory. These are also the elites who are more immediately responsible for regular processes of public engagement at the state and federal levels, such as public comments in rulemakings.

Rational choice and the other policy process theories may have considerable sway in federal and state government, but another influence is legal theory. Within law, an important movement has been alternative dispute resolution (ADR) – an approach that now handles appreciably more disputes than the adversarial legal system. ADR has its roots in efforts to address the difficulties created by an adversarial system of law, such as advantaging the advantaged and the burden of cases. With its stress on mediation and transforming participants' understandings, ADR is related to democratic deliberation and, thus, is potentially supportive of the idea. Thus, it may be possible to work with policy actors at the federal or state level connected with ADR. More generally, people trained in law, including many politicians, may be more receptive to online engagement because of their exposure to ADR. This may depend on their specific training – law includes a rational choice approach.

One of the authors did discuss a collaboration with people who conduct negotiated rulemakings, a type of ADR, for the federal DOT. Regrettably, their reception for online deliberation was quite negative – with concerns expressed that the absence of face-to-face discussion would make compromise impossible. Perhaps, as well, online automatically moderated deliberation may have been seen as competing with negotiated rulemaking, in which some ADR mediators have invested their careers. More research on the impact of online deliberation on compromise among strongly disagreeing participants would be needed to address the compromise issue. Working closely with legal scholars before launching ideas on practitioners and cautiously introducing the prospect of deliberation as an additional tool that extends the reach of negotiators may address the second concern.

Social scientists and technologists who seek to tap the potential of communication and computing technologies for invigorating the public sphere might take some solace in the possibility that incoherency will ultimately require changes in (or may be an argument to change) existing political arrangements. The political system depends on democratic legitimacy, while the public the current socio-political system produces [62] is largely unable, without special aid, to provide thoughtful input. This may lead to such contortions as political elites seeking to construct a legitimizing and likely inaccurate notion of the public's "mood" or relying on expert knowledge when only the public should settle value judgments in a democracy.

References

[1] G.S. Aikens, A History of Minnesota Electronic Democracy 1994, *First Monday* **1**(5), http://www.firstmonday.dk/issues/issue5/aikens/#dep3, 1996.

[2] B. Kirschner, PEN Lessons: An Interview with Ken Phillips, *Public management* (12) (1994), 13.

[3] H. Rheingold, *The Virtual Community: Homesteading on the Electronic Frontier*, Rev., 1st MIT Press. Cambridge, Mass. MIT Press, 2000.

[4] E.A. Schwartz, *Netactivism: How Citizens Use the Internet*, (1st ed.), Sebastopol, CA: Songline Studios, Inc., 1996.

[5] A. Borning et al., Public Participation and Value Advocacy in Information Design and Sharing: Laying the Foundations in Advance of Wide-Scale Public Deployment, *Information Polity* **14**(1) (2009), 61–74.

[6] T.F. Gordon and G. Richter, Discourse Support Systems for Deliberative Democracy, *Proceedings of the First International Conference on Electronic Government*, London, UK, 2002, pp. 248–255.

[7] T.M. Harrison and J.P. Zappen, Building Sustainable Community Information Systems: Lessons from a Digital Government Project, *Proceedings of the 2005 National Conference on Digital Government Research*, 2005, pp. 145–150.

[8] C. Maciel, L. Roque and A. C. Bicharra Garcia, Interaction and Communication Resources in Collaborative E-Democratic Environments: The Democratic Citizenship Community, *Information Polity: The International Journal of Government & Democracy in the Information Age* **15**(1/2) (2010), 73–88.

[9] A. Fung and T. Lee, *The Difference Deliberation Makes: A Report on the CaliforniaSpeaks Statewide Conversations on Health Care Reform*, Harvard University and University of California at Berkley, 2008.

[10] G. Endenburg and M. Pearson, *Sociocracy as Social Design: Its Characteristics and Course of Development, as Theoretical Design and Practical Project*. Delft: Eburon, 1998.

[11] M. Pivato, *Pyramidal Democracy* (*available at: http://mpra.ub.uni-muenchen.de/3965/1/MPRA_paper_3965.pdf*), 2007.

[12] B. de Sousa Santos, Participatory Budgeting in Porto Alegre: Toward a Redistributive Democracy, *Politics and Society* **26** (1998), 461–510.

[13] J. Stromer-Galley, N. Webb and P. Muhlberger, Deliberative E-Rulemaking Project: Challenges to Enacting Real World Deliberation, *Journal of Information Technology and Politics*, Under review.

[14] J. Barabas, How Deliberation Affects Policy Opinions, *American Political Science Review* **98**(4) (2004), 687–701.

[15] C. Farrar, J.S. Fishkin, D.P. Green, C. List, R.C. Luskin and E. Levy Paluck, Disaggregating Deliberation's Effects: An Experiment Within a Deliberative Poll, *British Journal of Political Science*, vol. First View, pp. 1–15, 2010.

[16] R.C. Luskin, J.S. Fishkin and R. Jowell, Considered Opinions: Deliberative Polling in Britain, *British Journal of Political Science* **32**(3) (2002), 455-488.

[17] P. Muhlberger and L.M. Weber, Lessons from the Virtual Agora Project: The Effects of Agency, Identity, Information, and Deliberation on Political Knowledge, *Journal of Public Deliberation* **2**(1) (2006), 1–39. (available at http://services.bepress.com/jpd/).

[18] L.P. Zillig, M. Herian, T. Abdel-Monem, J. Hamm and A. Tomkins, Public Input for Municipal Policymaking: Engagement Methods and Their Impact on Trust and Confidence, *ACM International Conference Proceeding Series: Proceedings of the 11th Annual International Digital Government Research Conference* **292** (2010), 41–50.

[19] J. Gastil, L.W. Black, E.P. Deess and J. Leighter, From Group Member to Democratic Citizen: How Deliberating with Fellow Jurors Reshapes Civic Attitudes, *Human Communication Research* **34**(1) (2008), 137–169.

[20] B.R. Barber, *Strong Democracy: Participatory Politics for a New Age*. Berkeley: University of California Press, 1984.

[21] S. Benhabib, Deliberative Rationality and Models of Democratic Legitimacy, *Constellations* **1**(1) (1994), 26–52.

[22] S. Chambers, *Reasonable Democracy: Jurgen Habermas and the Politics of Discourse*, Ithaca, N.Y. Cornell University Press, 1996.

[23] J.S. Dryzek, *Deliberative Democracy and Beyond: Liberals, Critics, Contestations*. Oxford: Oxford University Press, 2002.

[24] A. Gutmann and D. Thompson, *Democracy and Disagreement*, Cambridge, Massachusetts: Harvard University Press, 1996.

[25] J. Habermas, *The Structural Transformation of the Public Sphere: An Inquiry Into a Category of Bourgeois Society*. Cambridge, MA, MIT Press, 1989.

[26] J.J. Mansbridge, *Beyond Adversary Democracy*, University of Chicago Press, 1983.

[27] M.X. Delli Carpini and S. Keeter, *What Americans Know About Politics and Why it Matters*, New Haven, Conn. Yale University Press, 1996.

[28] D.R. Kinder, Diversity and Complexity in American Public Opinion, in: *Political Science, The State of the Discipline*, A. Finifter, Ed., Washington: American Political Science Association, 1983, pp. 391–401.

[29] W.R. Neuman, *The Paradox of Mass Politics: Knowledge and Opinion in the American Electorate*, Cambridge, Mass. Harvard University Press, 1986.

[30] P.E. Converse, The Nature of Belief Systems in Mass Publics, in: *Ideology and Discontent*, D.E. Apter, Ed., Free Press, 1964, pp. 206–261.

[31] R.D. Putnam, *Bowling Alone: The Collapse and Revival of American Community*, New York: Simon & Schuster, 2000.
[32] T. Skocpol, *Diminished Democracy: From Membership to Management in American Civic Life*. Norman: University of Oklahoma Press, 2003.
[33] J.R. Zaller, *The Nature and Origins of Mass Opinion*, Cambridge: Cambridge University Press, 1992.
[34] M. Gilens, Racial Attitudes and Opposition to Welfare, *The Journal of Politics* **57**(4) (1995), 994–1014.
[35] A. Lupia and M.D. McCubbins, *The Democratic Dilemma: Can Citizens Learn What They Need to Know?* Cambridge, U.K.; New York: Cambridge University Press, 1998.
[36] B.I. Page and R.Y. Shapiro, *The Rational Public: Fifty Years of Trends in Americans' Policy Preferences*. University of Chicago Press, 1992.
[37] M. Schudson, *The Good Citizen: A History of American Civic Life*, Harvard University Press Cambridge, Mass., 1999.
[38] J. Elster, Introduction, in: *Rational Choice*, J. Elster, Ed., Washington Square, New York: New York University Press, 1986, pp. 1–33.
[39] A. Downs, *An Economic Theory of Democracy*, New York: Harper, 1957.
[40] D.P. Green and I. Shapiro, *Pathologies of Rational Choice Theory: A Critique of Applications in Political Science*, New Haven and London: Yale University Press, 1994.
[41] D. Chong, *Rational Lives: Norms and Values in Politics and Society*, Chicago, Ill. University of Chicago Press, 2000.
[42] W.H. Riker and P.C. Ordeshook, A Theory of the Calculus of Voting, *American Political Science Review* **62** (1968), 25–42.
[43] E. Ostrom, A Behavioral Approach to the Rational Choice Theory of Collective Action: Presidential Address, American Political Science Association, 1997, *American Political Science Review* **92**(1) (1998), 1–22.
[44] M. Warren, Democratic Theory and Self-Transformation, *American Political Science Review* **86**(1) (1992), 8–23.
[45] T.J. Lowi, Review: American Business, Public Policy, Case-Studies, and Political Theory, *World Politics* **16**(4) (Jul 1964), 677–715.
[46] D. McCool, Subgovernments as Determinants of Political Viability, *Political Science Quarterly* **105**(2) (1990), 269–293.
[47] C.E. Lindblom, The Science of 'Muddling Through', *Public Administration Review* **19**(2) (Spring), 79–88.
[48] C.E. Lindblom, Still Muddling, Not Yet Through, *Public Administration Review* **39**(6) (Dec 1979), 517–526.
[49] A. Etzioni, Mixed-Scanning: A 'Third' Approach to Decision-Making, *Public Administration Review* **27**(5) (Dec 1967), 385–392.
[50] H. Heclo, Issue Networks and the Executive Establishment, in: *The New American Political System*, A. King, Ed., 1978, pp. 87–124.
[51] P.A. Sabatier and H.C. Jenkins-Smith, The Advocacy Coalition Framework: An Assessment, in: *Theories of the Policy Process*, (Second), P.A. Sabatier, Ed., Westview Press, 2007, pp. 117–166.
[52] J.W. Kingdon, *Agendas, Alternatives, and Public Policies* (*Longman Classics Edition*), (2nd ed.), Longman, 2002.
[53] N. Zahariadis, The Multiple Streams Framework: Structure, Limitations, Prospects, in: *Theories of the Policy Process*, P.A. Sabatier, Ed., 2007, pp. 65–92.
[54] F.R. Baumgartner and B.D. Jones, *Policy Dynamics*, (1st ed.), University Of Chicago Press, 2002.
[55] D. Stone, *Policy Paradox: The Art of Political Decision Making, Revised Edition*, (3rd ed.), W. W. Norton & Company, 2001.
[56] B.D. Jones and F.R. Baumgartner, Punctuations, Ideas, and Public Policy, in: *Policy Dynamics*, (1st ed.), F.R. Baumgartner and B.D. Jones, eds, University Of Chicago Press, 2002, pp. 293–306.
[57] F.R. Baumgartner and B.D. Jones, Positive and Negative Feedback in Politics, in: *Policy Dynamics*, (1st ed.), F.R. Baumgartner and B.D. Jones, eds, University Of Chicago Press, 2002, pp. 3–28.
[58] E. Ostrom, Collective Action and the Evolution of Social Norms, *Journal of Economic Perspectives* **14**(3) (2000), 137–158.
[59] J.W. Hardin, Multiple Topics, Multiple Targets, Multiple Goals, and Multiple Decision Makers: Congressional Consideration of Comprehensive Health Care Reform, in: *Policy Dynamics*, (1st ed.), F.R. Baumgartner and B.D. Jones, eds, University Of Chicago Press, 2002, pp. 96–124.
[60] J.D. Wilkerson, T.J. Feeley, N.S. Schiereck and C. Sue, Using Bills and Hearings to Trace Attention in Congress: Policy Windows in Health Care Legislating, in *Policy Dynamics*, (1st ed.), F.R. Baumgartner and B.D. Jones, eds, University Of Chicago Press, 2002, pp. 250–269.
[61] J. Habermas, *The Theory of Communicative Action* **1 & 2**, Boston: Beacon Press, 1984.
[62] P. Muhlberger, Human Agency and the Revitalization of the Public Sphere, *Political Communication* **22**(2) (2005), 163–178.